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OF THE

THIRD SESSION OF THE SEVENTY-FIRST CONGRESS

OF

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Congressional Record

SEVENTY-FIRST CONGRESS, THIRD SESSION

SENATE

MONDAY, DECEMBER 1, 1930

The first Monday of December being the day prescribed by the Constitution of the United States for the annual meeting of Congress, the third session of the Seventy-first Congress commenced this day.

The Senate assembled in its Chamber at the Capitol.

CHARLES CURTIS, of Kansas, Vice President of the United States, called the Senate to order at 12 o'clock meridian.

The Chaplain, Rev. ZeBarney T. Phillips, rector of the Church of the Epiphany, city of Washington, offered the following prayer:

Eternal Father, whose glory is in all the world, we thank Thee for this day, laden with promise and rich in opportunity arising from the renewal of this fellowship of service. Let Thy fatherly hand be over this Nation; give Thine especial blessing to the President, Vice President, and all in authority over us, that we may dwell secure in peace at home and with all the world. Give to the Members of the Senate implicit trust in Thee for strength and guidance; greatness of heart, that they may touch life wherever lived and make it great; wisdom beyond their wisest thought, transcending human experience, yielded by no human discipline; and integrity of purpose in the face of every task.

May Thy spirit without measure quicken into new life and hope all who are oppressed and overborne with care; may it permeate every sphere of human activity, that truth may banish falsehood and a passion for the common weal consume all dross of unworthy ambition. Let this be to us a day of days, that when the twilight fills the quiet sea's dead face with creeping shadows and the white silence brims the hollow of the hills we may eastward turn and homeward to the rest that shall be ours, saying, "Day that I loved, the night is here, enshrining in its purple folds the splendor of another dawn." Grant this, O Father, for the sake of Him who is the dayspring from on high, Jesus Christ our Lord. Amen.

CALL OF THE ROLL

The VICE PRESIDENT. This being the day designated by the Constitution of the United States for the assembling of Congress, the Senate, pursuant thereto, is now in session. The Chief Clerk will call the roll.

The Chief Clerk (John C. Crockett) called the roll, and the following Senators answered to their names:

Ashurst	George	King	Shipstead
Barkley	Gillett	McCulloch	Shortridge
Bingham	Glenn	McKellar	Simmons
Black	Goff	McMaster	Smoot
Blaine	Goldsborough	McNary	Steck
Blease	Gould	Moses	Steiwer
Borah	Greene	Norris	Stephens
Brock	Hale	Nye	Swanson
Brookhart	Harris	Oddie	Thomas, Idaho
Broussard	Harrison	Overman	Thomas, Okla.
Capper	Hastings	Patterson	Townsend
Caraway	Hatfield	Phipps	Trammell
Connally	Hayden	Pine	Tydings
Couzens	Hebert	Pittman	Vandenberg
Dale	Heflin	Reed	Walcott
Densen	Howell	Robinson, Ark.	Walsh, Mass.
Dill	Jones	Robinson, Ind.	Walsh, Mont.
Fess	Kean	Robsion, Ky.	Waterman
Fletcher	Kendrick	Schall	Watson
Frazier	Keyes		Wheeler

Mr. HEBERT. My colleague [Mr. METCALF] is unavoidably absent. I ask that this announcement may stand for the day.

Mr. SWANSON. My colleague [Mr. GLASS] is detained from the Senate on account of illness in his family, and I will let this announcement stand for the day.

Mr. SHEPPARD. I wish to announce that the senior Senator from New York [Mr. COPELAND] and the junior Senator from New York [Mr. WAGNER] are necessarily detained from the Senate attending the funeral of former Representative Quayle, of New York.

I also wish to announce that the senior Senator from New Mexico [Mr. BRATTON] is necessarily detained from the Senate on important business in his State.

The VICE PRESIDENT. Eighty Senators have answered to their names. A quorum is present.

CREDENTIALS

The VICE PRESIDENT. The Chair lays before the Senate sundry certificates of election, which will be read and filed.

The credentials were read and ordered to be placed on file, as follows:

DANIEL O. HASTINGS

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

Be it known an election was held in the State of Delaware on Tuesday, the 4th day of November, A. D. 1930, that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution of the United States and the laws of the State of Delaware in that behalf for the election of a Senator for the people of the said State in the Senate of the United States.

Whereas the official certificates or returns of the said election held in the several counties of the said State, in due manner made out, signed, and executed, have been delivered to me according to the laws of the said State by the superior court of the said counties; and having examined said returns and enumerated and ascertained the number of votes for each and every candidate or person voted for for such Senator I have found DANIEL O. HASTINGS to be the person highest in vote, and therefore duly elected Senator of and for the said State in the Senate of the United States for the constitutional term to commence on the 4th day of March, A. D. 1925.

I, C. D. Buck, governor, do, therefore, according to the form of the act of the general assembly of the said State and of the act of Congress of the United States, in such case made and provided, declare the said DANIEL O. HASTINGS the person highest in vote at the election aforesaid, and therefore duly and legally elected Senator of and for the said State of Delaware in the Senate of the United States for the constitutional term to commence on the 4th day of March, in the year of our Lord 1925.

Given under my hand and the great seal of the said State, in obedience to the said act of the general assembly and of the said act of Congress, at Dover, the 14th day of November, A. D. 1930, and in the year of the independence of the United States of America the one hundred and fifty-fifth.

C. D. BUCK.

By the governor:
[SEAL.]

CHARLES H. GRANTLAND,
Secretary of State.

CERTIFICATE OF ELECTION OF ROBERT J. BULKLEY TO THE OFFICE OF UNITED STATES SENATOR—UNEXPIRED TERM

THE STATE OF OHIO.

This is to certify that at the general election held in the State of Ohio on the 4th day of November, A. D. 1930, ROBERT J. BULKLEY was duly elected United States Senator, unexpired term, and that he is entitled to all the rights and privileges of such office.

Given under my hand and seal at Columbus, Ohio, this 26th day of November, A. D. 1930.

MYERS Y. COOPER, *Governor.*

Countersigned:
[SEAL.]

CLARENCE J. BROWN,
Secretary of State.

GEORGE M'GILL

STATE OF KANSAS,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November, 1930, GEORGE McGILL was duly chosen by the qualified electors of the State of Kansas a Senator from said State to represent said State in the Senate of the United States for the unexpired term ending on the 3d day of March, 1933, vice Hon. Charles Curtis resigned.

Witness his excellency our governor, Clyde M. Reed, and our seal hereto, affixed at Topeka, Kans., this 26th day of November, A. D. 1930.

CLYDE M. REED.

By the governor:
[SEAL.]
E. A. CORNELL,
Secretary of State.

W. E. BROCK

This is to certify that on the 4th day of November, 1930, W. E. BROCK was duly chosen by the qualified electors of the State of Tennessee a Senator from said State to represent said State in the Senate of the United States for the short term from December 1, 1930, until March 4, 1931.

Witness his excellency our governor, Henry H. Horton, and our seal hereto, affixed at Nashville this 22d day of November, A. D. 1930.

HENRY H. HORTON,
Governor.

By the governor:
[SEAL.]
E. N. HASTON,
Secretary of State.

ROBERT D. CAREY

THE STATE OF WYOMING,
EXECUTIVE DEPARTMENT,
Cheyenne.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November, 1930, ROBERT D. CAREY was duly chosen by the qualified electors of the State of Wyoming a Senator from said State to represent said State in the Senate of the United States to fill the vacancy caused by the death of the late Senator Francis E. Warren and for the unexpired portion of the 6-year term which began upon the 4th day of March, 1925, not filled through the appointment of the Hon. Patrick Sullivan.

Witness his excellency our governor, Frank C. Emerson, and our seal hereto, affixed at Cheyenne, in the State of Wyoming, this 24th day of November, A. D. 1930.

FRANK C. EMERSON,
Governor.

By the governor:
[SEAL.]
A. M. CLARK,
Secretary of State.

Mr. BARKLEY. Mr. President, I have received credentials from the proper officers of the Commonwealth of Kentucky certifying the election of Hon. BEN WILLIAMSON to membership in this body for the unexpired term ending the 4th of next March. He is here and ready to take the oath.

The VICE PRESIDENT. The clerk will read the credentials.

The credentials were read and ordered to be placed on file, as follows:

COMMONWEALTH OF KENTUCKY,
Frankfort, Ky., November 24, 1930.

The undersigned, a board for examining the returns of an election held on Tuesday, the 4th day of November, 1930, for the office of United States Senator to fill out the remainder of the unexpired term of Frederic M. Sackett, of the State of Kentucky, do certify that BEN WILLIAMSON received the highest number of votes given for that office, as certified to the secretary of state, and is therefore duly and regularly elected for the term prescribed by the Constitution.

W. B. O'CONNELL, *Chairman,*
D. B. CORNETT, *Member,*
State Board of Election Commissioners for the Commonwealth of Kentucky.

Attest:
JOHN P. CUSICK,
Secretary State Board of Election Commissioners.

ADMINISTRATION OF THE OATH

The VICE PRESIDENT. The Senators elect will present themselves at the Vice President's desk and take the oath of office.

Mr. BROCK, escorted by Mr. McKELLAR; Mr. BULKLEY, escorted by Mr. FESS; Mr. CAREY, escorted by Mr. KENDRICK; Mr. HASTINGS, escorted by Mr. TOWNSEND; Mr. McGILL, escorted by Mr. CAPPER; and Mr. WILLIAMSON, escorted by Mr. BARKLEY, advanced to the Vice President's desk; and the oath prescribed by law having been administered to them by the Vice President, they took their seats in the Senate.

LIST OF SENATORS BY STATES

Alabama—J. Thomas Heflin and Hugo L. Black.
Arizona—Henry F. Ashurst and Carl Hayden.
Arkansas—Joseph T. Robinson and T. H. Caraway.
California—Hiram W. Johnson and Samuel M. Shortridge.
Colorado—Lawrence C. Phipps and Charles W. Waterman.
Connecticut—Hiram Bingham and Frederic C. Walcott.
Delaware—Daniel O. Hastings and John G. Townsend.
Florida—Duncan U. Fletcher and Park Trammell.
Georgia—William J. Harris and Walter F. George.
Idaho—William E. Borah and John Thomas.
Illinois—Charles S. Deneen and Otis F. Glenn.
Indiana—James E. Watson and Arthur R. Robinson.
Iowa—Daniel F. Steck and Smith W. Brookhart.
Kansas—Arthur Capper and George McGill.
Kentucky—Alben W. Barkley and Ben Williamson.
Louisiana—Joseph E. Ransdell and Edwin S. Broussard.
Maine—Frederick Hale and Arthur R. Gould.
Maryland—Millard E. Tydings and Phillips Lee Goldsborough.
Massachusetts—Frederick H. Gillett and David I. Walsh.
Michigan—James Couzens and Arthur H. Vandenberg.
Minnesota—Henrik Shipstead and Thomas D. Schall.
Mississippi—Pat Harrison and Hubert D. Stephens.
Missouri—Harry B. Hawes and Roscoe C. Patterson.
Montana—Thomas J. Walsh and Burton K. Wheeler.
Nebraska—George W. Norris and Robert B. Howell.
Nevada—Key Pittman and Tasker L. Oddie.
New Hampshire—George H. Moses and Henry W. Keyes.
New Jersey—Hamilton F. Kean and Dwight W. Morrow.[1]
New Mexico—Sam G. Bratton and Bronson M. Cutting.
New York—Royal S. Copeland and Robert F. Wagner.
North Carolina—F. M. Simmons and Lee S. Overman.
North Dakota—Lynn J. Frazier and Gerald P. Nye.
Ohio—S. D. Fess and Robert J. Bulkley.
Oklahoma—W. B. Pine and Elmer Thomas.
Oregon—Charles L. McNary and Frederick Steiwer.
Pennsylvania—David A. Reed and James J. Davis.[1]
Rhode Island—Jesse H. Metcalf and Felix Hebert.
South Carolina—Ellison D. Smith and Cole. L. Blease.
South Dakota—Peter Norbeck and Wm. H. McMaster.
Tennessee—Kenneth McKellar and W. E. Brock.
Texas—Morris Sheppard and Tom Connally.
Utah—Reed Smoot and William H. King.
Vermont—Frank L. Greene and Porter H. Dale.
Virginia—Claude A. Swanson and Carter Glass.
Washington—Wesley L. Jones and C. C. Dill.
West Virginia—Guy D. Goff and Henry D. Hatfield.
Wisconsin—Robert M. La Follette, jr., and John J. Blaine.
Wyoming—John B. Kendrick and Robert D. Carey.

NOTIFICATION TO THE PRESIDENT

Mr. WATSON submitted the following resolution (S. Res. 332), which was read, considered by unanimous consent, and agreed to:

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled, and that the Congress is ready to receive any communication he may be pleased to make.

The VICE PRESIDENT appointed Mr. WATSON and Mr. ROBINSON of Arkansas as the committee on the part of the Senate.

NOTIFICATION TO THE HOUSE

Mr. ROBINSON of Arkansas submitted the following resolution (S. Res. 333), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled, and that the Senate is ready to proceed to business.

[1] Credentials not presented to-day.

HOUR OF DAILY MEETING

Mr. McNARY submitted the following resolution (S. Res. 334), which was read, considered by unanimous consent, and agreed to:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian until otherwise ordered.

Mr. WATSON. I move that the Senate adjourn.

The motion was agreed to; and (at 12 o'clock and 20 minutes p. m.) the Senate adjourned, the adjournment being, under the order just made, until to-morrow, Tuesday, December 2, 1930, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, DECEMBER 1, 1930.

This being the day fixed by the Constitution of the United States for the annual meeting of the Congress, the House of Representatives of the Seventy-first Congress met in its Hall at 12 o'clock noon and was called to order by the Speaker, Hon. NICHOLAS LONGWORTH, a Representative from the State of Ohio.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We bow in humble submission before the throne of the God of our Fathers with the deepest gratitude for the evangels of Thy love and mercy. We thank Thee for that shelter and succor which are far beyond what the world can give. Thou art the source of our fondest aspirations, visions, and dreams. More than ever before do Thou inspire us with the love of justice, with the old-time passion for righteousness, with the old-time sympathy for the oppressed, and with the old American ideals of a better country and a better future. Bring us into a unity of soul and of allegiance to one Lord and one law. With mighty convictions, with mighty surrenders, and with mighty endeavors may we rededicate ourselves at the altars of the Republic, the American toiler, and the American home. O let the resistless undercurrent of our national life move tremendously in favor of sound, substantial government. Thus wilt Thou catch a glorious glimpse of us as the sons of God coming into our true appointed heritage. Do Thou most graciously remember our President, our Speaker, the Members, officers, and pages of this Congress. Finally, Blessed Lord God, may peace, righteous peace, soon lay like a golden shaft across the faces of all lands. Through Jesus Christ our Lord. Amen.

CALLING THE ROLL

The SPEAKER. The Clerk will call the roll alphabetically instead of by States.

The Clerk called the roll, and the following Members answered to their names:

[Roll No. 1]

Abernethy	Brigham	Collier	Drewry
Ackerman	Britten	Collins	Driver
Adkins	Browne	Colton	Dunbar
Aldrich	Browning	Connery	Dyer
Allgood	Brumm	Cooke	Eaton, Colo.
Almon	Buchanan	Cooper, Ohio	Eaton, N. J.
Andrew	Burtness	Cooper, Tenn.	Edwards
Arents	Busby	Cooper, Wis.	Elliott
Arnold	Butler	Corning	Ellis
Aswell	Byrns	Cox	Englebright
Auf der Heide	Cable	Coyle	Ezlick
Ayres	Campbell, Iowa	Crail	Estep
Bacharach	Campbell, Pa.	Cramton	Esterly
Bachmann	Canfield	Crisp	Evans, Calif.
Baird	Cannon	Cross	Evans, Mont.
Bankhead	Carter, Calif.	Crosser	Fenn
Barbour	Carter, Wyo.	Crowther	Finley
Beck	Cartwright	Culkin	Fisher
Beedy	Chalmers	Dallinger	Fitzgerald
Beers	Chase	Darrow	Fort
Blackburn	Chindblom	Davenport	Foss
Bland	Christgau	Davis	Frear
Blanton	Christopherson	De Priest	Free
Bloom	Clague	Dickinson	Freeman
Bolton	Clancy	Dominick	French
Bowman	Clark, Md.	Doughton	Fuller
Box	Clark, N. C.	Douglas, Ariz.	Fulmer
Brand, Ga.	Clarke, N. Y.	Dowell	Gambrill
Brand, Ohio	Cochran, Mo.	Doxey	Garber, Okla.
Briggs	Cole	Drane	Garber, Va.
Garner	Jones, Tex.	Nelson, Mo.	Sproul, Kans.
Garrett	Kading	Nelson, Wis.	Stafford
Gasque	Kahn	Newhall	Stalker
Gibson	Kearns	Niedringhaus	Steagall
Gifford	Kelly	Nolan	Stevenson
Glover	Kemp	Norton	Stone
Golder	Kendall, Ky.	O'Connor, Okla.	Strong, Kans.
Goldsborough	Kendall, Pa.	O'Connor, N. Y.	Strong, Pa.
Goodwin	Kerr	Oldfield	Sullivan, Pa.
Graham	Ketcham	Oliver, Ala.	Summers, Wash.
Granfield	Kiefner	Owen	Sumners, Tex.
Green	Kinser	Palmer	Swanson
Greenwood	Kopp	Palmisano	Swick
Gregory	Korell	Parker	Swing
Guyer	Kurtz	Parks	Taber
Hadley	Kvale	Patman	Tarver
Hale	LaGuardia	Patterson	Taylor, Colo.
Hall, Ill.	Lambertson	Perkins	Taylor, Tenn.
Hall, Ind.	Langley	Pittenger	Temple
Hall, Miss.	Lanham	Pou	Thatcher
Hall, N. Dak.	Lankford, Ga.	Prall	Thompson
Halsey	Lankford, Va.	Pratt, Harcourt J.	Thurston
Hancock, N. Y.	Larsen	Purnell	Tilson
Hardy	Lea	Ragon	Timberlake
Hare	Leavitt	Ramey, Frank M.	Tinkham
Hartley	Leech	Ramseyer	Treadway
Hastings	Lehlbach	Ramspeck	Tucker
Haugen	Letts	Rankin	Turpin
Hawley	Linthicum	Ransley	Underwood
Hess	Lozier	Reece	Vestal
Hickey	Luce	Reed, N. Y.	Vincent, Mich.
Hill, Ala.	Ludlow	Robinson	Wainwright
Hill, Wash.	McClintic, Okla.	Rogers	Walker
Hoch	McClintock, Ohio	Rutherford	Warren
Hoffman	McCormack, Mass.	Sabath	Wason
Hogg, Ind.	McCormick, Ill.	Sanders, N. Y.	Watres
Holaday	McDuffie	Sanders, Tex.	Watson
Hooper	McKeown	Sandlin	Welch, Calif.
Hope	McLaughlin	Schneider	Welsh, Pa.
Houston, Del.	McReynolds	Seger	White
Howard	Magrady	Seiberling	Whitehead
Huddleston	Mansfield	Selvig	Whitley
Hudson	Mapes	Shaffer, Va.	Whittington
Hull, Morton D.	Martin	Short, Mo.	Williams
Hull, William E.	Menges	Shott, W. Va.	Williamson
Hull, Tenn.	Merritt	Shreve	Wilson
Hull, Wis.	Michaelson	Simmons	Wolfenden
Igoe	Michener	Simms	Wolverton, N. J.
Irwin	Miller	Sinclair	Wolverton, W. Va.
James, Mich.	Montague	Sirovich	Wood
Jeffers	Montet	Sloan	Woodruff
Jenkins	Moore, Ky.	Smith, Idaho	Woodrum
Johnson, Ill.	Moore, Ohio	Smith, W. Va.	Wright
Johnson, Nebr.	Moore, Va.	Snell	Wyant
Johnson, Okla.	Morehead	Snow	Yates
Johnson, S. Dak.	Morgan	Sparks	Yon
Johnson, Tex.	Mouser	Speaks	
Johnson, Wash.	Murphy	Spearing	
Jonas, N. C.	Nelson, Me.	Sproul, Ill.	

The SPEAKER. Three hundred and fifty-three Members have responded to their names; a quorum is present.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 736. An act to authorize the cession to the city of New York of land on the northerly side of New Dorp Lane in exchange for permission to connect Miller Field with the said city's public sewer system;

H. R. 9267. An act for the relief of John A. Fay; and

H. R. 10387. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of Denver, Colo., the ship's bell, plaque, war record, name plate, and silver service of the cruiser *Denver*, that is now or may be in his custody.

The message also announced that the Senate had passed the following resolutions:

Senate Resolution 327

Resolved, That the Senate has heard with deep regret of the announcement of the death of Hon. FLORIAN LAMPERT, late a Representative from the State of Wisconsin.

Resolved, That a committee of six Senators be appointed by the Presiding Officer of the Senate to attend the funeral of Mr. LAMPERT.

Resolved, That the Secretary communicate these resolutions to the House of Representatives, when it shall reassemble, and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now take a recess until 11 o'clock a. m. to-morrow.

Pursuant to the foregoing resolution, the Presiding Officer appointed Mr. BLAINE, Mr. SHIPSTEAD, Mr. FRAZIER, Mr. NYE, Mr. MCMASTER, and Mr. STECK members of the committee on the part of the Senate to attend the funeral of the deceased.

Senate Resolution 331, July 21, 1930

Resolved, That the Senate has heard with deep regret of the announcement of the death of Hon. EDGAR RAYMOND KIESS, late a Representative from the State of Pennsylvania.

Resolved, That a committee of seven Senators be appointed by the Vice President to attend the funeral of Mr. KIESS, and that the Delegate from the Philippine Islands, Mr. GUEVARA, be invited to accompany the committee.

Resolved, That the Secretary communicate these resolutions to the House of Representatives, when it shall reassemble, and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now adjourn.

Pursuant to the foregoing resolutions, the Vice President appointed Mr. REED, Mr. PITTMAN, Mr. MOSES, Mr. HARRIS, Mr. BINGHAM, Mr. BROUSSARD, and Mr. SHIPSTEAD members of the committee on the part of the Senate to attend the funeral of the deceased.

Senate Resolution 332

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled, and that the Congress is ready to receive any communication he may be pleased to make.

Senate Resolution 333

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled, and that the Senate is ready to proceed to business.

Senate Resolution 334

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian until otherwise ordered.

MESSAGE FROM THE PRESIDENT

A message from the President announced that the President had, on the following dates, approved and signed bills of the House of the following titles:

On July 8, 1930:

H. R. 887. An act for the relief of Mary R. Long;

H. R. 936. An act for the relief of Glen D. Tolman;

H. R. 730. An act to amend section 8 of the act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended; and

H. R. 3441. An act for the relief of Meta S. Wilkinson.

On July 10, 1930:

H. R. 6. An act to amend the definition of oleomargarine contained in the act entitled "An act defining butter; also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886, as amended.

RESIGNATION OF MR. KINCHELOE

The SPEAKER laid before the House the following communication, which was read by the Clerk and ordered to be entered on the Journal.

HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., September 25, 1930.

Hon. NICHOLAS LONGWORTH,
Speaker of the House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: I beg to inform you that I have this day transmitted to the Governor of Kentucky my resignation as a Representative in the Congress of the United States from the second district of Kentucky, a copy of which is hereto attached.

Yours very truly,

D. H. KINCHELOE.

SEPTEMBER 25, 1930.

Honorable FLEM D. SAMPSON,
Governor of the State of Kentucky,
Frankfort, Kentucky:

MY DEAR GOVERNOR SAMPSON: The President of the United States having appointed me as a judge of the United States Customs Court, and it being my purpose to take the oath of office on Monday, October 6, 1930, I hereby tender to you my resignation as a Member of the House of Representatives in the Congress of the United States from the second district of Kentucky, effective at the end of October 5, 1930.

Yours very truly,

D. H. KINCHELOE.

The SPEAKER laid before the House the following communication, which was read by the Clerk:

NOVEMBER 28, 1930.

Hon. NICHOLAS LONGWORTH,
Speaker of the House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: Certificates of election in due form of law of the following Representatives elect to the Seventy-first Congress to fill vacancies have been filed in this office, viz:

Representatives elect to the Seventy-first Congress

District and State	Representative elect	Predecessor	
Fourth Arkansas	Effiegene Wingo	Otis Wingo	Deceased.
Fifth Connecticut	Edward W. Goss	James P. Glynn	Do.
Fifteenth Illinois	Burnett M. Chiperfield.	Edward J. King	Do.
Twenty-fourth Illinois	Claude V. Parsons	Thomas S. Williams	Resigned.
Second Kentucky	John L. Dorsey, jr.	David H. Kincheloe	Do.
Fifth North Carolina	Frank Hancock	Charles M. Stedman	Deceased.
Seventh North Carolina.	Hinton James	William C. Hammer	Do.
Sixteenth Pennsylvania.	Robert F. Rich	Edgar R. Kiess	Do.
Thirty-second Pennsylvania.	Edmund F. Erk	Stephen G. Porter	Do.
Third Rhode Island	Francis B. Condon	Jeremiah E. O'Connell.	Resigned.
Second Utah	Frederick C. Loofbourow.	Elmer O. Leatherwood.	Deceased.
Fourth West Virginia	Robert L. Hogg	James A. Hughes	Do.
Sixth Wisconsin	Michael K. Reilly	Florian Lampert	Do.

Yours very truly,

WM. TYLER PAGE,
Clerk of the House of Representatives.

SWEARING IN OF MEMBERS

The following Members elect appeared at the bar of the House and took the oath of office prescribed by law:

EFFIEGENE WINGO, fourth Arkansas; EDWARD W. GOSS, fifth Connecticut; BURNETT M. CHIPERFIELD, fifteenth Illinois; CLAUDE V. PARSONS, twenty-fourth Illinois; JOHN L. DORSEY, jr., second Kentucky; FRANK HANCOCK, fifth North Carolina; HINTON JAMES, seventh North Carolina; ROBERT F. RICH, sixteenth Pennsylvania; EDMUND F. ERK, thirty-second Pennsylvania; FRANCIS B. CONDON, third Rhode Island; FREDERICK C. LOOFBOUROW, second Utah; ROBERT L. HOGG, fourth West Virginia; MICHAEL K. REILLY, sixth Wisconsin.

RETURN OF RECORDS, DOCUMENTS, ETC., TO THE TREASURY

The SPEAKER laid before the House the following communication from the Clerk of the House:

NOVEMBER 25, 1930.

Hon. NICHOLAS LONGWORTH,
Speaker of the House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: I have the honor to report that in accordance with the resolution of the House of Representatives, House Resolution No. 260, second session Seventy-first Congress, adopted June 24, 1930, directing the Clerk of the House of Representatives "to return to the Treasury Department, taking proper receipt therefor, the original records, documents, books, and papers, inventoried, which were adduced as evidence before the select committee appointed under House Resolution 231, Sixty-eighth Congress, and by that committee turned over to the files of the House to accompany its report," the said original records, consisting of documents, books, papers, United States securities, and interest coupons, were delivered September 26, 1930, to a committee representing the Treasury Department, whose receipt therefor was obtained, accompanied by inventories thereof, which receipt and inventories will be placed in the files of the House of Representatives.

Very respectfully,

WM. TYLER PAGE,
Clerk of the House of Representatives.

COMMITTEE TO NOTIFY THE PRESIDENT

Mr. TILSON. Mr. Speaker, I send to the Clerk's desk a resolution and move its immediate adoption.

The SPEAKER. The gentleman from Connecticut offers a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 294

Resolved, That a committee of three Members be appointed by the Speaker on the part of the House of Representatives to join with the committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled and that Congress is ready to receive any communication that he may be pleased to make.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER. The Chair appoints the following members of the committee: Mr. TILSON, Mr. HAWLEY, Mr. GARNER.

COMMITTEE TO NOTIFY THE SENATE

Mr. HAWLEY. Mr. Speaker, I offer the following resolution, which I send to the desk.

The Clerk read as follows:

House Resolution 295

Resolved, That the Clerk of the House inform the Senate that a quorum of the House of Representatives has appeared and that the House is ready to proceed with business.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

DAILY HOUR OF MEETING

Mr. SNELL. Mr. Speaker, I offer the following resolution, which I send to the desk.

The Clerk read as follows:

House Resolution 296

Resolved, That the hour of daily meeting shall be at 12 o'clock meridian.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

RESIGNATION FROM A COMMITTEE

The SPEAKER laid before the House the following communication, which the Clerk read as follows:

WASHINGTON, D. C., *December 1, 1930.*

Hon. NICHOLAS LONGWORTH,
Speaker House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I herewith tender my resignation as chairman and member of the Committee on Memorials of the House of Representatives, and I shall be glad to have a successor named at your earliest convenience.

The exceedingly heavy program in connection with the work on the Joint Pay Committee, together with my work as a member of the Appropriations Committee, compels me to take this course.

Thanking you for your many courtesies to me, I am,

Yours very truly,

BURTON L. FRENCH.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

DROUGHT-RELIEF LEGISLATION

Mr. ASWELL. Mr. Speaker, I ask unanimous consent to proceed for a few moments and to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to proceed for a few minutes and to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. ASWELL. Mr. Speaker, for two months I have worked continuously on plans for drought-relief legislation.

On October 20 the National Association of Commissioners of Agriculture held its annual meeting in Washington. These commissioners of agriculture are in close touch with the agricultural situation in every State. This association appointed a committee of five to cooperate with the Secretary of Agriculture in drafting drought-relief legislation. The committee is as follows:

Harry D. Wilson, chairman, Baton Rouge, La.; Herbert E. Powell, Lansing, Mich.; G. W. Koiner, Richmond, Va.; Perry L. Green, Columbus, Ohio; Dr. W. J. Fitts, Nashville, Tenn.

The committee asked me to cooperate with the Secretary of Agriculture in preparing a joint resolution, which I did, and introduced it to-day in the House, and Senator MCNARY will introduce it in the Senate. The resolution follows:

Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States

Resolved, etc., That the Secretary of Agriculture is hereby authorized for the crop of 1931 to make advances or loans to farmers in the drought and/or storm stricken areas of the United States where he shall find that an emergency need for such assistance exists for the purchase of food, seed of suitable crops, fertilizers, feed for work stock, and/or fuel and oil for tractors used for crop production, and for such other purposes of crop production as may be prescribed by the Secretary of Agriculture. Such advances or loans shall be made upon such terms and conditions and subject to such regulations as the Secretary of Agriculture shall prescribe, including an agreement by each farmer to use the seed and fertilizer thus obtained by him for crop production. A first lien on all crops growing or to be planted and grown during the year 1931 may, in the discretion of the Secretary of Agriculture, be deemed sufficient security for such loan or advance. All such advances or loans shall be made through such agencies as the Secretary of Agriculture may designate, and in such amounts as such agencies, with the approval of the Secretary of Agriculture, may determine. For carrying out the purposes of this resolution, including all expenses and charges incurred in so doing, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $60,000,000.

SEC. 2. Any person who shall knowingly make any material false representation for the purpose of obtaining an advance, loan, or sale, or in assisting in obtaining such loan, advance, or sale, under this resolution shall, upon conviction thereof, be punished by a fine of not exceeding $1,000 or by imprisonment not exceeding six months, or both.

This resolution does not undertake to deal with the general problem of unemployment, nor is it a step in the direction of a dole. The requirement for a first lien on the crop differentiates this resolution from the general question of unemployment in industry.

Upon the call of the Secretary of Agriculture, the chairmen of the State drought-relief committees, representing 22 States drought stricken in whole or in part, assembled in Washington on November 20 and reported the conditions that prevail in the drought area. These reports are as follows:

ALABAMA

(Seth P. Storrs, commissioner of agriculture and chairman State drought-relief committee)

Because of drought conditions in Alabama this year the honest, hard-working farmer has made practically no crops. Being in most cases a tenant farmer, he is unable because of shortage of crops to meet his obligation to his landlord, and the landlord in turn is unable to meet his obligations with the bank. Deposits of banks of Alabama have greatly decreased and frozen loans have greatly increased, and the problem of the bank is that of self-preservation and not that of service. Because of the above conditions the landlord is unable to finance tenant for next year's crops, since the bank is not able to finance the landlord. The tenant tries to find a new place to work but can not find it. He is without food and clothing, has no place to go, and he begins to talk "red." He feels that there is plenty of food and feed and he will just go out and take it.

There is a State drought-relief committee and each county is organized. We have made a survey of 39 counties out of 67 to find how many families in that district are absolutely unable to secure credit from any source. This survey shows a total of 38,000 families. There are 28 additional counties partially damaged by drought in which the statistician estimates 12 per cent of the people are in the same position, bringing the total up to 50,040 families who will be unable to operate unless some way can be found to furnish them credit. Mr. Secretary, $10,000,000 is the minimum amount that the job will demand in Alabama.

ARKANSAS

(Harvey C. Couch, chairman of the State drought-relief committee)

When the drought became acute in Arkansas the governor called some people together to consider the situation. The first thing looked for was the Red Cross, and they were found right on the doorstep ready and willing to help. We have a serious situation. There is a State committee and county committees. About 50 of our counties out of 75 are very seriously affected by the drought. Our banking situation is rather serious just now as a result of accumulation of bad management, frozen loans, a large part of which are agricultural loans. The questionnaire sent out by the committee indicated a very serious need for fall crops. The Red Cross very generously came to our relief, and there have been more winter grazing crops and more turnips planted than ever before.

As to the help needed and means of securing it, Arkansas is largely an agricultural State, and while we have some very large planters, there are a great many small ones. They are the ones most seriously in need of assistance. Arkansas corn yield this year has averaged 4 bushels to the acre, and of this 4 bushels only 25 per cent is merchantable corn. Our banks make loans to farmers every year to the extent of $76,000,000 on crops. They are carrying over a large part of them. Of the 243,000 farms in operation in Arkansas at least one-third are going to require aid. They can not secure this aid through the banks, as they are without the kind of security that will be accepted. They will need help, and on this basis of $5 per acre this will amount to about $12,000,000. This is on the assumption that the Red Cross or the Lord will carry them through the winter. This estimate begins with about March 1, 1931. Our people are courageous, and I think

that if loans are made to them for crop production they will be largely paid back.

Secretary HYDE. I understand you have set up intermediate credit banks.

Mr. COUCH. Yes. The one at Pine Bluff was set up with a capital of $500,000, of which $300,000 was subscribed. Some of the banks that subscribed to this stock have closed their doors this week, and just what effect this will have we can not tell.

ILLINOIS

(Spitler Mumford)

Regret expressed that the chairman of the Illinois drought-relief committee was unable to be present, as Mr. Crebs (the chairman) lives in the drought area and is therefore more familiar with conditions. Forty counties in Illinois have been designated in the drought area and there is a good deal of distress. The report of the railroad representative showed that a relatively small number of cars of feed had been moved. This is due to the fact that in Illinois we have tried to keep the number down to the lowest possible limit, and the county agents have been instructed not to approve anything but the legitimate cases. One of the things that complicates the situation is that a good many banks have gone out of business. We have counties where there has not been a single bank functioning. This is over an area where there is never any particular reserve. The farmers are poor and always have been poor, and when a thing like this comes along it just simply bowls them over and they are down and out. I have no instruction from the chairman of the committee as to just what relief should be called for, except that he did make the statement that he thought there would be need for some relief in the way of credit for feed and seed. I am simply conveying that information to you.

INDIANA

(J. H. Skinner, dean of the college of agriculture and chairman of the State drought-relief committee)

Indiana has 44 counties out of 93 designated in the drought area. These counties are in the southern part of the State. Through the Agricultural Extension Service surveys have been made. The Red Cross has had a worker in every county in the drought region. The railroad rates have been the greatest help that has come to our people. We are not suffering as they are in some States, because the September rains made it possible for the tobacco crop and the tomato crop to ripen and brought back the pastures, and this has helped. At the same time there are many families in southern Indiana who will have to have some help from some source. These families are families of farmers who are unable to get loans because they have no security to offer. There are approximately 7,500 to 10,000 farmers who will be unable to obtain loans for seed and fertilizer, and in some cases food. I think we will have to have considerable help from the Red Cross for families that are unable to help themselves, particularly in the mining counties, where miners have not been mining for three years. There will be great need for seed loans for farmers next spring in the drought area.

In regard to agricultural-credit corporations, I may say that the Louisville bank and those connected with it have been very helpful. We have urged farmers to interest themselves in the organization of agricultural-credit corporations. Up to date I think we have one actually going and two in process. The common report is that the banks will take care of the situation, but when the farmer goes to the bank for a hundred-dollar loan he is very apt to be told that they can't take care of it.

It is a very difficult thing, from our standpoint, to carry out any large program of agricultural-credit corporations, for the reason that the county agent, the man who is on the job all the time in the county, does not want to antagonize the bank. He wants the backing of the bankers, and the bankers are not particularly interested in agricultural-credit corporations. As director of extension, I have made up my mind that we are going to educate the farmer to demand agricultural-credit corporations. That will take time, however, because the farmer is dependent on the bank and he does not like to go against the bank. I think we will need some help, if help is to be had.

IOWA

(Mark Thornburg, secretary of agriculture, chairman State drought-relief committee)

While the corn crop was cut materially by drought, the yield being about 60,000,000 bushels less than the 5-year average, there is no material need for drought relief. Farmers are meeting the situation by feeding less livestock than usual. Some feed is being shipped to other States. No outside assistance will be needed.

KANSAS

(F. D. Farrell, president of the Kansas State Agricultural College)

The situation in Kansas is very much like Iowa. The whole situation has improved so much since August 20. We have had an unusually favorable fall. The first frost was deferred and we had over nearly all the State very copious rains. Pasture conditions are excellent. With a few individual exceptions ample rough feed is available. Conditions directly attributable to the drought are so much improved that they are important only where in certain instances they accentuate the conditions resulting from low prices. There are a few small sections in the State where it will be necessary to import grain and feed to supplement the locally produced roughage. Most of the importations will be from within the State. We have the peculiar situation of having severe drought in some parts of the State and almost twice the normal rainfall in other parts. The northwestern part of the State has one of the best corn crops this year that it has ever had. I have a letter from our chairman, Mr. Limbocker, which I want to read:

"In the past the Federal Government has made appropriations for seed loans, and we would suggest that it would be entirely feasible for the incoming Congress to make such loans. Such loans should be based on the 'per acre,' depending on the crop to be planted. Of course, such loans could not become effective until the 1931 crops are planted. But even then, with the practical assurance that the loan could be obtained, the farmer could get local credit pending receipt of the money. In this way the funds which are almost necessary for the farmer to raise for paying taxes, living expenses, etc., could be obtained."

KENTUCKY

(Dean Cooper, of the college of agriculture)

We have organized 103 county drought relief committees. These committees were selected by the county judge and include the chairman of the Red Cross committee in the county, the county agent, the railroad agent, editors of the local papers, the county school superintendent, officers of the luncheon and civic clubs, and any others who would be of assistance to the committee. These committees have been active. As a matter of fact, 46 counties have made surveys as to the extent of the drought and the amount of relief necessary for the people. Local resources have been collected and in practically all counties have been put to use.

There will be a great deal of actual distress and suffering among a great many unfortunates if some organization like the Red Cross does not step forth and assist in the relief work necessary. In addition to this, we have had calls from farmers who can not secure the necessary local credit owing to the financial situation in this State. The organization of the intermediate credit bank will help this situation some, but there is another class of farmers who are not in position to make a bankable note; but these men do have the necessary equipment for putting in a crop next year, provided the crop can be financed. Our report of a questionnaire recently sent out shows that on an average there are 425 such farmers per county. Taking an estimate of the crops which they should put in, our questionnaire shows that these farmers will need approximately $200 to put in their crop next year. This being the case, it will require approximately $10,000,000 for crop-production loans in Kentucky, providing there is a loan of $4 per acre for most crops and $14 to $20 an acre for tobacco.

Our questionnaire also shows that the livestock population of Kentucky has decreased materially this year. As a matter of fact, it shows that our dairy cattle on an average have decreased 21 per cent; our beef cattle, 32 per cent; hogs, 33 per cent; and sheep, 19 per cent. These figures are based on opinions of the county drought relief committees and are as accurate as can be secured from anyone.

We also bring out in the questionnaire that on an average there has been shipped into the counties 22 carloads of grain and 12½ carloads of hay, while the requirements of these counties are 41 additional cars of grain and 38 cars of hay. This being the case, the majority of the drought-stricken farmers are not to benefit by the reduced freight rate unless this reduction is extended until after the tobacco crop is sold.

Another very serious problem which is brought out by this questionnaire is that only about 60 per cent of our farmers are going to be able to pay their taxes before the penalties are added January 1.

Another thing that I would like to call to your attention is that the chairman of the Kentucky drought-relief committee handled all the Red Cross rye, which was distributed in Kentucky without cost, and in addition to this also sold rye to those farmers who were able to buy at a very small margin of profit. This was not only a great saving to those farmers who purchased rye but it had a tendency of lowering the price of all the rye sold in Kentucky to a very great extent.

So far as these statistics are concerned, I feel the actual need will be somewhat less than these figures show. As we see the situation at the college, the need of the State will depend on some two or three factors.

First. The question of price we receive for our tobacco crop. If the price is good, much less is necessary. The tobacco crop is about 200,000,000 Burley and 80 per cent customary dark tobacco.

Second. Another situation that will affect the matter of need is the present labor situation. The development of public works, in the event the coal mines do not resume operations, is suggested. Growing possibility in lumber industry would also affect our needs.

Third. The question of winter conditions led us to make an estimate of the number of rural families which will require relief in one form or another. At the present time it would appear that somewhere between twenty-five and fifty thousand rural families will probably require relief to a greater or less extent. The need which seems to be most apparent in the immediate future is for food for rural families, clothing, feed for livestock, particularly on the small farms. During next spring seed and fertilizer will be required. We are very hopeful that through the cooperation of the Red Cross, already operating in the State, and such assistance as may be given through Federal sources and the assistance of citizens in the State, that we may be able to pull through this

year until another crop season. The State drought-relief committee has sent you a statement to the effect that they believe loans should be provided for seed, feed, and fertilizer.

LOUISIANA

(B. F. Thompson, chairman of the State drought-relief committee)

Louisiana is a big State and is divided into several different areas. The drought section in the north central part of the State, the hill section, composed of small farmers, both white and black, what we call two and four horse farmers. Some of them own their land and some of them rent, but it is home to them. In the northeastern part of Louisiana, in the river section, it is strictly a cotton country. Southwest Louisiana is a rice country and central south Louisiana is the sugar country. The drought in the main is confined to the cotton and dairy sections of Louisiana, where the small farmer lives. The governor appointed a State drought-relief committee and a survey was made of the drought situation. It was found that there were something over 50,000 families, white and black, in the area, and of these 50,000 there were about 28,000 to 30,000 who were not self-sustaining and had not made sufficient crops to take care of themselves.

The Red Cross, who sent a man to Louisiana, have cooperated with local chapters and have supplied seed for gardens and fall pastures, which have been very helpful in this drought area. These pastures are coming and will furnish some feed for the milk cow and the stock, but it leaves the family in rather a hopeless condition so far as food is concerned for the balance of this year and to make a crop next year. The average production of corn in the drought area was less than 2 bushels per acre. Our average production is about 15 bushels to the acre in a normal year. Our average production of cotton in the drought area would be 1 bale to 3 acres in a normal year. We made an average of 1 bale to 9 acres in the drought area. We have farm after farm that won't make 1 bale to 20 acres. The whole question resolves itself into a question of the individual. We have some farmers who are able to take care of themselves even in the drought area, and we have some right alongside of them who are not able to take care of themselves. Our banks are somewhat like the Arkansas banks, although we have had no closings yet. The matter was put up to the banks and they were asked very frankly if they could carry the situation. We have both country banks and city banks. After a review of the situation a resolution was passed saying that they were unable to cope with the situation with the collateral the farmers had to offer.

We have something like 30,000 farmers and renters who are going to need help. Take the 2-horse farmer, the man who has 25 acres of ground—10 in cotton, 12 in corn, and the balance in garden and pasture. We believe that the only security that farmer has to offer is a background of honesty, successful farming, and a reputation for paying his debts, and the only thing he has to offer is the hope of a crop in 1931, and if he stays on at home and makes a crop he has got to have help. Our banks say they can't give it. We tried to organize a credit corporation. We find that the small merchant, the credit merchant, has all of his funds tied up in this year's crop. He can't get to the bank and borrow money. The banker is not disposed to put up capital for credit corporations. If we could get the intelligent farmer to work closely with the credit corporation, the extension department, and the Farm Board I believe it would be the most helpful thing for Louisiana agriculture. It is a matter of education and overcoming prejudices. Most of the people are suspicious of any organization that comes along to offer help unless there is something in it for the other fellow. I do not think that we can depend on the credit corporations for our help in Louisiana.

We feel like it is going to take something like $6,000,000, and I am stating the minimum amount. We need the money in January, as planting season begins in our State then. If a loan is obtained I estimate that not more than 5 per cent of any amount advanced will be lost.

We have three classes of farmers—the independent farmer, who can take care of himself; the man who rents land and who usually does take care of himself, but can not do so at this time; and the share cropper, who rents his land, has never taken care of himself and never will. The second class, if taken care of, will solve the problem of the third class.

MARYLAND

(Director T. B. Symons, director of extension, College Park. Introduced by J. W. Davis, president Maryland State Farm Bureau, Rocks, Md.)

Mr. DAVIS. The State of Maryland has been hit very hard by the drought and need for relief will be greater later on than at the present time. Seed crops were ruined, pastures were dried up, and need will continue until the 1st of May of next year. Doctor Symons will make a report.

Mr. SYMONS. Twenty-one counties are included in the drought area, and we have had difficulty in 22 or 23. Only one county had a reasonable amount of rain. The total injury is estimated as 50 per cent of the total income of the farmers of the State. We are very grateful to the railroads for the assistance they have rendered. While we are seventh in the number of carloads moved, we are last (twenty-eighth) in area of States covered. We have a very competent State committee as well as county committees. The county committees have made a survey of the situation and have attempted to solve the problem so far as helping ourselves is concerned. We have no sympathy in our State for agricultural credit corporations. The banks have ample resources to meet legal needs. In the survey we found approximately 25 per cent of the farmers would need help which could not be secured from banks on a legal basis of security. In trying to solve this dilemma in one of the best counties, it was estimated that 60 per cent of the farmers would be able to take care of their own needs and 40 per cent would not, and indicated the need of $300,000 in that one county.

After considerable discussion the State committee has organized a drought-loan corporation. Bankers and citizens were invited to take stock in the corporation for the purpose of extending credit to worthy, honest farmers who can give no legal security but who will endeavor to pay back the loans from next year's crops.

MISSISSIPPI

(E. C. McInnis, Agriculture Service Bureau, Jackson, Miss., chairman)

Mississippi is largely an agricultural State, 85 per cent of its population depending solely upon agriculture. Seventy-three counties have been listed as having been seriously affected by the drought. Sixty-three of these counties had a crop production of 35.9 this year, as against 76.4 for the previous five years. The late rains in September improved the pasture conditions and corn and hay crops somewhat. These are October figures. This leaves us with the prospect of needing $40,000,000 or $50,000,000 to take care of us the coming year. To give an idea of the financial situation in the State, it is estimated by the State banking department that the Delta section, which is the best producing section, will be able to liquidate only 25 per cent of its indebtedness, the northern section 40 per cent, and the southern section 50 per cent. Regarding the status of the banks, the State bank examiners estimate that deposits at the end of this year will be 33⅓ per cent less than last year. Ordinarily banks extend approximately $160,000,000 for production credit. That cuts us down to approximately $80,000,000. Our people, in addition to banking facilities, require between $175,000,000 to $200,000,000 for agricultural production. It looks as if we will have a shortage of production credit of approximately $125,000,000 for agricultural credit, forcing people to get along on a possible two-thirds of what they ordinarily use. We believe we can do this through economy.

Our big problem is with the small landowner and tenant. As you know, Mississippi has a few more negroes than whites. Seventy per cent of the farms of Mississippi are tenant farms. That means 200,000 farmers are tenants. A good portion of that number are facing destitution. Conditions under which they have labored the last few years were such that they have been unable to save. Our people are making a great effort to carry on. It has always been the custom of the landlords to take care of the tenant farmers through the winter months, and about 75 per cent of the farmers will be taken care of in this way. Landlords will go to the full extent to provide food and clothing for them. It occurs to us that from the figures compiled by the county committees and vouched for by the county agents that we have approximately 100,000 people, or 25,000 farm families, who will face destitution early in December. The people of Mississippi do not like the demoralization that comes from doles. We are grateful to the American Red Cross for what they have done, and we want them to stand by in the event that the burden becomes too heavy for us.

We have undertaken to set up farm-credit corporations. As you know, we have one in the Delta that loaned $5,000,000 this year. They anticipate $8,000,000 or $9,000,000 loans next year. There are three communities in the State which would organize credit corporations, but it is difficult to find local capital necessary to put into these organizations. Many banks find credit frozen. Many banks have loaned out their entire resources and will be unable to take care of their loans to correspondence banks by possibly 50 per cent. If any material deposits are called for, they will have to close. We realize the situation is acute. It appears to us that Mississippi will require $25,000,000 of outside credit. We believe we can get $10,000,000 or $12,000,000 from discount corporations, though farmers do not particularly care for this organization. Rate of interest is low.

MISSOURI

(Sherman Houston, Malta Bend)

On November 12, after we received your notice of this conference being called, we sent out a circular letter to every chairman of the county committees in the drought area and to all of the extension people in those counties. To date we have only received replies from about half of them. We asked them to give us the very latest figures on the situation, approximately the number of families that would be in need of relief, and also if conditions were improving or getting worse. I am very glad to report that in very many instances our conditions have materially improved since September. As you probably know, we had good rains during September. Fall wheat crops and forage have made luxuriant growth. Until winter sets in we are in comparatively good shape, so far as livestock is concerned. The area, as you know, covered by the drought is 72 counties out of 114. For our own specific purpose we divided the area into two zones; 34 counties are in an acute situation and the remainder we put in zone 2. Most of our relief will be demanded in practically half of the 72 counties that are in the drought area. Early in the drought period we were able to make a fairly accurate survey of those counties, and find that the number of families that it will be necessary to extend some sort of relief to will vary from 500 to 1,300. In one county over 1,300 families are listed to whom

it will be necessary to get some sort of aid before the winter is over.

The means we have so far of relieving the situation are:

(1) Feed loans: We happen to be so geographically situated we were the beneficiaries of part of the unused-seed loan appropriation that the department had; $100,000 of that money was allocated to our State. I am sorry to say that we were not able to spend all the money. By every device we were able to employ we could not induce the farmers to use this money in the way the department wanted it used. The last report I had we had $40,000 of the money used and the season is now too late to use the rest.

(2) Credit banks: Along in the season we called a meeting of all the bankers in the drought area through the county organizations. Forty-six counties out of seventy-two were represented. Those representatives were practically all from counties most insistent and most desperate in their relief need. We discussed the matter of the intermediate-credit bank. Mr. Netherland, one of the managers and directors of the Intermediate Credit Bank of St. Louis, met with us. We had also a representative of the American Red Cross, Mr. Baxter. The result of the conference was that they did not give us any encouragement to finance an intermediate-credit bank. The banks in the areas that are the worst stricken are not in condition to extend any considerable amount of aid in the organization of these banks, and certainly the people are not able to finance such banks themselves because of their own conditions. The result is we have two intermediate-credit banks opened this year, one at Centralia and one in your town, Mr. Secretary, Trenton. I understand both are giving good service and rendering efficient aid where the kind of paper the individual applicant is able to give is acceptable. But an intermediate-credit bank is about the same as any other bank. They have certain conditions which must be met. Consequently there is no enthusiasm or spirit among our people to go on with the intermediate-credit bank. I am happy to say that Missourians pay their debts as well as persons of any other State. The intermediate-credit bank in southeastern Missouri, organized three years ago with a capital stock of $250,000. The president of the American Bankers' Association assured me recently that 97 per cent of all that money had been repaid and they would get practically 100 per cent before another year was out.

I can not give the exact number of families who will require aid. I have in mind something like 20,000, but I am hopeful it will be between 15,000 and 20,000 when all the reports are tabulated.

As to the amount that would probably take care of their needs, supplemented by the efforts we are going to make in our own communities, figuring tentatively on a family basis, I should say the minimum figure we could expect to give a family to live on during the winter would be $200. In our figures we did not make provision for seed or feed. Whatever is done in this respect will have to be taken into consideration extra.

(3) Local aid to relieve the situation: We have inaugurated and anticipated our road program to the extent of many millions of dollars, and that is giving additional employment to hundreds of men. In addition to that we instituted a program of inland-waterways improvement and many waterways contracts have been let. The Government has anticipated its work and are asking for several hundred men to complete work that would ordinarily go over into next year.

Concerning the railroad situation, I am not prepared to state very much about that. Mr. Baldwin, president of the Missouri Pacific Railroad, will be able to report on this phase. Railroads should anticipate their needs as well as others, and inasmuch as we have a wonderful territory where railroad ties can be procured, and it would be an additional source of unoccupied labor, the railroads anticipated their needs and bought millions of ties for future use, thus giving the farmers additional employment.

Our problem is typical of what we have heard to-day. We have the tenant farmer and the day laborer on the farm. When the farmer can not carry on and his family is not able to do the necessary work, he has to employ day labor. The whole family and the day laborer are out of employment. In our southeastern Missouri counties, where we have large drainage projects bonded by bonds paid over a long period of years, there is probably more distress than anywhere else in the State.

I feel this way about the Missouri situation. Time is the important element, because we are facing winter, and whatever is done should be done now. Many people are unprepared and have been waiting, I regret to say, with the idea in the back of their heads that something—Uncle Sam, the good Lord, or some mysterious thing—will come along and help them. Whatever is done must be done promptly, sanely, and to the best interests of everyone concerned.

MONTANA

(Report by Mr. M. C. Wilson)

Owing to the failure of the chairman of the State drought committee to be present at this conference, Montana was represented by Mr. M. C. Wilson, College of Agriculture, Bozeman, Mont. It would be unnecessary for me to go into any detail regarding conditions in Montana, as it would only be a repetition of what has been presented by the other States. Thirty counties in Montana, consisting mostly of livestock men and producers, were greatly distressed because of the drought, and we are deeply appreciative of what the railroads did for us. They were of much service in the shipment of feed to these people and this was the most helpful thing that has occurred to the farmer in the drought situation.

This situation has caused a very heavy shipment of livestock and we are hopeful that unless we have an extremely severe winter we will be able to handle the feed situation satisfactorily from resources within the State. The State drought committee has made a careful survey and we estimate that our destitution will reach over 2,000 farm families which will need to be taken care of by the local Red Cross without calling upon the national Red Cross agencies. About six or seven thousand farmers do not know how they will seed crops next year without some aid is given. Most of these people are capable people. But unless some means can be found to help these six or seven thousand farmers with necessary requirements in putting in their crops they will be completely destitute. We have had some experience with seed loans and drought committees, but we hope that something will be worked out at this meeting which will help us. We have some ideas with reference to our experience growing out of the past which may probably be discussed later.

NEBRASKA

(Report by Mr. Brokaw, director of extension, Lincoln)

While we have been in the drought area, and although we are a part of this conference, drought conditions in Nebraska are nothing serious. We will have feed enough to take care of the drought-stricken areas. We were within 1,000,000 bushels of last year's grain crop and 10,000,000 bushels above the 10 years' average. Our main concern is to be of service to the other States. We hope they will give us the opportunity to be of service to other States in the drought area. Our main aim, through our extension service, is to try and get you in direct contact with the man who has the feed to sell. By giving us an opportunity to put you in touch with the people who have hay and other commodities to sell it will be possible to cut down the cost of hay and feed. Glad to be of service.

NEW MEXICO

(Report by Mr. Kent, president New Mexico Agricultural College)

The reduction in freight rates helped stockmen in the southeastern part of the State. Two counties have reported that they do not anticipate relief of any kind, being able to take care of themselves, and three counties have reported general conditions. I think we as a whole shall need no relief for destitute families unless the migratory laborers remain during the winter. Most of our distress in New Mexico was not caused as much as a result of the drought as a result of low prices. We are not asking for drought relief but a postponement of $375,000 or $400,000, which, if granted, would leave that amount of money available for our own need in making loans to farmers and stockholders. Several counties are having difficulties because of holding over cattle, expecting late rains. Lack of demand for feeder cattle and the lack of contracts leaves us with more stock on the ranch than we had expected. If this stock does not move, then the ranch will be depleted and the farmers will have to borrow money. The banking situation is fairly severe. If we can secure the delay on the reclamation project I believe that the local credit system will take care of the stockmen and the farmers.

OHIO

(Perry L. Green, commissioner of agriculture and chairman State drought-relief committee)

The Ohio drought-relief committee met on August 10, 1930, and organized, in accordance with the recommendation of the national committee, to meet the problems resulting from the serious drought conditions which affected some 60 or more counties in Ohio. Prior to this meeting freight reduction on shipments of feed and forage into drought areas had been granted, and every effort has been made by the committee to cooperate with the railroads and the Department of Agriculture in the proper granting of such permits. The freight reductions to the farmers of Ohio on shipments which have been made up to the present time amount to approximately $400,000. This reduction has been greatly approved by the farmers of Ohio and all agencies have cooperated in assuring a passing of this reduction on to farmers. It is with extreme regret on the part of the farmers of Ohio that the railroads are canceling this reduction on November 30.

The committee, in cooperation with Hon. Myers Y. Cooper, Governor of Ohio, recommended the establishment of an agricultural-credit corporation to take care of additional credit supplementing bank credit which might be required on account of general drought conditions. The Ohio Bankers' Association agreed to sponsor and set up such a credit corporation and applied for incorporation papers for its establishment. They afterwards reported that a survey of conditions in Ohio indicated that the banks would be able to take care of all legitimate credit needs, and for that reason the bankers' association has not completed the organization of the agricultural credit corporation and report that they do not believe it will be necessary to do so. Credit corporations are being formed by other agencies in Ohio at the present time which we believe will meet the needs in the way of additional credit.

In order that employment might be furnished to those who have been left unemployed as a result of the drought, the highway department has furnished additional funds for the development of maintenance projects on our State highway system through which it has been possible for the employment of 3,000 or more farmers in 26 counties in Ohio where the needs appear to have been the greatest. This work is continuing at the present time.

Anticipating relief beyond which could be furnished through employment, the State committee has been cooperating with representatives of the National Red Cross and local Red Cross chapters throughout Ohio in anticipating any possible needs which would have to be supplied through the Red Cross agency. This work has been so completely carried out that all Red Cross relief work can be properly and immediately taken care of.

In carrying out all of these activities the State committee has worked entirely through regularly constituted county relief committees and the sole responsibility for meeting the obligations of the county has been placed upon the county committees with the assurance that the State committee would cooperate to the fullest possible extent in assisting them. Meetings have been held in many of the counties clearly defining the responsibilities placed upon the committee and calling their attention to the distinct advantage, economically, in arising to the emergency and meeting it in every possible way.

These committees have supplied to our highway department the names of those most in need and who should be furnished employment. An exchange of forage supplies between counties having surpluses and drought counties has been taking place very consistently through the efforts of the county committees. Every effort will be made to point out the responsibility of the county committees in order that the various agencies represented on these committees may be able to bring their organizations to the support of the program of relief. With all of these agencies cooperating, there should be little left undone in giving every possible advantage to the farmers in the drought counties, and it would appear that Ohio will need little directly in the way of appropriations outside of those which might be made available through regular channels of governmental activity, such as supplementary funds for additional highway development and perhaps a more flexible emergency provision on the part of the Federal intermediate credit loan system.

OKLAHOMA

(Report by J. G. Puterbaugh, McAlester, chairman)

We have in Oklahoma 30 counties along the southern and eastern border of the State that are regarded as seriously affected by the drought and are in need of special aid. There are 24 counties which will require some aid and 23 counties not seriously affected. The survey made by our extension division of the agricultural and mechanical college, carefully made, shows that there are 17,763 farmers in Oklahoma who will not be able to make an average crop in 1931 without financial assistance, that comes outside of their county. We estimate that it will take $200 per family to finance their 1931 crops. Our conditions are very much like others and I think it unnecessary to take up the time to discuss these conditions. This is the third time that the farmer has had a poor crop. This present condition is just the culmination of a series of adverse conditions. This year we had very short crops and very short prices, which cuts both ways. When our State drought committee met in August the temperature was about 107, and dry as a bone. We were informed that the impression had gotten out to the newspapers that widespread relief was going to be needed and conditions were going to get away from us. There were a good many demands as to what the Red Cross would do. The Red Cross kept their feet on the ground. We can not anticipate what we can do in December, but we are going to try to keep people from starving to death but we are not prophesying or anticipating anything. We thought in the beginning that the Red Cross was not alive to the seriousness of the situation, but I want to say their wide experience and training put a lot of courage into the situation and cooled it down to an admirable manner. I think that the State committees and all of the States should stand by the Red Cross and give them the benefit of the doubt. They know their business. This matter of dispensing relief is a very difficult problem. It is a hard thing to do without doing more harm than good. We have studied conditions very carefully with a view to trying to see if we could get along without asking for relief outside, but we have reached the conclusion that unless arrangements are made for a fund from which to loan farmers money there will be a great deal of charity needed.

These men are not accustomed to charity. They are just average farmers. It should be brought home to every one of these drought-stricken farmers that have managed to get by that have cows, chickens, and hogs, and the bureau, that they can take care of themselves. It doesn't pay to do too much for them. We have all been in the street in the last few years. The Nation as a people are specifically getting into debt. I do think, Mr. Secretary, that since we have gotten our farmers into this condition, and that since the precedent has been established of giving them some Federal aid, that this is not the right time to quit. Two hundred dollars per family to finance these farmers, keep them on their farms, and raise a crop for 1931. The best way of accomplishing this is for the Federal Congress to make available a fund from which loans can be made. Average farmers are good average risks. A good year next year and reasonable success, we believe that they will be able to get themselves out. They will work harder next year because they realize the necessity for more effort. In Jackson County, Okla., the interest on mortgage this year will be one and one-fourth million dollars—the total value of everything there is. Reaching our conclusions, we have been governed quite as much by the conditions of the community. Country bankers have done more than their part. So closely affiliated is he with the farmer that he sometimes overlooks the fact that in his zeal to help the farmer he has jeopardized his customers' money. If industry were on an even field, we would let them drift to the city and get out of farming. Under present conditions this move would only aggravate a situation which is quite as bad as we have in the States. Keep them on the farms and they can maintain themselves better there than they can here. His implements are of no value to him unless they can keep body and soul together and some feed to sell when the time comes along. We believe that this body should pass a resolution urging Congress to make available a sum sufficient to enable the farmers in the drought-stricken areas to get by and to enable them to carry on a diversified farming so as to make living at home satisfactory. This organization should supervise the making of loans. These farmers were so prosperous from the raising of cotton that they went entirely to cotton, and this year they are dead broke.

From a questionnaire I sent out I found that 17,763 farmers would need help. From the question, "How many are without one milk cow?" I found that the number was the same as those who needed help. What these State and county drought committees can do is to give enough financial help to correct this situation. They will listen to advice from extension agents more than ever before in regard to farming. Extension direction has been the mainstay of our workers. The county farm agent has been the agency through which we could reach the farmer and find conditions and accomplish results. There was available in a fund here some $600,000; $150,000 was loaned to Oklahoma; $78,000 of that money was borrowed in amounts of $35, resulting in more fall pastures than had ever been planted before. We should not encourage that the value of farm products will be higher next year than this. We must learn to live more economically, to spend less, and to work harder. The newspapers talk prosperity; we are told that it is just around the corner, but we will not see prosperity until we get farming on its feet. If an appropriation is made available, it is not merely to help 4,000 or 5,000 farmers out of a dilemma but it is to help out the unemployed situation in the city. These farmers are in the center of the industrial sections where the whole economic situation is to be found. It would only aggravate the situation, which is already very bad. In the beginning of our conference in September considerable was said. I believe an appropriation of $1,000,000 loaned to these farmers will be well repaid and would remove any need for Red Cross aid. We want to avoid anything that would point to the door of charity.

PENNSYLVANIA

(Report by Mr. E. L. Moffett, farm-management extension, State college)

We in Pennsylvania have not had a drought situation comparable to most of the States that have reported, although a dry year for farming, and some of the State—about one-fourth of it—is hit particularly hard. We have had no rain except in a very few sections where there has not been enough to even start a growth of pasture. Along the Delaware River, where they have had rains all summer, we hear more from that part of the State. Twenty-four per cent of the farmers in the State do not have enough roughage to carry their cattle through the winter. Thirteen per cent had already been fed by October 1. Forty-eight per cent of all the farmers in the State had straw and corn-fodder roughage for cattle this summer. This means that 1,000 carloads of roughage will have to be secured other than that grown on the farm. Ordinarily we grow little barley and oats, but the amount was increased this year, about 6 per cent will be available as extra feed. It will require 15,000 carloads of concentrates, of which 9½ per cent has been ordered. About 61 per cent of the wheat that is ordinarily sold for cash will be retained for feed purposes. Twenty-two per cent of farmers are planning to reduce livestock. Two thousand dairy cows had been sold by October 1. Corn crop short. County agents got busy and 563 new silos were built in order to take care of this corn crop that could not be handled in any other way. Forty-five per cent of seed will have to be reseeded. Fifteen thousand six hundred and seventy-five acres of supplementary crops, such as soybeans, Sudan grass, and rye, are to be planted by farmers. Eight per cent are planning to fertilize pastures to help out. Local banks have expressed their willingness to help out the financial situation. Almost everybody on the farms said that no Red Cross aid would be needed. However, we will need some, possibly, in the small towns and villages.

Where we have an unusual situation they are always cared for by the local county commissions. Forty-five per cent of all the farmers of the State have had an inadequate water supply this summer and very few have had that supply brought up by rains. This condition has had a great deal of influence on the production of crops and livestock. Conditions are not the same all over the State. One county agent had in his county 295 farmers growing potatoes, of which there were on some farms not more than 40 bushels of potatoes, while in another county several farmers produced 400 bushels of potatoes. The college has been kind enough to suggest rations to farmers to supplement their roughage and the kind of roughage to be had, to advocate the planting of new crops as supplementary feed supplies, and assisted them in culling their herds. Fortunately the section of Pennsylvania that is hardest hit is populated by the Pennsylvania Dutch, and as they are a thrifty people they are not dependent on this particular year's income to carry them through. They usually have something left for a rainy day and can call on reserve.

TENNESSEE

(Report by Dr. O. F. Fitts)

Tennessee is the center of the drought area. The entire State, except about 12 counties, is affected, and I understand from the chairman of the committee that there was a reduction in yield this year of all crops of about 60 per cent. Some crops not so much, but corn, pasture, and hay was greater. I don't think we are as seriously affected as Kentucky, Virginia, and Arkansas, but there will be about 5,000 families in the State that will need some assistance. The intermediate credit bank proposition was taken up but the committee, after careful survey, decided not to organize such credit. The banks have been very willing to cooperate with us as far as possible. In this connection we wish to present the man who has no further loan credit and can not secure any credit with his own bank or through the intermediate credit bank and does not want to ask aid from the Red Cross; he is the fellow that we should keep on the farm.

TEXAS

(Mr. C. B. Martin)

We certified 82 counties in Texas. We were a little late in getting into this certification and to this general effort because there was a disposition of all concerned in that part of the State to hope for the best, as they always get rains in August; but no rains came. It was necessary to have Red Cross help and to make every possible effort to get some credit going. The governor of the State took personal interest in this thing and spent hours in careful study as to the counties that were certified for the rates. There are 24 counties that are not in deep distress. The range-country beef cattlemen, who have been fairly prosperous, were anxious to get rates to ship in feed to carry over their stock through the winter. Sixty-six and two-thirds per cent of the farmers in the drought area having livestock had to have feed shipped, because they had fed surplus feed. The railroads were able to employ more people because of the increased amount of shipping.

(Report by Mr. Will P. Jones, Childress, Tex.)

Mr. Secretary, the survey which I am presenting was made in September, but since then there has been no particular change in crop production. True, in early October we had good rains, which aided late crops in producing grazing and enabled us to sow wheat for fall and winter pasture; but the rain actually reduced the cotton yield by beating it out on the ground and also lowered the grades.

The territory which I am representing is composed of about 24 counties, most of which are 30 miles square and located in the lower Panhandle and northwest Texas. About 22 of these counties for the last two years have had a shortage in cotton of 40 per cent and in feed of 50 per cent. In 1930 this shortage is about 70 per cent for cotton and 80 per cent for feed.

Nineteen of these counties produced in 1925, 1926, and 1927, average crop years, an average of 638,940 bales of cotton. The estimate for this year is 175,000 bales.

The population of these counties has shown a steady increase from 1920 to 1930. The 1925 census gives these 19 counties 24,368 farms and an average income of $3,416.31. A survey of 24 counties shows 14,000 families in need, of which 3,100 are in need of Red Cross help. However, since making the survey we have had good rains. The Red Cross has helped us considerably, principally in wheat seed for fall and winter pasture and in some instances turnip seed for fall sowing.

Our farms average between 110 and 120 acres of land. I mean by this the land actually in cultivation and does not include the natural pasture land.

When this survey was made it was as dry as a powder house and everything was burning up. Stock were starving and in some instances work stock had been given away and fed to hogs.

Lots of our farmers have, of necessity, sold off part of their milch cows to about 50 per cent; selling cows for $15 to $20 for which they had paid from $50 to $100.

They have shown the right spirit in getting out and hunting work, in most cases going to the cotton fields and making enough to live on until around the first of the year.

They want to farm and have their teams and implements, but have nothing to live on, no feed, or no seed.

Our farming operations should begin in January and they must know what they can do. They can't farm without help and the banks can not help them. The banks have always taken care of these needs, but now after a 3-year drought the banks have had a pyramiding of farm loans for three years; loaning them in 1928, adding to it in 1929 and again in 1930, and we can not furnish them again. We must look to the safety of the banks, for, in my opinion, the greatest calamity that can come to any county is for her banks to close; so we are going to play safe.

Of these 14,000 families there are at least half that can not make a crop of any kind without some outside aid, and the other half that might try will not be able to farm properly; and if they get no help, the land can not be cultivated but will grow up in weeds and thus 7,000 families of approximate 35,000 people will become ramblers and rovers, looking for jobs and add that much more to the problem of the unemployed.

It will take about $150 per farm for feed alone, and the cottonseed will cost from 50 to 75 cents per acre.

It will take $5,000,000 to take care of the situation in Texas, figuring a minimum, for we are as anxious as bankers and business men as anyone to hold this to the minimum, for we realize that this must be repaid before other obligations can be met.

VIRGINIA

(Hon. Harry F. Byrd, chairman Virginia drought-relief committee)

All of our 100 counties were designated as drought stricken by the Department of Agriculture. The drought was worse in the South than in any other section of the States. In the Shenandoah Valley we have not had rain for seven months. The result is Virginia is confronted with the most serious economic condition that it has had since the War between the States. Our drought loss, as estimated by the State Department of Agriculture, is $100,000,000, mainly in corn, hay, and livestock. As evidence of the drought in Virginia, it is only necessary to call attention to the fact that 26 per cent of the shipments on emergency freight rates on feed and livestock came to Virginia. At this point I want to express on behalf of the people of Virginia our heartfelt appreciation to the railroads for their generosity. It meant more to us than a question of dollars and cents, because when that reduction was extended to the farmers of Virginia hay sold for $100 a ton. When brought into Virginia at the reduced rate it sold for $25. That did more to restore the morale of the Virginia farmer than anything that has been done. I think we should adopt the resolution of the gentleman from Ohio and express to the railroads our appreciation for their generosity. We should go home and publish this resolution in our papers, so that people everywhere may know that in this time of great distress the railroads came to our rescue.

The $100,000,000 loss in Virginia is only a part of the actual cash loss we have suffered. Next year we will find that we will be virtually without a hay crop, for the hay is entirely grown by sowing with wheat. We have been forced to adopt the suggestion of the Federal Farm Board, as we could not plow this year, and only enabled to sow wheat in the corn stubble.

I want to say a word about what can be done to restore in a measure the morale and wealth lost by reason of this drought and heavy business depression. Virginia is not a poor State. We could easily lose that amount if that sum were distributed among those able to pay it, but unfortunately in this case the loss has fallen on those who can not pay it, and as a result Virginia is in a most serious condition. We in Virginia believe we should take care of our own problems so far as possible and should not ask outside aid if it can be avoided. When I was appointed as chairman of this committee through the kindness of Governor Pollard, we promptly organized local and county committees and found most varying conditions. We found that where the Pennsylvania Dutch lived, although they have suffered more from drought than any other section, they need less help by reason of their habits of frugalness. We ascertained that the only way to get a true picture of the situation was by a house-to-house convass to determine who needed help. This was done. As an example of the type of man who aided in this work, we have with us to-day a gentleman who served on the committee in Fauquier County, a man who will live through the years for the work he has done, Hon. John Barton Payne. After a very careful survey it was decided that, notwithstanding the very great losses Virginia has suffered, only about 8 per cent of the farmers need seed and fertilizer loans aggregating $4,890,000. Eighty-three thousand farm people, providing no employment can be given to them, may need $600,000 charity.

There is one thing that has not been referred to to-day and that is the question of unemployment. We have not only lost by reason of drought but many farm families do work in industry and that work has been cut off; so they not only lost the labor necessary to harvest $100,000,000 worth of crops, but have lost their employment in the industries. We believe that if employment can be given to our citizens, there will be virtually no need for charity in Virginia.

The Virginia State committee desires to recommend to the Secretary of Agriculture and to this committee that the Federal Government authorize a substantial loan appropriation to be expended for construction work, utilizing the ordinary laboring man—to spend this money on the cheaper classes of labor, such as the pick-and-shovel man. Whatever the appropriation, say, $5,000,000, we suggest that it be deducted from these States over a period of 10 years at the rate of $500,000 each year. We feel this is a reasonable request to make. This does not give the drought States more than other States. It simply permits them to anticipate this sum of money that would come to them over a period of 10 years. This will give employment to our citizens and will prevent the need of charity, which, gentlemen, would certainly occur to a very large degree unless we can give them employment.

We agree with the other gentlemen that there should be seed and fertilizer loans given to reliable farmers under a careful system of supervision. To satisfy myself, I had the legislative bureau of Congress prepare a statement of the different times the Federal Government has come to the aid of the States. You will be interested to know that 97 such acts have been passed since 1812. When the people of the States have done everything in their own power to redeem themselves from this national disaster, the Federal Government under some carefully devised plan should come to the rescue of the people of those States, and I hope it may be the pleasure of this committee to recommend to Congress a reasonable appropiation. So far as Virginia is concerned, I believe that four or five million dollars will be sufficient for the purpose of giving not charity but loans in a business way to responsible farmers who are unable to obtain loans from banks.

In Virginia we find city banks have ample funds, but the country banks have no money to loan. We feel that the most unwise thing we could do would be to urge local country banks to in-

crease their frozen loans, because if next year we should have another disaster these people would be unable to pay and many banks would be forced into the hands of the receiver. We have discouraged so far local banks from making loans except on bankable paper. We have found the intermediate-credit banks require even greater security than the local banks. A local bank will often loan on a man's reputation, while the intermediate-credit bank requires gilt-edge security and often goes into the question of his age. So far as the intermediate-credit bank is concerned, I do not believe it will be of value to us in the drought situation except where security is offered.

When it comes to the question of making seed and fertilizer loans, we, in Virginia, would much prefer to see the actual seed and fertilizer given than the money. We believe the Federal Government could purchase a million tons of fertilizer far cheaper than the farmer could buy it himself. We believe further that if this plan is adopted—of giving the article in kind rather than cash—far less danger would be encountered in having the money used for other purposes.

Two things confront the farmer to-day, (1) the excessive overhead cost of everything he sells, and (2) excessive overhead cost of everything he buys. I believe in this time of crisis Congress should appropriate enough money to buy fertilizer in such quantities that they can sell it cheaper to the farmer and to buy seed and feed and other necessities and give them rather than the cash.

WEST VIRGINIA

(Howard M. Gore, chairman State drought-relief committee)

Fifty-five counties in West Virginia were affected by drought. We estimated on the 1st of October 90,000 cars of hay and livestock and 135,000 cars of concentrates were moved into West Virginia. We feel that with the present supply of fruit and vegetable crops and poultry probably 60 per cent of our folk will have sufficient to carry them through another season. In West Virginia some 35,000 people are unemployed. They probably will be in need of Red Cross aid unless some employment can be found for them. It probably will be necessary for us to furnish not less than $3,500,000 to those who are in circumstances that they will have to have aid if they are to continue in business in which they are engaged. West Virginia is a State that has great mineral resources, and our farms and mineral industries are closely related. Recently the coal industry has been rendered inoperative. This leads us to the situation we find in agriculture. We have felt it wise to utilize each and every resource. We have tried to bring home to our people that folks in other sections had their problems as well as ourselves. However, because of the general conditions of drought and business depression within the State, in several communities the general resources have been much restricted and retarded. As a matter of fact, in the face of receding values it is difficult for small banks to keep themselves in position that is healthy and safe for them. We have not utilized in any increased way the intermediate-credit bank and other lines of banks that have been offered by the Federal Government. We have tried very hard to bring home to our banks the necessity of taking care of ourselves. The banks of our States are placed in a position of either taking care of our local situation themselves or admitting that they were in difficulty themselves—something that no bank is willing to acknowledge.

We anticipate that the planting and harvesting of next year's crop will be our most difficult period. If we are to meet this situation, assistance will have to come from sources within the State out of communities where many difficulties exist, either by State or Federal appropriation. Frankly, we have stayed away as far as possible from the thought of encouraging farmers at this time to seek permanent or long-time loans, which will only go to increase the frozen loans we now have. At this time, with receding values generally in this country and business conditions all over the world, we will have difficulty in maintaining the standards we have now. It is unwise, in my judgment, to encourage our people to engage in additional permanent loans. Our experience has been that where such is done we only add to the misery that may follow. We are of the opinion that the best way to administer help is the simple and direct way and that it should come from the Government direct. It is our judgment and the judgment of the drought committee that the simplest manner in which to get this relief is for Congress to provide funds and place them in the hands of the Secretary and his associates to administer in the common-sense way for the aid of agriculture. It is our judgment that by so doing you not only bring the responsibility of the individual and the community behind your loan, but you bring that moral sense of obligation that can only exist between an individual and his Government. There is an unusual feeling which exists in no other relationship or toward any other political unit. The point is this: In making a loan to the average person who is in an unusual and unexpected difficulty, we must think for him in advance of how he is going to return that money. A simple, direct loan is advocated. It is necessary, as I see it, that we simply make that loan direct to him, impressing on him and his family that he is charged with returning this on a given date, and let the records show that he has returned the money—three human-interest stories.

My point is to bring this home to you, that the great moral force, power, and will of the American people is the greatest asset we have in meeting the evil effects that may attend the situation we are now in. A little human sentiment does more in reviving the spirit of the communities of my State than any other single thing I know of. May I say that we do appreciate the opportunity of joining with others in expressing our appreciation and thanks to the railroads, the American Red Cross, and other agencies of that character. Frankly, I believe that by reason of the change in the tariff for hauling feeds, grains, and hay that there was made available a market and also an outlet and opportunity to tap sources of hay and grains that ordinarily would not come to Eastern States like Virginia and West Virginia. As a matter of fact, I believe as soon as the rates are changed the prices of those commodities will be advanced to the amount of the freight difference. It is with regret that I note the railroads propose to withdraw this concession. I hope they may be persuaded to change their mind, at least in part, because of the fact that to-day we have the unusual situation, just as Governor Byrd said, of folks realizing that in this great country that we are not dependent on the success or failure of a single State or small group of States, but the great resources of this Nation are sufficient. You, Mr. Secretary, have repeatedly stated that food resources are ample to supply the needs of the Nation in every respect.

I also want to join in expressing my appreciation of the opportunity of being here and spending the day with you and to hear of the various things that have been undertaken.

In West Virginia, where we are working out the problem of giving employment, pilfering has been reduced to the minimum. It is the judgment of those in charge of this work that never before have men given a fuller day's work than they are at this time.

WYOMING

(L. F. Oldroyd, commissioner of agriculture, chairman drought-relief committee)

We have an active drought committee in our State and have made a recent survey and find there will be little need for Red Cross aid, but the needy will be taken care of by county local organizations. There will be very little suffering during the winter, and up to the present time local banks have been able to finance the situation successfully. However, our survey does show that 300 families will be in need of financing for seed planting this year. We have enough seed in each of the counties to take care of the State, but the farmers who have seed must sell, and if it is shipped out, seed must be shipped back in. All we need in the way of aid would be the financing of from 300 to 350 families for seed during the spring planting season.

On November 20, in Washington, the conference of drought-relief chairmen from 22 States unanimously adopted the following resolution:

Whereas the United States during recent months has been visited by the most widespread and disastrous drought in our history, extending from the Atlantic coast to the Rocky Mountains; and

Whereas production of feed and hay crops over wide areas has been materially decreased so that cash income of farmers has been depleted and unusual expenditures for feed and food have been and will continue to be necessary; and

Whereas although farmers are practicing unusual economies and State and local agencies are mobilizing their resources to the full to provide assistance, activities which we commend most highly; and

Whereas notwithstanding the largest possible use of local resources, credit facilities throughout the drought area will fall short of the needs of crop production: Be it

Resolved, That the national drought conference urge the Congress of the United States to enact such appropriate legislation as will authorize loans to farmers in the drought area for crop production in 1931 for seed of suitable crops, fertilizers, feed for livestock, and for such other purposes of production as may be prescribed by the Secretary of Agriculture; that funds be appropriated by Congress in such amount as may be required for such loans; and that the conference urge the Congress to pass the necessary legislation at the earliest possible date.

THE LATE REPRESENTATIVE FLORIAN LAMPERT

Mr. COOPER of Wisconsin. Mr. Speaker, I offer the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 297

Resolved, That the House has heard with profound sorrow of the death of Hon. FLORIAN LAMPERT, a Representative from the State of Wisconsin.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

THE LATE REPRESENTATIVE EDGAR R. KIESS

Mr. GRAHAM. Mr. Speaker, I offer the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 298

Resolved, That the House has heard with profound sorrow of the death of Hon. EDGAR R. KIESS, a Representative from the State of Pennsylvania.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

THE LATE REPRESENTATIVE JOHN FRANCIS QUAYLE

Mr. O'CONNOR of New York. Mr. Speaker, it is my sad duty to announce the death on Thursday last of Hon. JOHN FRANCIS QUAYLE, a Member from the State of New York, a member of the Committee on Naval Affairs, and for five terms elected to this Congress by successively increasing pluralities. I offer the following resolution, which I send to the desk.

The Clerk read as follows:

House Resolution 299

Resolved, That the House has heard with profound sorrow of the death of Hon. JOHN FRANCIS QUAYLE, a Representative from the State of New York.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

THE LATE REPRESENTATIVE CHARLES M. STEDMAN

Mr. HANCOCK of North Carolina. Mr. Speaker, I offer a resolution and ask for its consideration.

The SPEAKER. The gentleman from North Carolina offers a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 300

Resolved, That the House has heard with profound sorrow of the death of Hon. CHARLES M. STEDMAN, a Representative from the State of North Carolina.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

THE LATE REPRESENTATIVE WILLIAM C. HAMMER

Mr. JAMES of North Carolina. Mr. Speaker, I offer the following resolution and ask for its immediate consideration.

The SPEAKER. The gentleman from North Carolina offers a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 301

Resolved, That the House has heard with profound sorrow of the death of Hon. WILLIAM C. HAMMER, a Representative from the State of North Carolina.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

THE LATE REPRESENTATIVE CHARLES F. CURRY

Mr. LEA. Mr. Speaker, it is with sorrow and great respect to his memory that I announce the death of Hon. CHARLES F. CURRY, of the third district of California. I offer the following resolution.

The SPEAKER. The gentleman from California offers a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 302

Resolved, That the House has heard with profound sorrow of the death of Hon. CHARLES F. CURRY, a Representative from the State of California.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

THE LATE REPRESENTATIVE OTIS WINGO

Mr. DRIVER. Mr. Speaker, I offer a resolution and ask that it be agreed to.

The SPEAKER. The gentleman from Arkansas offers a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 303

Resolved, That the House has heard with profound sorrow of the death of Hon. OTIS WINGO, a Representative from the State of Arkansas.

Resolved, That the Clerk communicate these resolutions to the family of the deceased.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. THATCHER, for three weeks, on account of official business;

To Mr. ROMJUE (at the request of Mr. COCHRAN of Missouri), for an indefinite period, on account of illness of his wife;

To Mr. DOUGLASS of Massachusetts (at the request of Mr. MCCORMACK of Massachusetts), indefinitely, on account of sickness;

To Mr. BOHN (at the request of Mr. MAPES), on account of the death of his father;

To Mr. WIGGLESWORTH, on account of death in his family; and

To Mr. VINSON of Georgia (at the request of Mr. LARSEN), for 10 days, on account of important business.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, as a further mark of respect and in memory of the deceased Members, I move that the House do now adjourn.

The SPEAKER. The gentleman from Connecticut moves that the House do now adjourn. The question is on agreeing to that motion.

The motion was agreed to; accordingly (at 12 o'clock and 48 minutes p. m.) the House adjourned until to-morrow, Tuesday, December 2, 1930, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

573. A letter from the Secretary of War, transmitting a draft of a proposed bill for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department; to the Committee on Claims.

574. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill for the relief of Lieut. M. A. Sprengel, Supply Corps, United States Navy; to the Committee on Claims.

575. A letter from the Secretary of War, transmitting a draft of a proposed bill for the relief of Earl I. Brown, colonel, Corps of Engineers; to the Committee on Claims.

576. A letter from the chairman of the Public Utilities Commission of the District of Columbia, transmitting a report of its official proceedings for the year ended December 31, 1929, with other information relating to the regulations and operation of the public utilities in the District of Columbia coming under the jurisdiction of said commission; to the Committee on the District of Columbia.

577. A letter from the Secretary of the Navy, transmitting a proposed draft of a bill to amend section 4 of the immigration act of 1924; to the Committee on Immigration and Naturalization.

578. A letter from the Secretary of Commerce, transmitting part 2 of the Annual Report of the Commissioner of Lighthouses for the fiscal year ended June 30, 1930, containing, in pursuance of the provisions of section 3, act of June 17, 1910 (36 Stat. 538); to the Committee on Interstate and Foreign Commerce.

579. A letter from the Secretary of War, transmitting a draft of a proposed bill to authorize advance payment to members of the Reserve Corps on active duty prior to departure to their homes; to the Committee on Military Affairs.

580. A letter from the Secretary of War, transmitting a draft of a proposed bill to authorize the Secretary of War to lease Governors Island, Mass., to the city of Boston, and for other purposes; to the Committee on Military Affairs.

581. A letter from the Secretary of War, transmitting a draft of a bill to amend an act approved May 17, 1926, entitled "An act to authorize the Secretary of War to grant easements in and upon public military reservations and other lands under his control"; to the Committee on Military Affairs.

582. A letter from the Secretary of War, transmitting report of the American Red Cross for the fiscal year ended June 30, 1930; to the Committee on Military Affairs.

583. A letter from the chairman of the United States Shipping Board, transmitting a report of claims arbitrated or settled by agreement from October 16, 1929, to October 15, 1930, by the United States Shipping Board and/or the United States Shipping Board Merchant Fleet Corporation; to the Committee on the Merchant Marine and Fisheries.

584. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to provide for the reimbursement of certain civilian employees of the naval operating base, Hampton Roads, Va., for the value of tools lost in a fire on Pier 7, at the naval operating base, on May 4, 1930; to the Committee on Claims.

585. A letter from the Secretary of the Treasury, transmitting report of an accumulation of papers which are not needed in the transaction of public business and have no permanent value or historical interest; to the Committee on Disposition of Useless Executive Papers.

586. A letter from the Secretary of the Navy, transmitting report of designs, aircraft, aircraft parts, and aeronautical accessories purchased by the Navy Department pursuant to section 10 of said act during the fiscal year ended June 30, 1930; to the Committee on Expenditures in the Executive Departments.

587. A letter from the secretary of the Columbia Institution for the Deaf, transmitting report to Congress of expenditures and rate of pay of superintendent and teachers for the fiscal year ended June 30, 1930; to the Committee on Expenditures in the Executive Departments.

588. A letter from the agent of the Mixed Claims Commission, United States and Germany, transmitting final report as agent of the United States before the Tripartite Claims Commission, United States, Austria, and Hungary; to the Committee on Ways and Means.

589. A letter from the Secretary of Commerce, transmitting report that papers contained in House Report No. 1267, Seventy-first Congress, second session, have been sold and the revenue derived therefrom $142.94; to the Committee on Disposition of Useless Executive Papers.

590. A letter from the chairman of Gorgas Memorial Institute of Tropical and Preventive Medicine, transmitting report to Congress covering activities of the Gorgas Memorial Laboratory in Panama together with statement of receipts and disbursements for the period November 1, 1929, to October 31, 1930 (H. Doc. No. 638); to the Committee on Foreign Affairs and ordered to be printed.

591. A letter from the chairman of United States Tariff Commission, transmitting a copy of the Fourteenth Annual Report of the United States Tariff Commission (H. Doc. No. 541); to the Committee on Ways and Means and ordered to be printed.

592. A letter from the Administrator of Veterans' Administration, transmitting report of the Board of Managers of the National Home for Disabled Volunteer Soldiers for the fiscal year ended June 30, 1930 (H. Doc. No. 546); to the Committee on Military Affairs and ordered to be printed.

593. A letter from the Secretary of the Interior, transmitting a copy of a letter from the superintendent of St. Elizabeths Hospital, reporting expenditures of the hospital for the preceding fiscal year; to the Committee on Expenditures in the Executive Departments.

594. A letter from the chairman of the Federal Radio Commission, transmitting annual report of the Federal Radio Commission for the fiscal year ending June 30, 1930; to the Committee on the Merchant Marine and Fisheries.

595. A letter from the Secretary of the Interior transmitting statement of expenditures by the Geological Survey on tribal and allotted Indian lands during the fiscal year ended June 30, 1930; to the Committee on Indian Affairs.

596. A letter from the Postmaster General, transmitting report of operations of the postal savings system for the fiscal year ended June 30, 1930 (H. Doc. No. 542); to the Committee on the Post Office and Post Roads and ordered to be printed.

597. A letter from the director of the United States Botanic Garden, transmitting report relative to travel from Washington, D. C., in connection with official business of the Botanic Garden, for the fiscal year ended 1930; to the Committee on the Library.

598. A letter from the Secretary of War, transmitting 419 reports of inspections of disbursements made by officers of the Army up to June 30, 1930; to the Committee on Expenditures in the Executive Departments.

599. A letter from the Commission of Licensure, transmitting report showing the activities of the Commission of Licensure for the fiscal year which ended June 30, 1930 (H. Doc. No. 639); to the Committee on the District of Columbia and ordered to be printed.

600. A letter from the United States Board of Mediation, transmitting copy of the Fourth Annual Report of the Board of Mediation to Congress; to the Committee on Interstate and Foreign Commerce.

601. A letter from the Director of the United States Veterans' Bureau, transmitting the annual report of the Director of United States Veterans' Bureau for fiscal year ending June 30, 1930 (H. Doc. No. 533); to the Committee on World War Veterans' Legislation and ordered to be printed.

602. A letter from the secretary of United States Employees' Compensation Commission, transmitting report of the operations of the United States Employees' Compensation Commission for the fiscal year ending June 30, 1930; to the Committee on the Judiciary.

603. A letter from the Court of Claims of the United States, transmitting statement of all judgments rendered by the Court of Claims for the year ended November 29, 1930; to the Committee on Claims.

604. A letter from the Secretary of War, transmitting a letter from the Chief of Ordnance, United States Army, covering statements of the cost of manufacture, for the fiscal year ended June 30, 1930, at the armory and arsenals therein named; to the Committee on Expenditures in the Executive Departments.

605. A letter from the Secretary of the Interior, transmitting report concerning the Bitter Root project in Montana (H. Doc. No. 640); to the Committee on Irrigation and Reclamation and ordered to be printed.

606. A letter from the Postmaster General, transmitting report of an accumulation of papers which are not needed in the transaction of public business and have no permanent value or historical interest; to the Committee on Disposition of Useless Executive Papers.

607. A letter from the Clerk of the House of Representatives, transmitting list of reports to be made to Congress by public officers during the Seventy-first Congress (H. Doc. No. 637); to the Committee on Accounts and ordered to be printed.

608. A letter from the Clerk of the House of Representatives, transmitting annual report of the Clerk of the House of Representatives for the fiscal year ended June 30, 1930; to the Committee on Accounts and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. NELSON of Wisconsin: Committee on Invalid Pensions. H. R. 13518. Granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; without amendment (Rept. No. 2067). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CRISP: A bill (H. R. 13513) to provide revenue, to regulate commerce with foreign countries, to encourage industries of the United States, to protect American labor, and for other purposes; to the Committee on Ways and Means.

By Mr. ASWELL: A bill (H. R. 13514) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Red River at or near Moncla, in the parish of Avoyelles, La.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 13515) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Red River at or near Alexandria, in the parish of Rapides, La.; to the Committee on Interstate and Foreign Commerce.

By Mr. CORNING: A bill (H. R. 13516) to extend the times for commencing and completing the construction of a free highway bridge across the Hudson River between the cities of Albany and Rensselaer, N. Y.; to the Committee on Interstate and Foreign Commerce.

Also a bill (H. R. 13517) to extend the times for commencing and completing the construction of a free highway bridge across the Hudson River at the southerly extremity of the city of Troy, N. Y.; to the Committee on Interstate and Foreign Commerce.

By Mr. NELSON of Wisconsin: A bill (H. R. 13518) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee on Invalid Pensions.

By Mr. CLANCY: A bill (H. R. 13519) amending the World War adjusted compensation act; to the Committee on Ways and Means.

By Mr. EATON of Colorado: A bill (H. R. 13520) to provide for the study, investigation, and survey, for commemorative purposes, of Fort Massachusetts, in the State of Colorado; to the Committee on Military Affairs.

Also, a bill (H. R. 13521) to provide for the study, investigation, and survey, for commemorative purposes, of Pikes Stockade, in the State of Colorado; to the Committee on Military Affairs.

By Mr. GREEN: A bill (H. R. 13522) authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Florida State Museum, of the city of Gainesville, Fla., the silver-service set donated to the U. S. S. *Florida* by the people of Florida; to the Committee on Naval Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 13523) to provide for examination and survey of Olympia Harbor, Wash.; to the Committee on Rivers and Harbors.

By Mr. KELLY: A bill (H. R. 13524) to provide for the erection of an addition to the United States marine hospital at Pittsburgh, Pa., and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. KEMP: A bill (H. R. 13525) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Atchafalaya River at or near Krotz Springs, La.; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORE of Virginia: A bill (H. R. 13526) to extend the times for commencing and completing the construction of a bridge across the Potomac River at or near Dahlgren, Va.; to the Committee on Interstate and Foreign Commerce.

By Mr. PITTENGER: A bill (H. R. 13527) to direct the distribution of the interest and principal of the permanent fund of the Chippewa Indians of Minnesota in accordance with the true purpose and intent of the agreements made pursuant to the act of January 14, 1889; to the Committee on Indian Affairs.

Also, a bill (H. R. 13528) providing for payment of $100 to each enrolled Chippewa Indian of Minnesota from the funds standing to their credit in the Treasury of the United States; to the Committee on Indian Affairs.

By Mr. McREYNOLDS: A bill (H. R. 13529) to revise and reenact the act entitled "An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct, maintain, and operate a bridge across the Tennessee River on the Dayton-Decatur Road between Rhea and Meigs Counties, Tenn."; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 13530) to amend section 700 of the revenue act of 1921; to the Committee on Ways and Means.

By Mr. SUTHERLAND: A bill (H. R. 13531) to grant lands in Alaska to the Yakutat & Southern Railway, a Washington corporation authorized to carry on its business in the Territory of Alaska; to the Committee on the Public Lands.

By Mr. GARNER: A bill (H. R. 13532) to extend the time for the construction of the bridge across the Rio Grande at or near San Benito, Tex.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 13533) to extend the time for the construction of the bridge across the Rio Grande at or near Rio Grande City, Tex.; to the Committee on Interstate and Foreign Commerce.

By Mr. WELCH of California: A bill (H. R. 13534) to amend the act of Congress of June 6, 1924, entitled "An act for the protection of fisheries of Alaska, and for other purposes"; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 13535) to regulate the migration of citizens of the Philippine Islands to the continental United States, and for other purposes"; to the Committee on Immigration and Naturalization.

By Mr. WATSON: A bill (H. R. 13536) to extend the time for completing the construction of a bridge across the Delaware River near Trenton, N. J.; to the Committee on Interstate and Foreign Commerce.

By Mr. WILSON: A bill (H. R. 13537) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Ouachita River at or near Harrisonburg, La.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 13538) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Ouachita River at or near Monroe, La.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 13539) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Black River at or near Jonesville, La.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 13540) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Ouachita River at or near Sterlington, La.; to the Committee on Interstate and Foreign Commerce.

By Mr. IRWIN: A bill (H. R. 13541) to amend the World War veterans' act, 1924, as amended; to the Committee on World War Veterans' Legislation.

By Mr. BROWNE: A bill (H. R. 13542) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes; to the Committee on Roads.

By Mr. HALSEY: A bill (H. R. 13543) to authorize the payment of the sum of $2,500 to the dependents of the officers and men who lost their lives on the submarines *S–4* and *S–51;* to the Committee on Claims.

By Mr. SWICK: A bill (H. R. 13544) to amend the World War veterans' act, 1924, as amended, granting dependency allowance to minor children, widows, and parents of deceased soldiers, sailors, and marines of the World War; to the Committee on World War Veterans' Legislation.

By Mr. SWING: A bill (H. R. 13545) authorizing the Secretary of War to set apart as a national cemetery certain lands of the United States military reservation at Fort Rosecrans, Calif.; to the Committee on Military Affairs.

Also, a bill (H. R. 13546) to authorize an exchange of lands between the city of San Diego and the United States; to the Committee on Naval Affairs.

Also, a bill (H. R. 13547) to safeguard the validity of permits to use national-forest lands; to the Committee on the Public Lands.

Also, a bill (H. R. 13548) authorizing the Administrator of Veterans' Affairs to waive recoveries in certain instances; to the Committee on World War Veterans' Legislation.

By Mr. WOODRUFF: A bill (H. R. 13549) applying the powers of the Federal Government under the commerce clause of the Constitution to aid the States in the suppression of racketeering and gangster activities; to the Committee on the Judiciary.

By Mr. ZIHLMAN: A bill (H. R. 13550) to relieve the Commissioners of the District of Columbia of certain ministerial duties; to the Committee on the District of Columbia.

Also, a bill (H. R. 13551) to amend section 4 of the act of Congress approved March 1, 1899, entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous and unsafe buildings and parts thereof, and for other purposes"; to the Committee on the District of Columbia.

By Mr. McLEOD: A bill (H. R. 13552) authorizing a national referendum on the repeal of the eighteenth amendment; to the Committee on the Judiciary.

By Mr. DYER: A bill (H. R. 13553) to promote travel to and in the United States and its possessions, thereby promoting American business, and to encourage foreign travel in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. McCLINTIC of Oklahoma: A bill (H. R. 13554) making certain suspensions with respect to immigration; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 13555) regulating the operation of motor trucks and busses; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 13556) for the relief of drought-stricken areas; to the Committee on Agriculture.

By Mr. McLEOD: A bill (H. R. 13557) to grant emergency relief to certain World War veterans by providing for immediate payment of the face value of adjusted-service certificates, and for other purposes; to the Committee on Ways and Means.

By Mr. HULL of Wisconsin: A bill (H. R. 13558) to amend the tariff act of 1930 (Public Law No. 361) approved June 17, 1930, as to the rates of duty on butter, cheese, and casein; to the Committee on Ways and Means.

By Mr. HALL of Illinois: A bill (H. R. 13559) to create a board of veterans' appeals for the purpose of establishing a judicial tribunal to consider on appeal from the Administrator of Veterans' Affairs all matters embraced by the laws administered by the Administrator of Veterans' Affairs, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mrs. OWEN: A bill (H. R. 13560) to establish a department of home and child; to the Committee on Expenditures in the Executive Departments.

By Mr TAYLOR of Tennessee: A bill (H. R. 13561) to provide for the immediate payment to veterans of the face value of their adjusted-service certificates; to the Committee on Ways and Means.

By Mr. SWING: A bill (H. R. 13562) to amend the Boulder Canyon project act, approved December 21, 1928, by requiring the contractors and subcontractors on said project to give preference to the employment of American citizens and honorably discharged ex-service men; to the Committee on Labor.

By Mr. WILLIAMS: A bill (H. R. 13563) to provide for a duty on mineral oils; to the Committee on Ways and Means.

By Mr. ARENTZ: A bill (H. R. 13564) to provide for the aiding of farmers in any State by the making of loans to drainage districts, irrigation districts, reclamation districts, and other political subdivisions and legal entities, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. BACHMANN: A bill (H. R. 13565) to exclude certain aliens from the United States; to the Committee on Immigration and Naturalization.

By Mr. KELLY: A bill (H. R. 13566) to provide for the purchase or construction of buildings for post-office stations, branches, and garages, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. LUDLOW: A bill (H. R. 13567) to create a Federal industrial commission to aid the stabilization of employment in industry, agriculture, and commerce, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 13568) to authorize the erection of an addition to the Veterans' Bureau hospital in the city of Indianapolis, in the State of Indiana, and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. PEAVEY: A bill (H. R. 13569) providing for pensions for Indians in old age; to the Committee on Indian Affairs.

Also, a bill (H. R. 13570) for survey and construction of a highway with gravel or oil surface on the Bad River Reservation, in the State of Wisconsin; to the Committee on Indian Affairs.

By Mr. McCLINTIC of Oklahoma: A bill (H. R. 13571) authorizing an appropriation to be used in the construction of a monument in memory of those who lost their lives in the Battle of Washita; to the Committee on the Library.

By Mr. MONTET: A bill (H. R. 13572) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Atchafalaya River at or near Morgan City, La.; to the Committee on Interstate and Foreign Commerce.

By Mr. RANKIN: A bill (H. R. 13573) to amend the World War veterans' act, 1924; to the Committee on World War Veterans' Legislation.

By Mr. SPEARING: A bill (H. R. 13574) for the naming of an avenue in the District of Columbia in honor of the State of Louisiana; to the Committee on the District of Columbia.

By Mr. SWING: A bill (H. R. 13575) for the protection of the Palo Verde Valley, State of California, against injury or destruction by reason of Colorado River floods; to the Committee on Irrigation and Reclamation.

By Mr. TREADWAY: A bill (H. R. 13576) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes, approved July 11, 1916, as amended and supplemented, and for other purposes"; to the Committee on Roads.

Also, a bill (H. R. 13577) to amend item in the river and harbor act approved July 3, 1930, relating to the Connecticut River above Hartford, Conn.; to the Committee on Rivers and Harbors.

By Mr. BOYLAN: A bill (H. R. 13578) to amend the national prohibition act; to the Committee on the Judiciary.

By Mr. DRANE: A bill (H. R. 13579) for the erection of a memorial to the dead of the war between the United States of America and Spain; to the Committee on Rules.

By Mr. GLOVER: A bill (H. R. 13580) for the erection of an annex to the post-office building at Pine Bluff, Jefferson County, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of Texas: A bill (H. R. 13581) appointing the time for the meeting of Congress; to the Committee on the Judiciary.

By Mr. LEAVITT: A bill (H. R. 13582) to extend the time for the repayment of loans made under the acts of

March 3, 1930, and April 24, 1930; to the Committee on Agriculture.

Also, a bill (H. R. 13583) to amend section 4874 of the Revised Statutes (U. S. C., title 24, sec. 275) with respect to certain qualifications for superintendents of national cemeteries; to the Committee on Military Affairs.

By Mr. PITTENGER: A bill (H. R. 13584) to amend an act approved May 14, 1926 (44 Stat. 555) entitled "An act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims"; to the Committee on Indian Affairs.

By Mr. SANDLIN: A bill (H. R. 13585) granting the consent of Congress to the Louisiana State Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Shreveport, Pa.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 13586) granting the consent of Congress to the Louisiana State Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Coushatta, La.; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMSON: A bill (H. R. 13587) to amend the act of April 25, 1922, as amended, entitled "An act authorizing extensions of time for the payment of purchase money due under certain homestead entries and Government-land purchases within the former Cheyenne River and Standing Rock Indian Reservation, N. Dak. and S. Dak.; to the Committee on the Public Lands.

By Mr. HOGG of Indiana: A bill (H. R. 13588) granting commissions to postmasters of the fourth class on returned third and fourth class mail matter; to the Committee on the Post Office and Post Roads.

By Mr. McLEOD: Joint resolution (H. J. Res. 398) to call a constitutional convention according to the provisions of Article V of the Constitution; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 399) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. TIMBERLAKE: Joint resolution (H. J. Res. 400) authorizing the restoration of a limitation on the importation, free of duty, of Philippine sugar, and the placing of a limitation on the importation, free of duty, of Philippine coconut oil; to the Committee on Ways and Means.

By Mr. SUMMERS of Washington: Joint resolution (H. J. Res. 401) authorizing an appropriation for loans for seed and feed for farmers in the crop-failure areas of Washington; to the Committee on Agriculture.

By Mr. ANDREW: Joint resolution (H. J. Res. 402) proposing an amendment to the Constitution, and a mode of ratification thereof, to permit the people of the several States to decide between the retention and repeal of the eighteenth amendment; to the Committee on the Judiciary.

By Mr. ASWELL: Joint resolution (H. J. Res. 403) for the relief of farmers in the drought and/or storm stricken areas of the United States; to the Committee on Agriculture.

By Mr. COOPER of Wisconsin: Joint resolution (H. J. Res. 404) to change the name of B Street NW., in the District of Columbia; to the Committee on the District of Columbia.

By Mr. ARENTZ: Joint resolution (H. J. Res. 405) to provide for preference to be given to certain laborers and mechanics employed in any work under the Boulder Canyon project act; to the Committee on Labor.

By Mr. JOHNSON of Texas: Joint resolution (H. J. Res. 406) proposing an amendment to the Constitution of the United States fixing the commencement of the terms of President and Vice President and Members of Congress and fixing the time of the assembling of Congress; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. SWING: Joint resolution (H. J. Res. 407) providing for the participation of the United States in a southwest exposition, to be held in 1937, in celebration of the completion of the Boulder Dam project; to the Committee on the Library.

By Mr. KNUTSON: Joint resolution (H. J. Res. 408) stating whether coastwise traffic should be subjected to governmental regulation under the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM: Resolution (H. Res. 305) that an additional appropriation authorized by House Resolution 191 be made available to inquire into the official conduct of Harry B. Anderson, United States district judge for the western district of Tennessee; to the Committee on Accounts.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Memorial from the Senate of Porto Rico, expressing their profound sympathy of the unexpected death of the Hon. Edgar R. Kiess; to the Committee on Memorials.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CANFIELD: A bill (H. R. 13314) granting a pension to Jesse Cotton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13315) granting a pension to Lula M. McCoy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13316) granting an increase of pension to Nancy C. Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13317) granting an increase of pension to Mary Ellen Meade; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13318) granting a pension to Pearl Phillips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13319) granting an increase of pension to Mary Alice Mason; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13320) granting a pension to Lillian H. Harris; to the Committee on Pensions.

By Mr. CANNON: A bill (H. R. 13321) granting a pension to Hila Oswald; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13322) granting a pension to Jennie Smith; to the Committee on Invalid Pensions.

By Mr. CORNING: A bill (H. R. 13323) granting a pension to Emeline Peck; to the Committee on Invalid Pensions.

By Mr. EVANS of California: A bill (H. R. 13324) granting a pension to Hattie F. Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13325) for the relief of Phyllis Pratt and Harold Louis Pratt, a minor; to the Committee on Claims.

Also, a bill (H. R. 13326) for the relief of Lucy Murphy; to the Committee on Claims.

Also, a bill (H. R. 13327) granting a pension to Nettie E. Dennison; to the Committee on Pensions.

Also, a bill (H. R. 13328) granting a pension to Elizabeth S. Parey; to the Committee on Pensions.

By Mr. FITZGERALD: A bill (H. R. 13329) granting a pension to Ilie J. Barbu; to the Committee on Pensions.

Also, a bill (H. R. 13330) granting a pension to Joseph Erlacher; to the Committee on Pensions.

Also, a bill (H. R. 13331) granting a pension to Charles H. Anderson; to the Committee on Pensions.

Also, a bill (H. R. 13332) granting an increase of pension to Marion Thacker; to the Committee on Pensions.

Also, a bill (H. R. 13333) granting a pension to Roy L. Glover; to the Committee on Pensions.

By Mr. GOLDER: A bill (H. R. 13334) granting a pension to Emily Connelly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13335) granting an increase of pension to Annie Roe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13336) for the relief of Samuel Mazis; to the Committee on Military Affairs.

By Mr. HALL of Indiana: A bill (H. R. 13337) granting a pension to Sarah E. Goins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13338) granting a pension to Asenath Carr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13339) granting a pension to Marium Dillon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13340) granting a pension to Martha Ellen Goble; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13341) granting an increase of pension to Martha Hawkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13342) granting a pension to Mary Long; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13343) granting a pension to Ralph Nesbitt; to the Committee on Pensions.

Also, a bill (H. R. 13344) granting an increase of pension to Catherine Stakbake; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13345) granting a pension to Margaret E. Stephens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13346) granting a pension to Selma Ward; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13347) granting a pension to Elizabeth Hammer; to the Committee on Invalid Pensions.

By Mr. HICKEY: A bill (H. R. 13348) granting an increase of pension to Eliza Ann Nice; to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 13349) granting a pension to Richard E. Adams; to the Committee on Pensions.

Also, a bill (H. R. 13350) granting an increase of pension to Martha A. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13351) granting a pension to Clara Burnett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13352) granting an increase of pension to Sarah E. Cassady; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13353) granting an increase of pension to Sarah Conkel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13354) granting an increase of pension to Florence Cordell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13355) granting an increase of pension to Emily Coy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13356) granting an increase of pension to Mary Dawson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13357) granting an increase of pension to Elizabeth Freshcorn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13358) granting an increase of pension to Nancy O. Hurt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13359) granting an increase of pension to Mary J. Hunt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13360) granting a pension to Laura Lewis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13361) granting an increase of pension to Luella Lucas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13362) granting an increase of pension to Addie McKee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13363) granting an increase of pension to Pauline Morris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13364) granting an increase of pension to Samantha Rucker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13365) granting an increase of pension to Mary E. Turner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13366) granting a pension to Hester White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13367) granting an increase of pension to Sarah M. Wilson; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Texas: A bill (H. R. 13368) granting an increase of pension to Sam H. Wilkinson; to the Committee on Pensions.

Also, a bill (H. R. 13369) granting a pension to Theodore L. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13370) granting a pension to Bessie Carr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13371) granting an increase of pension to Mrs. B. E. Harlan; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 13372) granting an increase of pension to Margaret S. Myers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13373) granting an increase of pension to Rachel Yeager; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13374) granting an increase of pension to Caroline Hazlebeck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13375) granting an increase of pension to Louise M. Watts; to the Committee on Invalid Pensions.

By Mr. KENDALL of Pennsylvania: A bill (H. R. 13376) granting an increase of pension to Ella Dean; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13377) granting an increase of pension to Minerva Null Hough; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13378) granting an increase of pension to Sarah R. Hurst; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13379) granting an increase of pension to Elizabeth Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13380) granting an increase of pension to Julia Close; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13381) granting an increase of pension to Martha E. Bloom; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13382) granting a pension to Hiram Russell Griffith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13383) granting an increase of pension to Emma Shank; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13384) granting an increase of pension to Elizabeth Beatty; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13385) granting an increase of pension to Kate J. Ruff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13386) granting an increase of pension to Mary C. DeBolt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13387) granting an increase of pension to Anna Jane Michaels; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13388) granting an increase of pension to Elizabeth Caton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13389) granting an increase of pension to Hannah Bittner; to the Committee on Invalid Pensions.

By Mr. KURTZ: A bill (H. R. 13390) granting an increase of pension to Laura E. Whitaker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13391) granting an increase of pension to Mary C. Van Zandt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13392) granting an increase of pension to Elizabeth Nixdorf; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13393) granting an increase of pension to Clara M. Murray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13394) granting an increase of pension to Kate Merritts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13395) granting a pension to Rachel Ickes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13396) granting a pension to Catherine Leake; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13397) granting an increase of pension to Caroline Leff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13398) granting an increase of pension to Mary Knisley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13399) granting an increase of pension to Emma L. Hicks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13400) granting an increase of pension to Adaline Garber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13401) granting an increase of pension to Racheal Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13402) granting an increase of pension to Harriet J. Gates; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13403) granting an increase of pension to Mary Catherine Calhoun; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13404) granting an increase of pension to Marcilla Cassidy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13405) granting an increase of pension to Mary E. Blymyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13406) granting an increase of pension to Freelove E. Bechtel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13407) granting a pension to Eliza M. Buffington; to the Committee on Invalid Pensions.

By Mr. MANLOVE: A bill (H. R. 13408) granting an increase of pension to Augusta Draeger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13409) granting a pension to Mary A. Crum; to the Committee on Pensions.

Also, a bill (H. R. 13410) granting a pension to Harriet McDaniel Cornell; to the Committee on Pensions.

Also, a bill (H. R. 13411) granting an increase of pension to Julia A. Commons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13412) granting an increase of pension to Harriet W. Eador; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13413) granting an increase of pension to Joanna Jemima Herron; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13414) granting an increase of pension to Martha Hill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13415) granting a pension to Mary Snyder; to the Committee on Pensions.

Also, a bill (H. R. 13416) granting an increase of pension to Hattie D. Osborne; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13417) granting a pension to Gabriel Patrick; to the Committee on Pensions.

Also, a bill (H. R. 13418) granting an increase of pension to Martha Roller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13419) granting an increase of pension to Margaret A. Wells; to the Committee on Pensions.

Also, a bill (H. R. 13420) granting an increase of pension to Harriet Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13421) granting a pension to Frank A. Boster; to the Committee on Pensions.

Also, a bill (H. R. 13422) granting a pension to Martha A. Dunn; to the Committee on Pensions.

By Mr. MARTIN: A bill (H. R. 13423) for the relief of Charles Barry; to the Committee on Military Affairs.

Also, a bill (H. R. 13424) granting a pension to Emma Knott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13425) granting an increase of pension to Phebe Simmons; to the Committee on Invalid Pensions.

By Mr. MOORE of Kentucky: A bill (H. R. 13426) for the relief of R. A. Williams; to the Committee on Claims.

Also, a bill (H. R. 13427) granting a pension to Sallie Day; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13428) granting a pension to Belle Bratton Hood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13429) granting a pension to Ellen Garrison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13430) granting a pension to Sarah Trail; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13431) granting a pension to McHenry Whitney; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 13432) granting an increase of pension to Nannie B. Kenty; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13433) granting an increase of pension to Hannah Loretta Andrews; to the Committee on Invalid Pensions.

By Mr. NELSON of Wisconsin: A bill (H. R. 13434) granting an increase of pension to Harriet J. Stevens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13435) granting an increase of pension to Catherine Witzig; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13436) granting an increase of pension to Sarah Cossiboin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13437) granting an increase of pension to Theresa Hanrahan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13438) granting a pension to Fannie M. McCardle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13439) granting an increase of pension to Mary H. Bull; to the Committee on Invalid Pensions.

By Mrs. OWEN: A bill (H. R. 13440) granting a pension to Lucia Grimm; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13441) granting an increase of pension to Rebecca Booth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13442) granting a pension to Sarah E. Fenimore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13443) granting a pension to Mabel L. Cook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13444) granting a pension to Elizabeth Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13445) granting a pension to Linnie Cressey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13446) granting a pension to Anna Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13447) granting a pension to Minnie E. Sewell; to the Committee on Pensions.

Also, a bill (H. R. 13448) granting a pension to Virgil F. McNeill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13449) for the relief of Mrs. M. A. Riboud; to the Committee on Claims.

Also, a bill (H. R. 13450) granting a pension to Martin Alonzo Albury; to the Committee on Pensions.

Also, a bill (H. R. 13451) for the relief of John Houck; to the Committee on Military Affairs.

By Mr. PARKER: A bill (H. R. 13452) granting an increase of pension to Annie Hanes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13453) granting an increase of pension to Eliza Hoag; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13454) granting a pension to Louise Stockwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13455) granting an increase of pension to Margaret Corcoran; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13456) granting an increase of pension to Sarah Capron; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13457) granting an increase of pension to Kate M. Farrell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13458) granting a pension to Hattie P. Shaft; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 13459) granting a pension to Martha Foley; to the Committee on Pensions.

Also, a bill (H. R. 13460) granting a pension to Mary Ann McCabe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13461) granting an increase of pension to Emma A. Watts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13462) granting an increase of pension to Amy J. Ray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13463) granting an increase of pension to Amanda E. Walter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13464) granting an increase of pension to Eliza J. Foster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13465) granting a pension to Pearl E. Essex; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13466) granting an increase of pension to Rebecca C. Bever; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13467) granting an increase of pension to Elizabeth E. Fickle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13468) granting an increase of pension to Susana Mann; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13469) granting an increase of pension to Louise B. Ogle; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 13470) granting an increase of pension to John J. Brogan; to the Committee on Pensions.

Also, a bill (H. R. 13471) granting a pension to George R. Miller; to the Committee on Pensions.

Also, a bill (H. R. 13472) granting a pension to Sarah Elizabeth Atchley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13473) granting a pension to Mattie Webb; to the Committee on Pensions.

Also, a bill (H. R. 13474) granting a pension to Sarah Virginia Cleek; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13475) for the relief of Dewey Tipton Jones; to the Committee on Naval Affairs.

Also, a bill (H. R. 13476) for the relief of Thomas Wolfe; to the Committee on Military Affairs.

By Mr. SHREVE: A bill (H. R. 13477) granting an increase of pension to Rebecca Bonnell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13478) granting an increase of pension to Mary J. Tryon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13479) granting an increase of pension to Julia Wing; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13480) granting an increase of pension to Mary E. Earll; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13481) granting an increase of pension to Nila M. Knapp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13482) granting an increase of pension to Emma G. Lewis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13483) granting an increase of pension to Charlotte A. Giddings; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13484) granting a pension to Emma Adams; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 13485) granting an increase of pension to Ida V. Forbes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13486) granting an increase of pension to Emma M. Shattuck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13487) granting an increase of pension to Martha Vroman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13488) granting an increase of pension to Cornelia E. M. McGinnis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13489) granting an increase of pension to Georgianna Lee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13490) granting an increase of pension to Amelia M. Ransom; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13491) granting an increase of pension to Agnes Gardner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13492) granting a pension to Catherine Kenelty; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13493) granting a pension to Nellie Nash; to the Committee on Invalid Pensions.

By Mr. THATCHER: A bill (H. R. 13494) to authorize Col. Harry Burgess, United States Army, Governor of the Panama Canal, to accept from the Republic of Ecuador the decoration of Estrella de Abdon Caldron, first class; to the Committee on Military Affairs.

By Mr. TURPIN: A bill (H. R. 13495) granting an increase of pension to Lucy Ann Warner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13496) granting an increase of pension to Sarah Phillips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13497) granting a pension to Bridget Gallagher; to the Committee on Pensions.

By Mr. WATSON: A bill (H. R. 13498) granting an increase of pension to Maggie E. Kulp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13499) granting an increase of pension to Mary J. Miller; to the Committee on Invalid Pensions.

By Mr. WELCH of California: A bill (H. R. 13500) granting a pension to Ella Coffey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13501) granting a pension to Lizzie Mahlstadt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13502) granting a pension to Ned Mitchell Harrison; to the Committee on Pensions.

By Mr. WOLVERTON of New Jersey: A bill (H. R. 13503) granting an increase of pension to Rhoda T. Dawson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13504) granting an increase of pension to Ruth H. Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13505) granting a pension to Tamzen B. Lippincott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13506) granting an increase of pension to Mary E. Purnell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13507) granting an increase of pension to Elizabeth Vanderslice; to the Committee on Invalid Pensions.

By Mr. WOODRUFF: A bill (H. R. 13508) granting an increase of pension to Delphine Lacombe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13509) granting an increase of pension to Hattie Letts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13510) granting an increase of pension to Mrs. Helen Winton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13511) granting an increase of pension to Elizabeth Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13512) granting an increase of pension to Martha J. Graham; to the Committee on Invalid Pensions.

By Mr. ALLGOOD: A bill (H. R. 13589) granting a pension to Josephine Allison; to the Committee on Invalid Pensions.

By Mr. ARNOLD: A bill (H. R. 13590) granting a pension to John T. Garrison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13591) granting an increase of pension to Rachel Weatherford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13592) granting an increase of pension to Sarah E. Rich; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13593) granting an increase of pension to Sarah E. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13594) granting an increase of pension to Amanda E. Dunning; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13595) granting an increase of pension to Scymantha E. Creemens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13596) granting an increase of pension to Clarissa J. Barber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13597) granting an increase of pension to Harriet E. Dutton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13598) granting an increase of pension to Dorothea Wunderlich; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13599) granting an increase of pension to Nancy A. Fowler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13600) granting an increase of pension to Ida M. Yetman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13601) granting an increase of pension to Mary A. Ashton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13602) granting an increase of pension to Emma Snook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13603) granting a pension to Mary Jane Trailor; to the Committee on Invalid Pensions.

By Mr. BACHARACH: A bill (H. R. 13604) granting an increase of pension to Rebecca B. North; to the Committee on Invalid Pensions.

By Mr. BACHMANN: A bill (H. R. 13605) granting an increase of pension to Annie Gothart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13606) granting an increase of pension to Rachel Fitzgerald; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13607) granting an increase of pension to Hettie M. Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13608) granting an increase of pension to Mary E. Cline; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13609) granting an increase of pension to Margaret Jane Hoover; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13610) making Nancy J. Litman eligible to receive the benefits of the civil service retirement act; to the Committee on Claims.

Also, a bill (H. R. 13611) granting an increase of pension to Emma Teagarden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13612) granting an increase of pension to Rebecca A. Vandine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13613) granting an increase of pension to Nancy A. West; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13614) granting an increase of pension to Asaneth Geho; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13615) granting a pension to Mary Church; to the Committee on Invalid Pensions.

By Mr. BAIRD: A bill (H. R. 13616) granting a pension to Anthony W. Lang; to the Committee on Pensions.

Also, a bill (H. R. 13617) granting an increase of pension to Jennie Boulden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13618) granting a pension to Louis Slyker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13619) granting a pension to Alma Travis Day; to the Committee on Pensions.

Also, a bill (H. R. 13620) granting an increase of pension to Mary Pfaff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13621) granting an increase of pension to Caroline Fesler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13622) granting a pension to Rose K. Hummel; to the Committee on Pensions.

By Mr. BARBOUR: A bill (H. R. 13623) for the relief of Jack Schneider; to the Committee on Claims.

Also, a bill (H. R. 13624) granting a pension to Rye Fairbanks; to the Committee on Pensions.

Also, a bill (H. R. 13625) granting an increase of pension to Albertina L. McAllister; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13626) granting an increase of pension to Harriet N. Peckham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13627) granting an increase of pension to Minerva R. Dunn; to the Committee on Invalid Pensions.

By Mr. BEERS: A bill (H. R. 13628) granting an increase of pension to Melvina J. Rhodes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13629) granting an increase of pension to Rebecca J. Threlkeld; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13630) granting an increase of pension to Laura L. Flickinger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13631) granting an increase of pension to Kate E. Walk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13632) granting an increase of pension to Lucinda Clevenger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13633) granting an increase of pension to Mary C. Kessler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13634) granting a pension to Laura Reen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13635) granting an increase of pension to Mary E. Knisley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13636) granting a pension to Indah Ainsworth Chappell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13637) granting an increase of pension to Emma P. Shields; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13638) granting an increase of pension to Anna M. Cruse; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13639) granting a pension to Rebecca J. Walker; to the Committee on Invalid Pensions.

By Mr. BLAND: A bill (H. R. 13640) granting a pension to Edna P. Welsh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13641) granting a pension to Annie Farrell; to the Committee on Invalid Pensions.

By Mr. BRIGHAM: A bill (H. R. 13642) granting an increase of pension to S. Emeline Dewey; to the Committee on Invalid Pensions.

By Mr. BROWNE: A bill (H. R. 13643) granting an increase of pension to Elizabeth A. Wilkinson; to the Committee on Pensions.

Also, a bill (H. R. 13644) granting a pension to Nancy Ellen Sayler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13645) granting an increase of pension to Christina Maxworthy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13646) granting an increase of pension to Anna Koil; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13647) granting an increase of pension to Hyram Colwell; to the Committee on Pensions.

Also, a bill (H. R. 13648) granting a pension to Henry F. Clement; to the Committee on Invalid Pensions.

By Mr. BOYLAN: A bill (H. R. 13649) granting a pension to Barbara M. Johnson; to the Committee on Pensions.

Also, a bill (H. R. 13650) granting a pension to Robert W. Tipping; to the Committee on Pensions.

Also, a bill (H. R. 13651) for the relief of Edmund J. Clark; to the Committee on Military Affairs.

By Mr. CABLE: A bill (H. R. 13652) granting a pension to Margaret J. Murphy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13653) granting an increase of pension to Anna Freaker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13654) granting a pension to Sylva McVay; to the Committee on Pensions.

Also, a bill (H. R. 13655) granting a pension to Mary Frey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13656) granting an increase of pension to Mary A. Starry; to the Committee on Invalid Pensions.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 13657) granting an increase of pension to Elizabeth Luty; to the Committee on Invalid Pensions.

By Mr. CARTER of California: A bill (H. R. 13658) for the retirement of Alfred Sorenson; to the Committee on Military Affairs.

Also, a bill (H. R. 13659) authorizing Walter F. Winton, major in the United States Army, to accept the decoration of the Order of the Sun of Peru tendered to him by the President of Peru; to the Committee on Foreign Affairs.

By Mr. CARTWRIGHT: A bill (H. R. 13660) granting an increase of pension to Claud Austin; to the Committee on Pensions.

By Mr. CELLER (by request): A bill (H. R. 13661) for the relief of George W. McDonald; to the Committee on Military Affairs.

Also, a bill (H. R. 13662) for the relief of John Louis Martin; to the Committee on Naval Affairs.

Also, a bill (H. R. 13663) for the relief of Charles Emelock; to the Committee on Naval Affairs.

Also, a bill (H. R. 13664) for the relief of Harry D. Leuchtag; to the Committee on Military Affairs.

Also, a bill (H. R. 13665) granting a pension to Charles J. Rague; to the Committee on Invalid Pensions.

By Mr. CHASE: A bill (H. R. 13666) granting a pension to Sarah E. Bullock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13667) granting a pension to Mary M. Walton; to the Committee on Pensions.

Also, a bill (H. R. 13668) granting a pension to Sarah E. S. Cannon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13669) granting a pension to Dorsey Hickok; to the Committee on Pensions.

By Mr. CLAGUE: A bill (H. R. 13670) granting an increase of pension to Charlotte Fowles; to the Committee on Invalid Pensions.

By Mr. CLARK of Maryland: A bill (H. R. 13671) granting a pension to Loretta J. Haines; to the Committee on Pensions.

By Mr. COCHRAN of Missouri: A bill (H. R. 13672) granting a pension to Louise Serget; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13673) granting an increase of pension to Elizabeth McCoy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13674) for the relief of C. Lillie Wise; to the Committee on Claims.

Also, a bill (H. R. 13675) to extend the measure of relief provided in the employees' compensation act of September 7, 1916, to Ellen Moore; to the Committee on Claims.

By Mr. COLLIER: A bill (H. R. 13676) for the relief of Charles L. Barber; to the Committee on Claims.

By Mr. COOPER of Wisconsin: A bill (H. R. 13677) granting an increase of pension to Arlina F. De Laplain; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13678) granting an increase of pension to Ann S. Shephard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13679) granting an increase of pension to Jane McDowell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13680) granting a pension to Ida M. Rundlett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13681) granting a pension to Lizzie Buttles; to the Committee on Invalid Pensions.

By Mr. CORNING: A bill (H. R. 13682) for the relief of Edward Beebe, otherwise known as John Doyle; to the Committee on Military Affairs.

By Mr. CRADDOCK: A bill (H. R. 13683) for the relief of James T. Wells; to the Commitee on Military Affairs.

Also, a bill (H. R. 13684) for the relief of Elbert Johnson; to the Committee on Naval Affairs.

Also, a bill (H. R. 13685) granting a pension to Thomas F. James; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13686) granting a pension to Zachariah T. Iler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13687) granting an increase of pension to Sallie Miles; to the Committee on Pensions.

By Mr. CROWTHER: A bill (H. R. 13688) granting an increase of pension to Hattie Brougham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13689) granting an increase of pension to Harriet A. Rice; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13690) granting an increase of pension to Mary E. Wemple; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13691) granting an increase of pension to Amanda F. S. Ward; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13692) granting an increase of pension to Mary Gutman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13693) granting an increase of pension to Marie Ludwig; to the Committee on Invalid Pensions.

By Mr. DUNBAR: A bill (H. R. 13694) granting an increase of pension to Maria McMonigle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13695) granting an increase of pension to Julia A. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13696) granting a pension to Ida I. Goldman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13697) granting an increase of pension to Louisa Hays; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13698) granting a pension to Dolly Liese; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13699) granting a pension to William Earl Simpson; to the Committee on Pensions.

Also, a bill (H. R. 13700) granting an increase of pension to Nora A. Tufts for the benefit of Cleaon May Tufts; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 13701) granting an increase of pension to Emile Umbreit; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13702) granting an increase of pension to Julia B. Goodrich; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13703) granting an increase of pension to Johanna Moss; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13704) granting an increase of pension to John S. McClanahan; to the Committee on Pensions.

Also, a bill (H. R. 13705) granting an increase of pension to Bulah Reddick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13706) granting an increase of pension to Mattie Wade; to the Committee on Pensions.

Also, a bill (H. R. 13707) granting an increase of pension to Alice M. G. Pattison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13708) granting an increase of pension to Anna May Harness; to the Committee on Pensions.

By Mr. EATON of Colorado: A bill (H. R. 13709) granting a pension to Anna S. Hogle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13710) for the relief of John O'Toole; to the Committee on Claims.

By Mr. ESTEP: A bill (H. R. 13711) granting an increase of pension to Amelia Eisenbeis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13712) granting an increase of pension to Sarah Kidney; to the Committee on Invalid Pensions.

By Mr. ESTERLY: A bill (H. R. 13713) for the relief of John D. Reiter; to the Committee on Military Affairs.

Also, a bill (H. R. 13714) granting an increase of pension to Rachael W. Williams; to the Committee on Invalid Pensions.

By Mr. FINLEY: A bill (H. R. 13715) granting a pension to Willie Roberts; to the Committee on Pensions.

Also, a bill (H. R. 13716) granting a pension to Howard Jones; to the Committee on Pensions.

Also, a bill (H. R. 13717) granting a pension to William O. Whitaker; to the Committee on Pensions.

Also, a bill (H. R. 13718) granting an increase of pension to Sarah Delph; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13719) granting an increase of pension to Elizabeth Hargis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13720) granting an increase of pension to Mary P. Cummins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13721) granting an increase of pension to Harrison Smith; to the Committee on Pensions.

Also, a bill (H. R. 13722) granting an increase of pension to Roscoe Eversole; to the Committee on Pensions.

Also, a bill (H. R. 13723) granting an increase of pension to Charley Shelton; to the Committee on Pensions.

By Mr. FREAR: A bill (H. R. 13724) granting an increase of pension to Kiziah Knowles; to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 13725) granting a pension to Laura E. Hill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13726) granting a pension to Richard M. Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13727) granting a pension to Tandy A. Key; to the Committee on Pensions.

Also, a bill (H. R. 13728) granting a pension to Eliza G. McWhorter; to the Committee on Invalid Pensions.

By Mr. GARBER of Oklahoma: A bill (H. R. 13729) granting an increase of pension to Jennie M. McDermond; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13730) granting an increase of pension to Elizabeth Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13731) granting an increase of pension to Mary F. Lord; to the Committee on Invalid Pensions.

By Mr. GARNER: A bill (H. R. 13732) granting a pension to George Hammer; to the Committee on Pensions.

Also, a bill (H. R. 13733) granting a pension to David B. Patterson; to the Committee on Pensions.

Also, a bill (H. R. 13734) granting a pension to L. Avant; to the Committee on Pensions.

By Mr. GIFFORD: A bill (H. R. 13735) for the relief of Elizabeth B. Dayton; to the Committee on Claims.

Also, a bill (H. R. 13736) for the relief of George W. Silver; to the Committee on Claims.

Also, a bill (H. R. 13737) for the relief of John H. Kelley; to the Committee on Claims.

Also, a bill (H. R. 13738) granting a pension to Albert H. Lucas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13739) for the relief of John L. Mitchell; to the Committee on Pensions.

By Mr. GIBSON: A bill (H. R. 13740) granting an increase of pension to Sarah L. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13741) granting a pension to Julia G. Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13742) granting an increase of pension to Inez M. Brigham; to the Committee on Invalid Pensions.

By Mr. GREEN: A bill (H. R. 13743) for the relief of John Z. Reardon; to the Committee on Military Affairs.

By Mr. HALSEY: A bill (H. R. 13744) granting an increase of pension to Permelia P. Cull; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13745) granting an increase of pension to Eliza Shoup Aber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13746) granting an increase of pension to Lizzie Bivens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13747) granting an increase of pension to Malinda C. Duncan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13748) granting an increase of pension to Virginia Officer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13749) granting a pension to Hattie Porter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13750) granting an increase of pension to Margaret S. Wood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13751) granting an increase of pension to Effie Sullivan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13752) granting an increase of pension to Martishia D. Ivey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13753) granting an increase of pension to Nancy A. Petty; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13754) granting a pension to Emma A. Boisseau; to the Committee on Invalid Pensions.

By Mr. HADLEY: A bill (H. R. 13755) granting a pension to Julia Barnes; to the Committee on Invalid Pensions.

By Mr. HARDY: A bill (H. R. 13756) granting an increase of pension to Jennie M. Hughes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13757) granting an increase of pension to Malsina Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13758) granting a pension to Sarah P. Hawkins; to the Committee on Invalid Pensions.

By Mr. HESS: A bill (H. R. 13759) granting a pension to Fannie Mauser Lawrence; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13760) granting an increase of pension to Sallie Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13761) for the relief of Isacher Reese; to the Committee on Military Affairs.

By Mr. HICKEY: A bill (H. R. 13762) granting an increase of pension to Mary A. Cummings; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13763) granting an increase of pension to Mary F. Hively; to the Committee on Invalid Pensions.

By Mr. HOCH: A bill (H. R. 13764) granting a pension to Gertrude Newton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13765) granting a pension to Fannie M. Knapp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13766) granting a pension to Libbie H. Powers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13767) granting a pension to Margaret Duggan; to the Committee on Invalid Pensions.

By Mr. HOGG of Indiana: A bill (H. R. 13768) granting an increase of pension to Jane Tinkham; to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 13769) for the relief of Frederick White; to the Committee on Military Affairs.

Also, a bill (H. R. 13770) granting an increase of pension to Nancy A. Ware; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13771) granting an increase of pension to Alice Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13772) granting a pension to John H. Kunkel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13773) granting a pension to Mary E. Downer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13774) granting a pension to William R. Boyd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13775) granting a pension to Elizabeth J. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13776) granting a pension to Sarah S. Ginn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13777) for the relief of Joseph A. Voelker; to the Committee on Claims.

Also, a bill (H. R. 13778) granting an increase of pension to Lidy Shaul; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13779) granting an increase of pension to Laura A. Sims; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13780) granting an increase of pension to Rachel Armstrong; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13781) granting an increase of pension to Mary E. Appleby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13782) granting an increase of pension to Julia A. Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13783) granting an increase of pension to Matilda Statler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13784) granting an increase of pension to Carrie Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13785) granting an increase of pension to Eliza Jenkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13786) granting an increase of pension to Mary J. Howard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13787) granting an increase of pension to Edith King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13788) granting an increase of pension to Lucina Morris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13789) granting an increase of pension to Louisa Noblet; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13790) granting an increase of pension to Ida Adamson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13791) granting a pension to Eldon L. Edwards; to the Committee on Pensions.

Also, a bill (H. R. 13792) granting a pension to Mary Catherine Peters; to the Committee on Invalid Pensions.

Also; a bill (H. R. 13793) granting an increase of pension t- Nancy Napier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13794) granting a pension to John Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13795) granting a pension to Elizabeth Hindman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13796) granting an increase of pension to Martha A. Pine; to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 13797) granting a pension to Mary E. McDole; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13798) granting a pension to Sarah Clements; to the Committee on Invalid Pensions.

By Mr. HUDDLESTON: A bill (H. R. 13799) granting a pension to Isaac R. Ensey; to the Committee on Pensions.

By Mr. HUDSON: A bill (H. R. 13800) granting a pension to Jennie E. Baetcke; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13801) granting an increase of pension to Martha White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13802) granting an increase of pension to Rosett H. Piper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13803) granting a pension to Sarah J. Splane; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13804) granting an increase of pension to Anna H. Bishop; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13805) for the relief of Rolla Arthur Cain; to the Committee on Military Affairs.

By Mr. IRWIN: A bill (H. R. 13806) granting an increase of pension to Martha McCracken; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Indiana: A bill (H. R. 13807) granting a pension to Celia Bryan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13808) granting an increase of pension to Cynthia J. Deeter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13809) granting an increase of pension to Mary C. Rose; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13810) granting an increase of pension to Sarah A. Woodrum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13811) granting an increase of pension to Mary E. Gibson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13812) granting a pension to Mary C. Jarrett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13813) granting a pension to Edward Armel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13814) granting a pension to Clara Barnes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13815) granting an increase of pension to Mary Clifton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13816) granting a pension to John Reynolds; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13817) granting a pension to Estella Mauk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13818) granting an increase of pension to Mary I. Snyder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13819) granting an increase of pension to Prudence Semans; to the Committee on Invalid Pensions.

By Mr. JOHNSTON of Missouri: A bill (H. R. 13820) granting a pension to Clara M. McGlothlin; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 13821) granting a pension to Bert T. Robinson; to the Committee on Pensions.

Also, a bill (H. R. 13822) granting an increase of pension to Emily T. Burton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13823) granting a pension to Mary E. Brooks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13824) for the relief of Shafer Schwartz; to the Committee on Military Affairs.

Also, a bill (H. R. 13825) for the relief of John James Mahoney; to the Committee on Military Affairs.

By Mr. KADING: A bill (H. R. 13826) granting an increase of pension to Augusta Jaehrling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13827) granting an increase of pension to Susenna Legget; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13828) granting an increase of pension to Ida W. Moulding; to the Committee on Pensions.

By Mr. KELLY: A bill (H. R. 13829) granting an increase of pension to Mary G. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13830) for the relief of H. Bluestone; to the Committee on Claims.

By Mr. KINZER: A bill (H. R. 13831) granting an increase of pension to Sarah A. Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13832) granting an increase of pension to Cassie Test; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13833) granting an increase of pension to Minnie Wood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13834) granting an increase of pension to Christiana Kline; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13835) granting an increase of pension to Mary C. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13836) granting an increase of pension to Susan Keperling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13837) granting an increase of pension to Emily A. Whitson; to the Committee on Invalid Pensions.

By Mr. KOPP: A bill (H. R. 13838) granting an increase of pension to Ellis B. McNeeley; to the Committee on Pensions.

Also, a bill (H. R. 13839) granting an increase of pension to Christena Maxwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13840) for the relief of Sarah N. McMeen; to the Committee on Claims.

Also, a bill (H. R. 13841) granting an increase of pension to Esther A. Kelsey; to the Committee on Invalid Pensions.

By Mr. KORELL: A bill (H. R. 13842) to clear the military record of Mark Baldwin; to the Committee on Military Affairs.

Also, a bill (H. R. 13843) for the relief of Thomas E. Read; to the Committee on Military Affairs.

Also, a bill (H. R. 13844) granting a pension to Edith Corbit; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13845) granting an increase of pension to Della H. McKinley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13846) granting a pension to Melissa J. Blowers; to the Committee on Invalid Pensions.

By Mr. KURTZ: A bill (H. R. 13847) granting an increase of pension to Emily E. Brashears; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13848) granting an increase of pension to Mary M. Miller; to the Committee on Invalid Pensions.

By Mr. LANHAM: A bill (H. R. 13849) granting an increase of pension to James F. Madden; to the Committee on Pensions.

By Mr. LANKFORD of Virginia: A bill (H. R. 13850) for the relief of R. K. Miller, J. M. Griggs, S. F. Gaylord, M. D. Boyce, William T. Bryan, Joel Duke, O. D. Hartman, M. C. Boyette, and C. C. Butler; to the Committee on Claims.

Also, a bill (H. R. 13851) granting an increase of pension to Mrs. A. W. Grant; to the Committee on Pensions.

Also, a bill (H. R. 13852) granting a pension to Olive H. Sanderlin; to the Committee on Pensions.

Also, a bill (H. R. 13853) for the relief of George M. Peed; to the Committee on Claims.

Also, a bill (H. R. 13854) for the relief of Ezra F. Gray, John J. Parker, and Otto O. Harcum; to the Committee on Claims.

Also, a bill (H. R. 13855) for the relief of Richard V. Owen; to the Committee on Military Affairs.

By Mr. LEAVITT (by request): A bill (H. R. 13856) authorizing the Secretary of the Interior to pay E. C. Sampson, of Billings, Mont., for services rendered the Crow Tribe of Indians; to the Committee on Indian Affairs.

By Mr. LETTS: A bill (H. R. 13857) granting an increase of pension to Margaret Pearson; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 13858) granting a pension to Anastasia Watts; to the Committee on Pensions.

Also, a bill (H. R. 13859) granting an increase of pension to Julia M. Huff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13860) granting an increase of pension to Fannie M. Carey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13861) granting an increase of pension to Ella F. Buffum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13862) granting a pension to Ellen Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13863) granting an increase of pension to Sarah Shoemaker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13864) granting a pension to Angeline Davis; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN: A bill (H. R. 13865) granting an increase of pension to Alice Crandall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13866) for the relief of Frederick Arthur Laura; to the Committee on Claims.

By Mr. McREYNOLDS: A bill (H. R. 13867) for the relief of Henry C. Lawhorn; to the Committee on Military Affairs.

Also, a bill (H. R. 13868) granting a pension to Isabel Guffey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13869) granting a pension to Louvenia F. Barger; to the Committee on Invalid Pensions.

By Mr. MANLOVE: A bill (H. R. 13870) granting an increase of pension to Marian Tebbetts Banes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13871) granting an increase of pension to Nancy J. Herring; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13872) granting a pension to Tiney Vass; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 13873) granting a pension to Emma J. Penrod; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13874) granting an increase of pension to Ida L. Crandall; to the Committee on Pensions.

Also, a bill (H. R. 13875) granting a pension to Laura E. Diets; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13876) granting an increase of pension to Eva Pennell Brown; to the Committee on Invalid Pensions.

By Mr. MENGES: A bill (H. R. 13877) granting a pension to Prudence K. Clair; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13878) granting an increase of pension to Mary A. Watson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13879) granting an increase of pension to Hannah M. Dorsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13880) granting an increase of pension to Margaret Moore; to the Committee on Invalid Pensions.

By Mr. MERRITT: A bill (H. R. 13881) granting an increase of pension to Mary A. McCormick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13882) granting an increase of pension to Sarah E. Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13883) granting an increase of pension to Jennie E. Carpenter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13884) granting an increase of pension to Mary Ellen Booth; to the Committee on Invalid Pensions.

By Mr. MILLIGAN: A bill (H. R. 13885) granting a pension to Malinda Jane Downey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13886) granting an increase of pension to Martha J. Phillips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13887) granting an increase of pension to Lucy F. Alley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13888) granting an increase of pension to Martha C. Parman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13889) granting a pension to Hiram Andrews; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13890) granting a pension to Joseph P. Ligon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13891) granting a pension to Bessie Lancaster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13892) granting an increase of pension to Cetoia Eidson; to the Committee on Invalid Pensions.

By Mr. MOORE of Kentucky: A bill (H. R. 13893) granting an increase of pension to Willie Brown; to the Committee on Pensions.

Also, a bill (H. R. 13894) granting a pension to Zachariah T. Olbin; to the Committee on Invalid Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 13895) granting an increase of pension to Sarah H. Dow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13896) granting a pension to Julia Settles; to the Committee on Pensions.

Also, a bill (H. R. 13897) granting an increase of pension to Mary E. Hoffman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13898) granting an increase of pension to Elizabeth Pansler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13899) granting an increase of pension to Martha J. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13900) granting an increase of pension to Julia McCleary; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13901) granting an increase of pension to Nellie K. McBee; to the Committee on Invalid Pensions.

By Mr. MOORE of Virginia: A bill (H. R. 13902) granting a pension to Mary M. North; to the Committee on Pensions.

By Mr. NELSON of Missouri: A bill (H. R. 13903) granting a pension to Amanda Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13904) granting a pension to Mary Jane Crawford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13905) granting an increase of pension to Margaret Vaughn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13906) granting a pension to Molley Simmons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13907) granting a pension to Irvin R. Rose; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13908) granting a pension to George Washington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13909) granting a pension to Elizabeth Warmbrodt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13910) granting a pension to Wiley M. Gott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13911) granting a pension to William H. Hauenstein, sr.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13912) granting a pension to Margaret Kingery; to the Committee on Invalid Pensions.

By Mr. NEWHALL: A bill (H. R. 13913) granting a pension to Louise L. Fryman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13914) granting a pension to Augusta Schulte; to the Committee on Pensions.

Also, a bill (H. R. 13915) granting an increase of pension to James R. Daniel; to the Committee on Pensions.

By Mr. O'CONNELL: A bill (H. R. 13916) for the relief of Thomas J. Healy; to the Committee on Military Affairs.

Also, a bill (H. R. 13917) granting a pension to Julia J. Godley; to the Committee on Pensions.

By Mr. PALMER: A bill (H. R. 13918) granting a pension to Susie Tucker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13919) granting a pension to Elizabeth Kays; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13920) granting an increase of pension to Ruth C. Lindsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13921) granting a pension to Jemima Woolery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13922) granting a pension to Mary B. Bybee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13923) granting a pension to Sarah Stark Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13924) granting a pension to Kizire J. Coleman; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 13925) granting a pension to Rose Marsha; to the Committee on Invalid Pensions.

By Mr. PEAVEY: A bill (H. R. 13926) for the relief of Oscar C. Olson; to the Committee on War Claims.

By Mr. PURNELL: A bill (H. R. 13927) granting an increase of pension to Pearcy Renick; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 13928) granting an increase of pension to Mary E. Townsley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13929) granting an increase of pension to Lucy E. Black; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13930) granting an increase of pension to Lucinda Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13931) granting a pension to Harriet H. Dutton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13932) for the relief of John S. Shaw; to the Committee on Claims.

Also, a bill (H. R. 13933) granting a pension to Louise C. Williams; to the Committee on Invalid Pensions.

By Mr. REID of Illinois: A bill (H. R. 13934) for the relief of Edward Everett Harding; to the Committee on Naval Affairs.

By Mr. ROMJUE: A bill (H. R. 13935) for the relief of Dr. J. S. Gashwiler; to the Committee on Claims.

By Mr. SCHNEIDER: A bill (H. R. 13936) granting an increase of pension to Frances M. Turney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13937) granting a pension to Margaret Vincent; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13938) granting an increase of pension to Hannora Keley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13939) granting an increase of pension to Hannah E. Frisbie; to the Committee on Invalid Pensions.

By Mr. SEGER: A bill (H. R. 13940) granting an increase of pension to Laura F. Carr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13941) granting a pension to Rebecca Ettinger; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 13942) granting an increase of pension to Olivia Harris; to the Committee on Invalid Pensions.

By Mr. SMITH of West Virginia: A bill (H. R. 13943) granting a pension to Hulda Frances Rogers; to the Committee on Invalid Pensions.

By Mr. SPEARING: A bill (H. R. 13944) for the relief of C. T. Patterson Co., New Orleans, La.; to the Committee on Claims.

By Mr. STRONG of Kansas: A bill (H. R. 13945) granting an increase of pension to Mary Clegg; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 13946) granting a pension to Inez Shannon; to the Committee on Pensions.

Also, a bill (H. R. 13947) granting an increase of pension to Susannah B. Simpson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13948) granting an increase of pension to Anna E. Petted; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13949) granting an increase of pension to Elizabeth Madill; to the Committee on Pensions.

Also, a bill (H. R. 13950) granting an increase of pension to Margret McCoy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13951) granting an increase of pension to Agnes Sink; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13952) granting an increase of pension to Catharine E. Wolfgong; to the Committee on Invalid Pensions.

By Mr. SULLIVAN of Pennsylvania: A bill (H. R. 13953) granting a pension to Teofil Rychert; to the Committee on Pensions.

By Mr. SUTHERLAND: A bill (H. R. 13954) for the relief of Werner Ohls to the Committee on the Territories.

By Mr. SUMMERS of Washington: A bill (H. R. 13955) granting an increase of pension to Laura Cornwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13956) granting an increase of pension to Maggie Bowdre; to the Committee on Invalid Pensions.

By Mr. SWANSON: A bill (H. R. 13957) granting a pension to Cora F. Bossingham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13958) granting a pension to John H. Epperson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13959) granting an increase of pension to Emma Pilate; to the Committee on Invalid Pensions.

By Mr. SWING: A bill (H. R. 13960) for the relief of William Alexander Keys; to the Committee on the Public Lands.

Also, a bill (H. R. 13961) granting an increase of pension to Ruth A. Dana; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13962) granting a pension to Ella S. Outcalt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13963) granting a pension to Mary R. Butler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13964) granting a pension to Cudleigh Andrews Clifford; to the Committee on Pensions.

By Mr. TARVER: A bill (H. R. 13965) granting a pension to Oma Dell Morgan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13966) for the relief of Dr. A. J. Montgomery; to the Committee on Claims.

Also, a bill (H. R. 13967) granting a pension to Ada Rominger; to the Committee on Pensions.

Also, a bill (H. R. 13968) granting a pension to William A. Helms; to the Committee on Pensions.

Also, a bill (H. R. 13969) for the relief of Paul I. Morris and Beulah Fuller Morris; to the Committee on Claims.

By Mr. TAYLOR of Colorado: A bill (H. R. 13970) granting an increase of pension to Mary M. Bancroft; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 13971) to authorize the appointment of Ira Partain, now a master sergeant, United States Army, as warrant officer, United States Army; to the Committee on Military Affairs.

By Mr. TEMPLE: A bill (H. R. 13972) granting an increase of pension to Sarah E. Trunick; to the Committee on Invalid Pensions.

By Mr. THURSTON: A bill (H. R. 13973) granting an increase of pension to Jerusha A. Babbitt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13974) granting an increase of pension to Margaret A. Belvel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13975) granting an increase of pension to Nancy A. Douglass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13976) granting a pension to Cyrus Round; to the Committee on Pensions.

Also, a bill (H. R. 13977) granting a pension to Jane Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13978) granting a pension to Genette D. Harlan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13979) granting a pension to Olive Boardman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13980) granting a pension to America J. McCoun; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13981) granting a pension to Maggie Rilea; to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 13982) granting an increase of pension to Catherine Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13983) granting a pension to Matilda Sieber; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 13984) granting a pension to Mary E. Kendall; to the Committee on Pensions.

Also, a bill (H. R. 13985) granting a pension to Mary C. Daly; to the Committee on Pensions.

By Mr. UNDERWOOD: A bill (H. R. 13986) granting a pension to Minnie Valentine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13987) granting a pension to Anise Buchanan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13988) granting a pension to Norma Roush; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13989) granting an increase of pension to Patience Metcalf; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13990) granting an increase of pension to Sarah Amerine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13991) granting an increase of pension to Margaret J. Cutright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13992) granting an increase of pension to Eliza J. Spohn; to the Committee on Invalid Pensions.

By Mr. VINCENT of Michigan: A bill (H. R. 13993) granting a pension to Rose M. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13994) granting a pension to Mildred I. Brumby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13995) granting an increase of pension to Sarah F. Carpenter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13996) for the relief of Frank P. Church; to the Committee on Claims.

By Mr. WELCH of California: A bill (H. R. 13997) granting a pension to Mary A. Fradley; to the Committee on Pensions.

Also, a bill (H. R. 13998) for the relief of Cornelius F. J. Howard; to the Committee on Naval Affairs.

By Mr. WILLIAMS: A bill (H. R. 13999) granting a pension to J. M. Waide; to the Committee on Pensions.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 14000) granting a pension to Berma Yearkey; to the Committee on Pensions.

Also, a bill (H. R. 14001) granting an increase of pension to Susan C. Wyatt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14002) granting a pension to Anna King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14003) for the relief of John M. Nutter; to the Committee on Claims.

Also, a bill (H. R. 14004) granting an increase of pension to Julia A. Zinn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14005) granting a pension to Wilding Blagg Hogue; to the Committee on Invalid Pensions.

By Mr. WOOD: A bill (H. R. 14006) granting an increase of pension to Louisa R. Deibert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14007) granting an increase of pension to Charlotte Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14008) granting an increase of pension to Belinda Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14009) granting a pension to Anna E. Rose; to the Committee on Invalid Pensions.

By Mr. WYANT: A bill (H. R. 14010) granting an increase of pension to Rebecca Bryan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14011) granting an increase of pension to Fanney Conner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14012) granting a pension to John H. Gallena; to the Committee on Pensions.

Also, a bill (H. R. 14013) granting an increase of pension to Nancy A. Guyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14014) granting an increase of pension to Martha P. Hoffer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14015) granting a pension to Alice Loughner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14016) granting an increase of pension to Susan Marshall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14017) granting an increase of pension to Josephine J. McCracken; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14018) granting a pension to John M. Mears; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14019) granting an increase of pension to Elizabeth Might; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14020) granting an increase of pension to Susan Mitchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14021) granting an increase of pension to Eliza Painter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14022) granting an increase of pension to Anna B. Sheplar; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14023) granting a pension to Melvia Shunk Stump; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14024) granting a pension to Mary E. Wise; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14025) granting an increase of pension to Clara Zeigler; to the Committee on Invalid Pensions.

By Mr. YON: A bill (H. R. 14026) granting a pension to Minerva J. Carter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14027) for the relief of Mrs. A. L. Tharp; to the Committee on Claims.

By Mr. ZIHLMAN: A bill (H. R. 14028) granting an increase of pension to Margaret A. Hanson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14029) granting an increase of pension to Rebecca Bidinger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14030) granting a pension to Walter Clise; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14031) granting an increase of pension to Almira Yost; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14032) granting an increase of pension to Tracy Huffman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14033) granting a pension to Eliza K. Mose; to the Committee on Invalid Pensions.

By Mr. REID of Illinois: Resolution (H. Res. 304) to pay Mary Youker, widow of George W. Youker, late an employee of the House, an amount equal to six months' compensation and $250 to defray funeral expenses of the said George W. Youker; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7681. Petition of the Nobel committee of the Norwegian Parliament that proposals of candidates for the Nobel peace prize be laid before the committee before the 1st of February, 1931; to the Committee on Foreign Affairs.

7682. Petition of the provincial board of Agusan, P. I., urging the Congress of the United States to approve the Hawes-Cutting bill, granting the independence of the Philippine Islands within five years; to the Committee on Insular Affairs.

7683. Petition of the provincial government of Rizal, Pasig, P. I., urging the Congress of the United States to approve the Hawes-Cutting bill, granting the independence of the Philippine Islands within five years; to the Committee on Insular Affairs.

7684. Petition of the provincial government of Palawan Puerto Princesa, P. I., urging the Congress of the United States to approve the Hawes-Cutting bill, granting the independence of the Philippine Islands within five years; to the Committee on Insular Affairs.

7685. Petition of the municipal government of Batangas, Batangas, P. I., urging the Congress of the United States to approve the Hawes-Cutting bill, granting the independence of the Philippine Islands within five years; to the Committee on Insular Affairs.

7686. Petition of the municipal government of Candaha, Province of Pampaha, P. I., urging the Congress of the United States to approve the Hawes-Cutting bill, granting the independence of the Philippine Islands within five years; to the Committee on Insular Affairs.

7687. Petition of the municipal government of Tanay, Rizal, P. I., urging the Congress of the United States to approve the Hawes-Cutting bill, granting the independence of the Philippine Islands within five years; to the Committee on Insular Affairs.

7688. Petition of the municipal government of Muntinlupa, Rizal, P. I., urging the Congress of the United States to approve the Hawes-Cutting bill, granting the independence of the Philippine Islands within five years; to the Committee on Insular Affairs.

7689. Petition of the provincial board of Cebu at Cebu, P. I., urging the Congress of the United States to approve the Hawes-Cutting bill, granting the independence of the Philippine Islands within five years; to the Committee on Insular Affairs.

7690. Petition of the provincial government of Oriental Misamis, Cagayan, P. I., urging the Congress of the United States to approve the Hawes-Cutting bill, granting the independence of the Philippine Islands within five years; to the Committee on Insular Affairs.

7691. Petition of the municipal secretary of Zamboanga, P. I., forwarding a copy of a resolution of protest against the appointment of Mr. Nicholas Roosevelt as vice governor of the Philippine Islands; to the Committee on Insular Affairs.

7692. Petition of Cobierno Municipal de Isabela de Basilan, Provincia De Zamboanga I. F., forwarding a copy of a resolution of protest against the appointment of Mr. Nicholas Roosevelt as vice governor of the Philippine Islands; to the Committee on Insular Affairs.

7693. Petition of the American Legion, Louisiana Department, headquarters, New Orleans, urging upon the Congress to enact legislation as will guarantee an American merchant marine having the best equipped and most suitable type of vessels and the replacement of those now almost obsolete; to the Committee on the Merchant Marine and Fisheries.

7694. Petition of the International Association of Game, Fish, and Conservation Commissioners urging that Congress make permanent a committee of five to study the wild-life resources of America; to the Committee on Rules.

7695. Petition of Junior Order United American Mechanics and Daughters of America, of Hamilton County, urging the passage of House bill 11284, providing for the construction in the city of Cincinnati of a 550-bed hospital for veterans of the World War; to the Committee on World War Veterans' Legislation.

7696. Petition of the Macabebe-Masantol Post, No. 3, of the American Legion, Department of the Philippine Islands, commending the Congress in passing the World War pension bill; to the Committee on World War Veterans' Legislation.

7697. Petition of the mayor of the city of Boston, Mass., urging legislation providing for a Federal planning board whose duty would be to develop a program for the stabilization of industry in the United States; to the Committee on the Judiciary.

7698. Petition of citizens of Washington, D. C., protesting against the enactment into law of the compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

7699. Petition of the Vallejo Chamber of Commerce of California, expressing their profound sympathy of the death of the Hon. Charles F. Curry; to the Committee on Memorials.

7700. Petition of the Palestine Emergency Council, of Cincinnati, Ohio, urging Congress to bring upon the floor the matter of the recent "white paper" of the Government of Great Britain; to the Committee on Foreign Affairs.

7701. Petition from the national secretary of the National Exchange Club, of Toledo, Ohio, urging the passage of Senate bill, S. 2214; to the Committee on Interstate and Foreign Commerce.

7702. Petition of Governor Emmerson's commission on unemployment and relief, Chicago, Ill., urging Congress for an emergency appropriation to finance a further expansion of the Government's public-works construction; to the Committee on Appropriations.

7703. Petition of Wesley Werner Post, No. 513, American Legion, Department of Ohio, urging the passage of House bill 11284; to the Committee on World War Veterans' Legislation.

7704. Petition of United States Spanish War Veterans, Department of Alabama, assembled in the annual encampment, urging world peace; to the Committee on Foreign Affairs.

7705. By Mr. BARBOUR: Petition of Woman's Christian Temperance Union of Porterville, Tulare, and Lindsay, Calif., requesting enactment of law for Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

7706. By Mr. CANNON: Petition of Washington (Mo.) Post, No. 218, American Legion, favoring immediate payment of adjusted service compensation certificates of World War veterans; to the Committee on Ways and Means.

7707. By Mr. CULLEN: Petition of Radio Protective Association of the American Federation of Labor, urging the immediate and favorable consideration of the Dill-Davis bill as a most important item of antitrust legislation now pending in Congress; to the Committee on Patents.

7708. Also, petition of the American Legion at its twelfth annual convention, urging the Congress to promptly consider the findings and recommendation of the special committee to investigate the activities and propaganda of the communists, and to forthwith enact appropriate legislation to end all communistic activities subversive of our form of government; to the Special Committee on Communist Propaganda.

7709. Also, petition of the board of directors of the National Jewelers Publicity Association, requesting the Congress not to increase the first-class mail rate; to the Committee on the Post Office and Post Roads.

7710. Also, petition of the American Institute of Marine Underwriters, opposed to an increase in the first-class postage rate and considered same as unwise and unnecessary burden on the business of the United States; to the Committee on the Post Office and Post Roads.

7711. Also, petition of the New York State Volunteer Firemen's Association, urging the passage of House bill 10821, which is designed to aid vocational training generally beneficial to firemen; to the Committee on Education.

7712. Also, petition of International Association of General Chairmen, Brotherhood of Railroad Trainmen, protesting against the further encroachment of common-carrier pipe lines upon the field of transportation, and urge that means be adopted to discourage and prevent the further expansion of pipe-line carriers; to the Committee on Interstate and Foreign Commerce.

7713. Also, petition of the executive committee of the board of directors of the National Retail Dry Goods Association, protesting the proposed increase of postal rates on first-class mail; to the Committee on the Post Office and Post Roads.

7714. Also, petition of the Chamber of Commerce of the State of New York, urging the Congress to take steps for the protection of American political institutions and economic interests, in concert, if need be, with all governments with which the United States is in friendly diplomatic relations; to the Committee on Immigration and Naturalization.

7715. Also, petition of Fraternal Order of Eagles, urging that steps be taken to curb and stop the migration of the Filipinos and orientals into the United States; to the Committee on Immigration and Naturalization.

7716. Also, petition of Bricklayers' International Union, Local No. 9, Labor Lyceum, Brooklyn, N. Y., asking for the favorable consideration of House Joint Resolution 334; to the Committee on the Merchant Marine and Fisheries.

7717. By Mr. O'CONNOR of New York: Resolutions of the National Jewelers Publicity Association, in opposition to proposed increase in first-class postage rate; to the Committee on the Post Office and Post Roads.

7718. Also, resolutions of the New York State Association of Letter Carriers, indorsing the Saturday shorter work day bill (H. R. 6603); to the Committee on the Post Office and Post Roads.

7719. Also, resolutions of the American Institute of Marine Underwriters, opposing increases in first-class postage rate; to the Committee on the Post Office and Post Roads.

7720. By Mr. TARVER: Petition of Cobb County, Ga., citizens, asking immediate payment of adjusted service certificates; to the Committee on Ways and Means.

7721. By Mr. TEMPLE: Petition of Frank B. Briggs, Washington, Pa., urging the passage of legislation placing a tariff on oil shipped from abroad, mentioning particularly oil from Mexico and Venezuela; to the Committee on Ways and Means.

7722. By Mr. UNDERHILL: Resolution of protest adopted by the board of aldermen of the city of Chelsea, Mass., against the present policy of Great Britain in Palestine; to the Committee on Foreign Affairs.

7723. By Mr. WATSON: Petition from residents of Montgomery County, Pa., expressing views favoring House bill 7384; to the Committee on the District of Columbia.

SENATE

TUESDAY, DECEMBER 2, 1930

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Lord Jesus Christ, who in the days of Thy youth wast found in the temple sitting in the midst of the doctors, both hearing them and asking them questions, give us a true perspective in all things pertaining to the great issues of our times, that being men of deep convictions, devoted to our trust, we may ignore each fragmentary impulse, irrelevant obsession, and vagrant aspiration that hinders the sovereignty of right. Lead us to that highway where the spell of lesser loyalties is broken by a clear compelling vision and the sweeping winds of divine purpose add to the content of our thought the note of spiritual sublimity and moral might. All of which we ask in Thy name and for Thy sake. Amen.

ROYAL S. COPELAND, a Senator from the State of New York; BRONSON M. CUTTING, a Senator from the State of New Mexico; HIRAM W. JOHNSON, a Senator from the State of California; PETER NORBECK, a Senator from the State of South Dakota; ELLISON D. SMITH, a Senator from the State of South Carolina; and ROBERT F. WAGNER, a Senator from the State of New York, appeared in their seats to-day.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, informed the Senate that a committee of three Members was appointed by the Speaker on the part of the House of Representatives to join with the committee on the part of the Senate to notify the President of the United States that a quorum of each House had assembled and that Congress was ready to receive any communication that he would be pleased to make; also, that a quorum of the House of Representatives had appeared and that the House was ready to proceed with business.

The message communicated to the Senate the intelligence of the death of Hon. FLORIAN LAMPERT, late a Representative from the State of Wisconsin, and transmitted the resolutions of the House thereon.

The message also communicated to the Senate the intelligence of the death of Hon. EDGAR R. KIESS, late a Representative from the State of Pennsylvania, and transmitted the resolutions of the House thereon.

The message further communicated to the Senate the intelligence of the death of Hon. JOHN FRANCIS QUAYLE, late a Representative from the State of New York, and transmitted the resolutions of the House thereon.

The message also communicated to the Senate the intelligence of the death of Hon. CHARLES M. STEDMAN, late a Representative from the State of North Carolina, and transmitted the resolutions of the House thereon.

The message further communicated to the Senate the intelligence of the death of Hon. WILLIAM C. HAMMER, late a

Representative from the State of North Carolina, and transmitted the resolutions of the House thereon.

The message also communicated to the Senate the intelligence of the death of Hon. CHARLES F. CURRY, late a Representative from the State of California, and transmitted the resolutions of the House thereon.

The message further communicated to the Senate the intelligence of the death of Hon. OTIS WINGO, late a Representative from the State of Arkansas, and transmitted the resolutions of the House thereon.

The message announced that the House had passed bills of the following titles, in which it requested the concurrence of the Senate:

H. R. 762. An act for the relief of the legal representatives of Gallus Kerchner, deceased;

H. R. 782. An act to extend the benefits of the United States employees' compensation act to R. W. Dickerson;

H. R. 921. An act for the relief of Andrew Kline;

H. R. 922. An act for the relief of William S. Murray;

H. R. 923. An act for the relief of Louis J. Stroud;

H. R. 925. An act for the relief of George Curren;

H. R. 1109. An act for the relief of Martin J. Hayes;

H. R. 2215. An act for the relief of Fireman's Fund Insurance Co.;

H. R. 2589. An act for the relief of Josiah J. Hostetler;

H. R. 5926. An act for the relief of Lillian N. Lakin;

H. R. 6636. An act for the relief of Philip F. Hambsch;

H. R. 6659. An act for the relief of Earl F. Heist;

H. R. 8604. An act to authorize and direct the Comptroller General to settle and allow the claim of Harden F. Taylor for services rendered to the Bureau of Fisheries;

H. R. 8607. An act for the relief of Frank Bayer;

H. R. 9199. An act for the relief of John F. Williams and Anderson Tyler;

H. R. 9215. An act for the relief of Jessie Axton;

H. R. 9395. An act for the relief of Alton B. Platner;

H. R. 11091. An act for the relief of Harvey H. Padgett;

H. R. 11121. An act for the relief of the James River Bridge Corporation; and

H. R. 11911. An act for the relief of Frank J. Spencer.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message also further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

H. R. 736. An act to authorize the cession to the city of New York of land on the northerly side of New Dorp Lane in exchange for permission to connect Miller Field with the said city's public sewer system;

H. R. 9267. An act for the relief of John A. Fay;

H. R. 10387. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of Denver, Colo., the ship's bell, plaque, war record, name plate, and silver service of the cruiser *Denver*, that is now or may be in his custody;

H. J. Res. 384. Joint resolution making appropriations available to carry into effect the provisions of the act of the Seventy-first Congress entitled "An act to fix the salaries of officers and members of the Metropolitan police force and the fire department of the District of Columbia; and

H. J. Res. 393. Joint resolution making an appropriation for the United States Massachusetts Bay Colony Tercentenary Commission.

NOTIFICATION TO THE PRESIDENT

Mr. WATSON and Mr. ROBINSON of Arkansas advanced in the center aisle, and

Mr. WATSON said: Mr. President, your committee appointed to act in conjunction with a similar committee appointed from the House for a like purpose desire to report that we called on the President, notified him that the two Houses were regularly organized, and inquired whether he had any communication to make. We performed that duty and were informed by the President that this day he would transmit to both Houses a message in writing.

THE PRESIDENT'S ANNUAL MESSAGE

Mr. LATTA, one of the secretaries of the President, was announced and said:

Mr. President, I am directed by the President of the United States to deliver to the Senate a message in writing.

The message was received by the secretary for the majority (C. A. Loeffler) and handed to the Vice President.

SENATOR FROM PENNSYLVANIA

The VICE PRESIDENT. The Chair lays before the Senate a privileged communication relative to the Senator elect from Pennsylvania, which will be read.

The Chief Clerk read as follows:

GOVERNOR'S OFFICE.

IN THE NAME AND BY AUTHORITY OF THE COMMONWEALTH OF PENNSYLVANIA

I, John S. Fisher, Governor of the Commonwealth of Pennsylvania, do hereby certify that by the provisions of the second section of an act of the general assembly of this Commonwealth entitled "An act to provide for the nomination and election of candidates for the office of United States Senator, and one filling of vacancies in said office," approved the 24th day of July, A. D. 1913, it is made the duty of the governor when the returns of any election for United States Senator shall be received by the secretary of the Commonwealth to transmit the returns so made to the President of the United States Senate.

Returns of votes cast at the election held on Tuesday, November 4, 1930, for the office of United States Senator for the unexpired term ending March 4, 1933:

James J. Davis, Republican	1,462,186
Sedgwick Kistler, Democrat	523,338
Emmett P. Cush, Communist	6,960
S. W. Bierer, Prohibition	24,498
William J. Van Essen, Socialist	26,796
Scattering	42
Total	2,043,820

I do further certify that the foregoing returns of the election held on Tuesday, the 4th day of November, A. D. 1930, in the several counties of the Commonwealth of Pennsylvania, is a full, true, and correct copy of the original returns of said election as filed in the office of the secretary of the Commonwealth.

Given under my hand and the great seal of the State, at the city of Harrisburg, this 28th day of November, A. D. 1930, and of the Commonwealth the one hundred and fifty-fifth.

JOHN S. FISHER.

By the governor:
[SEAL.]

JAMES A. WALKER,
Secretary of the Commonwealth.

Mr. REED. Mr. President, Mr. DAVIS is in the Chamber and is prepared to take the oath.

Mr. NYE. Mr. President, most unpleasant is the task which seems to be mine of requesting at this time that the Senator elect from Pennsylvania stand aside pending receipt of such information as has been sought and is expected by the committee with relation to expenditures in behalf of the Senator elect, expenditures above and beyond what have already been reported to the committee. In substantiation of this request I wish to read at this time a special report from the Select Committee on Senatorial Campaign Expenditures, as follows:

SPECIAL REPORT FROM THE SELECT COMMITTEE ON SENATORIAL CAMPAIGN EXPENDITURES

Your committee will be prepared within the next few days to submit a special report covering the expenditures by and in behalf of Senatorial candidates in those States where the successful candidate begins service in this body at this, the short session of the Seventy-first Congress. Those States are New Jersey, Delaware, Pennsylvania, Ohio, Tennessee, Kentucky, Kansas, and Wyoming. On December 4 the committee will conduct a hearing, at which time further New Jersey testimony will be taken, as a result of which the committee expects to be able to report finally. In the case of all the other States named, with one possible exception, the committee is confident that its report could not possibly serve as the basis for any objection to the Senators elect from those States being administered the oath of office and accorded a place in this body.

The one possible exception is that of Pennsylvania, which State has issued credentials of election to JAMES J. DAVIS. It is to this one case that this special report is directed.

PENNSYLVANIA EXPENDITURES

Sedgwick Kistler was the Democratic nominee in Pennsylvania. He had no opposition in the primary election and has reported that his only expenditures in that campaign were customary contributions to his party. In the general election campaign he reported expenditures of $22,620.03, of which amount $21,500 was

in the form of contributions to the State Democratic campaign committee. That committee has not yet reported upon its total expenditures. However, such information has been requested.

Four candidates sought the Republican nomination in the primary. The three senatorial candidates there eliminated have accounted for expenditures by them or in their behalf as follows:

Joseph R. Grundy	$420,701.03
Frances H. Bohlen	167,393.78
Webster G. Drew	675.69

The total expenditures made on behalf of the candidacy of JAMES J. DAVIS are not fully known to the committee. Hence in this report the committee presents the expenditures so far determined and points out the facts which remain to be ascertained before a final and complete report can be made.

Your committee has found the personal expenditures of Senator-elect DAVIS in his primary campaign to be $10,807.90, this being inclusive of $6,000 contributed to the campaign committee supporting the ticket of which he was a part. In the conduct of his general election campaign Mr. DAVIS reports a personal expenditure of $4,063.49. The report which the committee has requested from the State Republican campaign committee in Pennsylvania has not yet been furnished. Likewise, the committee is unprepared to say how much may have been expended by other organizations functioning in behalf of Mr. DAVIS in the late campaign. Such reports, if any, should be available on December 4, which is the last day under the Pennsylvania law for organizations to file such reports.

In the consideration of expenditures in the primary election campaign in behalf of the Senator elect from Pennsylvania, it is necessary to note that in that campaign Mr. DAVIS was a part of what was known as the Brown-Davis ticket. In addition to the names of Mr. DAVIS for Senator and Mr. Brown for governor, the ticket carried the names of candidates for other State offices, some judicial candidates, and in some districts candidates for legislative and county offices. It seems now quite apparent, from information before the committee, that well in advance of $600,000 was expended in support of this ticket.

It should also be noted that the fight in the Republican primary campaign in Pennsylvania was in the main a battle between candidates for governor, leaving the senatorial fight between Davis, Grundy, and Bohlen as of secondary consideration. Money raised for and by the Brown-Davis campaign committees was without a doubt principally available because of the gubernatorial fight. However, your committee does not attempt to determine what part of the expenditures by the Brown-Davis campaign committees are fairly assessable against individuals upon the so-called Brown-Davis ticket. The committee can but present the facts which it has found.

Hearings conducted upon the question of expenditures in behalf of Senator-elect DAVIS revealed the activity of four separate campaign committees operating in support of the Brown-Davis ticket. They were as follows:

The Brown-Davis campaign committee of Pennsylvania, of which Samuel M. Vauclain was treasurer;

The Brown-Davis committee of Philadelphia, Robert P. Quigley, treasurer;

The Brown-Davis western Pennsylvania campaign committee, W. W. Bleakley, treasurer; and

The Brown-Davis campaign committee of Allegheny County, headed by Dr. F. H. Frederick.

There appears to have been no central committee for all of the above-named committees. Instead they all seem to operate more or less independently of each other, except that there seemed to be understanding of the territory to be covered by the campaigns of each.

Expenditures by all of the committees were primarily for the payment of workers and watchers at the polls.

PHILADELPHIA COMMITTEE

The Brown-Davis campaign committee of Philadelphia appears to have confined itself exclusively to the Philadelphia vote. J. Hampton Moore and Robert B. Quigley were in charge of the work of this campaign committee. The expenditures by it reported to the committee totaled $62,575. Contributions to this fund ranged from $25 to $5,500, and the contributors numbered 45. Of the total amount raised and expended, $32,300 went to Philadelphia ward committee. Your committee is endeavoring to learn if any money beyond that reported was expended in Philadelphia. There was a general feeling in that city during the campaign, however, that money for use in the campaign was very scarce by comparison with the money used in other campaigns in that city.

WESTERN PENNSYLVANIA COMMITTEE

The Brown-Davis western Pennsylvania committee raised $117,450 and distributed it to Brown-Davis campaign committees in each of 17 western Pennsylvania counties. These committees in turn expended the money for workers and watchers at the polls. Of the total amount distributed, $40,000 was given to the Allegheny County committee.

Of the full amount received of this western Pennsylvania committee, Walter A. Bonitz, a Pittsburgh brick manufacturer, contributed $86,750, and in addition to this he gave $10,000 to the Allegheny County committee. Mr. Bonitz testified before the committee that he had merely underwritten anticipated contributions expecting to be reimbursed but that he had received no such reimbursement.

ALLEGHENY COUNTY

The Allegheny County Brown-Davis committee expended $88,460 in this campaign, the money coming from the western Pennsylvania committee and other contributors, numbering 84, whose contributions ranged from $10 to $10,000. The expenditures of this committee were for watcher and messenger certificates, about $55,000 being spent for this purpose.

PENNSYLVANIA COMMITTEE

The Brown-Davis campaign committee of Pennsylvania, of which Samuel V. Vauclain was treasurer, was easily the largest spender of the four organizations. It undertook to finance the Brown-Davis campaign in all those counties and cities not carried by the three committees above reported.

Mr. Vauclain reported to the committee contributions to his committee of $131,287.46, of which about $20,000 was given by Mr. Brown, the candidate for governor. The balance came from $25 to $10,000 contributions from about 60 people, as shown at page 70 of the hearing.

At page 72 of the hearings will be found the report of this committee of its expenditures, totaling $129,693.33. About $39,000 is shown to have been sent to county committee chairmen, while $47,000 was for advertising.

TOTAL EXPENDITURES IN PRIMARY

The combined primary expenditures of Mr. DAVIS and the four above-named Brown-Davis committees total $368,962.11, but within the last two days the committee has learned of reported expenditures of a substantial size by these committees which had not been reported to your committee. The committee has this morning substantiated the report that the Vauclain committee reported to the secretary of the Commonwealth, Pennsylvania, two weeks after reporting to this committee, in which report total expenditures are shown to be $196,905.42. In addition to this unpaid bills are shown in that report of $117,843.16. This is $195,055.25 more than was reported to the committee. Your committee yesterday sent a representative to the office of the secretary of the Commonwealth to win possession of copies of this report and such other reports as may have been filed concerning expenditures of Brown-Davis tickets. Study of the files at Harrisburg this morning and such files as are in the possession of the committee makes it appear that actual expenditures of the Brown-Davis campaign committee will be shown to be in excess of $600,000.

Check of a comparative few of the reports made by county campaign treasurers and filed with the State after the primaries and after hearings before this committee discloses failures of the central committee to report fully upon their contributions to county committees. This is notably true in the case of the Vauclain committee.

In testifying before the committee on June 2, Mr. Vauclain reported expenditures by his committee of $129,693.33 as being a full accounting of expenditures to the close of business on May 29. Checking at the office of the secretary of the commonwealth in Harrisburg by the committee's representatives this morning discloses that 13 county chairmen received a total of $41,350 prior to May 20 from the Vauclain committee. None of these 13 contributions were listed in the report given your committee by Mr. Vauclain on June 2.

Further checking reveals over $60,000 of expenditures heretofore unknown to the committee as coming from sources other than the four Brown-Davis committees whose expenditures have been reported.

Mr. President, in continuation of the statement of reasons for the request that has been made that Senator-elect DAVIS stand aside until the committee can ascertain more fully regarding expenditures, I want to say that the reports which have been received by long-distance telephone and by telegraph from the agent sent to Harrisburg to ascertain the facts reveal the certainty that expenditures of a very material amount were made in addition to what were reported to the committee. The committee had hoped that its agent would be back in Washington this morning with photostats and evidences of those other contributions, but he has been delayed; there has been delay at Harrisburg, in the capitol, in having the photostat work done. However, he is expected back here to-night.

To the Senator elect from Pennsylvania and to those who are interested in seeing him seated here at as early a date as possible I want to say that there is no intention to delay. It is not the purpose of the committee to delay this matter one moment longer than is absolutely necessary to ascertain such facts as ought to be available to the committee within the next day or two or three days. Surely we should be able to lay a report before the Senate this week that will be quite inclusive of all expenditures. I hope sincerely that the Senator from Pennsylvania [Mr. REED] may see his way clear to grant the request that has been made and consent that

the Senator elect stand aside until a more complete report can be afforded.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Pennsylvania?

Mr. NYE. I yield.

Mr. REED. I thought the Senator had finished.

Mr. NYE. I am through; I yield the floor to the Senator.

Mr. REED. The Senator from North Dakota requests that the administration of the oath to the Senator elect from Pennsylvania be deferred. I am sorry to have to reply to him that I must object to the granting of that request and insist that the rights of the Senator elect and of the State that has elected him be observed by the immediate administration of the oath.

Mr. NYE. Mr. President, I send to the desk a resolution and ask that it may be read.

The VICE PRESIDENT. The Secretary will read the resolution.

The Chief Clerk read the resolution (S. Res. 335), as follows:

Resolved, That the claim of JAMES J. DAVIS to a seat in the United States Senate is hereby referred to the special committee of the Senate investigating senatorial campaign expenditures.

Mr. REED. Mr. President, I make the point of order that the resolution must lie over for a day, and I ask that the oath be now administered to the Senator elect.

Mr. NYE. Mr. President, a parliamentary inquiry. Is there no chance for the consideration of the resolution just presented?

The VICE PRESIDENT. Under the rule it is debatable, and also under the rule all questions affecting credentials of Senators shall be proceeded with until disposed of.

Mr. NYE. Then I move the immediate consideration of the resolution.

Mr. REED. I make the point of order, Mr. President, that the Senator's motion is in the form of a resolution, which, under the rules, must lie over for a day.

The VICE PRESIDENT. The Chair is of the opinion that the form does not matter and, under the rule in reference to credentials, the Chair will hold that the resolution is in order. The question is on the adoption of the resolution. [Putting the question.] By the sound the "noes" seem to have it.

Mr. NYE. The yeas and nays ought to be had on this question and I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. TYDINGS (when his name was called.) On this vote I have a pair with the senior Senator from Rhode Island [Mr. METCALF]. I understand if he were present he would vote as I intend to vote. I therefore feel at liberty to vote, and I vote. I vote "nay."

The roll call was concluded.

Mr. BINGHAM (after having voted in the negative). I have a general pair with the junior Senator from Virginia [Mr. GLASS]. Not knowing how he would vote, I transfer my pair with him to the junior Senator from New Jersey [Mr. BAIRD] and allow my vote to stand.

Mr. SWANSON. I wish to announce that my colleague [Mr. GLASS] is necessarily detained from the Senate by illness in his family.

Mr. HARRISON. I wish to announce that the junior Senator from Mississippi [Mr. STEPHENS] is necessarily detained from the Senate on official business. If present, he would vote "nay."

Mr. SHEPPARD. I wish to announce that the senior Senator from New Mexico [Mr. BRATTON] is necessarily detained from the Senate on important business in his State.

I also desire to announce that the Senator from Missouri [Mr. HAWES] and the Senator from Louisiana [Mr. RANSDELL] are necessarily absent from the city.

Mr. BLAINE. I desire to announce that my colleague the senior Senator from Wisconsin [Mr. LA FOLLETTE] is unavoidably detained.

Mr. FESS. I wish to announce that the junior Senator from Connecticut [Mr. WALCOTT] is necessarily absent. If present, he would vote "nay."

The result was announced—yeas 27, nays 58, as follows:

YEAS—27

Ashurst	Cutting	Heflin	Shipstead
Barkley	Dale	Howell	Simmons
Black	Dill	McGill	Trammell
Blaine	Frazier	Norbeck	Wagner
Bulkley	George	Norris	Wheeler
Connally	Harris	Nye	Williamson
Couzens	Hayden	Sheppard	

NAYS—58

Bingham	Goldsborough	McMaster	Smoot
Blease	Gould	McNary	Steck
Borah	Greene	Moses	Steiwer
Brock	Hale	Oddie	Swanson
Brookhart	Harrison	Overman	Thomas, Idaho
Broussard	Hastings	Patterson	Thomas, Okla.
Capper	Hatfield	Phipps	Townsend
Carey	Hebert	Pine	Tydings
Copeland	Johnson	Pittman	Vandenberg
Deneen	Jones	Reed	Walsh, Mass.
Fess	Kean	Robinson, Ark.	Walsh, Mont.
Fletcher	Kendrick	Robinson, Ind.	Waterman
Gillett	Keyes	Schall	Watson
Glenn	King	Shortridge	
Goff	McKellar	Smith	

NOT VOTING—11

Braid	Glass	La Follette	Stephens
Bratton	Grundy	Metcalf	Walcott
Caraway	Hawes	Ransdell	

So, Mr. NYE's resolution was rejected.

The VICE PRESIDENT. The credentials will be placed on file. The Senator elect will come forward and be sworn.

Mr. DAVIS, escorted by Mr. REED, advanced to the Vice President's desk; and, the oath prescribed by law having been administered to him by the Vice President, he took his seat in the Senate.

The VICE PRESIDENT. The Chair lays before the Senate a message from the President of the United States, which will be read.

Mr. ROBINSON of Arkansas. Mr. President, pending the reading of the message, I ask leave to make a brief statement relative to the matter just disposed of.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. ROBINSON of Arkansas. Mr. President, the press of the country yesterday reported the purpose of the chairman of the select committee, the Senator from North Dakota [Mr. NYE], to make the motion that he has made this morning.

When a Senator presents his certificate in due form to the Senate, that establishes his prima facie right to a seat in the Senate.

This case is, of course, readily distinguishable from the cases of Senators-elect Vare and Smith, of Pennsylvania and Illinois, respectively, concerning whom a special committee had made reports impeaching the prima facie right referred to on the ground of excessive expenditures and also on the ground of corruption and fraud.

It is easily understood that by order of the Senate either the select committee or the Committee on Privileges and Elections may determine any question raised respecting the right of a Senator to his seat.

Recognizing the distinctions to which I have already referred, and the right of the State to representation here, as well as the prima facie right of the Senator, I suggest that the course taken by the Senate was consistent with the precedents of the Senate and with the orderly conduct of business.

Mr. DALE. Mr. President——

The VICE PRESIDENT. The reading of the President's message can be interrupted only by unanimous consent. Does the Senator ask unanimous consent?

Mr. DALE. I ask unanimous consent simply to make a statement.

The VICE PRESIDENT. Is there objection?

Mr. BORAH. Mr. President, I have refrained from making that request myself, but if this matter is going to be discussed I should like a few minutes to speak upon it.

The VICE PRESIDENT. Does the Senator object?

Mr. SHORTRIDGE. Mr. President, to the end that we may hear the message of the President, I object.

Mr. DALE. Mr. President, will the Senator indulge me juct a minute? I simply want to explain my vote. I am not going to discuss the matter at all.

Mr. SHORTRIDGE. There will be ample time for the Senator to explain his vote.

Mr. DALE. No; this is the only time when I can properly explain my vote.

Mr. SHORTRIDGE. I am gratified that the Senate has finally come back to adopt the views expressed by Senator Stephen A. Douglas and Senator Daniel Webster.

ANNUAL MESSAGE OF THE PRESIDENT OF THE UNITED STATES

The VICE PRESIDENT. Debate is out of order except by unanimous consent. The Secretary will read the message of the President.

The Chief Clerk read the President's annual message, as follows:

To the Senate and House of Representatives:

I have the honor to comply with the requirements of the Constitution that I should lay before the Congress information as to the state of the Union, and recommend consideration of such measures as are necessary and expedient.

Substantial progress has been made during the year in national peace and security; the fundamental strength of the Nation's economic life is unimpaired; education and scientific discovery have made advances; our country is more alive to its problems of moral and spiritual welfare.

ECONOMIC SITUATION

During the past 12 months we have suffered with other Nations from economic depression.

The origins of this depression lie to some extent within our own borders through a speculative period which diverted capital and energy into speculation rather than constructive enterprise. Had overspeculation in securities been the only force operating, we should have seen recovery many months ago, as these particular dislocations have generally readjusted themselves.

Other deep-seated causes have been in action, however, chiefly the world-wide overproduction beyond even the demand of prosperous times for such important basic commodities as wheat, rubber, coffee, sugar, copper, silver, zinc, to some extent cotton, and other raw materials. The cumulative effects of demoralizing price falls of these important commodities in the process of adjustment of production to world consumption have produced financial crises in many countries and have diminished the buying power of these countries for imported goods to a degree which extended the difficulties farther afield by creating unemployment in all the industrial nations. The political agitation in Asia; revolutions in South America and political unrest in some European States; the methods of sale by Russia of her increasing agricultural exports to European markets; and our own drought—have all contributed to prolong and deepen the depression.

In the larger view the major forces of the depression now lie outside of the United States, and our recuperation has been retarded by the unwarranted degree of fear and apprehension created by these outside forces.

The extent of the depression is indicated by the following approximate percentages of activity during the past three months as compared with the highly prosperous year of 1928:

Value of department-store sales	93% of 1928
Volume of manufacturing production	80% of 1928
Volume of mineral production	90% of 1928
Volume of factory employment	84% of 1928
Total of bank deposits	105% of 1928
Wholesale prices—all commodities	83% of 1928
Cost of living	94% of 1928

Various other indexes indicate total decrease of activity from 1928 of from 15 to 20 per cent.

There are many factors which give encouragement for the future. The fact that we are holding from 80 to 85 per cent of our normal activities and incomes; that our major financial and industrial institutions have come through the storm unimpaired; that price levels of major commodities have remained approximately stable for some time; that a number of industries are showing signs of increasing demand; that the world at large is readjusting itself to the situation; all reflect grounds for confidence. We should remember that these occasions have been met many times before, that they are but temporary, that our country is to-day stronger and richer in resources, in equipment, in skill, than ever in its history. We are in an extraordinary degree self-sustaining, we will overcome world influences and will lead the march of prosperity as we have always done hitherto.

Economic depression can not be cured by legislative action or executive pronouncement. Economic wounds must be healed by the action of the cells of the economic body—the producers and consumers themselves. Recovery can be expedited and its effects mitigated by cooperative action. That cooperation requires that every individual should sustain faith and courage; that each should maintain his self-reliance; that each and every one should search for method of improving his business or service; that the vast majority whose income is unimpaired should not hoard out of fear but should pursue their normal living and recreations; that each should seek to assist his neighbors who may be less fortunate; that each industry should assist its own employees; that each community and each State should assume its full responsibilities for organization of employment and relief of distress with that sturdiness and independence which built a great nation.

Our people are responding to these impulses in remarkable degree.

The best contribution of government lies in encouragement of this voluntary cooperation in the community. The government, National, State, and local, can join with the community in such programs and do its part. A year ago I, together with other officers of the Government, initiated extensive cooperative measures throughout the country.

The first of these measures was an agreement of leading employers to maintain the standards of wages and of labor leaders to use their influence against strife. In a large sense these undertakings have been adhered to and we have not witnessed the usual reductions of wages which have always heretofore marked depressions. The index of union wage scales shows them to be to-day fully up to the level of any of the previous three years. In consequence the buying power of the country has been much larger than would otherwise have been the case. Of equal importance, the Nation has had unusual peace in industry and freedom from the public disorder which has characterized previous depressions.

The second direction of cooperation has been that our governments, National, State, and local, the industries and business, so distribute employment as to give work to the maximum number of employees.

The third direction of cooperation has been to maintain and even extend construction work and betterments in anticipation of the future. It has been the universal experience in previous depressions that public works and private construction have fallen off rapidly with the general tide of depression. On this occasion, however, the increased authorization and generous appropriations by the Congress and the action of States and municipalities have resulted in the expansion of public construction to an mount even above that in the most prosperous years. In addition the cooperation of public utilities, railways, and other large organizations has been generously given in construction and betterment work in anticipation of future need. The Department of Commerce advises me that as a result the volume of this type of construction work, which amounted to roughly $6,300,000,000 in 1929, instead of decresing will show a total of about $7,000,000,000 for 1930. There has, of course, been a substantial decrease in the types of construction which could not be undertaken in advance of need.

The fourth direction of cooperation was the organization in such States and municipalities, as was deemed necessary, of committees to organize local employment, to provide for employment agencies, and to effect relief of distress.

The result of magnificent cooperation throughout the country has been that actual suffering has been kept to a minimum during the past 12 months, and our unemployment has been far less in proportion than in other large industrial countries. Some time ago it became evident that unemployment would continue over the winter and would necessarily be added to from seasonal causes and that the savings of workpeople would be more largely depleted. We have as a Nation a definite duty to see that no deserving person in our country suffers from hunger or cold. I therefore set up a more extensive organization to stimulate more intensive cooperation throughout the country. There has been a most gratifying degree of response from governors, mayors, and other public officials, from welfare organizations, and from employers in concerns both large and small. The local communities through their voluntary agencies have assumed the duty of relieving individual distress and are being generously supported by the public.

The number of those wholly out of employment seeking for work was accurately determined by the census last April as about 2,500,000. The Department of Labor index of employment in the larger trades shows some decrease in employment since that time. The problem from a relief point of view is somewhat less than the published estimates of the number of unemployed would indicate. The intensive community and individual efforts in providing special employment outside the listed industries are not reflected in the statistical indexes and tend to reduce such published figures. Moreover, there is estimated to be a constant figure at all times of nearly 1,000,000 unemployed who are not without annual income but temporarily idle in the shift from one job to another. We have an average of about three breadwinners to each two families, so that every person unemployed does not represent a family without income. The view that the relief problems are less than the gross numbers would indicate is confirmed by the experience of several cities, which shows that the number of families in distress represents from 10 to 20 per cent of the number of the calculated unemployed. This is not said to minimize the very real problem which exists but to weigh its actual proportions.

As a contribution to the situation the Federal Government is engaged upon the greatest program of waterway, harbor, flood control, public building, highway, and airway improvement in all our history. This, together with loans to merchant shipbuilders, improvement of the Navy and in military aviation, and other construction work of the Government will exceed $520,000,000 for this fiscal year. This compares with $253,000,000 in the fiscal year 1928. The construction works already authorized and the continuation of policies in Government aid will require a continual expenditure upwards of half a billion dollars annually.

I favor still further temporary expansion of these activities in aid to unemployment during this winter. The Congress will, however, have presented to it numbers of projects, some of them under the guise of, rather than the reality of, their usefulness in the increase of employment during the depression. There are certain common-sense limitations upon any expansions of construction work. The Government must not undertake works that are not of sound economic purpose and that have not been subject to searching technical investigation, and which have not been given adequate consideration by the Congress. The volume of construction work in the Government is already at the maximum limit warranted by financial prudence as a continuing policy. To increase taxation for purposes of construction work defeats its own purpose, as such taxes directly diminish employment in private industry. Again any kind of construction requires, after its authorization, a considerable time before labor can be employed in which to make engineering, architectural, and legal preparations. Our immediate problem is the increase of employment for the next six months, and new plans which do not produce such immediate result or which extend commitments beyond this period are not warranted.

The enlarged rivers and harbors, public building, and highway plans authorized by the Congress last session, however, offer an opportunity for assistance by the temporary acceleration of construction of these programs even faster than originally planned, especially if the technical requirements of the laws which entail great delays could be amended in such fashion as to speed up acquirements of land and the letting of contracts.

With view, however, to the possible need for acceleration, we immediately upon receiving those authorities from the Congress five months ago, began the necessary technical work in preparation for such possible eventuality. I have canvassed the departments of the Government as to the maximum amount that can be properly added to our present expenditure to accelerate all construction during the next six months, and I feel warranted in asking the Congress for an appropriation of from $100,000,000 to $150,000,000 to provide such further employment in this emergency. In connection therewith we need some authority to make enlarged temporary advances of Federal-highway aid to the States.

I recommend that this appropriation be made distributable to the different departments upon recommendations of a committee of the Cabinet and approval by the President. Its application to works already authorized by the Congress assures its use in directions of economic importance and to public welfare. Such action will imply an expenditure upon construction of all kinds of over $650,000,000 during the next 12 months.

AGRICULTURE

The world-wide depression has affected agriculture in common with all other industries. The average price of farm produce has fallen to about 80 per cent of the levels of 1928. This average is, however, greatly affected by wheat and cotton, which have participated in world-wide overproduction and have fallen to about 60 per cent of the average price of the year 1928. Excluding these commodities, the prices of all other agricultural products are about 84 per cent of those of 1928. The average wholesale prices of other primary goods, such as nonferrous metals, have fallen to 76 per cent of 1928.

The price levels of our major agricultural commodities are, in fact, higher than those in other principal producing countries, due to the combined result of the tariff and the operations of the Farm Board. For instance, wheat prices at Minneapolis are about 30 per cent higher than at Winnipeg, and at Chicago they are about 20 per cent higher than at Buenos Aires. Corn prices at Chicago are over twice as high as at Buenos Aires. Wool prices average more than 80 per cent higher in this country than abroad, and butter is 30 per cent higher in New York City than in Copenhagen.

Aside from the misfortune to agriculture of the world-wide depression we have had the most severe drought. It has affected particularly the States bordering on the Potomac, Ohio, and lower Mississippi Rivers, with some areas in Montana, Kansas, Oklahoma, and Texas. It has found its major expression in the shortage of pasturage and a shrinkage in the corn crop from an average of about 2,800,000,000 bushels to about 2,090,000,000 bushels.

On August 14 I called a conference of the governors of the most acutely affected States, and as a result of its conclusions I appointed a national committee comprising the heads of the important Federal agencies under the chairmanship of the Secretary of Agriculture. The governors in turn have appointed State committees representative of the farmers, bankers, business men, and the Red Cross, and subsidiary committees have been established in most of the acutely affected counties. Railway rates were reduced on feed and livestock in and out of the drought areas, and over 50,000 cars of such products have been transported under these reduced rates. The Red Cross established a preliminary fund of $5,000,000 for distress relief purposes and established agencies for its administration in each county. Of this fund less than $500,000 has been called for up to

this time as the need will appear more largely during the winter. The Federal Farm Loan Board has extended its credit facilities, and the Federal Farm Board has given financial assistance to all affected cooperatives.

In order that the Government may meet its full obligation toward our countrymen in distress through no fault of their own, I recommend that an appropriation should be made to the Department of Agriculture to be loaned for the purpose of seed and feed for animals. Its application should as hitherto in such loans be limited to a gross amount to any one individual, and secured upon the crop.

The Red Cross can relieve the cases of individual distress by the sympathetic assistance of our people.

FINANCES OF THE GOVERNMENT

I shall submit the detailed financial position of the Government with recommendations in the usual Budget message. I will at this time, however, mention that the Budget estimates of receipts and expenditures for the current year were formulated by the Treasury and the Budget Bureau at a time when it was impossible to forecast the severity of the business depression and have been most seriously affected by it. At that time a surplus of about $123,000,000 was estimated for this fiscal year and tax reduction which affected the fiscal year to the extent of $75,000,000 was authorized by the Congress, thus reducing the estimated surplus to about $48,000,000. Closely revised estimates now made by the Treasury and the Bureau of the Budget of the tax, postal, and other receipts for the current fiscal year indicate a decrease of about $430,000,000 from the estimate of a year ago, of which about $75,000,000 is due to tax reduction, leaving about $355,000,000 due to the depression. Moreover, legislation enacted by Congress subsequent to the submission of the Budget enlarging Federal construction work to expand employment and for increase in veterans' services and other items, have increased expenditures during the current fiscal year by about $225,000,000.

Thus the decrease of $430,000,000 in revenue and the increase of $225,000,000 in expenditure adversely change the original Budget situation by about $655,000,000. This large sum is offset by the original estimated surplus a year ago of about $123,000,000, by the application of $185,000,000 of interest payments upon the foreign debt to current expenditures, by arrangements of the Farm Board through repayments, etc., in consequence of which they reduced their net cash demands upon the Treasury by $100,000,000 in this period, and by about $67,000,000 economies and deferments brought about in the Government, thus reducing the practical effect of the change in the situation to an estimated deficit of about $180,000,000 for the present fiscal year. I shall make suggestions for handling the present-year deficit in the Budget message, but I do not favor encroachment upon the statutory reduction of the public debt.

While it will be necessary in public interest to further increase expenditures during the current fiscal year in aid to unemployment by speeding up construction work and aid to the farmers affected by the drought, I can not emphasize too strongly the absolute necessity to defer any other plans for increase of Government expenditures. The Budget for 1932 fiscal year indicates estimated expenditure of about $4,054,000,000, including postal deficit. The receipts are estimated at about $4,085,000,000 if the temporary tax reduction of last year be discontinued, leaving a surplus of only about $30,000,000. Most rigid economy is therefore necessary to avoid increase in taxes.

NATIONAL DEFENSE

Our Army and Navy are being maintained at a high state of efficiency, under officers of high training and intelligence, supported by a devoted personnel of the rank and file. The London naval treaty has brought important economies in the conduct of the Navy. The Navy Department will lay before the committees of the Congress recommendations for a program of authorization of new construction which should be initiated in the fiscal year of 1932.

LEGISLATION

This is the last session of the Seventy-first Congress. During its previous sittings it has completed a very large amount of important legislation, notably: The establishment of the Federal Farm Board; fixing congressional reapportionment; revision of the tariff, including the flexible provisions and a reorganization of the Tariff Commission; reorganization of the Radio Commission; reorganization of the Federal Power Commission; expansion of Federal prisons; reorganization of parole and probation system in Federal prisons; expansion of veterans' hospitals; establishment of disability allowances to veterans; consolidation of veteran activities; consolidation and strengthening of prohibition enforcement activities in the Department of Justice; organization of a Narcotics Bureau; large expansion of rivers and harbors improvements; substantial increase in Federal highways; enlargement of public buildings construction program; and the ratification of the London naval treaty.

The Congress has before it legislation partially completed in the last sitting in respect to Muscle Shoals, bus regulation, relief of congestion in the courts, reorganization of border patrol in prevention of smuggling, law enforcement in the District of Columbia, and other subjects.

It is desirable that these measures should be completed.

The short session does not permit of extensive legislative programs, but there are a number of questions which, if time does not permit action, I recommend should be placed in consideration by the Congress, perhaps through committees cooperating in some instances with the Federal departments, with view to preparation for subsequent action. Among them are the following subjects:

ELECTRICAL POWER

I have in a previous message recommended effective regulation of interstate electrical power. Such regulation should preserve the independence and responsibility of the States.

RAILWAYS

We have determined upon a national policy of consolidation of the railways as a necessity of more stable and more economically operated transportation. Further legislation is necessary to facilitate such consolidation. In the public interest we should strengthen the railways that they may meet our future needs.

ANTITRUST LAWS

I recommend that the Congress institute an inquiry into some aspects of the economic working of these laws. I do not favor repeal of the Sherman Act. The prevention of monopolies is of most vital public importance. Competition is not only the basis of protection to the consumer but is the incentive to progress. However, the interpretation of these laws by the courts, the changes in business, especially in the economic effects upon those enterprises closely related to the use of the natural resources of the country, make such an inquiry advisable. The producers of these materials assert that certain unfortunate results of wasteful and destructive use of these natural resources together with a destructive competition which impoverishes both operator and worker can not be remedied because of the prohibitive interpretation of the antitrust laws. The well-known condition of the bituminous coal industry is an illustration. The people have a vital interest in the conservation of their natural resources; in the prevention of wasteful practices; in conditions of destructive competition which may impoverish the producer and the wage earner; and they have an equal interest in maintaining adequate competition. I therefore suggest that an inquiry be directed especially to the effect of the workings of the antitrust laws in these particular fields to determine if these evils can be remedied without sacrifice of the fundamental purpose of these laws.

CAPITAL-GAINS TAX

It is urged by many thoughtful citizens that the peculiar economic effect of the income tax on so-called capital gains at the present rate is to enhance speculative inflation and likewise impede business recovery. I believe this to be the case and I recommend that a study be made of the economic effects of this tax and of its relation to the general structure of our income tax law.

IMMIGRATION

There is need for revision of our immigration laws upon a more limited and more selective basis, flexible to the needs of the country.

Under conditions of current unemployment it is obvious that persons coming to the United States seeking work would likely become either a direct or indirect public charge. As a temporary measure the officers issuing visas to immigrants have been, in pursuance of the law, instructed to refuse visas to applicants likely to fall into this class. As a result the visas issued have decreased from an average of about 24,000 per month prior to restrictions to a rate of about 7,000 during the last month. These are largely preferred persons under the law. Visas from Mexico are about 250 per month compared to about 4,000 previous to restrictions. The whole subject requires exhaustive reconsideration.

DEPORTATION OF ALIEN CRIMINALS

I urge the strengthening of our deportation laws so as to more fully rid ourselves of criminal aliens. Furthermore, thousands of persons have entered the country in violation of the immigration laws. The very method of their entry indicates their objectionable character, and our law-abiding foreign-born residents suffer in consequence. I recommend that the Congress provide methods of strengthening the Government to correct this abuse.

POST OFFICE

Due to deferment of Government building over many years, previous administrations had been compelled to enter upon types of leases for secondary facilities in large cities, some of which were objectionable as representing too high a return upon the value of the property. To prevent the occasion for further uneconomic leasing I recommend that the Congress authorize the building by the Government of its own facilities.

VETERANS

The Nation has generously expanded its care for veterans. The consolidation of all veterans' activities into the Veterans' Administration has produced substantial administrative economies. The consolidation also brings emphasis to the inequalities in service and allowances. The whole subject is under study by the administrator, and I recommend it should also be examined by the committees of the Congress.

SOCIAL SERVICE

I urge further consideration by the Congress of the recommendations I made a year ago looking to the development through temporary Federal aid of adequate State and local services for the health of children and the further stamping out of communicable disease, particularly in the rural sections. The advance of scientific discovery, methods, and social thought imposes a new vision in these matters. The drain upon the Federal Treasury is comparatively small. The results, both economic and moral, are of the utmost importance.

GENERAL

It is my belief that after the passing of this depression, when we can examine it in retrospect, we shall need to consider a number of other questions as to what action may be taken by the Government to remove possible governmental influences which make for instability and to better organize mitigation of the effect of depression. It is as yet too soon to constructively formulate such measures.

There are many administrative subjects, such as departmental reorganization, extension of the civil service, readjustment of the postal rates, etc., which at some appropriate time require the attention of the Congress.

FOREIGN RELATIONS

Our relations with foreign countries have been maintained upon a high basis of cordiality and good will.

During the past year the London naval pact was completed, approved by the Senate, and ratified by the governments concerned. By this treaty we have abolished competition in the building of warships, have established the basis of parity of the United States with the strongest of foreign powers, and have accomplished a substantial reduction in war vessels.

During the year there has been an extended political unrest in the world. Asia continues in disturbed condition, and revolutions have taken place in Brazil, Argentina, Peru, and Bolivia. Despite the jeopardy to our citizens and their property which naturally arise in such circumstances, we have, with the cooperation of the governments concerned, been able to meet all such instances without friction.

We have resumed normal relations with the new Governments of Brazil, Argentina, Peru, and Bolivia immediately upon evidence that they were able to give protection to our citizens and their property and that they recognized their international obligations.

A commission which was supported by the Congress has completed its investigation and reported upon our future policies in respect to Haiti and proved of high value in securing the acceptance of these policies. An election has been held and a new government established. We have replaced our high commissioner by a minister and have begun the gradual withdrawal of our activities with view to complete retirement at the expiration of the present treaty in 1935.

A number of arbitration and conciliation treaties have been completed or negotiated during the year, and will be presented for approval by the Senate.

I shall in a special message lay before the Senate the protocols covering the statutes of the World Court which have been revised to accord with the sense of previous Senate reservations.

HERBERT HOOVER.

THE WHITE HOUSE, *December 2, 1930.*

The VICE PRESIDENT. The message will lie on the table.

REIMBURSEMENT OF CALIFORNIA (S. DOC. NO. 220)

The VICE PRESIDENT laid before the Senate a communication from the Comptroller General of the United States, transmitting, in response to Senate Resolution No. 277, Seventy-first Congress, data relative to the balance found due the State of California for moneys advanced and expended in aid of the Government of the United States during the war between the States, which, with accompanying exhibits, was referred to the Committee on the Judiciary and ordered to be printed.

RELIEF OF UNEMPLOYMENT—FOOTBALL GAME

The VICE PRESIDENT. The Chair lays before the Senate a communication from Frederic A. Delano, chairman of the District of Columbia committee on employment, which will be read.

The Chief Clerk read as follows:

DISTRICT OF COLUMBIA COMMITTEE ON EMPLOYMENT,
Washington, D. C., November 20, 1930.

The VICE PRESIDENT OF THE UNITED STATES.

MY DEAR MR. VICE PRESIDENT: As a means of financing the work of this committee the local chamber of commerce has conceived the notion of promoting a football game between the United States Coast Guard Service and the Marines. The President of the United States has given a cup which is to be competed for, and every effort will be made by organizations in the city to make the occasion a great success.

The gate receipts, less a very small sum for expenses, will all go directly to the necessary work of relieving the unemployment situation, and anything that is left over at the end of the campaign will be given directly for relief work.

May I not, therefore, respectfully call your attention to this matter, and if the Senate of the United States can see its way clear to recognizing this occasion, and perhaps collectively or individually attending the game, we will be very appreciative.

The game will be played Saturday afternoon, December 6, at the Griffith Stadium.

Respectfully,

FREDERIC A. DELANO, *Chairman.*

The VICE PRESIDENT. The Chair has been requested to inform Senators that those who desire to attend the game should notify the Sergeant at Arms of the Senate. The Chair will ask that a letter in regard to the same matter may be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE EVENING STAR-THE SUNDAY STAR,
Washington, D. C., November 30, 1930.

Vice President CHARLES CURTIS,
The Senate Building, Washington, D. C.

MY DEAR MR. VICE PRESIDENT: I am writing to lay before you an outline of how the committee in charge of the football game to be played between the Marines and the Coast Guard on December 6 hope that matters may be arranged in the Senate.

It is our understanding that both Houses of Congress will adjourn at noon on Saturday the 6th, and that announcement to that effect will be made in both Houses on Tuesday the 2d.

If you can find it convenient to do so at that time we would appreciate it greatly if you, or some one designated by you, could urge upon the Members of the Senate the importance of attending the game. It is being held in the interest of the local unemployed, as you know. The President, you yourself, the Chief Justice, a majority of the Cabinet, and many of the diplomatic corps will be in attendance. The complete success of the game will depend largely upon the Senate and House attendance.

With the facts concerning the game laid before them I suggest that you ask the Sergeant at Arms to learn from each Senator how many box seats he wishes to subscribe for. The seats cost $5 apiece—every cent of which goes to charity. It is essential that the total number desired by the Senate shall be communicated to Mr. Adams, unemployment committee, District Building, by noon Wednesday, for the seats must be issued on Thursday to the Sergeant at Arms for distribution to the Senators.

We plan to place all subscribers in the Senate with their guests as closely together as may be and in the most advantageous seats available.

May I reiterate that we of the committee feel that there will be no factor more important to the success of the game than a full attendance of both Houses of Congress. I know that you will try in such ways as you can to help us out.

The game is scheduled to start at 2 p. m. It is recommended that all be on hand at 1.45 p. m., however, as at that time certain ceremonies are scheduled.

With every appreciation, faithfully yours,

NEWBOLD NOYES.

SENATOR FROM MICHIGAN

Mr. VANDENBERG presented the credentials of JAMES COUZENS, elected a Senator from the State of Michigan for the term ending March 4, 1937, which were read and ordered to be filed, as follows:

CERTIFICATE OF ELECTION

STATE OF MICHIGAN.

We, the undersigned State canvassers, from an examination of the election returns received by the secretary of state, determine that at the general election held on the 4th day of November, 1930, JAMES COUZENS was duly elected United States Senator for the term ending March 4, 1937.

In witness whereof we have hereto subscribed our names, at Lansing, this 24th day of November, 1930.

JOHN S. HAGGERTY,
Secretary of State.
FRANK D. MCKAY,
State Treasurer.
WEBSTER H. PEARCE,
Superintendent of Public Instruction,
Board of State Canvassers.

STATE OF MICHIGAN,
DEPARTMENT OF STATE.

I hereby certify that the foregoing copy of the certificate of determination of the board of State canvassers is a correct transcript of the original of such certificate of determination on file in this office.

In witness whereof I have hereto attached my signature and the great seal of the State, at Lansing, this 24th day of November, 1930.

[SEAL.] JOHN S. HAGGERTY,
Secretary of State.

PETITIONS AND MEMORIALS

Mr. COPELAND presented resolutions adopted by the Common Council of the City of Buffalo, N. Y., favoring the passage of legislation to restore the previous higher inheritance tax rates as well as the excess-profits tax, which were referred to the Committee on Finance.

He also presented a communication from Edward T. Clark, of Goshen, N. Y., transmitting the immigration program of the committee on selective immigration, American Eugenics Society, which, with the accompanying paper, was referred to the Committee on Immigration.

Mr. JONES presented petitions of sundry citizens of the State of Washington praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. TYDINGS presented a petition of sundry citizens of Baltimore, Md., praying an amendment to the Constitution of the United States permitting modification of the eighteenth amendment, which was referred to the Committee on the Judiciary.

Mr. VANDENBERG presented a petition of the Houghton Association of Commerce, of Houghton, Mich., praying for the passage of legislation placing a tariff of 5 cents per pound on copper, which was referred to the Committee on Finance.

He also presented resolutions adopted by the National Progressive League, Radius of Wayne County, Detroit, Mich., favoring the passage of legislation for the immediate payment of adjusted-service compensation certificates of World War veterans, which were referred to the Committee on Finance.

ADJUSTED-COMPENSATION CERTIFICATES

Mr. VANDENBERG. Mr. President, the common council of the city of Detroit has unanimously adopted resolutions favoring the immediate payment of the adjusted-compensation certificates of ex-service men. It is urged not only as an act of justice but also as an economic stimulus of major proportions. There is much to be said in favor of this project. The more it is analyzed the stronger becomes its appeal. There are some perplexities and some practical questions to be resolved in connection with it. But the subject is worthy of serious and sympathetic study. I ask unanimous consent that these Detroit resolutions be printed in the RECORD and referred to the Finance Committee.

There being no objection, the resolutions were referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Resolution adopted by Common Council, City of Detroit, November 18, 1930

(By Councilman Bradley)

"Whereas the United States Government is obligated to pay in 1945 to the veterans of the late World War as adjusted compensation the sum of $3,400,000,000, and when this money is paid, an average of $700 will be distributed among approximately 4,700,000 men scattered all over the United States; and

"Whereas many of these men are now in serious financial trouble, and in need of the necessities of life, because of lack of employment, and the immediate unlocking and distribution of $3,400,000,000 to so many men, over such a wide area, will do more to bring about the return of prosperity than anything else that has yet been suggested; and

"Whereas it has been reported that President Herbert Hoover is considering recommending to the United States Congress, in a special message, the immediate payment of this money to the veterans, instead of postponing it until 1945, under the adjusted compensation law; Therefore be it

"*Resolved*, That this common council give expression to the opinion that we believe it would be a very wise act to pay this money at this time, and that we urge the Representatives in the United States House of Representatives from the city of Detroit, and the Senators from the State of Michigan, to express favorable opinion concerning this legislation, and to do all in their power to bring it about; and be it further

"*Resolved*, That a copy of this resolution be transmitted to Senators JAMES COUZENS, A. H. VANDENBERG, and Congressmen CLARENCE J. MCLEOD, ROBERT H. CLANCY, GRANT M. HUDSON, and EARL C. MICHENER."

Adopted as follows:

Yeas—Councilmen Bradley, Callahan, Castator, Dingeman, Ewald, Hall, Kronk, Walters, and the president—9.

Nays—None.

PLAN FOR REDEMPTION OF ADJUSTED-SERVICE CERTIFICATES

Mr. COPELAND presented a communication from William A. Fox, of Buffalo, N. Y., which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

PLAN FOR THE REDEMPTION OF THE ADJUSTED-SERVICE CERTIFICATES WITHOUT THE APPROPRIATION OF A DOLLAR BY CONGRESS—EXCHANGE FOR THE ADJUSTED-SERVICE CERTIFICATES, PARTICIPATION CERTIFICATES AGAINST THE ALLIED WAR-DEBT BONDS NOW IN THE UNITED STATES TREASURY

(By William A. Fox, 388 North Oak Street, Buffalo, N. Y.)

The number of outstanding adjusted-service certificates is 3,000,000 and they amount to about $3,000,000,000.

The amount of the allied war-debt bonds now in the United States Treasury is about $11,000,000,000.

The plan would result in increasing the purchasing power of about 15,000,000 people (veterans and families) by $3,000,000,000, with its consequent benefit to business and unemployment.

Up to June, 1929, 1,400,000 loans had been made against adjusted-service certificates and less than 4 per cent had been re-

paid, indicating that about 96 per cent will have the greater part of their equities dissipated by the interest charges in the 15 years before they mature.

The participation certificates described would be immediately negotiable, and the proceeds derived therefrom, if invested in a home or property by the veteran, would be exempt from all taxation, thus providing a powerful incentive for such investment.

Congress would not have to appropriate a single dollar to put this plan into operation.

The annual appropriation of $112,000,000 for the sinking fund for the adjusted-service certificates would be saved.

The appropriations for five years past for this sinking fund, amounting to over $500,000,000, would be returned to the General Treasury account.

Large economies would result in lessening the work of the 54 regional offices of the Veterans' Bureau.

This plan would provide an effective estoppel against all propaganda for the cancellation of the war debts.

The Treasury Department would urge against the plan that the Treasury would lose the present interest of 3 per cent on $3,000,000,000 of the war-debt bonds, amounting to $90,000,000, but this would be offset by the annual appropriation of $112,000,000 which would be saved.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GLENN:

A bill (S. 4783) making an appropriation to establish an emergency fund to be used for the purpose of accelerating the construction of certain public works to aid in relieving unemployment; to the Committee on Appropriations.

By Mr. BINGHAM:

A bill (S. 4784) to enable physicians to prescribe malt liquors for medicinal purposes; to the Committee on the Judiciary.

A bill (S. 4785) to amend the national prohibition act, as amended and supplemented, in respect to the definition of intoxicating liquor; to the Committee on Manufactures.

By Mr. KING:

A bill (S. 4787) to amend the act approved March 3, 1927, entitled "An act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes"; to the Committee on Pensions.

A bill (S. 4788) to establish a branch of the Interior Department at Salt Lake City, Utah, and to transfer to such branch certain bureaus and offices of the Interior Department; to the Committee on Public Lands and Surveys.

A bill (S. 4789) to provide for certain public buildings in the State of Utah; to the Committee on Public Buildings and Grounds.

By Mr. WALSH of Montana:

A bill (S. 4790) making an additional appropriation for the extension and betterment of a public high-school building at Browning, Mont.; to the Committee on Indian Affairs.

By Mr. KEYES:

A bill (S. 4791) to enable the Secretary of the Treasury to expedite work on the Federal building program authorized by the act of Congress entitled "An act to provide for the construction of certain public buildings and for other purposes," approved May 25, 1926, and acts amendatory thereof; to the Committee on Public Buildings and Grounds.

By Mr. COPELAND:

A bill (S. 4792) for the relief of J. Henry Miller (Inc.); to the Committee on Claims.

A bill (S. 4793) for the relief of William D. Grush; to the Committee on Military Affairs.

A bill (S. 4794) granting a pension to Timothy Joseph Long; to the Committee on Pensions.

A bill (S. 4795) to extend the time of commencing and completing the construction of a free highway bridge across the Hudson River between the cities of Albany and Rensselaer, N. Y.; and

A bill (S. 4796) to extend the time of commencing and completing the construction of a free highway bridge across the Hudson River at the southerly extremity of the city of Troy, N. Y.; to the Committee on Commerce.

A bill (S. 4797) for the relief of Edith Tolerton Lathrop; and

A bill (S. 4798) to extend to the widows of Foreign Service officers the benefits of section 18 of the act entitled "An act for the reorganization and improvement of the Foreign Service, and for other purposes," approved May 24, 1924, as amended; to the Committee on Foreign Relations.

By Mr. HOWELL:

A bill (S. 4799) to extend the times for commencing and completing the construction of bridges across the Missouri River at or near Farnam Street, Omaha, Nebr., and at or near South Omaha, Nebr.; to the Committee on Commerce.

By Mr. BROUSSARD:

A bill (S. 4800) to authorize certain officers of the United States Navy and Marine Corps to accept such decorations, orders, and medals as have been tendered them by foreign governments in appreciation of services rendered; to the Committee on Naval Affairs.

A bill (S. 4801) granting an increase of pension to Charles H. Sills; to the Committee on Pensions.

A bill (S. 4802) to designate streets to be known as Louisiana Avenue; to the Committee on the District of Columbia.

A bill (S. 4803) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Atchafalaya River at or near Morgan City, La.;

A bill (S. 4804) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Atchafalaya River at or near Krotz Springs, La.;

A bill (S. 4805) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Moncla, La.;

A bill (S. 4806) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Alexandria, La.;

A bill (S. 4807) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River, at or near Coushatta, La.;

A bill (S. 4808) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Shreveport, La.;

A bill (S. 4809) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Ouachita River at or near Sterlington, La.;

A bill (S. 4810) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Ouachita River at or near Monroe, La.;

A bill (S. 4811) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Ouachita River at or near Harrisonburg, La.; and

A bill (S. 4812) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Black River at or near Jonesville, La.; to the Committee on Commerce.

By Mr. VANDENBERG:

A bill (S. 4814) for the relief of Anna W. Dennert; to the Committee on Claims.

A bill (S. 4815) authorizing a preliminary examination and survey of the Crooked and Indian Rivers, Mich.; to the Committee on Commerce.

A bill (S. 4816) for the relief of Lewis Marion Hall; to the Committee on Naval Affairs.

By Mr. BROCK:

A bill (S. 4817) to grant the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge over the Elk River on the Fayetteville-Winchester Road near the town of Kelso, in Lincoln County, Tenn.; and

A bill (S. 4818) to revive and reenact the act entitled "An act granting the consent of Congress to the Highway De-

partment of the State of Tennessee to construct, maintain, and operate a bridge across the Tennessee River on the Dayton-Decatur Road between Rhea and Meigs Counties, Tenn."; to the Committee on Commerce.

By Mr. BROOKHART:

A bill (S. 4819) to authorize an increase in the appropriation for Federal-aid highways for 1932 and 1933; to the Committee on Agriculture and Forestry.

By Mr. STEPHENS:

A bill (S. 4820) to amend section 126 of the Judicial Code; to the Committee on the Judiciary.

By Mr. FLETCHER:

A bill (S. 4821) authorizing the Secretary of the Navy, in his discretion, upon request from the Governor of the State of Florida, to deliver to such governor as custodian for such State the silver service presented to the United States for the United States battleship *Florida*, now out of commission; to the Committee on Naval Affairs.

A bill (S. 4822) granting a pension to Susan H. Hickenlooper;

A bill (S. 4823) granting an increase of pension to Mary Jane Brown;

A bill (S. 4824) granting a pension to Edward W. Alfred; and

A bill (S. 4825) granting an increase of pension to Cora Shank; to the Committee on Pensions.

By Mr. TRAMMELL:

A bill (S. 4826) providing for a survey of the natural oyster beds in the waters within the State of Florida; to the Committee on Commerce.

A bill (S. 4827) providing for a fund for reimbursement to growers suffering loss of crops from the Mediterranean fruit fly and the campaign for the extermination thereof; to the Committee on Agriculture and Forestry.

By Mr. THOMAS of Idaho:

A bill (S. 4828) authorizing the President to appoint a commission to study, report, and recommend on a governmental policy in relation to the American Indian; to the Committee on Indian Affairs.

By Mr. NORBECK:

A bill (S. 4829) to amend the act of April 25, 1922, as amended, entitled, "An act authorizing extensions of time for the payment of purchase money due under certain homestead entries and Government-land purchases within former Cheyenne River and Standing Rock Indian Reservations, North Dakota and South Dakota"; to the Committee on Public Lands and Surveys.

By Mr. SCHALL:

A bill (S. 4830) providing for payment of $100 to each enrolled Chippewa Indian of Minnesota from the funds standing to their credit in the Treasury of the United States;

A bill (S. 4831) to amend an act approved May 14, 1926 (44 Stat. 555), entitled, "An act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims"; and

A bill (S. 4832) to direct the distribution of the interest and principal of the permanent fund of the Chippewa Indians of Minnesota in accordance with the true purpose and intent of the agreements made pursuant to the act of January 14, 1889; to the Committee on Indian Affairs.

By Mr. GREENE:

A bill (S. 4833) granting an increase of pension to Maria J. Carl;

A bill (S. 4834) granting an increase of pension to Amelia Clapper; and

A bill (S. 4835) granting an increase of pension to Almeda Hilton; to the Committee on Pensions.

By Mr. HAYDEN:

A bill (S. 4836) granting an increase of pension to Anna Miller; to the Committee on Pensions.

A bill (S. 4837) for the relief of the Copper Ridge Mining Co.; to the Committee on Public Lands and Surveys.

A bill (S. 4838) for the relief of Winchester Dickerson; to the Committee on Post Offices and Post Roads.

By Mr. BLAINE:

A bill (S. 4839) to create a Federal industrial commission to aid in the stabilization of employment in industry, agriculture, and commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. THOMAS of Oklahoma:

A bill (S. 4840) for the relief of Sidney M. Blackburn (with accompanying papers); to the Committee on Military Affairs.

By Mr. KENDRICK:

A bill (S. 4841) granting a pension to James Ormond (with accompanying papers);

A bill (S. 4842) granting a pension to Almontie M. Webster, widow of Walter Webster (with accompanying papers);

A bill (S. 4843) granting an increase of pension to Ellen M. Holcomb (with accompanying papers); and

A bill (S. 4844) granting a pension to Lulu Anderson (with accompanying papers); to the Committee on Pensions.

By Mr. BLEASE:

A bill (S. 4845) to regulate the assignment of United States district and circuit judges; and

A bill (S. 4846) to redistrict South Carolina and to divide said districts into divisions, and to amend paragraph 4n, section 1, Judicial Code, title 28, United States Code, Supplement III, 1929, and section 105, Judicial Code, title 28, paragraph 186, United States Code, 1925, as amended, and section 105, Judicial Code, as amended, title 28, paragraph 186a, United States Code, Supplement III, 1929, and for other purposes; to the Committee on the Judiciary.

By Mr. BLACK:

A bill (S. 4847) to amend subdivision (3) of section 202 of the World War veterans' act, 1924, as amended; to the Committee on Finance.

By Mr. ODDIE:

A bill (S. 4848) to prohibit the importation of any article or merchandise from the Union of the Soviet Socialist Republics; to the Committee on Finance.

By Mr. SMOOT:

A bill (S. 4849) to amend paragraph (3) and repeal paragraph (4) of section 15 of the interstate commerce act, as amended; to the Committee on Interstate Commerce.

A bill (S. 4850) authorizing the Secretary of the Navy to deliver to the Daughters of Utah Pioneers the silver service of the battleship *Utah;* to the Committee on Naval Affairs.

A bill (S. 4851) for the relief of Maj. O. S. McCleary, United States Army, retired; to the Committee on Claims.

A bill (S. 4852) granting a pension to Peter C. Peterson; and

A bill (S. 4853) granting a pension to John A. Gardner; to the Committee on Pensions.

By Mr. TYDINGS:

A bill (S. 4854) for the relief of William E. B. Grant (with accompanying papers); to the Committee on Naval Affairs.

By Mr. McNARY:

A bill (S. 4855) to amend the filled milk act; and

A bill (S. 4856) to authorize the Secretary of Agriculture to sell the Morton Nursery site, in the county of Cherry, State of Nebraska; to the Committee on Agriculture and Forestry.

A bill (S. 4857) authorizing an appropriation of $1,000 for the purchase of certain scrapbooks of William G. Steel; to the Committee on the Library.

A bill (S. 4858) to authorize the payment of compensation for the disability or death of persons injured in the employ of railroads during the period of Federal control; to the Committee on the Judiciary.

A bill (S. 4859) granting a pension to Julia McBride (with accompanying papers);

A bill (S. 4860) granting an increase of pension to Josephine Cook (with accompanying papers); and

A bill (S. 4861) granting a pension to Elizabeth Burnette (with accompanying papers); to the Committee on Pensions.

A bill (S. 4862) for the relief of Sophia A. Beers;

A bill (S. 4863) for the relief of Mrs. Josephine R. Briggs; and

A bill (S. 4864) to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of Claude H. Glenn; to the Committee on Claims.

By Mr. WALSH of Massachusetts:

A bill (S. 4865) for the relief of Edith N. Lindquist; to the Committee on Claims.

A bill (S. 4866) granting a pension to Jennie S. Fountain;

A bill (S. 4867) granting a pension to Lizzie C. Snow;

A bill (S. 4868) granting an increase of pension to Mary A. Gordon;

A bill (S. 4869) granting a pension to Ella F. Rand; and

A bill (S. 4870) granting a pension to Joseph Gorman; to the Committee on Pensions.

By Mr. DENEEN:

A bill (S. 4871) for the relief of Maximilian J. St. George; and

A bill (S. 4872) authorizing the Court of Claims to hear, determine, and render judgment upon the claim of Frederick Sedgwick against the United States; to the Committee on Claims.

A bill (S. 4873) granting a pension to Mary Johnston (with accompanying papers);

A bill (S. 4874) granting a pension to Anna Tuck-Sapp (with accompanying papers);

A bill (S. 4875) granting a pension to Bridget Fitzgerald (with accompanying papers); and

A bill (S. 4876) granting a pension to Pauline Levy; to the Committee on Pensions.

By Mr. PATTERSON:

A bill (S. 4877) to provide for the appointment of additional district judges for the eastern and western districts of Missouri;

A bill (S. 4878) to amend section 91 of the Judicial Code, as amended;

A bill (S. 4879) to make permanent the additional offices of district judge created for the eastern and western districts of Missouri; to the Committee on the Judiciary.

A bill (S. 4880) relating to fraudulent voting at certain congressional elections; to the Committee on Privileges and Elections.

A bill (S. 4881) granting a pension to Nancy C. Jones (with accompanying papers);

A bill (S. 4882) granting a pension to Charles Edward Kauffman (with accompanying papers); and

A bill (S. 4883) granting a pension to Perry S. Burg (with accompanying papers); to the Committee on Pensions.

By Mr. FRAZIER:

A bill (S. 4884) for the relief of Charles F. Poitra; and

A bill (S. 4885) for the relief of John B. Crowell; to the Committee on Military Affairs;

A bill (S. 4886) granting an increase of pension to Caroline Norris (with accompanying papers); and

A bill (S. 4887) granting an increase of pension to Jennie Ball (with accompanying papers); to the Committee on Pensions.

By Mr. WATSON:

A bill (S. 4888) granting a pension to Frances E. Johnson (with accompanying papers);

A bill (S. 4889) granting a pension to John B. Wardell (with accompanying papers);

A bill (S. 4890) granting a pension to Flora May Wardell (with accompanying papers);

A bill (S. 4891) granting an increase of pension to Nancy Jane Harrell (with accompanying papers); and

A bill (S. 4892) granting a pension to Cora Conzet (with accompanying papers); to the Committee on Pensions.

By Mr. DILL:

A bill (S. 4893) exempting David Sinclair from the provisions of sections 203 and 205 of the World War veterans' act, 1924, as amended; to the Commitee on Finance.

A bill (S. 4894) granting a pension to Mary C. Spalding;

A bill (S. 4895) granting an increase of pension to Lydia M. Higgins;

A bill (S. 4896) granting an increase of pension to Grace Barry;

A bill (S. 4897) granting a pension to William A. Hone;

A bill (S. 4898) granting an increase of pension to Mary Horn;

A bill (S. 4899) granting a pension to Alex J. Mathews;

A bill (S. 4900) granting a pension to Charles L. O'Hara;

A bill (S. 4901) granting a pension to Luna Packwood;

A bill (S. 4902) granting a pension to Walter J. Taylor; and

A bill (S. 4903) granting a pension to Flora J. Thrapp; to the Committee on Pensions.

By Mr. REED:

A bill (S. 4904) to amend an act, approved May 17, 1926, entitled "An act to authorize the Secretary of War to grant easements in and upon public military reservations and other lands under his control";

A bill (S. 4905) to authorize the Secretary of War to lease Governors Island, Mass., to the city of Boston, Mass., and for other purposes; and

A bill (S. 4906) to authorize advance payments to members of the Reserve Corps on active duty prior to departure to their homes; to the Committee on Military Affairs.

A bill (S. 4907) authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Princeton Club of Philadelphia the bowl and ladle formerly in use on the U. S. S. *Princeton;* and

A bill (S. 4908) for the relief of certain officers of the Dental Corps of the United States Navy; to the Committee on Naval Affairs.

A bill (S. 4909) for the relief of Earl I. Brown, colonel, Corps of Engineers (with accompanying papers); to the Committee on Claims.

A bill (S. 4910) granting a pension to Eleanora Emma Bliss (with accompanying paper);

A bill (S. 4911) granting an increase of pension to Caroline Houzelot (with accompanying papers);

A bill (S. 4912) granting an increase of pension to Amanda C. Wolf (with accompanying papers);

A bill (S. 4913) granting an increase of pension to Emily G. Emanuel (with accompanying papers); and

A bill (S. 4914) granting a pension to Mary A. Simmers (with accompanying papers); to the Committee on Pensions.

By Mr. SHORTRIDGE:

A bill (S. 4915) granting employees' compensation to the next of kin of John W. Aspe; to the Committee on Claims.

A bill (S. 4916) for the relief of Nels D. Anderson;

A bill (S. 4917) authorizing the appointment of John Rowland as a warrant officer, United States Army;

A bill (S. 4918) authorizing the President to order Harry W. Kerns before a retiring board for a hearing of his case, and upon the findings of such board determine whether or not he be placed on the retired list with the rank and pay held by him at the time of his resignation;

A bill (S. 4919) for the relief of George A. Dobbs; and

A bill (S. 4920) for the relief of Harry J. Kennedy; to the Committee on Military Affairs.

A bill (S. 4921) for the relief of Maurice J. Keegan;

A bill (S. 4922) for the relief of Otto Schluter; and

A bill (S. 4923) for the relief of John P. Larimore; to the Committee on Naval Affairs.

A bill (S. 4924) granting disability allowance to Dan V. Smith; and

A bill (S. 4925) granting compensation to Willard Henry Amlaw; to the Committee on Finance.

A bill (S. 4926) granting a pension to Mary T. Marks; and

A bill (S. 4927) granting a pension to John Reynolds; to the Committee on Pensions.

By Mr. FESS:

A bill (S. 4928) granting a pension to Sara E. Shumard (with accompanying papers);

A bill (S. 4929) granting an increase of pension to Ida A. Bower (with accompanying papers);

A bill (S. 4930) granting an increase of pension to Rhoda A. Larimer (with accompanying papers);

A bill (S. 4931) granting an increase of pension to Mary A. Vincent (with accompanying papers);

A bill (S. 4932) granting an increase of pension to Louisa Mutchie (with accompanying papers); and

A bill (S. 4933) granting an increase of pension to Georgie A. Jamison (with accompanying papers); to the Committee on Pensions.

By Mr. MOSES:

A bill (S. 4934) granting an increase of pension to Sarah J. Shedd (with accompanying papers);

A bill (S. 4935) granting an increase of pension to Emma E. Bennett (with accompanying papers); and

A bill (S. 4936) granting an increase of pension to Lizzie Berry (with accompanying papers); to the Committee on Pensions.

By Mr. CARAWAY:

A bill (S. 4937) to authorize the National Society United Daughters of 1812 to make annual report to the Smithsonian Institution; to the Committee on the Library.

By Mr. McKELLAR:

A bill (S. 4938) providing for the construction and improvement of post roads in the several counties in the United States for the relief of unemployment, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. TYDINGS:

A bill (S. 4939) authorizing Frank E. La Cauza to accept the decoration of officer of the Order of the Crown of Italy; to the Committee on Naval Affairs; and

A bill (S. 4940) granting a pension to Joseph Leonard Hessler (with accompanying papers); to the Committee on Pensions.

By Mr. GOFF:

A bill (S. 4941) granting a pension to Berma Yearkey (with accompanying papers); and

A bill (S. 4942) granting an increase of pension to Malinda Betsall (with accompanying papers); to the Committee on Pensions.

By Mr. SWANSON:

A bill (S. 4943) to provide monuments to mark the birthplaces of deceased Presidents of the United States; to the Committee on the Library.

A bill (S. 4944) to extend the times for commencing and completing the construction of a bridge across the Potomac River at or near Dahlgren, Va.; to the Committee on Commerce.

A bill (S. 4945) to authorize the purchase by the city of Norfolk, Va., of the bridge across Boush Creek and approaches thereto; to the Committee on Naval Affairs.

A bill (S. 4946) granting a pension to Florence Sharp Grant (with accompanying papers); and

A bill (S. 4947) granting an increase of pension to Matthew Peterschell; to the Committee on Pensions.

A bill (S. 4948) to provide for the policing of military roads leading out of the District of Columbia, and for other purposes;

A bill (S. 4949) to authorize the Secretary of War to sell a tract of land located at Battery Cove, near Alexandria, Va., and for other purposes; and

A bill (S. 4950) authorizing the President to order William H. Sage, jr., before a retiring board for a hearing of his case and upon the findings of such board determine whether or not he be placed on the retired list with the rank and pay held by him at the time of his resignation (with accompanying papers); to the Committee on Military Affairs.

By Mr. HALE:

A bill (S. 4951) granting an increase of pension to Martha J. Annas (with accompanying papers);

A bill (S. 4952) granting an increase of pension to Marie Louise Lord (with accompanying papers);

A bill (S. 4953) granting a pension to Nancy C. Gray (with accompanying papers);

A bill (S. 4954) granting a pension to Lavina V. Moore (with accompanying papers);

A bill (S. 4955) granting an increase of pension to Annie E. Rogers (with accompanying papers);

A bill (S. 4956) granting an increase of pension to Mary O. Stevens (with accompanying papers);

A bill (S. 4957) granting a pension to Clara Taylor (with accompanying papers);

A bill (S. 4958) granting an increase of pension to Josie W. Witham (with accompanying papers); and

A bill (S. 4959) granting an increase of pension to James D. Wilder (with accompanying papers); to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 4960) authorizing the Secretary of Agriculture to extend aid to any State or States or political subdivision or subdivisions thereof to acquire toll bridges or construct bridges and maintain them as free bridges, and for other purposes; to the Committee on Commerce.

A bill (S. 4961) to amend the acts approved March 3, 1925, and July 3, 1926, relating to the regulation of traffic in the District of Columbia;

A bill (S. 4962) to provide for special assessments for the paving of roadways and the laying of curbs and gutters;

A bill (S. 4963) to relieve the Commissioners of the District of Columbia of certain ministerial duties; and

A bill (S. 4964) to amend section 4 of the act of Congress approved March 1, 1899, entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous and unsafe buildings and parts thereof, and for other purposes"; to the Committee on the District of Columbia.

A bill (S. 4965) granting an increase of pension to Anna F. Whiteside (with accompanying papers);

A bill (S. 4966) granting a pension to William T. Conley (with accompanying papers);

A bill (S. 4967) granting an increase of pension to Mary Smith (with accompanying papers);

A bill (S. 4968) granting a pension to Margaret Goodner (with accompanying papers);

A bill (S. 4969) granting a pension to Maria S. Bird (with accompanying papers);

A bill (S. 4970) granting a pension to John J. Lewis (with accompanying papers);

A bill (S. 4971) granting an increase of pension to Sarepta Rhodes (with accompanying papers);

A bill (S. 4972) granting an increase of pension to John Stevens (with accompanying papers);

A bill (S. 4973) granting an increase of pension to Lottie Harvey (with accompanying papers);

A bill (S. 4974) granting an increase of pension to Eliza Welch (with accompanying papers);

A bill (S. 4975) granting an increase of pension to Elida J. West (with accompanying papers);

A bill (S. 4976) granting a pension to Emma Conkright (with accompanying papers);

A bill (S. 4977) granting a pension to Mattie Riess (with accompanying papers);

A bill (S. 4978) granting a pension to C. A. Grippin (with accompanying papers);

A bill (S. 4979) granting a pension to Alfred F. Lynch (with accompanying papers); and

A bill (S. 4980) granting an increase of pension to Mary F. Bellville (with accompanying papers); to the Committee on Pensions.

By Mr. ROBINSON of Indiana:

A bill (S. 4981) granting compensation to Gertrude Hosea; to the Committee on Finance.

A bill (S. 4982) granting a pension to George C. Salyers;

A bill (S. 4983) granting an increase of pension to Richard Bex, jr. (with accompanying papers);

A bill (S. 4984) granting a pension to Margaret McWilliams (with accompanying papers);

A bill (S. 4985) granting a pension to Owen B. Ragland (with accompanying papers);

A bill (S. 4986) granting a pension to Jennie C. Hughes (with accompanying papers);

A bill (S. 4987) granting an increase of pension to William R. Holt (with accompanying papers);

A bill (S. 4988) granting a pension to Simon R. Ditzler (with accompanying papers);

A bill (S. 4989) granting an increase of pension to Lucinda Ragsdale (with accompanying papers);

A bill (S. 4990) granting a pension to William S. Peach (with accompanying papers);

A bill (S. 4991) granting an increase of pension to Sarra Elizabeth Harrell (with accompanying papers);

A bill (S. 4992) granting an increase of pension to Sarah A. Lewis (with accompanying papers);

A bill (S. 4993) granting an increase of pension to Neal Whaley (with accompanying papers);

A bill (S. 4994) granting a pension to Adam Ulrich (with accompanying papers);

A bill (S. 4995) granting an increase of pension to Harriett E. Mitchell (with accompanying papers);

A bill (S. 4996) granting a pension to Vernon C. Young (with accompanying papers);

A bill (S. 4997) granting a pension to Sarah Robertson (with accompanying papers);

A bill (S. 4998) granting a pension to Albert E. Akins (with accompanying papers);

A bill (S. 4999) granting a pension to Scott Colegate (with accompanying papers);

A bill (S. 5000) granting an increase of pension to Margaret C. Pyles (with accompanying papers);

A bill (S. 5001) granting an increase of pension to Margaret Porter (with accompanying papers);

A bill (S. 5002) granting a pension to Flora Beabout (with accompanying papers);

A bill (S. 5003) granting a pension to Carrie Becker (with accompanying papers); and

A bill (S. 5004) granting a pension to Aubrey L. Collins (with accompanying papers); to the Committee on Pensions.

By Mr. BINGHAM:

A bill (S. 5005) to require the purchase for military and naval purposes of articles of the growth, production, or manufacture of the United States; to the Committee on Military Affairs.

By Mr. REED:

A joint resolution (S. J. Res. 208) authorizing the Secretary of War to construct the proposed new Lock and Dam No. 4, Monongahela River; to the Committee on Commerce.

By Mr. JONES:

A joint resolution (S. J. Res. 209) authorizing an appropriation for loans for seed and feed for farmers in the crop-failure areas of Washington; to the Committee on Agriculture and Forestry.

By Mr. CAPPER:

A joint resolution (S. J. Res. 210) to authorize the distribution of 40,000,000 bushels of surplus wheat for relief purposes; to the Committee on Agriculture and Forestry.

By Mr. McNARY:

A joint resolution (S. J. Res. 211) for the relief of farmers in the drought and/or storm stricken areas of the United States; and

A joint resolution (S. J. Res. 212) to coordinate the fiscal business of the United States Department of Agriculture and the Alaska Game Commission in Alaska, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. SMOOT:

A joint resolution (S. J. Res. 213) designating the first United States narcotic farm to be established near Lexington, Ky., as the Stephen G. Porter Institute; to the Committee on Finance.

By Mr. COUZENS:

A joint resolution (S. J. Res. 214) to require that public contracts provide for employment of resident laborers and mechanics and for payment of highest prevailing rate of wages; ordered to lie on the table.

By Mr. CONNALLY:

A joint resolution (S. J. Res. 215) for the relief of farmers in the drought and/or storm stricken areas of the United States; to the Committee on Agriculture and Forestry.

RELIEF OF DROUGHT-STRICKEN AREAS

Mr. ROBINSON of Arkansas. Mr. President, I introduce a bill for the relief of drought-stricken areas, which I ask to have referred to the Committee on Agriculture and Forestry and printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill (S. 4786) to stabilize conditions in areas gravely affected by droughts in the year 1930 was read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc.,

SECTION 1. That the sum of $60,000,000, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, to be advanced or expended in furnishing seeds, feed, and other supplies necessary to enable the farmers in the drought-affected areas of the United States who are unable otherwise to finance their operations to produce and harvest crops during the year 1931. That said fund shall be advanced or expended under the direction of the President, who is hereby authorized to employ or cause to be employed such organizations and agents as he may find necessary, including clerks, bookkeepers, accountants, and inspectors. The President may designate one or more Cabinet members and other officers to assist in the formulation of plans and to supervise their execution for the advancements to be made pursuant to this authorization; and he may accept the services and cooperation, without payment of compensation therefor, of any officer, private citizen, association, organization, or political unit in the administration of this law. The advancements and expenditures herein authorized may be made upon such terms and conditions as the President may prescribe or approve, with or without security, it being the intention of the Congress to provide assistance to farm producers disclosing their intention to cooperate in carrying out this act.

SEC. 2. The Secretary of Agriculture, with the approval of the President, may advance to any State held to be gravely affected by drought in 1930 the sum of $5,000,000, or less, upon such terms and conditions as the President and the governor of such State may agree upon or approve, to be expended by the State in the construction of highways other than those receiving or eligible to receive Federal aid, said sum so advanced to be repaid in 20 equal annual installments. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sum as may be necessary to carry out the provisions of this section.

SEC. 3. The Secretary of Agriculture is hereby authorized to employ such agents as may be required to carry on agricultural extension work in counties embraced within areas gravely affected by droughts in 1930 where the county authorities are found to be unable to make the contribution to agricultural extension work contemplated by law. That in addition to any amounts now authorized for agricultural extension there is hereby authorized to be appropriated for the purpose of this section the sum of $3,500,000, or so much thereof as may be necessary, out of any moneys in the Treasury not otherwise appropriated.

SEC. 4. The President is hereby authorized to make requisition from time to time on the Federal Farm Board and said board is authorized to deliver without cost on such requisition the wheat or any part thereof which may have been acquired by the Federal Farm Board and which may remain undisposed of at the time of such requisition. Said wheat may be distributed through Red Cross agencies, or such other agencies as may be designated by the President, for use as seed, feed, or food in such quantities and upon such terms and conditions as the President may prescribe or approve.

SEC. 5. If, in his opinion, it becomes necessary because of insufficient funds in the Treasury, the President may cause the Secretary of the Treasury to issue notes or bonds in such denominations and redeemable at such times as in the President's discretion are necessary to provide the sums herein authorized to be appropriated.

This act shall take effect and be in force from and after its passage.

INDUSTRIAL CANAL AT NEW ORLEANS

Mr. BROUSSARD. I introduce a bill providing for a preliminary examination and survey of the industrial canal connecting Mississippi River at New Orleans with Lake Pontchartrain, which I ask to have referred to the Committee on Commerce and printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill (S. 4813) to provide for a preliminary examination and survey of the industrial canal and locks connecting the Mississippi River at New Orleans with Lake Pontchartrain, in Louisiana, was read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to cause a preliminary survey to be made of the industrial canal and locks connecting the Mississippi River at New Orleans with Lake Pontchartrain, in Louisiana, with a view to maintaining said channel to its enlarged dimensions and to reporting the amount of contributions in land and money heretofore furnished by local interests for such waterway, and to submit

a report thereon to the Congress as soon as practicable. The cost of such examination and survey shall be paid from appropriations heretofore or hereafter made for examination and surveys.

SUSPENSION OF GENERAL IMMIGRATION

By Mr. REED:

A joint resolution (S. J. Res. 207) to suspend for a period of two years general immigration into the United States.

Mr. REED. Mr. President, I ask unanimous consent to proceed for not more than five minutes in explanation of the joint resolution I have just introduced.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. REED. Mr. President, I know that the Senate does not care to launch upon the practice of debating bills that have only been introduced and have not yet even reached their appropriate committees; but I desire to say a word in explanation of a joint resolution which I introduced this morning bearing on the question of immigration.

No one can have a panacea for unemployment and commercial and industrial depression; and I do not imagine for a moment that any treatment we may adopt of the immigration question will be such a panacea. It is obvious, however, that to some extent a reduction of the number of newcomers into the United States who come here for the purpose of seeking employment will at the moment tend to diminish the competition for the few jobs that are available.

It seems that in a time like the present it is highly unwise from the national standpoint to admit new immigration of persons coming here to seek employment. For that reason I have introduced this morning a joint resolution which, if passed and signed by the President, would have the effect of suspending for a period of two years all immigration of persons of that sort.

In order to make clear just what the proposal is, I should like to explain that it would apply as well to countries of this hemisphere as to countries of Europe. It would stop immigration impartially from all countries outside the United States.

Mr. COPELAND. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from New York?

Mr. REED. I do.

Mr. COPELAND. Is it the purpose of the Senator to put this joint resolution on its immediate passage?

Mr. REED. Oh, no; not at all—merely to explain my action in introducing it.

Mr. COUZENS. Mr. President——

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Michigan?

Mr. REED. I do.

Mr. COUZENS. Will the Senator tell me whether the treaty between Canada and the United States does not preclude the stopping of immigration from Canada?

Mr. REED. Of course, the immigration law does not affect those persons who come in pursuance of treaties. It never undertook to do so; and in so far as treaty rights govern, neither the immigration law nor this measure would impair them in the least.

There are certain exceptions which, from the standpoint of common sense or of humanity, must always be made.

For example, aliens in transit through the United States, persons who land at New York on the way to some Canadian city.

Next, persons who come here as tourists or temporary visitors, who really bring money to the country instead of taking employment from it.

Next, of course, persons protected by treaty provisions, who come in pursuance of treaties of commerce and amity.

Government officials, naturally.

Then there is an exception, recognized by the immigration laws, for immediate relatives of American citizens; that is to say, wives or husbands to whom they were married before June, 1928—that is the exception in the present law—and children of American citizens under 21.

With those exceptions, the prohibition would be complete. The prohibition applies also to Filipinos entering the mainland of the United States. We find that as we plug one gap in immigration another develops. As we stop one stream of inflowing immigrants another comes. Recently there has been an alarming increase in the number of Filipinos entering our Pacific coast ports. I do not think there is any reason in justice why they should be permitted to come any more than the citizens of other foreign countries.

Mr. WHEELER. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Montana?

Mr. REED. I yield to the Senator.

Mr. WHEELER. I am in hearty sympathy with what the Senator says, generally speaking, about immigration. I think it should be suspended; but I seriously doubt as to whether or not we should exclude Filipinos when at the same time we keep them under our dominion. I think we should give them their independence, which would solve that problem, and then put them in the same position as others. I do not, however, like to see us adopt the policy of saying to these people, "We are going to govern you, and at the same time we are not going to let you come into the mainland," any more than we put a tariff on them. It seems to me we can not very well do that in good conscience.

Mr. REED. I see the Senator's point, and I am not ready to say that I disagree with him; but I do think we are dealing with an emergency and that we ought not to involve the two questions. I do not want to imply, however, that I am going to vote against Philippine independence when the question arises.

Mr. WHEELER. I have not given the matter any serious thought. It rather struck me in that way. I do think, however, that the idea of excluding immigrants at this period, generally speaking, is a very good idea.

Mr. REED. About 12,000 Filipinos came in during the last year, mostly into southern California, and already the effects of their entry are beginning to appear and to be embarrassing. They come without their women. They do not come to settle down, to be permanent citizens, and live among their own kind; but they are a foreign body, just as alien after they get here as before they started.

Mr. KING. Mr. President, will the Senator yield?

Mr. REED. I yield to the Senator from Utah.

Mr. KING. Supplementing what has been stated by the Senator from Montana [Mr. WHEELER], may I say to the Senator that speaking for myself, and I think possibly for others, there would be serious objection to the joint resolution which the Senator from Pennsylvania offers, no matter how much sympathy there might be for it generally, if the Senator shall insist upon retaining Filipinos within the terms of the measure, for the reason just indicated by the Senator from Montana. In view of the fact that we have pending upon the calendar a bill which calls for the independence, with certain restrictions, of the Philippines, I beg that the Senator will join with those who are in favor of some legislation dealing with that question in having that bill or some other bill considered prior to the consideration of the joint resolution which the Senator is now offering.

Mr. REED. Of course, we shall have to deal with that question when we get to it.

I ought also to say that it appears, on what is apparently undisputed evidence, that there is no labor surplus whatsoever in the Hawaiian Islands. On the contrary, any man there who wants work, and is willing to work on their farms and plantations, can find a job almost instantly. It has been so strongly represented that employment in Hawaii and the Hawaiian output would be diminished by restricting immigration there that I have, after some hesitation, added a provision that the joint resolution shall not interfere with Filipino immigration into Hawaii, provided satisfactory regulations can be established by the Department of Labor to prevent the further migration of such persons into the mainland of the United States. That, I think, is the sine qua non of the continuance of that type of immigration into Hawaii.

I have mentioned these important parts of the joint resolution largely because an explanation that I attempted to make of it a week ago was misunderstood; and I thought it would be best to have it clear at this time.

The VICE PRESIDENT. The joint resolution will be referred to the Committee on Immigration.

HOSPITALIZATION AND PRIVILEGES OF THE SOLDIERS' HOMES

Mr. WALSH of Massachusetts submitted an amendment intended to be proposed by him to the bill (H. R. 6997) to confer to certain persons who served in the Quartermaster Corps or under the jurisdiction of the Quartermaster General during the war with Spain, the Philippine insurrection, or the China relief expedition the benefits of hospitalization and the privileges of the soldiers' homes, which was referred to the Committee on Pensions and ordered to be printed.

ESTATE OF NAPOLEON B. HEARN

Mr. TOWNSEND submitted the following concurrent resolution (S. Con. Res. 34), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved by the Senate (the House of Representatives concurring), That there shall be paid out of the contingent funds of the Senate and House of Representatives to the Sussex Trust Co., executor under the will of Napoleon B. Hearn, late an employee of the Capitol police, a sum equal to six months of his compensation as such employee, one-half of said sum to be paid by the Senate and one-half by the House, and an additional amount, not exceeding $250, to defray the funeral expenses of said Napoleon B. Hearn, shall be paid by the House.

GRACE LOUISE GOODWIN AND MABEL HALL GOODWIN

Mr. HALE submitted the following resolution (S. Res. 336), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay out of the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1930, to Grace Louise Goodwin, widow, and Mabel Hall Goodwin, daughter of Edward C. Goodwin, late the librarian of the Senate, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

LOUISE C. THORNTON

Mr. HEFLIN submitted the following resolution (S. Res. 337), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1930, to Louise C. Thornton, widow of James L. Thornton, late clerk to Senator J. THOMAS HEFLIN, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

REAL-ESTATE TRANSACTIONS IN THE DISTRICT

Mr. BROOKHART submitted the following resolution (S. Res. 339), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the District of Columbia or subcommittee thereof investigating security, mortgage, and real-estate transactions and laws under authority of Resolution No. 58, agreed to June 4, 1929, hereby is authorized to expend $7,500 from the contingent fund of the Senate in addition to the amount heretofore authorized for said purpose.

OVERCAPITALIZATION—ARTICLE BY W. R. HEARST

Mr. BROOKHART. Mr. President, I offer for the RECORD, and ask to have printed, an article entitled "Overcapitalization Cause of Depression," by William Randolph Hearst. I especially desire to offer this article in support of the resolution which I have to-day submitted providing additional funds for the committee that is investigating the overcapitalization of companies such as the F. H. Smith Co. in this city.

The VICE PRESIDENT. Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Herald, October 9, 1930]

OVERCAPITALIZATION CAUSE OF DEPRESSION, SAYS W. R. HEARST

The basis of prosperity is the ability of the public to buy, plus, of course, the willingness of the public to buy.

In other words, prosperity is based on the purchasing power of the public. When the public buys from the stores, the stores buy from the factories, the factories buy the raw materials produced by the farms and the mines.

All these forms of activity employ labor, and the money circulates with profits to all classes.

We were in the midst of such a prosperous period. Why did it not continue?

We do not have to go to the war in China and the silver situation in India to find the reason.

There may be contributing causes in those distant regions, but the real reason is right here at home.

The cause is not lack of money here, either. We have to-day all the money we had in the country in times of prosperity.

We have, in addition, part payments to us by foreign nations, and we have, in addition again, all the money that foreign investors from Europe, South America, and elsewhere poured into the booming American stock market and left here when the stock collapse came and wiped them out.

What, then, is the cause of the collapse?

Not merely overspeculation, but overcapitalization.

The people were in a speculative mood. They would buy anything. They would absorb any issue, without regard to basic earnings and dividends.

As a consequence, all sorts of cats and dogs were unloaded on the market and sold to the public, which bit at them like hungry fish at a cotton fly or a tin spoon.

Billions of dollars were taken from hard-earned hoardings of little speculators and stored away in the vaults of the big speculators.

Not only were companies formed of amalgamated cats and dogs and sold to the public at a hundred times their value, but investment trusts were formed, and after the public appetite for cats and dogs had waned the investment trust, guided by the big speculators, to whose honor the public's money had been intrusted, absorbed the remainder of the issue of amalgamated cats and dogs which the public would not knowingly buy.

In one instance 60,000,000 shares of amalgamated cats and dogs were unloaded on the public at $20 a share—$1,200,000,000 worth of worthlessness handed to the public in return for good money.

But all the capitalization that tended to bring about hard times was not overcapitalization, and certainly not all of it wildcat capitalization.

The wildcat speculation could only be conducted by the great firms in whose honor the public had misplaced confidence.

Mere overcapitalization, however, was conducted by many institutions with less fame and more morality, and a certain amount of legitimate but unwarranted capitalization was practiced by almost every institution.

The marvelous improvements of modern machinery and the wonderful advances in modern methods of mass production have caused almost everything to be produced at, to use a round figure, half its former cost.

But the sales price remained the same or was even higher.

Consequently the profits of industry were greatly increased.

Who should have had the advantage of this improvement in machinery and methods, this enormous increase in products and lower cost of production?

Obviously some reasonable part of it should have gone to the management of industry and the greater part of it should have gone to the working masses.

In other words, the increased profits should have been distributed largely in higher wages and shorter working hours.

If this had been done, the shorter working hours would obviously have prevented any lack of employment, because a greater number of men would have been employed to fill out the working week.

And if wages had increased in proportion to the productivity of modern machinery and the consequent increase in the profits of industry, the purchasing power of the public would have increased and the consumption of all kinds of goods and products would have been maintained at a high level or raised to a still higher level.

But when profits in industry increased 6 per cent to 25 per cent labor got but a small and greatly grudged proportion of that increase, with practically no reduction of working hours, and all of the rest of the increased profits were transformed into increased capitalization.

If a business which was making 6 per cent had come, through the use of modern machinery and modern methods, which decreased the price of production, to make 25 per cent, the main result of that increase of profits was a fourfold issue of stock, or as large an issue of stock as would still keep the business on a 6 per cent basis.

When the business, despite the increased profits, had thus been reduced to a 6 per cent basis through a fourfold issue of stock on which the business now had to pay dividends, of course there was no money left to increase wages and shorten the hours of the employees.

In other words, there was no money left to build up the purchasing power of the masses and maintain the conditions which made for prosperity.

Excess capitalization took money away from the masses when money ought to have been given to them in the way of increased wages and shorter hours.

In fact, the supply of money in the hands of the public, which creates the purchasing power of the public, was sapped by added capitalization and overcapitalization instead of having that supply

of the public's money increased by a more liberal distribution of profits in wages.

If profits had been distributed in wages, prosperity would have been maintained and increased.

We would have had for the masses of the public not only a full dinner pail but a full pocketbook.

But when the money in the hands of the public was not increased by higher wages, but diminished by the sale to the public of inflated securities, we created what we have now—an empty pocketbook and in many cases an empty dinner pail, and in some cases a bread line.

The whole cause of the hard times is not merely overspeculation but overcapitalization and the failure to take advantage of the opportunity provided by increased profits in industry to devote the major part of those profits to higher wages, which would maintain the purchasing power of the public, and to shorter hours, which would have given full employment as well as ease to the wage and salary earning public.

WILLIAM RANDOLPH HEARST.

EMPLOYMENT OF LABORER

Mr. WATSON submitted the following resolution (S. Res. 340), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate is authorized and directed to employ a laborer to be paid at the rate of $1,440 per annum out of the contingent fund of the Senate until otherwise provided by law.

ROADS WITHIN NATIONAL PARKS

Mr. KING submitted the following resolution (S. Res. 341), which was referred to the Committee on Agriculture and Forestry:

Whereas travel in the national parks has been and is increasing rapidly, the number of visitors to said parks for the year 1930 being approximately 4,000,000; and

Whereas the basis of distribution of Federal funds authorized by the Federal Government for highways gives an inadequate amount annually for construction of highways within the national parks and will prevent the completion of the road system in several of said parks for an indefinite period; and

Whereas new parks are being added to the national-park system that have no roads: Therefore be it

Resolved, That the amount authorized for construction of roads within national parks be increased from $5,000,000 to $7,500,000 per year.

LANDS WITHIN THE CHIPPEWA INDIAN RESERVATIONS

Mr. SCHALL submitted the following resolution (S. Res. 342), which was referred to the Committee on Indian Affairs:

Resolved, That the Secretary of the Interior be, and he hereby is, directed to advise the Senate of the total acreage of lands within the exterior boundaries of the Chippewa Indian reservations in Minnesota as the same existed on January 14, 1889, which have been surveyed and classified as swamp lands, and for which the Chippewa Indians of Minnesota have received no compensation.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated below:

H. R. 11091. An act for the relief of Harvey H. Padgett; to the Committee on Military Affairs.

H. R. 762. An act for the relief of the legal representatives of Gallus Kerchner, deceased;

H. R. 782. An act to extend the benefits of the United States employees' compensation act to R. W. Dickerson;

H. R. 921. An act for the relief of Andrew Kline;

H. R. 922. An act for the relief of William S. Murray;

H. R. 923. An act for the relief of Louis J. Stroud;

H. R. 925. An act for the relief of George Curren;

H. R. 1109. An act for the relief of Martin J. Hayes;

H. R. 2215. An act for the relief of Fireman's Fund Insurance Co.;

H. R. 2589. An act for the relief of Josiah J. Hostetler;

H. R. 5926. An act for the relief of Lillian N. Lakin;

H. R. 6636. An act for the relief of Philip F. Hambsch;

H. R. 6659. An act for the relief of Earl F. Heist;

H. R. 8604. An act to authorize and direct the Comptroller General to settle and allow the claim of Harden F. Taylor for services rendered to the Bureau of Fisheries;

H. R. 8607. An act for the relief of Frank Bayer;

H. R. 9199. An act for the relief of John F. Williams and Anderson Tyler;

H. R. 9215. An act for the relief of Jessie Axton;

H. R. 9395. An act for the relief of Alton B. Platner;

H. R. 11121. An act for the relief of the James River Bridge Corporation; and

H. R. 11911. An act for the relief of Frank J. Spencer; to the Committee on Claims.

EXPORT TRADE—ADDRESS BY SENATOR PITTMAN

Mr. PITTMAN. Mr. President, a subcommittee of the Foreign Relations Committee have been investigating our commercial relations with China, particularly in relation to exports. On Monday night, November 24, I delivered a short radio address on that subject over a National Broadcasting Co. network, which I ask leave to have printed in the RECORD for the information of the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

The address is as follows:

PLANS FOR INCREASING OUR EXPORT TRADE AND DISPOSAL OF OUR SURPLUS ABROAD BY INCREASING THE PURCHASING POWER OF THE CONSUMER

President Hoover, in his able address before the American Bankers' Association at Cleveland, Ohio, on the 2d day of October of this year, in discussing the business depression in the United States and throughout the world, asserted that one of the causes for such depression was the overexpansion in production of certain commodities. Continuing the President said: "These major overexpansions have taken place largely outside of the United States. Their collapse has reduced the buying power of many countries. The prosperity of Brazil and Colombia has been temporarily affected from the situation in coffee; Chile, Peru, Mexico, and Australia from the fall in silver, zinc, and copper. The buying power of India and China, dependent upon the price of silver, has been affected."

This is undoubtedly an accurate and profound statement. The President could have properly added that Mexico, South America, and other countries, constituting at least nine-tenths of the principal governments of the world, including India and China, and containing over one-half of the population of the world, have substantially no money except silver, and that their purchasing power is affected by the reduced price of silver. These silver-using countries must exchange their silver for gold to purchase foreign products, and the reduction of the price of their silver one-half has reduced their purchasing power one-half. For this reason China is only purchasing half as much from us now as she was purchasing in 1929. The reduction in purchases from us by the other silver-using countries is due to the same cause that has affected the purchases by China.

In illustration of the accuracy of the President's statement as to the effect of the fall in the price of silver upon the purchasing power of countries that use silver as money, I call attention to the fact that statistics disclose that our exports to China, which is one of our great markets, have decreased over one-half since 1929. Similar decreases, yet not to the same extent, have occurred in our exports to South America and other countries where silver is used as money.

The President's declaration that there has been an overexpansion of production is true in the sense that for several months the people of the world have not had the money to purchase and consume such production. The consumption of most commodities was greater undoubtedly in 1929 than it is at the present time or has been at any time during 1930. It will be remembered that we heard little complaint with regard to overproduction in 1928 or 1929 or until after the purchasing power of the American people and the people of most of the world had been greatly reduced. Production is being reduced, and I may say such reduction is being encouraged, to meet the necessarily reduced consumption.

The fact is that this decrease in production, while it may be necessary by reason of lack of consumptive markets, has not brought about prosperity but has resulted in lessened profits, increased unemployment, and a temporizing with a world problem.

The world is not suffering from overproduction but from underconsumption. The problem confronting the world to-day is not one looking to the reduction of production but to the restoration of the power for consumption. Business genius and government statesmanship should be earnestly and intensely directed to the encouragement of a return to normal consumption by the removal of all obstacles which have brought about depressed consumption in the United States and throughout the world.

We have grown out of the period of national isolation. To-day the world moves as a world. The telephone wire, the cable, the airplane, vast ships, and the radio, together with all the genius that business has been able to develop in the field of world commerce, have all combined to unite the races of the world into what we know as the world market. Nations may no longer live unto themselves. The interchange of world commodities is the biggest business there is to-day. And here both statesmen and business men should remember that there are more people in the world to-day than there were before the stock-market crash in 1929. They have the same requirements now as they had in 1929. They have the same ambitions and the same longings for the luxuries of life. There are more people wanting shoes to-day than there were a year ago, and more wanting chemicals and oils and machinery and automobiles and wheat and flour and rice, and everything that is produced. There are more human beings to clothe and countless thousands more to feed.

If people were enabled to purchase what they need the production of 1929 would be an underproduction in the enlarged market.

The return of wealth and prosperity to the people of the United States, in my opinion, depends primarily upon the ability of producers to dispose of their surplus production at a profit. Such surplus production is disposed of through our exports to foreign countries. These exports have decreased at a serious rate since the latter part of 1929, and are still steadily decreasing. Not only have our exports decreased, but the necessity for disposal of such surplus production has so reduced the price that profit upon sales in many cases has ceased to exist.

So grave had become this situation even in the early part of 1930 that the Senate of the United States passed a resolution introduced by me authorizing and directing the Foreign Relations Committee of the United States Senate, or a subcommittee thereof, to investigate the conditions of our commerce with China, the cause of the decrease in our exports to that country, and to suggest such remedies as might appear advisable. The subcommittee is composed of Senators HIRAM W. JOHNSON, CLAUDE A. SWANSON, ARTHUR H. VANDENBERG, HENRIK SHIPSTEAD, and myself as chairman.

The committee since its appointment has been taking testimony of bankers, exporters, importers, shippers, and other experts, and giving careful study to the question. The evidence discloses that our exports to China so far in 1930 are on the average one-half what they were during the same period of time in 1929. The committee will report to the Senate early in January.

Exporters testified that any business now done with China must be done on a cash basis, as the uncertainty of silver exchange makes credit transactions practically impossible. Exporters of flour testified that although people in China were starving for food, their exports of foodstuffs had practically ceased. All of the witnesses agreed with the President that, "The buying power of India and China, dependent upon the price of silver, has been affected." These witnesses described the gravity of the situation more strongly than did the President.

The Assistant Secretary of Commerce, Dr. Julius Klein, who for many years directed the Department of Foreign and Domestic Commerce and who is an authority on world commerce, says that one of the reasons for the loss in our export trade with China is the low price of silver. He adds: "China can not buy as much goods from abroad for 36 cents as it could for 64 cents." The normal price of silver for the past eight years has been around 64 cents an ounce and it is now only 36 cents an ounce.

Mr. Thomas W. Lamont, an internationally known financier, recognized the seriousness of this situation when he placed among the important factors of present world depression the scarcity of gold and the depressed price of silver.

Mr. Julius H. Barnes, chairman of the board of directors of the United States Chamber of Commerce and chairman of the National Business Survey Conference, selected by President Hoover, in an article in the New York Times of November 2, emphasized the seriousness of the depressed price of silver.

"The fatal mistake was made," says Mr. Barnes, "of treating silver as a commodity, although it still represented resources and capital and credit to more than half of the population of the world. Silver, which had been a standard money of the world for 20 centuries, was in a few months to be treated in the market as a commodity, without mature consideration as to the effect on the initiative and confidence of a thousand millions of people. A price of silver, which fluctuated from $1.45 some few years ago to 35 cents to-day and yet symbolizes the credit and resources of great people, could not but harm the business structure of the world."

The President, in his statement, was discussing overexpansion of production, but the depressed price of silver can not be explained in any discussion of "overproduction."

There has been no overproduction of silver.

The Government statistics show that the world production of silver in recent years is as follows:

	Ounces
1921	171,560,712
1922	209,828,662
1923	246,275,858
1924	239,680,209
1925	245,280,193
1926	253,806,386
1927	251,396,555
1928	254,000,000
1929	261,000,000
1930 (approximately)	[1] 225,000,000

The figures speak for themselves. There has been but a slight normal annual increase in silver production and this small normal percentage of increase is noted at a time when the demands for trade and commerce were the highest throughout the world. It will also be noted that there has been a material reduction in the production of silver during each month of 1930 without resulting in any increase in the market price of this product.

The amazing uniformity of the annual production of silver throughout the world militates against any theory that an overproduction of silver could possibly have brought about the depression. There was a time when certain financiers and economists imagined that there was an unlimited amount of silver somewhere that might be mined and dumped upon the world, but the world's annual production for 30 years proves the fallacy of any such presumption.

[1] Based upon current monthly reports to date.

I have referred to the statement of Dr. Julius Klein, Assistant Secretary of Commerce, who, among other causes, attributes the loss in our export trade to China to "the low price of silver."

Let me explain the Assistant Secretary's statement: During the eight years, 1920 to 1929, the average price of silver was approximately 64 cents an ounce. Let us understand that the price of silver is fixed daily by certain brokers in London, and that such price is universal throughout the world.

For several months now silver has varied between 34 and 35 cents an ounce. In other words, it has dropped in 1930 to nearly half its average normal price during the preceding eight years. If silver had been too high during such preceding eight years, then such condition might have accounted for its sudden drop.

But the pre-war price of silver was 60 cents an ounce. So there was no substantial rise in the price of silver during the eight years referred to. If the price of silver had advanced during the eight years prior to 1929 as other commodities rose, then the average price of silver during such period of time would have been between 80 and 90 cents an ounce. So the fall in the price of silver can not be attributed to the high price of silver.

Was it due to overproduction of silver? It was not, because the world production of silver, as has been shown, has increased at but a slow and normal rate, and production of 1930, based upon monthly production to date, will be at least 15 per cent below that of 1929.

What, then, was the cause of the sudden, disastrous, and unnatural fall in the price of silver commencing in 1928 and reaching the low level in 1930?

Gold has been considered the rare and unchangeable metal, yet, according to the statistics of the Department of Commerce in its bulletin called Economic Paper 8, it is stated:

"In conclusion it is of interest to note that, although the value of gold to silver now stands at a ratio of about 40 to 1 and was formerly fixed in the bimetallic monetary standard at 16 to 1, the ratio of production of silver to gold in the whole period since the discovery of America has been about 14 to 1."

The world became accustomed to the amount of the annual production of silver, and it adjusted its needs to such production. The entire annual production of silver was always consumed and absorbed, and yet there was no excess demand for silver.

Whilst there has never been an overproduction of silver, there was an oversupply of silver commencing in 1928 and extending through 1929 into 1930. Where did this oversupply of silver come from?

It came from the debasement of silver coins and from the melting up of the money silver coins of India, then the circulating medium of that country and the dumping of such silver on the markets of the world in the form of silver bullion. The British Government for India decided to place India upon a gold-standard basis. There was substantially no gold in India, and Great Britain did not have sufficient gold for her own needs. India, since the dawn of history, has been consuming and absorbing about one-third of the silver production of the world. There are billions of ounces of silver hoarded in India by its 350,000,000 people in the form of jewelry and secreted in the ground. Silver is the only money that the people of India know; it is the representative of their savings for ages; it is the measure of their wealth; it is substantially their only instrumentality of trade and commerce.

And yet the British Government for India determined to destroy this silver as money and to substitute for it a paper-money supply based on a miserably inadequate reserve of gold. Great Britain did not have the gold. As I said before, she has been unable to obtain sufficient gold for her own monetary system and for her own credit. It became necessary, therefore, for the British Government for India to buy gold as the basis of its gold standard in India. It apparently had nothing with which to buy this gold except the silver money of India. It had several hundred thousand ounces of silver in the form of silver rupee coins, or silver for redemption of silver paper rupee notes. It adopted the policy of melting up this money silver and selling it upon the markets of the world as bullion for the purpose of buying gold, estimated at something like $300,000,000, as a basis for its gold-standard money in India.

This announcement was looked upon in amazement not only by every silver-producing and every silver-using country in the world but even by the economists of gold-standard countries, who realized that the gold of the world has a greater burden of credit based upon it than is actually safe.

What induced this act is incomprehensible in view of the fact that there are approximately only $8,000,000,000 of gold available in the world's money. Of this amount the United States has $4,500,000,000, France has $2,000,000,000, and Great Britain $750,000,000, which leaves only $750,000,000 worth of gold to supply the needs of all the other nations of the earth.

Efforts were made to induce the British Government for India to modify such policy, but such efforts failed. Since the adoption of such policy the British Government for India, from the melting up of such coins and silver, has thrown on the market of the world silver as follows:

	Ounces
1927	9,200,000
1928	22,500,000
1929	35,000,000

I am unofficially informed that silver sales in India have continued in 1930. In addition to the sale of these money coins that were in use the following governmental silver was sold, derived from the debasement of silver coins:

	Ounces
British coins:	
1927	1,200,000
1928	5,500,000
1929	10,000,000
Demonitized coins:	
French—	
1927	8,000,000
1928	19,000,000
1929	10,000,000
Belgian, 1928	13,000,000

So to the annual average mine production there was added in 1927, 1928, and 1929 from such unnatural sources a total of 133,400,000 ounces, or an average of 44,400,000 ounces annually.

Thus, through the dumping of India and the debasing of coins elsewhere, it was as though a great new inexhaustible silver mine had been opened overnight, throwing out on the world market an unexpected and unnatural supply of silver, amounting to more than one-sixth of the entire world production in 1928. The natural law of supply and demand, reasonably constant over a period of a century, was thrown into chaos by the silver deluge, and falling prices robbed within a year one-half of the human race of one-half of their wealth and their purchasing power.

In view of the fact that there was no excess demand for silver, is there any wonder that the price of silver was cut half in two?

But the worst is yet to come, because the British Government for India still has several hundred thousand ounces of silver money that it intends to cast upon the market of the world in the form of bullion. The market can not consume it. There is not a demand for it, and such a threat will hold down the price of silver and if carried out may absolutely destroy its value as a measure of wealth, as money, and as an instrument for the carrying on of trade and commerce.

The British Government for India by its policy has struck down the wealth of India and destroyed the purchasing power of its subjects. It has not only injured its own subjects but it has equally and in the same manner destroyed the purchasing power of China, South America, Mexico, and every silver-using country in the world. This has disastrously reduced the export trade of the United States and every other country.

The producers of silver, although a small group by comparison with all of the other groups affected, have suffered even more deeply than the producers of other commodities. Mines throughout the world have been compelled to close, adding hundreds of thousands of idle men to the horde of unemployed.

Canada, a member of the British Empire, one of the largest producers of silver in the world and possibly destined to be the largest, has suffered severely in this particular. The disastrous effects of the economic policy forced upon India are understood in England. They are admitted by Premier MacDonald, of Great Britain. The question is, What is the remedy?

In the first place, the British Government for India should immediately announce its intention to abandon such policy, to be followed immediately thereafter by actual abandonment.

In the second place, there should be an agreement that governments will abandon the policy and practice of selling government silver, whether obtained from the debasement of coins or held for money purposes.

In the third place, an attempt should be made to arrive at an agreement between the governments of the world as to the stabilization and use of silver for monetary purposes.

The abandonment of the policy of the British Government in India will immediately permit silver to go back to its normal price of around 60 cents an ounce. The ultimate stabilization of silver will undoubtedly be above the price of 60 cents an ounce.

When the dumping of silver has ceased, the United States, Great Britain, France, Japan, and other countries enjoying great commercial benefits in China may lend to the National Government of China financial and expert aid for the pacification of China and the revivification of that great country. All China needs is friendly cooperation and financial aid.

If a silver fund could be provided by interested governments for use in China, to be advanced as and when needed for purposes to be approved by a commission of the powers participating in such advance, then, according to all of the evidence, war in China would cease and the soldiers who are working in armies for food would engage in peaceful occupations for the National Government.

If such result were consummated, we are advised by witnesses who should know that the commerce of China would increase tenfold in a few years. This is not surprising when we realize that China has about one-fourth of the population of the world and a rich territory approximately as large as the United States and Mexico combined. It is possessed of a peaceful, industrious, and friendly people. It is the next-door neighbor of the United States across the Pacific, and to-day we are connected in our commerce by a great Pacific fleet.

The United States Government has in its Treasury between 400,000,000 and 500,000,000 standard silver dollars that constitute a dead, frozen asset, earning no interest whatever. This silver has in the past been used to meet world emergencies, and it can, under proper conditions and inducements, probably be used again as part of a fund for the revivification of China. Such a concerted act, through increasing the purchasing power of China, would not only benefit our own commerce but would benefit the commerce of Great Britain, France, Japan, and other countries.

It is unreasonable to expect the United States to take on this great burden unless Great Britain, France, Belgium, Japan, and other interested countries are willing to cooperate, at least to the extent of desisting from those acts that have almost annihilated the purchasing power of silver, and which, if persisted in, may absolutely destroy it as a basis of credit and an instrument of trade. The major problem, however, is the elimination of the causes that are unnaturally depressing the price of silver, the stabilization of the money of the world, and the restoration of the normal purchasing power of every country.

LAKE OKEECHOBEE AND CALOOSAHATCHEE RIVER, FLA.

Mr. FLETCHER. I present and ask to have printed as a public document a report on the Lake Okeechobee and Caloosahatchee River in Florida with special reference to navigation and flood control. It is a report to the United States district engineer by the consulting engineers. I also ask that the maps accompanying the report may be printed.

Mr. McNARY. Mr. President, may I ask what is the request of the Senator? I could not hear it.

Mr. FLETCHER. I ask that this report to the United States district engineer with respect to the Lake Okeechobee and Caloosahatchee drainage areas may be printed as a document. It will be very helpful in undertaking work on the project there.

Mr. SMOOT. Mr. President, who authorized the investigation?

Mr. FLETCHER. It is a report by Hills, Youngberg & Luce, consulting engineers, to the United States district engineer having charge of the investigation there, including surveys. It has been prepared under the auspices of the Okeechobee Flood Control District of Florida. It has to do with the appropriation of $9,000,000 for navigation and flood control in the Lake Okeechobee area. The report of the engineers on that subject will be very helpful in carrying on that work.

Mr. SMOOT. A report to whom?

Mr. FLETCHER. To the United States district engineer by the engineers of the drainage district, Hills, Youngberg & Luce.

Mr. SMOOT. To whom was the report made?

Mr. FLETCHER. It was made to the United States district engineer, to be used by him, and it is important that the data should be made public. The printing will not cost very much and it will be very helpful to the whole enterprise.

Mr. SMOOT. In past years such reports have always been printed as documents by the department itself, and the Congress makes appropriation for such purpose.

Mr. FLETCHER. At the last session I was not here for a considerable part of the time and was unable to have the report printed, or it probably would have been printed then. It is important now in carrying forward the work. They are just beginning to get the appropriation; the work has been authorized and has been begun and these data will be needed in connection with it.

Mr. SMOOT. Mr. President, I do not want this to be cited as a precedent. I think the department itself ought to print such reports, and I do not see why they should ask the Congress of the United States to do it. The departments have appropriations for that very purpose.

Mr. FLETCHER. This report was prepared under the direction of the Okeechobee Flood Control District of Florida. It has to do with the actual figures in connection with this work.

Mr. McNARY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McNARY. I shall have to insist on the regular order if there is going to be any objection to this request.

Mr. FLETCHER. I make the request, Mr. President.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. I should like to have the matter go over until to-morrow, and meantime I will telephone the department about it. I think the department ought to provide for the printing of the report.

Mr. FLETCHER. The department has nothing to do with it. It is merely a report of engineers in Florida.

Mr. SMOOT. I will ask that the matter go over until to-morrow, and meantime I will ascertain about it.

Mr. FLETCHER. Very well.

INCREASE OF FEDERAL APPROPRIATIONS FOR HIGHWAY CONSTRUCTION

Mr. BROOKHART. Mr. President, in reference to the bill I have introduced proposing to increase Federal aid to highways, I desire to present a few facts and figures to the Senate.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator will proceed.

Mr. BROOKHART. I find in the report of the Bureau of Public Roads that in 1929 the States expended a total sum of $910,485,291 upon the State highways. Of this sum the Federal Government contributed in aid only $77,572,691. The original policy of Federal aid to highways was that the Federal Government should match the State expenditures. So, we see from this statement that the State expenditures have now far exceeded the Federal expenditures. The situation demands, therefore, in justice, a great increase of the Federal expenditures.

In addition to this expenditure for primary roads, I find that the States expended the whole sum of $807,714,604 for local roads, for which they received no Federal aid at all. In reference to primary roads, all such roads are both State roads and interstate roads; they are post roads and they are military roads, all of which come under the supervision of the National Government; yet the National Government is contributing only a small percentage toward their construction. Even the local roads, on which the States have expended $807,714,604, are post roads, but they are now receiving no aid at all from the Federal Government.

I wish also to call attention in the RECORD to the figures for my State, which are typical of nearly all the States. The argument which these figures make in the case of Iowa is equally applicable to nearly every other State in the Union, not excepting more than 8 or 10, at any rate.

I find that in 1929 Iowa expended $36,083,878 for primary State highways, and in that same year Iowa received in Federal aid only $2,537,341—only two and one-half million out of thirty-six million of expenditures; and, as I say, a similar proportion will be found in the case of nearly all the States.

In addition to that, I find that upon local roads Iowa spent $26,132,563 more and received no Federal aid whatever in the construction of those roads.

Mr. President, I ask unanimous consent that these tables from which I am quoting may be printed at this point in my remarks.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

State highway income and fund available during 1929 for State highway and bridge work under supervision of State highway departments

[Compiled from reports of State authorities]

State	Fiscal year ends—	Total fund available for use on State highways	Balance at beginning of fiscal year	Total income for State highways during fiscal year	State tax levied for State highways	Appropriation by State for State highways	Motor-vehicle fees, etc., allotted to State highway	Gasoline-tax receipts, etc., allotted to State highways	Miscellaneous income for State highways	State bonds and notes issued for State highways	Federal-aid post-roads fund allotments used	Fund transfers from local authorities for State highways
Alabama	June 30	$21,699,043	$912,521	$20,786,522			$2,923,785	$3,514,666	$249,264	$12,299,529	$1,274,317	$525,121
Arizona	do	5,379,720	714,457	4,665,233	$1,022,604	$75,000	701,075	1,399,776	62,511		1,309,267	95,000
Arkansas	Dec. 31	44,942,679	4,003,134	40,939,545			4,212,561	6,681,029		[1] 28,813,921	1,232,034	
California [2]	June 30	43,627,914	10,270,528	33,357,386		[3] 4,678,963	4,677,535	20,259,509			3,443,874	297,505
Colorado	Dec. 31	9,311,743	1,518,888	7,792,855	1,006,924		959,107	3,908,622	38,767		1,879,435	
Connecticut	do	14,704,796	1,159,649	13,545,147		21,486	8,228,159	3,919,607	181,387		164,401	1,030,107
Delaware	do	5,629,416	234,603	5,394,813		[4] 1,851,750	1,546,614	903,652	33,313	480,105	513,038	66,341
Florida	do	11,924,107	343,498	11,580,609			3,462,722	5,855,385	38,606		520,767	1,703,129
Georgia [5]	June 30	7,757,592	440,871	7,316,721			4,027,329	2,557,000	6,448		390,226	335,718
Idaho	Dec. 31	3,824,480	34,330	3,790,930	306,554		196,704	2,201,248	21,626		477,612	586,186
Illinois	do	46,391,847	3,863,186	42,528,661		374,021	17,035,596	1,616,185	393,637	19,627,156	3,482,066	
Indiana	Sept. 30	21,430,028	1,944,432	19,485,596			5,950,100	9,973,723	478,050		2,368,773	714,950
Iowa	Nov. 30	43,365,272	6,292,410	37,072,862			10,954,726	5,102,318	54	[6] 18,403,973	2,537,341	74,450
Kansas	Dec. 31	19,063,165	3,303,715	15,759,450			4,314,150	7,979,161	159,745		2,706,701	599,693
Kentucky [7]	Mar. 31	19,115,725	1,123,854	17,991,871	933,350		4,860,289	7,776,360	158,455		1,829,896	2,433,521
Louisiana	Dec. 31	24,620,876	1,896,903	21,023,973			4,524,557	9,449,143	990,163	[8] 10,175,178	703,409	191,523
Maine	do	15,026,449	1,314,142	13,712,307	1,033,686	456,323	3,039,504	2,958,819	762,809	2,397,464	1,170,299	1,893,807
Maryland	Sept. 30	17,662,464	1,877,610	15,784,854		[4] 3,313,716	2,459,611	4,756,796	102,901	4,160,479	509,350	482,001
Massachusetts	Nov. 30	25,132,812	4,219,388	20,913,424	1,793,487		7,259,355	7,417,078	114,695		813,621	3,415,198
Michigan	June 30	51,517,432	4,376,628	47,140,804			21,621,527	19,828,326	1,629,491		3,068,069	993,391
Minnesota	Dec. 31	35,033,414	11,252,148	23,781,266	1,954,300		10,774,671	8,476,159	833,958		1,742,178	
Mississippi	Jan. 31	5,543,525	969,461	4,574,064			375,239	2,746,102	64,645		759,595	628,483
Missouri	Dec. 31	34,147,114	5,358,501	29,788,613	116,405		9,731,712	8,327,198	405,282	7,525,312	3,682,704	
Montana	June 30	4,645,895	219,090	4,426,805				2,228,096	25,550		1,940,778	232,381
Nebraska	Dec. 31	9,337,294	415,922	8,921,372		106,250	1,460,189	5,565,166			1,658,348	131,419
Nevada	Nov. 30	2,897,473	24,019	2,873,454	103,720	8,304	296,530	554,907	349,081	50,000	1,098,609	412,303
New Hampshire [9]	Dec. 31	9,822,525	1,334,587	8,487,938			2,026,773	[10] 1,664,279	258,742	1,770,000	520,933	2,247,211
New Jersey	do	50,749,941	7,181,429	43,568,512	2,264,017	[4] 6,888,750	13,496,581	9,886,064	109,296	10,000,000	598,513	325,291
New Mexico	do	7,778,185	994,969	6,783,216	434,276		450,725	2,255,972		2,312,735	1,157,474	172,034
New York	do	145,328,276	75,237,669	70,090,607		32,429,071	20,550,000		84,036		3,629,879	13,397,621
North Carolina	June 30	33,463,034	13,991,984	19,471,050			6,991,878	10,234,359	212,097		1,716,919	215,797
North Dakota	Dec. 31	4,487,604	223,318	4,264,286		376,373	808,207	1,410,000	168,268		1,501,438	
Ohio	do	39,257,131	2,456,115	36,801,016		185,565	6,502,438	20,495,637			3,013,219	6,604,157
Oklahoma	June 30	13,977,565	1,154,915	12,822,650			3,125,000	5,210,000	28,308		1,614,337	2,845,005
Oregon	Dec. 31	12,595,034	769,269	11,825,765			5,548,253	5,036,055	84,130		624,415	532,907
Pennsylvania	do	89,551,214	20,537,326	69,013,888		2,890,749	30,494,081	26,933,813	694,007		3,534,139	4,467,099
Rhode Island	Nov. 30	6,985,184	3,176,279	3,808,905		122,780	2,149,848	1,501,090			35,187	
South Carolina	Dec. 31	24,512,134	6,613,458	17,898,676			2,600,382	4,741,307	547,124		1,126,442	8,883,421
South Dakota	do	6,227,976	107,830	6,120,146		707,500	1,646,981	2,585,894	32,126		1,147,645	
Tennessee	June 30	52,514,624	5,666,194	46,848,430			4,172,418	4,250,635	290,701	[11] 28,404,445	2,245,875	7,484,356
Texas	Aug. 31	44,678,707	10,580,121	34,098,586			11,846,639	11,208,098	314,383		4,288,873	6,440,593
Utah	Dec. 31	4,969,157	724,464	4,244,693		[12] 773,900	144,261	1,308,000	370,605		978,880	669,047
Vermont	June 30	13,588,885	4,340,810	9,248,075	374,075	3,387,500		297,767	303,496	2,559,000	2,040,936	285,301
Virginia	do	17,970,843	1,952,366	16,018,477		1,657,625	4,656,945	6,795,974	556,247		1,297,654	54,032
Washington	Dec. 31	15,701,706		15,701,706			8,592,434	5,731,676			1,329,062	48,534
West Virginia	do	25,102,355	2,444,458	22,657,897			4,916,410	5,031,318		12,250,000	460,169	
Wisconsin	June 30	28,187,165	6,237,348	21,949,817			10,095,333	6,597,190	162,364		2,438,796	2,656,144
Wyoming	Dec. 31	3,593,506	458,941	3,134,565	87,951		693,800	1,027,466	[13] 420,205		895,308	19,835
Total		1,194,775,026	232,967,988	961,807,038	11,431,349	69,305,511	278,092,734	287,269,416	11,726,508	161,220,297	77,572,691	74,190,412

[1] Includes note proceeds, $5,554,044.
[2] For fiscal year ending June 30 instead of Dec. 31, as in former years.
[3] From special taxes for State treasurer to pay bond interest and retirements.
[4] For bond retirements by State treasurer.
[5] For 6-month period Jan. 1 to June 30; fiscal year changed from Dec. 31 to June 30.
[6] Primary road bonds issued by counties, assumed by State.
[7] For fiscal year ending Mar. 31, 1930.
[8] Omits $5,000,000, proceeds of bonds, sold Dec. 15, 1929.
[9] Includes income of $2,395,213 for flood relief account road work.
[10] Excludes extra gas tax proceeds of $601,207 for flood relief.
[11] Only $7,500,000 of State highway bonds, remainder notes.
[12] For interest and sinking fund on bonds paid by treasurer.
[13] Includes $378,704.57 oil royalties paid by United States Government.

The large increase in "Appropriation by State" is due to the inclusion, as noted, of appropriations from State treasury for State highway bond payments by treasurer, not formerly included.

State highway disbursements during 1930 for State highway and bridge work under supervision of State highway departments including principal payments on bonds and notes, transfers to local authorities, and other disbursements

[Compiled from reports of State authorities]

State	Fiscal year ends	Grand total disbursements for and relative to State highways	Expenditure for State highway purposes						Other disbursements by State highway department			Unexpended balance at the end of fiscal year
			Total expenditure for State highways	Construction and right of way [1]	Maintenance [1]	Miscellaneous expenses	Equipment and machinery	Interest on bonds and notes outstanding	Principal payment on bonds and notes	Transfers to county or town for local roads	Other obligations assumed [2]	
Alabama	Sept. 30	$19,317,352	$18,271,180	$14,694,186	$1,245,185	----------	$557,733	$1,774,076	$932,521	----------	$113,651	$2,381,691
Arizona	June 30	4,972,849	4,385,501	3,119,050	1,116,500	----------	149,951	----------	----------	----------	487,348	506,871
Arkansas	Dec. 31	40,971,429	26,487,511	20,641,551	2,661,157	$56,601	290,702	1,837,500	[3] 5,500,000	$1,800,000	[4] 8,183,918	3,971,250
California [5]	June 30	30,352,468	28,577,468	20,184,224	5,174,455	----------	314,826	[6] 2,903,963	[6] 1,775,000	----------	----------	13,275,446
Colorado	Dec. 31	7,142,190	6,361,665	3,882,742	1,429,606	21,771	435,116	592,430	780,525	----------	----------	2,169,553
Connecticut	...do....	13,597,827	12,751,248	9,150,626	2,460,783	753,726	386,113	----------	----------	----------	846,579	1,106,969
Delaware	...do....	5,207,740	2,735,010	1,883,512	196,174	220,154	----------	[7] 455,170	[8] 2,100,000	----------	372,730	421,676
Florida	...do....	10,967,163	10,702,163	9,095,091	1,483,684	1,415	121,973	----------	----------	----------	265,000	956,944
Georgia [5]	June 30	7,038,986	7,038,986	5,889,082	753,188	11,439	337,634	47,643	----------	----------	----------	718,608
Idaho	Dec. 31	3,365,038	2,979,839	1,665,549	944,073	7,011	210,915	152,291	71,500	----------	313,699	459,442
Illinois	...do....	39,727,610	37,708,842	28,931,114	2,619,398	480,932	248,762	5,428,636	2,001,000	----------	17,768	6,664,237
Indiana	Sept. 30	20,677,796	20,677,796	16,194,503	3,626,855	----------	856,438	----------	----------	----------	----------	752,232
Iowa	Nov. 30	36,083,878	34,772,545	28,331,477	4,621,702	----------	----------	[9] 1,819,366	[9] 711,500	599,833	----------	7,281,394
Kansas	Dec. 31	17,011,934	14,052,713	10,063,975	3,745,634	----------	243,104	----------	----------	2,444,839	514,382	2,051,231
Kentucky [10]	Mar. 31	15,129,695	15,109,839	11,058,160	2,986,021	239,696	825,962	----------	----------	----------	19,856	3,986,030
Louisiana	Dec. 31	17,143,101	16,997,006	11,419,437	3,755,644	255,892	1,197,633	368,400	38,000	----------	108,095	7,477,775
Maine	...do....	14,005,653	12,040,785	8,213,852	2,261,555	372,203	603,745	589,430	531,000	----------	1,433,808	1,020,796
Maryland	Sept. 30	13,617,491	10,979,700	6,979,051	2,875,050	122,873	251,100	[9] 751,716	[9] 2,562,000	----------	75,701	4,044,973
Massachusetts	Nov. 30	20,179,528	13,846,158	9,885,870	3,469,941	----------	127,696	[11] 362,651	[11] 760,143	3,415,198	2,158,029	4,953,284
Michigan	June 30	48,665,945	34,512,335	24,376,910	7,496,065	60,751	330,632	2,248,638	[12] 1,834,655	11,413,272	905,682	2,851,487
Minnesota	Dec. 31	23,366,174	19,740,618	12,165,598	5,152,193	----------	842,528	[13] 1,579,999	[13] 2,221,778	1,403,778	----------	11,667,240
Mississippi	Jan. 31	4,753,818	4,682,676	2,208,941	2,230,113	11,371	172,251	----------	----------	----------	71,142	789,707
Missouri	Dec. 31	28,320,650	27,320,650	20,545,343	4,707,807	----------	----------	2,037,500	1,000,000	----------	----------	5,828,464
Montana	June 30	4,487,815	4,481,815	3,859,888	544,831	4,999	70,488	1,609	----------	----------	6,000	158,080
Nebraska	Dec. 31	8,467,282	8,389,619	5,227,002	3,156,621	5,996	----------	----------	----------	----------	77,663	870,012
Nevada	Nov. 30	2,796,895	2,646,895	1,686,145	443,934	50,002	442,842	23,972	150,000	----------	----------	100,578
New Hampshire [14]	Dec. 31	7,713,241	7,621,380	4,138,743	2,872,779	528,908	80,956	----------	----------	91,855	----------	2,109,284
New Jersey	...do....	41,396,507	32,996,624	27,409,046	2,100,272	335	17,221	[9] 3,388,750	[15] 3,500,000	4,929,883	----------	9,333,434
New Mexico	...do....	6,674,816	6,369,816	4,350,696	1,355,774	123,976	323,185	[16] 215,215	[16] 305,000	----------	----------	1,103,369
New York	...do....	69,664,096	62,023,613	47,851,719	9,382,143	51,756	----------	4,566,000	[17] 1,892,488	5,747,990	----------	75,664,180
North Carolina	June 30	24,901,984	20,682,110	16,767,589	4,561,728	493,073	----------	4,859,029	2,000,000	2,219,874	----------	8,561,050
North Dakota	Dec. 31	4,129,072	4,129,072	2,914,958	899,484	145,023	169,607	----------	----------	----------	----------	358,532
Ohio	...do....	30,281,207	30,281,207	16,403,891	13,877,316	----------	----------	----------	----------	----------	----------	8,975,924
Oklahoma	June 30	11,969,135	11,766,255	8,111,120	3,500,427	133,362	15,346	----------	----------	----------	202,880	2,008,430
Oregon	Dec. 31	11,327,834	9,502,834	4,177,307	3,432,553	189,296	----------	1,503,578	1,825,000	----------	----------	1,267,200
Pennsylvania	...do....	60,433,804	51,904,445	22,572,564	20,754,045	711,029	3,771,837	4,094,970	2,900,556	1,774,105	3,854,698	29,117,410
Rhode Island	Nov. 30	5,412,276	4,949,502	2,797,673	1,549,447	100,436	245,394	256,552	162,780	45,338	234,656	1,572,908
South Carolina	Dec. 31	18,581,089	15,372,739	12,794,635	1,932,655	9,287	636,162	----------	----------	2,905,824	212,526	5,931,045
South Dakota	...do....	6,167,966	5,060,487	2,964,529	1,871,204	13,036	4,218	207,500	[18] 500,000	----------	607,479	60,310
Tennessee	June 30	29,740,999	27,740,999	19,671,416	5,344,684	136,178	2,283,228	305,493	2,000,000	----------	----------	22,775,625
Texas	Aug. 31	34,529,884	33,680,701	21,384,574	11,671,289	----------	624,838	----------	----------	----------	849,183	10,148,823
Utah	Dec. 31	4,544,631	4,106,131	2,351,559	1,007,267	61,601	350,304	[9] 335,400	[19] 438,500	----------	----------	424,536
Vermont [10]	June 30	12,516,284	12,516,284	10,638,767	1,415,953	----------	274,064	[9] 187,500	----------	----------	----------	1,972,901
Virginia	...do....	14,213,511	13,953,848	10,223,311	3,414,847	----------	----------	315,690	----------	----------	239,663	3,757,332
Washington	Dec. 31	15,701,706	12,734,216	9,763,936	2,810,008	----------	160,212	----------	----------	2,967,490	----------	----------
West Virginia	...do....	19,184,129	15,872,417	10,439,164	2,848,117	65,392	23,171	2,496,573	3,106,667	----------	205,045	5,918,236
Wisconsin	June 30	21,009,722	16,283,862	12,407,084	3,791,910	84,838	30	----------	[20] 783,755	3,942,095	----------	7,177,443
Wyoming	Dec. 31	3,123,091	3,107,137	1,822,395	1,131,150	----------	58,892	94,700	----------	----------	15,954	470,415
Total	----------	910,485,291	799,876,344	557,400,625	173,060,321	5,524,358	18,056,509	45,834,531	42,384,378	45,791,374	22,433,195	284,289,735

[1] Includes pro rata share of administration, engineering, materials, and supplies.
[2] This column (not shown in previous years) includes expenses of administration of motor vehicle and of gasoline-tax laws if under the State highway department, also other payments, such as interest on local road bonds assumed by the State highway department, etc.
[3] Retirement of 6-month notes.
[4] Includes $8,094,720 interest on road-improvement district bonds.
[5] For fiscal year ending June 30 instead of Dec. 31 as formerly.
[6] State bond payments made by State treasurer.
[7] Includes $372,730 interest on county bonds.
[8] Only $248,250 of retirement paid by State highway department, remainder paid from State general fund.
[9] County bond obligations assumed by State, as funds used on State primary roads.
[10] For fiscal year ending Mar. 31, 1930.
[11] Increase over former years due to new obligations assigned to State highway department by gasoline tax law.
[12] Sinking fund payment.
[13] On county bonds for State trunk highways, assumed by State.
[14] Excludes expenditures of $2,461,990 in flood-relief account.
[15] Approximate payment on sinking funds.
[16] Includes payments on short-term debentures.
[17] Includes sinking-fund accrual of $1,292,488.
[18] Retirements of $500,000 paid from separate State fund.
[19] Flood-repair work amounting to $7,765,097 included in construction.
[20] Consists of payments on county bonds

Local roads—Disbursements, 1930, for county, township, and district road and bridge work by local authorities, including principal payments on bonds and notes, and transfers to State

[Compiled (in some cases estimated) from records of local authorities]

State	Grand total disbursement by local road authorities	Expenditures for local road purposes					Other disbursements by local authorities		Unexpended balances at the end of fiscal year
		Total expenditures for local roads	Construction	Maintenance	Miscellaneous expenses [1]	Interest on bonds and notes outstanding	Principal payments on bonds and notes	Transfers to State for work on State roads	
Alabama	$12,701,320	$9,738,537	$2,645,347	$5,733,518	$107,305	$1,252,277	$2,249,850	$712,923	$342,210
Arizona	2,349,538	1,995,793	266,235	1,217,810	218,519	292,929	337,035	16,710	177,217
Arkansas	8,855,000	6,455,000	1,600,000	2,700,000	55,000	2,100,000	2,400,000	----------	347,000
California	32,615,927	29,676,722	9,213,945	13,068,441	4,814,238	2,580,098	2,819,439	119,766	14,901,850
Colorado	5,634,455	5,435,906	1,109,805	3,802,699	513,589	9,843	151,546	47,003	329,321
Connecticut	3,349,324	3,349,324	701,500	2,647,824	----------	----------	----------	----------	3,883
Delaware	1,922,301	1,675,146	709,737	404,292	121,627	439,490	247,155	----------	403,171
Florida	18,917,800	14,817,713	2,123,648	5,039,227	1,179,340	6,475,498	2,134,530	1,965,557	10,149,706
Georgia	12,157,432	10,096,773	1,552,418	6,967,532	70,551	1,506,272	1,017,305	[1] 1,043,354	1,021,795

[1] Includes administration and engineering, except when same is allocated to construction and maintenance.
[2] Includes $159,837 spent on Atlanta streets by county.

Local roads—Disbursements, 1935, for county, township, and district road and bridge work by local authorities, including principal payments on bonds and notes, and transfers to State—Continued

State	Grand total disbursement by local road authorities	Expenditures for local road purposes					Other disbursements by local authorities		Unexpended balances at the end of fiscal year
		Total expenditures for local roads	Construction	Maintenance	Miscellaneous expenses	Interest on bonds and notes outstanding	Principal payments on bonds and notes	Transfers to State for work on State roads	
Idaho	$6,589,344	$4,842,775	$1,582,411	$1,486,111	$803,358	$970,897	$1,726,569		$2,243,992
Illinois	30,311,000	28,384,484	8,900,000	17,600,000	847,000	[1] 1,037,484	[1] 1,926,516		−166,000
Indiana	40,219,000	27,698,306	10,883,824	12,138,129	758,835	3,827,520	11,995,148	$714,950	19,256,208
Iowa	26,132,563	24,775,000	8,945,031	13,799,227	1,131,346	900,000	1,356,950		1,682,186
Kansas	24,070,200	20,165,200	9,380,000	6,895,300	3,036,900	903,000	1,285,000	2,600,000	2,599,000
Kentucky	10,125,000	6,125,000	1,075,000	3,500,000	650,000	[2] 900,000	[2] 1,000,000	3,000,000	215,988
Louisiana	11,972,000	9,000,000	2,750,000	3,120,000	480,000	2,670,000	2,780,000	192,000	3,038,000
Maine	2,800,000	2,740,000	350,000	2,230,000	100,000	60,000	60,000		−33,836
Maryland	5,384,334	4,060,629	1,223,197	2,280,256	156,130	401,046	358,388	945,317	−57,300
Massachusetts	14,464,070	12,735,000	5,750,000	6,350,000	515,000	120,000	600,000	1,129,070	166,588
Michigan	48,957,080	41,397,804	21,523,637	16,687,574	2,537,285	[3] 1,700,000	[3] 7,559,184		12,069,975
Minnesota	25,193,262	23,506,557	15,300,000	5,090,057	2,320,000	796,500	1,165,000	521,645	1,200,948
Mississippi	22,688,597	18,560,381	5,280,177	10,428,202	151,321	2,708,623	2,342,506	1,785,710	8,958,676
Missouri	16,394,000	14,464,000	7,150,000	4,736,000	1,950,000	619,000	1,850,000		1,300,000
Montana	5,325,000	4,550,000	1,300,000	2,450,000	300,000	500,000	725,000	50,000	325,000
Nebraska	11,147,875	10,958,356	5,765,000	4,315,080	651,381	221,975	68,100	131,419	1,360,000
Nevada	945,324	635,048	189,084	328,348	71,414	46,202	102,100	208,176	583,975
New Hampshire	4,390,992	2,133,781	248,984	1,557,699	327,098			2,247,211	
New Jersey	23,954,692	19,387,180	9,218,359	6,738,594	626,807	2,803,420	4,567,512		393,856
New Mexico	539,136	475,789	48,988	405,284	21,597			83,347	41,278
New York	45,000,000	45,000,000	22,457,752	12,565,256	6,733,708	3,223,284			4,595,737
North Carolina	24,380,997	16,858,980	4,636,250	5,317,100	1,448,130	5,457,500	7,306,150	215,797	2,257,867
North Dakota	5,142,250	4,942,250	3,898,000	790,000	239,500	14,750	200,000		1,785,018
Ohio	69,562,297	40,304,653	17,078,828	14,197,485	3,078,654	5,949,706	19,100,000	10,157,644	9,718,231
Oklahoma	15,981,000	12,750,000	3,200,000	7,900,000	600,000	1,050,000	1,200,000	2,031,000	1,802,000
Oregon	13,080,000	11,830,000	7,500,000	2,900,000	430,000	1,000,000	1,250,000		915,000
Pennsylvania	63,392,125	44,253,545	19,666,455	12,195,200	6,920,230	5,771,660	9,657,580	9,471,000	18,409,175
Rhode Island	1,022,280	929,858	289,330	540,873	55,555	44,100	92,342		15,034
South Carolina	19,916,181	9,051,949	1,983,133	3,121,921	104,119	3,842,746	4,255,085	6,609,227	5,097,819
South Dakota	7,843,008	7,843,008	4,773,006	2,383,504	479,433	7,125			−609,026
Tennessee	13,140,649	10,443,097	2,761,791	4,267,804	170,797	3,242,525	441,666	2,255,946	2,882,942
Texas	33,289,000	23,000,000	6,200,000	9,800,000	800,000	6,500,000	6,000,000	4,289,000	10,862,000
Utah	1,321,419	1,237,419	384,680	681,794	104,925	66,042	84,000		598,762
Vermont	1,051,840	844,840	390,000	450,000		4,840	7,000	200,000	
Virginia	8,974,690	8,225,280	2,100,510	4,850,130	9,110	1,265,130	749,410		3,798,800
Washington	9,750,000	8,975,000	4,100,000	3,700,000	425,000	750,000	775,000		1,480,000
West Virginia	13,588,670	12,163,670	6,146,340	3,634,160	13,170	2,170,000	1,400,000		3,038,140
Wisconsin	30,233,328	25,394,153	11,925,030	7,597,389	3,845,164	1,956,000	262,704	4,145,411	4,055,259
Wyoming	1,063,698	1,063,698	243,129	787,071	32,398	40,500	30,000		−52,559
Total	807,714,694	644,702,641	256,581,811	260,477,801	49,455,959	78,277,070	106,032,780	56,889,183	145,814,988

[1] Bond payments reported in one amount are approximately allocated here.

Mr. BROOKHART. The President in his message has recommended an increase of Federal aid to roads. I hope that increase may be up to the amount that the Federal Government should justly contribute. We increased it $50,000,000 only last year, and that is only a little bite in the biscuit; it is only a small proportion of what the Government should contribute to this great road enterprise. Then, of course, at this time there is the special reason given by everybody for increasing construction of every kind in the interest of relieving unemployment.

Therefore, Mr. President, I hope we can have a speedy consideration and report of this bill. In the bill I have proposed I did not quite match the State expenditures. I took out the gasoline tax. On further consideration, I think that should not be done. The chairman of the Agricultural Committee has called my attention to that situation. I reasoned that the gasoline taxes were paid by the interstate travelers as well as the State travelers. Afterwards I realized that the State travelers in every State go out into the other States and there pay gasoline taxes, too; and that balances up the gasoline-tax proposition and leaves the gasoline tax as a State tax, the same as all the other taxes in this great expenditure of the States.

I hope each Senator will study the tables I have presented and note the facts in reference to his own State. This will bring the situation home and show clearly that the Federal Government is grossly delinquent in its aid of road construction.

PROPOSED SPECIAL COMMITTEE ON RELIEF LEGISLATION

Mr. THOMAS of Oklahoma. Mr. President, I desire to introduce a Senate resolution; and I ask unanimous consent to make a statement prior to its introduction.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMAS of Oklahoma. Mr. President, we have just heard read a message from the President of the United States. This message embraces some 12 pages. Six of those pages are devoted to what we might term depression and relief therefor. The President in these six pages, which embrace one-half of the message, seeks to define, first, the cause of the present depression, and in the following language:

> Other deep-seated causes have been in action, however, chiefly the world-wide overproduction beyond even the demand of prosperous times for such important basic commodities as wheat, rubber, coffee, sugar, copper, silver, zinc, to some extent cotton, and other raw materials.

I construe that to mean that the reason assigned for our present condition is an overproduction of these mentioned commodities.

It is a parody on modern civilization that industry has bulging storehouses of surplus goods; agriculture has granaries, elevators, and warehouses of surplus food; and millions of wage earners are walking the streets and highways in search of work, and, at the same time, other millions of our citizens are naked, homeless, and hungry.

Will Rogers has just interpreted the situation in the following language:

> Too much wheat, too much corn, too much cotton, too much beef, too much production of everything! So we are going through a unique experience. We are the first nation to starve to death in a storehouse that is overfilled with everything we want.

The President, in the first part of his message, proposes a remedy for the existing condition. He uses the following language:

> Economic depression can not be cured by legislative action or executive pronouncement. Economic wounds must be healed by the action of the cells of the economic body—the producers and consumers themselves.

I interpret that statement to mean that when we get to the point where producers will produce exactly what the consumers consume such periods of depression will not happen again.

In the latter portion of the first part of the message we find the relief suggested by the President in the following language:

I feel warranted in asking the Congress for an appropriation of from $100,000,000 to $150,000,000 to provide such further employment in this emergency. * * *

I recommend that this appropriation be made distributable to the different departments upon recommendation of a committee of the Cabinet and approval by the President.

Mr. President, the message does not give us a very definite conception of the extent of the present period of depression. It does not give us very much information as to the amount or extent of the unemployment, although on page 4 we find the following language:

The number of those wholly out of employment seeking for work was accurately determined by the census of last April as about 2,500,000. The Department of Labor index of employment in the larger trades shows some decrease in employment since that time. The problem from a relief point of view is somewhat less than the published estimates of the number of unemployed would indicate.

Mr. President, I have made some effort to find out about how many of our fellow citizens are at this time unemployed. The Department of Labor has no figures to suggest, and I was forced to go to a little publication entitled "Business Conditions Weekly." This publication is gotten out by the Alexander Hamilton Institute. The issue I have is of date November 29, 1930. It is published in New York City. From that publication I desire to read one paragraph, as follows:

Nobody knows exactly the total number of persons out of work at the present time. Among factory and railroad workers alone there are over 2,000,000 unemployed, and factory and railroad labor represents less than a quarter of the 48,000,000 persons gainfully employed in the United States under normal conditions.

Mr. President, if there are 2,000,000 unemployed in the railroad and factory divisions of our economic life, and there are 48,000,000 of our people working for a livelihood, then from this publication I take it that if 2,000,000 represent one-fourth of the unemployed, the entire number would be not less than 8,000,000 of our fellow citizens. I think the rule is well established that for every head of a family there are four dependents. The average family consists of five—the head of the family, the wife, and three children. If this rule should hold good, and if there should be 8,000,000 of our fellow citizens out of work, it does not mean that only 8,000,000 of our people are at this time deprived of employment but it means that five times 8,000,000, or 40,000,000, of the people of America at this time do not have a substantial means of subsistence.

Before the Congress can proceed to solve this problem, or to be of material aid in this matter, we must first find out the extent of unemployment. We must then find out the location and the condition of the unemployed, and the kind of relief that might help them.

The President asks for from $100,000,000 to $150,000,000 to be given to him, to be in turn placed in the hands of a committee of the Cabinet, to be by that committee, with his approval, used to aid the unemployed. If we should see fit to give $100,000,000 for this purpose, that would be at the rate of 81 cents per capita for the entire population of the United States. The census shows we have 123,000,000, approximately, in continental United States. If we should take the highest amount suggested by the President, $150,000,000, that would amount to $1.20 per capita for the entire population of the country. On the other hand, if we should take the figure 40,000,000 as the number of those who may need relief, and use the smallest amount suggested by the President, $100,000,000, it would amount to $2.50 for the 40,000,000 persons at this time unemployed and having no means of subsistence. If we should take the larger figure, $150,000,000, we would find that each of these 40,000,000 unemployed and having no means of subsistence would be entitled to $3.75 per capita.

Mr. President, it is my judgment that either of these sums is entirely inadequate. Only a few years ago, when we had a foreign foe to combat, we voted something like $27,000,000,000, and used the money in combating that foreign foe. In addition to the bonds at that time issued and sold, we raised by taxation something like $10,000,000,000, making the total sum something like $37,000,000,000, which the people of this country raised to fight a foreign enemy. At that time the slogan was "To make the world safe for democracy."

It is my conviction that we have here among us now a far more deadly enemy than any foreign foe this Nation has ever faced, and that local enemy is unemployment; it is distress, it is hunger, it is want, and discouragement.

I am of the opinion that $100,000,000 is not sufficient. I am further of the opinion that $150,000,000 is not sufficient. If we could afford to spend $37,000,000,000 in fighting a foreign foe, it occurs to me that $1,000,000,000 would not be too much to raise now to spend to make America safe for Americans.

This is the second day of the last session of the Seventy-first Congress. We have but about 55 days to work before this session will close, as it must at 12 o'clock noon on the 4th day of March next. The President in this message has laid down the human rule which I think should govern the Congress in deliberating upon this question. On page 3 we find this language:

We have as a nation a definite duty to see that no deserving person in our country suffers from hunger or cold.

Inasmuch as the President sees fit to devote more than one-half his message to this emergency, it occurs to me that the Congress—certainly the Senate—could do nothing less than dignify this message with some appropriate action, and to the end that the Senate may give to the message the consideration it requires I propose the creation of a special select committee, to be appointed by the President of the Senate, the committee to consist of 11 members, 6 of whom shall be selected from the majority and 5 from the minority of the Senate.

I know we have regular committees which can handle any bill that is introduced, but measures relating to this emergency will come before different committees. Already such bills have been introduced and referred to the Committee on Agriculture and Forestry. Other bills will go to the Committee on Appropriations. Would it not be a better policy to have one committee, made up of the older Members of this body, Members who know how things are done and what should be done, created to handle this all-important matter? That committee should embrace the official leaders of the respective sides of this Chamber and should be appointed very largely from the chairmen of the regular standing committees. If this committee should be created, then I think the special relief bills heretofore introduced and those which may hereafter be introduced should be referred to this special committee, in the hope of correlating such measures and seeing to it that the rule laid down by the President should be carried out—

That no deserving person in our country should suffer from hunger or cold.

I send to the desk a resolution proposing to create a special select committee such as I have described and ask unanimous consent that the resolution be read.

The VICE PRESIDENT. Without objection, the resolution will be read.

The Chief Clerk read the resolution (S. Res. 338), as follows:

Resolved, That a special select committee on emergency and relief legislation be, and is hereby, created; such committee to consist of 11 members, to be appointed by the President of the Senate as follows: 6 members from the majority party and 5 members from the minority party.

Immediately upon appointment the members shall meet and organize such committee and, when organized, said committee shall have power coequal with regular Senate committees and shall have jurisdiction of emergency and special relief legislation, including proposals for the authorization of appropriations.

When organized such committee shall report to the Senate its plan of organization and location.

Mr. THOMAS of Oklahoma. I ask that the resolution lie on the table.

The VICE PRESIDENT. The resolution will lie on the table.

RELIEF OF FAMILY OF LATE HAROLD L. LYTLE

The VICE PRESIDENT. The Chair lays before the Senate a concurrent resolution coming over from a preceding day, which will be read.

The concurrent resolution (S. Con. Res. 33) submitted by Mr. REED July 3, 1930, was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (S. 1756) granting the sum of $5,000 to reimburse the family of the late Harold L. Lytle for hospital and medical expenses and loss of salary due to an injury received in a collision with a Government truck in Portsmouth, N. H., May 10, 1927, the Secretary of the Senate is hereby authorized and directed to amend the title of said bill so as to read: "An act for the relief of the family of the late Harold L. Lytle."

Mr. REED. The bill having become a law, I move that the concurrent resolution be indefinitely postponed.

The motion was agreed to.

MOTOR-BUS TRANSPORTATION

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 10288) to regulate the transportation of persons in interstate and foreign commerce by motor carriers operating on the public highways.

Mr. COUZENS obtained the floor.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. Does the Senator from Michigan yield for that purpose?

Mr. COUZENS. I yield.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	King	Smith
Barkley	Frazier	McGill	Smoot
Bingham	George	McKellar	Steck
Black	Gillett	McMaster	Steiwer
Blaine	Glenn	McNary	Stephens
Blease	Goff	Moses	Swanson
Borah	Goldsborough	Norbeck	Thomas, Idaho
Brock	Gould	Norris	Thomas, Okla.
Brookhart	Greene	Nye	Townsend
Broussard	Hale	Oddie	Trammell
Bulkley	Harris	Overman	Tydings
Capper	Harrison	Patterson	Vandenberg
Caraway	Hastings	Phipps	Wagner
Carey	Hatfield	Pine	Walcott
Connally	Hayden	Pittman	Walsh, Mass.
Copeland	Hebert	Reed	Walsh, Mont.
Couzens	Heflin	Robinson, Ark.	Waterman
Cutting	Howell	Robinson, Ind.	Watson
Dale	Johnson	Schall	Wheeler
Davis	Jones	Sheppard	Williamson
Deneen	Kean	Shipstead	
Dill	Kendrick	Shortridge	
Fess	Keyes	Simmons	

Mr. BLAINE. I desire to announce that my colleague the senior Senator from Wisconsin [Mr. LA FOLLETTE] is unavoidably detained. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Eighty-nine Senators have answered to their names. A quorum is present.

Mr. COUZENS. Mr. President, when we adjourned at the close of the last session the bill was then the unfinished business. The Senate had made considerable progress in dealing with the bill, particularly the committee amendments. I understand that the Senator from Washington [Mr. DILL] and the Senator from Nevada [Mr. PITTMAN] desire to offer some further amendments. I understand that they are not ready to proceed this afternoon, but before we adjourn, if it is the program to adjourn, I would like to have a few moments to tell the Senate the condition of the bill as it now is before us.

Mr. KING. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Utah?

Mr. COUZENS. I yield.

Mr. KING. I shall be under very great obligation if, before the Senator concludes his speech, he will advise us why the question of automobile trucks was not taken up and provision made for bringing them within the operation of the bill.

Mr. COUZENS. I am very glad the question has been raised. The committee at various times during the past few years has had under consideration the question of regulating trucks engaged in handling interstate business. It developed in the hearings, which were not had recently but two or three years ago, that the trucks were mostly engaged in contract business; in other words, they were not common carriers. All the bill attempts to do is to regulate vehicles which are engaged in interstate business as common carriers. Most of the truck business is, as I said, contract business and therefore does not come under the jurisdiction applicable to common carriers.

Following the hearings some years ago on that phase of regulating motor vehicles the motor-bus people got together among themselves and requested legislation for the regulation of passenger busses. The truck people did not join them because they were such a small factor as common carriers. They were mostly all engaged in contract business. The committees in the House and in the Senate decided that as long as we could not bring in the few truck people engaged as common carriers we would confine ourselves to the regulation of motor busses or vehicles carrying passengers.

Does that answer the Senator's question?

Mr. KING. I thank the Senator for his explanation, but from my observation and from the information which I have received, no inconsiderable part of the freight carried throughout the country to-day is carried by great motor trucks, trailers, and so forth. I think the number of trucks employed in the carrying of freight as common carriers has greatly increased. I am not so sure that the special contracts for carrying freight from one State to another would take the trucks out of the operation of the law or the interstate commerce provision of the Constitution. That is to say, people who make special contracts to carry freight from here to New York or from here to Chicago or elsewhere would not be permitted, in my opinion, to plead, if Congress sought to bring them under proper regulation, that they were not subject to control by the Federal Government under the interstate commerce clause of the Constitution.

Mr. COUZENS. I think the Senator is right in that suggestion, but there was no request for legislation controlling interstate traffic by truck.

When we had the bill before us in the previous session practically all of the committee amendments were agreed to. There were some amendments made on the floor in the Senate which were agreed to; but the outstanding question still to be determined is the question of whether or not a certificate of public convenience and necessity will be required. The Senator from Illinois [Mr. GLENN] offered an amendment providing for the consolidation of railroads and bus lines, but the Senate by a vote of 21 to 27 defeated that amendment because, as the bill now reads, the consolidation of bus lines and railroads is prohibited.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Utah?

Mr. COUZENS. I yield.

Mr. SMOOT. I understand, however, that a bus company can be created for the purpose of operating bus lines by themselves; that there is no objection to that whatever?

Mr. COUZENS. There is nothing whatever in the bill, as I recall, that would prohibit that procedure. The committee attempted to prohibit a monopoly of transportation by not permitting the railroads to buy up all the bus lines and consolidate them into one transportation system.

Mr. SMOOT. But a railroad which has been operating in interstate commerce has had its business greatly interfered with by busses and trucks carrying passengers or freight from place to place. Could not that railroad now add busses or trucks to its transportation facilities without any further action on the part of Congress?

Mr. COUZENS. It can do so now because there is no regulation of busses or trucks in interstate commerce. In other words, if the Union Pacific or the Santa Fe or any other railroad company wanted to install a bus line and engage in interstate commerce, it would be under no regulatory body.

Mr. SMOOT. And could establish that line of transportation?

Mr. COUZENS. It can do so now. Lacking any legislation to regulate busses in interstate commerce, they, of course, can engage in the bus business. After the bill is enacted into law, if it shall be, there will be nothing to prevent them from engaging in the bus business provided they apply to the Interstate Commerce Commission for a certificate. The Senator from Indiana [Mr. WATSON] suggests they can do so provided they get a certificate of public convenience and necessity. There is where opinion in the Senate is at present divided. As the bill came from the House, it provided that a certificate of public convenience and necessity would be required before anybody could get a certificate granting permission to operate a bus line in interstate commerce, whether a railroad or an independent company. The Committee on Interstate Commerce amended the House text by inserting a provision that if there was existing competition between two termini, then a certificate of public convenience and necessity would be required. In other words, the committee decided that we would insist upon competition, and as long as competition exists a certificate of public convenience and necessity will be required. But if there is a monopoly, if there is only one system between termini and no competition, then a certificate of public convenience and necessity would not be required.

Mr. SMOOT. Suppose the bill passes just as it has been amended by the Senate up to this time, and after the passage of it a railroad desires to establish a bus system; would there be anything in the bill to prevent it?

Mr. COUZENS. Yes; if there were existing routes, competitive business, then they would have to have a certificate of public convenience and necessity before they could add to the system and operate a bus line. But if there was no competition between two termini, then all the railroads would need would be a certificate of permission from the Interstate Commerce Commission to operate, whether there was any public necessity for it or otherwise.

Mr. SMOOT. But if there was no competition, of course they would not ask for it. There would be no necessity for it if there was no competition.

Mr. COUZENS. The Senator is wrong. There might be one line operating exclusively, and so far as that bus service was concerned it would be a monopoly. There would be no competition unless the railroad made application and got a certificate. It would get a certificate without question if there was only one system operating between two termini.

Mr. GLENN. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Illinois?

Mr. COUZENS. I yield.

Mr. GLENN. If the Senator from Michigan will pardon me, my understanding of the situation as the bill now reads is that under its provisions no railroad corporation can operate a bus system in connection therewith. The junior Senator from Illinois, myself, introduced an amendment proposing to strike that provision from the bill. It was argued rather briefly in the closing days of the last session and was defeated by a vote of 21 to 27. It leaves the bill, as I understand it, directly prohibiting railroads from engaging in the interstate bus service.

Upon the other point of the question, a certificate of public convenience and necessity, the Senator from Michigan, the chairman of the committee, has stated the situation as I understand it. The bill as reported by the Interstate Commerce Committee made it obligatory that where there was only one bus line operating between certain points, if another bus company made application for a certificate of convenience and necessity, the mere fact that there was only one bus line operating made the granting of that second certificate obligatory upon the commission, provided, of course, the applicants established their financial responsibility and other matters of that nature. In other words, whether or not there be a real demand for a second bus line between points, anybody could come in and upon the mere showing that there was only one line would be granted a certificate. I think that correctly states the two amendments which I presented. The second amendment which I offered was adopted—that is correct, is it not?

Mr. COUZENS. That is correct.

Mr. GLENN. That is the situation, as I understand the present status of the bill.

Mr. FLETCHER and Mr. BLEASE addressed the Chair.

The VICE PRESIDENT. Does the Senator from Michigan yield; and if so, to whom?

Mr. COUZENS. I yield first to the Senator from Florida.

Mr. FLETCHER. I want to inquire of the Senator if I am correct in assuming that this bill has reference only to the transportation of persons?

Mr. COUZENS. That is correct.

Mr. FLETCHER. It has nothing to do with the transportation of freight?

Mr. COUZENS. The Senator is correct in that regard.

Mr. FLETCHER. In other words, it has to do with what we know as busses but not with trucks which carry freight in all portions of the country. The Pennsylvania Railroad Co., I understand, operates trucks carrying freight to stores in Florida. Is there any idea on the part of the committee of leaving that feature to subsequent consideration and limiting this bill entirely to busses transporting persons?

Mr. COUZENS. That is correct, because the committee had no request for legislation to regulate the truck-freight business, and there was no way of getting an agreement on that point.

Mr. BLEASE. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from South Carolina?

Mr. COUZENS. I yield.

Mr. BLEASE. I have not had an opportunity to read this bill at the present session. I should like to ask the Senator what effect the bill would have in reference to State control by railroad or other commissions over the operation of busses and the use of busses on the public highways in the States?

Mr. COUZENS. On purely intrastate business it would have no effect whatever. There is a provision in the bill under which where busses operate between two States and controversies arise between them a board, comprising officials of the two States, may be set up to settle them.

Mr. BLEASE. To a certain extent this bill will deprive the States of the control of their highways by turning it over entirely to some other commission?

Mr. COUZENS. The Senator is in error about that, because we have particularly provided that there shall be no interference with any State right whatsoever. We have only attempted to accomplish the regulation of busses where the States have no jurisdiction whatsoever.

Mr. BLEASE. The question I am asking is, If this bill passes, who will control the busses and the highways in my State, South Carolina?

Mr. COUZENS. The State commission of South Carolina.

Mr. BLEASE. And this bill will not interfere with that control?

Mr. COUZENS. It will not.

Mr. GLENN. Mr. President, will the Senator yield?

The VICE PRFSIDENT. Does the Senator from Michigan yield to the Senator from Illinois?

Mr. COUZENS. I yield.

Mr. GLENN. I know the Senator from Michigan is stating exactly the purport of the bill as he understands it; but, as I understand the bill, busses in interstate traffic traversing a State would be under the jurisdiction of the Interstate Commerce Commission and to that extent that commission would have control over the highways of the State of South Carolina. Of course, that would not apply to intrastate traffic as distinguished from interstate traffic.

Mr. COUZENS. I differ with the Senator in that respect. The Interstate Commerce Commission would not have any control over highways, but only over the busses on the highways.

Mr. GLENN. The control of the use of the highways.

Mr. COUZENS. Oh, no; the Senator is wrong; this bill does not attempt to control the use of the highways at all; it attempts to regulate busses on those highways when they are engaged in interstate commerce.

Mr. GLENN. Is not that a control of the use of the highways?

Mr. COUZENS. Oh, no; not of the highways at all. The bill provides for the control of busses if they are engaged in interstate commerce because the States now have no control over them and the States themselves admit that they have no such control. As a matter of fact, there are interstate bus lines now operating which refuse to sell intrastate tickets so as to avoid control by State commissions.

Mr. GLENN. Mr. President, will the Senator yield further?

Mr. COUZENS. Certainly.

Mr. GLENN. As I understand this bill, one of its primary purposes is to grant authority to somebody to control, for instance, the size of the vehicles, the number of passengers a vehicle shall carry, the dimensions of the vehicle, and the rate of speed at which the vehicle shall travel. If that is not a control of the use of the highways, I do not understand what could be.

Mr. COUZENS. No; it is the control of the vehicle but not of the highway. In other words, we are not attempting under this bill to say anything about what the size of the highway shall be or the method of highway construction.

Mr. GLENN. That is correct.

Mr. COUZENS. Nor do we assume to say at what speed vehicles shall move. They must comply with the police regulations of the several States no matter what they may be.

Mr. McKELLAR. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Tennessee?

Mr. COUZENS. I yield.

Mr. McKELLAR. Take a case where there are two railroads running, say, from Memphis, Tenn., to Louisville, Ky., and a bus line not owned by any railroad is operating between the same points, would either one of those railroads have a right to build a bus line under the terms of this bill?

Mr. COUZENS. It would.

Mr. McKELLAR. Would both of them together have a right to build a bus line under this bill?

Mr. COUZENS. No; they would not, because they would not be permitted to consolidate.

Mr. McKELLAR. They would not be permitted to consolidate under this bill.

Mr. COUZENS. We voted on that question on the amendment of the Senator from Illinois [Mr. GLENN]. He proposed to repeal that section of the bill which prohibited consolidation, and on that proposal we voted prior to the adjournment, the amendment being lost by 27 to 21, as I remember.

Mr. CARAWAY. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Arkansas?

Mr. COUZENS. I yield.

Mr. CARAWAY. I am afraid I do not quite follow the Senator from Illinois and the Senator from Michigan. Under the bill as it is now written a railroad may own and operate a bus line?

Mr. COUZENS. It may.

Mr. CARAWAY. And the amendment of the Senator from Illinois was designed to prevent a joint ownership.

Mr. COUZENS. No; the committee prohibited a consolidation of bus lines and railroad lines, but it did not prohibit the operation of independent lines by the railroads.

Mr. CARAWAY. Let me ask the Senator another question——

Mr. GLENN. Just a moment, in order that we may clear up that point.

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Illinois?

Mr. COUZENS. I yield.

Mr. GLENN. My understanding is not in accord with that of the chairman of the committee. Perhaps I am wrong, but my understanding of this provision is that under it a railroad can not directly or indirectly own, operate, and control a bus line. That is my recollection.

Mr. CARAWAY. That is my understanding of the bill.

Mr. GLENN. If that is the language, of course a railroad can not own a subsidiary corporation operating a bus line.

Mr. COUZENS. I wish the Senator would point that out. I can not find such a provision in the bill. What the committee attempted to do was to prevent the railroads from buying up bus lines and creating a monopoly in transportation.

Mr. CARAWAY. Let me ask the Senator this question: As the bill now stands, as I understand the chairman of the committee, a railroad may get a permit to buy busses and operate a bus line, a new line, but may not buy existing bus lines.

Mr. COUZENS. That is correct. If there is competition between two points, involving more than one bus line, then the Interstate Commerce Commission decides whether there is any public necessity for it.

Mr. CARAWAY. I understand that, but I hardly think that is related to the question I was trying to ask the Senator.

Mr. COUZENS. But there may be circumstances under which a railroad could not get a permit.

Mr. CARAWAY. Of course, there are circumstances under which no one could get a permit.

Mr. COUZENS. Yes; there are circumstances under which nobody could get a permit.

Mr. CARAWAY. Let me ask the Senator what was the purpose of permitting a railroad company to establish a bus line but denying it the right to purchase one already in existence?

Mr. COUZENS. The purpose was to prohibit consolidation and the creation of monopoly. We did not want the railroads to monopolize the passenger traffice between any two points.

Mr. CARAWAY. That is what I want to ask the Senator about. As I understand the Senator now, a railroad may initiate a bus line; it may initiate two such lines between two points, and thus it might be given an absolute monopoly of transportation, because a third bus line would have to get a certificate of convenience and necessity, which it could not do. So the railroad would own the railroad and the two bus lines operating between the two points and have a monopoly, but it could not purchase a line already in existence. I do not quite follow the wisdom of such a provision; but I do not know and am merely inquiring. The result would be exactly the same.

Mr. COUZENS. I see the point the Senator makes. That was not contemplated, as I remember, by the committee, because it was not thought practicable that a railroad would inaugurate two bus lines under separate corporate entities.

Mr. CARAWAY. If it wanted a monopoly, it would be very shortsighted not to do so.

Mr. COUZENS. I think that is probably true.

Mr. GLENN. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Illinois?

Mr. COUZENS. I yield.

Mr. GLENN. The Senator from Illinois has now had a chance to read a portion of the bill covering the question the Senator from Michigan asked him with regard to the railroads. Here is one provision of the bill which I think is directly in point. On page 20 of the bill, beginning in line 18, it reads as follows:

(c) No consolidation, merger, or acquisition of control shall be approved under this section if it involves the consolidation or merger of two or more carriers by railroad or the acquisition of control of any carrier by railroad by another such carrier; nor shall any consolidation, merger, or acquisition of control be approved under this section if one or more of the corporations involved is engaged, directly or indirectly, in the transportation of persons by railroad.

As I recall, there is another provision, which is applicable, but it seems to me what I have read controls the situation.

Mr. COUZENS. I differ with the Senator from Illinois on the interpretation of the provision he has read. In answer to previous questions I stated, I think, to the Senator from Utah [Mr. SMOOT], that there was no objection to a railroad starting a bus line provided there was no competition between the two points in question. The Senator from Illinois will observe that the bill especially provides:

Nor shall any consolidation, merger, or acquisition of control be approved under this section if one or more of the corporations involved is engaged, directly or indirectly, in the transportation of persons by railroad.

I submit that there is nothing in that language, as I interpret it, which prohibits a railroad from starting its own bus line. Such action could not be considered as acquisition of control of another corporation. The operation of a bus line by a railroad would not be considered the acquisition of control of another corporation engaged in handling passengers, nor could it be considered as a consolidation or merger. A mere adding to its facilities by a railroad does not seem to me to come under that paragraph of the bill.

Mr. GLENN. Does not the Senator believe that the buying by a railroad corporation of the majority of the stock of a motor-bus corporation would be prohibited under this provision?

Mr. COUZENS. Absolutely; and that was the intention of the committee. Where we seem to be at cross points is in this respect: The Senator from Utah pointed out that the Union Pacific put on its own bus lines. He did not say anything about its creating a new corporation or acquiring control of another corporation; and, in answer to his question, I said that there was nothing in the bill which prohibited a railroad company from engaging in that sort of business and adding to its facilities by putting on bus lines; but the bill did preclude the railroad company acquiring a bus line which was already competing with it; the company could not do that.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Utah?

Mr. COUZENS. I yield.

Mr. SMOOT. Supposing there was a bus line in operation before the Union Pacific, or any other railroad, for that matter, decided that it was absolutely necessary for them in order to meet competition to operate a bus line; is there anything in the bill then that would prevent them from doing that?

Mr. COUZENS. If there is no competition between the two points, there is nothing in the bill which would prevent it.

Mr. SMOOT. I understand that; but supposing there is now a bus line running between the two points and the Union Pacific Railroad, or any other railroad, in order to maintain its passenger traffic would be compelled to inaugurate a bus line; how could they do it under this bill?

Mr. COUZENS. They could do it under this bill by putting on motor busses, but they would be prohibited from buying out the other line.

Mr. SMOOT. That is all I want to know. I want to know whether they could establish a line of busses under such conditions.

Mr. COUZENS. They can do so if they do not acquire control of another company.

Mr. WATSON. They can do so under the terms of this bill.

Mr. CARAWAY. Mr. President, I should like to ask the Senator another question.

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Arkansas?

Mr. COUZENS. I yield.

Mr. CARAWAY. As I read the provision at the bottom of page 20, if the railroads before the passage of this bill should acquire control of all the bus lines, the law would not divest them of that right and it would not prevent them operating those lines.

Mr. COUZENS. I do not think so, because the bill, of course, is not now operative and it will not be retroactive.

Mr. CARAWAY. In other words, if a railroad should acquire a complete monopoly by buying all the bus lines, it may continue to hold them and continue to operate them under this bill?

Mr. COUZENS. That is correct; but there is nothing to prevent another bus line from going in and competing with them.

Mr. CARAWAY. I understand. The railroad is only prevented from buying a bus line that has already been established?

Mr. COUZENS. Correct.

Mr. CARAWAY. This amendment goes a good deal further than that, however, and prevents competition with railroads.

Mr. COUZENS. Absolutely; under the pretext of a bus company.

Mr. CARAWAY. No. I think this section would undo all that is done by these other provisions. I do not want to draw the Senator off from his line of argument; but the language is:

No consolidation, merger, or acquisition of control shall be approved under this section if it involves the consolidation or merger of two or more carriers by railroad or the acquisition of control of any carrier by railroad by another such carrier.

That has nothing to do with bus lines.

Mr. COUZENS. Mr. President, this is a bill for the regulation of busses.

Mr. CARAWAY. I know it; but this is entirely outside of bus control.

Mr. COUZENS. I think the Senator is incorrect. What was presented to the committee was this: It was feared that a railroad operating a bus line might consolidate it with a bus line operated by another railroad and thereby consolidate the railroads, and that is what is attempted to be prevented.

Mr. CARAWAY. I understand. I hope the Senator will pardon me for reading this again:

No consolidation, merger, or acquisition of control shall be approved under this section if it involves the consolidation or merger of two or more carriers by railroad or the acquisition of control of any carrier by railroad by another such carrier.

Mr. COUZENS. But does not the Senator observe that it says "under this section"?

Mr. CARAWAY. I understand that.

Mr. COUZENS. It does not refer to any other law.

Mr. CARAWAY. No. Here is another provision:

Nor shall any consolidation, merger, or acquisition of control be approved under this section if one or more of the corporations involved is engaged, directly or indirectly, in the transportation of persons by railroad.

I think I can see the Senator's point, and possibly he is entirely right.

Mr. COUZENS. It only refers to this section.

Mr. CARAWAY. I understand.

The next thing I desire to call the Senator's attention to is this: I am curious to know how, if a bus line is a separate corporation, a railroad can own a bus line at all under the second provision of that section, because it is a merger. I do not care who sets it up or who controls it; it is a merger of the two, a unity of control.

Mr. GLENN. Mr. President, if the Senator will pardon me, may I say, directly upon that point, that my amendment which we voted upon was exactly in line with the idea of the Senator from Arkansas. I proposed to strike out of the committee amendment all after the semicolon to which the Senator from Arkansas has just referred, in order that railroads would not be prohibited from engaging in the bus business; my idea being, briefly stated, that the bus lines had taken away from the railroads the cream of the passenger business and that the railroads were contributing largely through their taxes to build up the public highways, which in turn were being used to destroy them. I felt that the railroads should be left free, upon the same basis as any other citizen or corporation of the country, to engage

in the bus business; and that was my amendment upon which the vote was taken.

Mr. COUZENS. The Senator apparently overlooks the fact that we have already prohibited the railroads from operating ships in the intercoastal waterway or on the Great Lakes. In other words, we have prohibited, and I think properly so, a consolidation or a monopoly in transportation, whether by freight or passenger, on the part of the railroads.

Mr. COPELAND. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from New York?

Mr. COUZENS. I yield.

Mr. COPELAND. There is a railroad, the Michigan Central, between Detroit and Ann Arbor. There is a bus line between Detroit and Ann Arbor. Could the Michigan Central buy the bus line between Detroit and Ann Arbor?

Mr. COUZENS. It could not under this bill.

Mr. COPELAND. Could it apply for a certificate of convenience and necessity, and, if granted, build a bus line?

Mr. COUZENS. Absolutely.

Mr. COPELAND. Suppose the bus line between Detroit and Ann Arbor were not particularly successful under private operation, for want of capital or for any reason: What, really, is the difference in the long run whether the railroad is permitted to institute another bus system or to take over and improve the already existing one?

Mr. COUZENS. The difference is this: That if they take over the existing one they create a monopoly.

Mr. COPELAND. Would not this happen, if I may ask the Senator: If a bus line operating between Detroit and Ann Arbor had a weak financial structure, a weak organization, and then a certificate of necessity and convenience were granted to the railroad, and then, with all the funds of the railroad back of it, it built up a strong organization, it would kill the original bus line, and there would not be any competition anyhow?

Mr. COUZENS. Of course, that is a condition that we do not attempt to foresee. We can not attempt to foresee whether these lines are going to be successful or whether they are not going to be successful. In other words, if the view that the Senator seems to entertain were correct, any number of weak lines could start up and sell themselves to the railroads. In other words, they could start competition and compel the railroads to buy them up to get them out of the way. The Senator does not want to encourage that?

Mr. COPELAND. No.

Mr. COUZENS. That would be the encouragement if they were permitted to go out and buy and consolidate with these private bus lines.

Mr. COPELAND. I find myself in accord with the general principles of the bill, but here is a detail. It would seem to me a question that ought to be considered, and perhaps it was considered sufficiently when the matter was brought up last spring.

Mr. GLENN. Mr. President, if the Senator will yield, I will say that, as I recall, this was done on the last day of the session—that is my recollection—and I think the discussion was not adequate, in view of the great importance of this situation.

Mr. COPELAND. And yet it covered the same thing that we are discussing now, did it not?

Mr. GLENN. Exactly.

Mr. COPELAND. May I ask the Senator from Illinois whether he is satisfied with this particular provision as it is now written in the bill, his amendment having failed?

Mr. GLENN. Am I satisfied?

Mr. COPELAND. Yes.

Mr. GLENN. Not at all. I was defeated on it. I was not satisfied with the result at all.

Mr. COUZENS. I want to say to the Senator from Illinois that if he thought he was "gypped" because of the close of the session, I have no objection to a reconsideration, because I think the merits of my case justify a bigger vote.

Mr. GLENN. I will say to the Senator from Michigan that I did not think I was "gypped." I do not think the Senator from Michigan would attempt to "gyp" me. I do not believe I would allow him to do it if he did; so nothing of that kind entered into the matter.

Mr. COUZENS. Mr. President, it has been suggested to me that some of the Senators have forgotten some of the provisions of the bill and that we are perhaps wasting time by talking about things we have already talked about. If it is agreeable, I am willing that we adjourn to give Senators an opportunity to inform themselves on the real purport of the bill before we proceed further.

Mr. FESS. Mr. President, will the Senator yield for just one observation?

Mr. COUZENS. I yield to the Senator from Ohio.

Mr. FESS. I think there is a misunderstanding in regard to the illustration that was suggested by the Senator from New York [Mr. COPELAND]. If, under the present bill as amended, with a bus line running from Detroit to Ann Arbor paralleling the Michigan Central, the Michigan Central, notwithstanding it could not buy that bus line, could establish a competing bus line, it seems to me that much of the opposition that I had to the bill and that the Senator had is removed.

Mr. COUZENS. That is my interpretation. The Senator can look it over, if we adjourn, and make sure; but my understanding is that there is nothing in the world to prevent a railroad from starting a bus line. The only thing it can not do is to go out and buy up competitors.

Mr. FESS. I think I am with the Senator.

Mr. HOWELL and Mr. GLENN addressed the Chair.

The VICE PRESIDENT. Does the Senator from Michigan yield; and if so, to whom?

Mr. COUZENS. I yield to the Senator from Nebraska.

Mr. HOWELL. Mr. President, from the discussion which has proceeded, it must be apparent to all those here that the purpose of this bill is to eliminate competition; and yet we have authorized the appropriation of three or four hundred million dollars for inland waterways to provide competition. Here is a case where we have competition. Competition is developing. We have the benefit of it. The rates are reduced; and now we propose to enact a bill to wipe out competition in the bus business, because we know that when two bus lines have the sole privilege of operating over a certain profitable route they will get together. When a hundred organizations in this country engaged in the production of some commodity will get together and fix their prices, of course, two bus lines will get together and fix their prices.

It seems to me our attitude would be utterly inconsistent if we enact this bill. If we do not want any competition with the railroad lines we ought not to spend three or four hundred millions of the Government's money on these inland waterways—not for a moment. If we believe in competition and in maintaining competition we should cling to what we have now. That is here.

Let me warn you that there is a bill pending in the House now for the regulation of rates by truck, for the regulation of trucks in interstate commerce. When this bill is through and out of the way, you will have that bill before you, and then you will come to the question of eliminating competition in freight rates, when there is actual and present competition. But you say, "No; let us wipe out all of the competition that exists now." We are going, however, to spend three or four hundred million dollars to develop inland waterways so that we can compete with the railroads. Now, really, is the position consistent?

We have been talking about details; but these details have brought out clearly, in my opinion, just exactly the purpose of this bill. We ought not merely to consider details in this matter. Let us consider the whole proposition. Are we for competition? Are we for lower rates, passenger and freight? Is there any other way to secure them than through competition? If we believe in competion, then certainly we should not pass such a bill as this. Why, if we believe in competition, should we pass such a bill as this and

then depend upon improving our waterways in order to develop competion through the expenditure of hundreds of millions of dollars?

Let us consider the whole measure, Mr. President—not merely these details to which attention has been called.

DEATH OF REPRESENTATIVE CURRY

The VICE PRESIDENT. The Chair lays before the Senate resolutions of the House of Representatives, which will be read.

The resolutions were read, as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. CHARLES F. CURRY, a Representative from the State of California.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. JOHNSON. Mr. President, I offer the following resolutions in respect to the death of the Hon. CHARLES F. CURRY.

The VICE PRESIDENT. The Secretary will read the resolutions.

The resolutions (S. Res. 343) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. CHARLES F. CURRY, late a Representative from the State of California.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

DEATH OF REPRESENTATIVE QUAYLE

The VICE PRESIDENT. The Chair lays before the Senate resolutions of the House of Representatives, which will be read.

The resolutions were read, as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. JOHN FRANCIS QUAYLE, a Representatve from the State of New York.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. COPELAND. Mr. President, a few days ago we were shocked to hear of the sudden death of Representative JOHN FRANCIS QUAYLE, of Brooklyn. He was one of the most kindly of men, unselfish, considerate, a good friend, and a useful public citizen. His death is a loss to his community, to his State, and to the Nation.

I offer the following resolutions, and ask for their adoption.

The resolutions (S. Res. 344) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. JOHN FRANCIS QUAYLE, late a Representative from the State of New York.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

DEATH OF REPRESENTATIVE STEDMAN

The VICE PRESIDENT. The Chair lays before the Senate resolutions of the House of Representatives, which will be read.

The resolutions were read, as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. CHARLES M. STEDMAN, a Representative from the State of North Carolina.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. OVERMAN. Mr. President, I send to the desk resolutions which I ask to have adopted.

The VICE PRESIDENT. The resolutions will be read.

The resolutions (S. Res. 345) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. CHARLES M. STEDMAN, late a Representative from the State of North Carolina.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

DEATH OF REPRESENTATIVE HAMMER

The VICE PRESIDENT. The Chair lays before the Senate the resolutions of the House of Representatives, which will be read.

The resolutions were read, as follows:

1. *Resolved*, That the House has heard with profound sorrow of the death of Hon. WILLIAM C. HAMMER, a Representative from the State of North Carolina.

2. *Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. OVERMAN. Mr. President, I submit resolutions which I ask to have adopted.

The VICE PRESIDENT. The resolutions will be read.

The resolutions (S. Res. 346) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. WILLIAM C. HAMMER, late a Representative from the State of North Carolina.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

DEATH OF REPRESENTATIVE WINGO

The VICE PRESIDENT. The Chair lays before the Senate resolutions of the House of Representatives, which will be read.

The resolutions were read, as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. OTIS WINGO, a Representative from the State of Arkansas.

Resolved, That the Clerk communicate these resolutions to the family of the deceased.

Mr. ROBINSON of Arkansas. Mr. President, I submit resolutions and ask for their consideration and adoption.

The VICE PRESIDENT. The resolutions will be read.

The resolutions (S. Res. 347) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. OTIS WINGO, late a Representative from the State of Arkansas.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

ADJOURNMENT

Mr. McNARY. Mr. President, as a further mark of respect to the memory of the deceased Representatives, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and the Senate (at 2 o'clock and 50 minutes p. m.) adjourned until tomorrow, Wednesday, December 3, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

TUESDAY, DECEMBER 2, 1930

The House met at 12 o'clock noon and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Heavenly Father, do Thou hear our prayer, for we are united together in a common infirmity, with common sinfulness, with a common need of forgiveness, and with a common necessity of that love which must forever come from the soul of God.

Cleanse every truth that enters our minds, every beauty that is welcomed by our imagination, and every deed that is executed by our wills.

O may our service be strong, patriotic, and positive, and right here may we cast the anchor of our courage.

Bless us with a compelling faith in our country, in our fellow men, and in Thee. May the passing clouds of doubt never cast their shadows. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE

Mr. VESTAL. Mr. Speaker, at the request of my colleague, Mr. SCHAFER of Wisconsin, I desire to say that he

was unable to be present yesterday or to-day on account of illness, and that he asks for leave of absence for three days.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT

Mr. TILSON. Mr. Speaker, your committee appointed on the part of the House to join with a like committee on the part of the Senate to notify the President that the two Houses had assembled, a quorum was present and ready for business, has performed that duty and begs leave to report that the President will forthwith communicate with the two Houses by a message in writing.

RESIGNATION FROM COMMITTEE TO INVESTIGATE FISCAL RELATIONS BETWEEN THE UNITED STATES GOVERNMENT AND THE DISTRICT OF COLUMBIA

The SPEAKER. The Chair lays before the House the following communication.

The Clerk read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., December 1, 1930.

Hon. NICHOLAS LONGWORTH,
Speaker House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I am deeply appreciative of the honor you did me in appointing me a member of the House committee to investigate the fiscal relations between the United States Government and the District of Columbia, but I hereby respectfully tender you my resignation as a member of that committee.

I am constrained to believe that the people of the District would consider me prejudiced to their interests by reason of my former activities in the House of Representatives in connection with Federal appropriations for the maintenance of the District government. I feel it due both the House of Representatives and the District that the investigating committee should approach the matter with open mind to do justice to both the United States and the District. Of course, if I served I would endeavor to measure up to this standard, but should the report be adverse to the District I doubt if I would be given credit for so doing.

With assurance of the very highest respect, please believe me,

Cordially yours,

CHARLES R. CRISP.

The SPEAKER. Without objection, the resignation is accepted, and the Chair appoints to fill the vacancy caused by the resignation the gentleman from Tennessee, Mr. DAVIS.

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

ADDRESS OF PRESIDENT HOOVER AT THE AMERICAN LEGION CONVENTION, BOSTON, MASS.

Mr. CHALMERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address delivered by the President of the United States to the American Legion.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CHALMERS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address delivered by the President of the United States at the Twelfth Annual Convention of the American Legion, Boston, Mass., October 6, 1930:

My fellow countrymen, it is with a great deal of pleasure that I am able to meet here with the American Legion.

I hope I may venture to claim for some years of service during the Great War, a measure of comradeship with the men who fought in that war. I understand your variety of French perfectly. I know from intimate experience and I intend to hold in confidence the first reaction you had from a passing shell and the homelike appearance of shell holes under certain circumstances. I shall maintain secret your opinion of those who profess indifference to or the glory in passing bullets, or insects, or the mud and filth of the trenches, or days and weeks in the wet and cold.

The glories of war are not in the heartbreaks of passing buddies and the thousands tragedies of the battle line. Its glories do not lie in its surroundings—they lie rather in the spirit, the sacrifices, the devotion of those who go cheerfully and courageously into the trenches and the ultimate triumph of those lofty ideals for which they gave their all.

It was inevitable that men who had lived through that great common experience, who had engaged in supreme adventure with death, should combine into associations of lifelong comradeship. Yet it was not alone the comradeship of high adventure that instinctively called your organization into being. It was the common understanding which war called forth, the common experience from which sprang the highest emotions of patriotism—that shoulder-to-shoulder companionship in an idealism which transfigured men's lives.

The millions who shared in that experience came home from it rededicated to the further service of their country. But great as was that service, performed under impulse of the high emotions of war, the service to the great ideals of peace is ofttimes even more difficult and ofttimes requires more sustained courage. It was, therefore, with deep sympathy that I witnessed the birth of the American Legion in France in 1919.

At that memorable meeting you sensed this high purpose and expressed these lofty ideals of your peace-time service in the preamble to your constitution, which reads in part:

"To uphold and defend the Constitution of the United States of America; to maintain law and order; to inculcate a sense of individual obligation to the community, State, and Nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom, and democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness."

That, indeed, is the real preface to American citizenship.

It is my purpose to speak upon some of these ideals and purposes, for idealism must be translated into cold realism of the day-to-day task of citizenship.

At the moment you made that declaration you sensed an imperative national need. You foresaw that the aftermath of war would be a period of change, a period of disturbed mind, of loosened moorings; a period when evil forces among men might lead to violence and crime; a period which demanded understanding and wise restraint if the basis of all society and all progress were to be maintained. You realized that liberty and freedom can be won on the battlefield, but they can be held only by ordered government in peace. You realized, in fact, that without ordered government the very sacrifices which you had made, the fruition of your high hopes, your endurance, your courage might come to naught.

Eleven years of experience in our own country and in every country engaged in that war have proved the need of that inspiration to active citizenship. It has been a period of readjustment, a period of challenge to democratic institutions, a time when the world has had to contend with a greater mood of violence. Even to-day nearly one-half of the population of our globe is in a state of great unrest or a state of revolution.

Among these ideals was: "To promote peace and good will upon earth." Those indeed were courageous and constructive words at the moment when the guns had barely been silenced and the fires of hate were still burning fiercely. They were the words of brave men, of the soldiers from the trenches, men who respected a courageous enemy, who in clear vision saw that the future hope of the world lay in good will, not in hate. It was the real feeling of men who had fought and who knew the dreadfulness of war.

In that statement you gave no glorification to war. It was a pledge to peace based upon freedom and justice, and without this civilization itself must fail. It was a statement neither of pacifism nor militarism.

Real peace in the world requires something more than the documents which we sign to terminate wars. Peace requires unremitting, courageous campaigns, laid with strategy and carried on successfully on a hundred fronts and sustained in the spirit and from the hearts of every individual in every town and village of our country.

In the great intangibles of human emotion, respect is inseparable from good will. The maintenance of respect requires that we sustain a preparedness for defense that is impregnable yet that contains no threat of aggression.

You have maintained that the development of good will also requires the firm establishment of confidence in our sense of international justice. This becomes of double importance from us because of the overpowering strength of our country in its relations with many nations. We have to remember that during the Great War we demonstrated not only our military power but also our ability to quickly organize it and the valor to use it. After the war the disturbed condition of the world made it necessary to increase our defense establishment beyond the pre-war basis. Above all, we made a more rapid recovery from the vast losses of the Great War than other nations in the world. Our national income has expanded to embrace more than one-third of the whole commercial world. As a result we have become a dominant economic power. Our citizens have spread their trade and finance into every corner of the earth. From these tremendous happenings in our country some leaders in other countries came to believe that they were in the presence of the birth of a new imperial power intent upon dominating the destinies and the freedom of other peoples. Such a conclusion would be the logical deduction from many instances during 3,000 years of history when the exploitation of other people has been the outcome of the ability to do so. This we know is an utter misconception of America. We know there is a desire to do justice and not exploitation. We know there is no financial, traditional, or military imperialism in the American heart. We know, in fact, that we have opened the door of a new social and economic system by which within our own borders we shall create the conquest of poverty without exploiting other nations. But as wrong as these fears may be, it becomes our first duty to show by our every act,

not alone by our Government but by our citizens, that our guide is justice and that confidence may be reposed in that sense of justice.

The day-to-day practical preservation of peace and good will requires that we build up and support agencies for pacific solution of controversies. It requires that no one of us shall entertain suspicion or ill will toward other peoples, that we give them no cause for the most dangerous of all emotions—that is, fear. It requires that every American shall realize that men and women of other nations have the same devotion to their flags and are as sensitive to the dignity of their country as we.

On this road to peace we have attained two momentous victories. The first of these is the Kellogg-Briand pact. By the London naval agreement we have silenced the high dangers of competitive naval building and have safeguarded our defense by parity with the greatest naval power in the world. We have assured the maintenance of an efficient Navy as the first line of defense. By limiting our strength we have given demonstration to the world that we seek no domination but only adequate defense.

The peace of our country has never stood more assured than at this moment. The realization of your ideal to promote peace and good will through active citizenship is the greatest guaranty of its continuance.

The first high purpose you express is to uphold and defend the Constitution and to maintain law and order in the United States. Happily your ideal is my first and most sacred duty. As President of the United States I am sworn by the whole people to maintain the Constitution and to enforce the laws. No man should dare call himself a faithful American and suggest otherwise. You have recognized that the upholding of the Constitution and the enforcement of the laws must, however, not rest upon Government officials alone; it must rise from the stern demand and the loyal cooperation of good citizenship and individual responsibility to the community.

One of the primary obligations of citizenship is national defense. Our people have been traditionally opposed to a large standing army in times of peace. The Nation needs a regular army, highly developed in training and technical services, as the nucleus for the training of citizen soldiers and to lead them in times of emergency. We have always relied on our citizen army, and never relied in vain, but its maintenance is again the voluntary service of good citizenship. Your association has taken large interest in provision for better industrial mobilization. You have been greatly interested, and I have lately signed an act creating an inquiry into the methods by which the economic burdens of war shall fall with equal weight upon every element of citizenry. It is not equitable that one citizen shall profit by war while another makes the supreme sacrifice.

One of your expressed ideals was that of "mutual helpfulness." In your solicitude for your comrades disabled both in war and in peace you have kept that faith. Nor has a grateful Nation failed in its duty. In addition to hospitalization, rehabilitation, war-risk insurance, adjusted compensation, and priority in civil service, the Government has undertaken through disability allowances to provide for some 700,000 veterans of the World War. Our total outlays on all services to World War veterans are nearing $600,000,000 a year and to veterans of all wars nearly $900,000,000 per annum. The Nation assumes an obligation when it sends its sons to war. The Nation is proud to requite this obligation within its full resources. I have been glad of the opportunity to favor the extension of these services in such a manner that they cover without question all cases of disablement, whether from war or peace. There is, however, a deep responsibility of citizenship in the administration of this trust of mutual helpfulness which peculiarly lies upon your members, and that is that the demands upon the Government should not exceed the measure that justice requires and self-help can provide. If we shall overload the burden of taxation, we shall stagnate our economic progress and we shall by the slackening of his progress place penalties upon every citizen.

There are many other responsibilities of the individual in his "obligations to the community, the State, and the Nation." The very beginning of such obligation is at the ballot box. The whole plan of self-government presupposes that the whole people shall participate in the selection of its officials, the determination of its policies, and the maintenance of its ideals. Anything less than this involves government by the minority.

Your own expressed fears of "autocracy of either classes or masses" can well come true unless the individual citizen takes at least his share in the burden of government. He can not hope to escape tyranny, he may not safely trust that "right will be the master of might," unless he is willing to respond to the right and duty to go to the ballot box. When he does not insist upon purity of elections he has lost democracy itself. Beyond this, if right shall be the master of might, every citizen must be on guard against the invasion of our guaranteed liberties even by public officials.

You have insisted that we shall "safeguard and transmit the principles of democracy." We have seen the erection of many new democracies during this period since the war. We have seen some of them fall by the wayside—some to strong men and some to the mob. Strange new doctrines are presented to us in alluring language. Self-government is being questioned. We in America have proved it the surest lift to the common man. We have grown and prospered under it for 150 years. We believe in it. There is no greater service to the world than that we should hold and strengthen it. It is grounded upon the ideal you have set for yourselves—the obligation of the "individual to the community, the State, and the Nation."

During these years your thousands of posts have concerned themselves with these ideals of citizenship. My purpose to-day is to urge you to renewed efforts—that you, as the American Legion, as a group of men who, inspired by the ideals of our country, went to battle to preserve those ideals—that you should renew and expand your mission of citizenship.

We need the teaching of the essentials of good will toward other nations in every community—that the foundations of peace arise from the sense of justice within the citizenry of a nation, in the good will which they individually evince toward other peoples.

We need the teaching that the foundation of government is respect for law. A quickened interest on the part of the community can insist upon proper enforcement of law, can arouse public opinion, while any condition of lawlessness remains unchecked in that community. You can impress upon the citizens that the road of self-government is through the discharge of our obligations at the ballot box; to understand that the basis of defense is a willingness to serve in our citizen soldiery; actively to participate in these and a multitude of duties of citizens—all are an inseparable part of the safety and progress of the Nation.

You have a post in every town and every village. These 11,000 posts are organized into divisions with State and National commanders. You are already an army mobilized for unselfish and constructive endeavor. Your strength is made up of men who have stood the quality test of citizenship. You have it in your power to do much. Through your local posts you can awaken the minds of the communities throughout our Nation to a higher ideal of citizenship. You have an exceptional interest and an exceptional opportunity in the front line of citizenship to cooperate and preserve the fundamentals of our Republic.

PERSONAL EXPLANATION

Mr. BOYLAN. Mr. Speaker, I ask that the RECORD show that the Members of the New York delegation who were not present yesterday at the call of the House were attending the funeral of our late colleague, Representative John F. Quayle, of New York.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LETTER FROM CHAIRMAN OF COMMITTEE ON UNEMPLOYMENT IN THE DISTRICT OF COLUMBIA

The SPEAKER. The Chair lays before the House a communication from the chairman of the committee relating to unemployment in the District of Columbia, and asks the attention of the House while the communication is being read.

The Clerk read as follows:

THE EVENING STAR-THE SUNDAY STAR,
Washington, D. C., November 30, 1930.

MY DEAR MR. SPEAKER: I am writing to lay before you an outline of how the committee in charge of the football game to be played between the Marines and the Coast Guard on December 6 hope that matters may be arranged in the House.

It is our understanding that both Houses of Congress will adjourn at noon on Saturday the 6th, and that announcement to that effect will be made in both Houses on Tuesday the 2d.

If you find it convenient to do so at that time, we would appreciate it greatly if you, or some one designated by you, could urge upon the Members of the House the importance of attending the game. It is being held in the interest of the local unemployed, as you know. The President, the Vice President, you yourself, the Chief Justice, a majority of the Cabinet, and many of the diplomatic corps will be in attendance. The complete success of the game will depend largely upon the Senate and House attendance.

With the facts concerning the game laid before them I suggest that you ask the Sergeant at Arms to learn from each Representative how many box seats he wishes to subscribe for. The seats cost $5 apiece, every cent of which goes to charity. It is essential that the total number desired by the House shall be communicated to Mr. Adams, Unemployment Committee, District Building, by noon Wednesday, for the seats must be issued on Thursday to the Sergeant at Arms for distribution to the Representatives.

We plan to place all subscribers in the House with their guests as closely together as may be and in the most advantageous seats available.

May I reiterate that we of the committee feel that there will be no factor more important to the success of the game than the full attendance of both Houses of Congress. I know that you will try in such ways as you can to help us out.

The game is scheduled to start at 2 p. m. It is recommended that all be on hand at 1.45 p. m., however, as at that time certain ceremonies are scheduled.

With every appreciation, faithfully yours,

NEWBOLD NOYES.

HON. NICHOLAS LONGWORTH,
Speaker of the House, Washington, D. C.

The SPEAKER. The Chair thinks that this is a very worthy object and hopes that as many Members as possible will signify at the Sergeant at Arms' office their desire to attend the game.

ADDRESS OF THE PRESIDENT ON THE ANNIVERSARY OF THE BATTLE OF KINGS MOUNTAIN

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing the address of the President of the United States at the celebration of the one hundred and fiftieth anniversary of the Battle of Kings Mountain.

There was no objection.

The address is as follows:

My fellow countrymen, this is a place of inspiring memories. Here less than a thousand men, inspired by the urge of freedom, defeated a superior force intrenched in this strategic position. This small band of patriots turned back a dangerous invasion well designed to separate and dismember the united Colonies. It was a little army and a little battle, but it was of mighty portent. History has done scant justice to its significance, which rightly should place it beside Lexington and Bunker Hill, Trenton and Yorktown, as one of the crucial engagements in our long struggle for independence.

The Battle of Kings Mountain stands out in our national memory not only because of the valor of the men of the Carolinas, Georgia, Tennessee, Kentucky, and Virginia, who trod here 150 years ago, and because of the brilliant leadership of Colonel Campbell, but also because the devotion of those men revived the courage of the despondent Colonies and set a nation upon the road of final triumph in American independence.

No American can review the vast pageant of human progress so mightily contributed to by these men without renewed faith in humanity, new courage, and strengthened resolution.

My friends, I have lived among many peoples and have observed many governments. Each has its own institutions and its own ideals, its own spirit. Many of them I have learned to respect and to admire. It is from these contrasts and these experiences that I wish to speak to-day—to speak upon the institutions, the ideals, upon the spirit of America.

In the time since the Battle of Kings Mountain was fought our country has marched from those struggling Colonies on the Atlantic seaboard to the full sweep of the Pacific. It has grown from fewer than 3,000,000 people to more than 120,000,000. But far more inspiring than its growth of numbers has been the unfolding of a great experiment in human society. Within this land there have been builded new and powerful institutions designed of new ideas and new ideals in a new vision of human relations. Through them we have attained a wider diffusion of liberty and of happiness and of material things than humanity has ever known before. Our people live in a stronger security from enemies abroad and in greater comfort at home than has ever before been the fortune of a nation. We are filled with justifiable pride in the valor, the inventions, the contributions to art and literature, the moral influence of our people. We glow with satisfaction at the multitude of activities in the Nation, the State, the local community, which spread benefits and blessings amongst us. We may be proud of our vast economic development over these 150 years, which has secured to the common man greater returns for his effort and greater opportunity for his future than exist in any other place on the earth.

In the large sense we have maintained open the channels of opportunity, constantly refreshing the leadership of the Nation by men of lowly beginnings. We have no class or caste or aristocracy whose privilege limits the hopes and opportunities of our people. Science and education have been spread until they are the universal tools of the common man. They have brought to him the touch of a thousand finer things of life. They have enlarged the horizon of our vision into the inspiring works of God.

This unparalleled rise of the American man and woman was not alone the result of riches in lands or forests or mines; it sprang from ideas and ideals, which liberated the mind and stimulated the exertion of a people. There were other parts of the world even more easily accessible to new invasion by man, whose natural resources were as great as those of the United States, yet their history over this 150 years presents no achievement parallel to the mighty march of the United States. But the deadening poverty of other lands was in the absence of the stirring ideas and ideals which have lightened the path of the whole American people. A score of nations have borrowed our philosophy from us, and they have tempered the course of history in yet a score of others. All have prospered under them.

These ideas and these ideals were in the hearts and inspired the souls of the men who fought the Battle of Kings Mountain. They had spurred the migration of their fathers from the persecutions and restricted opportunities of Europe, had been sustained by their religious faith, had been developed in their conflict with the wilderness, and had become the spirit of the American people, demanding for man a larger mastership of his own destiny. Our forefathers formulated them through the Declaration and the Constitution into a new and practical political and social system unique in the world. Devoted generations have secured them to us.

It is never amiss for us to review these principles, that we uphold our faith in them, that we search our fidelity to them, that by stretch of our vision over the vast pageant of our accomplishment we should gain courage to meet the difficulties of the day.

Our political system was a revolt from dictatorship, whether by individuals or classes. It was founded upon the conception that freedom was inalienable, and that liberty and freedom should rest upon law, and that law should spring from the expressed wisdom of the representatives of the majority of the people themselves. This self-government was not in itself a new human ideal, but the Constitution which provided its framework, with the checks and balances which gave it stability, was of marvelous genius. Yet of vastly more importance than even the machinery of government was the inspired charter of the rights of men which it guaranteed. Under them we hold that all men are created equal; that they are equal before the law; and that they should be safeguarded in liberty and, as we express it latterly, in equality of opportunity to every individual that he may achieve for himself and for the community the best to which his character, his ability, and his ambition entitle him.

No student of American history can fail to realize that these principles and ideals grew largely out of the religious origins and spiritual aspirations of our people. From them spring at once the demand for free and universal education; that the door of opportunity and the ladder to leadership should be free for every new generation, to every boy and girl. It is these human rights and the success of government which has maintained them that have stimulated the initiative and effort in each individual, the sum of which has been the gigantic achievement of the Nation. They are the precious heritage of America, far more important, far more valuable, than all the riches in land and mines and factories that we possess. Never had these principles and ideals been assembled elsewhere and combined into government. This is the American system.

We have lived and breathed it. We have seldom tried even to name it. Perhaps we might well abandon efforts to define it—for things of the spirit can be little defined. Some have called it liberalism, but that term has become corrupted by political use. Some have called it individualism, but it is not an individualism which permits men to override the equal opportunity of others. By its enemies it has been called capitalism, and yet under its ideals capital is but an instrument, not a master. Some have called it democracy, yet democracy exists elsewhere under social ideals which do not embrace equality of opportunity.

Ours is a system unique with America—an expression of the spirit and environment of our people—it is just American.

Parallel with us, other philosophies of society and government have continued or developed and new ones have come into the world, born of the spirit of other peoples and other environments. It is a function of freedom that we should search their claims with open mind, but it is a function of common sense that we should reject them the moment they fail in the test. From experiences in many lands I have sometimes compared some of these systems to a race. In the American system, through free and universal education, we train the runners, we strive to give to them an equal start, our Government is the umpire of its fairness. The winner is he who shows the most conscientious training, the greatest ability, the strongest character. Socialism or its violent brother, Bolshevism, would compel all the runners to end the race equally; it would hold the swiftest to the speed of the most backward. Anarchy would provide neither training nor umpire. Despotism or class government picks those who run and also those who win.

Whatever the merits or demerits of these other systems may be, they all mean the destruction of the driving force of equal opportunity, and they mean the destruction of our Constitution, for our political framework would serve none of them and many of its fundamental provisions are the negation of them. They mean the abandonment of the Nation's spiritual heritage.

It is significant that some of these systems deny religion and seek to expel it. I can not conceive of a wholesome social order or a sound economic system that does not have its roots in religious faith. No blind materialism can for long engage the loyalties of mankind. Economic aspiration, though it strongly marks the American system, is not an end in itself, but is only one of many instruments to accomplish the profound purposes of the American people, which are largely religious in origin. This country is supremely dedicated, not to the pursuit of material riches, but to pursuit of a richer life for the individual.

It would be foolish for me to stand here and say that our political and social system works perfectly. It does not. The human race is not perfect yet. There are disheartening occurrences every hour of the day. There are always malevolent or selfish forces at work which, unchecked, would destroy the very basis of our American life. These forces of destruction vary from generation to generation; and if we would hand on our great inheritance to our children, we must successfully contend with them.

While we can not permit any foreign person or agency to undermine our institutions, yet we must look to our own conduct that we do not by our own failure to uphold and safeguard the true spirit of America weaken our own institutions and destroy the very forces which upbuild our national greatness. It is in our own house that our real dangers lie, and it is there that we have need to summon our highest wisdom and our highest sense of public service.

We must keep corruptive influences from the Nation and its ideals as we would keep them from our homes. Crime and disobedience of law are the very incarnation of destruction to a system whose basis is law. Both pacifism and militarism court danger from abroad, the one by promoting weakness, the other by promoting arrogance. Failure of many of our citizens to express their opinions at the ballot box is at once their abandonment of the whole basis of self-government. Manipulation of the ballot is a denial of government by the people. Corruption or even failure of moral perceptions in public office defiles the whole spirit of America. Mere destructive criticism destroys leadership and substitutes weaklings.

Any practice of business which would dominate the country by its own selfish interests is a destruction of equality of opportunity. Government in business, except in emergency, is also a destruction of equal opportunity and the incarnation of tyranny through bureaucracy. Tendencies of communities and States to shirk their own responsibilities or to unload them upon the Federal Government, or of the Federal Government to encroach upon the responsibilities of the States, are destructive of our whole pattern of self-government. But these evils can not shatter our ideals or subvert our institutions if we hold the faith. The knowledge of danger is a large part of its conquest.

It is the first duty of those of us who believe in the American system to maintain a knowledge of and a pride in it, not particularly because we need fear those foreign systems but because we have need to sustain ours in purity and in strength.

The test of our system of government and of our social principles and ideals as compared to others may in part be interpreted by the practical results of the 150 years of growth that have brought to us the richness of life which spreads through this great Nation. I can give you some measurement both of our standards and of our social progress. In proportion to our population, we have one-fourth more of our children in grade schools than the most advanced other country in Europe, and for every thousand of our young people we have six and one-half times as many in colleges and universities. And I may add that to-day we have more of our youth in institutions of higher learning than all the rest of the 1,500,000,000 people of the world put together.

Compared with even the most advanced other country in Europe, we shall find an incomparably greater diffusion of material well-being. We have twice the number of homes owned among every thousand people that they have; we consume four times as much electricity, and we have seven times as many automobiles; for each thousand people we have more than four times as many telephones and radio sets; our use of food and clothing is far greater; we have proportionately only one-twentieth as many people in the poorhouse or upon public charity.

There is a profound proof, moreover, that the doors of opportunity have indeed been kept open. The posts of leadership in our country, both in government and in other activities, are held by men who have risen to command. A canvass of the leading administrative officials of our Federal Government, of our industries, and of our professions, shows that 90 per cent of them started life with no financial inheritance. Despite the misrepresentations of demagoguery, there are to-day more chances for young men to rise, and for young women, too, than there were 30 years ago.

We shall not have full equality of opportunity until we have attained that ultimate goal of every right-thinking citizen—the abolition of poverty of mind and home. Happily for us, we have gone further than others on this road, and we make new gains every decade.

But these tangible things which we can reduce to statistics and comparisons are but a part of America. The great intangibles of the spirit of a people are immeasurable—our sense of freedom, of liberty, of security, our confidence of future progress, our traditions of past glory and sacrifice, the example of our heroes, the spiritual enrichment of our people—these are the true glories of America.

The world about us is tormented with the spiritual and economic struggles that attend changing ideals and systems. Old faiths are being shaken. But we must follow our own destiny. Our institutions are a growth. They come out of our history as a people. Our ideals are a binding spiritual heritage. We can not abandon them without chaos. We can follow them with confidence.

Our problems are the problems of growth. They are not the problems of decay. They are less difficult than those which confronted generations before us. The forces of righteousness and wisdom work as powerfully in our generation as in theirs. The flame of freedom burns as brightly in every American heart. There need be no fear for the future of a Republic that seeks inspiration from the spirit of the men who fought at the Battle of Kings Mountain.

ADDRESS OF HON. HAMILTON FISH

Mr. ESLICK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD so as to include the address of Hon. HAMILTON FISH, delivered over the radio last Saturday night, November 29, on the subject of communism.

There was no objection.

The address is as follows:

COMMUNISM

Fellow citizens, I feel much honored to be invited to speak on this coast-to-coast network, and shall approach the subject of communism with malice toward none, not even to the communists. I am obliged to admit, however, that I have more respect for the out-and-out communists than for their pink champions, including "pink" newspapers.

At the outset of my remarks I desire to emphasize that I am speaking to-night in my individual capacity and not as chairman of the special committee created by the House of Representatives to investigate the activities of the communists in the United States. It is only fair to point out that whatever sentiments I may express have no official relation to the work of the committee, which is now preparing its report and recommendations for submission to Congress, but are merely my personal views and observations as one of the members of the committee in this important and far-reaching investigation.

I shall make every possible effort to avoid any exaggeration of the propaganda or activities of the communists in the United States by so much as a hairbreadth, but, on the other hand, I shall not minimize or cover up the actual facts but present them fully for the enlightenment and protection of the public.

The investigation has convinced me that the surest and most effective way of combating communism in this country is to give the fullest possible publicity to the fundamental principles and aims of the communists, which are the same throughout the world, as they are not likely to prove acceptable to any considerable number of American citizens unless camouflaged by other extraneous issues, such as unemployment insurance.

The original policy of the committee, to confine its investigation to communist activities, has been strictly adhered to, and no attempt has been made to develop the facts in connection with socialism, anarchism, radicalism, or pacifism.

The committee created by the House of Representatives to investigate the activities of the communists in the United States, of which I have the honor to be chairman, consisting of Representatives JOHN E. NELSON, of Maine; CARL G. BACHMANN, of West Virginia; EDWARD E. ESLICK, of Tennessee; and ROBERT S. HALL, of Mississippi, has been holding hearings since last June in various sections of the country, and expects to complete its hearings and make its report and recommendations to Congress within the next few weeks. Hearings have been held in practically every section of the United States where communist activities have been reported, including Washington, New York, Boston, Chicago, Detroit, Seattle, Portland (Oreg.), San Francisco, Los Angeles, Chattanooga, Birmingham, Atlanta, New Orleans, and Memphis.

Approximately 250 witnesses, including many from other cities not mentioned above, such as Cleveland, Philadelphia, Pittsburgh, Baltimore, El Paso, Gastonia, and New Bedford, have been heard by the committee and a vast quantity of documents and written and printed evidence has been submitted. There are several important witnsses yet to be heard, and arrangements have been made to hear these at the end of next week.

It is expected that the committee report and recommendations will be ready to submit to the Congress within the next few weeks.

I am glad to take this opportunity over the radio to pay a well-deserved tribute to the members of the committee for their unselfish labors and constant, faithful, and able cooperation throughout the investigation. It would be unfair to state that any one member has given more time, attention, and devotion to the work of the committee. The fact is that each and every member, realizing the importance of the duty assigned to him by the House of Representatives, has attended every meeting and never failed in rendering any service or cooperation that was required in the continuous and exacting work of the committee.

Three of the members, JOHN E. NELSON, of Maine, EDWARD E. ESLICK, of Tennessee, and ROBERT S. HALL, of Mississippi, come from congressional districts in which there are few, if any, communists. Yet they willingly contributed their time and energy to the fullest extent.

Representative CARL BACHMANN, of West Virginia, hails from a State where there are communist activities in the coal fields. Due to his former service on the House Immigration Committee he has special knowledge of the immigration laws, and I am informed that he intends to introduce next Monday on the convening of Congress a bill restricting immigration from all countries, including Soviet Russia, with whom we do not have diplomatic relations, owing to the difficulty of deporting alien communists to a country not recognized by the United States.

The reason for the introduction of this particular bill before the committee report is made is to expedite action and further its enactment before the adjournment of the Congress on March 4, 1931. The committee has taken no official action concerning this bill or any other proposed legislation, but will probably do so in making up its recommendations.

It is the united determination of the members of the committee as directed by House Resolution 220, adopted May 22, 1930, to present a carefully prepared report, based upon the facts as developed at the various hearings held throughout the country, in order to give a comprehensive picture of the history and aims of communism and a detailed story of the propaganda and activities of the communists in the United States and to make recommendations for appropriate congressional action.

I have had the privilege of serving for 10 years in the House of Representatives, and during that time know of no more im-

portant duty that has been intrusted to a special committee of the House than the investigation of the propaganda and activities of the communists in the United States, as it affects the welfare and security of the American people and the stability of our republican form of government.

There is nothing that would have pleased me more than to be able to honestly state over this coast-to-coast radio broadcast that communism in the United States is on the decline and that there is no need for congressional action, such as granting authority to the Department of Justice to investigate and keep in touch with the activities of the communists throughout our country. But I am compelled, out of respect for the truth, to reluctantly and regretfully admit that the activities of the communists in our Republic are far more extensive, pernicious, and better organized than I anticipated before the investigation began.

The main reason for the adoption by the House of Representatives, by an overwhelming vote, of the resolution providing for the appointment by Speaker LONGWORTH of a special committee of five Members to investigate communism in the United States, was because it was made clear that the Department of Justice has had no power, authority, or funds from the Congress to investigate communist propaganda or activities since 1925. The people back home thought the Congress was looking after the situation and the Members of Congress very generally believed that the executive departments of the Government had ample authority and appropriations to handle the revolutionary activities of the communists.

It was not until the exact situation was shown to the Members of the House and the responsibility placed squarely on their shoulders for failure to grant sufficient authority and funds to any department of the Government to deal with the attempts of the communists to undermine our republican form of government and seek its overthrow by force and violence that House Resolution 220, authorizing the creation of the investigating committee and the appropriation of $25,000 for necessary expenses, was passed.

I am glad to be able to state that the committee has made every effort to stay within the appropriation and expects to return an unexpended balance of approximately one-third of the entire appropriation to the Treasury of the United States.

No lawyers have been engaged at Government expense and no undercover men or special investigators have been employed, except on particular missions and not for more than a few days at a time.

Most of the information presented to the committee has been done so voluntarily and only a small percentage of the witnesses have been subpœnaed. The witnesses represented all walks of life—priests, ministers, college professors, school-teachers, Government and city officials, police officers, industrialists, farmers, high officials of the American Federation of Labor and of the United Mine Workers of America, reserve officers, journalists, members of the Chicago Board of Trade, grain brokers, representatives of the lumber and manganese industries, of patriotic societies, including the American Legion and other veteran organizations; also numerous negroes, officials of the American Civil Liberties Union, and various types of American communists—Jewish, Hungarian, German, Finnish, Greek, Scotch, and negro.

Among the better-known witnesses who testified at length before the committee and presented a vast amount of documentary evidence were William Green and Matthew Woll, president and vice president, respectively, of the American Federation of Labor; John L. Lewis, president of the United Mine Workers of America; Father Edmund A. Walsh, vice president of Georgetown University; Charles G. Wood, commissioner of conciliation, Department of Labor; Mrs. William Sherman Walker, chairman defense committee, National Society Daughters of the American Revolution; Walter S. Steele, editor the National Republic; Harry A. Jung, of Chicago; Col. Leroy Smith, of the Better American Federation of Los Angeles; Capt. William F. Hynes, of the Los Angeles Police Department, who presented one of the most detailed and extensive reports of communist activities of any witness during the hearings; Robert F. Kelley, chief of the Eastern European Affairs, Department of State; J. Edgar Hoover, Chief of the Bureau of Investigation, Department of Justice; former Police Commissioner Grover A. Whalen, of New York; Inspector John A. Lyons, New York Police Department; Commander H. R. Hein, of the department of the Navy Intelligence Bureau; Jacob Spolansky, special representative, National Metal Trades Association, Detroit; Basil W. Delgass, former vice president of the Amtorg Trading Corporation; Peter A. Bogdanov, president of the Amtorg Trading Corporation; Feodor M. Ziavkin, the general manager of the Amtorg Trading Corporation; J. Louis Engdahl, a well-known communist and head of the International Labor Defense; William Simons, district organizer for the Communist Party in California; Joseph Fields, head of the communist youth movement in Seattle; Louis Bebrits, editor of the Hungarian communist newspaper, Uj Elore, published in New York, with an alleged circulation of 20,000; Moissaye J. Olgin, editor of the Jewish communist newspaper, Freiheit, published in New York, with an alleged circulation of between fifty and sixty thousand.

Soon after the investigation was ordered by the House of Representatives hearings were held, and immediately attacks were made by the Scripps-Howard chain of newspapers, the New York World, and the Baltimore Sun, to the effect that the committee was a political red herring to attract the attention of the public from the unemployment situation and business depression and thereby help the Republican Party prior to election.

Thanks to the cooperation of every member of the committee, Democrats and Republicans alike, there has not been the slightest indication of any form of partisanship in the conduct of the investigation, and I am confident that there will be no signs of party division in either the report or the recommendations.

It is apparently the opinion of the committee members that the work assigned to them by the House of Representatives is above and beyond party allegiance or interests, and that service to the United States is the only motive that impels their actions.

The committee has gone about its work without any attempt to defend its actions from unfriendly newspaper criticism, confident that it already has the support of 95 per cent of the American people, including the American Federation of Labor, the New York State Chamber of Commerce, the American Legion, and all veteran and patriotic organizations, and of practically all the church elements in the United States.

The committee has not and does not propose to waste its time answering criticisms emanating from unfriendly sources or appearing in the radical papers. The press of the country, as a general proposition, has been absolutely fair in its news and editorial columns. Writers on the New York World and the Scripps-Howard papers, however, have not hesitated to make numerous half-baked and inaccurate statements concerning the activities of the committee and attempted to convey utterly erroneous impressions to the reading public to such an extent that it is difficult, on the subject of communism, to distinguish between these newspapers and out-and-out communist publications.

The proper answer to this form of radical and insidious propaganda will be the report of the committee and its recommendations, which I believe will have the backing of an overwhelming majority of American citizens in all sections of the country, and of every race, color, and creed.

The principles and aims of communism are the same all over the world. The Russian communists in Moscow and the communists in Berlin, Paris, London, New York, Los Angeles, Tokyo, or Pekin stand on the same platform and advocate the same principles, and all take their orders from the Third International with headquarters at Moscow, and obey them implicitly.

It is not difficult to find out exactly what these principles are, and to define communism so that he who runs can read, as communists do not attempt to hide their fundamental purposes and admit and are apparently proud of taking their orders from Moscow and giving allegiance to the red flag and the Soviet Union.

The following is a definition of communism, a world-wide political organization advocating: (1) Hatred of God and all forms of religion; (2) destruction of private-property rights and inheritance; (3) promotion of class hatred; (4) revolutionary propaganda through the Third International, stirring up communist activities in foreign countries in order to cause strikes, riots, sabotage, bloodshed, and civil war; (5) destruction of all forms of representative or democratic governments, including civil liberties, such as freedom of speech, of the press, of assembly, and trial by jury; (6) the ultimate and final objective is world revolution and the dictatorship of the so-called proletariat into one union of soviet socialist republics with the world capital at Moscow.

In the United States both the Republican and Democratic Parties are apt to forget their national platforms soon after election, but there is this that is commendable about communists: They adhere strictly to their party program and principles wherever they may be or are thrown out of the party.

An article in last week's Saturday Evening Post, by Will Irwin, describing communism as a ballyhoo and on the decline, makes good reading but unfortunately is contrary to the facts and obviously unsupported by careful preparation or investigation. It is much easier for a writer to present a sweeping denial of the growth of communism than by patient study and careful investigation to dig deep into the facts and write an article based on those facts. It is easy to say there is no communism when one knows nothing about it and has made no real attempt to find out except by reading what appears in the newspapers or listening to soap-box orators in Union Square.

I am not an alarmist, and do not consider the revolutionary doctrines of the communists in the United States to constitute a menace at the present time to our republican form of government, but they are a real threat to certain industries, such as textiles, coal mining, garment workers, marine transportation, fur workers, and are beginning to cause considerable trouble through the creation of nuclei and the issuance of shop papers in the automobile industry, lumber industry, and in numerous manufacturing centers throughout the Nation.

If it were not for the fact that the American Federation of Labor, under the patriotic leadership of William Green and his predecessor, Samuel Gompers, has refused to compromise with the communists in the United States, who have been trying to bore from within in order to gain control of the labor unions, communism would be a serious threat to American industry. Great credit should be given to the American Federation of Labor for combating and exposing the aims of the communists to undermine our republican form of government and destroy our industries.

The American Federation of Labor, by exposing the true aims of the communists against our Government, and excluding them from their unions, have forced them to organize their own revolutionary unions, such as the Trade Union Unity League, of which William Z. Foster is the guiding spirit.

The growth of communism in the United States is easy to prove, and by that I mean those who advocate communistic principles

and not necessarily dues-paying members of the party. There are some fifty affiliated organizations, whose members are sympathetic if not open adherents of communism.

In 1928 William Z. Foster, the communist candidate for President, polled 48,770 votes in 34 States. In 1930 the communist candidates for governor or United States Senator in less than half the States in the Union where they were on the ballot polled approximately 100,000 votes. In New York City alone there were 16,462 votes cast for the communist State ticket. The Communist Party in the United States is largely composed of aliens; probably 70 per cent are aliens, 20 per cent naturalized citizens, and 10 per cent native-born Americans, including negroes. The aliens, of course, are not able to vote, and in order to obtain a fair estimate of the actual number of communists over 21 years of age it would be necessary to multiply the voting figures by 3, and even that would not take into consideration the number of communists who failed to vote, although qualified.

In addition there are all those communists under 21 years of age, and among whom there has been the greatest effort to build up an active communist youth movement. There are a half dozen summer camps in the vicinity of New York City that turn out at least 20,000 young communists a year, trained to hate our institutions, our Government, and the American flag. I believe a conservative estimate of the number of communist sympathizers in New York City alone, including the Young Communists League and Young Pioneers, would not be far from 100,000, as the percentage of alien communists is higher in New York City than elsewhere.

On the same basis there are in excess of 300,000 communist sympathizers of voting age, and probably altogether, including women and children, about half a million in the United States.

In the State of Minnesota the communists polled this year an average of approximately 10,000 votes for their State ticket, which is a big number in such a predominantly agricultural State.

The growth, propaganda, and activities of the communists in the United States has been steadily increasing since 1925, when the Department of Justice was deprived of its powers to deal with the revolutionary activities of the communists. Since then the communists have taken the leadership in three big textile strikes—at Passaic, New Bedford, and Gastonia—involving about 40,000 workers, not for the purpose of helping secure increased wages for the employees but to incite a revolutionary spirit through a continuation of the strikes. The same tactics were followed in other ommunist strikes in various industrial centers of the country. This method is in line with the advice given by Joseph Stalin, secretary-general of the Communist Party in Russia and dictator of the Soviet Government, when he said to a delegation of American communists about a year ago:

"I think, comrades, that the Communist Party of America is one of the few communist parties in the world upon which history has placed tasks of decisive importance from the point of view of the international revolutionary movement. * * * I think that the moment is not far off when a revolutionary crisis will be unleashed in America; when that revolutionary crisis comes in the United States it will mark the beginning of the end of world capitalism. The Communist Party of the United States must be armed to be able to meet that historical moment and to head the forthcoming class combats.

"Preparation is necessary for this, comrades, a preparation of all forces. For this it is necessary to establish unity in the American party. For this it is necessary to forge out real revolutionary cadres and genuine revolutionary leaders of the proletariat who would be capable of leading the many millions of the American working class toward their class revolutionary battles. For this it is necessary to throw aside all and sundry personal feelings and factional considerations, making the revolutionary education of the working class of America the foremost issue."

I am utterly opposed to the formation of Fascist groups in this country. There is no need for such illegal organizations under our form of government, which will be able to cope with the propaganda and activities of the communists after the committee makes its report, as I anticipate no difficulty in securing the support of Congress for the major part of the recommendations to be made on the basis of the facts obtained during the investigation.

It must be self-evident to all intelligent people that we in the United States will be unable to compete with Soviet Russia for the wheat, lumber, manganese, and oil markets of the world, provided we continue to uphold the American standard of wages and of living.

The Soviet Government of Russia has seized without cost all the lands and natural resources of the country, and through the use of convict, forced, or labor paid on a gold scale of between 10 and 20 cents per day, will be able to produce vast exportable surpluses in wheat, timber, oil, and manganese, and undersell our commodities produced by free labor at the American wage scale.

It may be many years before the so-called 5-year plan develops a serious competition to our markets, for manufactured goods; that depends on the future strength of the Soviet Government. At the present moment, the economic system in Russia, based upon confiscated lands and almost inexhaustible natural resources, and developed by labor approaching serfdom, is an immediate menace to the prosperity of our American wheat and grain farmers, to our entire lumber industry, and to our oil and manganese industries, the latter having already been demoralized if not destroyed by dumping into the United States at a cost far below our cost of production. Other industries that will soon feel the competition from the soviet economic system will be the American cotton producers and the textile industry, already in the midst of a world-wide depression. Minor industries in the United States, such as glue, glucose, sausage casing, matches, etc., are facing a kind of competition that they will be unable to meet.

A number of European countries, including France, Belgium, Hungary, and Rumania, have already taken direct measures to protect their industries from soviet dumping, through high duties and a system of licensing. We have, in the United States, already practically excluded Russian matches, and there is a strong and growing demand that the free labor of the United States be protected from exports from Russia, produced through the virtual enslavement of the peasants and the workers and the inflation of the currency.

There is every indication that there will be a powerful demand for the placing of embargoes on lumber, wood pulp, manganese, and coal, or at least providing for a drastic system of licensing, which will afford protection against the forced and convict labor of Russia. The United States can not stand idly by and see American industries demoralized, because the Congress and the Federal Government continues to be blind to the facts and refuses to take the necessary steps at this juncture to protect the vital interests of the American workingman and of the entire American people.

The communists and their propagandists in this country have never hesitated to picture our total exports to Russia as several times the actual figures. I have even heard it stated on the floor of the House of Representatives at between three and five hundred million dollars, when the actual figures of the Department of Commerce show it to be $86,000,000 for 1929–30, which was by far the largest total for any one year. Since April of this year the amount of American exports to the Soviet Government has been slipping fast, due to the world depression and the crisis over the 5-year plan in Russia.

I believe I am correct in stating that both the Government and the people resent bitterly any abuse of trade relations and will not permit any alien propaganda to be spread in the United States under the camouflage of trade. Moreover, the United States Government is not disposed to be threatened or blackmailed into trading with Russia or any other country. We propose to transact legitimate trade on a legitimate basis, and if Soviet Russia does not care to do business on these terms she might as well take her agents out of this country before they are ordered out.

What are the facts of our trade with Russia? Back in 1913, when we recognized the Imperial Russian Government and were on friendly relations with it, our total export trade with Russia amounted to less than $20,000,000, and last year without recognition of the Soviet Government, we exported $86,000,000 worth of goods to Russia. The bait of the soviet trade is constantly dangled before the bulging eyes of our manufacturers, and they are told that if they will only use their influence to bring about the recognition of Russia there will be an immediate market for all their goods. The fact is, that without recognition we are doing four times as much trade with Russia as we did when we recognized the czar's régime. But, on the other hand, Great Britain and Germany, both of which have recognized the Soviet Government, are doing four times less trade than they were before the World War. It is my firm and carefully considered judgment that as far as the question of recognition goes, we are apt to lose rather than gain trade by recognition.

Russia desires diplomatic relations with the United States, not for purposes of trade but because it would increase its prestige, help stabilize its government, and discourage opposition from both within and without, and permit it to intensify its revolutionary propaganda throughout the world.

The total of our export and import trade with Russia amounts to only about 1 per cent of our total exports and imports. The communists and their advocates in the United States are superb master propagandists and secure a great deal of publicity for a million-dollar order, whereas orders for Canada or Great Britain for twenty times that amount go unheralded. The relative unimportance of Russian trade after such a continuous barrage of propaganda from the Institute of Politics at Williamstown, magazines, and paid propagandists must be surprising to even well-informed American business men.

In conclusion let me take this opportunity to attempt to clear up in the minds of many American citizens two common misunderstandings. First, in regard to the connection between communism and liberalism; and secondly, to point out that the communists had nothing to do with the overthrow of the czar's government or the abdication of the czar in March, 1917. The Soviet Government is the most brutal kind of autocracy and has wiped out even the most elementary civil rights among the people. Russian communism has nothing in common with any form of liberalism, and its servant, the Soviet Government, is nothing more than a government of terror, by terror, through force and violence.

Uninformed Americans often think of communism in the terms of liberalism as they are under a mistaken impression that the communists overthrew the czar, or caused his abdication. Such is not the case. At that time Lenin was still in Switzerland and Trotsky was living in the Bronx. It was later that the German general staff sent Lenin and some of his followers in a closed car back to Russia to stir up a revolution and break down the morale of the army by promising a separate peace and division of the land among the peasants.

The United States was the first nation in the world to officially recognize the provisional government of Russia, which assumed governmental powers immediately after the abdication of the czar. This provisional government represented the people of

Russia, through their elected representatives in the Duma, but was overthrown six months later, in October, 1917, by the armed forces of the revolutionary communists. In other words, the communists seized power from the liberal government of Russia, and substituted in its place the most outstanding dictatorship and fanatical despotism ever known to the civilized world.

Thank you and good night.

MINORITY VIEWS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to file minority views on the bill (H. R. 7884) to prohibit experiments upon living dogs in the District of Columbia and providing a penalty for the violation thereof, and that I may have three days in which to file such views.

The SPEAKER. The gentleman from Texas asks unanimous consent that he may have three days in which to file minority views on the bill mentioned. Is there objection?

There was no objection.

ANNUAL MESSAGE FROM THE PRESIDENT

The SPEAKER. The Chair lays before the House a message from the President of the United States.

The Clerk read the message of the President.

(For text of message see p. 33, Senate proceedings of this day.)

Mr. TILSON. Mr. Speaker, I move that the President's message just read be referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

The motion was agreed to.

CALENDAR WEDNESDAY

Mr. TILSON. Mr. Speaker, it is hoped that on to-morrow the House may take up for consideration the bill making appropriations for the Treasury and Post Office Departments. In order that this bill may be taken up to-morrow, I now ask unanimous consent that Calendar Wednesday business for to-morrow be dispensed with.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that Calendar Wednesday business for to-morrow be dispensed with. Is there objection?

Mr. WARREN. Mr. Speaker, reserving the right to object, the minority leader was called from the Hall and asked me to be present when the gentleman from Connecticut made this request. Is it the intention, if the bill is reported, to go into Committee of the Whole to-morrow?

Mr. TILSON. Yes; and, if possible, it is hoped that the bill may be finished by Friday night. If this request is granted, I shall ask unanimous consent that if the bill is finished by Friday night we may then adjourn over until Monday.

Mr. WARREN. The minority leader has no objection to this request.

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, what committee would have the call to-morrow?

Mr. TILSON. The Committee on the Post Office and Post Roads, and the chairman of this committee has expressed a willingness to have its business go over for one week.

Mr. LaGUARDIA. I know that committee has some important bills which the House is anxious to pass upon.

Mr. TILSON. And they may come up a week hence.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

ADJOURNMENT OVER

Mr. TILSON. Mr. Speaker, I make the further request that if the Treasury and Post Office Departments appropriation bill be finished on Friday the House may then adjourn until Monday.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that if the Treasury and Post Office Departments appropriation bill is finished by Friday the House adjourn until Monday. Is there objection?

Mr. BYRNS. Mr. Speaker, reserving the right to object, I want to ask the gentleman if his request indicates that there is going to be a disposition to deny general debate? There are a number on this side of the House who wish to deliver some remarks, and the House having just come into session I think it can remain here Saturday, if necessary, in order that gentlemen on both sides of the Chamber may be accommodated. I hope the gentleman from Connecticut will withhold his request until later.

Mr. TILSON. My request is contingent upon the bill being finished Friday night.

Mr. BYRNS. I know it is contingent.

Mr. TILSON. And I hope that the gentleman, who will regulate the time on his side will be liberal in the granting of time. I wish to give notice now that during this short session, when appropriation bills are being considered, gentlemen should not be granted leave to address the House but that those who may wish to speak be shown the greatest liberality as to time while appropriation bills are under consideration.

Mr. BYRNS. I am in thorough accord with the gentleman as to that, because, of course, if there is such liberality there will be ample time for every Member; but I hope the gentleman will not press his request for unanimous consent at this time, because I do not want it used as a lever to force termination of the consideration of this bill on Friday and thus cut out somebody in general debate.

Mr. LaGUARDIA. Has the bill been reported?

Mr. BYRNS. It has not.

Mr. RANKIN. Will the gentleman yield?

Mr. BYRNS. I do not have the floor.

Mr. RANKIN. It is a well-known fact that arrangements are being made now for the House to adjourn in order that Members may go to a ball game on Saturday. Why use this as a lever to force us to speed up the consideration of this bill?

Mr. BYRNS. I have no objection to the consideration of the bill going over until Monday and completing the consideration of the bill then, but I do not want to see anyone denied an opportunity to take part in general debate or in consideration of the bill.

Mr. TILSON. I hope there may be no undue restriction as to time on debate. We can sit longer hours if need be. I hope that ample debate will be allowed on all of these bills.

Mr. BLANTON. May I ask the gentleman whether copies of the bill and of the hearings will be available to the membership?

Mr. TILSON. They will certainly be available by Thursday morning, and it is expected that to-morrow will be taken up with general debate, probably not on the bill itself.

Mr. BLANTON. Then we shall begin general debate before even copies of the bill and the hearings are available.

Mr. TILSON. Yes; but the gentleman's long experience in this House teaches him that there are usually a number of speeches made not relating to the bill actually before the House, so that no one will be deprived of opportunity to read the hearings before the actual consideration of the bill itself begins.

Mr. BYRNS. I hope the gentleman will withdraw his request.

Mr. TILSON. I withdraw the request for the present, but I hope that we may be able to give liberal time in debate to everybody and yet finish the bill by Friday night in order that we may adjourn over until Monday so as to be able to attend the football game announced by the Speaker as being played for the benefit of the unemployed of the District of Columbia.

INVESTIGATION OF COMMUNIST ACTIVITIES IN THE UNITED STATES

Mr. BACHMANN. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BACHMANN. Mr. Speaker and Members of the House, I have been asked by the chairman of the committee appointed by the House to investigate the activities of communism in this country, who is absent to-day, to make the following statement to the House:

The committee appointed by virtue of House Resolution No. 220, which passed the House on May 22, 1930, began its hearings in Washington on June 9, and has held hearings in New York City, Boston, Detroit, Chicago, Seattle, Portland (Oreg.), San Francisco, Los Angeles, Chattanooga, Birmingham, Atlanta, New Orleans, and Memphis.

Between 250 and 300 witnesses have testified relative to the communist activities in the United States, and there have been a large number of documents and various types of written and printed evidence submitted to the committee.

The printed records are voluminous, and part of the testimony has not yet been printed, but should be available within a short time, or as soon as the Government Printing Office can complete the work.

The committee has been engaged for the last week in the preparation of its report and recommendations, which will, in all probability, be made to the Congress within the next few weeks.

There are still several important witnesses to be heard, and arrangements are being made now for these hearings.

HAMILTON FISH, Jr., *Chairman.*

ADDRESS OF HON. A. PIATT ANDREW

Mr. ANDREW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting an address of my own on the subject of the eighteenth amendment.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. ANDREW. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address delivered by myself on the subject of the eighteenth amendment at a joint meeting of Rotary Clubs in Amesbury, Mass., July 17, 1930:

CONCERNING THE EIGHTEENTH AMENDMENT

Some time ago I promised that after Congress had adjourned and I was freed from the pressure of more immediate problems I would endeavor to make a clear statement of my position on the eighteenth amendment, and I hope you will not mind my choosing this occasion to keep that promise.

Anyone would be optimistic indeed who thought he could speak a final or convincing word to-day upon a question so deeply mired in prejudice and passion. But I think you will agree with me in this, if in nothing else that I may say to-night, that one in public life can deal in no better way with such a situation than to shed the inhibitions of expediency, be honest with himself, and try to think and speak the truth. Even for one imbued with such a purpose, the problem presented by the eighteenth amendment is not easy. It has so many sides and angles of approach.

The familiar parable of the blind men of Hindustan and the elephant is very much in point. One of the men, you will remember, who felt the elephant on its hard, rough flank, thought it was a wall; another who grasped its leg, that it was more like a tree; a third, who clutched the squirming trunk, that it was a snake; the fourth, who touched the pointed tusk, that it was like a spear; while still another, seizing the flapping tail, was sure it was a rope. They were all right, each from his own angle, but they were all wrong, because the elephant was much too big for any of them to grasp as a whole.

NEED FOR AN ORGANIZED INQUIRY

There are a great many angles from which the eighteenth amendment can be regarded, and unfortunately few of its commentators are as calm as probably were the blind men of Hindustan. One who tries to discuss it honestly and frankly must not only feel his way through a maze of conflicting impressions and dogmatic assertions of opinion, but must be prepared to make the effort in a tempest of criticism and abuse. Because of this I have long contended that what we most need in dealing with this problem is a cool-headed comprehensive survey of all its variant aspects, not by committees and organizations whose conclusions are formed in advance, and who seek only evidence that will confirm their preconceived ideas, but by a detached, unbiased body of men and women, who have no theory to prove and whose only aim is to find the truth and the whole truth. Mr. Hoover, in his acceptance address of two years ago, when speaking of what he called the "great experiment" had advocated just such an "organized searching inquiry," but Congress in the following session dodged the issue and authorized instead a much-diluted inquiry into the enforcement of all laws—an altogether different proposition.

Convinced that the original Hoover idea was the most sensible, the most fair, and the most promising avenue of approach to this particular problem, I endeavored last year by every possible means to persuade Congress to return to that proposal. The bill which I sought to have adopted would have directed the Wickersham Commission—a representative group of judicially minded men and women—to study the subject of our liquor legislation from the ground up, and would have provided them for that purpose abundant time, money, and authority to engage the most competent experts that could be found, and to conduct exhaustive and scholarly investigations wherever in this country or abroad they might see fit.

All that the vast majority of the American people want and all that any right-minded American wants is the truth. If the present laws and methods are working satisfactorily, let us know it. But if they are not, let us know that also. Such an investigation would have given us unprejudiced information about this which we now lack. It seemed a common-sense proposal, and one assumed that it merited and would receive the support of all who are actively interested in the question regardless of their predilections.

"DRY" OPPOSITION TO IMPARTIAL INVESTIGATION

Unfortunately it must be recorded that this assumption proved ill grounded. A letter addressed to the responsible heads of every national organization and committee known to be concerned with prohibition, whether pro or con, bespeaking their support and asking for their opinions and suggestions, brought an amazing and disillusioning response. Not a single representative of any of the organizations commonly spoken of as "dry" expressed anything but hostility to the proposal, and some of them replied in terms of harsh and bitter condemnation that might appropriately have been applied to the projects of a gangster or a racketeer. Whether or not they fear the truth, who can say? The fact remains that from first to last the proposal of an unbiased investigation encountered both directly and indirectly the persistent and determined opposition of these organizations and their agents. In the end their will and influence prevailed and the project of a scientific inquiry was thwarted.

So long as there was any possibility of such an organized inquiry, I refrained not only from expressing, but even from attempting to formulate in my own mind, any definite opinion upon the merits of the varying points of view. Now, however, that that door is closed I feel bound to do so, even though my opinion must be based only upon such limited observation and information as have come my way during the time that I have been able to devote to the subject. I believe that nothing but good can come from frank and honest discussion, and that the moment has arrived when those whose special duty it is to deal with the Nation's problems ought to give attention to the most tormenting problem in our national life.

ORIGIN OF EIGHTEENTH AMENDMENT

The attempt to deal with intemperance by prohibition dates back many centuries in other parts of the earth, but is of very recent origin in the western world. The Hindoos for 2,000 years have prohibited not only the manufacture, transportation, and sale, but even the use of all fermented beverages, and for 2,000 years their prohibitory laws have been ignored or only nominally observed by all classes. The Mohammedan countries for 1,300 years have had similar laws, and except among a few small sects their experience has been no different.

Among Christian peoples no such experiment had been tried until within the span of years of men now living. The first attempt was in the State of Maine in 1851. Between that date and the outbreak of the World War 24 of our States had at one time or another adopted prohibition, but when the war began, most of them had abandoned it, and only nine, of scant and scattered population, mostly in the South, remained under prohibitory laws. During the course of the war 19 other States, in the main also of rural population, adopted it, but they had little chance to test their legislation, for suddenly with the need of saving grain for the troops and peoples engaged in war, the proposal of nation-wide prohibition was launched and adopted. Then, as the war ended, it was proposed to make national prohibition permanent, and under the stimulus of war-time emotion this proposal also met enthusiastic support. Our people, militant with the spirit of victory, and imbued with a willingness to make any sacrifice for what they thought to be a patriotic cause, recognized nothing at the moment as unattainable for a country which had just been the deciding factor in the greatest war the world had ever known. Few stopped to question whether the spirit of sacrifice which had animated the Nation during the war was likely to continue, or what would happen when the tide of emotion had receded. Few stopped to ask whether the proposal was feasible or practicable, whether it took due account of divergences of opinion and customs in different sections of the country which sooner or later were bound to reappear. Few stopped to inquire what would eventually be involved in the way of further legislation, regulations, penalties, Government bureaus, and multitudinous enforcement personnel and machinery. Few were concerned about its consistency with our conception of natural rights, or our traditions of local self-government, or even about its appropriateness to the Federal Constitution.

The country at the moment seemed too near the millenium to be cautious about such things, and our legislators, in the several States as well as in Washington, had little difficulty in deciding that success was not to be doubted and that the great experiment of nation-wide prohibition should be made permanent and incorporated in the National Constitution.

EIGHTEENTH AMENDMENT UNDERMINING THE CONSTITUTION

However, Americans may differ about nation-wide prohibition in itself, I know of no recognized authority on American Government who does not to-day agree that the eighteenth amendment is fundamentally out of place in the Constitution and that it was a grave mistake to place it there. The Constitution is a charter of government and was not intended to be a code of laws. Its only purpose was to establish the Government's framework.

It defines the agencies and powers of the National Government, protects the States from Federal encroachments upon their original authority, and safeguards its citizens in the exercise of their inalienable rights. The Constitution was not designed to be, and ought never to have been, made the vehicle of any statutory enactment, irrespective of the subject matter, whether agriculture, industry, commerce, banking, education, crime, or anything else. A law, no matter how important, dealing with murder, arson, embezzlement, burglary, or bigamy would not properly belong in the Constitution. Even more out of place is a law concerning particular kinds of beverages.

It would have been appropriate (whether necessary or wise is, of course, another question) to adopt a constitutional amendment transferring from the States to the Federal Government authority to deal with these beverages, or with any of the other subjects which theretofore had been reserved for State control. But the interpolation in the Constitution of a specific method or system of dealing with them was wrong. It would have been wrong to put the Federal reserve system or the farm relief system or the method of regulating interstate commerce or the flexible tariff into the Constitution. It was equally wrong to put the prohibition system there. Such an inappropriate treatment of our great charter had never occurred before the eighteenth amendment, and its adoption marked a radical departure from all the traditions and precedents established during an experience of 130 years.

Irrespective of whether prohibition is good or bad as legislation, its insertion in our Constitution has done incalculable harm to the standing and authority of that immortal document. It has brought about a lowering of regard for that "master work of master minds" which from our earliest times had inspired a measure of respect akin to reverence. Because of it the authority of the Constitution has been weakened and impaired. Its provisions for the first time are treated with large-scale indifference or levity and flouted by not a few.

This is not all. The integrity of the Constitution is still further jeopardized by the fatal precedent which that amendment established. Advocates of nostrums for many other evils now seek to have their chosen remedies incorporated in the same document, pointing to the eighteenth amendment as showing the way. Should they succeed as the advocates of that amendment succeeded, the undermining of the basic bulwark of our Government will be complete. Its unique and essential character will be wholly lost. The commanding weight of its authority will be altogether destroyed.

The injury, actual and potential, done to the Constitution itself, in my judgment, is a very serious objection to the retention of the eighteenth amendment.

EIGHTEENTH AMENDMENT UNDERMINING RESPECT FOR GOVERNMENT

Never in all of our history has such an heroic effort been made to force a restrictive policy upon reluctant and resisting citizens as has been made during the past 11 years to enforce the eighteenth amendment. More agencies of the Government have been drawn upon, more money has been spent, more men have been employed, more laws have been passed, more rules and regulations have been promulgated to compel compliance with this amendment than for any other enactment that our Government has ever adopted.

For the sake of this amendment the Federal Government has mobilized, outside of all State and municipal services, an army of men considerably larger than the whole Marine Corps of the United States, most of them armed with automatic rifles, shotguns, or revolvers.

For the sake of this amendment the Federal Government has organized a special navy, which to-day ranks sixth in size among the navies of the world, including 25 destroyers, 33 so-called cruisers, 243 patrol vessels, 125 picket boats, and other miscellaneous craft, equipped with cannon, machine guns, and other armament of war (only a minor fraction of which would be required to prevent smuggling were it not for prohibition).

For the sake of this amendment time-honored rights of individuals, some of them supposedly guaranteed by provisions of the Constitution itself, have been ruthlessly shoved aside. Houses are searched and property seized without warrant. Automobiles are overhauled on the highways and pleasure boats ransacked in our harbors. The immemorial right of trial by jury has been nullified or curtailed. Men are tried more than once for the same cause, and punishments are inflicted, as under the Federal "5 and 10" law, or the "life for a pint" laws of certain States, that are out of all proportion to the gravity of the offense.

For the sake of this amendment our Government has violated long-established agreements of international law, has engaged in heated controversies with one foreign government after another, which under certain circumstances might easily have led to war, and has even resorted to the unprecedented and not-too-proud expedient of asking foreign aid in enforcing laws that are peculiarly our own. To this end we have besought other countries to abandon old rules of the sea to maintain which in other days we went to battle, and no less than 14 international conventions to accomplish this have been negotiated.

For the sake of this amendment the tentacles of government now reach out, sometimes pettily, sometimes viciously, into almost every corner of life. We read, for instance, of the banning of mineral waters, ginger ale, and ice in city restaurants and hotels; that the sale of crocks and jugs, bottles, stoppers, and corks has been forbidden in certain stores; and that Federal agents have seized sugar and yeast on sale in other business establishments. We find ourselves unable to buy cider or the juice of grapes without embalming fluid which makes both beverages unhealthful and difficult to digest. Helpful though such measures may be in checking certain infractions of the prohibition law, they scarcely can increase respect for the general cause. Far more disintegrating for that respect is the information that prohibition agents spend huge amounts of Government money to induce men by fraud and deceit to violate the law in order to entrap them. Still more repellant is the knowledge that the Federal prohibition service injects the deadliest of poisons into industrial alcohol and is willing, in order to promote enforcement, to inflict blindness, paralysis, and death not only upon violators of the prohibition law but even upon those—perhaps your boys and girls—who may be their innocent victims. This action on the part of your Government and mine has caused indescribable misery and sent countless American citizens to untimely and unsuspected graves. In all the annals of official atrocity, including those ascribed to enemy armies during the late war, I know of none more dastardly or more heinous.

For the sake of even such partial enforcement of the eighteenth amendment as we now have, measures, regulations, and punishments have been considered necessary that are not only inordinate in number but obnoxious in character and scale, repugnant to our traditions, and hostile to the dictates of conscience and common sense. They have provoked widespread resentment, disrespect for law, and contempt for Government authority throughout large groups of the American people, regardless of their age or sex or walk in life. No matter what the benefits of national prohibition may be, they are costing too great a price.

The objectionable methods employed, and apparently required, for its enforcement, and which are undermining the country's respect for government itself, present a compelling reason why the eighteenth amendment should not be retained.

EIGHTEENTH AMENDMENT UNDERMINING MORAL STANDARDS

We come now to the strangest and most serious fact of all. While the Government for more than a decade has engaged in a monumental struggle to coerce observance of the amendment, while Congress and State legislatures have passed laws upon laws, established bureaus after bureaus, appropriated larger and larger sums of money, and made punishments for violations more and more severe, after all these years and all this effort, prohibition enforcement to-day has little more than nominal support from a considerable part of our people. The most simple observation of life around us shows that the prohibition laws form a class by themselves, and that the average citizen makes slight effort to cooperate in their enforcement.

The same individual who would consider himself (or herself) contemptible if he failed to call the police when he saw a thief entering a neighbor's house would consider himself equally contemptible if he did so when it was a bootlegger illicitly delivering illegal beverages. The same individual who would feel it his unquestionable duty to inform and aid the police in a case of "hit and run" driving, pickpocketing, assault, burglary, embezzlement, or almost any other contravention of law, seldom feels any obligation to do so when violations of the prohibition laws are involved. Enforcement of these laws remains almost wholly in the hands of those who are paid to enforce them—the police and other hired agents of the Government, who rarely receive the slightest assistance or encouragement from the common run of men and women.

Nor is this the whole story. The prohibition laws remain in a class by themselves in a still more serious respect. We can not bury our heads like the ostriches or close our eyes to the further fact that the prohibition laws are everywhere violated, both in letter and in spirit, by otherwise law-abiding and high-minded people without the slightest compunction of conscience and without evoking general condemnation or disapproval. This is true not only of the public at large, who in war-time days helped to adopt the great experiment, it is equally true of men who in the intervening years have helped to frame or to administer the enforcing laws.

Most of us will agree that a law regulating standards of conduct which does not so appeal to the judgment and conscience of practically all good citizens as to compel their respect and support is a bad law. The eighteenth amendment belongs in this category, and the widespread evasions and subterfuges and the shocking hypocrisy and corruption which have followed in its train have become a serious menace to the moral standards of our people.

EIGHTEENTH AMENDMENT CLASS LEGISLATION

One other aspect of the eighteenth amendment remains to which allusion should be made. No matter what the intention of the amendment may have been, in its actual operation, it discriminates between rich and poor and partakes of the evils of class legislation. People of wealth who are so inclined, everywhere to-day procure whatever illicit beverages they want, in the quantities they want, without apprehension as to their quality or fear of the penalties of the law. It is only those of modest means who are forced by the amendment to choose between poison and total abstinence.

I know business men of great wealth who are insistent advocates of the retention of the eighteenth amendment for the very reason that it keeps the price of good liquor high and makes cheap liquor vile. They do not broadcast the argument, but privately they say that the amendment functions well because it deters their employees from purchasing, and tends, as they claim, to increase the output and efficiency of their plants, while, on the other hand, it does not interfere at all with the gratification of

their own tastes and habits. That argument smells of other lands and other days. There is no place under the laws of these United States for privileges of class. If the rich are not to be divested of what they consider their accustomed aids to social intercourse and good fellowship, then the rank and file can not in fairness be deprived of "beverages which through the ages have moistened and enlivened the workman's frugal fare."

CONCLUSION

The issue I have had in mind to-night has been the eighteenth amendment as it is, not as it might have been if it could have been carried into effect as many once fervently hoped. I believe, as everyone does and must, that it has brought to the country some very important benefits which we did not have before. These benefits must be preserved. But it has also brought great evils that we did not have before. It has undermined the people's regard for the basic charter of our institutions. It has impaired their respect for law and government. It is corrupting their standards of straightforward and honest living. It bears upon the poor but not the rich. These evils can not be allowed to continue. In my humble but very honest judgment we might far better seek some other way of dealing with the problem.

DEATH OF HON. WILLIAM KETTNER

Mr. SWING. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from California asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. SWING. Mr. Speaker and Members of the House, I take this occasion to announce the death of a former Member of this House, the Hon. William Kettner, who gave eight years of faithful and distinguished service on the floor of this House, from the Sixty-third to the Sixty-sixth Congress, inclusive. He was my predecessor. He was my friend while he was in Congress and he was my friend during the years after he had left the House.

Although he was a Democrat living in a Republican district, the people loved him so that they returned him to Congress as long as he was willing to serve. He voluntarily retired in an effort to recoup his own finances and also because he wanted to spend his last years in that city in California which he loved so well.

Death came to him in his home city of San Diego, quietly, painlessly, on the morning of November 11.

His service in this House was upon the Rivers and Harbors Committee and on the Naval Affairs Committee. His principal work was in behalf of the Navy. He was one of those who believed that in a country, traditionally opposed to a large standing Army, we should maintain a highly efficient and effective Navy, prepared to meet any emergency and to uphold the honor of our country and protect the lives of our citizens wherever they might be.

Mr. Kettner was popular with those with whom he associated here. He had the character, the disposition, and the human traits that made friends out of all whom he met. He was familiarly known as "Brother Bill," after the salutation with which he was accustomed to greet his friends.

The people of his city, district, and State mourned his passing, but the love and respect they had for him will continue throughout the years to come.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. QUIN (at the request of Mr. COLLIER) on account of illness.

WITHDRAWAL OF PAPERS IN THE CASE OF CHARLES F. BROWN (H. R. 6129)

By unanimous consent, Mr. BOYLAN was granted permission to withdraw from the files of the House, without leaving copies, the papers in the case of Charles F. Brown (H. R. 6129, 70th Cong.), no adverse report having been made therein.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 736. An act to authorize the cession to the city of New York of land on the northerly side of New Dorp Lane in exchange for permission to connect Miller Field with the said city's public sewer system;

H. R. 9267. An act for the relief of John A. Fay;

H. R. 10387. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of Denver, Colo., the ship's bell, plaque, war record, name plate, and silver service of the cruiser *Denver*, that is now or may be in his custody;

H. J. Res. 384. Joint resolution making appropriations available to carry into effect the provisions of the act of the Seventy-first Congress entitled "An act to fix the salaries of officers and members of the Metropolitan police force and the fire department of the District of Columbia"; and

H. J. Res. 393. Joint resolution making an appropriation for the United States Massachusetts Bay Colony Tercentenary Commission.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 10 minutes p. m.) the House adjourned until to-morrow, Wednesday, December 3, 1930, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

609. A letter from the Director of the Bureau of the Budget, transmitting a letter from the Assistant Secretary of the Treasury and acting Budget officer submitting reports of vessels and vehicles forfeited to the United States for violation of the customs and prohibition laws and acquired for official use in connection with the enforcement of such laws; also a list of persons employed in the office of the Supervising Architect of the Treasury and paid from the appropriation "General expenses of public buildings"; to the Committee on Expenditures in the Executive Departments and ordered to be printed.

610. A letter from the Attorney General, transmitting report of the Department of Justice for the fiscal year ended June 30, 1930; to the Committee on the Judiciary and ordered to be printed.

611. A letter from the Board of Commissioners of the District of Columbia, transmitting report of the official operations of the government for the District of Columbia for the fiscal year ended June 30, 1930; to the Committee on the District of Columbia.

612. A letter from the Administrator of Veterans' Affairs, transmitting annual report of inspection of National Home for Disabled Volunteer Soldiers, fiscal year 1930; to the Committee on Expenditures in the Executive Departments.

613. A letter from the Secretary of the Treasury, transmitting reports from the Departments of Commerce, Interior, and War, the United States Shipping Board, and the United States Railroad Administration relative to money received during the fiscal year ended June 30, 1930; to the Committee on Expenditures in the Executive Departments.

614. A letter from the Treasury Department, transmitting report of rental collections on account of public buildings and sites, privileges, and ground rent under the control of the Treasury Department outside of the District of Columbia; to the Committee on Expenditures in the Executive Departments.

615. A letter from the Secretary of the Treasury, transmitting statement reporting refunds in excess of $500 made by the Bureau of Internal Revenue during the fiscal year ended June 30, 1930, on account of taxes erroneously collected; to the Committee on Expenditures in the Executive Departments.

616. A letter from the Secretary of the Treasury, transmitting combined statement of the receipts and expenditures, balances, etc., of the Government during the fiscal year ended June 30, 1930 (H. Doc. No. 641); to the Com-

mittee on Expenditures in the Executive Departments and ordered to be printed.

617. A letter from the Comptroller General, transmitting report of the work of the General Accounting Office for the fiscal year 1930; to the Committee on Expenditures in the Executive Departments.

618. A letter from the Secretary of the Interior, transmitting report of all operations of the War Minerals Relief Commission, 1930; to the Committee on Expenditures in the Executive Departments.

619. A letter from the Attorney General, transmitting list of suits arising under the public vessel act of March 3, 1925, in which final decrees were entered; to the Committee on Claims.

620. A letter from the Attorney General, transmitting list of suits arising under the act of March 9, 1920, authorizing suits against the United States in admiralty involving merchant vessels, in which final decrees were entered against the United States; to the Committee on Claims.

621. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Machias River, Me., covering navigation, flood control, power development, and irrigation (H. Doc. No. 642); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

622. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of Little Peedee and Lumber Rivers, S. C., with a view to the control of their floods; to the Committee on Flood Control.

623. A letter from the Secretary of War, transmitting report from the Chief of Engineers on St. Croix River, Me., covering navigation, flood control, power development, and irrigation (H. Doc. No. 643); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

624. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Thames River, Conn., covering navigation, flood control, power development, and irrigation (H. Doc. No. 644); to the Committee on Rivers and Harbors and ordered to be printed, with 25 illustrations.

625. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Presumpscot River, Me., covering navigation, flood control, power development, and irrigation (H. Doc. No. 645); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

626. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Androscoggin River, Me. and N. H., covering navigation, flood control, power development, and irrigation (H. Doc. No. 646); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

627. A letter from the Secretary of War, transmitting report from the Chief of Engineers on resurvey of Wrangell Narrows, Alaska (H. Doc. No. 647); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

628. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Union River, Me., covering navigation, flood control, power development, and irrigation (H. Doc. No. 648); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

629. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Merrimack River, N. H. and Mass., covering navigation, flood control, power development, and irrigation (H. Doc. No. 649); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

630. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of Lynches River, S. C., with a view to the control of its floods; to the Committee on Flood Control.

631. A letter from the Comptroller General, transmitting report and recommendation concerning the claim of T. Morris White against the United States; to the Committee on Claims.

632. A letter from the Comptroller General of the United States, transmitting report and recommendation to the Congress concerning the claim of the Sun Shipbuilding & Dry Dock Co. against the United States; to the Committee on Claims.

633. A letter from the Comptroller General of the United States, transmitting report and recommendation to the Congress concerning the claim of the National Dry Dock & Repair Co. (Inc.) against the United States; to the Committee on Claims.

634. A letter from the Comptroller General of the United States, transmitting report and recommendation to the Congress concerning the claim of the David Gordon Building & Construction Co. against the United States; to the Committee on Claims.

635. A letter from the Comptroller General, transmitting report and recommendation to the Congress concerning the claim of Mr. C. O. Smith against the United States; to the Committee on Claims.

636. A letter from the Comptroller General, transmitting report and recommendation to the Congress concerning the claim of Mildred N. O'Lone against the United States; to the Committee on Claims.

637. A letter from the Comptroller General, transmitting report and recommendation to the Congress concerning the claim of Howard Dimick against the United States; to the Committee on Claims.

638. A letter from the Comptroller General, transmitting report and recommendation to the Congress concerning the claim of the B. & O. Manufacturing Co. against the United States; to the Committee on Claims.

639. A letter from the Secretary of War, transmitting second annual report of the Porto Rican Hurricane Relief Commission to the Congress of the United States, October 1, 1929, to September 30, 1930 (H. Doc. No. 650); to the Committee on Insular Affairs and ordered to be printed.

640. A letter from the Acting Secretary of Commerce, transmitting a complete set of general rules and regulations prescribed by the board of supervising inspectors, Steamboat Inspection Service, at the meeting of January, 1930; to the Committee on Interstate and Foreign Commerce.

641. A letter from the executive director of the Republican National Committee, transmitting several statements issued by Secretary Wilbur and Solicitor Edward C. Finney, of the Interior Department, and two statements by Senator GLENN relative to charges of Ralph S. Kelley, dismissed employee of the Public Lands Office; to the Committee on the Public Lands.

642. A letter from the Secretary of War, transmitting annual report of sales, covering the disposal of surplus property in the possession of the War Department within the United States, as shown by reports received from the various field agencies during the period October 15, 1929, to October 15, 1930; to the Committee on Expenditures in the Executive Departments.

643. A letter from the Comptroller General, transmitting recommendation to the Congress for the enactment of legislation for the simplification of the procedure for the payment of Federal moneys to States and Territories; to the Committee on Expenditures in the Executive Departments.

644. A letter from the Comptroller General of the United States, transmitting recommendation to the Congress for the enactment of legislation in the matter of the returns, audit, and filing of Federal contracts; to the Committee on Expenditures in the Executive Departments.

645. A letter from the Secretary of the Interior, transmitting special report of expenditures from the appropriation "Support of Indians and administration of Indian property, 1930"; to the Committee on Expenditures in the Executive Departments.

646. A letter from the Secretary of the Interior, transmitting report of an accumulation of papers which are not needed in the transaction of public business and have no permanent value or historical interest; to the Committee on Disposition of Useless Papers.

647. A letter from the Secretary of the Interior, transmitting two tables showing the cost and other data with respect to Indian irrigation projects as compiled to the end

of the fiscal year June 30, 1930; to the Committee on Indian Affairs.

648. A letter from the Secretary of War, transmitting annual report of the activities of the National Board for the Promotion of Rifle Practice (H. Doc. No. 651); to the Committee on Military Affairs and ordered to be printed.

649. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Penobscot River, Me., covering navigation, flood control, power development, and irrigation (H. Doc. No. 652); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

650. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Kinderhook Creek, N. Y. and Mass., covering navigation, flood control, power development, and irrigation (H. Doc. No. 653); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

651. A letter from the Secretary of War, transmitting report dated December 1, 1930, for the Chief of Engineers, United States Army, on preliminary examination and survey of Taylor Creek, Fla.; to the Committee on Rivers and Harbors.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 12891) granting a pension to Mary West, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BRITTEN: A bill (H. R. 14034) to provide for the reimbursement of certain civilian employees of the naval operating base, Hampton Roads, Va., for the value of tools lost in a fire on Pier 7 at the naval operating base on May 4, 1930; to the Committee on Claims.

Also, a bill (H. R. 14035) to amend section 4 of the immigration act of 1924, as amended; to the Committee on Immigration and Naturalization.

By Mr. BUCKBEE: A bill (H. R. 14036) providing for the purchase of a site and the erection thereon of a public building at Marseilles, in the State of Illinois; to the Committee on Public Buildings and Grounds.

By Mr. CABLE: A bill (H. R. 14037) to suspend immigration in aid of the unemployed; to the Committee on Immigration and Naturalization.

By Mr. CRAIL: A bill (H. R. 14038) to grant pension or disability allowances to officers, warrant officers, and enlisted men retired from the Army, Navy, and Marine Corps; to the Committee on Military Affairs.

By Mr. DARROW: A bill (H. R. 14039) for the relief of certain officers of the Dental Corps of the United States Navy; to the Committee on Naval Affairs.

By Mr. ELLIOTT: A bill (H. R. 14040) to enable the Secretary of the Treasury to expedite work on the Federal building program authorized by the act of Congress entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926, and acts amendatory thereof; to the Committee on Public Buildings and Grounds.

By Mr. HOWARD: A bill (H. R. 14041) to amend an act approved December 17, 1928, entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment thereon, in claims which the Winnebago Tribe of Indians may have against the United States, and for other purposes"; to the Committee on Indian Affairs.

By Mr. HUDDLESTON: A bill (H. R. 14042) authorizing an appropriation for the relief of destitution in the United States; to the Committee on the Judiciary.

By Mr. JAMES of Michigan (by request of the War Department): A bill (H. R. 14043) to authorize the Secretary of War to lease Governors Island, Mass., to the city of Boston, Mass., and for other purposes; to the Committee on Military Affairs.

Also (by request of the War Department), a bill (H. R. 14044) to authorize advance payments to members of the Reserve Corps on active duty prior to departure to their homes; to the Committee on Military Affairs.

Also (by request of the War Department), a bill (H. R. 14045) to amend an act approved May 17, 1926, entitled "An act to authorize the Secretary of War to grant easements in and upon public military reservations and other lands under his control"; to the Committee on Military Affairs.

By Mrs. OWEN: A bill (H. R. 14046) providing for a survey of the loss sustained by Florida farmers and fruit growers in the Mediterranean fruit-fly eradication campaign; to the Committee on Agriculture.

By Mr. WARREN: A bill (H. R. 14047) to authorize the construction of a bridge across the Inland Waterway near Fairfield, N. C.; to the Committee on Rivers and Harbors.

By Mr. ZIHLMAN: A bill (H. R. 14048) to amend the acts approved March 3, 1925, and July 3, 1926, known as the District of Columbia traffic acts, etc.; to the Committee on the District of Columbia.

Also, a bill (H. R. 14049) to provide for special assessments for the paving of roadways and the laying of curbs and gutters; to the Committee on the District of Columbia.

By Mr. DAVILA: A bill (H. R. 14050) to amend section 5 of the act of February 15, 1893, entitled "An act granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service"; to the Committee on Interstate and Foreign Commerce.

By Mr. DAVIS: A bill (H. R. 14051) to grant the consent of Congress to the Highway Department of the State of Tennessee to construct and maintain a bridge across the Elk River on the Fayetteville-Winchester road near the town of Kelso, in Lincoln County, Tenn.; to the Committee on Interstate and Foreign Commerce.

By Mr. CONNERY: A bill (H. R. 14052) to provide for the immediate payment to veterans of the face value of their adjusted-service certificates; to the Committee on Ways and Means.

By Mr. GOSS: A bill (H. R. 14053) to amend the national prohibition act, as amended and supplemented, in respect to the definition of intoxicating liquor; to the Committee on the Judiciary.

Also, a bill (H. R. 14054) to enable physicians to prescribe malt liquors for medicinal purposes; to the Committee on the Judiciary.

By Mr. GRAHAM: A bill (H. R. 14055) to make permanent certain temporary judgeships; to the Committee on the Judiciary.

By Mr. LEAVITT: A bill (H. R. 14056) to amend the act approved March 2, 1929, entitled "An act to authorize the disposition of unplatted portions of Government town sites on irrigation projects under the reclamation act of June 17, 1902, and for other purposes"; to the Committee on Irrigation and Reclamation.

By Mrs. RUTH PRATT: A bill (H. R. 14057) to provide books for the adult blind; to the Committee on the Library.

By Mr. WELSH of Pennsylvania: A bill (H. R. 14058) prohibiting any course of military training from being made compulsory as to any student in any educational institution other than a military school, and amending accordingly the act of June 4, 1920, entitled "An act to amend an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice"; to the Committee on Military Affairs.

By Mrs. ROGERS: A bill (H. R. 14059) to authorize an appropriation to provide additional hospital, domiciliary, and out-patient dispensary facilities for persons entitled to hospitalization under the World War veterans' act, 1924, as amended, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. WILLIAMSON: A bill (H. R. 14060) to establish the department of national defense, to create an air force

as a separate arm of defense, to coordinate and consolidate the administration of national defense, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. SUMNERS of Texas: A bill (H. R. 14061) authorizing compacts among States for agricultural and conservation purposes; to the Committee on Agriculture.

By Mr. DENISON: A bill (H. R. 14062) to amend the Penal Code of the Canal Zone; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14063) to amend Act No. 4 of the Isthmian Canal Commission entitled "An act to prohibit gambling in the Canal Zone, Isthmus of Panama, and to provide for the punishment of violations thereof, and for other purposes," enacted August 22, 1904; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14064) to amend Act No. 3 of the Isthmian Canal Commission relating to the suppression of lotteries in the Canal Zone, enacted August 22, 1904; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14065) to amend an Executive order promulgated August 4, 1911, prohibiting promotion of fights between bulls, dogs, or cocks; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14066) to prevent, in the Canal Zone, fire-hunting at night, and hunting by means of a spring or trap, and to repeal the Executive orders of September 8, 1909, and January 27, 1914; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14067) to regulate the carrying and keeping of arms in the Canal Zone; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14068) to repeal the Executive order of November 23, 1909, making the enticing of laborers from the Isthmian Canal Commission or the Panama Railroad a misdemeanor; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14069) to provide a new civil code for the Canal Zone and to repeal the existing civil code; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14070) to amend the Code of Criminal Procedure for the Canal Zone; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14071) to provide for the extradition of fugitives from the justice of the Republic of Panama who seek refuge in the Canal Zone; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14072) to provide for the protection of birds and their nests in the Canal Zone; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14073) to repeal an ordinance enacted by the Isthmian Canal Commission August 5, 1911, and approved by the Secretary of War August 22, 1911, establishing market regulations for the Canal Zone; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14074) to regulate radio equipment on ocean-going vessels using the ports of the Canal Zone; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14075) to provide for the inspection of vessels navigating Canal Zone waters; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14076) to authorize certain officials of the Canal Zone to administer oaths and to summon witnesses to testify in matters within the jurisdiction of such officials; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14077) to punish persons deported from the Canal Zone who return thereto; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14078) to regulate the operation of street-railway cars at crossings; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14079) to amend an act entitled "An act extending certain privileges of canal employees to other officials on the Canal Zone and authorizing the President to make rules and regulations affecting health, sanitation, quarantine, taxation, public roads, self-propelled vehicles, and police powers on the Canal Zone, and for other purposes, including provision as to certain fees, money orders, and interest deposits," approved August 21, 1916; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14080) to amend section 5 of the Panama Canal act; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14081) to provide for the appointment of a public defender for the Canal Zone; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14082) in relation to the Canal Zone postal service; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14083) to provide for the establishment of a customs service in the Canal Zone, and other matters; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14084) in relation to the keeping and impounding of domestic animals in the Canal Zone; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14085) to provide a new Code of Civil Procedure for the Canal Zone and to repeal the existing Code of Civil Procedure; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14086) to provide for the transportation of liquors under seal through the Canal Zone; to the Committee on Interstate and Foreign Commerce.

By Mr. McKEOWN: Joint resolution (H. J. Res. 409) suspending foreclosure proceedings in drought-stricken areas by the Federal land banks for the period of 12 months; to the Committee on Banking and Currency.

By Mr. BOYLAN: Resolution (H. Res. 306) requesting certain information from the Civil Service Commission; to the Committee on the Civil Service.

By Mr. PERKINS: Resolution (H. Res. 307) providing for the services of a temporary janitor in the House document room; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 14087) for the relief of Edwin John Nelson; to the Committee on Naval Affairs.

Also, a bill (H. R. 14088) granting an increase of pension to Florence L. McMechan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14089) granting an increase of pension to Georgie Ann Romee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14090) granting an increase of pension to Mabel L. F. Schultz; to the Committee on Invalid Pensions.

By Mr. ALMON: A bill (H. R. 14091) granting a pension to Margaret McAllister Barron; to the Committee on Pensions.

By Mr. AYRES: A bill (H. R. 14092) granting an increase of pension to Effie E. Milton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14093) granting an increase of pension to Roeana M. Bass; to the Committee on Invalid Pensions.

By Mr. BEERS: A bill (H. R. 14094) granting an increase of pension to Isabel Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14095) granting an increase of pension to Melvina E. Crouse; to the Committee on Invalid Pensions.

By Mr. BOWMAN: A bill (H. R. 14096) granting an increase of pension to Persis A. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14097) granting an increase of pension to Jennie Wainer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14098) granting an increase of pension to Sabina O. Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14099) granting an increase of pension to Martha J. Patterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14100) granting an increase of pension to Elizabeth Snider; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14101) granting a pension to William J. Coberly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14102) granting an increase of pension to Mary A. C. Liston; to the Committee on Invalid Pensions.

By Mr. BRITTEN: A bill (H. R. 14103) for the relief of Lieut. M. A. Sprengel, Supply Corps, United States Navy; to the Committee on Naval Affairs.

By Mr. BRUMM: A bill (H. R. 14104) granting a pension to Sarah E. Derr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14105) granting a pension to Anna Stutzman; to the Committee on Invalid Pensions.

By Mr. BUCKBEE: A bill (H. R. 14106) granting an increase of pension to Cora Winklepleck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14107) granting an increase of pension to Ellen H. Lincoln; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14108) granting an increase of pension to Aurelia Towne; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14109) for the relief of James Prien; to the Committee on Military Affairs.

Also, a bill (H. R. 14110) granting an increase of pension to Minnie J. Miner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14111) granting an increase of pension to Marian A. Mack; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14112) granting an increase of pension to Mattie T. Gray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14113) granting an increase of pension to Aurilla Franklin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14114) granting an increase of pension to Marie Louise Bellrose; to the Committee on Invalid Pensions.

By Mr. CAMPBELL of Iowa: A bill (H. R. 14115) for the relief of the Odd Fellows lodge, at Alvord, Iowa; to the Committee on Claims.

By Mr. CANFIELD: A bill (H. R. 14116) granting a pension to Anthony Preston; to the Committee on Invalid Pensions.

By Mr. CHALMERS: A bill (H. R. 14117) granting an increase of pension to Emma M. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14118) granting an increase of pension to Clara H. Stutts; to the Committee on Invalid Pensions.

By Mr. COYLE: A bill (H. R. 14119) for the relief of Stephen George Bednar; to the Committee on Naval Affairs.

Also, a bill (H. R. 14120) for the relief of James Dougherty; to the Committee on Military Affairs.

Also, a bill (H. R. 14121) granting an increase of pension to Ida M. King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14122) granting a pension to Susie Gamble; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 14123) granting a pension to Dillon N. Coulston; to the Committee on Pensions.

Also, a bill (H. R. 14124) granting a pension to Cruz Avery; to the Committee on Pensions.

Also, a bill (H. R. 14125) granting a pension to Justine Draa; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14126) granting a pension to Mrs. Willis E. Bowman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14127) granting an increase of pension to Helen Van A. Gordon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14128) granting an increase of pension to Matie L. Frisbie; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14129) for the relief of Robert Gatewood; to the Committee on Naval Affairs.

Also, a bill (H. R. 14130) granting a pension to Charles Glitz; to the Committee on Pensions.

Also, a bill (H. R. 14131) granting a pension to Martha J. Greenlee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14132) granting a pension to Tryphena Grier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14133) for the relief of Abe Grossman; to the Committee on Naval Affairs.

Also, a bill (H. R. 14134) granting a pension to William Grover; to the Committee on Pensions.

Also, a bill (H. R. 14135) granting a pension to Sarah E. Jerome; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14136) granting a pension to Frank Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14137) for the relief of Albert J. Jones; to the Committee on Military Affairs.

Also, a bill (H. R. 14138) granting a pension to Alice Jewett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14139) granting an increase of pension to Jeannette R. Walton Leslie; to the Committee on Pensions.

Also, a bill (H. R. 14140) granting a pension to Joseph Laub; to the Committee on Pensions.

Also, a bill (H. R. 14141) for the relief of James McCaffrey; to the Committee on Military Affairs.

Also, a bill (H. R. 14142) for the relief of Harry McCollister; to the Committee on Military Affairs.

Also, a bill (H. R. 14143) granting a pension to Mary Lawrence McDonald; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14144) granting a pension to Della Means; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14145) granting a pension to Mary O. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14146) granting a pension to Sarah B. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14147) granting a pension to Elizabeth Mitchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14148) granting an increase of pension to Harry C. Miller; to the Committee on Pensions.

Also, a bill (H. R. 14149) granting a pension to Laura Belle Norris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14150) granting a pension to Marie Mitchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14151) granting an increase of pension to Jane Oliver; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14152) granting a pension to Arthur L. Probst; to the Committee on Pensions.

Also, a bill (H. R. 14153) granting a pension to Josephine M. Burke; to the Committee on Pensions.

Also, a bill (H. R. 14154) granting a pension to George E. West; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14155) granting a pension to Elizabeth B. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14156) granting a pension to Franklin Edwin Williams; to the Committee on Pensions.

Also, a bill (H. R. 14157) granting a pension to Josephine Wilson; to the Committee on Pensions.

Also, a bill (H. R. 14158) granting a pension to George F. Thornton; to the Committee on Pensions.

Also, a bill (H. R. 14159) granting a pension to Emma von Minden; to the Committee on Pensions.

Also, a bill (H. R. 14160) granting a pension to Kate Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14161) granting a pension to Dell V. Trisler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14162) for the relief of Clarence Oral Privitt; to the Committee on Military Affairs.

Also, a bill (H. R. 14163) for the relief of George F. Reed; to the Committee on Military Affairs.

Also, a bill (H. R. 14164) granting a pension to Jack A. Painter; to the Committee on Pensions.

Also, a bill (H. R. 14165) granting a pension to Harriet E. Peterson; to the Committee on Pensions.

Also, a bill (H. R. 14166) granting a pension to Clara Saint-Pierre; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14167) granting a pension to Harold G. Bates; to the Committee on Pensions.

Also, a bill (H. R. 14168) granting an increase of pension to Martha L. Woodward; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14169) granting an increase of pension to Charles Wheatley; to the Committee on Pensions.

Also, a bill (H. R. 14170) granting an increase of pension to Mary A. Reeder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14171) for the relief of George Walter Cole; to the Committee on Military Affairs.

Also, a bill (H. R. 14172) for the relief of Carl F. Ziesmer; to the Committee on Military Affairs.

Also, a bill (H. R. 14173) for the relief of Harry Slavin; to the Committee on Military Affairs.

Also, a bill (H. R. 14174) to authorize the appointment of Q. M. Sergt. John Imhof, Quartermaster Corps, United States Army, retired, to grade of master sergeant on the retired list; to the Committee on Military Affairs.

Also, a bill (H. R. 14175) providing for the appointment of Chief Boatswain John J. Rochfort, with the rank of lieutenant, United States Navy, retired, to the office of lieutenant on the retired list of the Navy and awarding him a congressional medal of honor; to the Committee on Naval Affairs.

Also, a bill (H. R. 14176) for the relief of Grace M. Schulze; to the Committee on War Claims.

By Mr. CRAMTON: A bill (H. R. 14177) granting a pension to Agnes Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14178) granting a pension to Hariett Davis; to the Committee on Invalid Pensions.

By Mr. CULKIN: A bill (H. R. 14179) granting a pension to Eliza C. Morehouse; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14180) granting a pension to Sarah Morgan; to the Committee on Invalid Pensions.

By Mr. DENISON: A bill (H. R. 14181) granting a pension to Walter Puckett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14182) granting an increase of pension to Malinda J. Willis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14183) granting an increase of pension to Mary A. Royster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14184) granting an increase of pension to Emalin Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14185) granting a pension to Hannah Mandrell; to the Committee on Invalid Pensions.

By Mr. ELLIOTT: A bill (H. R. 14186) granting a pension to Marshall Long; to the Committee on Pensions.

By Mr. ELLIS: A bill (H. R. 14187) granting a pension to John N. Aldridge; to the Committee on Invalid Pensions.

By Mr. FITZPATRICK: A bill (H. R. 14188) for the relief of Caroline M. Hyde; to the Committee on Claims.

By Mr. FREE: A bill (H. R. 14189) granting a pension to Mary E. Newcomb; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 14190) granting a pension to Frederick H. Bradbury; to the Committee on Pensions.

Also, a bill (H. R. 14191) for the relief of Alfred Burton; to the Committee on Claims.

Also, a bill (H. R. 14192) granting a pension to Emma F. Eshom; to the Committee on Pensions.

Also, a bill (H. R. 14193) granting a pension to Marion M. Luther; to the Committee on Invalid Pensions.

By Mr. GOLDSBOROUGH: A bill (H. R. 14194) for the relief of the Bethel Cemetery Co., the Presbyterian Church, Harold S. Stubbs, George Morgan, Edward Stapp, William J. Howard, David J. Seacord, and Mary L. McIntire; to the Committee on Claims.

By Mr. HARE: A bill (H. R. 14195) granting a pension to Ida Davis; to the Committee on Pensions.

Also, a bill (H. R. 14196) for the relief of Gannie H. Daniels; to the Committee on Military Affairs.

Also, a bill (H. R. 14197) for the relief of Franklin M. Miller; to the Committee on Claims.

By Mr. HOGG of Indiana: A bill (H. R. 14198) granting an increase of pension to Mary J. Hull; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14199) granting an increase of pension to Martha J. Cole; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14200) granting an increase of pension to Ellah M. Cole; to the Committee on Invalid Pensions.

By Mr. IRWIN: A bill (H. R. 14201) for the relief of Fred C. Hinrichsen; to the Committee on Naval Affairs.

Also, a bill (H. R. 14202) granting a pension to John G. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14203) granting an increase of pension to Elizabeth Tillman; to the Committee on Invalid Pensions.

By Mr. JOHNSON of South Dakota: A bill (H. R. 14204) granting a pension to Louisa Gilkerson; to the Committee on Invalid Pensions.

By Mr. JOHNSTON of Missouri: A bill (H. R. 14205) granting an increase of pension to Nellie E. Hammer; to the Committee on Pensions.

Also, a bill (H. R. 14206) granting a pension to Mary Key; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14207) granting an increase of pension to Isabell A. Yandle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14208) granting an increase of pension to Nancy Catherine Fry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14209) granting an increase of pension to Mary E. Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14210) granting an increase of pension to Mary J. Allen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14211) granting a pension to Mary A. Lane; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14212) granting an increase of pension to Mary E. Bumgarner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14213) granting an increase of pension to Susan A. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14214) granting an increase of pension to Eliza I. Stark; to the Committee on Invalid Pensions.

By Mr. KURTZ: A bill (H. R. 14215) granting an increase of pension to Hester L. Penrose; to the Committee on Invalid Pensions.

By Mr. McCLINTOCK of Ohio: A bill (H. R. 14216) granting a pension to Lucy S. Wallace; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14217) granting an increase of pension to Sarah E. Burroway; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14218) granting an increase of pension to Sophia E. Wells; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14219) granting an increase of pension to Sarah Hanna; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 14220) for the relief of Jacob Rice; to the Committee on Military Affairs.

Also, a bill (H. R. 14221) granting a pension to Eva Louise Eberlin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14222) granting a pension to Edgar R. Wheeler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14223) granting an increase of pension to Sarah W. Bowlby; to the Committee on Invalid Pensions.

By Mr. MONTAGUE: A bill (H. R. 14224) for the relief of Charles Brock Hughes; to the Committee on Naval Affairs.

Also, a bill (H. R. 14225) for the relief of Chief Yeoman William I. Gooch; to the Committee on Claims.

By Mr. NELSON of Missouri: A bill (H. R. 14226) granting a pension to Charles Bell; to the Committee on Invalid Pensions.

By Mr. PALMER: A bill (H. R. 14227) granting an increase of pension to Absolum B. Dempsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14228) granting an increase of pension to Richard P. Gwinn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14229) granting an increase of pension to Jacob Carter Keithley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14230) granting a pension to Ursula J. Gott; to the Committee on Invalid Pensions.

By Mr. SANDERS of Texas: A bill (H. R. 14231) for the relief of John T. Kilgore; to the Committee on Military Affairs.

Also, a bill (H. R. 14232) for the relief of Henry Dixon Linebarger; to the Committee on Naval Affairs.

Also, a bill (H. R. 14233) for the relief of the State National Bank of Wills Point, Tex.; to the Committee on Claims.

By Mr. SNELL: A bill (H. R. 14234) granting an increase of pension to Mary M. Tenney; to the Committee on Invalid Pensions.

By Mr. SUMMERS of Washington: A bill (H. R. 14235) granting an increase of pension to Hannah Willey; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 14236) granting a pension to George W. Bowen; to the Committee on Invalid Pensions.

By Mr. VESTAL: A bill (H. R. 14237) granting an increase of pension to Henrietta Ray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14238) granting an increase of pension to Clyde V. Markle; to the Committee on Pensions.

By Mr. WALKER: A bill (H. R. 14239) granting a pension to Sarah L. Hadley; to the Committee on Invalid Pensions.

By Mr. WHITE: A bill (H. R. 14240) granting a pension to Albert W. Getchell; to the Committee on Pensions.

By Mr. WOLVERTON of New Jersey: A bill (H. R. 14241) granting an increase of pension to Sarah C. Thomas; to the Committee on Invalid Pensions.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 14242) granting an increase of pension to Mary E. Hart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14243) granting an increase of pension to William C. Hopkins; to the Committee on Pensions.

Also, a bill (H. R. 14244) granting an increase of pension to Agness Deem; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14245) granting an increase of pension to Sarah C. Bush; to the Committee on Invalid Pensions.

By Mr. LINDSAY: Resolution (H. Res. 308) to pay salary and funeral expenses of Albert J. Kubeldzis, late clerk to Congressman LINDSAY; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7724. Petition of the American Academy of Arts and Letters, urging Congress that the legislation now pending in the House of Representatives be promptly considered, recognizing the rights of authors, artists, and composers; to the Committee on Patents.

7725. Petition of several associations of American citizens of Russian descent, of Chicago, Ill., going on record as recognizing the great value of the services rendered by the congressional committee investigating communist activities in the United States; to the Special Committee Investigating Communist Propaganda.

7726. Petition of the Russian American Colony in Cleveland, Ohio, going on record as recognizing the great value of the services rendered by the members of the congressional committee investigating communist activities in the United States; to the Special Committee Investigating Communist Propaganda.

7727. Petition of the Government Club (Inc.), Hotel Astor, New York, urging Congress of the United States to declare the Communist Party of the United States of America, section of the Third International, outlawed, and that suitable laws be enacted to this end; to the Special Committee Investigating Communist Propaganda.

7728. Petition of the Mahoning County, Ohio, chapter of the Reserve Officers' Association of the United States of America, favoring the congressional committee investigating communist activities in the United States, with the request that such a political party be outlawed; to the Special Committee Investigating Communist Propaganda.

7729. By Mr. BOYLAN: Resolution adopted by the National Jewelers Publicity Association, of Newark, N. J., opposing the proposed increase of rates on first-class mail; to the Committee on the Post Office and Post Roads.

7730. Also, letter from the St. John Letter Co. (Inc.), New York City, N. Y., opposing the proposed increase of rates on first-class mail; to the Committee on the Post Office and Post Roads.

7731. Also, resolution adopted at annual meeting of the American Institute of Marine Underwriters, New York City, opposing the proposed increase of rates on first-class mail; to the Committee on the Post Office and Post Roads.

7732. Also, resolution adopted unanimously by the National Retail Dry Goods Association of New York City, opposing the proposed increase of rates on first-class mail; to the Committee on the Post Office and Post Roads.

7733. By Mr. CAMPBELL of Iowa: Petition of members and friends of the Woman's Home Missionary Society of Hartley, Iowa, urging Congress to enact a law for the Federal supervision of motion pictures establishing higher standards before production for films that are to be licensed for interstate and international commerce; to the Committee on Interstate and Foreign Commerce.

7734. By Mr. CRAIL: Petition of the National Federation of Post Office Clerks, Local No. 64, of Los Angeles, Calif., favoring the immediate enactment of House bill 6603, the 44-hour week bill for Federal employees; to the Committee on the Civil Service.

7735. Also, petition of approximately 1,700 citizens of Los Angeles County, Calif., favoring the passage of House bill 7884, a bill for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

7736. By Mr. EVANS of Montana: Petition of citizens of Bozeman, Mont., urging the passage of the Vestal copyright bill; to the Committee on the Library.

7737. Also, petition of members and friends of the First Church of Christ, Scientist, of Deer Lodge, Mont., urging the passage of the Vestal copyright bill; to the Committee on the Library.

7738. By Mr. FENN: Petition of four residents of the first congressional district of Connecticut, favoring the passage of House bill 7884, a bill for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

7739. Also, resolutions of the Connecticut League of Women Voters (Inc.), of Hartford, Conn., favoring the Government operation of Muscle Shoals; to the Committee on Military Affairs.

7740. By Mr. FITZGERALD: Petition of 30 citizens of Dayton, Ohio, asking that the adjusted-compensation certificates be paid in full; to the Committee on Ways and Means.

7741. By Mr. FRENCH: Petition of Rev. P. Oppermann, Payette, Idaho, urging that the preamble of the National Constitution be amended to read as recognizing the authority and law of Jesus Christ, the Savior and King of Nations; to the Committee on the Judiciary.

7742. Also, petition of the Woman's Christian Temperance Union, Culdesac, Idaho, urging a law for the Federal supervision of motion pictures, establishing higher standards before production for films that are to be licensed for interstate and international commerce; to the Committee on the Judiciary.

7743. Also, petition of the local Woman's Christian Temperance Union, Lewiston, Idaho, urging a law for the Federal supervision of motion pictures, establishing higher standards before production for films that are to be licensed for interstate and international commerce; to the Committee on the Judiciary.

7744. Also, petition of Ladies' Aid of Community Church, Culdesac, Idaho, urging a law for the Federal supervision of motion pictures, establishing higher standards before production for films that are to be licensed for interstate and international commerce; to the Committee on the Judiciary.

7745. Also, petition of Women's Home Missionary Society, Methodist Episcopal Church, Moscow, Idaho, urging a law for the Federal supervision of motion pictures, establishing higher standards before production for films that are to be licensed for interstate and international commerce; to the Committee on the Judiciary.

7746. By Mr. GARBER of Oklahoma: Petition of the United National Association of Post Office Clerks, urging support of House bill 6603, providing for the establishment

of the 44-hour week in the Postal Service; to the Committee on the Post Office and Post Roads.

7747. Also, petition of certain citizens of Woodward County, Okla., urging enactment of legislation providing for payment of World War veterans' adjusted service certificates in cash; to the Committee on Ways and Means.

7748. Also, petition of the Norfolk and Portsmouth Cotton Exchange, in regard to conditions in the cotton industry; to the Committee on Agriculture.

7749. By Mr. GRIFFIN: Resolution of the Retail Dry Goods Association of New York City, protesting against increase in first-class postal rates; to the Committee on the Post Office and Post Roads.

7750. By Mr. O'CONNELL: Petition of the Retail Dry Goods Association of New York, opposing increased postal rates; to the Committee on the Post Office and Post Roads.

7751. Also, petition of the Chamber of Commerce of the State of New York, with reference to the Soviet Government of Russia; to the Committee on Foreign Affairs.

7752. Also, petition of the National Retail Dry Goods Association of New York, opposing increased postal rates; to the Committee on the Post Office and Post Roads.

7753. Also, petition of the St. John Letter Co. (Inc.), of New York City, opposing increased postal rates; to the Committee on the Post Office and Post Roads.

7754. By Mr. O'CONNOR of New York: Resolutions of the Retail Dry Goods Association of New York, in opposition to increase in postal rates; to the Committee on the Post Office and Post Roads.

7755. By Mr. O'CONNOR of Oklahoma: Petition of Fraternal Order of Eagles, of Collinsville, Okla., concerning unemployment in the United States; to the Committee on Labor.

SENATE

WEDNESDAY, DECEMBER 3, 1930

The Chaplain, Rev. ZeBarney T. Phillips, D. D., delivered the following prayer:

Almighty God, who hast given the dawn its inalienable glory, midnight its quenchless stars, noonday its potentialities, and the westering sun its vesper hymn, speak to these hearts of ours, woven as they are of human joys and cares, washed with sorrow, swift to mirth, like waters blown by changing winds to laughter, that dawn and sunset and all colors of the earth may yield to us their richest store through the kindness of the years. Light Thou our way with flaming love along the viewless streams that bear us down the dark of life, that we may beacon the world's night and set to pulsing music the unthinking silence that men call death.

So in the hush of this our tryst with Thee
Speak to our hearts, dear Lord, and set them free.

Amen.

ROBERT M. LA FOLLETTE, Jr., a Senator from the State of Wisconsin, appeared in his seat to-day.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

SENATOR FROM NEW JERSEY

The VICE PRESIDENT. The Chair lays before the Senate a privileged communication relative to the Senator elect from New Jersey, which will be read.

The Chief Clerk read as follows:

THE STATE OF NEW JERSEY.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November, 1930, DWIGHT W. MORROW was duly chosen by the qualified electors of the State of New Jersey a Senator from said State, to represent said State in the Senate of the United States for the unexpired term of Hon. Walter E. Edge.

Witness his excellency our governor, Arthur N. Pierson, president of the senate, and our seal hereto affixed at Trenton, this 2d day of December, in the year of our Lord 1930.

ARTHUR N. PIERSON,
President of the Senate, Acting Governor.

By the governor:
[SEAL.]
JOSEPH F. S. FITZPATRICK,
Secretary of State.

Mr. KEAN. Mr. President, Mr. MORROW is present and ready to take the oath.

The VICE PRESIDENT. The credentials will be placed on file. The Senator elect will come forward and be sworn.

Mr. MORROW, escorted by Mr. KEAN, advanced to the Vice President's desk; and, the oath prescribed by law having been administered to him by the Vice President, he took his seat in the Senate.

THE BUDGET

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read and, with the accompanying report, referred to the Committee on Appropriations.

(For the message of the President see page 129 of the proceedings of the House of this day.)

REPORT OF SENATE OFFICE BUILDING COMMISSION

The VICE PRESIDENT laid before the Senate a communication from the secretary of the Senate Office Building Commission transmitting a report relative to bids for the work covered by plans and drawings for the new Delaware Avenue and C Street entrance to the Senate Office Building, which was referred to the Committee on Public Buildings and Grounds.

REPORT OF THE DIRECTOR OF THE BOTANIC GARDEN

The VICE PRESIDENT laid before the Senate a communication from the Director of the United States Botanic Garden transmitting pursuant to law, a statement relative to travel from Washington to points outside the District of Columbia in connection with official business of the office during the fiscal year ended June 30, 1930, which was referred to the Committee on the Library.

NOBEL PEACE PRIZE FOR 1931

The VICE PRESIDENT laid before the Senate a communication from the Assistant Secretary of State, transmitting copy of a circular issued by the Nobel Committee of the Norwegian Parliament furnishing information regarding the proposals of candidates for the Nobel peace prize for the year 1931, which, with the accompanying paper, was ordered to lie on the table.

USELESS PAPERS IN THE TREASURY DEPARTMENT

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, a report of papers and documents on the files of the Treasury Department which are not needed or useful in the transaction of the current business of the department and have no permanent value or historical interest, which, with the accompanying report, was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. SMOOT and Mr. SIMMONS members of the committee on the part of the Senate.

CIVIL-SERVICE APPOINTEES (S. DOC. NO. 224)

The VICE PRESIDENT laid before the Senate a communication from the secretary of the United States Civil Service Commission, transmitting, in response to Senate Resolution No. 285, a list of the names of employees in the classified service appointed between November 11, 1918, and June 9, 1930, inclusive, in the District of Columbia from the States of Vermont, Maryland, Virginia, and the District of Columbia, whose quotas are in excess of their apportionment, which, with the accompanying papers, on motion of Mr. HEFLIN, was referred to the Committee on Civil Service and ordered to be printed.

JUDGMENTS OF COURT OF CLAIMS (S. DOC. NO. 221)

The VICE PRESIDENT laid before the Senate a communication from the chief clerk of the Court of Claims,

transmitting, pursuant to law, a statement of judgments rendered by the Court of Claims for the year ended November 29, 1930, the amount thereof, the parties in whose favor rendered, and a brief synopsis of the nature of the claims, which, with the accompanying statement, was referred to the Committee on Appropriations and ordered to be printed.

SALE OF SURPLUS HYDROELECTRIC POWER AT WILSON DAM
(S. DOC. NO. 222)

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to Senate Resolution 307, agreed to June 28, 1930, photostatic copies of the letters which constitute the contract under which surplus hydroelectric power generated at Wilson Dam, Muscle Shoals, Ala., is being sold to the Alabama Power Co., which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

REPORT OF THE NATIONAL FOREST RESERVATION COMMISSION
(S. DOC. NO. 223)

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, president of the National Forest Reservation Commission, transmitting, pursuant to law, the report of the commission for the fiscal year ended June 30, 1930, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry and ordered to be printed with illustrations.

REPORT OF BOARD FOR PROMOTION OF RIFLE PRACTICE

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, the annual report of the activities of the National Board for the Promotion of Rifle Practice, which, with the accompanying report, was referred to the Committee on Military Affairs.

REPORT OF GORGAS MEMORIAL INSTITUTE

The VICE PRESIDENT laid before the Senate a joint communication from the chairman and president, respectively, of the Gorgas Memorial Institute of Tropical and Preventive Medicine (Inc.), transmitting, pursuant to law, a report covering the activities of the Gorgas Memorial Laboratory in Panama, together with a statement of receipts and disbursements for the year ended October 31, 1930, which, with the accompanying report, was referred to the Committee on Interoceanic Canals.

PORTO RICAN HURRICANE RELIEF COMMISSION

The VICE PRESIDENT laid before the Senate the second annual report of the Porto Rican Hurricane Relief Commission, transmitting, pursuant to law, a report of its activities for the year ended September 30, 1930, which was referred to the Committee on Territories and Insular Affairs.

PURCHASE OF AIRCRAFT FOR NAVY DEPARTMENT

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Navy, transmitting, pursuant to law, a report of designs, aircraft, aircraft parts, and aeronautical accessories purchased by the Navy Department during the fiscal year ended June 30, 1930, the prices paid therefor and the reasons for the award in each case, which, with the accompanying report, was referred to the Committee on Naval Affairs.

REPORTS OF ATTORNEY GENERAL

The VICE PRESIDENT laid before the Senate certain communications from the Attorney General of the United States, transmitting, pursuant to law, the following reports, which were referred to the Committee on the Judiciary:

The annual report of the Department of Justice for the fiscal year ended June 30, 1930;

A report showing suits arising under the public vessels act of March 3, 1925, in which final decrees were entered, exclusive of cases on appeal; and

A report showing suits arising under the act of March 9, 1920, authorizing suits against the United States in admiralty involving merchant vessels, in which final decrees were entered against the United States, exclusive of cases on appeal.

EXPENDITURES OF COURT OF CUSTOMS AND PATENT APPEALS

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting, pursuant to law, a statement of expenditures under appropriations for the United States Court of Customs and Patent Appeals for the fiscal year ended June 30, 1930, which, with the accompanying statement, was referred to the Committee on the Judiciary.

USELESS PAPERS IN POST OFFICE DEPARTMENT

The VICE PRESIDENT laid before the Senate a communication from the Postmaster General, transmitting, pursuant to law, a report relative to papers and documents in the Post Office Department which are not needed or useful in the transaction of the current business of the department, and have no permanent value or historical interest, which, with the accompanying report, was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. PHIPPS and Mr. MCKELLAR members of the committee on the part of the Senate.

BITTER ROOT IRRIGATION PROJECT, MONTANA

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report concerning the development work in connection with the Bitter Root irrigation project in Montana, which was referred to the Committee on Irrigation and Reclamation.

REPORT OF WAR MINERALS RELIEF COMMISSION

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of the operations of the War Minerals Relief Commission, including receipts and disbursements, for the year ended November 30, 1930, which, with the accompanying report, was referred to the Committee on Mines and Mining.

COST REPORT ON INDIAN IRRIGATION PROJECTS

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting pursuant to law, a report showing the cost and other data with respect to Indian irrigation projects as compiled to the end of the fiscal year ended June 30, 1930, which, with the accompanying report, was referred to the Committee on Indian Affairs.

EXPENDITURES OF FIVE CIVILIZED TRIBES

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of expenditures for the Five Civilized Tribes from the appropriation "Support of Indians and administration of Indian property, 1930," which, with the accompanying report, was referred to the Committee on Indian Affairs.

EXPENDITURES ON TRIBAL AND ALLOTTED INDIAN LANDS

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement of expenditures by the Geological Survey on tribal and allotted Indian lands during the fiscal year ended June 30, 1930, which, with the accompanying paper, was referred to the Committee on Indian Affairs.

REPORT OF ST. ELIZABETHS HOSPITAL

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, together with a copy of a communication from the Superintendent of St. Elizabeths Hospital, transmitting, pursuant to law, a report of the detailed receipts and expenditures connected with the hospital for the fiscal year ended June 30, 1930, which, with the accompanying report, was referred to the Committee on the District of Columbia.

USELESS PAPERS IN INTERIOR DEPARTMENT

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of papers in the files of the Interior Department which are not needed or useful in the transac-

tion of the current business of the department and have no permanent value or historical interest, which, with the accompanying report, was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. NYE and Mr. PITTMAN members of the committee on the part of the Senate.

REPORT OF THE TARIFF COMMISSION

The VICE PRESIDENT laid before the Senate the Fourteenth Annual Report of the United States Tariff Commission, transmitted, pursuant to law, for the fiscal year ended June 30, 1930; which was referred to the Committee on Finance.

ANNUAL REPORT OF THE COMPTROLLER GENERAL

The VICE PRESIDENT laid before the Senate a communication from the Comptroller General of the United States, transmitting, pursuant to law, his annual report for the fiscal year 1930, which, with the accompanying report, was referred to the Committee on Appropriations.

PAYMENT OF FEDERAL MONEYS TO STATES AND TERRITORIES

The VICE PRESIDENT laid before the Senate a communication from the Comptroller General of the United States, transmitting, pursuant to law, his recommendation for the enactment of legislation for the simplification of procedure for the payment of Federal moneys to States and Territories, which, with the accompanying communication, was referred to the Committee on Appropriations.

RETURNS OF FEDERAL CONTRACTS

The VICE PRESIDENT laid before the Senate a communication from the Comptroller General of the United States, transmitting, pursuant to law, his recommendation for the enactment of legislation in the matter of the returns, audit, and filing of Federal contracts, which, with the accompanying communication, was referred to the Committee on Appropriations.

CLAIMS AGAINST THE UNITED STATES

The VICE PRESIDENT laid before the Senate communications from the Comptroller General of the United States, transmitting, pursuant to law, reports and recommendations concerning claims against the United States presented by the following persons and companies: David Gordon Building & Construction Co., Howard Dimick, Mildred N. O'Lone, C. O. Smith, National Dry Dock & Repair Co. (Inc.), Sun Shipbuilding & Dry Dock Co., B. & O. Manufacturing Co., and T. Morris White, which were referred to the Committee on Claims.

HEALING ARTS PRACTICE IN DISTRICT OF COLUMBIA

The VICE PRESIDENT laid before the Senate the annual report of the Commission on Licensure healing arts practice act, District of Columbia, for the fiscal year ended June 30, 1930, which was referred to the Committee on the District of Columbia.

SETTLEMENT OF SHIPPING BOARD CLAIMS

The VICE PRESIDENT laid before the Senate a communication from the chairman of the United States Shipping Board, transmitting, pursuant to law, a report of claims arbitrated or settled by agreement from October 16, 1929, to October 15, 1930, by the United States Shipping Board and/or United States Shipping Board Merchant Fleet Corporation, which, with the accompanying report, was referred to the Committee on Commerce.

REPORT OF DAUGHTERS OF AMERICAN REVOLUTION

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Smithsonian Institution, transmitting, pursuant to law, the annual report of the National Society of the Daughters of the American Revolution for the year ended April 1, 1930, which, with the accompanying report, was referred to the Committee on Printing.

RULES OF THE STEAMBOAT INSPECTION SERVICE

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Commerce, transmitting, pursuant to law, a complete set of general rules and regulations prescribed by the Board of Supervising Inspectors, Steamboat Inspection Service, at the meeting of January, 1930, which regulations have been approved by the Secretary of Commerce, which, with the accompanying documents, were referred to the Committee on Commerce.

REPORT OF BOARD OF MEDIATION

The VICE PRESIDENT laid before the Senate a communication from the chairman of the United States Board of Mediation, transmitting, pursuant to law, the annual report of the board for the fiscal year ended June 30, 1930, which, with the accompanying report, was referred to the Committee on Interstate Commerce.

REPORT OF DIRECTOR OF VETERANS' BUREAU

The VICE PRESIDENT laid before the Senate a communication from the Director of the United States Veterans' Bureau, transmitting, pursuant to law, the annual report of the director of the bureau for the fiscal year ended June 30, 1930, which, with the accompanying report, was referred to the Committee on Finance.

REPORT OF FEDERAL RADIO COMMISSION

The VICE PRESIDENT laid before the Senate a communication from the chairman of the Federal Radio Commission, transmitting, pursuant to law, the report of the commission for the fiscal year ended June 30, 1930, which, with the accompanying report, was referred to the Committee on Interstate Commerce.

REPORT OF EMPLOYEES' COMPENSATION COMMISSION

The VICE PRESIDENT laid before the Senate the Fourteenth Annual Report of the United States Employees' Compensation Commission, transmitted, pursuant to law, for the fiscal year ended June 30, 1930, which was referred to the Committee on Education and Labor.

REPORT OF COMMISSIONERS OF THE DISTRICT OF COLUMBIA

The VICE PRESIDENT laid before the Senate the annual report of the Commissioners of the District of Columbia, transmitted, pursuant to law, for the fiscal year ended June 30, 1930, which was referred to the Committee on the District of Columbia.

ANNUAL REPORT OF PUBLIC UTILITIES COMMISSION

The VICE PRESIDENT laid before the Senate a communication from the chairman of the Public Utilities Commission of the District of Columbia, transmitting, pursuant to law, a report of the official proceedings of the commission for the year ended December 31, 1929, with other information relating to the regulation and operation of the public utilities in the District of Columbia coming under the jurisdiction of said commission, which, with the accompanying report, was referred to the Committee on the District of Columbia.

CREDENTIALS

The VICE PRESIDENT laid before the Senate the credentials of DWIGHT W. MORROW, chosen a Senator from the State of New Jersey for the term commencing on the 4th day of March, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of MATTHEW M. NEELY, chosen a Senator from the State of West Virginia for the term commencing on the 4th day of March, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of GEORGE W. NORRIS, chosen a Senator from the State of Nebraska for the term commencing on the 4th day of March, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of BYRON P. HARRISON, chosen a Senator from the State of Mississippi for the term commencing on the 4th day of March, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of L. J. DICKINSON, chosen a Senator from the State of Iowa for the the term commencing on the 4th day of March, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of THOMAS D. SCHALL, chosen a Senator from the State of Minnesota.

for the term commencing on the 4th day of March, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of Joseph T. ROBINSON, chosen a Senator from the State of Arkansas for the term commencing on the 4th day of March, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of JOHN H. BANKHEAD, chosen a Senator from the State of Alabama for the term commencing on the 4th day of March, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of SAM G. BRATTON, chosen a Senator from the State of New Mexico for the term commencing on the 4th day of March, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of DANIEL O. HASTINGS, chosen a Senator from the State of Delaware for the term commencing on the 4th day of March, 1931, which were read and ordered to be placed on file.

RESOLUTION IN THE NEWBERRY CASE

Mr. BLACK. Mr. President, I send to the desk Senate Resolution 172, passed by the Senate in the Sixty-eighth Congress, and ask that it be read. It is very short.

The VICE PRESIDENT. Is there objection?

Mr. McNARY. Under what order of business are we proceeding?

The VICE PRESIDENT. The presentation of petitions and memorials.

Mr. McNARY. I think the reading of the resolution should come at a later time.

Mr. BLACK. It is a very short resolution which was passed by the Senate in the Sixty-eighth Congress and which I desire to have read.

The VICE PRESIDENT. Is there objection? The Chair hears none. The clerk will read, as requested.

The Chief Clerk read as follows:

Resolved, (1) That the contest of Henry Ford against Truman H. Newberry be, and it is hereby, dismissed.

(2) That Truman H. Newberry is hereby declared to be a duly elected Senator from the State of Michigan for the term of six years commencing on the 4th day of March, 1919, and is entitled to hold his seat in the Senate of the United States.

(3) That whether the amount expended in this primary was $195,000, as was fully reported or openly acknowledged, or whether there were some few thousand dollars in excess, the amount expended was in either case too large, much larger than ought to have been expended.

The expenditure of such excessive sums in behalf of a candidate, either with or without his knowledge and consent, being contrary to sound public policy, harmful to the honor and dignity of the Senate, and dangerous to the perpetuity of a free government, such excessive expenditures are hereby severely condemned and disapproved.

PETITIONS AND MEMORIALS

Mr. BROOKHART presented a petition of sundry ex-service men of Council Bluffs, Iowa, praying for the payment of ex-service men's adjusted compensation certificates, which was referred to the Committee on Finance.

Mr. JONES presented petitions from aeries of the Fraternal Order of Eagles in the State of Washington, praying for the passage of legislation creating a Federal industrial commission, which were referred to the Committee on Education and Labor.

Mr. WALCOTT presented a resolution adopted by the executive committee of the Society of the War of 1812 in the State of Connecticut, and a petition from the Veterans of Foreign Wars, Department of Connecticut, favoring the passage of legislation making the Star-Spangled Banner the national anthem, which were referred to the Committee on the Library.

He also presented a resolution adopted by the Board of Public Utilities Commissioners of the State of Connecticut opposing the passage of Senate bill 6, providing for the appointment of a new Federal commission with regulatory jurisdiction over communication and power utilities, etc., which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by the Woman's Christian Temperance Union of Norwich, Conn., favoring the passage of legislation for the Federal supervision of motion pictures and establishing higher standards for the production of films that are to be licensed in interstate and international commerce, which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by the executive committee of the Society of the War of 1812, protesting against the use of any building, either in or contiguous to Fort McHenry, as a prison and favoring the preservation of Fort McHenry as a national shrine by protecting it against private or official profanation and desecration, which was referred to the Committee on the Judiciary.

He also presented the petition of the National Association of Letter Carriers, Branch No. 60, of Stamford, Conn., praying for the passage of the so-called Kendall shorter week bill (H. R. 6603), which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions numerously signed by sundry citizens of the State of Connecticut, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

EXECUTIVE MESSAGES

Sundry messages from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

LAKE OKEECHOBEE AND THE CALOOSAHATCHEE RIVER, FLA. (S. DOC. NO. 225)

Mr. FLETCHER. Mr. President, I renew my request to have printed as a public document the report on Lake Okeechobee and the Caloosahatchee River in Florida with special reference to navigation and flood control. It is a report to the United States District Engineer, Jacksonville, Fla., in connection with a review of reports published in House Document No. 215, Seventieth Congress, first session, Senate Document No. 213, Seventieth Congress, second session.

Mr. SMOOT. Mr. President, I objected yesterday to the request of the Senator from Florida, but I have examined the report submitted. It is not anything that is of general interest throughout the entire United States. Ordinarily I would object to the printing of any such document, but the Senator assures me that at some time or some day it will be a matter of general interest to the United States, and for that reason I will withdraw my objection. I wish to give notice, however, that hereafter requests of this kind offered for printing will meet with objection from me.

Mr. FLETCHER. Included in the request is the printing of the illustrations.

The VICE PRESIDENT. Without objection, it is so ordered.

ESTATE OF NAPOLEON B. HEARN

Mr. DENEEN, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported favorably without amendment the Senate Concurrent Resolution (S. Con. Res. 34) submitted by Mr. TOWNSEND on the 2d instant, which was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there shall be paid out of the contingent funds of the Senate and House of Representatives to the Sussex Trust Co., executor under the will of Napoleon B. Hearn, late an employee of the Capitol police, a sum equal to six months of his compensation as such employee, one-half of said sum to be paid by the Senate and one-half by the House, and an additional amount, not exceeding $250, to defray the funeral expenses of said Napoleon B. Hearn, shall be paid by the House.

LOUISE C. THORNTON

Mr. DENEEN, from the same committee, reported favorably without amendment the resolution (S. Res. 337) submitted by Mr. HEFLIN on the 2d instant, which was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1930, to Louise C. Thornton, widow of James L. Thornton, late clerk to Senator J. THOMAS HEFLIN, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

REAL-ESTATE TRANSACTIONS IN THE DISTRICT

Mr. DENEEN, from the same committee, reported favorably without amendment the resolution (S. Res. 339) submitted by Mr. BROOKHART on the 2d instant, which was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on the District of Columbia or subcommittee thereof investigating security, mortgage, and real-estate transactions and laws under authority of Resolution No. 58, agreed to June 4, 1929, hereby is authorized to expend $7,500 from the contingent fund of the Senate in addition to the amount heretofore authorized for said purpose.

EMPLOYMENT OF LABORER

Mr. DENEEN, from the same committee, reported favorably without amendment the resolution (S. Res. 340) submitted by Mr. WATSON on the 2d instant, which was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate is authorized and directed to employ a laborer to be paid at the rate of $1,440 per annum out of the contingent fund of the Senate until otherwise provided by law.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHEPPARD:

A bill (S. 5006) to extend the time for the construction of the bridge across the Rio Grande at or near Rio Grande City, Tex.; and

A bill (S. 5007) to extend the time for the construction of the bridge across the Rio Grande at or near San Benito, Tex.; to the Committee on Commerce.

A bill (S. 5008) for the relief of Clarence E. Fore; to the Committee on Military Affairs.

A bill (S. 5009) granting a pension to L. Avant;

A bill (S. 5010) granting a pension to George Hammer; and

A bill (S. 5011) granting a pension to David B. Patterson; to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 5012) granting a pension to Lucien N. Patterson (with accompanying papers); and

A bill (S. 5013) granting a pension to Daisy Ballard (with an accompanying paper); to the Committee on Pensions.

A bill (S. 5014) for the relief of Fannie Gregory (with accompanying papers); to the Committee on Claims.

By Mr. JOHNSON:

A bill (S. 5015) granting a pension to Ronald S. Niven; and

A bill (S. 5016) granting a pension to John Joseph Barry; to the Committee on Pensions.

A bill (S. 5017) for the relief of Andrew M. Dunlop; and

A bill (S. 5018) granting compensation to Mary I. Latta; to the Committee on Claims.

By Mr. ODDIE:

A bill (S. 5019) to amend the act entitled "An act to amend the act entitled 'An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes,' approved July 11, 1916, as amended and supplemented, and for other purposes," approved June 24, 1930, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. DAVIS:

A bill (S. 5020) to empower the Government to write into the specifications and contracts the compensation to be paid to laborers and mechanics employed by contractors and subcontractors on public works of the United States and of the District of Columbia; to the Committee on Manufactures.

By Mr. NORRIS:

A bill (S. 5021) to expedite the construction of public buildings and works outside of the District of Columbia by enabling possession and title of sites to be taken in advance of final judgment in proceedings for the acquisition thereof under the power of eminent domain; to the Committee on Public Buildings and Grounds.

(By request.) A bill (S. 5022) to amend section 229 of the Judicial Code;

(By request.) A bill (S. 5023) to make permanent certain temporary judgeships;

(By request.) A bill (S. 5024) to amend the act providing for the annual conference of senior circuit judges; and

(By request.) A bill (S. 5025) to amend section 126 of the Judicial Code, as amended; to the Committee on the Judiciary.

A bill (S. 5026) to amend section 6 of the Federal Trade Commission act, as amended; and

A bill (S. 5027) to amend section 6 of the Federal Trade Commission act, as amended; to the Committee on Interstate Commerce.

A bill (S. 5028) granting compensation to Moses Y. Starbuck; to the Committee on Claims.

By Mr. CAPPER:

A bill (S. 5029) to amend the act providing for the acquisition of land in the District of Columbia; to the Committee on the District of Columbia.

A bill (S. 5030) to regulate interstate commerce by pipeline agencies operating in the purchase, production, distribution, sale, or transportation of natural and artificial gas; to the Committee on Interstate Commerce.

By Mr. BROOKHART:

A bill (S. 5031) granting a pension to Mrs. Hattie Bolton (with accompanying papers); and

A bill (S. 5032) granting a pension to Wallace A. Kennedy (with accompanying papers); to the Committee on Pensions.

By Mr. FRAZIER (by request):

A bill (S. 5033) to authorize an appropriation of tribal funds to purchase certain privately owned lands within the Fort Apache Indian Reservation, Ariz.;

A bill (S. 5034) authorizing the use of Osage funds for attorneys' fees and expenses of litigation; and

A bill (S. 5035) to authorize the Secretary of the Interior to accept donations to or in behalf of institutions conducted for the benefit of Indians; to the Committee on Indian Affairs.

By Mr. KEAN:

A bill (S. 5036) to extend the time for completing the construction of a bridge across the Delaware River near Trenton, N. J.; to the Committee on Commerce.

By Mr. STEIWER:

A bill (S. 5037) to repeal the limitation on the filling of a vacancy occurring in the office of senior circuit judge for the ninth judicial circuit; to the Committee on the Judiciary.

By Mr. KING:

A bill (S. 5038) to authorize an appropriation for the construction of additional barracks at Fort Douglas, Utah; to the Committee on Military Affairs.

By Mr. OVERMAN:

A bill (S. 5039) authorizing the Secretary of the Treasury to convey certain land to the city of Asheville, N. C., for park and street purposes; to the Committee on Public Buildings and Grounds.

Mr. COPELAND. I introduce a bill for reference to the Committee on the Library. It relates to a memorial to the late Senator Seward, one of my predecessors.

By Mr. COPELAND:

A bill (S. 5040) to provide for a memorial to William H. Seward for his distinguished services; to the Committee on the Library.

By Mr. LA FOLLETTE:

A bill (S. 5041) granting a pension to Martha A. Fox; and

A bill (S. 5042) granting an increase of pension to Martha Jewell; to the Committee on Pensions.

By Mr. WALSH of Massachusetts:

A bill (S. 5044) to provide for deepening, widening, and improving the Cape Cod Canal, Mass.; to the Committee on Commerce.

A bill (S. 5045) to authorize certain improvements at Camp Devens, Mass.; to the Committee on Military Affairs.

A bill (S. 5046) granting an increase of pension to Eva Davis Cogswell; to the Committee on Pensions.

By Mr. THOMAS of Oklahoma:

A bill (S. 5047) for the relief of Beryl Elliott; to the Committee on Claims.

By Mr. HEBERT:

A bill (S. 5048) granting a pension to Amasa P. Taber; to the Committee on Pensions.

By Mr. DALE:

A bill (S. 5049) granting an increase of pension to Adelia A. Deforge (with accompanying papers);

A bill (S. 5050) granting an increase of pension to Martha B. Wheeler (with accompanying papers); and

A bill (S. 5051) granting an increase of pension to Elizabeth Matten (with accompanying papers); to the Committee on Pensions.

By Mr. SHIPSTEAD:

A bill (S. 5052) granting a pension to Frank M. Andrews (with accompanying papers); and

A bill (S. 5053) granting an increase of pension to Anna S. Bergeson (with accompanying papers); to the Committee on Pensions.

A bill (S. 5054) for the relief of Vincent J. Conrad; to the Committee on Military Affairs.

A bill (S. 5055) for the relief of John C. Seebach; and

A bill (S. 5056) for the relief of F. W. Tyler; to the Committee on Claims.

By Mr. HARRISON:

A bill (S. 5057) to provide for extending during the present emergency the time of payment of loans made by Federal land banks, and for other purposes; to the Committee on Banking and Currency.

By Mr. JONES:

A bill (S. 5058) to authorize the Secretary of the Navy to proceed with the construction of a machine-shop building at the United States navy yard, Puget Sound, Wash.; to the Committee on Naval Affairs.

PARTIAL REFUNDS TO STATES FOR RELIEF EXPENDITURES

Mr. WALSH of Massachusetts. I introduce a bill, the title of which is "A bill to reimburse the States and their political subdivisions for certain relief expenditures," which I ask may be appropriately referred and printed in the RECORD.

This bill provides for the authorization of an appropriation of $100,000,000 in order that the National Government may share with the several States and their political subdivisions the increased expenditures necessitated to relieve suffering, poverty, and distress resulting from unemployment, part-time employment, and general business depression throughout the Nation. Briefly, the bill provides that 50 per cent of all funds expended in excess of the expenditures made in 1929 by the several States and municipalities during the years 1930 and 1931 shall be paid out of the Treasury of the United States. In a word, this bill would require the National Government to pay one-half of all increases in the next two years in certain relief expenditures in the several States.

My proposal would not only permit the States and their subdivisions to be more liberal in extending relief, but particularly in industrial centers would lessen the additional tax burdens upon them necessitated by the rapid increase in local expenditures for the prevention of poverty and its concomitant deprivations.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill (S. 5043) to reimburse the States and their political subdivisions for certain relief expenditures was read twice by its title, referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $100,000,000, to be immediately available and to remain available until expended, for the relief of the several States and political subdivisions thereof, as a reimbursement or contribution in aid from the United States, induced by the extraordinary conditions of necessity and emergency resulting from the serious financial burden of caring for distressed persons residing in such States and political subdivisions.

SEC. 2. Any State desiring to participate in the benefits of this act shall certify to the Secretary of the Treasury the total amounts expended each month during 1929, 1930, and 1931, for the purpose of relieving the unemployed, including the aged and sick, by such State and its political subdivisions.

SEC. 3. The Secretary of the Treasury shall distribute the sum herein appropriated on a monthly basis, allotting to each State which certifies an expenditure for any one month of 1930 and 1931 of a greater sum than such State and all its political subdivisions expended for the same month in 1929, an amount equal to 50 per cent of the amount of the average of the monthly expenditures of such State for 1929. The first payment hereunder shall include the sums payable for each month from January 1, 1930, to the date of the approval of this act.

SEC. 4. The proper authorities of each State shall distribute monthly on a pro rata basis any sums received under authority of this act to the State and each political subdivision thereof whose expenditures for relief purposes were included in the certified statement of expenditures to the Secretary of the Treasury.

RELIEF OF FARMERS IN DROUGHT-STRICKEN AREAS

Mr. McNARY. Mr. President, yesterday I introduced a joint resolution (S. J. Res. 211) providing for the authorization of an appropriation of $60,000,000 for the relief of drought-stricken and storm-stricken districts of the country. To-day, as chairman of the Senate Committee on Agriculture and Forestry, and at the request of the Department of Agriculture—and I am advised that it meets with the approval of the Director of the Budget—I introduce another joint resolution covering the same subject matter, and ask that it be appropriately referred.

The joint resolution (S. J. Res. 216) for the relief of farmers in the drought-stricken areas of the United States was read twice by its title and referred to the Committee on Agriculture and Forestry.

SUSPENSION OF GENERAL IMMIGRATION

Mr. HARRIS submitted an amendment intended to be proposed by him to the joint resolution (S. J. Res. 207) to suspend for a period of two years general immigration into the United States, which was referred to the Committee on Immigration, ordered to be printed, and to be printed in the RECORD, as follows:

On page 1, line 4, strike out "1933" and insert in lieu thereof "1936."

On page 2, lines 11 and 12, strike out "1932 and 1933" and insert in lieu thereof "1932, 1933, 1934, 1935, and 1936."

Amend the title so as to read: "Joint resolution to suspend for a period of five years general immigration into the United States."

AMENDMENT TO MOTOR BUS BILL

Mr. DILL submitted an amendment intended to be proposed by him to the bill (H. R. 10288) to regulate the transportation of persons in interstate and foreign commerce by motor carriers operating on the public highways, which was ordered to lie on the table and to be printed, as follows:

On page 10, beginning at line 8, strike out all of section 4, section 5, and section 6.

COSTS OF PRODUCTION OF MATCHES AND REFINED SUGAR

Mr. COPELAND. Mr. President, I submit a Senate resolution and ask to have it read. If there is objection, I shall ask that it may go over under the rule, but I trust that it may be considered now.

The VICE PRESIDENT. The resolution will be read for the information of the Senate.

The Chief Clerk read the resolution (S. Res. 348), as follows:

Whereas the United States Tariff Commission was directed by Senate Resolution 325 and Senate Resolution 309, as amended by Senate Resolution 325, under the authority conferred by section 336 of the tariff act of 1930, and for the purposes of that section, to investigate the differences in the costs of production of matches, friction or lucifer, etc., as classified under paragraph 1516 of such act, and of refined sugar, and of any like or similar foreign articles: Be it therefore

Resolved, That such direction as to matches, friction or lucifer, and refined sugar be hereby rescinded.

Mr. COPELAND. I ask unanimous consent for its immediate consideration.

Mr. JONES. I did not hear the reading of the last part of the resolution. May it be again read?

The VICE PRESIDENT. The clerk will again read the resolution.

The Chief Clerk again read the resolution.

Mr. JONES. I have no objection to rescinding such a resolution.

Mr. COPELAND. I would like to state why I wish to have it rescinded.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from New York may proceed.

Mr. COPELAND. I asked the Senate to pass a resolution providing for an investigation of the cost of refined sugar. It has developed that Mr. HAWLEY, of the House, had asked that an investigation be made as to the proper differential between refined sugar and raw sugar, which is the thing I have in mind. The Tariff Commission informed me that there were delicate diplomatic questions involved in the form of my resolution and suggested this amendment.

Then, as regards matches, it has developed that all parties to the controversy are now satisfied. Therefore it would save the expense to the Government to have these two matters stricken off the calendar of the Tariff Commission.

The VICE PRESIDENT. Is there objection to the immediate consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

REFERENCE TO COMMITTEES OF TREATIES AND NOMINATIONS

Mr. WATSON. I submit the order which I send to the Secretary's desk, for which I ask immediate consideration.

The VICE PRESIDENT. The order will be read.

The Chief Clerk read the order, as follows:

Ordered, by unanimous consent, That on calendar days of the balance of the third session of the Seventy-first Congress, when Executive messages transmitting nominations or treaties are received and there is no executive session of the Senate, the President of the Senate is authorized, unless objection is made, to refer to the proper committees, as in executive session, such messages with the accompanying nominations or treaties.

The VICE PRESIDENT. Is there objection to the immediate consideration of the order?

There being no objection, the order was considered and agreed to.

CATHERINE T. SMITH

Mr. WATSON submitted the following resolution (S. Res. 349), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1930, to Catherine T. Smith, widow of Frank M. Smith, late the janitor of the Senate, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

CONSERVATION OF WILD ANIMAL LIFE

Mr. WALCOTT submitted the following resolution (S. Res. 350), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the special committee directed by Senate Resolution 246, agreed to April 17, 1930, to investigate appropriate methods for the replacement and conservation of wild animal life is hereby authorized to expend in furtherance of such purposes $10,000 in addition to the amount heretofore authorized.

INVESTIGATION RELATIVE TO CONVICT LABOR IN THE PRODUCTION OF TIMBER

Mr. STEIWER submitted the following resolution (S. Res. 351), which was ordered to lie over under the rule:

Resolved, That the Secretary of the Treasury is requested to cause an investigation to be made under the regulations prescribed pursuant to the authority contained in section 307 of the tariff act of 1930 for the purpose of ascertaining the extent to which convict labor is used in the manufacture or production of timber products in any territory subject to the jurisdiction or control of the Union of Soviet Socialist Republics, and to report thereon to the Senate at the earliest practicable date.

REPORT OF EMERGENCY COMMISSION ON UNEMPLOYMENT

Mr. SHIPSTEAD. I offer a resolution and ask unanimous consent for its immediate consideration. I do not think it will lead to any debate. It it shall, I will not press it.

There being no objection, the resolution (S. Res. 352) was read, considered, and agreed to, as follows:

Resolved, That the President be, and is hereby, requested to transmit to the Senate, if not incompatible with the public interest, the following: The report of the President's Emergency Commission on Unemployment, Col. Arthur D. Woods, chairman.

SENATOR FROM PENNSYLVANIA

Mr. BLAINE. Mr. President, I present an editorial from to-day's issue of the Washington Daily News relative to the Pennsylvania senatorship entitled "Half a Seat," which I ask to have published in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HALF A SEAT

Assuming that JIM DAVIS can prove his right by fair election to his seat as Senator from Pennsylvania, that does not explain the Senate's rush yesterday in seating him. What was the hurry? Why did the Senate act before all the evidence was in?

The Senate had asked its committee to investigate campaign expenditures. The committee was ready to report on various campaigns, including that of DAVIS. But at the last minute new and previously unreported Davis campaign expenditures were uncovered. So the committee took the only course possible of asking for a brief delay to consider the new evidence.

That the Senate insisted on seating DAVIS at once and deliberately ignoring the new evidence is so astounding that it will require a great deal of explaining.

Does it mean that the Senate majority does not care how a Member is elected or how much money he spends? Does it mean that the Senate has reversed the policy on which it excluded Vare of Pennsylvania and Smith of Illinois for excessive expenditures?

The Vare-Beidleman ticket spent $780,000, and Vare was refused his seat, though he argued that most of the money was used for Beidleman. The Davis-Brown ticket spent $628,000, according to the first report of the committee, and now on the basis of the new evidence committee members estimate the total at "more than $1,000,000."

What was the pressure upon the Republican Old Guard and the Democratic powwow under Leader JOE ROBINSON which resulted in the Senate's unexpected and unexplained winking at charges of a million-dollar election?

The Senate probably has not heard the last of this.

PERSONAL EXPLANATION—KINGS MOUNTAIN CELEBRATION

Mr. BLEASE. Mr. President, I request that certain data which I herewith present be printed in the RECORD as a part of my remarks. I am not doing this to censure anyone, or to cause any unpleasantness; but I feel that it is due me that the record be kept straight.

When I went to the Kings Mountain celebration on October 7, 1930, as a member of the committee appointed by the Vice President to attend the exercises, I presented myself and requested that I be furnished with tags for my car and such tickets of admission as I might be entitled to. I was informed that I was not a member of the committee, and so, of course, the privileges to which I was entitled as a member were not accorded me.

The Senator from North Carolina [Mr. OVERMAN], who was a member of the committee, and Representative STEVENSON, of South Carolina, who was also a member of the committee, stated to the authorities in charge that I was a member, Senator OVERMAN saying that he had a certified copy of the appointments and that he, Senator FESS, and Senator BLEASE were the appointees.

I did receive courtesies from those in charge and am making no complaint; but there were those present—some dressed in uniforms—who were very officious and who seemed to think that I was endeavoring to obtain privileges to which I was not entitled.

This record is to show that I was entitled to all of the courtesies and privileges which were due to a Senator of the United States, as a member of the committee appointed by the Vice President.

The VICE PRESIDENT. Without objection, the data presented by the Senator from South Carolina will be printed in the RECORD, as requested.

The matter referred to is as follows:

CHERAW, S. C., *September 24, 1930.*

Senator COLE. L. BLEASE,
Pendleton, S. C.

MY DEAR SENATOR: I am requested by Mr. C. O. Kuester, chairman of the Kings Mountain Sesquicentennial Committee, to invite you to a formal dinner to be given by him on October 6, at 7 o'clock p. m., at the Hotel Charlotte, in Charlotte, N. C., and to request that you let him know whether you propose to attend or not. Write him, C. O. Kuester, chairman, Charlotte Chamber of Commerce Building, Charlotte, N. C.

Sincerely yours,

W. F. STEVENSON.

PENDLETON, S. C., *September 26, 1930.*

Hon. W. F. STEVENSON, M. C.,
Cheraw, S. C.

MY DEAR CONGRESSMAN: Yours of September 24 to hand.

I have to-day written Mr. Kuester advising him that because of some other engagements it will be impossible for me to attend the dinner in Charlotte on October 6.

I appreciate very much your kindness in writing me and am sorry that I will not be able to be with you on this occasion.

With kindest personal regards and my very best wishes, I am,

As ever,

COLE. L. BLEASE.

PENDLETON, S. C., *September 26, 1930.*

Hon. C. O. KUESTER,
Chairman Kings Mountain Sesquicentennial Committee,
Charlotte Chamber of Commerce Building, Charlotte, N. C.

DEAR MR. KUESTER: Congressman STEVENSON has conveyed to me your kind invitation to attend the formal dinner to be given by you on October 6 at 7 o'clock p. m., at the Hotel Charlotte, and I regret very much that I shall not be able to be present because of other engagements.

However, I appreciate very much your courtesy and desire to send my best wishes for a most happy occasion.

With kindest regards, I am, very respectfully,

COLE. L. BLEASE.

CHARLOTTE CHAMBER OF COMMERCE,
Charlotte, N. C., September 26, 1930.

Hon. COLE. LIVINGSTON BLEASE,
Senate Building, Washington, D. C.

DEAR SENATOR BLEASE: Remember you have been cordially invited and expected to attend the Kings Mountain celebration at Kings Mountain October 7.

The plan is, if it is possible, to gather in Charlotte on Monday night, October 6, and go to the battle ground on the 7th. I am giving a dinner at the Hotel Charlotte on the evening of October 6 at 7 o'clock, and I invite you to be my guest at that time.

If you can not be in Charlotte, please let me know if I may expect you at Kings Mountain, so I will have reserved seats for you on the President's stand.

Yours truly,

C. O. KUESTER, *Chairman.*

PENDLETON, S. C., *October 1, 1930.*

Hon. C. O. KUESTER,
Chairman Kings Mountain Sesquicentennial Committee,
Charlotte Chamber of Commerce Building, Charlotte, N. C.:

Will not be able to attend your banquet on night of the 6th. I will attend Kings Mountain celebration October 7 as member of committee representing the United States Senate. Could you please wire me what time President's train is expected to arrive at Kings Mountain?

COLE. L. BLEASE.

CHARLOTTE, N. C., *October 1, 1930.*

Hon. COLE. L. BLEASE,
Pendleton, S. C.:

President's train arrives in Kings Mountain promptly at 1 o'clock. We shall expect you at the celebration at Kings Mountain. See letter.

C. O. KUESTER, *Chairman.*

CHARLOTTE CHAMBER OF COMMERCE,
Charlotte, N. C., October 1, 1930.

Hon. COLE. L. BLEASE,
Pendleton, S. C.

DEAR SIR: Go to the town of Kings Mountain and try and get there by 11.30 if you possibly can. The parade starts at 1 o'clock, and I will have tickets for you at the Kings Mountain Hotel.

We are glad you are going to be with us at that time. Thank you.

Sincerely yours,

C. O. KUESTER, *Chairman.*

Mr. BLEASE. Mr. President, the following telegram was sent to each of the gentlemen here named: Hon. Edwin P. Thayer, Washington, D. C.; Hon. LEE S. OVERMAN, Salisbury, N. C.; Hon. SIMEON D. FESS, Washington, D. C.; Hon. ELLISON D. SMITH, Lynchburg, S. C.; Hon. W. F. STEVENSON, Cheraw, S. C.; Hon. CHARLES CURTIS, Washington, D. C.; Hon. C. O. Kuester, Charlotte, N. C.:

PENDLETON, S. C., *October 8, 1930.*

Second column, page 36, CONGRESSIONAL RECORD, Wednesday, July 9, 1930, reads as follows, under the head Anniversary of the Battle of Kings Mountain:

"The VICE PRESIDENT. Under the terms of House Concurrent Resolution No. 21 the Chair appoints the Senator from Ohio [Mr. FESS], the Senator from North Carolina [Mr. OVERMAN], and the Senator from South Carolina [Mr. BLEASE] as members on the part of the Senate of the joint committee to represent the Congress at the celebration to be held at the battle ground of the Battle of Kings Mountain, S. C., on October 7, 1930."

Will you please advise me if any change was authorized in the above, and if so, by whom?

COLE. L. BLEASE.

ST. LOUIS, MO., *October 12, 1930.*

Hon. COLE. L. BLEASE,
Jefferson Hotel, Columbia, S. C.:

There were no changes made in the committee referred to in your message.

CHARLES CURTIS.

CHARLOTTE CHAMBER OF COMMERCE,
Charlotte, N. C., October 8, 1930.

Hon. COLE. L. BLEASE,
Pendleton, S. C.

DEAR SENATOR BLEASE: Your telegram just received, and I send you telegram as sent to me from Lincolnton, N. C., and this is where I got my information. If there is an error—and I am sure there has been an error made since I talked with you—I will be only too glad to correct it by the Associated Press, and upon receipt of this letter let me know and I will immediately correct it.

I have no other information except this telegram, which I am sending to you, which I ask that you return to me. Senator, I had a car for you to go to the battle ground yesterday, and sorry you could not come. Remember you advised me that it would not be possible for you to attend the celebration previous to the celebration, and had you not given me that information I would have been on the lookout for you in a more satisfactory way; but remember, Senator, I had a tremendous job, and hundreds of folks pulling at me from one side and the other, and nothing would have given me more pleasure than to have done everything in the world I could for you; and I again say that upon receipt of your wire I shall make all proper corrections immediately.

In getting up our program I wired to Congressman JONAS's office at Washington, and within a few days the telegram was sent to me by Mr. JONAS. Now, I do not think there is anything except simply an error, to be perfectly frank, Senator. I do not think any injustice was intended by anyone. I understand your position, and nothing would please me more than to make any correction you suggest that I make as chairman of the committee.

Let me hear from you.

Sincerely yours,

C. O. KUESTER.

[Inclosure]

LINCOLNTON, N. C., *September 26, 1930.*

C. O. KUESTER,
Chairman Kings Mountain Committee,
Charlotte, N. C.:

Senators LEE S. OVERMAN, Salisbury, N. C.; SIMEON D. FESS, Republican National Committee, Barr Building, Washington, D. C.; ELLISON D. SMITH, Lynchburg, S. C.; Representatives WILLIAM F. STEVENSON, Cheraw, S. C.; B. CARROLL REECE, Johnson City, Tenn., and myself.

CHARLES A. JONAS.

PENDLETON, S. C., *October 9, 1930.*

Hon. C. O. KUESTER,
Chairman Kings Mountain Sesquicentennial Committee,
Charlotte Chamber of Commerce, Charlotte, N. C.

DEAR MR. KUESTER: Your letter of the 8th instant received. I am glad to have the information which you transmit therein, and am returning Mr. JONAS's telegram to you herewith. I am not blaming you with the occurrence, and just wish to get it straightened out.

I would prefer that you take no action about an announcement until you hear further from me, as I am now investigating the circumstances. However, if permanent records of the occasion are to be made for preservation, in the meantime I would be glad for you to see that I receive the credit to which I am justly entitled, and later I shall furnish you further data.

With kind regards and my best wishes, I am,

Very respectfully,

COLE. L. BLEASE.

CHERAW, S. C., *October 8, 1930.*

Senator COLE. L. BLEASE,
Pendleton, S. C.:

Your wire. I had no notice of any change in senatorial commission to attend Kings Mountain celebration, and was greatly surprised when I saw Senator SMITH instead of you in the program. I am puzzled to know who made the unauthorized substitution.

W. F. STEVENSON, M. C.

SALISBURY, N. C., *October 8, 1930.*

Senator COLE. BLEASE,
Pendleton, S. C.:

Your information correct. No changes made in official appointments. Vice President informed me he would appoint you, FESS, and myself. No power other than Vice President's could change. It being a joint resolution, no change was made.

LEE S. OVERMAN.

LYNCHBURG, S. C., *October 9, 1930.*

Hon. COLE. L. BLEASE,
Pendleton, S. C.:

I was invited to attend the dinner given on October 6 and exercises on October 7 at Kings Mountain. I had a letter from Mr. STEVENSON stating that he had seen my name on the official program. I do not know who made up the program for the day nor can I give you any information in regard to this affair.

E. D. SMITH.

PENDLETON, S. C., *October 8, 1930.*

Hon. EDWIN P. THAYER,
Secretary United States Senate, Washington, D. C.:

Please wire me names of three Senators appointed by Vice President to serve on committee to represent Senate at Kings Mountain celebration and date of appointment.

COLE. L. BLEASE.

WASHINGTON, D. C., *October 9, 1930.*

Hon. COLE. L. BLEASE,
Pendleton, S. C.:

Answering your telegrams under date July 9, Vice President CURTIS appointed Senators FESS, OVERMAN, and BLEASE as members on part of Senate of joint committee to represent Congress at celebration at Battle of Kings Mountain October 7, under terms House Concurrent Resolution 21, which authorizes President of the Senate to appoint members on part of Senate. If any change made this would be done by Vice President.

EDWIN P. THAYER.

PENDLETON, S. C., *October 9, 1930.*

Hon. CHARLES A. JONAS, M. C.,
Lincolnton, N. C.

DEAR CONGRESSMAN JONAS: I am inclosing herewith copy of wire sent by you to the Hon. C. O. Kuester, chairman of the Kings Mountain sesquicentennial committee of Charlotte, N. C., under date of September 26, 1930, that is self-explanatory, together with copy of wire that I sent Mr. Kuester under date of October 8, 1930, that likewise explains itself.

You will note that I quote from the daily CONGRESSIONAL RECORD of July 9, 1930, in my wire to Mr. Kuester. Would you please be so kind as to inform me by what authority you stated that Senator SMITH had been appointed in my stead to represent the Senate on the congressional committee and all other facts that you know in relation to same?

With kind regards and my best wishes, I am,

Very respectfully,

COLE. L. BLEASE.

LINCOLNTON, N. C., *October 10, 1930.*

Hon. COLE. L. BLEASE,
Pendleton, N. C.

DEAR SENATOR BLEASE: Congressman JONAS is in the mountain counties of the ninth district on a speaking tour at the present time, and I therefore have the honor to acknowledge receipt of your letter dated October 9.

You may be sure that your letter will be brought to his attention promptly upon his return to the office.

Yours very truly,

LUCY RAREY,
Assistant Secretary to the Hon. Charles A. Jonas.

NOTE: I have not had the courtesy of any reply from Congressman JONAS save the above acknowledgment of my letter by his secretary.

COLE. L. BLEASE.

DECEMBER 1, 1930.

UNITED STATES SENATE,
COMMITTEE ON THE LIBRARY,
October 13, 1930.

Hon. COLE. L. BLEASE,
Pendleton, S. C.

MY DEAR SENATOR BLEASE: Your wire of October 8 reached the office while I was in Ohio and was not received by me until to-day.

I am inclosing a copy of a letter I sent to Senator OVERMAN expressing why it would not be possible for me to be present. I should have also written you. I regret the oversight.

Very truly yours,

SIMEON D. FESS.

CHARLOTTE CHAMBER OF COMMERCE,
Charlotte, N. C., October 16, 1930.

Senator COLE. L. BLEASE,
Pendleton, S. C.

DEAR SENATOR BLEASE: Thank you for copy of telegrams. Appreciate your sending these to me. I regret very much that there was an error made in printing the name of Senator SMITH instead of your name on the program, but I sent you the telegram which gave us this committee, and, as stated in a previous letter, I am satisfied it is just an error and no injustice was intended you whatsoever, and if there is any correction you would like for me to make, as previously written you, I will be only too glad to make a public correction of this error; but, however, it was no fault of mine the way I see it.

Senator, I am perfectly willing, as you know, to do anything you suggest that you desire that I do. This was not printed anywhere in the world except in the program, and I have seen this committee carried in no newspapers, and the program was the only place that carried this committee.

Assuring you of my highest personal regards, and any time I can be of service to you let me know.

Sincerely yours,

C. O. KUESTER.

CHERAW, S. C., *October 16, 1930.*

Senator COLE. L. BLEASE,
Washington, D. C.

MY DEAR SENATOR: Copies of your communications as to who was on the senatorial commission at Kings Mountain have just been received, and Senator SMITH, in his telegram, seems to lay it on me, and I respectfully decline to be made the goat.

When I got the official program, after I invited you and you had declined, I found they had Senator SMITH's name instead of yours as to the members of the commission, and I wrote Senator SMITH on the 3d of October that I had been notified that you had been appointed and had invited you to this dinner at Charlotte, and said to him:

"Acting on the information which I had no reason to doubt, I invited Senator BLEASE and the other Senators on the commission and Senator BLEASE wrote me that he would be unable to attend. To-day I got the official program and find that you are the member of this commission instead of Senator BLEASE, and I herewith invite you to dinner and will ask you please to write Mr. Kuester, care of Charlotte Chamber of Commerce, Charlotte, N. C., at once if you can be there, as he wants to know who will be the guests there at that time. I don't know how the mix-up came about, because I was first notified that BLEASE was on the commission. I suppose he must have declined or else it was a newspaper mistake in making the report."

When I got to Charlotte I found Senator SMITH there and asked him if he got my letter, and he said, oh, yes, he got it but he had already been invited to dinner otherwise. My surprise was as great as yours when I found it changed, but I supposed that those people handling the celebration knew what they were doing when they printed that program. I consider it an outrageous treatment of you, and so has everyone that I have talked to about it. Being directed by the chairman to invite the other commissioners, I promptly invited you, and see now that I was correct in so doing.

Most sincerely,

W. F. STEVENSON.

PROPOSED SPECIAL COMMITTEE ON RELIEF LEGISLATION

Mr. THOMAS of Oklahoma. Mr. President, on yesterday I introduced Senate Resolution 338. That resolution proposes to create a special select committee to have charge of relief legislation. I desire at this time to offer for the RECORD a statement appearing in to-day's New York Times, and I ask that it may be read.

The VICE PRESIDENT. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

BILLS LAID BEFORE CONGRESS ON EMPLOYMENT RELIEF AND TO DEAL WITH COUNTRY'S ECONOMIC RECOVERY

WASHINGTON, December 2.—Measures on employment relief and economic recovery introduced in the Senate and House to-day included the following:

By Senator GLENN: A resolution to carry out President Hoover's recommendation for an emergency fund of $150,000,000 to accelerate public works.

By Senators ROBINSON of Arkansas, MCNARY, and CARAWAY: Resolutions to provide $60,000,000 to aid drought-stricken farmers.

By Senator BLAINE: Bill for creating a Federal industrial commission to study the stabilization of employment.

By Senator CAPPER: Resolution to distribute 40,000,000 bushels of the Farm Board's wheat surplus to relief organizations for food.

By Senator BROOKHART: Bill increasing appropriations for public roads from $125,000,000 to $500,000,000 for two years.

By Senator KEYES and Representative ELLIOTT: Twin bills to expedite work on Federal buildings.

By Senator REED: Bill to suspend immigration for two years from all countries on this hemisphere and from Europe.

By Senator ODDIE: Bill to embargo the importation of all products from Soviet Russia.

Mr. THOMAS of Oklahoma. Mr. President, on yesterday eight separate and distinct bills were introduced proposing, in a measure, to carry out the recommendations of the President. Those bills, in the regular course, were referred to various committees.

Mr. President, I submit that when the President of the United States devotes one-half of his message to an emergency, the Senate should consider such emergency, should investigate the facts, and should prepare, introduce, and

consider measures designed to relieve the distress incident to such emergency. I maintain that it would be a better policy for the Senate to appoint a special committee to handle the entire question of relief than to depend upon numerous committees unrelated to try to handle the situation. I serve notice that on to-morrow I shall call from the table Senate Resolution 338 and ask for a vote upon it.

Mr. President, the question before the Senate is whether the Senate will appropriate a lump sum and place such sum in the hands of the President to be spent by him or whether the Congress itself will undertake to handle the situation. I am frank to say that I prefer that the Congress handle the situation. I believe the Congress is in a better position and is better able to know what the country needs than is any department or bureau of the Government. Believing as I do, I serve notice that to-morrow, during the morning hour, I shall call for the consideration of the resolution.

CONSIDERATION OF THE CALENDAR

The VICE PRESIDENT. Morning business is closed, and the calendar, under Rule VIII, is in order.

Mr. McNARY. In view of the approaching consideration of the calendar, I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum being suggested, the clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	King	Shortridge
Barkley	Frazier	La Follette	Simmons
Bingham	George	McGill	Smith
Black	Gillett	McKellar	Smoot
Blaine	Glenn	McMaster	Steiwer
Blease	Goff	McNary	Stephens
Borah	Goldsborough	Morrow	Swanson
Brock	Gould	Moses	Thomas, Idaho
Brookhart	Greene	Norbeck	Thomas, Okla.
Broussard	Hale	Norris	Townsend
Bulkley	Harris	Nye	Trammell
Capper	Harrison	Oddie	Tydings
Caraway	Hastings	Overman	Vandenberg
Carey	Hatfield	Patterson	Wagner
Connally	Hayden	Phipps	Walcott
Copeland	Hebert	Pine	Walsh, Mass.
Couzens	Heflin	Pittman	Walsh, Mont.
Cutting	Howell	Reed	Waterman
Dale	Johnson	Robinson, Ark.	Watson
Davis	Jones	Robinson, Ind.	Wheeler
Deneen	Kean	Schall	Williamson
Dill	Kendrick	Sheppard	
Fess	Keyes	Shipstead	

Mr. SWANSON. I wish to announce that my colleague the junior Senator from Virginia [Mr. GLASS] is necessarily detained from the Senate by illness in his family.

The VICE PRESIDENT. Ninety Senators having answered to their names, a quorum is present. The Secretary will state the first bill on the calendar.

BILLS AND RESOLUTIONS PASSED OVER

The bill (S. 168) providing for the biennial appointment of a board of visitors to inspect and report upon the government and conditions in the Philippine Islands was announced as first in order.

Mr. BINGHAM. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 76) to amend Rule XXXIII of the Standing Rules of the Senate relating to the privilege of the floor was announced as next in order.

Mr. COUZENS. I ask that the resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 551) to regulate the distribution and promotion of commissioned officers of the Marine Corps, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 49) authorizing Committee on Manufactures, or any duly authorized subcommittee thereof, to investigate immediately the working conditions of employees in the textile industry of the States of North Carolina, South Carolina, and Tennessee was announced as next in order.

Mr. OVERMAN. I ask that the resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 153) granting consent to the city and county of San Francisco to construct, maintain, and operate a bridge across the Bay of San Francisco from Rincon Hill to a point near the South Mole of San Antonio Estuary, in the county of Alameda, in said State, was announced as next in order.

Mr. ODDIE. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 119) authorizing and directing the Committee on Interstate Commerce to investigate the wreck of the airplane *City of San Francisco* and certain matters pertaining to interstate air commerce was announced as next in order.

Mr. FESS. I ask that the resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

HEALTH AND WELFARE OF MOTHERS AND INFANTS

The bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes, was announced as next in order.

Mr. BINGHAM and Mr. PHIPPS asked that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

Mr. HEFLIN. Mr. President, I should like to know why the bill which has just been called on the calendar should go over. The author of the bill is the Senator from Washington [Mr. JONES].

Mr. JONES. Mr. President, is the Senator inquiring about Order of Business No. 368, being Senate bill 255?

Mr. HEFLIN. Yes, sir.

Mr. JONES. I desire to give notice that at the very first opportunity I expect to move to take up that measure. I consider it a very important one. It deals with the health and mortality of children and mothers, and, as I have said, at the very first opportunity I propose to move for the consideration of the bill. I shall not do it this morning because the consideration of the bill will take some little time.

BILLS AND RESOLUTIONS PASSED OVER

The VICE PRESIDENT. The next bill in order on the calendar will be stated.

The bill (H. R. 9592) to amend section 407 of the merchant marine act, 1928, was announced as next in order.

Mr. SMOOT. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1278) to authorize the issuance of certificates of admission to aliens, and for other purposes, was announced as next in order.

Mr. COPELAND. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 149) for the relief of unemployed persons in the United States was announced as next in order.

Mr. BROOKHART. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 23) to regulate the procurement of motor transportation in the Army was announced as next in order.

Mr. BLAINE. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 245) providing for the appointment of a committee to inquire into the failure of the Speaker of the House of Representatives to take some action of Senate Joint Resolution 3, relative to the commencement of the terms of President, Vice President, and Members of Congress was announced as next in order.

Mr. FESS. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 120) to authorize the President to detail engineers of the Bureau of Public Roads of the Department of Agriculture to assist the governments of the Latin American

Republics in highway matters was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 7998) to amend subsection (d) of section 11 of the merchant marine act of June 5, 1920, as amended by section 301 of the merchant marine act of May 22, 1928, was announced as next in order.

Mr. McNARY. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 4066) to authorize the merger of the Georgetown Gas Light Co. with and into the Washington Gas Light Co., and for other purposes, was announced as next in order.

Mr. HOWELL. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3229) to provide for the appointment of an additional district judge for the southern district of New York was announced as next in order.

Mr. COPELAND. I ask that this bill go over without prejudice.

The VICE PRESIDENT. The bill will be passed over without prejudice.

PRACTICE BEFORE UNITED STATES PATENT OFFICE

The bill (H. R. 699) to prevent fraud, deception, or improper practice in connection with business before the United States Patent Office, and for other purposes, was announced as next in order.

Mr. ROBINSON of Arkansas. Mr. President, I think the Senator from Colorado [Mr. WATERMAN] or some one else should give a statement explaining the provisions of this bill. I do not wish to ask that it go over; but the Senate is just hurriedly passing over the calendar. We have proceeded for quite a distance on the calendar and have given consideration to no measure. I should like to have an explanation of the provisions of this bill.

Mr. WATERMAN. Mr. President, since the last session I have not been able to give this bill any attention at all, or to renew my familiarity with it as it existed at that time. I can say that the bill is one which has had two or three objections to it which in my opinion were not well founded.

The bill is for the purpose of so framing the law that people who ought not to be permitted to approach the Patent Office shall be kept away. It is nothing more or less than a reasonable limitation upon applications and admissions to practice before the Patent Office. In my opinion, the bill as it has been reported to the Senate is one that is highly worthy of passage; and while I can not this morning go into an argument upon it, because I am not prepared to do so, I hope that the objections, if there are any, will be withdrawn.

Mr. ROBINSON of Arkansas. Mr. President, that statement is not explanatory, at least to my satisfaction, of this bill. I think the purpose of these amendments and of the bill itself ought to be made clear to the Senate, and the necessity for them shown.

Mr. WATERMAN. I will say to the Senator that on a future day I will do that.

Mr. ROBINSON of Arkansas. Very well. I understand that the Senator is not ready to do it now; and therefore the bill will have to go over.

The VICE PRESIDENT. The bill will be passed over.

BILLS PASSED OVER

The bill (S. 1916) to amend section 1025 of the Revised Statutes of the United States was announced as next in order.

The VICE PRESIDENT. The amendment of the senior Senator from New Mexico [Mr. BRATTON] is pending.

Mr. McNARY. In view of the absence of the Senator, I suggest that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 4357) to limit the jurisdiction of district courts of the United States was announced as next in order.

Mr. REED and Mr. COPELAND. Let that go over.

Mr. WALSH of Montana. Mr. President, let me remark that that bill, Order of Business 697, ought, I think, to be passed. The only purpose of it is to permit the United States district attorney to take his stenographer into the grand-jury room.

Mr. REED. No, Mr. President; I think we are looking at different numbers on the calendar. Order of Business 663, Senate bill 1916, allows the presence of stenographers in the grand-jury room. I do not object to that.

Mr. ROBINSON of Arkansas. This bill changes the jurisdiction of the Federal courts.

Mr. WALSH of Montana. Let me inquire, then, who did object to Senate bill 1916?

Mr. REED. The Senator from Oregon [Mr. McNARY] objected to it, I believe, in the absence of the Senator from New Mexico [Mr. BRATTON].

Mr. McNARY. Yes; in view of that Senator's absence, I objected.

Mr. REED. The Senator from New Mexico has offered an amendment.

The VICE PRESIDENT. The clerk will state the next bill on the calendar.

The bill (H. R. 10288) to regulate the transportation of persons in interstate and foreign commerce by motor carriers operating on the public highways was announced as next in order.

The VICE PRESIDENT. This bill is the unfinished business.

Mr. COUZENS. Let it go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3344) supplementing the national prohibition act for the District of Columbia was announced as next in order.

Mr. BLAINE. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3558) to amend section 8 of the act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3399) to amend section 2 (e) of the air commerce act of 1926 was announced as next in order.

Mr. McKELLAR. I think the Senator from New Mexico [Mr. BRATTON] has an amendment to that bill. At any rate, I will ask that it go over.

The VICE PRESIDENT. The bill will be passed over.

SETTLEMENT OF CLAIMS AGAINST THE UNITED STATES

The Senate proceeded to consider the bill (S. 4377) to provide for the settlement of claims against the United States on account of property damage, personal injury, or death.

Mr. KING. Mr. President, this is a very important measure. Would the Senator from Nebraska [Mr. HOWELL] object to its going over?

Mr. HOWELL. Mr. President, this bill has been on the calendar for some time. It is a measure that was passed by a previous Congress as amended by suggestions made by the Comptroller General. It provides for the settlement of claims against the Government. That is, it provides that instead of certain claims being settled by the departments each department shall send its claims to the Comptroller General and he may settle them on the basis which has been the practice heretofore. That would cause uniformity in the settlement of claims.

Mr. KING. What is the limit that the officials of the Government would be permitted to pay in settlement of these claims?

Mr. HOWELL. The limit of the claims is the same as it has been before.

Mr. KING. Five hundred dollars?

Mr. HOWELL. Five hundred dollars; or I think the bill does provide that claims up to $1,000 can be settled.

Mr. REED. Mr. President, if the Senator will yield to me, in the first section of the bill it provides for the adjudication and payment of claims not exceeding $50,000.

Mr. HOWELL. But such claims have to be referred back to Congress.

Mr. WALSH of Montana. Mr. President, my understanding about that is that with respect to claims above the limit of $500 or $1,000—as I recollect the limit is $1,000—the Comptroller General takes the testimony and refers the testimony to the Congress for action.

The bill really is intended to substitute some regular, orderly way of taking testimony to go before the Committee on Claims instead of having the Committee on Claims determine the matter upon ex parte affidavits. The inquiry is prosecuted before the Comptroller General in the regular, orderly way, and testimony is taken before him which he transmits with his recommendations to the Congress for action by the Committee on Claims.

The subject really is one which ought to have the attention of Congress, because everyone who has had any experience at all before the Committee on Claims realizes that it is in no situation to determine with any degree of justice or accuracy the controversies that arise.

Mr. WALSH of Massachusetts. Mr. President, I inquire if any increased authority is given to any official under this bill other than that official enjoys under the present law?

Mr. HOWELL. There is not.

Mr. ROBINSON of Arkansas. Mr. President, may I ask a question of the Senator from Nebraska or the Senator from Montana?

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Arkansas?

Mr. HOWELL. I yield.

Mr. ROBINSON of Arkansas. What will be the jurisdiction of the Committee on Claims if the bill passes?

Mr. WALSH of Montana. It is not affected, except that all claims must first be presented to the Comptroller General before being acted upon by the Congress or the Committee on Claims.

Mr. ROBINSON of Arkansas. He has the power finally to adjudicate claims of less than $1,000?

Mr. WALSH of Montana. He has power finally to adjudicate them, and the payments are made. In the case of claims for more than $1,000 and less than $50,000, he takes testimony and transmits it.

Mr. ROBINSON of Arkansas. And transmits it back to the Congress?

Mr. WALSH of Montana. Exactly.

Mr. ROBINSON of Arkansas. And then the committees take jurisdiction?

Mr. WALSH of Montana. Exactly.

Mr. HOWELL. Mr. President, this bill simply provides for the orderly settlement of claims and the proper taking of testimony.

The VICE PRESIDENT. Let the bill be read.

The Chief Clerk read the bill, as follows:

Be it enacted, etc.,

TITLE I. PROPERTY DAMAGE CLAIMS

SECTION 1. (a) Subject to the limitations of this act, the United States hereby grants authority as hereinafter provided for the adjudication and payment of claims on account of damage to or loss of privately owned property not exceeding $50,000 in amount, if the damage or loss proximately resulted from the negligence or wrongful act or omission of any officer or employee of the Government within the scope of his office or employment and not out of contract.

(b) The heads of the respective departments and establishments shall promptly cause an investigation to be made under such regulations as the Comptroller General shall prescribe of any happening or event in which the United States, through its officers or employees, becomes involved, irrespective of whether or not there appears liability on the part of the United States, and shall transmit for settlement any claim for damages under this title to the General Accounting Office, together with the record and their report and recommendations as to the amount to be allowed, if any.

(c) The General Accounting Office shall settle and adjust the claims as reported, and shall deduct from the amount found due the owner the amount of any lawful claim of the United States, whether liquidated or unliquidated, against such owner. The net amount, not exceeding $1,000, due a claimant owner shall be paid under any appropriations available for use of the respective department or establishment under which the damage occurred which the Comptroller General in his discretion may direct to be charged therewith. Any claim in net amount in excess of $1,000 shall be certified to the Congress for its consideration and action, and such certificate shall contain a brief statement of the facts and reasons for allowance of the claim and for deductions, if any. Any amount found due and paid under this title shall forever discharge the United States from any claim or demand on account of the damage or loss involved in the particular claim. The right of Congress is expressly reserved to return to the Comptroller General, as provided in section 312 (a) of the Budget and Accounting Act of June 10, 1921 (42 Stat. 25, 26), any claim settled by him for further examination and report or to refer any such claim to the Court of Claims, as provided in section 151 of the act of March 3, 1911 (36 Stat. 1138), for the investigation and determination of facts with its conclusion thereon.

(d) No claim shall be considered under this title unless presented in writing to the department within 90 days from the date of the accrual of said claim: *Provided*, That the deposit in the mails of a duly registered letter addressed to the head of the department or establishment concerned, containing notification of the claim, shall be deemed to be presentation of a claim as required by this section.

SEC. 2. The Court of Claims shall be exclusively competent, under such rules as it may prescribe, to review as on certiorari any settlement made by the General Accounting Office under the provisions of this title: *Provided*, That application be duly made for certiorari within 90 days from the date of such settlement: *Provided further*, That the record on such review shall consist of a transcript of all the papers filed in the General Accounting Office in the claim prior to its settlement, together with a copy of the decision of the Comptroller General therein.

SEC. 3. Nothing in this title shall be construed to affect any right of the United States to reimbursement from an officer or employee of the Government willfully causing the damage or loss giving rise to any claim against the United States under this title.

SEC. 4. (a) The provisions of this title shall not apply to—

(1) Any claim arising out of the loss or miscarriage or negligent transmission of letters or postal matter.

(2) Any claim arising in respect of the assessment or collection of any tax or customs duty.

(3) Any claim for which settlement is provided by the act of October 6, 1917 (U. S. C., title 34, secs. 981–982, inclusive), relating to the loss, damage, or destruction of the property of officers and enlisted men in the naval service, in the Marine Corps, and in the Coast Guard; by the act of March 3, 1885 (U. S. C., title 31, secs. 218–222, inclusive), as amended, relating to the loss, damage, or destruction of the property of the officers, enlisted men, and members of the Nurse Corps (female) of the Army; or by the act of March 9, 1920 (U. S. C., title 46, secs. 741–752, inclusive), or the act of March 3, 1925 (U. S. C., title 46, secs. 781–790, inclusive), relating to claims or suits in admiralty against the United States.

(4) Any claim arising out of the conveyance, transfer, assignment, or delivery of money or other property or out of the payment to or seizure by the President or Alien Property Custodian of any money or other property, in administering the provisions of the trading with the enemy act, as amended.

(5) Any claim arising out of the administration of the quarantine laws except the laws administered by the Public Health Service of the Treasury Department.

(6) Any claim arising out of the activities or work of the Government, its agents or employees, relating to flood control.

(7) Any claim arising out of the activities of the Government, its agents or employees, relating to river and harbor work.

(b) The act entitled "An act to provide for the settlement of claims arising against the Government of the United States in sums not exceeding $1,000 in any one case," approved December 28, 1922 (U. S. C., title 31, secs. 215–217), is hereby repealed, except that any claim accruing prior to such repeal may be considered, ascertained, adjusted, determined, and certified in the same manner and to the same extent as if this act were not law, and nothing contained in the exceptions in section 4 of this act shall be considered as precluding the Congress from considering claims for injuries or damages arising under said exceptions.

(c) The provisions of any act, in so far as inconsistent with the provisions of this title, are hereby repealed to the extent of such inconsistency.

TITLE II. PERSONAL INJURY AND DEATH CLAIMS

SEC. 201. (a) Subject to the limitations of this act the Government of the United States authorizes the payment of claims on account of personal injury or death, if the injury or death was either (1) proximately caused by the negligence or wrongful act or omission of any officer or employee of the Government acting within the scope of his office or employment, or (2) proximately attributable to any defect or insufficiency in any machinery, vehicle, or appliance and such defect or insufficiency was due to the negligence or wrongful omission of an officer or employee of the Government.

(b) No compensation shall be allowed for any such injury or death if the injury or death proximately results from the fact that the person injured or the decedent was intoxicated or under the influence of drugs, or if the injury or death is proximately caused by the willful misconduct of the person injured or the deceased, or by the intention of the person injured or the deceased to bring about injury or death to himself or another.

(c) No compensation shall be allowed for any such injury or death to the extent that the injury is continued or aggravated, or that the death is caused by an unreasonable refusal or negligent failure to submit to or procure medical or surgical treatment, the risk of which is, in the judgment of the United States Employees' Compensation Commission (hereinafter referred to as the commission), based upon expert medical or surgical advice, inconsiderable in view of the seriousness of the injury.

SEC. 202. (a) Authority is hereby conferred upon the commission, acting on behalf of the Government, to consider any claim liability for which is recognized under section 201, if the amount of the claim does not exceed $7,500, and said commission shall transmit the claim with the report and recommendation to the General Accounting Office for audit and settlement. Such amount as may be found to be due to any claimant shall be certified to the Congress as a just claim for payment out of appropriations that may be made by Congress therefor, together with a brief statement of the character of each claim, the amount claimed, and the amount allowed, with a summary of the evidence upon which the allowance was made: *Provided*, That no claim shall be considered unless filed in writing with the commission within 90 days after the injury or death caused by the injury, except that for reasonable cause shown the Comptroller General may allow claims for compensation for such injury or death to be filed any time within one year thereafter: *Provided*, That the deposit in the mails of a duly registered letter addressed to the commissioner or to the head of the respective department or establishment concerned, containing notification of the claim, shall be deemed to be presentation of a claim as required by this section.

(b) Acceptance by any claimant of the amount determined under this title shall be deemed to be in full settlement of the claim against the Government of the United States and the officer or employee.

(c) The Comptroller General shall by regulation provide for the form and manner in which claims under this title shall be presented before the commission and the General Accounting Office.

SEC. 203. The President shall provide rules, including penalties for the violation thereof, for the reporting to the commission both by officers or employees of such department or establishment and by their immediate superiors of injuries or death which may become the basis of a claim under this title.

SEC. 204. (a) The compensation for personal injury shall be paid to the injured individual, except that if the individual dies before compensation has been paid, the compensation shall be allowed and paid as in the case of compensation for death.

(b) Compensation for death shall be allowed and paid as follows:

(1) Compensation shall be allowed only for death caused by injury and occurring within three years after the injury; except that no compensation shall be awarded where the death takes place more than one year after the cessation of disability resulting from such injury, or (in the absence of any such disability preceding death) more than one year after the injury.

(2) The compensation shall be allowed and paid to the following beneficiaries:

(A) To the widow or widower, or if there is no widow or widower, then to the children, share and share alike. Compensation to a child shall not be allowed unless the child is unmarried and is either under 18 years of age or, having reached the age of 18, is physically or mentally incapable of self-support. Compensation for a child under 18 years of age shall be paid to the legal guardian.

(B) To any parent or grandparent or brother or sister who was totally or partially dependent for support upon the deceased at the time of his death, having due regard for the extent of the dependency in cases of partial dependency under this paragraph.

(3) The total compensation which may be allowed on account of any one injury, or injury and death caused thereby, shall not exceed $7,500.

(4) The right of a beneficiary to compensation for death shall not survive the death of such beneficiary.

(c) In addition to the money compensation provided under this title—

(1) In the case of personal injury, the injured individual shall be allowed such expenses for any medical, surgical, and hospital services and supplies (including artificial members and other prosthetic appliances) as the commission adjudges necessary and reasonable for care of or relief from the results of an injury, subject to such regulations as the commission may prescribe with respect to the procurement of such services and supplies.

(2) In the case of death, the personal representatives of the decedent shall be allowed such funeral and burial expenses of the decedent as the commission adjudges to be necessary and reasonable, in an amount not to exceed $200.

SEC. 205. As used in this title—

(a) The term "child" means (1) a legitimate child, (2) a child legally adopted prior to the death of the deceased, (3) a stepchild, if a member of the deceased's household at the time of his death, (4) a posthumous child, and (5) an illegitimate child, but as to the father only, if acknowledged in writing by him, or if he has been judicially ordered or decreed to contribute to such child's support or has been judicially decreed to be the putative father of such child: *Provided*, That an illegitimate child whose father has not been determined by a competent court shall have the same rights as a legitimate child under this act.

(b) The term "widow" means the deceased's wife living with or dependent for support upon him at the time of his death, or living apart from him at such time because of his desertion.

(c) The term "widower" means the deceased's husband living with her at the time of her death.

(d) The term "parent" means a father, mother, father or mother through adoption, stepfather, stepmother, and persons who have stood in loco parentis to the deceased for a period of not less than two years just prior to his death.

(e) The term "grandparent" means a grandfather or grandmother.

SEC. 206. The allowance of compensation for personal injury to any claimant under this title may be denied, to such extent as the Comptroller General deems necessary, unless such claimant has, as frequently and at such times and places as may be reasonably required by the commission, submitted himself to examination by a medical officer of the United States or by a duly qualified physician, designated or approved by the commission. The individual injured may have a duly qualified physician designated and paid by him present to participate in such examination. In case of any disagreement between the physician making an examination on the part of the United States and the physician designated by the individual injured, the commission shall appoint a third physician, duly qualified, who shall make an examination. For all examinations after the first required under this title, the claimant shall, in the discretion of the commission, be paid his reasonable traveling and other expenses. Fees for examination made on the part of the United States under this title by physicians who are not already in the services of the United States shall be fixed by the commission. Such fees and traveling and other expenses shall be paid out of the appropriations for the administration of this title.

SEC. 207. (a) Any assignment of a claim of compensation under this title shall be void, and all compensation and claims therefor shall be exempt from all claims of creditors.

(b) If an injury or death for which compensation is payable under this title is caused under circumstances creating a legal liability upon some person other than the United States to pay damages therefor, the Comptroller General shall require the beneficiary to assign to the United States any right of action he may have to enforce such liability of such other person or any right which he may have to share in any money or other property received in satisfaction of such liability of such other person, or the Comptroller General may require said beneficiary to prosecute said action in his own name.

(c) If the beneficiary refuses to make such assignment or to prosecute said action in his own name when required by the Comptroller General, he shall not be entitled to any compensation under this title.

(d) The cause of action when assigned to the United States shall be prosecuted by the Comptroller General, if he shall deem recovery possible, and if the Comptroller General realizes upon such cause of action he shall apply the money or other property so received in the following manner: After deducting the amount of the compensation paid to the beneficiary, including any payments made under subdivision (c) of section 204, and the expenses of such realization, which sum shall be paid into the Treasury, the surplus, if any, shall be paid to the beneficiary.

(e) If an injury or death for which compensation is payable under this title is caused under circumstances creating a legal liability in some person other than the United States to pay damages therefor, and a beneficiary entitled to compensation from the United States for such injury or death receives, as a result of a suit brought by him or on his behalf, or as a result of a settlement made by him or on his behalf, any money or other property in satisfaction of the liability of such other person, such beneficiary shall, after deducting the costs of suit and a reasonable attorney's fee, apply the money or other property so received in the following manner:

(1) If the compensation has been paid, he shall refund to the United States so much of the amount of compensation which has been paid by the United States, including any payments made under subdivision (c) of section 204, as is not in excess of the amount of the money and property received. Any amount so refunded shall be paid into the Treasury.

(2) If the compensation has not been paid, he shall credit the money or other property so received upon any compensation payable to him by the United States on account of the same injury or death.

SEC. 208. The provisions of this title shall not apply to—

(a) Any claim for which compensation is provided by the Federal employees' compensation act, as amended (U. S. C., title 5, ch. 15), or by the World War veterans' act of 1924, as amended (U. S. C., title 38, ch. 10, as amended).

(b) Any claim for injury or death incurred in line of duty by any member of the military or naval forces of the United States in cases where relief is provided by other law.

SEC. 209. The act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., title 5, ch. 15), is amended by adding at the end thereof a new section to read as follows:

"SEC. 43. That this act may be cited as the Federal employees' compensation act."

TITLE III. MISCELLANEOUS

SEC. 301. When used in this act—

(a) The term "department or establishment" means any executive department or independent establishment not in the legislative or judicial branches of the Government, or any corporation acting as a governmental instrumentality or agency in which the United States owns or controls 51 per cent or more of the voting shares and securities, but shall not include the Panama Railroad;

(b) The term "officer or employee of the Government" means any officer or employee of any department or establishment as above defined, any member of the military or naval forces of the United States, or any other person acting on behalf of the United States in any official capacity under or by authority of any such department or establishment; and

(c) The term "acting in the scope of his office or employment," in the case of any member of the military or naval forces of the United States, means acting in line of duty and, in the case of an officer or employee of any corporation acting as a governmental instrumentality or agency, means acting in the execution of a governmental activity.

SEC. 302. In any claim brought under this act the head of the executive department or other independent establishment, court or governmental instrumentality shall, as a part of the determination or decision, determine and allow reasonable attorney's fees not to exceed 15 per cent of the amount recovered, if recovery be had, to be paid out of the amount recovered to the attorneys of the claimant. Any attorney who charges, demands, receives, or collects for services rendered in connection with such claim any amount other than that allowed under this section, if recovery be had, shall upon conviction thereof be subject to a fine of not more than $2,000 or imprisonment for not more than one year, or both.

SEC. 303. Section 173 of the Judicial Code, as amended (U. S. C., title 28, sec. 280), is amended to read as follows:

"SEC. 173. No claim shall be allowed by the accounting officers or the head of any executive department or other independent establishment or governmental instrumentality, or by any court of the United States, or by the Congress to any person where such claimant or those under whom he claims shall willfully, knowingly, and with intent to defraud the United States have claimed more than was justly due in respect of such claim or presented any false evidence to Congress or to any department, establishment, instrumentality, or court in support thereof."

SEC. 304. The claims of persons under the age of 21 years, first accrued during minority, and of idiots, lunatics, insane persons, and persons beyond the seas at the time the claim accrued, entitled to the claim, shall not be barred if the same be filed with the head of the department within one year after the disability has ceased.

SEC. 305. This act may be cited as the "Federal tort claims act."

Mr. McNARY. Mr. President, this bill involves very large and extensive changes from the present practice established. Therefore, it would be impossible to consider it during the morning hour while we are on the calendar. So I ask that it go over for the day.

Mr. HOWELL. Mr. President, I wish the Senator would withdraw his objection. It will not take long to consider the bill, and it is a very important measure.

Mr. McNARY. That is the very reason why I am objecting to its consideration. It is too important to be considered now in the short time we have. I have not had time to study the bill. I have been amazed as I have listened to the reading of some of its provisions, and therefore, in order that we may promote legislation in a proper way, I shall insist upon my objection.

The VICE PRESIDENT. The Senator from Oregon objects, and the bill will be passed over.

RECOGNITION OF PHILIPPINE INDEPENDENCE

The bill (S. 3822) to provide for the withdrawal of the sovereignty of the United States over the Philippine Islands and for the recognition of their independence, etc., was announced as next in order.

Mr. ROBINSON of Arkansas. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

CHANGE OF NAME OF IOWA CIRCLE

The bill (H. R. 7996) to change the name of Iowa Circle in the city of Washington to Logan Circle was considered, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 4015) to provide for the revocation and suspension of operators' and chauffeurs' licenses and registration certificates; to require proof of ability to respond in damages for injuries caused by the operation of motor vehicles; to prescribe the form of and conditions in insurance policies covering the liability of motor-vehicle operators; to subject such policies to the approval of the commissioner of insurance; to constitute the director of traffic the agent of nonresident owners and operators of motor vehicles operated in the District of Columbia for the purpose of service of process; to provide for the report of accidents; to authorize the director of traffic to make rules for the administration of this statute; and to prescribe penalties for the violation of the provisions of this act, and for other purposes, was announced as next in order.

Mr. BLAINE. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 4254) to provide for the compromise and settlement of claims held by the United States of America arising under the provisions of section 210 of the transportation act, 1920, as amended, was announced as next in order.

Mr. HOWELL. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2497) to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes, was announced as next in order.

Mr. REED. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 4561) for the relief of Sally S. Twilley was announced as next in order.

SEVERAL SENATORS. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 3644) for compensation in behalf of John M. Flynn was announced as next in order.

Mr. HOWELL. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 4555) to amend certain sections in the Code of Law for the District of Columbia relating to offenses against public policy was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 454) to establish a commission to be known as a commission on a national museum of engineering and industry was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

LAURA A. DEPODESTA

The Senate proceeded to consider the bill (H. R. 1759) for the relief of Laura A. DePodesta, which had been reported from the Committee on Claims with an amendment, on page 1, line 11, to strike out the period after the word "death," insert a comma, and add the following: "said sum to be in full settlement of all claims for damages against the Government on account of the death of her husband," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Laura A. DePodesta, widow of Anthony DePodesta, late a lieutenant, Officers' Reserve Corps, Air Service, United States Army, who was killed in an airplane accident while in the line of duty at Langley Field, Va., on July 17, 1925, the sum of $1,575, being a gratuity equal to six months' pay at the rate received by Lieutenant DePodesta at the time of his death, said sum to be in full settlement of all claims for damages against the Government on account of the death of her husband.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

BILLS, ETC., PASSED OVER

The joint resolution (S. J. Res. 105) to authorize the merger of street-railway corporations operating in the District of Columbia, and for other purposes, was announced as next in order.

Mr. McKELLAR. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 191) for the relief of George B. Marx was announced as next in order.

Mr. HOWELL. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 3238) for the relief of Martin E. Riley was announced as next in order.

Mr. HOWELL. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 5212) for the relief of George Charles Walthers was announced as next in order.

Mr. HOWELL. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 4384) to provide for the erection of a suitable monument to the memory of the first permanent settlement of the West at Harrodsburg, Ky., was announced as next in order.

Mr. FESS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

WORK OF THE FOREST SERVICE

The bill (H. R. 10782) to facilitate and simplify the work of the Forest Service was announced as next in order.

Mr. McNARY. Mr. President, this House bill and the Senate joint resolution which immediately follows on the calendar, which I have reported as chairman of the Committee on Agriculture and Forestry, I ask to go over without prejudice.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 183) authorizing the Secretary of Agriculture to cooperate with the Territories of the United States under the provisions of sections 1 and 2 of the act of Congress entitled "An act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor," was announced as next in order.

The VICE PRESIDENT. Under the request of the Senator from Oregon, this joint resolution will be passed over.

REGULATION OF COTTON EXCHANGES

The Senate proceeded to consider the joint resolution (S. J. Res. 195) authorizing investigation of certain operations on cotton exchanges.

The joint resolution had been reported from the Committee on Agriculture and Forestry with amendments, on page 1, line 5, to strike out "1916" and insert in lieu thereof "1926"; on page 2, line 2, after the numerals "1928," to strike out the word "and"; on page 2, after the numerals "1929," to insert a comma and the words "and the first half of 1930"; on page 2, line 9, after the word "hearings," to insert the words "to contract for stenographic reporting service" and a comma; on page 2, line 10, after the word "assistants," to insert the words "in the District of Columbia and elsewhere"; on page 2, line 14, after the word "such," to insert the word "other"; on page 2, line 14, after the word "expenditures," to insert the words "including expenses for printing and binding" and a comma, so as to make the bill read:

Resolved, etc., That the Secretary of Agriculture is hereby directed to investigate through the Grain Futures Administration the cause of the 1926 decline in cotton, ascertaining the amount of cotton futures sold in 1926, the amount of short selling when the drastic slump occurred, who did this short selling, and the effect of this heavy short selling on prices, and any further information which will enable the farmers to know the true state of conditions and the parties responsible for this decline; also to make a similar investigation for 1927, 1928, 1929, and the first half of 1930, giving the amount of short selling and the amount of public participation induced to take part in these futures, and to ascertain whether or not the majority of the public lost or won on the deals, and to report this information to the Senate.

SEC. 2. That for the purposes of this resolution the Grain Futures Administration is authorized to hold hearings, to contract for stenographic reporting service, to employ experts and clerical, stenographic, and other assistants in the District of Columbia and elsewhere, to require by subpœna or otherwise the attendance of witnesses and the production of books, papers, and documents, to administer oaths, and to make such other expenditures, including expenditures for printing and binding, as it deems advisable.

SEC. 3. That to defray the necessary expenses entailed by this investigation there is hereby authorized to be appropriated out of any funds in the United States Treasury a sum not exceeding $125,000.

The amendments were agreed to.

Mr. SMOOT. Mr. President, may I ask the Senator from Texas whether it is necessary to have $125,000 for that purpose?

Mr. SHEPPARD. Mr. President, department officials estimated that it would take that much to make a thorough and efficient investigation. The resolution calls for information which is very much needed, and which has never been ascertained, to wit, information as to the effect of short selling practices on cotton prices. It would be worth many, many times the expense of an investigation if we could get that information.

Mr. SMOOT. I have no question as to the advisability of getting the information, but it seems to me that $125,000 is entirely too much money to expend for that purpose.

Mr. SHEPPARD. I would accept an amendment making the amount $100,000.

Mr. SMOOT. That is what I had in mind. Whatever applies to one cotton exchange will apply to every such exchange in the United States, because their practices are exactly the same. So it would be necessary to make an investigation of only one exchange.

Mr. SHEPPARD. I would accept an amendment providing for a smaller amount, and we would try to get along with that.

Mr. SMOOT. I thought that $75,000 would be sufficient.

Mr. SHEPPARD. Very well; I accept that amount.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 2, line 19, to strike out "$125,000" and insert in lieu thereof "$75,000."

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

APPROPRIATIONS FOR THE DISTRICT OF COLUMBIA

The joint resolution (H. J. Res. 373) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1931, and for other purposes, was announced as next in order.

Mr. BINGHAM. Mr. President, this joint resolution was intended to take the place of the District of Columbia appropriation bill, which, it will be remembered, passed in the final hours of the last session. Therefore it is no longer needed, and I move that it be indefinitely postponed.

The motion was agreed to.

LEAVES OF ABSENCE IN THE DISTRICT OF COLUMBIA

The bill (S. 4597) to provide educational employees of the public schools of the District of Columbia with leave of absence with part pay for purposes of educational improvement, and for other purposes, was announced as next in order.

Mr. KING. Mr. President, some suggestions have been brought to my attention which may call for amendments, and, not anticipating that the bill would be reached this morning, I have not prepared them. I will ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

GRAND CALUMET RIVER BRIDGE, INDIANA

The Senate proceeded to consider the bill (H. R. 13035) to extend the times for commencing and completing the construction of a bridge across the Grand Calumet River at East Chicago, Ind., which was read the third time and passed.

REFUND TO FARMERS' GRAIN CO., NEBRASKA

The Senate proceeded to consider the bill (S. 899) authorizing the Treasurer of the United States to refund to the Farmers' Grain Co., of Omaha, Nebr., income taxes illegally paid to the United States Treasurer, which had been reported from the Committee on Claims with an amendment, on page 1, line 5, after the numerals "$2,186.36," to strike out the comma and the words "with interest at 7 per cent," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to refund, from moneys not otherwise

appropriated, the sum of $2,186.36 to the Farmers' Grain Co., of Omaha, Nebr., this sum being paid illegally and through error by said company as income taxes to the Commissioner of Internal Revenue and covered into the United States Treasury.

The amendment was agreed to.

Mr. REED. Mr. President, will some one explain to us why that money was not recovered in the ordinary way through refunds at the Treasury?

Mr. NORRIS. Mr. President, I will say to the Senator that this money was paid upon the demand of a Treasury official, and it was afterwards ascertained, and the Treasury Department admit, that the collection was illegal; that they had no right to demand it. The money was paid into the Treasury and became a part of the funds in the Treasury, and the statute of limitations ran.

All this bill does is to authorize the payment of a claim which is admitted to be correct except for the technicality that the statute of limitations has intervened. There is no question about the money being illegally and wrongfully collected.

Mr. REED. The Senator does not believe in abolishing the statute of limitations as to these tax returns, surely?

Mr. NORRIS. No; I do not. The statute of limitations is all right; but this was money paid upon demands made by representatives of the Government, as I understand it, after the taxpayers had paid their taxes. An examination was made and the officials claimed there was more due, and the taxpayers paid it. It was afterwards discovered that what they had paid in the first place was the correct amount, and that this second payment had been illegally demanded. A good many of these cooperative institutions are not familiar with the law, and they allowed their rights to lapse.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield to a question?

Mr. NORRIS. Certainly.

Mr. ROBINSON of Arkansas. Is there any question as to the illegality of the tax which the bill seeks to refund?

Mr. NORRIS. According to my understanding, there is no question whatever about it.

Mr. BLACK. Mr. President, there is not only no question about it, but the Government admits that it owes this cooperative association money.

Mr. NORRIS. That is correct; the Government does not deny it.

Mr. ROBINSON of Arkansas. The Government has really benefited, then, by the failure to secure a refund within the limitation period?

Mr. NORRIS. It has had the use of the money all this time.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. FESS. Mr. President, if I understand the Senator from Nebraska correctly, the only question here is that the statute of limitations has run against the claim?

Mr. NORRIS. Yes.

Mr. FESS. This bill simply provides for refunding the money?

Mr. NORRIS. That is right.

The bill was ordered to a third reading, read the third time, and passed.

FAIRMONT CREAMERY CO., NEBRASKA

The Senate proceeded to consider the bill (S. 3620) for the relief of the Fairmont Creamery Co., of Omaha, Nebr., which had been reported from the Committee on Claims with an amendment, on page 1, line 11, after the word "due" to insert a colon and the words "*Provided*, That in the settlement of said claim there shall be no allowance of interest," so as to make the bill read:

Be it enacted, etc., That the Commissioner of Internal Revenue is hereby authorized and directed to receive, consider, and determine, in accordance with law, but without regard to any statute of limitations, any claim filed not later than six months after the passage of this act, by the Fairmont Creamery Co., Omaha, Nebr., for the refund of Federal income and profits taxes collected from the said Fairmont Creamery Co. for 1918 in excess of the amount properly due: *Provided*, That in the settlement of said claim there shall be no allowance of interest.

SEC. 2. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to the said Fairmont Creamery Co. any amount allowed in the determination of any claim filed in accordance with this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LEBANON EQUITY EXCHANGE, NEBRASKA

The Senate proceeded to consider the bill (S. 4018) for the relief of the Lebanon Equity Exchange, of Lebanon, Nebr., which had been reported from the Committee on Claims with an amendment, on page 1, line 11, after the word "due," to insert a colon and the words "*Provided*, That in the settlement of said claim there shall be no allowance of interest," so as to make the bill read:

Be it enacted, etc., That the Commissioner of Internal Revenue be, and he is hereby, authorized and directed to receive, consider, and determine, in accordance with law but without regard to any statute of limitations, any claim filed not later than six months after the passage of this act by the Lebanon Equity Exchange, Lebanon, Nebr., for the refund of Federal income and profits taxes collected from the said Lebanon Equity Exchange for the year 1920 in excess of the amount properly due: *Provided*, That in the settlement of said claim there shall be no allowance of interest.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DR. COOPER NICHOLSON

The Senate proceeded to consider the bill (S. 4274) for the relief of Dr. Cooper Nicholson, which had been reported by the Committee on Claims with an amendment to strike out all after the enacting clause and to insert:

That sections 17 and 20 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of Dr. Cooper Nicholson, who suffered an injury to his left eye while in charge of Main Hospital No. 1, at Muscle Shoals, Ala., during the World War.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Dr. Cooper Nicholson."

ESTATE OF BENJAMIN BRAZNELL

The bill (S. 457) for the relief of the estate of Benjamin Braznell was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Commissioner of Internal Revenue be, and he is hereby, authorized and directed to reopen and allow the claim of the Braddock Trust Co., executor of the estate of Benjamin Braznell, late of Pittsburgh, Pa., and refund the sum of $2,323.47, the balance of taxes illegally collected under existing laws and decisions.

EMMETT BROOKS

The bill (H. R. 10093) for the relief of Emmett Brooks was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement of all claims against the Government, the sum of $351.05 to Emmett Brooks in payment for fees as United States commissioner for services rendered for the period beginning with the January quarter, 1925, and ending with the March quarter, 1929.

COMPENSATION OF EMLOYEES IN CUSTOMS SERVICE

The bill (H. R. 12742) to amend the act entitled "An act to adjust the compensation of certain employees in the Customs Service," approved May 29, 1928, was announced as next in order.

Mr. KING. Mr. President, I would like to ask the chairman of the Committee on Finance if the bill has the unanimous support of the committee.

Mr. SMOOT. Mr. President, it has the unanimous support of the Finance Committee and the approval of the department.

The Comptroller General issued a number of decisions, which affected adversely the provisions in the original bill, and this measure is simply to meet the legal points raised by the Comptroller General. For example, the Comptroller General ruled that if an inspector of customs, who was receiving $2,100 per annum, was transferred to the position of clerk, he would be compelled to suffer a reduction in salary to $1,700 per annum. There were a number of other similar points in the Comptroller General's decisions, and this measure is simply to overcome the objections raised by the Comptroller General, but in no way increases the rates of compensation specified in the original bill passed two years ago.

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act entitled "An act to adjust the compensation of certain employees in the Customs Service," approved May 29, 1928, be, and it is hereby, amended to read as follows:

"SECTION 1. The following annual rates of compensation are hereby established for the employees in the Customs Service hereinafter specified:

"(a) Laborers, $1,500.

"(b) Verifiers-openers-packers, $1,680, $1,740, $1,800, $1,860, $1,920, $1,980, and $2,040.

"(c) Clerks, entrance salary, $1,700; clerks having one year's satisfactory service, $1,800; clerks having two years' satisfactory service, $1,900; clerks having three years' satisfactory service, $2,000; clerks having four years' satisfactory service, $2,100; thereafter promotion of clerks to higher rates of compensation shall be in accordance with existing law.

"(d) Customs guards, $1,860, $1,920, $1,980, $2,040, $2,100, $2,200, $2,300, and $2,400.

"(e) Inspectors, $2,100, $2,200, $2,300, $2,400, $2,500, $2,600, $2,700, $2,800, $2,900, $3,000, $3,100, $3,200, and $3,300.

"(f) Station inspectors, $3,000, $3,100, $3,200, $3,300, $3,400, $3,500, and $3,600.

"SEC. 2. All new appointments of employees specified in section 1 shall be made at the minimum rate of the appropriate salary range: *Provided, however*, That the Secretary of the Treasury is authorized to waive the foregoing provision of this section in the case of employees who are transferred from a position in any class specified in section 1 or from any position in the Customs Service to a position in any of the classes specified in section 1, including that of clerk when such transfer is made in the interest of good administration: *Provided further*, That in fixing the entrance salary of clerks transferred from any position in the Customs Service or the Bureau of Customs, and in giving them increases in pay at any time thereafter, as provided in section 1 (c) of this act, credit may be given for all previous continuous service in the Customs Field Service or in the Bureau of Customs, whether clerical or otherwise, in positions requiring a first-grade clerical, or higher grade, civil-service examination.

"SEC. 3. Nothing in this act shall be construed to prevent the promotion at any time of any employee from a position in any of the grades or classes specified in section 1 of this act to a vacancy in a position administratively allocated to any grade under authority of section 3 of the act approved May 28, 1928, entitled 'An act to amend the salary rates contained in the compensation schedules of the act of March 4, 1923, entitled "An act to provide for the classification of civil positions within the District of Columbia and in the field services,"' or to a vacant position legally allocated to any grade created by or under authority of Congress after the passage of this act, regardless of the period of time the employee has served and regardless of the designation of the vacant position, and when so promoted such employee shall receive the compensation authorized by law for such positions and thereafter shall cease to be affected by the provisions of section 1 of this act; and nothing contained herein shall be construed to reduce the rate of compensation of any employee in the Customs Service.

"SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to pay the rates of compensation herein established.

"SEC. 5. This act shall be effective as of the date of its enactment: *Provided, however*, That all promotions, transfers, reinstatements, and other changes heretofore made with the approval of the Secretary of the Treasury affecting the pay status of any employee in which credit was given for previous satisfactory noncontinuous service in the Customs Field Service or Bureau of Customs or which conform to the provisions of the act of May 29, 1928, as amended by this act, are hereby ratified and made effective as of their designated effective dates."

PIONEER STEAMSHIP CO.

The bill (S. 896) to pay the Pioneer Steamship Co. the sum of $3,100.50, money paid as duty for repairs in foreign ports, was considered. The bill had been reported from the Committee on Claims, with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Pioneer Steamship Co., of Cleveland, Ohio, the sum of $3,100.50 for money paid as duty upon certain repairs in foreign ports.

Mr. KING. Mr. President, I would like to ask under what theory the duty was collected because, as I recall the law, necessary repairs in foreign ports do not call for the payment of duty upon the ship coming into the United States.

The VICE PRESIDENT. The Senator reporting the bill is not in the Chamber.

Mr. KING. Let it go over, then.

Mr. HOWELL. Has the bill gone over?

Mr. KING. If the Senator from Nebraska can offer the explanation, I do not ask that it go over. I ask merely for some information.

Mr. HOWELL. This is a case where five vessels of the Pioneer Steamship Co. on their last voyage in 1917 were detained in Canadian waters and were there during the winter. Certain repairs were made upon one of the steamships, those repairs being necessary. As a result, a tax or duty was levied upon those repairs. Inasmuch as the vessels were then conveying or had been conveying cargoes for the Government, through the Food Administration, it was urged by the company that they were entitled to a refund because they were not responsible for their vessels being tied up as they were.

The Secretary of the Treasury said he did not believe that exceptions should be made, as exceptions were not provided for under the law, but that if Congress saw fit to give such a bill favorable consideration, he would advise the adoption of the bill which is before the Senate at this time. The Claims Committee took the matter under consideration and believes that the steamship company is entitled to a refund under the circumstances.

Mr. KING. The question I had in mind was whether or not the vessels came under the section of the statute which provides that certain repairs in foreign ports are not to be subject to the tariff duties that were laid by the laws of the United States.

Mr. HOWELL. No; the repairs did not come under any such provision. The repairs came under the provision of the statute which requires a duty to be levied.

Mr. KING. I fancy that if we enact this legislation, though I am not opposed to it, we will have many applications for similar refunds. Personally, I believe that American boats should be permitted to have repairs made in foreign ports without being required to pay a duty thereon. If we should do that, we would facilitate to a very large degree the construction of vessels and encourage our merchant marine.

Mr. SMOOT. Mr. President, I will say to my colleague that this is a case where the Food Administration ordered the ships to go to this port. It was not as if the company had exercised their own authority to send them to a foreign port. I agree with my colleagues that except in such a case I would never vote for a repayment to be made, but as the Food Administration ordered the ships there and they had to go there, it seems to me it is nothing more than right that they should have the refund.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time and passed.

DONATION OF TROPHY GUN TO F. D. HUBBEL RELIEF CORPS

The bill (H. R. 4050) donating trophy gun to F. D. Hubbel Relief Corps, No. 103, of Hillsboro, Ill., was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of War, in his discretion, is hereby authorized to deliver to the order of the F. D. Hubbel Relief Corps, No. 103, Hillsboro, Ill., Auxiliary to the Grand Army of the Republic, one trophy gun, stored in the Watervliet Arsenal at Watervliet, N. Y., and described as follows: Twelve pounder, weight 1,000 pounds, diameter bore 4⅝ inches, length 58½ inches, and marked 1862: *Provided*, That the United States shall be put to no expense in connection with the delivery of said gun.

NINTH INTERNATIONAL DAIRY CONGRESS

The joint resolution (H. J. Res. 333) to authorize an appropriation of $10,000 for the expenses of participation by the United States in the Ninth International Dairy Congress, Copenhagen, Denmark, 1931, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That for the purpose of defraying the expenses of participation of the Government of the United States by means of delegates in the Ninth International Dairy Congress, to be held in Copenhagen, Denmark, in July, 1931, an appropriation in the sum of $10,000, or so much thereof as may be necessary, is hereby authorized for travel expenses, subsistence or per diem in lieu thereof (notwithstanding the provisions of any other act), printing and binding, compensation of employees, rent, official cards, entertainment, and such other expenses as the President shall deem proper.

GREAT LAKES BRIDGE COMMISSION

The bill (S. 4769) to amend an act entitled "An act creating the Great Lakes Bridge Commission and authorizing said commission and its successors to construct, maintain, and operate a bridge across the St. Clair River at or near Port Huron, Mich.," approved June 25, 1930, being Public Act No. 433 of the second session of the Seventy-first Congress, was announced as next in order.

Mr. VANDENBERG. Pending certain inquiries I wish to make with respect to the development of this project since the last session of Congress, I ask that the bill may go over without prejudice.

The VICE PRESIDENT. The bill will be passed over.

SUITS AGAINST THE UNITED STATES

The joint resolution (S. J. Res. 201) consenting that certain States may sue the United States, and providing for trial on the merits in any suit brought hereunder by a State to recover direct taxes alleged to have been illegally collected by the United States during the fiscal years ending June 30, 1866, 1867, 1868, and vesting the right in each State to sue in its own name, was announced as next in order.

Mr. KING. Let the joint resolution go over.

The VICE PRESIDENT. The joint resolution will be passed over.

AMENDMENT OF SECTION 335 OF CRIMINAL CODE

The bill (H. R. 10341) to amend section 335 of the Criminal Code was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 335 of the Criminal Code, chapter 321, paragraph 335; Thirty-fifth Statutes, page 1152 (sec. 541, title 18, U. S. C.), be amended to read as follows:

"All offenses which may be punished by death or imprisonment for a term exceeding one year shall be deemed felonies. All other offenses shall be deemed misdemeanors: *Provided*, That all offenses the penalty for which does not exceed confinement in a common jail, without hard labor for a period of six months, or a fine of not more than $500, or both, shall be deemed to be petty offenses; and all such petty offenses may be prosecuted upon information or complaint."

REPEAL OF OBSOLETE STATUTES

The bill (H. R. 10198) to repeal obsolete statutes and to improve the United States Code was considered.

The bill had been reported from the Committee on the Judiciary, with amendments as follows:

On page 2, at the proper place, insert:

40 Stat. 152, seventh paragraph, act of June 12, 1917, c. 27	Title 16, sec. 116.

Also, on the same page, at the proper place, to strike out:

32 Stat. 203, sec. 3, act of May 22, 1902, c. 820	Title 16, sec. 123.

Also, on the same page, at the proper place, to insert:

40 Stat. 152, twelfth paragraph, act of June 12, 1917, c. 27	Title 16, sec. 135.

Also, on the same page, to strike out:

R. S. 2052	Title 25, sec. 26.
27 Stat. 120, first proviso, act of July 13, 1892, c. 164; 30 Stat. 573, first proviso, act of July 1, 1898, c. 545	Title 25, sec. 27.
R. S. 2056, as amended by 22 Stat. 87, act of May 17, 1882, c. 163	Title 25, sec. 28.
R. S. 2060	Title 25, sec. 30.
R. S. 2061	Title 25, sec. 38.
R. S. 2080	Title 25, sec. 72.
R. S. 2083	Title 25, sec. 91.
R. S. 2084	Title 25, sec. 92.

Also, on the same page, to strike out:

R. S. 2098	Title 25, sec. 126.
R. S. 2100	Title 25, sec. 127.
18 Stat. 424, last clause of seventh paragraph, act of March 3, 1875, c. 132	Title 25, sec. 129.

Also, on the same page, to strike out:

34 Stat. 1174, last paragraph, act of March 2, 1907, c. 2511	Title 32, sec. 34.
43 Stat. 606, sec. 9, act of June 7, 1924, c. 316	Title 33, sec. 425.
R. S. 1413	Title 34, sec. 141.
R. S. 1414	Title 34, sec. 142.
R. S. 1415	Title 34, sec. 143.
R. S. 1438	Title 34, sec. 144.
R. S. 1439	Title 34, sec. 145.

Also, on page 3, to strike out:

40 Stat. 430, act of December 20, 1917, c. 6	Title 43, sec. 236.
41 Stat. 271, fifth complete paragraph, act of July 24, 1919, c. 26	Title 43, sec. 237.
34 Stat. 1248, act of March 2, 1907, c. 2563	Title 43, sec. 262.
35 Stat. 350, third complete paragraph, act of May 27, 1908, c. 200	Title 43, sec. 379.
40 Stat. 675, thirteenth complete paragraph, act of July 1, 1918, c. 113	Title 43, sec. 380.
44 Stat. 650, sec. 49, act of May 25, 1926, c. 383	Title 43, sec. 423g (appendix).

Also, on page 3, to strike out:

R. S. 2354	Title 43, sec. 673.
R. S. 2355	Title 43, sec. 674.
R. S. 2365	Title 43, sec. 676.

Also, on page 4, to strike out:

33 Stat. 64, act of March 9, 1904, c. 503	Title 43, sec. 1167.

Also, on page 4, to insert:

R. S. 4205	Title 46, sec. 99.

Also, on page 4, to strike out "393, first eighteen paragraphs" and to strike out "336" and insert "337," so as to make the bill read:

Be it enacted, etc., That the following obsolete sections and parts of sections of the Revised Statutes and Statutes at Large are hereby repealed:

Statutes (Stat. or R. S.)	U. S. Code
R. S. 162	Title 5, sec. 26.
R. S. 196	Title 5, sec. 107.
12 Stat. 505, sec. 6, act of July 2, 1862, c. 130	Title 7, sec. 306.
R. S. 1156	Title 10, sec. 182.
R. S. 1243, first sentence	Title 10, sec. 941.
39 Stat. 308, fifth complete paragraph, act of July 1, 1916, c. 209.	Title 16, sec. 42.
34 Stat. 832, sec. 3, resolution of June 11, 1906, No. 27	Title 16, sec. 50.
39 Stat. 308, third complete paragraph, act of July 1, 1916, c. 209.	Title 16, sec. 56.
40 Stat. 152, fifth paragraph, act of June 12, 1917, c. 27	Title 16, sec. 106.
40 Stat. 152, seventh paragraph, act of June 12, 1917, c. 27	Title 16, sec. 116.
40 Stat. 152, twelfth paragraph, act of June 12, 1917, c. 27	Title 16, sec. 135.
32 Stat. 765, secs. 3 and 4, act of January 9, 1903, c. 63	Title 16, secs. 143, 144.
36 Stat. 1421, second sentence of seventh complete paragraph, act of March 4, 1911, c. 285.	Title 16, sec. 180.
R. S. 2463	Title 16, sec. 597.
20 Stat. 470–471, secs. 1 and 2, act of March 3, 1879, c. 180	Title 16, secs. 598, 599.
28 Stat. 814, act of March 2, 1895, c. 182	Title 16, sec. 600.
35 Stat. 71, first complete paragraph, except the second proviso, act of April 30, 1908, c. 153.	Title 25, sec. 94.
35 Stat. 73, third proviso, act of April 30, 1908, c. 153	Title 25, sec. 103.
37 Stat. 496, act of August 24, 1912, c. 387	Title 30, secs. 111–113.
R. S. 3482	Title 31, sec. 208.
24 Stat. 402, sec. 3, act of February 12, 1887, as amended by 34 Stat. 450, sec. 3, act of June 22, 1906, c. 3515.	Title 32, sec. 32.
30 Stat. 1007, sec. 11, act of March 3, 1899, c. 413	Title 34, sec. 391.
34 Stat. 554, second complete paragraph, act of June 29, 1906, c. 3590.	Title 34, sec. 374.
35 Stat. 753, last paragraph, act of March 3, 1909, c. 255	Title 34, sec. 393.
33 Stat. 349, last paragraph, act of April 27, 1904, c. 1622	Title 34, sec. 682.
34 Stat. 554, third complete paragraph, act of June 29, 1906, c. 3590.	Title 34, sec. 683.
R. S. 2469	Title 43, sec. 19.
R. S. 2470	Title 43, sec. 20.
R. S. 461, as amended by 25 Stat. 76, act of April 2, 1888, c. 54, and 35 Stat. 469, sec. 15, act of May 29, 1908, c. 220; 25 Stat. 557, act of October 12, 1888, c. 1008.	Title 43, sec. 21.
R. S. 2230	Title 43, sec. 61.
R. S. 2231	Title 43, sec. 62.
R. S. 2232	Title 43, sec. 63.
31 Stat. 270, sec. 3, except the proviso, act of June 5, 1900, c. 716.	Title 43, sec. 181.
32 Stat. 389, sec. 5, third sentence, act of June 17, 1902, c. 1093.	Title 43, sec. 476.
R. S. 2353	Title 43, sec. 672.
R. S. 2356	Title 43, sec. 677.
R. S. 2364	Title 43, sec. 683.
R. S. 2358	Title 43, sec. 684.
R. S. 2359	Title 43, sec. 685.
19 Stat. 221, sec. 2, act of January 12, 1877, c. 18	Title 43, sec. 686.
R. S. 2360	Title 43, sec. 687.
R. S. 2398	Title 43, sec. 754.
R. S. 2399, as amended by 26 Stat. 650, act of October 1, 1890, c. 1262, 28 Stat. 285, act of August 15, 1894, c. 288, and 32 Stat. 120, act of April 28, 1902, c. 592.	Title 43, sec. 755.

Statutes (Stat. or R. S.)	U. S. Code
R. S. 2400	Title 43, sec. 756.
R. S. 2404	Title 43, sec. 764.
R. S. 2405	Title 43, sec. 765.
R. S. 2407	Title 43, sec. 767.
R. S. 2411	Title 43, sec. 771.
37 Stat. 687, act of February 27, 1913, c. 85	Title 43, sec. 860.
R. S. 4205	Title 46, sec. 99.
34 Stat. 1162, both provisos, act of March 2, 1907, c. 2511	Title 48, sec. 4.
36 Stat. 248, thirteenth paragraph, act of March 23, 1910, c. 115.	Title 48, sec. 5.
31 Stat. 328, sec. 17, act of June 6, 1900, c. 786	Title 48, sec. 28.
31 Stat. 333, sec. 32, except the first two sentences, act of June 6, 1900, c. 786, as amended by 33 Stat. 1266, sec. 2, act of March 3, 1905, c. 1497.	Title 48, sec. 42
33 Stat. 1266, sec. 3, act of March 3, 1905, c. 1497	Title 48, sec. 65.
33 Stat. 591, act of April 27, 1904, c. 1629	Title 48, secs. 331-337.
40 Stat. 604, act of June 13, 1918, c. 97	Title 48, sec. 618.
25 Stat. 480, sec. 1, act of September 22, 1888, c. 1038	Title 50, sec. 11.
26 Stat. 769, last paragraph, act of February 24, 1891, c. 383.	Title 50, sec. 12.
31 Stat. 910, second proviso, act of March 2, 1901, c. 803	Title 50, sec. 13.
27 Stat. 461, proviso, act of February 18, 1893, c. 136	Title 50, sec. 14.
25 Stat. 491, first two complete paragraphs, act of September 22, 1888, c. 1028.	Title 50, sec. 15.

SEC. 2. Rights or liabilities existing under the foregoing statutes or parts thereof on the date of the enactment of this act shall not be affected thereby.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

WAIVER OF TRIAL BY JURY

The bill (H. R. 12056) providing for the waiver of trial by jury in the district courts of the United States was announced as next in order.

Mr. McKELLAR. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over. That completes the calendar.

MOTOR-BUS TRANSPORTATION

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 10288) to regulate the transportation of persons in interstate and foreign commerce by motor carriers operating on the public highways.

Mr. McNARY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk (Harvey A. Welsh) called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	King	Shortridge
Barkley	Frazier	La Follette	Simmons
Bingham	George	McGill	Smith
Black	Gillett	McKellar	Smoot
Blaine	Glenn	McMaster	Steiwer
Blease	Goff	McNary	Stephens
Borah	Goldsborough	Morrow	Swanson
Brock	Gould	Moses	Thomas, Idaho
Brookhart	Greene	Norbeck	Thomas, Okla.
Broussard	Hale	Norris	Townsend
Bulkley	Harris	Nye	Trammell
Capper	Harrison	Oddie	Tydings
Caraway	Hastings	Overman	Vandenberg
Carey	Hatfield	Patterson	Wagner
Connally	Hayden	Phipps	Walcott
Copeland	Hebert	Pine	Walsh, Mass.
Couzens	Heflin	Pittman	Walsh, Mont.
Cutting	Howell	Reed	Waterman
Dale	Johnson	Robinson, Ark.	Watson
Davis	Jones	Robinson, Ind.	Wheeler
Deneen	Kean	Schall	Williamson
Dill	Kendrick	Sheppard	
Fess	Keyes	Shipstead	

The VICE PRESIDENT. Ninety Senators have answered to their names. A quorum is present. The bill is open to amendment.

Mr. COPELAND. Mr. President, may I ask the Senator from Michigan [Mr. COUZENS] about the date found on page 12?

Mr. COUZENS. My intention is to ask the Senate to agree to the date of December 1.

Mr. COPELAND. Is the Senator proposing that amendment now?

Mr. COUZENS. I shall propose it, but I was waiting until we had practically concluded the bill, because I did not know how long its consideration might take.

Mr. COPELAND. I hope the Senator will move the amendment, because it was the date I had in mind in case the bill is promptly passed.

Mr. COUZENS. I am ready and willing to do it, but I think we had better get through with the other amendments first.

Mr. COPELAND. Very well.

The VICE PRESIDENT. The bill is before the Senate and is open to amendment.

Mr. GLENN. I offer the amendment which I send to the desk, which, I understand, is acceptable to the chairman of the committee, the Senator from Michigan [Mr. COUZENS]. The amendment adds a proviso at the end of line 25, on page 20 of the bill.

The VICE PRESIDENT. Let the amendment proposed by the Senator from Illinois be reported.

The LEGISLATIVE CLERK. At the end of line 25, on page 20, it is proposed to insert the proviso:

Provided, That nothing herein shall be construed to prevent railroad corporations from organizing or operating motor carriers where no consolidation, merger, or acquisition of control of motor carriers now existing is involved in such organization or operation.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Illinois.

Mr. COUZENS. Mr. President, while the Senator from Illinois and I disagree as to the necessity of the amendment just stated, I can not see any objection to it, and, so far as I am concerned, I am willing that it shall be accepted.

Mr. WALSH of Montana. Mr. President, my attention was momentarily diverted, and I ask that the amendment may again be stated.

The VICE PRESIDENT. The amendment proposed by the Senator from Illinois will be again stated.

The legislative clerk again read the amendment proposed by Mr. GLENN.

Mr. WALSH of Montana. Let me inquire what is the significance of the two words "now existing"?

Mr. GLENN. The idea involved in that language is that after the date of the passage of this measure the railroads will have the right not to buy existing bus lines or to merge or control existing bus lines, but to inaugurate new bus lines where none exist.

Mr. WALSH of Montana. Yes; but the language of the proposed amendment is—

That nothing herein shall be construed to prevent railroad corporations from organizing or operating motor carriers where no consolidation, merger, or acquisition of control of motor carriers now existing is involved.

As it seems to me, that would mean that in the future bus lines could be absorbed by merger or other organization of a similar character. The words "now existing" in the amendment obviously refer to a merger.

Mr. GLENN. If the words "now existing" should be stricken from the amendment, how would the amendment then read?

Mr. WALSH of Montana. The amendment, if so modified, would then read:

That nothing herein shall be construed to prevent railroad corporations from organizing or operating motor carriers where no consolidation, merger, or acquisition of control of motor carriers is involved in such organization or operation.

That would be quite all right.

Mr. GLENN. That would leave the language of the bill as it is now, I think.

Mr. WALSH of Montana. That is what I had in mind—that the words "now existing" are really the meat of the amendment as proposed by the Senator from Illinois.

Mr. COUZENS. I think the Senator from Montana is correct, because if those words should remain in the amendment then in the future any bus line might be acquired.

Mr. WALSH of Montana. Exactly.

Mr. COUZENS. We ought to prevent that.

Mr. WALSH of Montana. That is to say, if after the passage of the bill a merger is organized that merger will be entitled to take within its scope a bus line either now existing or that may be established in the future.

Mr. GLENN. That was not the intention I had. What I desire is—and I do not care what the language may be; the Senator from Michigan [Mr. COUZENS] and I are in accord—to permit railroad corporations to inaugurate new bus lines where none now exist. It is the idea of the Senator from Michigan that the bill in its present form, if enacted, would permit that to be done. I am not at all satisfied that it would do so.

Mr. COUZENS. I believe the amendment is unnecessary. I think railroads would be permitted under the present form of the proposed act to take such action without the amendment now proposed by the Senator from Illinois; but the Senator differs with me, and, so long as the intention is not to change the purport of the bill as it now stands, I do not see any objection to the proposed proviso. I do see objection, however, to using the words "now existing," because it is possible under that language that in the future bus lines might be consolidated or merged with railroad companies.

Mr. ROBINSON of Arkansas. Mr. President, pending the private discussion of this matter by Senators, I should like to submit a question of some general significance to the chairman of the committee. The question is whether his committee considered the inclusion of trucks within the provisions of this bill, and, if not, why they were not included?

Mr. COUZENS. The Senator from Utah [Mr. KING] asked that question yesterday. The best explanation I could give of it was that some years ago the owners of both passenger busses and trucks engaged in the freight business appeared before the committee and discussed proposed legislation. However, they were unable to agree as between the passenger and the freight business, and we could not get anywhere. There seems to be less need for the regulation of busses engaged in the freight-carrying business, because they were mostly contract carriers rather than common carriers.

When this bill was introduced in the House by the chairman of the committee in that body and in the Senate by me it was proposed in pursuance of an agreement reached by the operators of passenger motor busses. They agreed among themselves upon legislation, but they could not get together with the operators of the trucks. Since that time no one has appeared before the committee to ask for legislation to regulate trucks engaged in the freight business.

Mr. ROBINSON of Arkansas. The opportunity has not been afforded me to make that careful study of the subject to which it is entitled before legislation concerning it is enacted; but I think every Senator knows that under present conditions there is quite as much necessity, if not a greater necessity, for the regulation of the trucks that are being operated in the carriage of freight as there is for the regulation of motor busses used for carrying passengers. Anyone who takes a trip by automobile through several States will see lines of freight busses being operated. In numerous instances they carry loads that tax the capacity of the bridges on the public highways. Within 10 days a motor-propelled truck on a highway that runs to the South—a national highway, one of the most important in the Nation—carrying a load, according to the press, of 21,000 pounds, attempted to pass over a bridge on the highway. The bridge broke down; the driver of the truck was killed; and passenger traffic was for an indefinite period diverted over an almost impossible detour, the worst detour that I ever passed over in an automobile. In all probability that condition will continue for a prolonged period.

Now it occurs to me that while we are dealing with this subject it is a mistake not to include trucks used in the hauling or carriage of freight. I merely make that statement to the Senator with a view to ascertaining whether, in his opinion, it is practicable to deal with the question in this bill.

Mr. COUZENS. I hardly think so, because no hearings have been held and no one has been given an opportunity to be heard with respect to the regulation of trucks engaged in carrying freight. Furthermore, if the Senator will permit me, I think that the question of the weight of loads is one subject to regulation by the States if the States desire to regulate it.

Mr. ROBINSON of Arkansas. Without doubt, and my information is that in the instance cited the State had announced the capacity of the bridge as approximately one-third of the weight carried by the freight truck.

Mr. COUZENS. We have not attempted in any way to usurp any police powers of any State by this bill.

Mr. ROBINSON of Arkansas. I understand that, but the point I am trying to make is that the circumstances which call for the regulation of motor vehicles used in the carriage of passengers apply with equal, if not with greater force, to trucks used in the carriage of freight—at least it seems so to me.

Mr. COUZENS. Nothing has been presented to the committee, I may say to the Senator, but the committee is perfectly willing to go ahead and consider any legislation which may be proposed for the regulation of motor trucks engaged in the carrying of freight. I think, however, that would be a subject which could not be dealt with in this particular bill by way of amendment, because, as I have said, no hearings have been held and no consideration has been given to the question of the regulation of the carriage of freight by trucks in interstate commerce.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. JONES in the chair). Does the Senator from Michigan yield to the Senator from Kentucky?

Mr. COUZENS. I yield.

Mr. BARKLEY. What the Senator from Arkansas has said about the necessity for some sort of regulation of interstate freight busses is undoubtedly correct. The railroads have been compelled to discontinue many of their local passenger trains because of the operation of bus lines, and likewise they have been compelled to discontinue what are known as local freight trains in some sections of the country because of the motor-truck freight business. Yet it takes a little different type of regulation, I think, for the truck business than for the passenger business.

When the bill came over from the House it contained no provision affecting carriage of freight by trucks, and in view of the emergency that seemed to exist at the time the committee voted this bill out; it was not thought wise to try to include legislation that might have to be different in type from that included in the bill. However, the same analogy applies to the situation in the truck-freight business as applies in the passenger-bus business, and sooner or later Congress will have to regulate the operation of motor trucks.

Mr. ROBINSON of Arkansas. They both occupy the whole highway; they crowd into the ditches the lighter vehicles, and frequently they are recklessly driven. I saw in coming to Washington within 10 days the wrecks of three automobiles that were said to have been caused by collisions with trucks.

Mr. BARKLEY. I had one myself.

Mr. ROBINSON of Arkansas. I had not expected to make a personal matter of it with the Senator from Kentucky.

The PRESIDING OFFICER. The Chair desires to state to the Senator from Illinois that before the amendment offered by him can be considered the vote by which the amendment to which it is an amendment was agreed to will have to be reconsidered. Without objection, the vote by which the amendment in line 18, on page 20, was adopted will be reconsidered. The Chair hears no objection. The amendment of the Senator from Illinois is now in order.

Mr. GLENN. Mr. President, referring to the amendment which I offered a moment ago to the committee amendment, I accept the views expressed by the Senator from Montana [Mr. WALSH] and the chairman of the committee [Mr. COUZENS], and I ask that the words "now existing" be stricken from the amendment as reported.

The PRESIDING OFFICER. The Senator from Illinois proposes the following amendment, which the Clerk will read.

The Chief Clerk read as follows:

Provided, That nothing herein shall be construed to prevent railroad corporations from organizing or operating motor carriers where no consolidation, merger, or acquisition of control of motor carriers is involved in such organization or operation.

Mr. GLENN. I desire to reserve the right hereafter to renew my effort to obtain complete rights for the railroads to engage in the bus business. In other words, I do not want to be understood as agreeing to the action that has been taken.

Mr. BLEASE. Mr. President, what I am interested in this bill is the fact that in my opinion it simply means taking away the control of the highways from the States and placing it in the hands of the Interstate Commerce Commission. The bill provides that these people shall regulate who shall drive busses and trucks, the condition of the truck, the size of the truck, and so forth. If that power is placed in the hands of the Interstate Commerce Commission, certainly that is depriving the States of the right to control their highways as they see fit.

In South Carolina we post at each bridge a sign reading "Capacity, so much," which is notice to all people that if they have a load heavier than that they should not drive on that bridge. Then we have laws there for prosecuting people who violate these State highway laws.

I notice another provision in this bill, that if a bus goes through any part of another State—for instance, if a man leaves a town with his bus and has to drive through any part of another State, probably just a mile or two, in making his trip—that places him under the control of the Interstate Commerce Commission. That certainly is depriving his State of the right to regulate that matter.

As to rates, it does seem to me that we should legislate sometimes for the people. This bill is simply a regulation for the benefit of the railroads. Why should the railroads be forbidden to purchase a bus line and then be permitted to establish a bus line running right along by the side of one already in existence and force that man out of business?

If the railroad is going to establish a bus line from Asheville, N. C., to Columbia, S. C., and there are already two or three bus lines there—I think there are two now—why should the railroad be permitted to force out of business the bus line now in existence by establishing a new bus line instead of buying out the bus line if it can be bought at a reasonable price?

Those are the things about this bill that it seems to me are going to create a conflict between the State railroad commissions and the Interstate Commerce Commission in the handling of highways.

Within five years the railroads will own all of the bus lines and control both freight and passenger rates if this bill is passed and becomes the law of this country, and the Interstate Commerce Commission will have control of the highways over State authorities. The railroads will not reduce rates but will charge the same rates over both trains and busses.

Mr. COUZENS. Mr. President, will the Senator yield to me at that point?

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Michigan?

Mr. BLEASE. With pleasure; yes, sir.

Mr. COUZENS. I think the illustration the Senator has made with respect to the line between Asheville and Columbia is not applicable, because in that case the railroad would have to have a certificate of public convenience and necessity from the Interstate Commerce Commission, and could not go in if there was adequate service. That is taken care of by the amendment which the Senator from Illinois [Mr. GLENN] offered and which was adopted at the last session of Congress.

Mr. BLEASE. I understand; but it seems to me that with that amendment it will be necessary to appeal first to the Interstate Commerce Commission. That is the very objection I am making to the bill.

In my State we have just voted $65,000,000 of bonds. We are already working, and are going to let out large contracts again this month. We are improving our highways. I realize that what the Senator from Arkansas has said is absolutely true. I have seen myself not only freight busses but passenger busses absolutely take the road, drive a man out, not pay any attention to him, stay in the middle of the road; and if he is behind them and wants to pass, very often they remain right there. It does not make any difference how much you may sound your horn, they stay in the center of the road. I still hold, however, that that is a matter that should be corrected by the State authorities, and that we should not pass this bill and put these lines of transportation, either passenger or freight, in the hands of the Interstate Commerce Commission. It is simply another attempt to create further Federal control and a further destruction of States' rights.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Kentucky?

Mr. BLEASE. With pleasure.

Mr. BARKLEY. I think the Senator probably has a slight misapprehension as to the scope of this legislation. It is not intended to take away from the State any police power in the matter of the regulation of the weight of trucks or busses going over bridges that might destroy the highways. I will say also that the State utility commissions have been for five years petitioning Congress to pass this sort of legislation, because under the Constitution they can not regulate interstate passenger business. Practically all the States have set up machinery for the regulation of bus traffic within the State. These interstate bus lines are now subject to no regulation. The State can not regulate them and Congress has passed no law for the Nation to regulate them. The result is that the regulated intrastate bus business is in competition with the unregulated interstate bus business; and it has been largely due to the initiative and the agitation on the part of State utilities commissions that Congress has seen fit finally to attempt to bring about some regulation of the interstate bus business. I do not think, however, that this will interfere with the State highway commissions' control of bridges, as far as the weight of busses that go over bridges is concerned.

Mr. BLEASE. But if this bill passes, the large amounts of money that the Government has sent to the various States to aid in road building are just as sure to lead back to Government control as other bills that have been passed here, that looked as innocent as this one does, but that have done the same thing with regard to other corporations and other highways.

Mr. DILL. Mr. President, I should like to offer an amendment and have it printed and lie on the table, to be considered at a later time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. DILL. I also want to say just a few words about the matter.

Mr. McNARY. Mr. President, the request is that the amendment be printed and go over for the day?

Mr. DILL. Yes.

Mr. McNARY. May I suggest that, assuming that we shall reach a time in the debate when there will be a vote, the Senator then would be without remedy.

Mr. DILL. I have no objection to the amendment being taken up when it is reached.

Mr. President, this is the amendment that is proposed by the minority report of the Committee on Interstate Commerce. In brief, it proposes to take from this bill the requirement for a certificate of public convenience and necessity.

Those who may have read the minority report will learn, I think, very readily that the members of the committee who signed that report are not opposed to a proper regulation of interstate busses. In fact we are strongly in favor of such regulation. Our objection is to providing for a certificate of necessity from the very moment we begin to regulate these busses.

A study of the bill reveals the fact that it proposes to grant, by its adoption, automatically certificates of necessity to all existing bus lines; and any new lines that anyone may attempt to form must secure their certificate of necessity.

Everybody knows that the Interstate Commerce Commission is extremely burdened with work now—so heavily burdened, in fact, that applications for certificates of necessity for railroads are delayed for months and sometimes for years. When we add to their duties the burden of determining whether or not everybody who wants to establish a bus line in the United States shall have a certificate of necessity, we have practically granted a monopoly to existing bus lines for the next two or three years.

I desire to call the attention of the Senate to the fact that if we strike from this bill the requirement for a certificate of necessity we still provide for all of the regulation that is really necessary. The testimony before the committee of the Senate and before the committee of the House showed that the real complaint against unregulated interstate bus business is based on the fact that there is a lack of responsibility on the part of those operating the busses. Objection is raised to the continuation of this condition on the ground that individuals and companies are running busses that are not financially responsible for the indemnification against injury of their passengers or citizens who may be injured by them. The objection is made that companies or individuals put on busses for a few weeks or a few months, take the cream of the traffic, and then drop out of existence, while the bus lines that run regularly are compelled to carry on the year around.

I think the committee is practically unanimous in believing that there should be regulation that would compel everybody operating in the interstate bus business to have such financial responsibility, either by carrying insurance or by having sufficient financial backing, that the citizens who ride in the busses or those who may be injured by the busses will have their right of damages in case of injury. I believe we are agreed also that every bus that runs in interstate business should be required to give bond, if necessary, to satisfy the commission that it will run on a regular schedule and that it will run the year around if other busses are able to run the year around. In other words, it is not the purpose of the minority members who signed this report to prevent regulation; but, on the other hand, we are opposed to granting by law a monopoly to the existing bus lines by providing for a certificate of necessity from the very moment we begin regulation.

Mr. KENDRICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Wyoming?

Mr. DILL. I do.

Mr. KENDRICK. I desire to ask the Senator if he believes it is quite fair to place restrictions against the railroads that do not apply to other corporations or individuals?

Mr. DILL. The Senator is thinking of the fact that a railway must get a certificate of necessity?

Mr. KENDRICK. I am thinking of the restriction that would prevent railroads from buying out existing lines, whereas no such restriction is placed upon any other corporation or individual.

Mr. DILL. That, of course, covers another phase of the bill that I was not discussing. I will say to the Senator that I am not in favor of that provision.

Mr. KENDRICK. I am glad to hear the Senator say so.

Mr. DILL. I am not discussing that phase, however. I was trying to make clear the reason why the minority of the committee was opposed to this certificate of necessity being required before regulation has really been established.

I want to remind the Senate of this fact: We regulated the railroads in this country for nearly 40 years before we required certificates of necessity; and when Congress required certificates of necessity they gave to the commission the power to regulate and fix rates. This bill, however, does not give the power to fix rates. This bill gives to the commission the right to require a certificate of necessity, but gives it no right to fix rates.

Mr. KENDRICK. Does the Senator believe, if I may ask, that uniform laws in reference to fixing rates would correct the situation?

Mr. DILL. I will say to the Senator that I do not think we need at this time to give the commission the power to fix rates. I think it is sufficient to give to the commission the power to regulate these interstate busses to the extent of protecting the public and protecting the passengers, and requiring stable financial backing on the part of those who are operating bus lines. I do not believe we ought to try to enact as a system of regulation of a new business that is just developing the same system that we have built up after 40 or 50 years of Government regulation of the railroads.

Mr. KENDRICK. But the Senator does agree that any regulation should apply uniformly to all?

Mr. DILL. I think there should be regulations of these bus lines.

Mr. KENDRICK. One reason why we of the West should insist upon that condition is that in many places for hundreds of miles the highways are actually constructed within the railroad rights of way. Furthermore, the taxes paid by the railroads to the States represent almost or quite all of the States' contribution to the Federal highways.

Mr. DILL. That is true.

Mr. KENDRICK. It would seem, therefore, that the burden of cost of the highways over which these bus lines must operate is borne almost entirely by the railroads. Under such a situation the Congress should, as a matter of simple equity and justice, refuse to place restrictions in this bill that would deny to the railroads equal rights with other corporations to the use of the highways built largely with the railroads' money.

Mr. DILL. And I want to remind the Senate of another fact. These highways are not private property. They have been built from the taxes collected on the property of all the people, and for my part I am unwilling to grant by law, in effect, to certain bus lines now in existence, a monopoly of the use of those highways for bus purposes. I do not believe it can be defended from the standpoint of the public. That is why I am insisting that we should take out of this bill anything which grants anybody a monopoly of the bus business when it is still in the stage of development. That is why the minority members of the committee have written and signed this report, and I have offered this amendment.

I shall not enlarge upon the discussion. I wanted to say this much in order to call the attention of the Senate to the matter in order that Senators might know what was coming up.

Mr. WALSH of Massachusetts. Mr. President, will the Senator state how many minority members of the committee signed the report?

Mr. DILL. Six.

Mr. WALSH of Massachusetts. Will not the Senator indicate who signed the report, for the record?

Mr. DILL. The Senator from Oklahoma [Mr. PINE], the Senator from Iowa [Mr. BROOKHART], the Senator from Montana [Mr. WHEELER], the Senator from Nebraska [Mr. HOWELL], the Senator from Nevada [Mr. PITTMAN], and myself.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the junior Senator from Illinois [Mr. GLENN] to the committee amendment.

Mr. KING. Mr. President, I would be very glad to have the Senator from Illinois state the significance of this amendment, what it seeks to accomplish, and what particularly is in his mind with respect to curing, if I may use that expression, the bill which is before us. I would like to ask the Senator whether it applies in any way to railways or seeks to eliminate from the bill the provision which prohibits railways under certain circumstances from operating bus lines or acquiring bus lines.

Mr. GLENN. Mr. President, I have just come into the Chamber. I assume the Senator from Utah is referring to the amendment which I offered this morning to the committee amendment on page 20.

Mr. KING. The amendment now before the Senate is the amendment offered by the Senator from Illinois to the committee amendment.

Mr. GLENN. I had stepped out of the Chamber for the moment. The purpose of the amendment is this: It is my idea that the provisions of the bill as reported by the committee to the Senate were unsound in this, as I understand the bill, that they prohibited railroads from engaging in the motor-carrier business.

The Senator from Michigan [Mr. COUZENS] does not so understand the bill. It is his idea that the bill as reported to the Senate only prevents carloads from acquiring, buying up, we will say, bus lines which are operating in various vicinities, but that it would not prevent a railroad from inaugurating an entirely new bus line. That is his idea. I think there is some doubt about it. In the first place, it is my idea that there should be no discrimination against the railroads in the motor-bus business. I think it is in the public interest that the specialists, the experts, those experienced in the transportation business, should at least be allowed to compete with other people for that business. In other words, I think it is to the interest of the public generally that those who know the transportation business be allowed to engage in it and that the main interest of the public is in safe and adequate transportation of their persons rather than in some small possibility of a difference in rates. In other words, I think it is better for those handling the railroads of this country, as they are handled with great ability, to be allowed to complete their transportation business by likewise conducting a motor-carrier transport.

That is not the idea of the Senator from Michigan at all. His idea is, as I understand it—and I am sorry he is not in the Chamber—that the more motor-bus companies there are traveling between two fixed points the better it is for the people; that it is not enough to have a railroad and a railroad with a motor-bus line in connection with it, or two motor-bus lines operating, say, between Chicago and Detroit, but that if there are 5 or 6 or 7 or 8 or 9 or 10, there will be a tendency, on account of the very severe competition, to reduce rates and to keep rates down. That is his idea, with which I wholly disagree.

I think it is an outrage upon the public to have great numbers of unnecessary busses in competition with each other traversing the highways, almost monopolizing the highways, and driving the private driver with his automobile or his truck into the ditch, as was described rather graphically an hour or so ago by the distinguished leader on the other side, the senior Senator from Arkansas [Mr. ROBINSON].

We had a vote upon my amendment. The amendment which I proposed at the last session would have taken away all restrictions upon the railroads; that is, it would have left the railroads upon the same basis with any other citizen or corporation of the country. They could engage in the bus business, they could buy up other bus lines the same as any other corporation could. But that amendment was defeated here by a vote of 27 to 21, and seeking to do the best I can in this situation, I have sought now to amend the committee amendment so that the bill will read that railroads can at least inaugurate new bus lines in virgin territory. That is the purpose of my amendment. It does not satisfy me, but I think perhaps at this time it is the best I can do in the situation.

Mr. KING. Mr. President, will the Senator permit an inquiry?

Mr. GLENN. Certainly.

Mr. KING. If this amendment which the Senator offered when the bill was under consideration before, which was defeated, should finally be adopted, I could not see the necessity of adhering to this amendment.

Mr. GLENN. If the amendment which I offered at the last session, and which was voted down by 27 to 21, shall finally be adopted—and I expect to press it later—it would obviate the necessity of the pending amendment.

Mr. KING. I presume the Senator at some stage of the proceedings, before the bill is finally passed or rejected, will offer for the consideration of the Senate the amendment which was rejected at the last session.

Mr. GLENN. To be frank with the Senator from Utah, I hope that if the bill is sent to conference, some satisfactory solution will be reached of the immediate question before us. If that is not done, when the bill is reported back I expect to endeavor to bring this matter again to the attention of the Senate.

Mr. KING. Mr. President, may I say to the Senator—and I do not need to, because he is familiar with the rule—that he will have opportunity in the Senate, before the vote is finally taken, to have another vote on this question.

Mr. FESS. Mr. President, I want to remind the Senator from Utah that the consideration of measures by the Senate as in Committee of the Whole has been abolished, and, therefore, there will be no such opportunity in the Senate.

Mr. KING. Mr. President, I thank the Senator from Ohio. That had escaped my mind for the moment.

Mr. FESS. Mr. President, will the Senator from Illinois yield to me?

Mr. GLENN. I yield.

Mr. FESS. I understood the Senator from Michigan, who is temporarily absent getting his luncheon now, to say that he would agree, if anyone desired, to allow another vote to be taken on the amendment offered by the Senator from Illinois. That is the only way we can get it up unless somebody should move a reconsideration, and it is too late for that now.

Mr. KING. Mr. President, I hope the Senator from Illinois, before we conclude the consideration of the bill, will ask unanimous consent, if that is the only way by which we can revive the question which was before the Senate, to offer his original amendment.

Mr. GLENN. I understood the Senator from Michigan to say that he would offer no objection.

Mr. KING. I hope the Senator will ask for a reconsideration of the amendment.

Mr. BROOKHART. Mr. President, I am in entire disagreement with the Senator from Illinois on this question of whether the railroads should be permitted to go into the bus-transportation business. The amendment he has offered here would give them certain limited rights in that direction. I am opposed to that. I am much more opposed to extending the rights that he has suggested.

Mr. President, we have had plenty of experience with the railroads in other classes of transportation. In reference to the river transportation, they put rates into effect which killed off the river transportation, they were so low, and then, after they had successfully destroyed that competition, the rates were raised. That was worked systematically for the destruction of the inland-waterway transportation.

In 1923 I had direct experience with that proposition when I was on the special committee of the Senate to investigate the Lakes to the Gulf waterway. When we reached Memphis going down the Mississippi River, the Illinois Central Railroad attached a private car to our train. We went out to Muscle Shoals and back to Vicksburg. They had fine dinners and all those things, and entertained us royally. After we got down to New Orleans, the upshot of it all was that we should turn the Government barge line over to the Illinois Central Railroad. My suggestion was that we might just as well take it out in the Gulf and sink it. I think the railroads have the same purpose in wanting to go into the bus business. It is not to develop this great new system of transportation that has surely come into our country, but to throttle and destroy it. They have enough to tend to if they attend to their railway transportation. Bus transportation may reduce their passenger service somewhat on the short runs but not on the long ones. That will be increased by the general development of the country.

I am therefore opposed to giving the railroads any right to go into the bus business at all, except possibly for feeder

lines that will not be in competition with any bus line or paralleling their own rail lines. For this reason I oppose the amendment of the Senator from Illinois, and I more strongly oppose the other proposal for extending the general right to the railroads to go into this sort of transportation business.

The Senator from Illinois mentioned how efficiently the railroads of the United States have handled their business. I have made some study of that efficiency. I am ready to meet him—or, for that matter, anybody else—with some facts. The railroads of the United States have been the most efficient organization that has ever been presented in the world for taking money out of the pockets of the people of the country in high rates. They have not only done that, but they have been efficient in advertising to the country that their rates were low when in fact they were the highest in all the world. For the same service we are paying the highest freight rates now that are paid for railroad service in the world. There is not a single country in which a similar service is not given at cheaper rates.

Mr. GLENN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Illinois?

Mr. BROOKHART. I yield.

Mr. GLENN. We are paying the highest wages to labor to perform that service, too, are we not?

Mr. BROOKHART. Right across the Canadian line the Canadian railroads under Government operation are maintaining the wage scale of the United States.

Mr. GLENN. They are not paying any taxes to the Government, though, and it is natural that they should have lower rates where they pay no taxes to the Government.

Mr. BROOKHART. To what extent does that tax figure in the rates of the railroads?

Mr. GLENN. It amounts to more than $1,000,000 a day in the United States.

Mr. BROOKHART. What does that amount to in the $6,500,000,000 of revenue collected from the people of the country?

Mr. COPELAND. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from New York?

Mr. BROOKHART. The lower Canadian rates on farm products amount to ten times the difference in the taxes.

I yield to the Senator from New York.

Mr. COPELAND. Does the Senator happen to know how much in the way of losses is charged up by the national railroads against the Canadian Government?

It must be recalled that the Canadian railroads and the American railroads are not at all on the same basis. In Canada the freight on wheat is maintained by a constitutional arrangement for giving low rates. As a matter of fact, in maintaining that cheap freight rate on grain there is a great loss charged up against the Canadian Government. This amounted, two or three years ago, to $67,000,000. I do not have the figures of last year. That great sum is a charge against the taxpayers of Canada. In our country the entire burden is carried by the railroads.

Mr. BROOKHART. Yes; private ownership of those same roads entirely broke down. It was unable to continue the operation of the roads. The Canadian Government took over the roads and reduced and entirely ended the deficit. I think there is no deficit now in the operation of those roads. It reduced the rates, but has maintained the wage scale.

Mr. GLENN. Mr. President, will the Senator yield further?

Mr. BROOKHART. Certainly.

Mr. GLENN. Does the Senator contend that all the railroads in Canada are operated by the Government?

Mr. BROOKHART. All but one.

Mr. GLENN. That is a nation-wide competing railroad?

Mr. BROOKHART. Yes.

Mr. GLENN. It is operating at as low rates as the Government railroads.

Mr. BROOKHART. Yes; it has to compete. It would be out of business if it did not. It is complaining constantly about that condition, although it got nearly $1,000,000,000 of subsidy from the Canadian Government.

The American railroads, with all their so-called efficiency, first came to the Government and got 158,000,000 acres of public lands. That is four and one-half times the size of the State of Illinois. They got one-seventh of the State of Iowa. I do not remember the proportion of the State of Illinois, but they got some of it, too. They were very efficient in taking that from the people of the country. Then they got other enormous grants in taxes and bond issues for the construction of their roads. I have no total figure for the railroads of the United States upon that, but it was an enormous amount.

Then when the transportation act of 1920 came along they were so efficient that they got a valuation of $18,900,000,000 when their market value at the same moment was about $11,750,000,000. The Congress of the United States bought those railroads for the people of the United States practically by the value they fixed, and the value or price they fixed on them was $18,900,000,000 when the market value was about $11,750,000,000. That is high efficiency, but it is efficiency for the robbery of the people of the United States, and at the same time it is efficiency for reducing the wages of railroad employees. It is efficiency only for the capital organization of the railroads.

That is not all they did in this efficient operation of the railroads either. In the transportation act of 1920 they got a guaranty for their war-time profits for the first six months after they were turned back from Government operation, and that was to come out of the Treasury of the United States. That is the same six months in which another agency of the Government of the United States deflated the other business of the country which the Manufacturers Record stated amounted to $32,000,000,000 on the farmers and $18,000,000,00 on the other business of the country. They got this guaranty for the war-time profits over and above their operating expenses. During the period of Government operation we had a director general appointed by the Government, but under the director general we had the same old private managers of the railroads. They proved tremendously efficient in padding their expense accounts during Government operation for the purpose of discrediting Government operation. That is why it was done. It amounted in the last year of their operation by the Government to $200,000,000 or $300,000,000 of padded expenses. I could give details. I have a whole volume of them.

Then over and above all that they got this guaranty for their war-time profits—not losses. We paid all the losses and a good deal more, too, during Government operation, but for their war-time profits for six months after they were turned back into private ownership they received this guaranty, and that six months' period ended about two years after the war was over. As soon as they got that guaranty, then they got efficient again and increased their operating expenses in 1920 by $1,485,000,000. About $400,000,000 or $500,000,000—they claimed $600,000,000—of that was due to increase of wages. That item I want to allow as just and proper, but the other $900,000,000 or $1,000,000,000 was what?

That was efficiency in taking money out of the Treasury of the United States in this case as well as out of the pockets of the people in rates. That enormous increase in operating expenses in 1920 created a deficit in the guaranty covering the six months, and then we wrote checks on the Treasury of the United States for $529,000,000 to pay that deficit under our guaranty.

Mr. President, I have given a brief picture of the efficiency of the railroad systems in the United States that are now fighting the development of the inland waterways system because they want a monopoly of all transportation and which are seeking, through this bill, to get authority to fight the development of the public-road transportation

of the United States. I do not want to develop any more of that kind of transportation efficiency. I say that it is costing the people of the country more than $1,000,000,000 a year right now in excess rates. It has held down the wages of railroad employees and increased the charges to the general public in that way. For these reasons I am going to oppose any amendment and vote against the bill if it leaves any privilege in it whereby the railroads might control all or any portion of highway transportation.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Illinois [Mr. GLENN] to the amendment of the committee.

Mr. TYDINGS. Mr. President, may we have the amendment to the amendment read again?

The VICE PRESIDENT. Let it be reported for the information of the Senate.

The LEGISLATIVE CLERK. On page 20, line 25, after the word "railroad" and before the period, insert:

Provided, That nothing herein shall be construed to prevent railroad corporations from organizing or operating motor carriers where no consolidation, merger, or acquisition of control of motor carriers is involved in such organization or operation.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE PRESIDENT. The bill is open to further amendment.

Mr. COUZENS. I move to amend, on page 13, line 3, by striking out "April 1, 1930," and inserting in lieu thereof "December 1, 1930."

The VICE PRESIDENT. Let the amendment be reported.

The LEGISLATIVE CLERK. On page 13, line 3, strike out "April 1, 1930" and insert in lieu thereof "December 1, 1930."

Mr. COPELAND. Mr. President, I hope this amendment will prevail. When the first date was fixed it was thought the bill would be passed last spring. Of course, it is only fair that the change should be made.

The amendment was agreed to.

Mr. KING. Mr. President, may I ask the chairman of the committee a question? I ask for information, because some of us who are not members of the committee have had no opportunity to read the bill and may not be acquainted with its provisions and its implications. Is there anything in the bill which prohibits a State from imposing a fair and just tax upon motor transportation organizations or systems that may operate within and through other States?

Mr. COUZENS. I do not find any such provision, any more than there is a prohibition against taxing the railroads in the States.

Mr. KING. Then the Senator is of the opinion that if busses operate in interstate commerce through the State of Michigan, say, from New York to Chicago or farther west, the State of Michigan could impose a reasonable tax, perhaps a franchise tax or intangible tax, as well as a tax upon physical property of the operating company?

Mr. COUZENS. The State of Michigan now taxes the railroads engaged in interstate commerce, and I see no difference in their right to tax bus lines engaged in interstate commerce. There is no such prohibition.

Mr. KING. I can see no rational ground for differentiating between one kind of transportation system and another.

Mr. SMITH. Mr. President, unfortunately during the major part of the discussion of the proposed legislation I could not be present as a member of the committee. I do not feel that I would discharge my duty to myself and my colleagues and to the public if before the vote is taken on the bill I did not submit some observations which are the result of my study of this question.

I do not think we have taken into consideration the radical difference there is in the methods of transportation between the internal-combustion engine and the steam engine. It is sufficient, perhaps, for me just to refer to the two for Senators' minds immediately to appreciate that the railroads as we know them have to have a specially constructed track at enormous cost and monopolized entirely by the vehicles which use that track. The cost of the inauguration of such an enterprise is prohibitive as to the ordinary individual. It invites and requires a combination of capital. The roadbed itself must be particularly graded and kept up by skilled laborers in that particular field of railroad construction. It is impossible to operate a railroad without the issuance of a tremendous amount of obligations in the shape of stock and bonds. A railroad is limited as to where it may go by the stupendous cost which is involved in its construction. It is in its particular field an absolute monopoly. The construction and operation of railroads was early recognized as being a monopoly by those who invested capital in them, and the monopolistic power that was inherent in them was used to its fullest extent in the development of the railroads of our country. It is stated in the article written by the ex-President of the United States in the morning press that the railroads have recognized their tremendous power.

After all these years of the utilization of steam transportation for long distances and heavy traffic and for ordinary rapid transit, the genius of mankind has discovered another method of transportation, equal in its speed to the railroads; not equal, however, in its individual tonnage-carrying capacity, but capable of carrying quite a large volume of freight. Now, it seems to me that the thing which concerns the Senate, the thing which concerns the Congress, is what are the benefits from the autobus and the autotruck to the public; not what is their relation to the railroads, but what is their relation to the public.

Of course, none of us want to see the railroads destroyed or made inefficient; but at the same time we do not want to deprive the public of a splendid means of transportation for passengers and freight which in its initial cost is so small compared to the investment required to operate a railroad that almost any individual may acquire and operate a passenger bus or a freight truck. I hailed with delight the fact that we were capable of building a system of highways, each State contributing its part and the Federal Government its part, over which the new discovery might operate effectively. We now have such a system of highways; and, in place of a great corporation having to be organized and enormous capital to be invested in order to accommodate the public with rapid transportation both for passengers and freight, we have solved the problem, particularly in its relation to short distances and comparatively small tonnages, by the use of the internal-combustion engine. Any man of reasonable means may invest in one and serve his community or several communities; he can carry passengers; he can carry freight; and he can use the highway that is common property. It is not necessary that he shall exercise any right of eminent domain or invoke the law of condemnation; no; he uses the public highway. This democratic machine is at the service of all the people.

What would happen if a man were to invest in an autotruck and charge such a rate for service that the enterprise did not pay? There would be no shock to the community; no bondholders or stockholders would be hurt; he would simply lose his investment in his machine; that is all.

The same thing is true also as to the autobus. Yet, say what we will, we are proposing legislation here now which will invite a monopoly in this wonderfully democratic enterprise which will parallel in its ultimate effect the present railroad monopoly. The minute it shall be provided under the pending measure, should it become a law, that it shall be necessary to take out a certificate of convenience and necessity in order to operate a bus line, every one of us by experience knows from the operation of the clause in the present railroad law what will be the result. Certain individuals will secure the right to establish truck lines, while others will be denied that right. It would almost be analogous to our providing by law who shall own automobiles to traverse the highways, the common highways. Hitch hikers are numerous; on nearly every mile of road there is some one asking for transportation. It would be almost as reasonable to enact a law that no man shall stop his machine and, as a friendly act, pick up a passenger

and transport him as to say that one must obtain a certificate of convenience and necessity before he may engage in this wonderfully democratic means of universal and common transportation.

Mr. KING. Mr. President——

The VICE PRESIDENT. Does the Senator from South Carolina yield to the Senator from Utah?

Mr. SMITH. Yes; I yield.

Mr. KING. The Senator from South Carolina is aware that in many States—I do not know the number—commissions have been set up for the purpose of granting permits to individuals or corporations to operate intrastate trucks and motor busses?

Mr. SMITH. Yes.

Mr. KING. Does not the argument of the Senator attack that undemocratic policy, to use the Senator's expression, by requiring this democratic means of transportation to submit to a certificate of reasonable necessity?

Mr. SMITH. Oh, no. I have not been advised as to the number of States which require a certificate of convenience and necessity. They require licenses, they require a certain tax, just as in the case of my automobile. They require a little larger tax on the autotruck, because it is a little harder on the road, and more benefits accrue from its use; but they do not require a certificate of convenience and necessity. The Senator knows that the moment such power is granted others are shut out who might wish to compete. A certificate of convenience and necessity! Who is going to define the interest of the public and the right of the individual in so cheap and common and democratic thing as transportation by auto bus or automobile? It would be just as appropriate under the old order of things to tax the man who ran a stage coach with his horses.

Mr. President, there is not a Senator on this floor who has worked any harder than have I—of course, others have worked with better results—in the effort to preserve the competency and efficiency of our railroads. I have been a Member of the Senate for 22 years, and I do not think there is a single utterance of mine either on the floor of the Senate or in committee that can be construed as being antagonistic to the railroads. They built this country; they made possible the coming together in intimate commercial and social relations of the East and the West; but because they rendered such a service when there was no other form of transportation is that any reason in the world why we should now deny the people of this country the fullest freedom in using the autotruck and the autobus, and deny them not in the interest of the public but in the interest of the preservation of the railroads? I can not understand such a suggestion.

There has not been very much discussion of the pending bill, but I have sat here and listened and I have heard very little reference made to how efficiently the public may be served by as nearly as possible unlimited freedom of use of our splendid highway system by the autobus and the autotruck. Whom does such use injure? Does it injure the public? To repeat myself, it costs very little to invest in an autotruck or an autobus, and the only sufferer in case the venture does not succeed will be the man who does not know what to charge or how to run his business.

Mr. HOWELL. Mr. President——

The PRESIDING OFFICER (Mr. VANDENBERG in the chair). Does the Senator from South Carolina yield to the Senator from Nebraska?

Mr. SMITH. I yield.

Mr. HOWELL. Is not the whole purpose of this bill to limit competition?

Mr. SMITH. I can not see anything else in it. Who is going to be hurt? What part of the public is going to suffer by virtue of the roads being filled with autotrucks and autobusses? Who is going to be hurt so far as the general public is concerned? Wherein are they going to suffer?

The autotruck has tremendous advantages over the railroads as the railroads have great advantages over the autotrucks. Let us define the province of each, and by wise legislation restrict each one to its particular field.

All of us are familiar with the great fight that was made in reference to section 4 of the interstate commerce act. The railroads complained that they could not compete with water competition; that they could not meet water competition on the rivers and harbors. Here was a natural means of transportation both for passengers and freight, but limited geographically to a fixed, definite, and eternal place. They came here and asked to have their rates lowered so as to meet the competition of water. It was granted. Of course, they had to recoup themselves in those territories where the citizens did not have any water transportation. Now they are met with another competitor that can go wherever they can go, and at much less cost. Now we are asked, not to lower the rates all through the country, but to put such rates, fares, and charges on this great, democratic, universally possible means of transportation as will enable the railroads to maintain their present rates.

We were asked to destroy water competition. We did. Now we are asked to destroy our bus and truck competition. It is useless for us to try to gainsay that position. Had we not better wait a while until we find just the lines along which this new method of freight and passenger transportation will ultimately define itself? Can we not trust the States to find a modus vivendi amongst themselves, to have reciprocity as to the use of the roads that the States build by those from other States, and to adjust themselves so that we will not have a foreign element stating what shall be the conditions under which I shall travel, in South Carolina, on South Carolina roads?

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Utah?

Mr. SMITH. I yield.

Mr. KING. If I understand the Senator's able argument, would not the situation be somewhat clarified if Congress should simply pass a joint resolution or a bill saying that, so far as concerns the power of the Federal Government to control motor transportation in interstate commerce, the States shall have full authority and power to enact such reasonable regulations as they see fit for the protection of the public and those who may be passengers upon interstate busses or those who may be engaged in interstate transportation?

Mr. SMITH. I think, at this stage of development, the Senator has put it finely. In other words, we have the constitutional right to regulate them. Is it wise to do it?

Mr. KING. Why not remit it to the States?

Mr. SMITH. That is right. This method of transportation is just in its incipiency. The Federal Government is cooperating with the States in building highways. It does not go into my State and supervise the building of the roads. It lays down certain conditions and leaves their carrying out entirely to the State.

In my opinion, it would have been much wiser for us to have passed a joint resolution along the line the Senator has indicated, if any legislation at all is necessary. We now have a means of the closest relation that the world ever saw. We have annihilated time and space on the public highway. Transportation used to be limited to the railroads at tremendous cost. Now it is easy for anyone to go long distances. It is 500 miles from here to my home. A Congressman and I ate lunch at my home, left at 1 o'clock, and arrived in Washington that night at 1 o'clock in our own vehicle, taking our own time, without anybody punching a ticket, without anybody interfering as to whether or not we had a certificate of convenience and necessity, without anybody saying, "You have crossed the North Carolina line. Have you subscribed to the Federal law in regard to traveling interstate?" We were in a common country, with common freedom, and traveled to Washington without let or hindrance.

I will guarantee the assertion that we passed two score trucks and auto busses between Florence, S. C., and Washington, D. C. They did not inconvenience us. We traveled a common highway, for the common good. I passed men walking. I passed men driving buggies. I passed men in

wagons. I passed men on bicycles. It was a common highway, for the common people, from the auto truck and the auto bus down to the little flivver that we were in. We are just in the dawn of this wonderful solution of the problem of mass transportation, available for everybody, bringing the groceries to my door without my going to the depot, carrying the children from out of the "sticks" into the common school place, where they touch elbows with every variety and scale of society, the gift of God to mankind to leaven up and level up the great mass of our people.

The spiritual value of good roads and good transportation can not be measured by Congress or any living man or set of men. Yet, gentlemen of the Senate, we are taking the gifts of God and the discoveries of genius and making them a curse to mankind. We are taking these wonderful forces that have been concentrated and made available and creating them into a Juggernaut car that is driving ruthlessly over the hopes and over the homes of millions. We have taken a machine age which goes under the name of the incorporation of labor-saving devices and destroyed labor with them. We have taken the wonderful facilities of mass production and made them a mass destroyer. We have taken the inventions of genius and bankrupted America with them. We have taken the gifts of God and turned them into a curse.

The man who owns a machine that can do the work of a hundred men owns the equivalent of a hundred men. The slave owners of the South never had one-tenth the power that the machine owners of America have. We fought the war to destroy competition between slave labor and free labor. What prophet will deny that we may yet have to fight a war for the right of free people to enjoy machine labor?

No sooner had this gift of God to mankind been made manifest in its power to serve the public than we rush here with legislation to divert it into a small channel, to pay the greatest dividends to a little handful. What harm is it doing anybody? Who has spoken here for the interests of the public, who are just beginning to appreciate the wonderful benefits of this new method of transportation?

The railroads are a necessity, and they will be here in spite of all this competition. We should be infinitely wiser to leave the railroads ultimately to discover what is their function under the new order of things, and then, as wise men, protect them in that function and give them adequate support to perform that function, find what is the function of the autotruck and the autobus, and throw the protection of common sense and statesmanship around them and give them their territory. But in the midst of this confusion, without the province of either one being clearly defined, we propose to come in here and throttle the development of this wonderful discovery in the interest of the masses? No; but because it is temporarily jeopardizing the revenue of the railroads. That is what we are doing. That is what this legislation is for.

It is ill-advised, Mr. President. We ought not now to attempt to interfere by Federal legislation. The States are solving this problem wonderfully. They are building these roads at tremendous cost. My State has just gotten through bonding itself in the sum of $65,000,000 to perfect a system of hard-surfaced roads in the State of South Carolina, to do what? To enjoy to the fullest extent the benefit of this wonderful discovery; and here we are about to pass legislation that will do what? Will it give my State, which spends the money and builds the roads, the right to determine what will be a just return for the use of these splendid facilities? No; but it turns over the matter to a commission to determine convenience and necessity!

Mr. President, it is very well for us all to know who inspires legislation. Very often we get a slant on it in that way that may be very helpful in our deliberations. Where did this thing come from? I say here and now, if a railroad wants to put an autotruck or an autobus out in competition with anybody else's vehicle, under the same conditions, let it go and do it. Do not compel the railroads to come here and ask for the privilege of putting out an autobus or an autotruck. Just let them do it. If they want to carry me for nothing, let them do it. That is about where they have most of the farmers. We have to give them what we make and pay them a little boot to take it. I should like to have that turned around just a bit.

We are trying to confuse two radically different things. The relationship of modern internal-combustion engine operation to the public and the railroad's relation to it are just as different as the horse and buggy and the passenger train. I for one, Senators, as a member of the committee, can not get the consent of my mind to go back and state to my people that I, by my vote, injected Federal interference into a problem that the State can solve to the benefit of every man, woman, and child in the State. No; I can not do that. The best thing for us to do is just to wait until the function of the railroad is fully defined in the light of the operation of these so-called competitors and then see what these competitors may do.

Gentlemen of the Senate, the first consideration and the only consideration that this and the other body should have is, What is the greatest good to the public?

Mr. BLACK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Alabama?

Mr. SMITH. I do.

Mr. BLACK. As I understand, the original Interstate Commerce Commission law was passed to protect the public from the monopoly of railroads.

Mr. SMITH. That is true.

Mr. BLACK. The Senator is on the committee, and I will ask him whether it is claimed that the object of this bill is to protect the people from monopolies of railroads or busses?

Mr. SMITH. No; it is to protect the monopolies against restriction.

Mr. BLACK. It was not claimed, as far as the Senator knows, in the hearings before the committee, that the passage of this bus bill would protect the people from monopoly?

Mr. SMITH. No. There is no use in our referring to it, but the history of early railroading was not a very happy chapter in our national history, and since the appointment of the Interstate Commerce Commission it has not been altogether very happy.

The Senator has put his finger on the very crux of the matter and made the point better than I could have made it. We appointed the Interstate Commerce Commission to protect us against monopoly. Now, the offices of the Interstate Commerce Commission are being invoked to protect monopoly.

Mr. President, I had hoped that I would not be called upon to have anything to say. Most anyone can invest in one of these individual vehicles, and if he fails nobody is hurt but himself. If a railroad fails, consider the host of bondholders and stockholders who lose. If I remember correctly, one of the great panics of this country was caused by certain conditions in the railroad industry. If an autotruck fails, hardly anybody knows about it.

Not so long ago I was going along the road and saw one of the finest autotrucks down in a ditch. I did not go many miles before I saw another. If a railroad is wrecked, the whole country is adversely affected. There is no comparison betwen the two. We have no right to hook them up together. Let one of them perform the functions the other never would perform. Tremendous concentrated tonnage in hundreds of big cars pulled by super engines—no autotruck can ever take the place of that.

When it comes to the convenience of long-distance travel nothing in sight yet will take the place of the through train and the Pullman and the dining car. Let each one in its own sphere serve the public, but in the name of the God who has made us all and united us in one country, let us have the good of the people at heart, and not the protection of a corporation, and all the arguments I have heard here have been as to the effect this would have on the railroads. What effect will it have on the people? What effect

would this restriction have on the masses of the American people who to-day are the beneficiaries of this revolution of transportation? Thank God there is no such thing now as "backwoods." As a result of good roads, automobiles, radios, and airplanes, there is no longer any such thing as "backwoods." The man who lives out in the sticks now is as cosmopolitan as the man who walks the city streets, and why should we now attempt to restrict the blessings God has vouchsafed him?

Mr. President, as a member of the committee I shall content myself, for the present at least, with voting against any restrictive legislation other than that which the States, in their relation to each other, may see fit to make.

The PRESIDING OFFICER. The bill is open to amendment. If there be no further amendment to be proposed, the question is, Shall the bill be engrossed and read the third time?

Mr. HARRISON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	King	Shortridge
Barkley	Frazier	La Follette	Simmons
Bingham	George	McGill	Smith
Black	Gillett	McKellar	Smoot
Blaine	Glenn	McMaster	Steiwer
Blease	Goff	McNary	Stephens
Borah	Goldsborough	Morrow	Swanson
Brock	Gould	Moses	Thomas, Idaho
Brookhart	Greene	Norbeck	Thomas, Okla.
Broussard	Hale	Norris	Townsend
Bulkley	Harris	Nye	Trammell
Capper	Harrison	Oddie	Tydings
Caraway	Hastings	Overman	Vandenberg
Carey	Hatfield	Patterson	Wagner
Connally	Hayden	Phipps	Walcott
Copeland	Hebert	Pine	Walsh, Mass.
Couzens	Heflin	Pittman	Walsh, Mont.
Cutting	Howell	Reed	Waterman
Dale	Johnson	Robinson, Ark.	Watson
Davis	Jones	Robinson, Ind.	Wheeler
Deneen	Kean	Schall	Williamson
Dill	Kendrick	Sheppard	
Fess	Keyes	Shipstead	

The PRESIDING OFFICER. Ninety Senators having answered to their names, a quorum is present.

Mr. BLAINE. Mr. President, I desire to offer an amendment.

The PRESIDING OFFICER. The Senator from Wisconsin offers an amendment, which will be read.

The CHIEF CLERK. The Senator from Wisconsin offers the following amendment: On page 26, strike out all of line 23, after the semicolon, and all of lines 24 and 25, and in lieu thereof insert:

> And notwithstanding the provisions of this act and any provision of the Federal highway act, the laws enacted by any State and the regulations thereunder that relate to the maintenance, protection, safety, or use of the highways therein, and which laws and regulations thereunder are made equally applicable to intrastate and interstate commerce or use of such highways, shall not be deemed to be a burden upon or an obstruction or impediment to interstate commerce, and the power to enact such laws and promulgate regulations thereunder is hereby expressly reserved to the respective States under their police powers.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin. [Putting the question.] The noes seem to have it.

Mr. BLAINE. Mr. President, I presume the amendment is subject to debate, and I want to call the attention of the Senate to the fact that this amendment is intended to preserve the rights of the respective States in the regulation and use of the highways. The highways of this country are built out of funds obtained from taxation in the respective States.

Yesterday the junior Senator from Iowa [Mr. BROOKHART] introduced two or three schedules which are very enlightening with respect to the contributions which are made by the Federal Government to the States for highway aid and construction.

Mr. TYDINGS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Maryland?

Mr. BLAINE. I yield.

Mr. TYDINGS. I voted for the Senator's amendment a moment ago, and I just rise to inquire whether or not the vote taken was a decisive vote, or whether or not the Senator rose in time to have another vote taken later.

The PRESIDING OFFICER. The Chair's understanding is that the Senator rose in time. A conclusive vote has not been announced.

Mr. BLAINE. Mr. President, if Senators will observe the tables submitted by the Senator from Iowa, they will find that the Federal Government contributes a mere bagatelle toward the construction of our highways. My own State is illustrative of what is true of every State in the Union.

Mr. COUZENS. Mr. President, will the Senator yield at that point?

Mr. BLAINE. I yield.

Mr. COUZENS. I will ask the Senator if he will point out the difference, concretely, between his amendment and the provision in the bill with respect to State rights?

Mr. BLAINE. I will come to that in just a moment. The taxes to which I referred, represented by disbursements, amounted to $21,000,000 for State highways, as disclosed by the schedule on page 49 of the CONGRESSIONAL RECORD. On page 50 of the RECORD it is shown that the grand total of disbursements by local road authorities was $30,000,000. Toward these expenditures the Federal Government contributed a trifle more than $2,400,000, and yet it is proposed by the bill now before us to turn over to the motor-bus transportation companies, which will mean within a very short time after the passage of the bill turning over to the railroad companies of the country, the use of our highways, built out of money raised in taxation so far as our local roads are concerned, and to a large extent through taxation so far as our State trunk highway systems are concerned. It is proposed by this legislation that the railroad corporations eventually and within a short time shall have the free use of these highways.

Mr. President, there is no saving clause in the bill that will adequately reserve to the States the police powers of the States. There is nothing in the bill that will adequately protect the States in their right as sovereign States to regulate the proper use of the highways. There is nothing in the bill that reserves to States the right to enact laws that may determine the length of the busses, the weight of the busses, and many other considerations which enter into the legislation. Results will follow that will mean the destruction of our highways, built at the expense of the taxpayers of the country, because we know that bus transportation upon the highways to-day causes primarily the destruction of our roads and that it costs millions upon millions of dollars in any State of appreciable size to maintain and repair those highways. All of that must be done by the taxpayers of our respective States, and here we are attempting to shear the States of the power to determine the type of vehicle that may operate upon their highways, the character of that operation, and many other elements which we may not now be able to anticipate because of the tremendous impetus that is given to the improvement of motor transportation. We do not know what the limit will be. There is no provision in the bill which reserves to the States the proper power to regulate and control these transportation companies.

I want to read that portion of the bill which purports to reserve to the States the proper power.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. BINGHAM in the chair). Does the Senator from Wisconsin yield to the Senator from Idaho?

Mr. BLAINE. I yield.

Mr. BORAH. I desire to ask the Senator how the Congress could take away from the States the full control of anything in the nature of intrastate commerce or use of vehicles engaged in intrastate commerce?

Mr. BLAINE. But this bill affects interstate commerce, and it is with respect to that interstate commerce and the regulation thereof of which the States are shorn of their power.

Mr. BORAH. I do not understand how the States could be shorn of it by an act of Congress.

Mr. BLAINE. Interstate commerce?

Mr. BORAH. Interstate commerce; but if it is interstate commerce the States could not exercise that power anyway.

Mr. BLAINE. I beg to differ with the Senator. The States in the absence of Federal restrictions may regulate so far as interstate commerce is concerned with respect to the use of our highways. There is no one who has the right to use the highways, either intrastate or interstate, without permission of the sovereign power that built those highways. That is the rule and that is the law. The State may even deprive its own citizens, as it does to a certain extent, of the right to use the highways. The State may deprive interstate commerce under circumstances identical with the deprivation of intrastate commerce with respect to the use of those highways.

Mr. BORAH. And Congress can not take that power away from the States.

Mr. BLAINE. When Congress once enters upon the field in the regulation of interstate commerce without any reservation to the State, the National Government enters that field exclusive of State jurisdiction. That has been demonstrated time and time again under the transportation act regulating the railroads. The Interstate Commerce Commission, under the terms of this bill, having once granted a certificate of convenience and necessity, thereby excludes the State from any power to regulate that transportation if it is found that such regulation would be an obstruction to or impede interstate commerce.

Mr. BORAH. I agree with that proposition. The Supreme Court has held that if the regulation of intrastate commerce by the States interferes with interstate commerce the States can not regulate it; that is to say, if the intrastate regulation interferes with the proper regulation of interstate commerce the State can not exercise that power. That I understand to be true.

Mr. BLAINE. That is exactly the situation I am attempting to avoid by this amendment. My amendment proposes to reserve to the States the power to regulate under the general police power of the State reserved to the State, Congress saying to the Federal Government, "We will enter this jurisdiction only so far, and beyond that the Federal Government does not go. It does not propose to enter this field exclusive to the power of the State over its own highways."

Mr. SMITH. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HATFIELD in the chair). Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. BLAINE. I yield.

Mr. SMITH. Was it not left to the States to determine the intrastate rates under the interstate commerce act up until the time of the passage of the Esch-Cummins Act, which then granted the Interstate Commerce Commission power to determine what rate should be imposed, even though it was intrastate, if in the judgment of the commission it subtracted from or interfered with the revenues in interstate traffic?

Mr. BLAINE. That was the general consensus of opinion in the country.

Mr. SMITH. I know with what a shock it came to some members of the committee that for the first time we had arrogated or turned over to the Interstate Commerce Commission the right to determine an intrastate rate if in the judgment of the commission that wholly intrastate rate affected the revenues of the interstate agency or carrier. By the same token, if the law applies to the autobus or the autotruck and a certificate of convenience and necessity is granted, we put them under the jurisdiction of the Interstate Commerce Commission. Then if an intrastate vehicle may contribute some freight to an interstate truck under the same law, why would not the Interstate Commerce Commission have the right to go into my State and regulate rates on traffic that shall be carried wholly intrastate on the ground that those intrastate vehicles contribute to the freight that passes in interstate traffic?

Mr. BORAH. That is not the rule that has been laid down by the Supreme Court.

Mr. BLAINE. I have not any doubt that that probably would be the rule that would be effective. The Minnesota case, the Shreveport case, and the railroad transportation act of 1920 all go to the proposition that, the Federal Government having entered the field, it entered that field to the exclusion of all other jurisdiction, there having been no reservation made whatever for the protection of the States in their sovereign power to enact legislation under what we generally understand to be the police power of the States.

Mr. SHIPSTEAD. Mr. President, will the Senator permit me to make a brief suggestion?

Mr. BLAINE. Certainly.

Mr. SHIPSTEAD. I am informed by members of the Minnesota Railroad and Warehouse Commission, and also by their counsel, that the result of the transportation act, so far as all practical purposes are concerned, has been to shear them entirely of all power to regulate effectively even intrastate rates because they are always met with the argument that it affects interstate business and therefore can not be maintained.

Mr. BORAH. I am not arguing against the amendment, because the principle or theory of it seems to be all right. All I am undertaking to say is that I am not myself going to concede that Congress can take from the States the regulation of intrastate highways or the regulation of intrastate transportation. Congress can not take it away from the States. That power is granted in another instrument, and that is the Constitution itself.

Mr. BLAINE. My proposal is to nail the thing down so there shall be no question on that point.

Mr. TYDINGS. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Maryland?

Mr. BLAINE. I yield.

Mr. TYDINGS. I suppose the Senator has intended to mention the difference between a railroad and a highway. The railroad is owned exclusively by the railroad company and used exclusively by the railroad company.

Mr. BLAINE. The right of way having been purchased by the railroad company, the roadbed and all the equipment, the rails and the ties, are the property entirely of the railroad company, while on the other hand the highway, the easement, and the title thereto are in the county or State.

Mr. TYDINGS. And open to everybody.

Mr. BLAINE. And built by the counties and States and local communities, and owned by every taxpayer and every citizen in the State under State sovereignty.

Mr. TYDINGS. As I understand the Senator's amendment, a great many States regulate the weight of the cargo which can be carried in a truck. In other words, the roads are built to carry a 12-ton load. The State of Maryland, for instance, provides that if the load exceeds 12 tons the driver or owner of the truck shall be subject to a fine. As I understand the Senator's amendment, it is for the purpose of giving additional support to the local regulations governing the speed and conduct of cargoes over the highway. Is that correct?

Mr. BLAINE. That is the purpose. The language I desire to strike out is on page 26, after the semicolon:

> And motor carriers operating in interstate commerce shall be subject to the proper exercise by the State of its powers.

That language is very narrow. It expressly provides for the "proper exercise." What is meant by the "proper exercise"? The interpretation must be made in the light of the decisions and the rules that apply with respect to railroad companies under the transportation act. The phrase "proper exercise" will exclude from the State full power to pass legislation that will be protective of the State's highways, owned and built by the State, and its respective communities.

I propose to strike out that indefinite, narrow language and to substitute therefor language that is broad enough to protect the State in its sovereign capacity, to protect its highways from destruction, to protect the safety of the

travelers upon the highways, without any question or peradventure of doubt, leaving nothing to be interpreted, leaving nothing to be construed by the courts, but preserving to the States the power, as the language of the amendment provides, to enact laws and promulgate regulations thereunder that relate to the maintenance, protection, safety, or use of the highways therein; providing, however, that such laws and regulations thereunder are made equally applicable to intrastate and interstate commerce or use of such highways. In other words, subjecting interstate commerce to identically the same rules that apply to intrastate commerce—that is, within the State and subject to the laws of the State in relation thereto. I think this is very important.

The amendment further and expressly provides that the power to enact such laws and promulgate regulations thereunder is expressly reserved to the respective States under their police powers.

Mr. BARKLEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Kentucky?

Mr. BLAINE. I yield.

Mr. BARKLEY. I am in sympathy with the Senator's amendment, but I wonder in what respect it differs from the language the Senator seeks to strike out, which seems to be aiming at the same thing but in more general terms? Is there really, in effect, any difference between them?

Mr. BLAINE. I think there is a very essential difference. As I pointed out, the language provided in the bill refers to "proper exercise." Now the term "proper exercise" is very broad. By interpretation of the courts in sustaining rules and regulations and orders of the Interstate Commerce Commission in the future, in all probability such language would preclude any legislation on behalf of the States for the protection of their highways and safety thereon. "Proper exercise" refers to the use of the police power, subject, however, to the rule that when the Federal Government enters a field without any reservation to the State the Federal Government enters that field exclusive of any other jurisdiction. It is that exclusive jurisdiction on the part of the Federal Government to which I object. That is the essential distinction between the language of the bill and the language of the proposed amendment.

Mr. BARKLEY. The Senator is undoubtedly correct with reference to——

Mr. BLAINE. I have explained the amendment, and I see no necessity for prolonging the discussion.

The VICE PRESIDENT. Does the Senator from Wisconsin yield further to the Senator from Kentucky?

Mr. BARKLEY. I was not quite through with my observation in response to the Senator's statement.

Mr. BLAINE. I yield the floor to the Senator, in order that he may conclude his observation.

Mr. BARKLEY. I do not need the whole floor. I merely want a little part of it.

What the Senator from Wisconsin has said is undoubtedly true with respect to the regulation of private concerns, private business, and private facilities such as railroads, but I am not so certain that the principle which he lays down goes far enough to include the regulation by the Federal Government of the conduct of the highways wholly within the control of a State which are already public property and have been dedicated to the public service.

I do not understand that the passage of this bill would, by implication, give the Federal Government or the Interstate Commerce Commission the right to regulate the construction of highways or in any way to invade the police powers of the States or the cities or the counties through which such bus lines might operate in the matter of the construction and regulation of the use of the highway itself.

I have no objection to the amendment of the Senator, but I did not want the contention to go unchallenged that the mere passage of an act regulating bus traffic over a highway which has been already dedicated under the laws of the State to public use would, by implication, give the Federal Government the right to regulate traffic on that highway.

EXECUTIVE MESSAGE

A message from the President of the United States by Mr. Latta, one of his secretaries, communicated to the Senate nominations of members of the Federal Power Commission.

EXECUTIVE SESSION

Mr. McNARY. Mr. President, this morning the Senate adopted a resolution providing that nominations received from the President may be referred by the Chair. May I ask whether the nominations received to-day have been referred to the proper committees under that resolution, or will it be necessary to have an executive session?

The VICE PRESIDENT. The nominations received have not been referred because they have not as yet been presented to the Presiding Officer. If the Senate desires an executive session, they can be presented and referred in such session.

Mr. McNARY. Then, Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT laid before the Senate sundry executive messages from the President of the United States, which were read and referred to the appropriate committees.

The VICE PRESIDENT. Reports of committees are in order. If there be no reports of committees, the calendar is in order.

RECESS

Mr. McNARY. As in legislative session, I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 3 o'clock and 26 minutes p. m.) the Senate, as in legislative session, took a recess until to-morrow, Thursday, December 4, 1930, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate December 3, 1930

SECRETARY OF LABOR

William N. Doak, of Virginia, to be Secretary of Labor, vice JAMES J. DAVIS, resigned.

DIPLOMATIC SERVICE

The following-named persons for appointment to the offices to which they were appointed during the last recess of the Senate, as follows:

AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY

J. Reuben Clark, jr., of Utah, to be ambassador extraordinary and plenipotentiary of the United States of America to Mexico.

ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY

Hoffman Philip, of New York, to be envoy extraordinary and minister plenipotentiary of the United States of America to Norway.

Nicholas Roosevelt, of New York, to be envoy extraordinary and minister plenipotentiary of the United States of America to Hungary.

J. Butler Wright, of Wyoming, to be envoy extraordinary and minister plenipotentiary of the United States of America to Uruguay.

MINISTER RESIDENT AND CONSUL GENERAL

Charles E. Mitchell, of West Virginia, to be minister resident and consul general of the United States of America to Liberia.

DIPLOMATIC AND CONSULAR OFFICERS

The following-named Foreign Service officers to be diplomatic and consular officers of the grade to which they were appointed during the last recess of the Senate, as follows:

SECRETARIES IN THE DIPLOMATIC SERVICE

Hayward G. Hill, of Louisiana.

Jay Walker, of the District of Columbia.

George D. La Mont, of New York.

Frederick P. Latimer, jr., of Connecticut.
Julius Wadsworth, of Connecticut.
Guy W. Ray, of Alabama.
Thomas J. Maleady, of Massachusetts.
David H. Buffum, of Maine.
George Alexander Armstrong, of New York.
Garret G. Ackerson, jr., of New Jersey.
Henry P. Starrett, of Florida.
Hervé J. L'Heureux, of New Hampshire.
Edward G. Trueblood, of Illinois.
Harold D. Finley, of New York.
William H. Hunt, of New York.
Felix Cole, of the District of Columbia.

(Not a recess appointment)

Robert English, of Massachusetts, now a Foreign Service officer, unclassified, and a vice consul of career, to be also a secretary in the Diplomatic Service of the United States of America.

CONSULS GENERAL

Calvin M. Hitch, of Georgia.
Harold D. Clum, of New York.
Herbert S. Goold, of California.
William C. Burdett, of Tennessee.

CONSULS

Roy E. B. Bower, of California.
John E. Holler, of Pennsylvania.
John McArdle, of Pennsylvania.
Roy W. Baker, of New York.
Ellis A. Bonnet, of Texas.
Robert L. Buell, of New York.
Leo J. Callanan, of Massachusetts.
Augustus S. Chase, of Connecticut.
Alexander P. Cruger, of New York.
Julian C. Dorr, of New York.
Frederick W. Hinke, of New York.
Julius C. Holmes, of Kansas.
Carlton Hurst, of the District of Columbia.
Rufus H. Lane, jr., of Virginia.
John H. Lord, of Massachusetts.
John H. Morgan, of Massachusetts.
James E. Parks, of North Carolina.
William L. Peck, of Connecticut.
George Tait, of Virginia.
Howard C. Taylor, of South Dakota.
William T. Turner, of Georgia.

VICE CONSULS OF CAREER

Hayward G. Hill, of Louisiana.
Jay Walker, of the District of Columbia.
David H. Buffum, of Maine.
Thomas J. Maleady, of Massachusetts.
Guy W. Ray, of Alabama.
Hervé J. L'Heureux, of New Hampshire.

FOREIGN SERVICE OFFICERS

The following-named persons to be Foreign Service officers of the United States of America of the class to which they were promoted during the last recess of the Senate, as follows:

From Foreign Service officer of class 2 to Foreign Service officer of class 1:

Frederick T. F. Dumont, of Pennsylvania.
Arthur Garrels, of Missouri.
Ransford S. Miller, of New York.
Mahlon Fay Perkins, of California.
G. Howland Shaw, of Massachusetts.
Addison E. Southard, of Kentucky.
John Campbell White, of Maryland.

From Foreign Service officer of class 3 to Foreign Service officer of class 2:

Thomas D. Bowman, of Missouri.
George E. Chamberlin, of New York.
Felix Cole, of the District of Columbia.
John K. Davis, of Ohio.
Carl F. Deichman, of Missouri.
Cornelius Ferris, of Colorado.
Arthur C. Frost, of Massachusetts.
John A. Gamon, of Illinois.
Arminius T. Haeberle, of Missouri.
Lewis W. Haskell, of South Carolina.
Calvin M. Hitch, of Georgia.
Philip Holland, of Tennessee.
Hallett Johnson, of New Jersey.
John E. Kehl, of Ohio.
Keith Merrill, of Minnesota.
Ely E. Palmer, of Rhode Island.
Henry P. Starrett, of Florida.
James B. Stewart, of New Mexico.
Walter C. Thurston, of Arizona.
North Winship, of Georgia.
Will L. Lowrie, of Illinois.

From Foreign Service officer of class 4 to Foreign Service officer of class 3:

Walter A. Adams, of South Carolina.
Joseph W. Ballantine, of Massachusetts.
Pierre de L. Boel, of Pennsylvania.
George A. Bucklin, of Oklahoma.
Charles R. Cameron, of New York.
Alfred W. Donegan, of Alabama.
Eugene H. Dooman, of New York.
W. Roderick Dorsey, of Maryland.
Joseph E. Haven, of Illinois.
Clarence B. Hewes, of Louisiana.
John P. Hurley, of New York.
Ernest L. Ives, of Virginia.
Joseph E. Jacobs, of South Carolina.
Herschel V. Johnson, of North Carolina.
Wilbur Keblinger, of Virginia.
Graham H. Kemper, of Kentucky.
Walter A. Leonard, of Illinois.
George A. Makinson, of California.
O. Gaylord Marsh, of Washington.
John R. Putnam, of Oregon.
Emil Sauer, of Texas.
Hugh H. Watson, of Vermont.
Samuel W. Honaker, of Texas.

From Foreign Service officer of class 5 to Foreign Service officer of class 4:

Wainwright Abbott, of Pennsylvania.
Walter F. Boyle, of Georgia.
Parker W. Buhrman, of Virginia.
Algar E. Carleton, of Vermont.
Dudley G. Dwyre, of Colorado.
Joseph Flack, of Pennsylvania.
George C. Hanson, of Connecticut.
Frederick P. Hibbard, of Texas.
Jay C. Huston, of California.
Jesse B. Jackson, of Ohio.
Edwin Carl Kemp, of Florida.
Benjamin Muse, of Virginia.
Lucien Memminger, of South Carolina.
Edward I. Nathan, of Pennsylvania.
Clarence J. Spiker, of the District of Columbia.
Harold H. Tittmann, jr., of Missouri.
Henry M. Wolcott, of New York.
Leslie A. Davis, of New York.

From Foreign Service officer of class 6 to Foreign Service officer of class 5:

Robert R. Bradford, of Nebraska.
Alfred T. Burri, of New York.
James G. Carter, of Georgia.
Arthur B. Cooke, of South Carolina.
John Corrigan, of Georgia.
Leonard G. Dawson, of Virginia.
James Orr Denby, of Indiana.
Maurice P. Dunlap, of Minnesota.
Edward M. Groth, of New York.
Robert W. Heingartner, of Ohio.
Curtis C. Jordan, of California.
Robert D. Longyear, of Massachusetts.
John H. MacVeagh, of New York.
H. Freeman Matthews, of Maryland.
George Orr, of New Jersey.

Walter H. Schoellkopf, of New York.
Richard L. Sprague, of Massachusetts.
Paul C. Squire, of Massachusetts.
Marshall M. Vance, of Ohio.
Henry C. von Struve, of Texas.
Egmont C. von Tresckow, of South Carolina.
Henry S. Waterman, of Washington.
Bartley F. Yost, of Kansas.
Hooker A. Doolittle, of New York.

From Foreign Service officer of class 7 to Foreign Service officer of class 6:

Lee R. Blohm, of Arizona.
Lawrence P. Briggs, of Michigan.
Lewis V. Boyle, of California.
Herbert S. Bursley, of the District of Columbia.
John S. Calvert, of North Carolina.
Reginald S. Castleman, of California.
Stillman W. Eells, of New York.
Leon H. Ellis, of Washington.
Lynn W. Franklin, of Maryland.
Gerhard Gade, of Illinois.
Waldemar J. Gallman, of New York.
Raymond H. Geist, of Ohio.
Stuart E. Grummon, of New Jersey.
William W. Heard, of Maryland.
Charles H. Heisler, of Delaware.
Trojan Kodding, of Pennsylvania.
Andrew J. McConnico, of Mississippi.
Thomas McEnelly, of New York.
Lester L. Schnare, of Georgia.
Leo D. Sturgeon, of Illinois.
Fletcher Warren, of Texas.
Leroy Webber, of New York.
Howard F. Withey, of Michigan.
David C. Berger, of Virginia.

From Foreign Service officer of class 8 to Foreign Service officer of class 7:

George Atcheson, jr., of California.
Ralph A. Boernstein, of the District of Columbia.
Russell M. Brooks, of Oregon.
George Gregg Fuller, of New York.
Harvey T. Goodier, of New York.
Ernest E. Evans, of New York.
Leonard N. Green, of Minnesota.
John N. Hamlin, of Oregon.
Joel C. Hudson, of Missouri.
George R. Hukill, of Delaware.
Marcel E. Malige, of Idaho.
John J. Muccio, of Rhode Island.
Quincy F. Roberts, of Texas.
William A. Smale, of California.
Harry E. Stevens, of California.
Frederik van den Arend, of North Carolina.

From Foreign Service officer, unclassified at $3,000, to Foreign Service officer of class 8:

Roy W. Baker, of New York.
Ellis A. Bonnet, of Texas.
Robert L. Buell, of New York.
Leo J. Callanan, of Massachusetts.
Augustus S. Chase, of Connecticut.
Alexander P. Cruger, of New York.
Julian C. Dorr, of New York.
Frederick W. Hinke, of New York.
Julius C. Holmes, of Kansas.
Carlton Hurst, of the District of Columbia.
Rufus H. Lane, jr., of Virginia.
John H. Lord, of Massachusetts.
John H. Morgan, of Massachusetts.
James E. Parks, of North Carolina.
William L. Peck, of Connecticut.
George Tait, of Virginia.
Howard C. Taylor, of South Dakota.
William T. Turner, of Georgia.
Roy E. B. Bower, of California.
John E. Holler, of Pennsylvania.
John McArdle, of Pennsylvania.

The following-named persons to be Foreign Service officers, unclassified, of the United States of America, to which office they were appointed during the last recess of the Senate:

Hayward G. Hill, of Louisiana.
Jay Walker, of the District of Columbia.
Guy W. Ray, of Alabama.
Thomas J. Maleady, of Massachusetts.
David H. Buffum, of Maine.
Hervé J. L'Heureux, of New Hampshire.

Members of the United States Tariff Commission

The following-named persons to be members of the United States Tariff Commission, to which office they were appointed during the last recess of the Senate, for the terms herein designated, as follows:

For the term expiring June 16, 1936, Henry P. Fletcher, of Pennsylvania.

For the term expiring June 16, 1935, Thomas W. Page, of Virginia.

For the term expiring June 16, 1934, John Lee Coulter, of North Dakota.

For the term expiring June 16, 1933, Alfred P. Dennis, of Maryland.

For the term expiring June 16, 1932, Edgar Bernard Brossard, of Utah.

For the term expiring June 16, 1931 Lincoln Dixon, of Indiana.

Members of the Federal Power Commission

The following-named persons to be members of the Federal Power Commission for the terms herein designated, as follows:

For the term expiring June 22, 1935, George Otis Smith, of Maine.

For the term expiring June 22, 1934, Frank R. McNinch, of North Carolina.

For the term expiring June 22, 1933, Ralph B. Williamson, of Washington.

For the term expiring June 22, 1932, Marcel Garsaud, of Louisiana.

For the term expiring June 22, 1931, Claude L. Draper, of Wyoming.

Members of the Mississippi River Commission

Lawrence A. Glenn, of Illinois, for appointment as member of the Mississippi River Commission, provided for by the act of Congress approved June 28, 1879, entitled "An act to provide for the appointment of a Mississippi River Commission for the improvement of said river from the Head of the Passes near its mouth to its headwaters," vice John W. Stipes, resigned.

Lieut. Col. George R. Spalding, Corps of Engineers, United States Army, for appointment as member of the Mississippi River Commission, provided for by the act of Congress approved June 28, 1879, entitled "An act to provide for the appointment of a Mississippi River Commission for the improvement of said river from the Head of the Passes near its mouth to its headwaters," vice Lieut. Col. Jarvis J. Bain, relieved.

Members of the Interstate Commerce Commission

The following-named persons for reappointment as members of the Interstate Commerce Commission, for terms expiring December 31, 1937, as follows:

Frank McManamy, of the District of Columbia.
Charles D. Mahaffie, of the District of Columbia.

Charles D. Mahaffie, of the District of Columbia, to be an Interstate Commerce Commissioner for a term expiring December 31, 1930, to which office he was appointed during the last recess of the Senate, vice Thomas F. Woodlock.

Member of the Federal Farm Loan Board

Floyd R. Harrison, of the District of Columbia, to be a member of the Federal Farm Loan Board for a term of eight years, expiring August 6, 1938. (Reappointment.)

Mr. Harrison is now serving under temporary commission issued during the recess of the Senate.

MEMBER OF THE FEDERAL RESERVE BOARD

Eugene Meyer, of New York, to be a member of the Federal Reserve Board, to which office he was appointed during the last recess of the Senate, for the unexpired term of 10 years from August 10, 1928, vice Edmund Platt.

COMMISSIONER OF INTERNAL REVENUE

David Burnet, of Ohio, to be Commissioner of Internal Revenue, in place of Robert H. Lucas, resigned.

Mr. Burnet is now serving under temporary commission issued during the recess of the Senate.

COMMISSIONER OF NARCOTICS

Harry J. Anslinger, of Pennsylvania, to be Commissioner of Narcotics. New office created by the act of Congress approved June 14, 1930.

Mr. Anslinger is now serving under temporary commission issued during the recess of the Senate.

MEMBER OF THE BOARD OF MEDIATION

Samuel E. Winslow, of Massachusetts, to be a member of the Board of Mediation for a term expiring five years after January 1, 1931. (Reappointment.)

EXAMINER IN CHIEF IN THE UNITED STATES PATENT OFFICE

James Walter Clift, of Michigan, now holding a recess appointment to the position of Examiner in Chief in the United States Patent Office for permanent appointment, vice George R. Ide, retired.

COLLECTOR OF CUSTOMS

Elwyn T. Clark, of Connecticut, to be collector of customs for customs collection district No. 6, with headquarters at Bridgeport, Conn., in place of Harvey P. Bissell, deceased.

Mr. Clark is now serving under temporary commission issued during the recess of Congress.

UNITED STATES DISTRICT JUDGE

Randolph Bryant, of Texas, to be United States district judge, eastern district of Texas, to succeed W. Lee Estes, deceased.

DISTRICT JUDGE, DISTRICT OF ALASKA

Gudbrand J. Lomen, of Alaska, to be district judge, district of Alaska, division No. 2. He is now serving in this office under an appointment which expired February 16, 1930.

UNITED STATES MARSHALS

Paul H. Creswell, of Ohio, to be United States marshal, southern district of Ohio, to succeed George A. Reeves, appointed by the court.

Herbert E. L. Toombs, of Texas, to be United States marshal, southern district of Texas, to succeed Richard A. Harvin, whose term expired December 21, 1929.

REGISTER OF THE LAND OFFICE

George W. Miller, of Oregon, to be register of the Land Office at The Dalles, Oreg., vice James W. Donnelly, deceased.

PUBLIC HEALTH SERVICE

The following-named officers in the Public Health Service:

Dr. Clinton T. Messner to be a senior dental surgeon in the grade of senior surgeon, to rank as such from July 23, 1930.

Dr. Robert L. Robinson to be a dental surgeon in the grade of surgeon, to rank as such from July 23, 1930.

Ralph E. Tarbett to be a sanitary engineer in the grade of surgeon, to rank as such from July 23, 1930.

Leslie C. Frank to be a sanitary engineer in the grade of surgeon, to rank as such from July 23, 1930.

Edgar B. Scott to be assistant pharmacist in the grade of assistant surgeon, to rank as such from July 23, 1930.

Edwin M. Holt to be assistant pharmacist in the grade of assistant surgeon, to rank as such from July 23, 1930.

Sr. Surg. William C. Billings to be a medical director, to rank as such from July 25, 1930.

Surg. Gustave M. Corput to be a medical director, to rank as such from July 25, 1930.

Surg. John S. Boggess to be a medical director, to rank as such from July 25, 1930.

Surg. John T. Burkhalter to be a medical director, to rank as such from July 26, 1930.

Asst. Surg. Edward R. Pelikan to be a passed assistant surgeon, to rank as such from July 25, 1930.

Asst. Surg. Ralph B. Snavely to be a passed assistant surgeon, to rank as such from July 25, 1930.

Asst. Surg. Langdon R. White to be a passed assistant surgeon, to rank as such from July 25, 1930.

Ast. Surg. Joseph F. Van Ackeren to be a passed assistant surgeon, to rank as such from July 25, 1930.

Surg. Warren F. Draper to be a senior surgeon, to rank as such from August 7, 1930.

Surg. Lewis R. Thompson to be a senior surgeon, to rank as such from September 16, 1930.

Dr. William C. Parker to be a passed assistant dental surgeon in the grade of passed assistant surgeon, to rank as such from September 4, 1930.

Dr. James F. Lewis to be an assistant dental surgeon in the grade of assistant surgeon, to rank as such from September 4, 1930.

Charles Wardell Stiles to be a medical director, to rank as such from September 5, 1930.

Dr. William S. Terriberry to be a medical director, to rank as such from September 5, 1930.

Joseph A. LePrince to be a senior sanitary engineer in the grade of senior surgeon, to rank as such from September 5, 1930.

Dr. Thomas H. D. Griffitts to be a surgeon, to rank as such from September 5, 1930.

Dr. William L. Smith to be a surgeon, to rank as such from September 5, 1930.

Dr. Oswald E. Denney to be a surgeon, to rank as such from September 5, 1930.

Dr. Oliver C. Wenger to be a surgeon, to rank as such from September 5, 1930.

Dr. Stephen A. De Martini to be a surgeon, to rank as such from September 5, 1930.

Dr. John M. Lowrey to be a surgeon, to rank as such from September 5, 1930.

Dr. Egbert M. Townsend to be a surgeon, to rank as such from September 5, 1930.

Dr. Norman Y. Hooper to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. Alf Einar Nannestad to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. Robert C. Stewart to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. William T. Wright, jr., to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. Frank C. Cady to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. Ozias Paquin, jr., to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. Daniel B. Newell to be a dental surgeon in the grade of of surgeon, to rank as such from September 5, 1930.

Dr. Charles W. Wekenman to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. Eugene C. Stamm to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. Stanmore P. Marshall to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. William O. Boss to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. H. Trendley Dean to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. Carl Pickett to be a passed assistant dental surgeon in the grade of passed assistant surgeon, to rank as such from September 5, 1930.

Dr. Frederick W. Harper to be a passed assistant dental surgeon in the grade of passed assistant surgeon, to rank as such from September 5, 1930.

Dr. Allen M. Perkins to be passed assistant dental surgeon in the grade of passed assistant surgeon, to rank as such from September 5, 1930.

John K. Hoskins to be a sanitary engineer in the grade of surgeon, to rank as such from September 5, 1930.

Harold W. Streeter to be a sanitary engineer in the grade of surgeon, to rank as such from September 5, 1930.

Harry R. Crohurst to be a sanitary engineer in the grade of surgeon, to rank as such from September 5, 1930.

Harry B. Hommon to be a sanitary engineer in the grade of surgeon, to rank as such from September 5, 1930.

Abraham W. Fuchs to be a sanitary engineer in the grade of surgeon, to rank as such from September 5, 1930.

William H. W. Komp to be a sanitary engineer in the grade of surgeon, to rank as such from September 5, 1930.

Lawrence M. Fisher to be a sanitary engineer in the grade of surgeon, to rank as such from September 5, 1930.

Howard N. Old to be a sanitary engineer in the grade of surgeon, to rank as such from September 5, 1930.

Frank R. Shaw to be a sanitary engineer in the grade of surgeon, to rank as such from September 5, 1930.

Leonard Greenburg to be a sanitary engineer in the grade of surgeon, to rank as such from September 5, 1930.

Arthur L. Dopmeyer to be a passed assistant sanitary engineer in the grade of passed assistant surgeon, to rank as such from September 5, 1930.

Edmund C. Sullivan to be a passed assistant sanitary engineer in the grade of passed assistant surgeon, to rank as such from September 5, 1930.

Arthur P. Miller to be a passed assistant sanitary engineer in the grade of passed assistant surgeon, to rank as such from September 5, 1930.

Frederic J. Moss to be a passed assistant sanitary engineer in the grade of passed assistant surgeon, to rank as such from September 5, 1930.

Asst. Surg. John R. Murdock to be a passed assistant surgeon, to rank as such from September 12, 1930.

Dr. Elmer A. Carberry to be a passed assistant surgeon, to rank as such from October 1, 1930.

Dr. Roy R. Jones to be a passed assistant surgeon, to rank as such from October 1, 1930.

Dr. Calvin C. Applewhite to be a passed assistant surgeon, to rank as such from October 1, 1930.

Dr. Roy E. Bodet to be a passed assistant surgeon, to rank as such from October 1, 1930.

Dr. Frank V. Meriwether to be a passed assistant surgeon, to rank as such from October 1, 1930.

Dr. Walter G. Nelson to be a passed assistant surgeon, to rank as such from October 1, 1930.

Asst. Surg. Hiram J. Bush to be a passed assistant surgeon, to rank as such from October 16, 1930.

Asst. Surg. Houston G. Foster to be a passed assistant surgeon, to rank as such from October 16, 1930.

Asst. Surg. Samuel J. Hall to be a passed assistant surgeon, to rank as such from October 16, 1930.

Asst. Surg. Edgar W. Norris to be a passed assistant surgeon, to rank as such from October 16, 1930.

Asst. Surg. Donald P. Ross to be a passed assistant surgeon, to rank as such from October 16, 1930.

Asst. Surg. Aubrey E. Snowe to be a passed assistant surgeon, to rank as such from October 16, 1930.

Asst. Surgeon Richard B. Holt to be a passed assistant surgeon, to rank as such from October 20, 1930.

Henry A. Johnson to be a passed assistant sanitary engineer in the grade of passed assistant surgeon, to rank as such from September 5, 1930.

Omar C. Hopkins to be assistant sanitary engineer in the grade of assistant surgeon, to rank as such from September 5, 1930.

William L. Stearns to be assistant pharmacist in the grade of assistant surgeon, to rank as such from September 5, 1930.

Frank L. Gibson to be assistant pharmacist in the grade of assistant surgeon, to rank as such from September 5, 1930.

Newton C. Comfort to be assistant pharmacist in the grade of assistant surgeon, to rank as such from September 5, 1930.

Carl Stier to be assistant pharmacist in the grade of assistant surgeon, to rank as such from September 5, 1930.

Clarence H. Bierman to be assistant pharmacist in the grade of assistant surgeon, to rank as such from September 5, 1930.

Walter H. Keen to be assistant pharmacist in the grade of assistant surgeon, to rank as such from September 5, 1930.

Raymond D. Kinsey to be assistant pharmacist in the grade of assistant surgeon, to rank as such from September 5, 1930.

Thomas C. Armstrong to be assistant pharmacist in the grade of assistant surgeon, to rank as such from September 5, 1930.

These officers are now serving under temporary commissions issued during the recess of the Senate.

Coast Guard

The following-named officers in the Coast Guard of the United States:

John T. Stanley to be a temporary ensign, to rank as such from July 28, 1930.

William I. Swanston to be a temporary ensign, to rank as such from July 30, 1930.

Clyde G. Tarkenton to be a temporary ensign, to rank as such from July 28, 1930.

Arthur M. Root, jr., to be a temporary ensign, to rank as such from July 28, 1930.

Chief Boatswain (Life Saving) Ward W. Bennett to be a district commander, with the rank of lieutenant, to rank as such from September 1, 1930, in place of Gus B. Lofberg, retired.

Harry N. Renshaw to be a temporary ensign, to rank as such from August 26, 1930.

William E. Creedon to be a temporary ensign, to rank as such from September 17, 1930.

District Commander, with the rank of lieutenant, Ralph T. Crowley to be a district commander, with the rank of lieutenant commander, to rank as such from September 10, 1930.

District Commander, with the rank of lieutenant, Martin W. Rasmussen, to be a district commander, with the rank of lieutenant commander, to rank as such from September 9, 1930.

Gunner John Ask to be a chief gunner, to rank as such from November 1, 1930.

Lieutenant (Junior Grade) Stewart P. Mehlman to be a lieutenant, to rank as such from October 10, 1930.

Henry A. Meyer to be a temporary ensign, to rank as such from November 3, 1930.

These officers are now serving under temporary commissions issued during the recess of the Senate.

Appointments in the Army

To be general, while holding office as Chief of Staff of the Army, with rank from November 21, 1930, under the provisions of an act of Congress approved February 23, 1929

Maj. Gen. Douglas MacArthur, vice Gen. Charles P. Summerall, Chief of Staff, whose term of office expired November 20, 1930.

To be major general

Brig. Gen. George Van Horn Moseley, from September 1, 1930, vice Maj. Gen. Henry D. Todd, retired from active service August 31, 1930.

To be brigadier generals

Col. Manus McCloskey, Field Artillery, from September 1, 1930, vice Brig. Gen. George V. H. Moseley, who accepted appointment as major general September 1, 1930.

Col. Stanley Hamer Ford, Infantry, from September 1, 1930, vice Brig. Gen. William W. Harts, retired from active service August 31, 1930.

Col. Stanley Dunbar Embick, Coast Artillery Corps, from September 1, 1930, vice Brig. Gen. Herbert O. Williams, retired from active service August 31, 1930.

Col. Herbert Jay Brees, Cavalry, from November 1, 1930, vice Brig. Gen. Charles J. Symmonds, retired from active service October 31, 1930.

Col. James Kelly Parsons, Infantry, from December 1, 1930, vice Brig. Gen. Frank M. Caldwell, retired from active service November 30, 1930.

To be assistant to the Chief of Ordnance, with the rank of brigadier general, for the period of four years beginning September 1, 1930, with rank from September 1, 1930

Col. Edwin Dyson Bricker, Ordnance Department, vice Brig. Gen. Colden L'H. Ruggles, assistant to the Chief of Ordnance, retired from active service August 31, 1930.

To be professor of economics, government, and history at the United States Military Academy

Maj. Herman Beukema, Field Artillery, from November 1, 1930, vice Prof. Lucius H. Holt, resigned October 31, 1930.

MEDICAL CORPS

To be first lieutenants

First Lieut. Gustave Everett Ledfors, Medical Corps Reserve, with rank from July 2, 1930.

First Lieut. Harry Boaz Ditmore, Medical Corps Reserve, with rank from August 1, 1930.

First Lieut. Armin Walter Leuschner, Medical Corps Reserve, with rank from September 1, 1930.

First Lieut. Ralph Vernon Plew, Medical Corps Reserve, with rank from September 13, 1930.

First Lieut. Wayne Glassburn Brandstadt, Medical Corps Reserve, with rank from September 15, 1930.

First Lieut. Edward James Kendricks, Medical Corps Reserve, with rank from October 1, 1930.

First Lieut. Oliver Harold Waltrip, Medical Corps Reserve, with rank from October 1, 1930.

DENTAL CORPS

To be first lieutenants

First Lieut. James Simon Cathroe, Dental Corps Reserve, with rank from August 11, 1930.

First Lieut. Ingolf Bernardt Hauge, Dental Corps Reserve, with rank from September 1, 1930.

First Lieut. John LeRoy Carter, Dental Corps Reserve, with rank from November 4, 1930.

VETERINARY CORPS

To be second lieutenants

Second Lieut. Wesley Watson Bertz, Veterinary Corps Reserve, with rank from August 1, 1930.

Second Lieut. Edgerton Lynn Watson, Veterinary Corps Reserve, with rank from August 1, 1930.

Second Lieut. Austin Taylor Getz, Veterinary Corps Reserve, with rank from August 1, 1930.

MEDICAL ADMINISTRATIVE CORPS

To be second lieutenants

Staff Sergt. Cecil Brooks, Medical Department, with rank from August 1, 1930.

Sergt. Homer Clarence McCullough, Medical Department, with rank from August 14, 1930.

Staff Sergt. Charles Boone Hanes, Medical Department, with rank from November 1, 1930.

Staff Sergt. Joseph Carmack, Medical Department, with rank from November 1, 1930.

CHAPLAIN

To be chaplain with the rank of first lieutenant

Maj. Frederick William Hagan, Chaplain Reserve, with rank from July 2, 1930.

REAPPOINTMENT IN THE ARMY

To be Surgeon General

Maj. Gen. Merritte Weber Ireland, Surgeon General, to be Surgeon General, with the rank of major general, for the period of four years, beginning October 30, 1930, with rank from October 4, 1918.

APPOINTMENTS, BY TRANSFER, IN THE ARMY

TO COAST ARTILLERY CORPS

First Lieut. Escalus Emmert Elliott, Field Artillery, August 14, 1930, with rank from November 23, 1925.

Second Lieut. Albert Eugene Dennis, Signal Corps, July 26, 1930, with rank from June 12, 1930.

TO INFANTRY

Lieut. Col. Thomas Norton Gimperling, Quartermaster Corps, July 28, 1930, with rank from November 1, 1928.

TO ORDNANCE DEPARTMENT

First Lieut. Leslie Earl Simon, Coast Artillery Corps (detailed in Ordnance Department), with rank from March 5, 1929.

TO AIR CORPS

Second Lieut. James Keller DeArmond, Signal Corps (detailed in Air Corps), July 23, 1930, with rank from June 12, 1925.

Second Lieut. Laurence Sherman Kuter, Field Artillery (detailed in Air Corps), July 23, 1930, with rank from June 14, 1927.

Second Lieut. George McCoy, jr., Infantry (detailed in Air Corps), with rank from June 14, 1927.

Second Lieut. David Peter Laubach, Corps of Engineers (detailed in Air Corps), July 23, 1930, with rank from June 9, 1928.

Second Lieut. James Elbert Briggs, Field Artillery (detailed in Air Corps), July 23, 1930, with rank from June 9, 1928.

Second Lieut. Robert Loyal Easton, Field Artillery (detailed in Air Corps), July 23, 1930, with rank from June 9, 1928.

Second Lieut. Richard Perry O'Keefe, Field Artillery (detailed in Air Corps), July 23, 1930, with rank from June 9, 1928.

Second Lieut. Fred Obediah Tally, Infantry (detailed in Air Corps), July 23, 1930, with rank from June 9, 1928.

Second Lieut. Delma Taft Spivey, Infantry (detailed in Air Corps), July 23, 1930, with rank from June 9, 1928.

Second Lieut. William Columbus Sams, jr., Infantry (detailed in Air Corps), July 23, 1930, with rank from June 9, 1928.

Second Lieut. Don Zabriskie Zimmerman, Corps of Engineers (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Frederick Rodgers Dent, jr., Corps of Engineers (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Harold Huntley Bassett, Corps of Engineers (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Howard Moore, Corps of Engineers (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. James Lee Majors, Corps of Engineers (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Roger James Browne, Cavalry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Joseph Jennings Ladd, Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Thomas Ludwell Bryan, jr., Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. John Knox Poole, Field Artillery (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. John Coleman Horton, Field Artillery (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Marshall Stanley Roth, Quartermaster Corps (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Rudolph Fink, Coast Artillery Corps (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Robert Maurice Kraft, Field Artillery (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Roy Garfield Cuno, Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Frederic Harrison Smith, jr., Field Artillery (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Donald John Keirn, Field Artillery (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Donald Wilbur Armagost, Cavalry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Dwight Bahney Schannep, Field Artillery (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Robert Moffat Losey, Field Artillery (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. John Jackson O'Hara, jr., Field Artillery (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Emery Scott Wetzel, Field Artillery (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. William Ernest Karnes, Cavalry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. William Gilmer Bowyer, Signal Corps (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Edward Auld Dodson, Coast Artillery Corps (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. John William Stribling, jr., Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Thomas Benton McDonald, Coast Artillery Corps (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Melie John Coutlee, Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Daniel Campbell Doubleday, Coast Artillery Corps (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Jerald Worden McCoy, Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Pearl Harvey Robey, Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Charles Glendon Williamson, Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. George Putnam Moody, Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Keene Watkins, Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. John Nicholas Stone, Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Phineas Kimball Morrill, jr., Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Thomas Richard Lynch, Infantry (detailed in Air Corps), with rank from June 13, 1929.

PROMOTIONS IN THE ARMY

To be colonels

Lieut. Col. Raymond Westcott Briggs, Field Artillery, from July 14, 1930.

Lieut. Col. James Lawrence Long, Coast Artillery Corps, from September 1, 1930.

Lieut. Col. Ralph Molyneux Mitchell, Coast Artillery Corps, from September 1, 1930.

Lieut. Col. Frederick Louis Dengler, Coast Artillery Corps, from September 1, 1930.

Lieut. Col. Richard Howard Williams, Coast Artillery Corps, from September 1, 1930.

Lieut. Col. Lewis Stoddard Ryan, Field Artillery, from September 1, 1930.

Lieut. Col. Tilman Campbell, Finance Department, from September 1, 1930.

Lieut. Col. Thomas Lilley Sherburne, Cavalry, from September 2, 1930.

Lieut. Col. Francis Hicks Lincoln, Coast Artillery Corps, from October 1, 1930.

Lieut. Col. William Henry Wilson, Coast Artillery Corps, from October 1, 1930.

Lieut. Col. Augustus Bennett Warfield, Quartermaster Corps, from October 1, 1930.

Lieut. Col. Edward Dennis Powers, Coast Artillery Corps, from October 1, 1930.

Lieut. Col. Howard Lee Landers, Field Artillery, from October 1, 1930.

Lieut. Col. William Henry Burt, Field Artillery, from October 1, 1930.

Lieut. Col. Arthur Leonard Fuller, Coast Artillery Corps, from October 1, 1930.

Lieut. Col. John Sherman Chambers, Quartermaster Corps, from October 1, 1930.

Lieut. Col. Laurin Leonard Lawson, Field Artillery, from October 1, 1930.

Lieut. Col. Morris Ernest Locke, Field Artillery, from November 1, 1930.

Lieut. Col. James Regan, Quartermaster Corps, from November 1, 1930.

Lieut. Col. Gilbert McKee Allen, Infantry, from November 1, 1930.

Lieut. Col. John Randolph, Infantry, from November 1, 1930.

Lieut. Col. William Hume Clendenin, Infantry, from November 1, 1930.

To be lieutenant colonels

Maj. Edgar Lee Field, Infantry, from July 14, 1930.

Maj. Jere Baxter, Infantry, from August 1, 1930.

Maj. Frank Kirby Chapin, Cavalry, from September 1, 1930.

Maj. Lloyd Ralston Fredendall, Infantry, from September 1, 1930.

Maj. Rowan Palmer Lemly, Infantry, from September 1, 1930.

Maj. Frank Thorp, jr., Field Artillery, from September 1, 1930.

Maj. Leroy Pierce Collins, Field Artillery, from September 1, 1930.

Maj. Ballard Lyerly, Field Artillery, from September 1, 1930.

Maj. George Albert Wildrick, Coast Artillery Corps, from September 2, 1930.

Maj. Allen Kimberly, Coast Artillery Corps, from October 1, 1930.

Maj. Thomas Aquila Clark, Ordnance Department, from October 1, 1930.

Maj. Phillip Woodfin Booker, Field Artillery, from October 1, 1930.

Maj. James Alexander O'Connor, Corps of Engineers, from October 1, 1930.

Maj. Lewis Hayes Watkins, Corps of Engineers, from October 1, 1930.

Maj. Richard Park, Corps of Engineers, from October 1, 1930.

Maj. Daniel Isom Sultan, Corps of Engineers, from October 1, 1930, subject to examination required by law.

Maj. John Boursiquat Rose, Ordnance Department, from October 1, 1930.

Maj. Charles Tillman Harris, jr., Ordnance Department, from October 1, 1930.

Maj. Maxwell Murray, Field Artillery, from October 1, 1930.

Maj. William Edgar Shedd, jr., Coast Artillery Corps, from October 1, 1930.

Maj. Royal Kemp Greene, Coast Artillery Corps, from October 1, 1930.

Maj. Howard Kendall Loughry, Coast Artillery Corps, from November 1, 1930.

Maj. Robert Price Glassburn, Coast Artillery Corps, from November 1, 1930.

Maj. Harry Keneth Rutherford, Ordnance Department, from November 1, 1930.

Maj. Paul Jones Horton, Coast Artillery Corps, from November 1, 1930.

Maj. Fred Taylor Cruse, Field Artillery, from November 1, 1930, subject to examination required by law.

Maj. James Preston Marley, Field Artillery, from November 1, 1930.

Maj. Robert Arthur, Coast Artillery Corps, from November 1, 1930.

Maj. Lucian Dent Booth, Ordnance Department, from November 1, 1930.

Maj. Waldo Charles Potter, Field Artillery, from November 1, 1930.

Maj. Henry Henderson Pfeil, The Adjutant General's Department, from November 1, 1930.

Maj. Clyde Leslie Eastman, Signal Corps, from November 1, 1930.

To be majors

Capt. George Ralph Barker, Infantry, from July 14, 1930.

Capt. John Waldemar Thompson, Infantry, from August 1, 1930.

Capt. Philip Overstreet, Infantry, from August 2, 1930.

Capt. Archie Arrington Farmer, Signal Corps, from September 1, 1930.

Capt. Charles Sabin Ferrin, Field Artillery, from September 1, 1930.

Capt. Edward Lodge McKee, jr., Infantry, from September 1, 1930.

Capt. Joseph Henry Dent, Quartermaster Corps, from September 1, 1930.

Capt. Hugh Williams, Quartermaster Corps, from September 1, 1930.

Capt. John Moultrie Ward, Quartermaster Corps, from September 1, 1930.

Capt. William Tecumseh Haldeman, Cavalry, from September 1, 1930.

Capt. James Michael Grey, Quartermaster Corps, from September 1, 1930.

Capt. Arnold Melville Reeve, Quartermaster Corps, from September 2, 1930.

Capt. William Charles Ocker, Air Corps, from October 1, 1930.

Capt. William Frederick Volandt, Air Corps, from October 1, 1930.

Capt. Alexander Newton Stark, jr., Infantry, from October 1, 1930.

Capt. Roger Hilsman, Infantry, from October 1, 1930.

Capt. Holmes Ely Dager, Infantry, from October 1, 1930.

Capt. Harry Elmer Fischer, Infantry, from October 1, 1930.

Capt. Roger Williams, jr., Infantry, from October 1, 1930.

Capt. Harry Brandley Hildebrand, Infantry, from October 1, 1930.

Capt. Louis Whorley Hasslock, Field Artillery, from October 1, 1930.

Capt. Henry Alfred Schwarz, Field Artillery, from October 1, 1930.

Capt. Frederick Stone Matthews, Infantry, from October 1, 1930.

Capt. William E. Kepner, Air Corps, from October 1, 1930.

Capt. William Ogden Johnson, Cavalry, from October 1, 1930.

Capt. Marcus Aurelius Smith Ming, Field Artillery, from October 1, 1930.

Capt. Walter Raymond Graham, Infantry, from November 1, 1930.

Capt. Albert Hovey Peyton, Infantry, from November 1, 1930.

Capt. James Patrick Murphy, Infantry, from November 1, 1930.

Capt. Jacob Edward Bechtold, Infantry, from November 1, 1930.

Capt. Neal Creighton Johnson, Infantry, from November 1, 1930.

Capt. Norman Pyle Groff, Infantry, from November 1, 1930.

Capt. Glenn Adelbert Ross, Infantry, from November 1, 1930.

Capt. Francis Augustus Woolfley, Infantry, from November 1, 1930.

Capt. Nelson Dingley, 3d, Coast Artillery Corps, from November 1, 1930.

Capt. Richard Marshall Winfield, Infantry, from November 1, 1930.

Capt. Claudius Miller Easley, Infantry, from November 1, 1930.

Capt. Richard Weaver Hocker, Field Artillery, from November 1, 1930.

To be captains

First Lieut. George Stainback Deaderick, Infantry, from July 3, 1930.

First Lieut. Arthur Dana Elliot, Ordnance Department, from July 14, 1930.

First Lieut. Virgil Hine, Air Corps, from July 14, 1930.

First Lieut. John Paul Richter, Air Corps, from July 19, 1930.

First Lieut. Rene Raimond Studler, Ordnance Department, from July 23, 1930.

First Lieut. Howard Burdette Nurse, Quartermaster Corps, from July 31, 1930.

First Lieut. Oscar Mitchell Massey, Cavalry, from August 1, 1930.

First Lieut. John Montgomery Heath, Signal Corps, from August 1, 1930.

First Lieut. Robert George Howie, Infantry, from August 1, 1930.

First Lieut. Ralph Wiltamuth, Infantry, from August 1, 1930.

First Lieut. Einar Nelson Schjerven, Cavalry, from August 1, 1930.

First Lieut. John William Irwin, Infantry, from August 2, 1930.

First Lieut. Robert LeRoy Nesbit, Infantry, from August 11, 1930.

First Lieut. Joseph Kahler Evans, Infantry, from August 12, 1930.

First Lieut. Lawrence Haley Caruthers, Field Artillery, from August 13, 1930.

First Lieut. Frank La Rue, Infantry, from September 1, 1930.

First Lieut. Thomas Henry Mills, Quartermaster Corps, from September 1, 1930.

First Lieut. Louis Clifford Webster, Quartermaster Corps, from September 1, 1930.

First Lieut. John Beveridge, jr., Air Corps, from September 1, 1930.

First Lieut. Julian Dayton, Infantry, from September 1, 1930.

First Lieut. Elmer Hostetter, Quartermaster Corps, from September 1, 1930.

First Lieut. Michael Everett McHugo, Air Corps, from September 1, 1930.

First Lieut. William Mason Wright, jr., Field Artillery, from September 1, 1930.

First Lieut. Glen Dison Gorton, Quartermaster Corps, from September 1, 1930.

First Lieut. Philip Whalley Allison, Field Artillery, from September 1, 1930.

First Lieut. James Lionel Grisham, Air Corps, from September 2, 1930.

First Lieut. Joseph Worthen Proctor, Ordnance Department, from September 17, 1930.

First Lieut. Earl Seeley Hoag, Air Corps, from October 1, 1930.

First Lieut. Vincent James Meloy, Air Corps, from October 1, 1930.

First Lieut. Charles Egbert Branshaw, Air Corps, from October 1, 1930.

First Lieut. Edward Whiting Raley, Air Corps, from October 1, 1930.

First Lieut. Earle Hayden Tonkin, Air Corps, from October 1, 1930.

First Lieut. James Troy Hutchison, Air Corps, from October 1, 1930.

First Lieut. Ivan Leon Foster, Field Artillery, from October 1, 1930.

First Lieut. Edwin Randolph Page, Air Corps, from October 1, 1930.

First Lieut. Abraham Bernard Thumel, Quartermaster Corps, from October 1, 1930.

First Lieut. Harvey Hodges Holland, Air Corps, from October 1, 1930.

First Lieut. Russell Lowell Maughan, Air Corps, from October 1, 1930.

First Lieut. Walter Miller, Air Corps, from October 1, 1930.

First Lieut. John William Slattery, Ordnance Department, from October 1, 1930.

First Lieut. Charles Emile Stafford, Quartermaster Corps, from October 1, 1930.

First Lieut. Oliver Perry Gothlin, jr., Air Corps, from October 1, 1930.

First Lieut. Eugene Benjamin Bayley, Air Corps, from October 1, 1930.

First Lieut. Dache McClain Reeves, Air Corps, from October 1, 1930.

First Lieut. Leo Fred Post, Air Corps, from October 1, 1930.

First Lieut. John Carroll Kennedy, Air Corps, from October 1, 1930.

First Lieut. Oscar George Fegan, Quartermaster Corps, from October 1, 1930.

First Lieut. William Albert Hayward, Air Corps, from November 1, 1930.

First Lieut. Thomas Jefferson Davis, Infantry, from November 1, 1930.

First Lieut. Edmund Pendleton Gaines, Air Corps, from November 1, 1930.

First Lieut. Harvey William Prosser, Air Corps, from November 1, 1930.

First Lieut. Clayton Lawrence Bissell, Air Corps, from November 1, 1930.

First Lieut. Horace Simpson Kenyon, jr., Air Corps, from November 1, 1930.

First Lieut. Eugene Robert Cowles, Infantry, from November 1, 1930.

First Lieut. Philip Henry Kron, Infantry, from November 1, 1930.

First Lieut. John Francis Alcure, Quartermaster Corps, from November 1, 1930.

First Lieut. Zane Irwin Adair, Infantry, from November 1, 1930.

First Lieut. Robert Clyde Sanders, Infantry, from November 1, 1930.

First Lieut. Joseph Henry Hussing, Infantry, from November 1, 1930.

First Lieut. Wallace Marmaduke Allison, Quartermaster Corps, from November 1, 1930.

First Lieut. Leland Charles Hurd, Air Corps, from November 1, 1930.

First Lieut. Robert Victor Ignico, Air Corps, from November 11, 1930.

First Lieut. Rutledge Maurice Lawson, Infantry, from November 19, 1930.

First Lieut. Leland Ross Hewitt, Air Corps, from November 20, 1930.

To be first lieutenants

Second Lieut. Howard Hunt Couch, Air Corps, from July 3, 1930.

Second Lieut. Wilfred Joseph Paul, Air Corps, from July 14, 1930.

Second Lieut. Glenn L. Davasher, Air Corps, from July 14, 1930.

Second Lieut. Charles Stowe Stodter, Signal Corps, from July 16, 1930.

Second Lieut. Charles Henry Barth, jr., Corps of Engineers, from July 19, 1930.

Second Lieut. Standish Weston, Corps of Engineers, from July 23, 1930.

Second Lieut. Raymond Burkholder Oxrieder, Corps of Engineers from July 29, 1930, subject to examination required by law.

Second Lieut. Gerald Edward Galloway, Corps of Engineers, from July 31, 1930.

Second Lieut. Harrod George Miller, Signal Corps, from August 1, 1930.

Second Lieut. Charles Hare Mason, Corps of Engineers, from August 1, 1930.

Second Lieut. Carl Rueben Dutton, Coast Artillery Corps, from August 1, 1930.

Second Lieut. George Kenyon Withers, Corps of Engineers, from August 1, 1930.

Second Lieut. Arleigh Todd Bell, Corps of Engineers, from August 1, 1930.

Second Lieut. Thomas Leonard Harrold, Cavalry, from August 2, 1930.

Second Lieut. Kenneth William Treacy, Field Artillery, from August 11, 1930.

Second Lieut. Vincent Joseph Esposito, Corps of Engineers, from August 12, 1930.

Second Lieut. Robert Lee Howze, jr., Cavalry, from August 13, 1930.

Second Lieut. Leland Berrel Kuhre, Corps of Engineers, from September 1, 1930, subject to examination required by law.

Second Lieut. Colby Maxwell Myers, Corps of Engineers, from September 1, 1930.

Second Lieut. Ralph Tibbs Garver, Cavalry, from September 1, 1930.

Second Lieut. William Ludlow Ritchie, Air Corps (transferred from Field Artillery during the recess of the Senate), from September 1, 1930.

Second Lieut. Amos Tappan Akerman, Corps of Engineers, from September 1, 1930.

Second Lieut. Olive Cass Torbett, Corps of Engineers, from September 1, 1930.

Second Lieut. Rogers Alan Gardner, Cavalry, from September 1, 1930.

Second Lieut. Albert Harvey Burton, Corps of Engineers, from September 1, 1930.

Second Lieut. Bruce Cooper Clarke, Corps of Engineers, from September 1, 1930.

Second Lieut. Carl William Meyer, Corps of Engineers, from September 1, 1930.

Second Lieut. John Henry Dulligan, Air Corps, from September 1, 1930.

Second Lieut. David Henry Tulley, Corps of Engineers, from September 2, 1930.

Second Lieut. Walter Grant Bryte, jr., Air Corps, from September 4, 1930.

Second Lieut. Kyrl Leighton-Faxford de Gravelines, Coast Artillery Corps, from September 12, 1930.

Second Lieut. Warren Nourse Underwood, Corps of Engineers, from September 17, 1930.

Second Lieut. Miles Merrill Dawson, Corps of Engineers, from September 18, 1930.

Second Lieut. Charles Parsons Nicholas, Field Artillery, from October 1, 1930.

Second Lieut. Russell Edward Randall, Air Corps, from October 1, 1930.

Second Lieut. Carl Warren Holcomb, Coast Artillery Corps, from October 1, 1930.

Second Lieut. Armand Hopkins, Coast Artillery Corps, from October 1, 1930.

Second Lieut. Timothy Lawrence Mulligan, Corps of Engineers, from October 1, 1930, subject to examination required by law.

Second Lieut. Finis Ewing Dunaway, jr., Corps of Engineers, from October 1, 1930.

Second Lieut. Benjamin Cobb Fowlkes, jr., Corps of Engineers, from October 1, 1930.

Second Lieut. John Wilson Huyssoon, Coast Artillery Corps, from October 1, 1930.

Second Lieut. Frank Gilbert Fraser, Cavalry, from October 1, 1930.

Second Lieut. Stanley James Horn, Corps of Engineers, from October 1, 1930, subject to examination required by law.

Second Lieut. Frank Andrew Pettit, Corps of Engineers, from October 1, 1930.

Second Lieut. William O'Connor Heacock, Cavalry, from October 1, 1930.

Second Lieut. Walter William Hodge, Corps of Engineers, from October 1, 1930.

Second Lieut. William Henry Nutter, Cavalry, from October 1, 1930.

Second Lieut. Oscar Carl Maier, Signal Corps, from October 1, 1930.

Second Lieut. Ralph Augustus Lincoln, Corps of Engineers, from October 1, 1930.

Second Lieut. Gilbert Edward Linkswiler, Corps of Engineers, from October 1, 1930, subject to examination required by law.

Second Lieut. Aubrey Strode Newman, Infantry, from October 1, 1930.

Second Lieut. Ernest Victor Holmes, Field Artillery, from October 1, 1930.

Second Lieut. William Frank Steer, Coast Artillery Corps, from October 1, 1930.

Second Lieut. Wiley Thomas Moore, Field Artillery, from October 1, 1930.

Second Lieut. Ronald Montgomery Shaw, Cavalry, from October 1, 1930.

Second Lieut. Conrad Stanton Babcock, Cavalry, from November 1, 1930.

Second Lieut. Thomas Elton Smith, Field Artillery, from November 1, 1930.

Second Lieut. Alvin Truett Bowers, Coast Artillery Corps, from November 1, 1930.

Second Lieut. William Henry Bigelow, Infantry, from November 1, 1930.

Second Lieut. Lewis Ackley Riggins, Infantry, from November 1, 1930.

Second Lieut. Willard Lamborn Wright, Field Artillery, from November 1, 1930.

Second Lieut. John Frederick Gamber, Coast Artillery Corps, from November 1, 1930.

Second Lieut. Ernest Andrew Barlow, Infantry, from November 1, 1930.

Second Lieut. John Loomis Chamberlain, jr., Field Artillery, from November 1, 1930.

Second Lieut. Frank John Hierholzer, Field Artillery, from November 1, 1930.

Second Lieut. Carl Frederick Tischbein, Coast Artillery Corps, from November 1, 1930.

Second Lieut. John Salisbury Fisher, Infantry, from November 1, 1930.

Second Lieut. Charles Pearre Cabell, Field Artillery, from November 1, 1930.

Second Lieut. James Joseph Deery, Field Artillery, from November 1, 1930.

Second Lieut. Allen Ward De Wees, Coast Artillery Corps, from November 1, 1930.

Second Lieut. Archer Frank Freund, Field Artillery, from November 1, 1930.

Second Lieut. Roland Ainslee Browne, Cavalry, from November 1, 1930.

Second Lieut. Milo Howard Matteson, Cavalry, from November 8, 1930.

Second Lieut. William John Carne, Infantry, from November 11, 1930.

Second Lieut. John Stephan Henn, Coast Artillery Corps, from November 19, 1930.

Second Lieut. Henry Randolph Westphalinger, Cavalry, from November 20, 1930.

MEDICAL CORPS

To be colonels

Lieut. Col. Howard Houghton Baily, Medical Corps, from July 8, 1930.

Lieut. Col. Paul Lamar Freeman, Medical Corps, from July 8, 1930.

Lieut. Col. Edgar William Miller, Medical Corps, from July 8, 1930.

To be majors

Capt. Leland Elder Dashiell, Medical Corps, from July 4, 1930.

Capt. George William Reyer, Medical Corps, from July 4, 1930.

Capt. Oscar Thweatt Kirksey, Medical Corps, from July 6, 1930.

Capt. Byron Johnson Peters, Medical Corps, from July 13, 1930.

Capt. Joseph Rogers Darnall, Medical Corps, from July 15, 1930.

Capt. Harold Arthur Kirkham, Medical Corps, from July 20, 1930.

Capt. Henry William Meisch, Medical Corps, from July 24, 1930.

Capt. Leland Oliver Walter Moore, Medical Corps, from July 26, 1930.

Capt. Lewis Bradley Bibb, Medical Corps, from July 30, 1930.

Capt. Arthur Wheeler Drew, Medical Corps, from August 7, 1930.

Capt. Alexander Palmer Kelly, Medical Corps, from August 19, 1930.

Capt. Francis William Gustites, Medical Corps, from August 31, 1930.

Capt. William Samuel Prout, Medical Corps, from September 1, 1930.

Capt. Walter Fleming Hamilton, Medical Corps, from September 3, 1930.

Capt. Elgen Clayton Pratt, Medical Corps, from September 4, 1930.

Capt. Frank Tenny Chamberlin, Medical Corps, from September 6, 1930.

Capt. Harry Ripley Melton, Medical Corps, from September 8, 1930.

Capt. James Martin Miller, Medical Corps, from September 9, 1930.

Capt. Howard Joseph Hutter, Medical Corps, from September 21, 1930.

Capt. Charles Vincent Hart, Medical Corps, from September 22, 1930.

Capt. Irwin Bradfield Smock, Medical Corps, from September 27, 1930.

Capt. David Loran Robeson, Medical Corps, from October 8, 1930.

Capt. Joseph Ignatius Martin, Medical Corps, from October 8, 1930.

Capt. Thomas Randolph McCarley, Medical Corps, from October 12, 1930.

Capt. Alfred Mordecai, Medical Corps, from October 23, 1930.

Capt. William Presley Dingle, Medical Corps, from October 23, 1930.

Capt. James Frank Brooke, Medical Corps, from October 23, 1930.

Capt. Lester Eastwood Beringer, Medical Corps, from October 24, 1930.

Capt. David Lloyd Stewart, Medical Corps, from October 30, 1930.

Capt. John Moorhaj Tamraz, Medical Corps, from November 2, 1930.

Capt. Joseph Aaron Mendelson, Medical Corps, from November 15, 1930.

To be captains

First Lieut. James Patrick Cooney, Medical Corps, from July 17, 1930.

First Lieut. Harvey Francis Hendrickson, Medical Corps, from July 17, 1930.

First Lieut. Louis Holmes Ginn, jr., Medical Corps, from July 17, 1930.

First Lieut. Seth Gayle, jr., Medical Corps, from July 17, 1930.

First Lieut. Howard Sterling McConkie, Medical Corps, from July 23, 1930.

First Lieut. Sam Foster Seeley, Medical Corps, from August 1, 1930.

First Lieut. William Draper North, Medical Corps, from August 1, 1930.

First Lieut. Clifford Veryl Morgan, Medical Corps, from August 1, 1930.

First Lieut. William Henry Lawton, Medical Corps, from August 1, 1930.

First Lieut. James Elmo Yarbrough, Medical Corps, from August 1, 1930.

First Lieut. John Daniel Brumbaugh, Medical Corps, from August 1, 1930.

First Lieut. Abner Zehm, Medical Corps, from August 1, 1930.

First Lieut. Walter Frederick Heine, Medical Corps, from August 1, 1930.

First Lieut. Charles McCabe Downs, Medical Corps, from August 1, 1930.

First Lieut. John Winchester Rich, Medical Corps, from August 18, 1930.

First Lieut. Thomas Brown Murphy, Medical Corps, from August 18, 1930.

First Lieut. Huston J. Banton, Medical Corps, from August 18, 1930, subject to examination required by law.

First Lieut. Hervey Burson Porter, Medical Corps, from August 18, 1930.

DENTAL CORPS

To be majors

Capt. John Samuel Ross, Dental Corps, from July 4, 1930.

Capt. Elmer Henry Nicklies, Dental Corps, from July 13, 1930.

Capt. Clarence Walter Johnson, Dental Corps, from August 7, 1930.

Capt. Walter Duncan Love, Dental Corps, from August 14, 1930.

Capt. Egbert Wesley van Delden Cowan, Dental Corps, from September 3, 1930.

Capt. Arthur Edmon Brown, Dental Corps, from September 8, 1930.

Capt. Robert Clyde Craven, Dental Corps, from September 18, 1930.

Capt. Melville Alexander Sanderson, Dental Corps, from September 19, 1930.

Capt. Earl George Gebhardt, Dental Corps, from September 20, 1930.

Capt. Frank Alf Crane, Dental Corps, from September 22, 1930.

Capt. Arne Sorum, Dental Corps, from September 23, 1930.

Capt. Vivian Z. Brown, Dental Corps, from November 1, 1930.

Capt. Henry Allen Winslow, Dental Corps, from November 14, 1930.

Capt. Ernest Frank Sharp, Dental Corps, from November 17, 1930.

Capt. Clarence Roy Benney, Dental Corps, from November 21, 1930.

To be captains

First Lieut. Clarence Price Canby, Dental Corps, from July 15, 1930.

First Lieut. Roger Giles Miller, Dental Corps, from August 15, 1930.

First Lieut. Grant Arthur Selby, Dental Corps, from September 25, 1930.

First Lieut. Leland Stanford Mabry, Dental Corps, from October 26, 1930.

VETERINARY CORPS

To be first lieutenants

Second Lieut. Charles Stunkard Greer, Veterinary Corps, from October 10, 1930.

Second Lieut. John Lloyd Owens, Veterinary Corps, from October 29, 1930.

CHAPLAINS

To be chaplains with the rank of major

Chaplain Edmond Joseph Griffin, from July 3, 1930.

Chaplain Ora Jason Cohee, from October 4, 1930.

To be chaplain with the rank of captain

Chaplain Edward Robert Martin, from October 6, 1930.

PROMOTION IN THE PHILIPPINE SCOUTS

To be captain

First Lieut. John Willett Smith, Philippine Scouts, from November 1, 1930.

REAPPOINTMENT IN THE OFFICERS' RESERVE CORPS OF THE ARMY

GENERAL OFFICER

To be major general, reserves

Maj. Gen. John Francis O'Ryan, reserves, from December 15, 1930.

APPOINTMENTS IN THE OFFICERS' RESERVE CORPS OF THE ARMY

GENERAL OFFICERS

To be brigadier generals, reserves

Brig. Gen. Diller Slyder Myers, Illinois National Guard, from December 1, 1930.

Brig. Gen. John Cecil Persons, Alabama National Guard, from September 23, 1930.

Brig. Gen. Oscar Edwin Roberts, Texas National Guard, from August 18, 1930.

PROMOTIONS IN THE NAVY

MARINE CORPS

Brig. Gen. Ben H. Fuller to be the Major General Commandant of the Marine Corps for a period of four years, with rank from July 9, 1930.

Brig. Gen. Rufus H. Lane, the adjutant and inspector, to be the adjutant and inspector of the Marine Corps, with the rank of brigadier general, for a period of four years from January 2, 1931, with rank from January 2, 1923.

Col. Randolph C. Berkeley to be a brigadier general in the Marine Corps from July 9, 1930.

Lieut. Col. Frederick A. Ramsey to be a colonel in the Marine Corps from July 9, 1930.

Lieut. Col. Walter E. Noa, assistant quartermaster, to be an assistant quartermaster in the Marine Corps with the rank of colonel from August 1, 1930.

Lieut. Col. Thomas C. Turner to be a colonel in the Marine Corps from September 1, 1930.

Lieut. Col. Raymond B. Sullivan to be a colonel in the Marine Corps from October 1, 1930.

Maj. Holland M. Smith to be a lieutenant colonel in the Marine Corps from July 9, 1930.

Maj. John R. Henley to be a lieutenant colonel in the Marine Corps from August 1, 1930.

Maj. Ralph S. Keyser to be a lieutenant colonel in the Marine Corps from September 1, 1930.

Maj. Howard W. Stone to be a lieutenant colonel in the Marine Corps from September 29, 1930.

Maj. Maurice E. Shearer to be a lieutenant colonel in the Marine Corps from October 1, 1930.

Capt. Peter C. Geyer to be a major in the Marine Corps from July 1, 1930.

Capt. James E. Davis to be a major in the Marine Corps from July 9, 1930.

Capt. Lloyd L. Leech to be a major in the Marine Corps from August 1, 1930.

Capt. Raphael Griffin to be a major in the Marine Corps from September 1, 1930.

Capt. Karl I. Buse to be a major in the Marine Corps from September 29, 1930.

Capt. Harold S. Fassett to be a major in the Marine Corps from October 1, 1930.

Capt. Arthur Kingston to be a major in the Marine Corps from November 5, 1930.

The following captains to be captains in the Marine Corps to correct the dates from which they take rank as previously nominated and confirmed:

Alfred C. Cottrell from May 12, 1929.
John T. Selden from May 13, 1929.
Elmer E. Hall from May 16, 1929.
Henry A. Carr from June 1, 1929.
Orrel A. Inman from June 2, 1929.
Frank S. Flack from June 30, 1929.
Henry F. Adams from November 12, 1929.
Charles W. Henkle from November 27, 1929.
Solon C. Kemon from December 26, 1929.
Harry B. Liversedge from December 28, 1929.
Merton J. Batchelder from January 17, 1930.
George E. Monson from February 10, 1930.
Arthur D. Challacombe from March 1, 1930.
William J. Mosher from March 2, 1930.
Harry W. Bacon from June 29, 1930.

First Lieut. Howard M. Peter to be a captain in the Marine Corps from November 5, 1929.

First Lieut. George A. Plambeck to be a captain in the Marine Corps from November 6, 1929.

First Lieut. Joseph F. Burke to be a captain in the Marine Corps from April 2, 1930.

First Lieut. Marvin Scott to be a captain in the Marine Corps from May 12, 1930.

First Lieut. James W. Flett to be a captain in the Marine Corps from June 1, 1930.

First Lieut. William C. Hall to be a captain in the Marine Corps from June 30, 1930.

First Lieut. Arnold C. Larsen to be a captain in the Marine Corps from July 1, 1930.

First Lieut. Rees Skinner to be a captain in the Marine Corps from July 9, 1930.

First Lieut. William J. Wallace to be a captain in the Marine Corps from August 1, 1930.

First Lieut. William F. Brown to be a captain in the Marine Corps from August 1, 1930.

First Lieut. Amor LeR. Sims to be a captain in the Marine Corps from September 1, 1930.

First Lieut. Moses J. Gould to be a captain in the Marine Corps from September 2, 1930.

Second Lieut. Charles G. Meints to be a first lieutenant in the Marine Corps from November 27, 1929.

Second Lieut. Alexander W. Kreiser, jr., to be a first lieutenant in the Marine Corps from December 26, 1929.

Second Lieut. Thomas J. McQuade to be a first lieutenant in the Marine Corps from January 16, 1930.

Marine Gunner Fred O. Brown to be a chief marine gunner in the Marine Corps, to rank with but after second lieutenant from October 18, 1929.

Marine Gunner Horace Talbot to be a chief marine gunner in the Marine Corps, to rank with but after second lieutenant from March 9, 1930.

Quartermaster Clerk Edward F. Connors to be a chief quartermaster clerk in the Marine Corps, to rank with but after second lieutenant from May 14, 1930.

POSTMASTERS

ALABAMA

George W. Hall to be postmaster at Calhoun, Ala. Office became presidential July 1, 1930.

James R. Beall to be postmaster at Coffeeville, Ala. Office became presidential July 1, 1930.

Sister Mary Stephen to be postmaster at Holy Trinity, Ala., in place of Sister Mary Loreto, resigned.

Edith J. Ray to be postmaster at Munford, Ala. Office became presidential July 1, 1930.

Ethel M. Fowler to be postmaster at Theodore, Ala. Office became presidential July 1, 1930.

ALASKA

Josephine C. Spickett to be postmaster at Juneau, Alaska, in place of J. C. Spickett. Incumbent's commission expired May 14, 1930.

Lillian H. White to be postmaster at Kodiak, Alaska. Office became presidential July 1, 1930.

ARIZONA

William P. Shrodt to be postmaster at Ashfork, Ariz., in place of Winchester Dickerson, resigned.

ARKANSAS

James A. Morris, jr., to be postmaster at Dermott, Ark., in place of C. G. Nielsen, deceased.

Ted M. Anderson to be postmaster at Evening Shade, Ark. Office became presidential July 1, 1930.

Urelle O. Thomasson to be postmaster at Leachville, Ark., in place of C. W. Swihart, deceased.

Jerry T. Baxter to be postmaster at Melbourne, Ark., in place of R. B. Landers. Incumbent's commission expired May 12, 1930.

Benjamin B. Horton to be postmaster at Montrose, Ark. Office became presidential July 1, 1930.

Louis D. Bledsoe to be postmaster at Mountain Pine, Ark. Office became presidential July 1, 1930.

John H. McPherson to be postmaster at Paragould, Ark., in place of Herschel Neely. Incumbent's commission expired June 12, 1930.

Vernon C. Paul to be postmaster at Parkin, Ark., in place of I. L. Carter, removed.

William H. Taylor to be postmaster at Van Buren, Ark., in place of W. H. Taylor. Incumbent's commission expired May 12, 1930.

Jesse C. Bogy to be postmaster at Wabbaseka, Ark., in place of F. W. Whitner, resigned.

William Smith to be postmaster at Wilmot, Ark., in place of N. E. deYampert. Incumbent's commission expired June 14, 1930.

CALIFORNIA

Cornelius van Kaathoven to be postmaster at Aptos, Calif. Office became presidential July 1, 1930.

Edith W. Chambles to be postmaster at Arvin, Calif., in place of J. E. Stroud, removed.

Louis C. De Armond to be postmaster at Blairsden, Calif., in place of L. C. De Armond. Incumbent's commission expired July 2, 1930.

Alton W. Jeffus to be postmaster at Brawley, Calif., in place of Nellie Pellet. Incumbent's commission expired March 25, 1930.

Mildred O. Pickering to be postmaster at Greenfield, Calif. Office became presidential July 1, 1930.

John A. Liggett to be postmaster at Korbel, Calif., in place of J. A. Liggett. Incumbent's commission expired December 21, 1929.

Leonard P. Russell to be postmaster at Maricopa, Calif., in place of U. S. Bock, resigned.

Marie J. Smoot to be postmaster at Mendota, Calif. Office became presidential July 1, 1930.

Vin I. Renick to be postmaster at Owensmouth, Calif., in place of Frank Fesler. Incumbent's commission expired December 21, 1929.

Emma Kessler to be postmaster at San Lorenzo, Calif. Office became presidential July 1, 1930.

Franklin B. Holder to be postmaster at Santee, Calif. Office became presidential July 1, 1930.

James E. Pharr to be postmaster at Scotia, Calif., in place of J. E. Pharr. Incumbent's commission expired July 2, 1930.

Rosa A. Printz to be postmaster at Simi, Calif. Office became presidential July 1, 1930.

Daisy L. Plant to be postmaster at Spreckels, Calif. Office became presidential July 1, 1930.

Theodore W. Cox to be postmaster at Westmoreland, Calif., in place of M. K. Cummings, deceased.

COLORADO

George F. Wilson to be postmaster at Phippsburg, Colo. Office became presidential July 1, 1930.

Fred M. Marsh to be postmaster at Wellington, Colo., in place of F. D. Aldridge, removed.

CONNECTICUT

James W. Gilson to be postmaster at Hartford, Conn., in place of H. K. Taylor, resigned.

Frank E. Collins to be postmaster at Rockfall, Conn. Office became presidential July 1, 1930.

Inez J. Standish to be postmaster at Somersville, Conn., in place of M. L. Van Camp, resigned.

FLORIDA

William B. Wingate to be postmaster at Callahan, Fla., in place of W. B. Wingate. Incumbent's commission expired March 11, 1930.

Isabelle H. Boyd to be postmaster at Clermont, Fla., in place of J. H. Boyd. Incumbent's commission expired January 8, 1930.

William T. Graves to be postmaster at Cottondale, Fla., in place of W. T. Graves. Incumbent's commission expired January 8, 1930.

Edgar M. Pyle to be postmaster at Dania, Fla., in place of I. C. Williams. Incumbent's commission expired April 10, 1930.

Pauline F. Colley to be postmaster at Florence Villa, Fla., in place of P. F. Colley. Incumbent's commission expired December 18, 1929.

Albertus A. Kurfiss to be postmaster at Groveland, Fla., in place of J. H. Trent, resigned.

Donald A. Flye to be postmaster at Haines City, Fla., in place of D. A. Flye. Incumbent's commission expired February 15, 1930.

Henry G. Nelson to be postmaster at Williston, Fla., in place of H. G. Nelson. Incumbent's commission expired January 28, 1930.

Fred E. Hall to be postmaster at Winter Haven, Fla., in place of E. J. Yonally. Incumbent's commission expired January 25, 1930.

GEORGIA

Gladys E. Love to be postmaster at Marshallville, Ga., in place of J. V. Frederick, deceased.

IDAHO

Berkeley R. Sellers to be postmaster at Gibbs, Idaho. Office became presidential July 1, 1930.

ILLINOIS

Ray R. Staubus to be postmaster at Cissna Park, Ill., in place of John Reineke. Incumbent's commission expired December 18, 1929.

James E. Lee to be postmaster at Findlay, Ill., in place of W. W. Harbert, resigned.

Gustav C. Michael to be postmaster at Hoyleton, Ill., in place of L. F. Hake. Incumbent's commission expired May 14, 1930.

Archie A. Colby to be postmaster at Lee, Ill. Office became presidential July 1, 1930.

Oscar M. Phares to be postmaster at Le Roy, Ill., in place of P. D. Barnum. Incumbent's commission expired May 18, 1930.

Arlington B. Gittings to be postmaster at Lomax, Ill., in place of W. R. Gaddis, resigned.

Mary Smith to be postmaster at North Aurora, Ill. Office became presidential July 1, 1930.

Jacob A. Hirsbrunner to be postmaster at Olivet, Ill., in place of J. A. Hirsbrunner. Incumbent's commission expired July 2, 1930.

George W. Martin to be postmaster at St. Anne, Ill., in place of G. F. Allain. Incumbent's commission expired March 1, 1930.

John Gray to be postmaster at Urbana, Ill., in place of O. L. Browder, resigned.

INDIANA

Harry C. Watts to be postmaster at Aurora, Ind., in place of H. C. Watts. Incumbent's commission expired June 16, 1930.

Charles W. Bard to be postmaster at Crothersville, Ind., in place of E. W. Krause, resigned.

Clyde H. Siekerman to be postmaster at Dillsboro, Ind., in place of C. H. Siekerman. Incumbent's commission expired June 16, 1930.

William C. Seng to be postmaster at Dubois, Ind. Office became presidential July 1, 1930.

Fred E. May to be postmaster at Haubstadt, Ind., in place of C. H. Magenheimer. Incumbent's commission expired January 6, 1930.

Claude B. Thomas to be postmaster at Moores Hill, Ind., in place of C. B. Thomas. Incumbent's commission expired July 2, 1930.

Francis W. Homan to be postmaster at Reynolds, Ind., in place of J. W. Gardner, deceased.

Robert P. White to be postmaster at Sullivan, Ind., in place of R. P. White. Incumbent's commission expired July 2, 1930.

IOWA

Leah F. Cookinham to be postmaster at Ayrshire, Iowa, in place of C. H. Cookinham, deceased.

Tena S. Healy to be postmaster at Britt, Iowa, in place of C. F. Wigton. Incumbent's commission expired March 16, 1930.

Elsie Sierck to be postmaster at Everly, Iowa, in place of Elsie Sierck. Incumbent's commission expired June 30, 1930.

Raymond F. Sargent to be postmaster at Fonda, Iowa, in place of R. F. Sargent. Incumbent's commission expired January 8, 1930.

Alva M. Kepler to be postmaster at Kalona, Iowa, in place of F. E. Bourgeois. Incumbent's commission expired March 8, 1930.

Lera Hinzman to be postmaster at Riceville, Iowa, in place of F. E. Dunton, deceased.

Charles H. Swisher to be postmaster at Sully, Iowa. Office became presidential July 1, 1930.

Cora J. Jacobsen to be postmaster at Wilton Junction, Iowa, in place of C. H. Jacobsen, resigned.

KANSAS

Otis N. Taylor to be postmaster at Kanorado, Kans., in place of L. F. Heston, resigned.

Tom W. Davis to be postmaster at Shawnee, Kans. Office became presidential July 1, 1930.

KENTUCKY

Luther S. Safriet to be postmaster at Gatliff, Ky. Office became presidential July 1, 1930.

Phoebe Howard to be postmaster at Salyersville, Ky., in place of Phoebe Howard. Incumbent's commission expired July 2, 1930.

Lisle B. Hanna to be postmaster at Shelbyville, Ky., in place of S. C. Hedden. Incumbent's commission expired July 2, 1930.

Russell M. Tewell to be postmaster at Walton, Ky., in place of A. R. Edwards, resigned.

LOUISIANA

Richard E. Bynum to be postmaster at Arabi, La., in place of N. R. Mysing. Incumbent's commission expired March 2, 1930.

Isaac C. Fife to be postmaster at Bastrop, La., in place of Tina Collins. Incumbent's commission expired January 29, 1930.

Jay T. Boone to be postmaster at Boyce, La., in place of J. T. Boone. Incumbent's commission expired January 18, 1930.

Paul T. Thibodaux to be postmaster at Donaldsonville, La., in place of P. T. Thibodaux. Incumbent's commission expired May 17, 1930.

Irma M. Perret to be postmaster at Edgard, La. Office became presidential July 1, 1930.

Viola H. Reed to be postmaster at Epps, La. Office became presidential July 1, 1930.

Robert S. Butler to be postmaster at Port Allen, La., in place of Cherie Cazes. Incumbent's commission expired June 14, 1930.

Mary J. Goodwine to be postmaster at St. Joseph, La., in place of E. H. Biggs, resigned.

Robert E. Loudon to be postmaster at Zachary, La., in place of R. E. Loudon. Incumbent's commission expired June 19, 1930.

MAINE

Edward H. Snow to be postmaster at Blue Hill, Me., in place of H. A. Saunders, deceased.

Harland G. Hoffses to be postmaster at Jefferson, Me. Office became presidential July 1, 1930.

Nettie A. True to be postmaster at New Gloucester, Me. Office became presidential July 1, 1930.

MASSACHUSETTS

Esther K. Whitcomb to be postmaster at Bolton, Mass., in place of C. M. Everett, resigned.

Alexander F. Gray to be postmaster at Charles River, Mass. Office became presidential July 1, 1930.

Margaret Poole to be postmaster at Island Creek, Mass. Office became presidential July 1, 1930.

Edward F. Earle to be postmaster at Rehoboth, Mass. Office became presidential July 1, 1930.

Hattie M. Crowell to be postmaster at South Yarmouth, Mass., in place of J. W. Crowell, deceased.

MICHIGAN

Roy Kanouse to be postmaster at Ashton, Mich. Office became presidential July 1, 1930.

George P. Siagkris to be postmaster at Base Line, Mich. Office became presidential July 1, 1930.

Harry L. Hansen to be postmaster at Big Bay, Mich., in place of H. C. D. Ashford, resigned.

Thomas B. Townsend to be postmaster at Grand Ledge, Mich., in place of A. J. Bills. Incumbent's commission expired April 28, 1930.

Hans Kunow to be postmaster at Greenbush, Mich. Office became presidential July 1, 1930.

George A. McNicol to be postmaster at Hillman, Mich., in place of G. A. McNicol. Incumbent's commission expired December 15, 1929.

Harry J. Skinner to be postmaster at McMillan, Mich. Office became presidential July 1, 1930.

Claude W. Till to be postmaster at Mears, Mich. Office became presidential July 1, 1930.

Bessie Dunbar to be postmaster at Potterville, Mich. Office became presidential July 1, 1930.

Merle E. Houghtby to be postmaster at Spring Arbor, Mich. Office became presidential July 1, 1930.

MINNESOTA

Harold E. Bowers to be postmaster at Benson, Minn., in place of E. A. Hanson, deceased.

Vivy Johnson to be postmaster at Richville, Minn., in place of E. R. Tucker, removed.

MISSISSIPPI

William R. Anderson to be postmaster at Baldwyn, Miss., in place of T. J. Davis. Incumbent's commission expired February 21, 1929.

J. Rivers Burks to be postmaster at Byhalia, Miss., in place of G. D. Myers. Incumbent's commission expired January 5, 1930.

John R. Childress to be postmaster at Flora, Miss., in place of J. E. Lane. Incumbent's commission expired January 5, 1930.

Everett T. Batten to be postmaster at Hattiesburg, Miss., in place of E. A. Kernaghan. Incumbent's commission expired February 23, 1930.

Jefferson D. Fogg to be postmaster at Hernando, Miss., in place of J. D. Fogg. Incumbent's commission expired February 16, 1929.

George H. Flowers to be postmaster at Kilmichael, Miss., in place of G. H. Flowers. Incumbent's commission expired June 7, 1930.

Allan McCants to be postmaster at Meridian, Miss., in place of C. J. Hyde. Incumbent's commission expired February 23, 1930.

Benjamin C. Feigler to be postmaster at Philipp, Miss., in place of B. C. Feigler. Incumbent's commission expired July 2, 1930.

William J. Peel to be postmaster at Shaw, Miss., in place of Elizabeth Collier, resigned.

Herbert G. Laudon to be postmaster at Waveland, Miss. Office became presidential July 1, 1930.

Ida M. Turnage to be postmaster at Zama, Miss., in place of I. M. Turnage. Incumbent's commission expired July 2, 1930.

MISSOURI

Laura J. England to be postmaster at Glenwood, Mo. Office became presidential July 1, 1930.

Curtis N. Houston to be postmaster at Grain Valley, Mo., in place of R. C. Remley. Incumbent's commission expired December 18, 1929.

Henry E. Folluo to be postmaster at Manchester, Mo., in place of O. W. Kuehne, deceased.

Raymond J. Tomlinson to be postmaster at Morley, Mo., in place of Leonard Ford. Incumbent's commission expired February 6, 1930.

Amiel A. Weitkamp to be postmaster at Moscow Mills, Mo. Office became presidential July 1, 1930.

Lawrence L. Glover to be postmaster at Newark, Mo., in place of L. L. Glover. Incumbent's commission expired May 20, 1930.

MONTANA

Lyman E. Ferry to be postmaster at Somers, Mont., in place of A. M. Engle, removed.

Harrison M. Sperry to be postmaster at Townsend, Mont., in place of W. J. Hazelton, removed.

NEBRASKA

Irving E. Tilgner to be postmaster at Lewellen, Nebr., in place of L. O. Roblee, resigned.

NEVADA

Vincent J. Ruse to be postmaster at Goldfield, Nev., in place of B. M. Weaver, resigned.

NEW HAMPSHIRE

Lena F. Carr to be postmaster at Bradford, N. H., in place of R. S. Moore, resigned.

Carroll N. Young to be postmaster at West Stewartstown, N. H., in place of F. H. Elliott, resigned.

NEW JERSEY

Louis A. Streit to be postmaster at East Orange, N. J., in place of L. A. Streit. Incumbent's commission expired January 13, 1930.

Elizabeth MacBrair to be postmaster at Essex Fells, N. J., in place of E. C. Woodworth, resigned.

Evelyn Cubberley to be postmaster at Hamilton Square, N. J., in place of M. E. Cubberley, deceased.

Horatio N. Denby to be postmaster at Laurel Springs, N. J., in place of E. D. McGarrey, resigned.

Caddie F. Olt to be postmaster at Marlton, N. J., in place of A. M. Harkness, removed.

Mary F. Beach to be postmaster at Montville, N. J. Office became presidential July 1, 1930.

Carl M. Ekholm to be postmaster at Neshanic Station, N. J., in place of D. C. R. Hoff, resigned.

Sanford W. Souders to be postmaster at Riegelsville, N. J. Office became presidential July 1, 1930.

August A. Kleuser to be postmaster at Singac, N. J., in place of Robert Young, appointee, declined.

Lester L. Jacobus to be postmaster at Towaco, N. J. Office became presidential July 1, 1930.

J. Wynne Kelley to be postmaster at Tuckerton, N. J., in place of C. R. Cox, resigned.

Tunis Sweetman to be postmaster at Wortendyke, N. J., in place of H. A. Depuy, resigned.

NEW MEXICO

Emmet Wirt to be postmaster at Dulce, N. Mex. Office became presidential July 1, 1930.

Gertrude W. Boyd to be postmaster at New Hobbs, N. Mex. Office became presidential October 1, 1930.

NEW YORK

Frank P. Redfield to be postmaster at Adams, N. Y., in place of D. F. Griggs, resigned.

M. Romiett Masten to be postmaster at Athens, N. Y., in place of C. L. Masten, deceased.

Fred A. Shoemaker to be postmaster at Averill Park, N. Y., in place of F. A. Shoemaker. Incumbent's commission expired February 18, 1930.

Caroline K. Lenz to be postmaster at Cheektowaga, N. Y. Office became presidential July 1, 1930.

Ogden L. Harding to be postmaster at Chenango Bridge, N. Y. Office became presidential July 1, 1930.

Ella E. Lewis to be postmaster at Clarkson, N. Y. Office became presidential July 1, 1930.

Arthur N. Fero to be postmaster at Esperance, N. Y. Office became presidential July 1, 1930.

Avery H. Wilcox to be postmaster at Gasport, N. Y., in place of G. D. Ackerson. Incumbent's commission expired January 29, 1930.

Leon A. Currey to be postmaster at Geneva, N. Y., in place of R. H. Gulvin. Incumbent's commission expired April 5, 1930.

Mary E. Redman to be postmaster at Hamlin, N. Y., in place of M. E. Redman. Incumbent's commission expired July 2, 1930.

Robert A. Montague to be postmaster at Henderson, N. Y., in place of M. B. McCumber, deceased.

Joseph N. Atwater to be postmaster at King Ferry, N. Y. Office became presidential July 1, 1930.

Edward L. Merritt to be postmaster at Kingston, N. Y., in place of W. P. Crane. Incumbent's commission expired February 13, 1928.

Wayne G. Vary to be postmaster at Lima, N. Y., in place of V. E. Taylor. Incumbent's commission expired June 10, 1930.

Arnol G. H. Bryan to be postmaster at Loudonville, N. Y. Office became presidential July 1, 1930.

Emery Jenkins to be postmaster at Margaretville, N. Y., in place of G. E. Gladstone, deceased.

Frank C. Percival to be postmaster at Mount Upton, N. Y. Office became presidential July 1, 1930.

George C. Smith to be postmaster at Pine Hill, N. Y., in place of H. A. Cole, deceased.

Minnie F. Anderson to be postmaster at Randolph, N. Y., in place of F. L. Seager, resigned.

OKLAHOMA

Gail E. Wing to be postmaster at Camargo, Okla., in place of G. E. Wing. Incumbent's commission expired July 2, 1930.

George Wehrenberg to be postmaster at Lovell, Okla. Office became presidential July 1, 1930.

PENNSYLVANIA

Marshall Troutman to be postmaster at Clearville, Pa. Office became presidential July 1, 1930.

Alice B. Carrick to be postmaster at Loupurex, Pa. Office became presidential July 1, 1930.

Thomas McLeister to be postmaster at Philadelphia, Pa., in place of G. E. Kemp, resigned.

John H. Watson to be postmaster at Turtle Creek, Pa. Office established July 1, 1929.

RHODE ISLAND

Oscar R. Parr to be postmaster at Chepachet, R. I. Office became presidential July 1, 1930.

James F. Harrod to be postmaster at Wallum Lake, R. I. Office became presidential July 1, 1930.

Grace S. Croome to be postmaster at West Kingston, R. I. Office became presidential July 1, 1930.

SOUTH CAROLINA

George E. Munn to be postmaster at Lake City, S. C., in place of E. L. Isenhower, resigned.

Mary E. Morris to be postmaster at Pickens, S. C., in place of E. D. Kirksey. Incumbent's commission expired February 6, 1930.

Ira S. Holden to be postmaster at Walhalla, S. C., in place of W. B. Aull. Incumbent's commission expired June 12, 1930.

TENNESSEE

Charles H. Bewley to be postmaster at Greeneville, Tenn., in place of C. H. Bewley. Incumbent's commission expires December 20, 1930.

Alexander H. Hill to be postmaster at Harrogate, Tenn., in place of John Herd. Incumbent's commission expired January 29, 1930.

Oren B. Zachry to be postmaster at Livingston, Tenn., in place of T. F. Stephens, deceased.

TEXAS

Austin Davis to be postmaster at Cushing, Tex., in place of W. B. McCrary, deceased.

James Flanagan to be postmaster at Mabank, Tex., in place of Lee Gray. Incumbent's commission expired March 30, 1930.

Ruel D. Dunn to be postmaster at Plano, Tex., in place of C. D. Rasor, removed.

Mamie Dyer to be postmaster at Tolar, Tex., in place of Mamie Dyer. Incumbent's commission expired March 15, 1930.

WASHINGTON

Charles T. LeWarne to be postmaster at Bellevue, Wash., in place of R. E. Blackwood, resigned.

Walter M. Hubbell to be postmaster at Spokane, Wash., in place of T. J. Smith, deceased.

WISCONSIN

Edgar Leissring to be postmaster at New Butler, Wis. Office became presidential July 1, 1930.

HOUSE OF REPRESENTATIVES

WEDNESDAY, DECEMBER 3, 1930

The House met at 12 o'clock, noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Infinite Power of Love, we praise Thee that a new day is full of sublime significance. It is the breath of God flowing out of one eternity into another. Let to-day smile to greet us with new opportunities for doing good and being good. Thou who knowest the unexpressed desires of every heart, grant us the things that are good and helpful. Give us the power of realizing more of that which belongs to our spiritual natures; let us feel the tremulous touches of heavenly joy. Always may character and conscience have their ways in the defense of the Republic and in the perpetuity of righteous government. In the name of our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed the following resolutions:

Senate Resolution 343

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. CHARLES F. CURRY, late a Representative from the State of California.

Resolved, That the Secretary communicate these resolutions to House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now adjourn.

Senate Resolution 344

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. JOHN FRANCIS QUAYLE, late a Representative from the State of New York.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

Senate Resolution 345

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. CHARLES M. STEDMAN, late a Representative from the State of North Carolina.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now adjourn.

Senate Resolution 346

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. WILLIAM C. HAMMER, late a Representative from the State of North Carolina.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now adjourn.

Senate Resolution 347

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. OTIS WINGO, late a Representative from the State of Arkansas.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now adjourn.

THE REPUBLICAN RECORD

Mr. KORELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the tariff.

The SPEAKER. The gentleman from Oregon asks unanimous consent to extend his remarks in the RECORD on the tariff. Is there objection?

There was no objection.

Mr. KORELL. Mr. Speaker, the recent election was in many respects unique. Since my return to Washington I have found that many of my colleagues are inquisitive to learn about the particular issues that were stressed in the congressional campaigns throughout the country. Accordingly, under leave to extend my remarks, I will restate the substance of several talks that I made in the course of my own campaign in the third Oregon congressional district.

THE TARIFF

After months of painstaking study on the part of a great many statesmen and after a great deal of debate the tariff bill has been passed and has become the law of the land.

Perhaps never in the history of the Republic has a tariff bill been subject to such bitter attack, to so much vituperation and misrepresentation. All sorts of arguments were brought against the proposed bill, and the attacks in many of the metropolitan newspapers of the East, inspired by various interests, continued down to the day the bill was signed by President Hoover. Many charges were misleading

and made out of whole cloth; many of the arguments advanced by the free traders were contradictory.

For instance, they told the farmers that the bill would not protect them, that it would not bring them more money for the farm products but would increase their cost of living, without compensation. Then they told the workers in the city that the tariff on farm products would make prices of foodstuffs in the city so high that the workers would no longer exist. They charged that our foreign trade would shrivel and die, that foreign nations would refuse to buy our goods and would make all sorts of retaliatory measures against us.

Most of these arguments, however, are as old as the free trade fallacy itself, and they had little weight on the Republican majority in Congress. For the free traders are fond of predicting calamities. It is their favorite occupation. When the tariff bill of 1922 was passed they told us our foreign trade would die, that Europe would be unable to pay anything on its debts. Page advertisements were run in many newspapers predicting that the tariff would make the cost of clothing so high the ordinary man would be unable to buy a suit when the one on his back had worn out. Now, what happened after 1922? We entered on one of the greatest periods of prosperity in our entire history. Our foreign trade grew by leaps and bounds, and the cost of living commenced going downward so that the dollar of the worker and the farmer would year after year buy more and more of the necessities of life.

The calamity howlings of the free traders, as usual finding shelter in the Democratic Party, proved untrue again, just as they have proved untrue since the days of the founding of the Republic, when it was argued by free traders that we ought not to start any factories in America because this would interfere with farming.

Every time there is a proposal to revise the tariff the free traders rallying around the Democratic Party, and the Democratic press, become very solicitous about European trade and the welfare of Europe. They seem to think that this international view makes them broad minded. Well, it may make them broad minded, but it does not give them any depth.

And so they charged that this abominable tariff bill of 1930 was the highest in all history, so high that it would dry up our foreign trade and bring us the enmity of the rest of the world. Now, what are the facts about this tariff? Does it build a tariff wall which shuts us off from the rest of the world?

It is pretty generally agreed that the tariff law of 1922 was no longer protective in many schedules. Yet of the 3,295 items in the old tariff law, 2,170 were left unchanged. Duties were increased on only 890 articles; they were decreased on 235. Duties collected on all items in the tariff schedules average about 16 per cent as compared with 14 per cent under the tariff of 1922 and 23 per cent under the McKinley law. And then stop for a moment to consider that under the Wilson tariff law—that masterpiece of Democratic statesmanship back in Coxey's army days—the duties collected averaged 21 per cent, or 5 per cent more than under the iniquitous tariff law of 1930!

Of the tariff laws passed in the past 40 years, only two have had lower average tariffs than this—the Underwood law and the law of 1922, which has just been repealed by the new act.

Furthermore, the percentage of our imports entering duty free under the new law will be about the same as under the law of 1922, and this is about 64 per cent. Only about a third of our imports pay duty, anyhow. So much for this high wall which the Republican administration has erected to shut us off from the outside world.

The new tariff law will help America, not by erecting an unscalable wall, but by giving to the farmer and the other producers who needed it an additional protection by putting them on equal terms with the producers in the rest of the world.

Then there has been great agony among our free-trade Democratic brethren because we are imposing handicaps against the business men of other lands. These foreign producers are philanthropists. They keep their labor ground down to a starvation wage just for the purpose of reselling us goods at low prices. And they are grievously pained that we are unfeeling enough to erect any tariff barriers seeking to protect the standard of living of our American producers, so they would have us believe. Yet, what are the facts? You will be surprised to hear them. Official Government figures covering imports last year show that Uncle Sam collects less than half as much per capita in tariffs as does "free trade" Great Britain, less than half as much as "abused Argentina," less than half as much as Norway, and less than other nations our Democratic friends have been pitying so much. We have heard a great deal of how Canada will suffer because of the barriers erected by our new tariff. Yet mark this: Under our new tariff we will collect just about one-fourth as much tariff per capita as Canada collects and about one-fourth as much as Australia.

The official figures of our Government show that under the new tariff law based on 1928 imports we will collect about $5.17 per capita. Now in 1928 Australia collected $22.65 per capita, Canada $20.46 per capita, Norway $10.49 per capita, Argentina $11.68 per capita, and the United Kingdom $12.86 per capita.

Under the new tariff law, based on 1928 import figures, our tariff collections will be 15.43 per cent of the value of our total imports, while Australia's collections will be 20.31 per cent of the total value of her imports as of June 30, 1928, but much higher under the Australian tariff law now prevailing. Canada's collections will be 15.84 per cent of the total value of her imports; Argentina's 16.13 per cent; Poland's 13.31 per cent; Italy's 11.8 per cent; Norway's 10.79 per cent; United Kingdom's 10.08 per cent; and Spain's tariff law is twice as high as that of the United States. Our country seems to have, under the law of 1930, less than the average world tariff, though it is the only country with so high a wage standard, therefore, having real need for a protective tariff based on its higher standard of living while Europe does not.

It is to be remembered, too, that European countries have many methods of handicapping foreign as compared with domestic commerce, and these practices are not in vogue in the United States. Yet we will have all this propaganda about retaliation by foreign nations who already restrict foreign commerce more than we do.

If these foreign nations want to induce us to lower our tariffs, let them raise the wages of their workmen to the American standard so that we will not need protection. They will then find, too, that they have created a real market at home just as have the producers in the United States. But they will not do it.

In view of the facts, why have we then had this vicious misrepresentation of our new tariff? The reason is not hard to find. The simon-pure theoretical free-traders are no longer numerous enough or powerful enough to do it. The attack has come not only from importers, anxious to dominate the great American market, but from American internationalist capitalists who have now invested so much money abroad in European industries and European production that they are chiefly interested in a return on their foreign investments and are willing to turn the rich American market over to the poorly paid laborer of Europe and the pauper labor of the Orient in order to get dividends from abroad.

They will not be successful, but if they were they would only be killing the goose which laid the golden egg; for the destruction of American production by foreign competition would also destroy the great American market which is created by our prosperous people, and there would then be no great buying power in America for the internationalist capitalists to exploit with their cheaply made foreign goods. If European interests could only see it, they would realize that their market in America depends not on idle American factories but on a prosperous American people who are able to buy American-made goods and oriental and tropical lux-

uries and necessities only because they are well employed at a high wage. That this is true is evidenced by the fact that since the industrial slump in America this year our purchases of foreign goods have greatly fallen off. Our foreign trade increases only when our people are busy and prosperous.

The argument that the tariff increases the cost of living was proved fallacious by the results of the 1922 tariff, which gave us protection following the Democratic Underwood law. Living costs declined, and declined because production and competition were stimulated at home. And, strange to say, the increases in prices which came were in nearly every instance on commodities which came in duty free. Take rubber and coffee, for instances. In these two commodities foreign interests were able to regulate the price and charge Americans what they pleased. The reason was that Uncle Sam could not produce these articles for himself and was at the mercy of foreign production. The question of tariff did not enter in. We all remember the crude-rubber combination which was checkmated by these wise policies of President Hoover, then Secretary of Commerce.

The theory that our protective policies interfere with foreign trade was disproved, too, by the tariff of 1922. Our foreign commerce flourished and grew on protection. The old argument that we must buy from each individual nation as much as we sell is outworn. Foreign trade is no longer a question of trade between any two nations. For instance, we may sell more to Great Britain than we buy from her. On the other hand, Great Britain may sell more to Brazil than she buys from Brazil, and we, in turn, may buy more from Brazil than we sell to her. And so all around the world. It is true that our exports have steadily exceeded our imports. Yet we have not succeeded in acquiring all the gold in the world. For there is an invisible flow of wealth from America. Each year our tourists spend millions upon millions in foreign lands and aliens in America send back to the old countries additional millions to relatives and friends. So when the year is over the books just about balance, and the old Democratic theory of how our protective tariff upsets the balance of world trade proves to be just so much more bunk.

And, above all, it is to be remembered that practically 90 per cent of our production is consumed in the United States. Why should we, then, in a vain and elusive effort to increase the 10 per cent, let go of the 90 per cent, comprising the greatest and richest market in the history of the world? To do so would be about on a par with the action of the stupid mastiff who saw his reflection in the water and dropped the piece of meat he was carrying in a vain effort to get a bigger one.

The fact is that the productive theories of America and Europe are different. We produce primarily for home consumption, because we have a great market of more than 120,000,000 prosperous people. We believe that by paying high wages and constantly increasing the standard of living we increase the demand for our goods at home and make our people happier and more prosperous, giving them constantly more and more of the good things of life. In Europe production is based on foreign trade. The home market is neglected and everything is designed to sell abroad. Consequently the great aim is cheapness in order to undersell the other fellow. And to produce cheapness there must be the lowest wage scale possible with human existence. We believe our theory is the better one and we do not intend to risk it by lowering the barriers to permit an inflow of goods produced at starvation wages in Europe.

Now, do not misunderstand me. I am not decrying foreign trade. We must and will increase our foreign trade, but not at the sacrifice of the home market. We will be able to compete abroad because our tremendous output, designed to supply the great purchasing power in America, will enable us to compete with our European friends.

But, after all, the great future of our foreign trade is not in Europe. It is in Latin America, in Japan and China, Australia and the Orient. Here is the great market of the future, and in developing it along sound, constructive lines our ports on the Atlantic and the Pacific will become bigger, better, and finer in every way.

In spite of the protective tariff law of 1922, the Nation last year ran into a business recession. The reason is not hard to find. With the increasing wage scale in America and the increasing efficiency of production in Europe, the time came when the rates in the law of 1922 were no longer sufficient to give the American producer an even chance in our market in the face of mounting European production. This was true not only of manufacturing but in an equal or greater degree of agriculture.

The proof of this statement is not hard to find. Go into any store and examine the goods sold in the various departments. Note how much of it has been manufactured in Great Britain, Czechoslovakia, in Germany, or in Japan. All of these wares signify American workmen out of jobs and American money flowing into Europe. Small wonder, then, that at last business slumped and a new tariff law was necessary. Indeed, the necessity was envisioned long before the slump came, and had the new tariff law been passed as expeditiously as it should have been passed, the depression would have been lessened and we would have got on to the high road of recovery much sooner. This holding up of the tariff remedy was not due to the Republican administration, my friends, but to the organized minority in Congress, aided and abetted by the free-trade press, the importers, and the American international capitalists who have of late been investing their money in European production.

In the past seven years our imports from Germany and Czechoslovakia more than doubled, from Italy the increase was 83 per cent, from Belgium 37½ per cent, from Spain 25 per cent, from Switzerland 25 per cent, and from France 20 per cent. This in spite of the charge of the Democrats that our 1922 tariff would kill our foreign trade. No wonder, then, that in 1930 tariff adjustments were badly needed.

Now, will the new tariff help the producer in the city and the producer in the agricultural districts? There is no doubt that it will. During the long months of the tariff fight great quantities of foreign goods were imported in anticipation of high tariff rates on certain commodities. As soon as this surplus is absorbed there will be a quickening of our own industry. Indeed the signs are already noticeable. Slowly but gradually business is beginning the long pull upward again. Take the case of the American pottery industry, for instance. For years it has been unable to compete with the cheap wages of Germany and other countries of central Europe. But the new tariff law has afforded the pottery industry some relief, and according to officials in the industry there is already a quickening in the business, and plants, long idle, are beginning to resume activities and give jobs to hundreds and thousands of American workmen who have been idle for months. The reason why protection is needed may be given by citing this pottery industry as an example. To run a pottery tunnel kiln in an American plant requires 10 men at an average wage of $5 per day. In Germany such a kiln is manned by two men at $1.25 each a day and 10 women at 50 cents each per day, or a total of $7.50 a day. There are three solutions to this problem. The American plants must close down, must reduce wages to the European level, or must get a tariff equalizing the cost of production at home and abroad. The Republican way is to raise the tariff, keep the mills open, create jobs for American workers who can in turn buy the products of other American industries, and the beef, butter, eggs, and fruit raised by the American farmer.

What is true of the pottery industry is true of many others. Using the year 1913 as a basis, with its figure 100, our industrial wages had risen by 1926 to 229 and were still increasing, so adding to the purchasing power and standard of living of the American worker. Union wages had advanced to 260. European wages, always below those of America, have advanced comparatively little at the same time, and the wages in Japan and the Orient are still lower. Either American wage earners must be protected, or they must sink to the level of European standards of living.

Now, how about the farmer? Our Democratic free trade brethren claim that he is compelled to buy in a protected market and sell in a world market, and they have shed many alligator tears over this statement. Yet it is not entirely true. Everything which is used exclusively on the farm is on the free list and has been for years. The farmer has long been given favored treatment in this respect.

Wheat is always cited by the free traders as the product which the farmer must sell on the world market. It is true that when the American farmer raises a big surplus of wheat, the price he receives for it is governed by the European market. And yet, according to data furnished by the United States Tariff Commission, from 1921 to 1929 the American farmer on the average received 18 cents more per bushel for the same quality of wheat than his Canadian neighbor. And in the price of livestock and meats the comparison has always been in favor of the American farmer. For example, the price of American wool in the Boston market from 1921 to 1930 has averaged from 16 to 19 cents per pound higher than the price in London, according to Tariff Commission figures. America has been importing too many agricultural products which should have been raised on the farms of America. Corn, meats, eggs, butter, cheese, vegetables, fruits—there are many of these. After the passage of the tariff of 1922 the imports of these products fell off appreciably. But they have increased until increases in the farm tariff were vitally necessary. These increases are provided for in the new tariff law. The farmers got all they asked for in the way of added protection.

But, our Democratic friends cry, some of the schedules are not exactly right. We may grant this. In the passage of a great measure covering every industry in the country, it is possible that errors have crept in. But it is not to be forgotten that under this same bill the President is authorized, through the Tariff Commission, to collect data and information on tariff schedules and to make adjustment of rates where these are necessary. What could be fairer than this?

Ah, my friends, the enemies of the protective tariff law in America are not looking for something fair. Hiding their real purpose behind a pseudo interest in what they call the "poor consumer," as if most consumers were not also producers in America, they are seeking to destroy the American standard of living, and to create a world level so that internationalism may at least take the place of the American idea which is founded on more than a century and a half of successful effort. All of the internationalists of every stripe, the debt cancellation, the League of Nations advocate, the free trader, the pacifist, will be found lined up against the American system of protection. I think their ideal has been expressed in a newspaper article I read the other day of a mythical but typical internationalist college professor. Here is the story:

> One of those thousand college professors who recently joined 40 other unselfish foreign powers in protesting against any increase in the American protective tariff, the other morning threw off a sheet made in England by workmen receiving half the American wage, drew on a pair of socks made by French workmen receiving 40 per cent of the American wage, cotton underwear made by East Indian workmen at one-tenth the American wage, a pair of shoes made by Czechoslovakians working at one-fourth the American wage, put on a suit of clothes made of cloth woven by Scottish workmen receiving 30 per cent of the American wage, and a hat made in Italy by workmen receiving 25 per cent of the American wage, took up a walking stick made in China by coolies receiving one-tenth the American wage, and repaired to a store where he bought his wife a set of dishes made by Japanese toilers receiving one-eighth the American wage, then ordered up a few tons of Russian anthracite coal mined by soviet serfs working at 50 cents a day, and noticing on his way home a number of idle American textile workers, hosiers, pottery workers, shoe workers, hat makers, miners, and the like, sent in his membership to an organization engaged in securing social justice for American toilers, and started a learned brochure on The Cause and Cure of Unemployment in the United States.

FARM RELIEF

One of the questions we hear asked most frequently to-day is "What is the Government really doing for the farmer?" And it is a fair question. The farmer has suffered longer than any other class of our producers from the postwar deflation, and the end is not yet, although it is to be expected that as general conditions improve again the condition of the farmer will improve too.

The Government has always been diligent in helping the farmer, and never more diligent than it is to-day and has been since the present Republican administration went into effect. First, it is to be remembered that the greater part of our agricultural land to-day was distributed either free to the first settlers or sold at a price approximating a dollar and a quarter an acre. This indicates that the Government early appreciated the importance of building up a great agricultural and livestock industry in America. The brave men who received this land in the first place were, of course, entitled to it. Without them we could not have developed this great country which we have to-day. This fact is so evident that I think it hardly necessary to discuss it.

And in an increasing measure down through the decades, as our agriculture has developed, the efforts of the Government to assist it have redoubled. I need not remind you that one of the greatest and the busiest, as well as the most effective of the Government agencies at Washington, is the Agricultural Department. Its efforts to help agriculture are widespread. It assists in the developing not only of the farming industry but of the livestock, the fruit-growing and similar industries. It is constantly experimenting to provide better seed and better fertilizers for the farmer. It sends its agents all over the world in search of crops which will be adapted to increasing the profits of the American farmer. It constantly experiments in its efforts to improve farming methods. It seeks to assist in the marketing and distribution of crops by promoting better highways, and agricultural agents all over the world are seeking to gain information on foreign crops that will better enable the American farmer to direct his production along proper lines.

In short, the activities of the Department of Agriculture have been divided into seven classes—research, extension, information, eradication or control of plant and animal diseases and pests, service activities such as weather and crop reporting, the administration of forest and wild-life refuges, and the development of market-road programs. And in its various activities the department cooperates with other governmental agencies which can in any way assist in improving the status of the farmer.

For example, the Government is now setting up in various parts of the world crop-reporting stations. This is the result of work of a special committee appointed by the new Federal Farm Board to study the foreign needs of the Department of Agriculture. The committee, composed of eminent men, decided that one of the greatest needs was permanent foreign market reporting stations. The committee found that at least 10 foreign posts would be needed to keep the American farmer informed on the world condition of important crops. These posts as suggested will be at London, Berlin, Marseilles, Copenhagen, Bucharest, Buenos Aires, Melbourne, Johannesburg, and Shanghai.

The committee points out that the farmers need this service for several crops which meet foreign competition. For instance, the wheat farmer should have real inside information about the wheat crops in Canada, Argentina, Australia, and other important wheat-producing countries. He should know about the quality as well as quantity of foreign wheat. American apples and other fruits, as well as cotton and tobacco, meet foreign competition, and our apple growers, as well as our wheat growers in our own Northwest, will benefit from this new service. So will the farmers who produce the stock that goes into our meat products.

But, you may say, this is fine, and the Department of Agriculture has been widening and extending its service for years. What has the present administration, of which you are a part, done for the farmer? I think the question is a fair one, and I will endeavor to answer it as fairly as I can in the brief time at my disposal.

I think it will be admitted that one of the farmer's chief problems is the financing and orderly marketing of his crops. Loans have been made possible in the past to farmers at low rates of interest, and these have been of great

benefit, but I believe that the agricultural marketing act, passed by Congress in this administration and signed by the President, is, perhaps, the most important piece of legislation ever enacted by our Government for the farmer. But to summarize briefly: This administration, in keeping its pledges for farm relief, has taken four steps. First, it has created the Federal Farm Board to assist the farmer's own marketing organizations and has enacted other legislation to govern the distribution of perishable farm products. Again, it has helped the farmer by affording him more tariff protection. Again, it has launched a program for the improvement of inland waterways so as to provide cheaper transportation for the farmer's produce to primary markets. And, lastly, it has increased the Federal appropriations for improved Federal highways.

The new act has provided the Federal Farm Board with a revolving fund of a half a billion dollars to help the farmer-controlled marketing institutions provide for a wise marketing of the crops. The farm marketing agencies are being reorganized and consolidated and made into national institutions to handle the marketing of wheat, cotton, wool, and other great American commodities.

Already a great deal has been accomplished in this respect, but a great deal more remains to be done. It is unfortunate for immediate results that the new system was put into effect necessarily at a time when the various nations of the world were in a state of business depression, but I am confident that my statement made to you a few moments ago, as to the importance of this act to the farmers, will in time be fully demonstrated. Broadly speaking, the purpose of the act is, through the Farm Board, to minimize speculation in agricultural products, promote efficient and less wasteful methods of distribution, encourage the organization of cooperative marketing associations as a price-stabilizing factor, and to help prevent surpluses in orderly distribution and production, so eliminating so far as possible undue fluctuations in prices. In concluding my remarks concerning this Federal farm aid act, let me remind you, in the words of one of the pioneers in this movement, that this effort to organize the industry which feeds and clothes America is a pioneer movement just begun. In conformity with the expressed purposes of the law, the Federal Farm Board has laid down a forward-looking program which contemplates the cooperative organization of agriculture by commodity groups. And while this act will eventually maintain a fair and just price level, assuring the farmer a proper return on what he raises, let me state to my hearers who live in the city that this act does not contemplate an increased cost of living but an increase in the buying and earning power of the American farmer, without whose prosperity our industry and labor must suffer.

I think it is unnecessary for me to dwell upon the development of inland waterways and market highways. The value of these developments is too well known to need more than mention here. Sufficient to say that this administration has greatly enlarged the program for inland waterways and for highway improvement.

Now, let me say a few words about the relation of the new tariff to the farmer. Broadly speaking, the rates on farm products in the new law are the rates asked by the representatives of the farmers themselves. Rates on farm commodities, on the whole, were increased 51.6 per cent, while the increase in industrial products was but 14.6 per cent. Not only is this true but it remains equally true that all things which are used exclusively by the farmer on the farm continue on the free list. In the light of these facts the old Democratic cry that the tariff does not help the farmer seems a trifle far-fetched, to say the least.

If you are one of those who do not believe that the tariff can help the farmer, just consider that the new law provides increased duties on agricultural commodities, of which we imported in 1928, $287,000,000 worth in the raw state and $333,800,000 worth in what is called the first processed form. In other words, we imported agricultural products in the sum of $620,000,000, on which the new tariff will give the farmer additional protection.

Among the important agricultural products on which duties have been raised are cattle, meats and meat products, hides, wool, flaxseed, soybeans, butter, cheese, milk, casein, eggs and egg products, a large variety of fresh fruits and fresh vegetables.

And it is no argument to say that what he gains has been nullified by higher prices that he must pay on things he buys. In the first place, prices are no higher now than before the passage of the tariff bill. Sugar is a case in point. It is now selling at the lowest price since the foundation of the Government, and that in the face of an increase in the sugar tariff. But even aside from that, the statistics show that 50 per cent of the things the farmer purchases are commodities produced by American agriculture itself; 39 per cent of what he purchases, including practically everything used exclusively by farmers, is on the free list. This leaves only 11 per cent of his expenditures for commodities which are affected by a tariff and of which he is not a producer.

MERCHANT MARINE

Our growing merchant marine is an institution which is dear to the heart of every patriotic and far-sighted American. Although for a long period it had almost disappeared from the high seas, our merchant marine is a historic institution. It originated in colonial times, and indeed one of the chief causes of difference between the colonies and the mother country during the stormy days before the Revolution was that of a shipping policy. England wanted to keep the shipping business for English vessels, while the colonists were determined to have shipping of their own.

After the Revolution and up to the time that steam became a principal motive power on the seas the American merchant marine grew steadily. This was one of the happiest periods of our marine career. The Yankee clipper ships were the pride and joy of every American heart. They sailed every sea, manned by hardy and venturesome Yankee sailors, and they unfurled Old Glory to the breezes in every clime. Then came the Civil War, a time when the efforts of the Federal Government had to be directed entirely to the task of saving the Union. Confederate privateers built in England and France preyed upon Union commerce, and during those four dark years of civil strife the American merchant marine seemed to have had its deathblow.

In the years of reconstruction nothing was done to build up our merchant marine. Occasionally prophetic voices would be heard in the Halls of Congress predicting dire disaster unless something was done toward reconstructing our merchant marine. But nothing was done, and it took a great World War to bring us to our senses in this respect. Then the need of a big American merchant marine was immediately visualized, at a time when it was almost too late. Feverishly the National Government went to work to build a marine. Hundreds of millions were spent, and costly mistakes were made, some of them almost ghastly errors. Who, indeed, has forgotten the fiasco of the wooden fleet which was to do great things but proved only to be a costly mistake?

When the war closed and we began to count the cost, it seemed that our young merchant marine, built by the Government itself at so great a cost during the days of the war, was to disappear again. But there was wise statesmanship in the Republican administration of reconstruction days that determined that this must not be so and that Uncle Sam should have a real merchant marine which should be privately owned and operated, with whatever assistance the Federal Government should legitimately give it. And so private shipping companies were encouraged, new trade and mail routes were created, and our merchant ships were sold to private shipping lines flying the American flag as rapidly as this could be done.

This brings us down almost to the present. The last platform of the Republican Party, adopted at Kansas City in 1928, said:

> The Republican Party stands for the American-built, American-owned, and American-operated merchant marine. The enactment of the White-Jones bill is in line with a policy which the party has long advocated.

Under this measure substantial aid and encouragement are offered for the building in American yards of new and modern ships which will carry the American flag.

The Jones-White bill is the most constructive bit of merchant-marine legislation which has been enacted in the United States in a century, and its functioning has been made more efficient by President Hoover in appointing an intradepartmental committee of Cabinet officers and the Shipping Board. As a result great progress has been made in the forming and mapping out of overseas steamship mail routes, and in stimulating ship construction in the United States. Seventeen routes have been established since the Hoover administration went into office, and these require the construction of 51 new ships of 467,500 gross tons and a cost of nearly $200,000,000. These ships are to be built within the next five or six years and in the fleet will be some of the largest and fastest ocean liners in the world. And the additional cost of mail contracts which makes all these additions to our merchant marine possible is only something like $5,000,000. In its policy of selling Government-owned ships to private ownership the Shipping Board is continuing its constructive work, and during the past year and a half has disposed of 189 ships for more than $12,000,000, the vessels going to shippers who promise to operate them under the American flag.

Now, what is this Jones-White shipping bill? It seems hardly necessary to answer this question for a ship-minded audience of Portland citizens. By the establishment of mail routes and the letting of long-time mail contracts and by long-time loans to shipbuilders it has brought about this tremendous revival in the American merchant marine.

The figures of our marine development are astonishing and ought to bring pride to every American heart.

In 1914 six American-flag ships of 70,000 gross tons were in operation in the European trade. At the present time 230 American ships of a million and a half gross tons are employed in European service. In the South American trade in 1914 we had 5 flag ships of 23,000 gross tons and now have 90 ships of 550,000 gross tons. In 1914 we had no ships going to Africa, and now we have 22 vessels of 125,000 gross tons in the African trade. On the Pacific coast we have developed from a total of 5 ships, so that now 140 ships of a million gross tons are employed in our foreign trade.

At this time American companies are operating 83 regular-line services employing 671 ships of 3,866,000 gross tons, and there is also in operation the American-flag tanker fleet of 259 vessels of 1,712,000 tons, so that we now have a total fleet of 940 vessels of more than five and a half million gross tons operating in foreign and noncontiguous trade service.

Now, one may well ask, Just what is the benefit of a big merchant marine to our country, anyway, and why should the Government assist its development? The answer is not hard to find. A merchant marine, big and active, is of vital necessity to the welfare of the Nation in time of peace as well as in time of war.

The merchant marine is essential in time of war, because it acts as an auxiliary service to our Navy, a service without which the efficiency of the Navy would be reduced to a minimum. Our national safety, therefore, demands an efficient and sizeable merchant marine.

But the demands of peace are fully as important. We need a merchant marine to encourage and develop our foreign trade, to prevent our suffering in time of world-wide ship shortage due to war, in which we may be a neutral power, and to prevent unfair shipping rates.

Of course, British and German ships will be glad to carry our commodities to all parts of the world. But British and German marine officers are naturally and justly interested in their own countries first and will seek to promote the foreign trade of their home countries to the detriment of ours. We, therefore, need marine officers who will look after the interests of our producers first. The soundness of this argument is proved by the fact that since the war and the development of our new merchant marine, while our foreign trade with Europe has increased 50 per cent, our trade with South America has increased 200 per cent; with Africa, 325 per cent; and with Asia, 380 per cent. In this conjunction let it be remembered that before the war 90 per cent of our foreign trade was carried in foreign ships. During the past 10 years 35 per cent of our foreign trade has been carried on American ships, and the percentage is steadily increasing. It will soon reach 50 per cent.

Now, in case of a world shipping crisis brought on by a foreign war in which we have no part, foreign shipowners would naturally look after the interests of their own countries first. Had we no merchant shipping of our own, it might easily turn out, therefore, that the products of our own farms and factories might be left rotting on the wharves while foreign ships were looking after the requirements of their own countries. With a big merchant marine of our own such a calamity would be impossible.

Again, it is easily possible, were there no American merchant marine, for a combination of foreign shipping interests to gouge the shippers and producers of our own country by means of high rates. This idea is not as visionary as it sounds. We remember what the foreign rubber interests tried to do to us a few years ago. We broke the combination by cutting down our use of rubber. But the same remedy would not apply in the case of Shipping Trust, because refraining from foreign trade to beat the foreign ship combination would be a disastrous procedure. The best way to prevent such a condition of affairs is to keep developing our own merchant marine.

There is one other phase of the situation important to us, and that is that the development of our marine promotes the shipbuilding industry on the Atlantic and Pacific coasts. This has already been brought about, and reports of the United States Shipping Board show that never before in peace times has there been so great a development of our shipbuilding industry as at present. And increased activity in our shipyards, it is to be remembered, brings increased activity to other industries all over the country, for nearly every State in the Union is called on to contribute materials which go into the building of our ships.

ECONOMIC CONDITIONS

During the past few months the United States has been going through a major economic depression, the first we have been called on to undergo for nearly 10 years. During the past seven years, up until last fall, we had been in the midst of unparalleled prosperity. It is unnecessary for me to recite the history of the depression which struck us, unexpectedly in most instances, just about a year ago.

This depression, in which we now seem to be in the final stages, differs somewhat from many of the depressions in the past, in that its causes are to be found in part outside the United States. In other words, the depression and the slump in commodity prices is world-wide.

In fact, with the single exception of France, the United States was the last nation to feel the depression. That the depression is world-wide is evidenced by an examination of conditions in other countries. The two greatest trading nations in Europe, perhaps, are Great Britain and Germany. And we find that in these countries conditions are much worse than in the United States, and have been for a long time. France is just now beginning to feel the full effects of the world-wide let-down in business, although its business has been steadily declining for months.

The slump in commodity prices came in most countries early in 1929, and this was followed in each instance by a slump in foreign trade. For example, in January, 1929, Great Britain exported 383,000,000 square yards of cotton goods. Then the slump hit her, and the exports went steadily down until in July of this year they amounted to barely 200,000,000 yards. Unemployment in Great Britain and Germany has been steadily growing. In the Western Hemisphere we are not the only nation to feel the effects of the slump. Canada reached its high point in January, 1929, and then commenced to slump, months before the depression was noticeable in the United States. Conditions in Cuba and the nations of South America have steadily grown worse, too.

The effects of the depression have been political as well as economic, and have in many instances resulted in revolution. In Great Britain the same labor government is still in the saddle, but principally because, perhaps, no other party now wants the responsibility of government. In Germany the hard times have resulted in a great increase in the Fascist vote, so that Adolph Hitler and his National-Socialist Party are now second in strength in the Parliament and are now crying loudly for a revision of the war settlements.

There has been unrest in Spain, Rumania, and many other European countries, an upset of the government in Austria, and many crises in the Balkans. Turning to South America we find even more tangible results of this world-wide depression. First came the downfall of President Leguia, dictator of Peru, an extraordinarily able man, who was sacrificed, however, to the revolutionary spirit of the times. Then came the revolution in Argentina, with a complete overthrow of government, and lastly the present revolution or civil war in Brazil, the end of which is not yet. In each instance the trouble was the result of bad economic conditions. The situation is serious in Cuba, too, where many of the constitutional guaranties have been suspended by the government.

Now, in America we do not change our Government by revolution when hard times come upon us. But a great many of the unthinking ones this year have sought to place the blame for this world-wide depression upon President Hoover and the Republican administration. The attempt is ridiculous and illogical, although it seems to be inevitable in a political nation like our own.

Some of the Democratic leaders have not only blamed the administration but have gone further and blamed the new tariff, although this was not enacted until months after the depression was fully upon us; not, in fact, until the bottom of the business slump had been reached.

The truth, of course, is that had it not been for the quick and decisive action of President Hoover when the slump came into full fruition with the stock-market crash conditions would be much worse than they are to-day.

The President, it will be remembered, immediately called to Washington the representatives of the great railroads, the great manufacturing industries, the great utilities and labor organizations of the country, and organized the Nation so that it might so far as possible survive the shock and throw off its effects without undue delay. The business heads promised to go forward with constructive programs and not to reduce wages. The labor leaders agreed that there would be no strikes for higher wages during the critical days. And the national, State, and local governments agreed to cooperate in pushing great public works during the depression in order to keep as many men employed as possible. Income-tax cuts were made to restore confidence and ease the burdens of business.

Everyone has cooperated, with the result that we have gotten along much better than might have been anticipated. I do not say that we have not had hard times, or that we do not have great unemployment, but I do say that we are infinitely better off than any other nation in the world, and that we would have been much worse off had it not been for the decisive action of President Hoover during those critical days and the fine cooperation which he received. I agree with Secretary of Labor Davis who said recently:

> The old sweeping lay-offs and wage slashes have not been resorted to in this period of depression. The leading employers and the leaders of labor called into conference by President Hoover agreed to maintain employment and institute no new wage demands. It was a mighty effort at stabilization, and while it did not stave off some measure of the depression it did prevent the country from hitting the bottom as it has in every instance before. In due time this application of wisdom and effort must bring a return to normal conditions. But until that occurs we must exercise patience, we must share each others' burdens, and we must pull together for the common end.

Of late a wave of pessimism has swept over the land. Many of us have become just as unreasonably pessimistic as we were optimistic a year ago, when some people seemed to believe that the rise of values would never end. Now there are apparently as many who believe that values will never rise again. Let us remember, therefore, that we have the same country, the same resources, the same energetic, intelligent people, the same potential buying power that we had a year ago, when it seemed that we could never be stopped. Now, what is to prevent us from once more getting on the high road and resuming the march of progress and prosperity?

Our friends, the Democrats, may rail against President Hoover and the present administration, blaming him for an economic condition which is world-wide and due to inevitable postwar deflation; they may even blame President Hoover and Congress for the great drought which has stricken so many parts of the country and added to the general depression. But until they offer some constructive remedy of their own—a thing which they have not done up to this time—we will have the right to put their wailing down to the requirements of political strategy. The Republican Party never has based its hope of victory on calamity. It has always been a constructive force and has left the criticism to the opposition. It does not claim now that everyone is prosperous and happy. But it does believe that the way of President Hoover in organizing and securing cooperation and promoting confidence is a better way to end depression than the Democratic way of sitting back and gleefully pointing to the unemployment figures as though some great political enjoyment were to be derived from national misfortune.

There are some good reasons for believing that the worst of the depression is over. Retail buying is picking up, car loadings are increasing, and there is more building of homes now than for many months. Most important of all, commodity prices seem to be stabilizing themselves and building a foundation from which there can be an advance in the near future.

In the meantime we can all pull together and vote to support the President in his constructive efforts, looking calmly into the future, relying upon the fine patriotism and progressive spirit of the American people.

IMMIGRATION

Ever since the Republican Party came into power nationally, after the close of the World War, one of its policies has been the progressive application of the principle of restricted immigration. That such a policy has been not only constructive but, in light of recent events, essential to the well-being of our country can be easily demonstrated. In starting out on the subject, however, it might be well for a moment to review the history of our immigration from the founding of the Republic. Some of the Colonies had immigration restriction, based principally on religious issues, but it is safe to say that during the first century of our national history, following the Revolution, immigration was for all practical purposes unrestricted.

Before the year 1820 no official record of our new citizens from foreign lands was kept at Washington, but it is conservatively estimated that from 1783 until 1820 approximately 250,000 immigrants came to the United States; certainly not a great number for a period of nearly 40 years. And, indeed, immigration from 1820 to 1840, though steadily increasing, was moderate, never reaching the figure of a hundred thousand a year. But after the latter date immigration increased rapidly. The potato famine in Ireland in 1846 was followed by a tremendous wave of immigration from that country, and revolutionary and political troubles in Germany brought successive waves of Teutonic immigration. During this period many families came from England, Ireland, Scotland, and Germany, whose sons were in later years to loom large and honorably in the history and in the development of our country.

Then the Civil War came, and immigration was temporarily interrupted, as it was to be interrupted later during the World War. But after the Union was restored immigration grew rapidly again and on an enlarged scale.

In short, there have been five waves of immigration to the United States. The first came from Great Britain and Ireland but was intermingled with a large percentage of Germans. The second consisted of subjects from the Brit-

ish Isles and Germany, with a mixture of Scandinavians. The third wave, which reached its crest early in the eighties and began to recede after 1892, was composed largely of British, Germans, and Scandinavians, with a mixture of immigrants from southern and eastern Europe. The fourth wave, extending from 1903 to 1914, brought few people from the British Isles and northern Europe but a great wave of immigrants from southern and eastern Europe. Immigration was again interrupted by the World War, but, following the close of this struggle, commenced the fifth and final wave, again principally from eastern and southern Europe. This wave doubtless would have become an overwhelming flood had it not been for the application of the principle of restrictive immigration.

The first attempt to restrict immigration came in 1882, when Congress passed two bills. The first was the Chinese exclusion act, still in force, and the second was the first general immigration law excluding foreign convicts, idiots, lunatics, and those who might become public charges. Then came the first quota immigration law in 1921, made necessary because it became apparent that with Europe impoverished by the World War we might soon be overwhelmed with a flood of immigration which would eventually impoverish us. That this law was necessary is indicated by the fact that European immigration jumped from 24,600 in 1919 to 625,000 in 1921. The law of 1921 was superseded by the present quota limit act of 1924, which limits the quota from all countries combined to 164,667.

Now, let me say a few words as to the good which has been done by these laws passed during the past decade. It may be necessary to quote a few figures, but I will be as brief as possible in order not to tire you.

Before the World War immigrants were coming at the rate of over a million a year, the total number admitted in 1914 being 1,218,480. Then following the World War the figures were again approaching the million mark with prospects of going much higher. In 1921, prior to the per centum limitation act, the total figure from all continents was 805,288. Following the passage of the act the number dropped to 309,556 in 1922.

In 1925, following the passage of the present quota law, the total number of alien immigrants admitted was 294,314, dropping from 706,896 the year previous. For it is to be remembered that immigration has not been restricted by quota so far as citizens of the nations of the Western Hemisphere are concerned. Of this total in 1925, 50 per cent came from European countries, nearly 43 per cent from northern and western Europe, and 7.9 per cent from southern and eastern Europe. The proportion of northern European immigration was greatly increased, while that of eastern and southern Europe decreased.

The total number of immigrant aliens during the last nine fiscal years, 1922 to 1930, was 3,301,981, or an annual average of 366,887. The yearly average for the three years 1922 to 1924 was 513,124, and during the last six years only 293,768.

Now, judging by the immigration figures of the pre-war years and of the year 1920, just previous to the passage of the first restrictive immigration act, it can safely be assumed that at least 6,000,000 immigrants would have come to the United States from Europe alone since 1921 instead of the 1,825,000 that actually have reached our shores. And not only has there been a decrease in immigrants since 1921, but the percentage of common or unskilled workers had dropped from 55 per cent in 1914 to 28.8 per cent in 1930, indicating that under our new laws the quality of immigration is increasing just as the quantity is decreasing.

It is not hard to visualize what would be the situation in our country to-day had unrestricted immigration been allowed to stand. We would have had at least 5,000,000 and perhaps 6,000,000 or 7,000,000 more idle workers in the country to-day than there are at present, when, for the time being, there are not jobs enough to go around. This is a picture which we do not like to visualize, and a situation which we do not like to dwell upon. Certainly the restrictive immigration act has been a blessing not only to our American workingmen but to the institutions of the country as well.

In fact, further immigration restriction now seems necessary, because of temporary economic conditions, and President Hoover recently very wisely took steps further to cut down immigration with a view to aiding the unemployment situation in our country. The President announced that the State Department, through its consular agents abroad, would refuse visas to alien laborers seeking work in this country. This action is to be taken on authority of the law which permits exclusion of immigrants who are liable to become public charges. In normal times the applicant for admission to the United States, who is an able-bodied person with means to support himself until he gets to the United States, is admitted, if he comes within the quota. But in abnormal times, like the present, when there is no reasonable prospect for employment, the visa will be refused.

The State Department has pointed out that by enforcing this section, and other sections of the law, immigration from Mexico, hitherto unrestricted, has been greatly reduced during the past year. I think you will agree with me that we do not need much immigration while there are American workers out of jobs.

I favor the enforcement of the restrictive immigration law and its strengthening wherever and whenever the wisdom of experience gained by its operation shows that it should be strengthened. In taking this stand I do not wish to be thought chauvinistic. I do believe that the United States is the finest country on the earth and that its civilization will match any other civilization in the honesty, industry, intelligence, and morality of its citizenship. I do not, however, want to be interpreted as asserting that we are better than the other nations of the earth. I am willing to concede that in the other civilized nations there are citizens just as fine and just as intelligent as those found in our own country, with high ideals and earnest purpose. I am fully cognizant of the splendid part which has been played by the immigrants and sons of immigrants who came to us during the nineteenth and early part of the twentieth century. Without this new blood the development of our great resources would have been retarded.

But conditions have now changed. The country is filling up. And there can be no question that without restricted immigration we would ere this have been engulfed in a flood of alien immigration which it would have been difficult for America to absorb. Therefore, to protect the American ideals which have been developed in America, in part by some of our immigrants themselves during the past century and a half, to assure a continuance of our American system, and lastly to protect our American workers in their jobs and in their opportunity for prosperity and material advancement, I believe that the restrictive immigration system is necessary. For what good would it do to protect the American worker from foreign-made goods and then without restriction admit the foreign worker himself?

Nothing which the Republican Party has accomplished during its tenure of office, now approaching a decade, has been more constructively important than its building up and strengthening of our immigration laws.

NATIONAL DEFENSE

One of the fundamental duties of a government toward the people is national defense. This is a statement so evidently true that it can be accepted without argument and without proof. We are told in the preamble to our Constitution that one of the reasons for the adoption of that all-important document was to provide for the common defense.

When thinking of national defense our minds turn naturally toward the Army and Navy. In the United States, because we have thousands of miles of ocean width to the east and west of us, and for the further reason that we have friendly and less populous nations to the north and south of us, the Navy is commonly and properly regarded as our first line of defense. So long as our Navy is as good as any navy that floats we feel that we are reasonably free from attack by a foreign foe.

As a result it has been deemed best and most economical to the people to provide what might be called in civilian terms a skeletonized Army, but one capable of being quickly increased in numbers in case of national crisis. To explain how this system is worked out, it might be said briefly that the Army of the United States is composed of the Regular Army, the National Guard, and the Organized Reserves. The Regular Army is a small, highly trained body of professional soldiers, much smaller than the regular army of any country half our size. Its size, relative to the population of the United States, might be compared to the police force of a modern city like Portland. The purpose of our Regular Army, as constituted, is to provide instructors for the other contingents and to constitute a first line of land defense, a nucleus around which a greater Army could speedily be developed in time of emergency.

The National Guard is a body of men whose military career is subordinate to their civil life. They are organized and equipped like the Regular Army, but are not so intensively trained, although they would form an important and effective addition to the Regular Army in case we were suddenly attacked.

The third branch of our Army defense is included in the Organized Reserves. The reserves provide the skeleton organizations into which would be fitted those able-bodied men between the ages of 18 and 45, who, the Constitution of our country states, are liable for military service in the common defense. Now, we do not want to be caught unprepared as we were at the beginning of the World War, and for this reason we have established the Reserve Officers' Training Corps, the function of which is to keep a supply of leaders, normally in civil pursuits, available for call in time of great emergency, and hence to provide for the common defense. This Officers' Reserve Corps is the very foundation of our comprehensive system of common defense. The pacifists, who oppose our defending ourselves as a nation, realize this, and that is why they oppose so vigorously military training in our schools and military training camps which are held each summer in various parts of the country. Fortunately, however, the attacks of our pacifists have failed in their purpose up to this time, and the training camps of the summer just past were the best in point of attendance and efficiency which have yet been held.

To sum up briefly this statement of our military defense in its three branches it may fairly be said that we have developed a fine system, free from the dangerous taints of militarism and the expense of a great standing army, under control of our citizens, and working toward good citizenship everywhere, a constructive force in time of peace as well as a defense in time of war.

In turning to our naval defense, our thoughts naturally center first on the naval limitation conferences held in Washington and London. In the Washington conference the great naval powers under the leadership of the United States agreed on a limitation of the number of battleships in which we were to have equal strength with Great Britain and a preponderance of strength over Japan in the ratio of 5 to 3.

In the London conference held only a few months ago the question of cruisers was paramount. After the conference seemed destined to end in failure an agreement was finally reached which gives us parity with Great Britain in the matter of armed cruisers and a preponderance over Japan and the other naval powers.

There is, however, one important difference. In the matter of battleships, in the Washington conference the United States "had the edge," so to speak, and in a few years under its program would have had by far the most powerful battle fleet in the world. When battleships were limited, therefore, Uncle Sam could and did stop work on battleships which were partially constructed in order to accomplish the required parity.

But the situation in the London conference with regard to cruisers was entirely different. After the Washington conference the United States eased up materially in its program of building cruisers under the belief that naval competition was to end. It was a mistaken belief, however, as Great Britain and Japan, to say nothing of the other naval powers, embarked on great cruiser construction programs. As a result, by the time 1930 rolled around, we were in an inferior position regarding armed cruisers, which comprise a very vital arm of naval defense. Great Britain maintained that she could not cut her cruisers below a certain limit, and when the London parity agreement was reached it became necessary in order to maintain parity that we build up to parity.

Now, here is the real danger to our naval defense, and the danger does not lie in the result of the London conference which was an honest attempt to reach naval parity and to carry out the efforts of the American Government toward lightening the armaments of the world. The real danger lies in the chance that we as a nation will not build up to the cruiser strength allowed us in the treaty.

It has become apparent that certain professional pacifists and pacifist organizations who urged us to sign the treaty and obtain parity are now going to busy themselves in an effort to see that we do not build up to parity, but remain in a position inferior to Great Britain and Japan so far as cruisers are concerned. It is becoming evident that they are planning to bombard Congress with petitions to prevent the attainment of parity which the treaty undertook to guarantee. They will argue that now that there is no danger of war and that the naval-building program will be expensive and a waste of money.

The plans of replacement and construction prepared by our naval officers will call for an expenditure of about $200,000,000 a year for the next five years. This looks like a big sum, but it is to be remembered that half of it is for replacements which have had to be made, anyhow, treaty or no treaty, so that the cost of new construction will be around $100,000,000, or about 80 cents apiece for every American—surely not a great sum when we consider what is at stake.

But if you are disconcerted by the figures, let me say again that so much construction is necessary because since the Washington conference we have only laid down or appropriated for 11 ships, while Japan laid down or appropriated for 125; France, 119; Italy, 82; and Great Britain, 74. So it seems that we took naval limitation more seriously after the Washington conference than our naval rivals. And it is to be remembered that every dollar spent for naval replacement or construction will be spent in America and will give employment to American workers at American wages.

In their efforts to discourage our building of cruisers up to parity the pacifists will say that there is sentiment in Great Britain and Japan not to build new ships and that because of this we ought not to build. That is exactly the argument used by the pacifists after the Washington conference. Well, we tried the policy then and it did not work, as the figures I have just quoted on naval construction eloquently show.

When Uncle Sam stopped building cruisers after 1922 the other nations speeded up, and they showed no disposition to halt or to want limitation until the United States passed a bill providing for 15 new cruisers. Then they were willing to talk terms. Even the Labor government, which was in power during a considerable part of this time, approved of the construction of cruisers which would put John Bull ahead of Uncle Sam. It was only our determination to put on a building program that brought them to terms and to an agreement to cut down their programs.

It ought to be evident to everyone, therefore, that if we want to maintain parity and to be able to work for further limitation in the future, we will have to build up to the treaty limit so as to be in position to make ourselves effective when another conference is called, as well as to protect our people in the meantime.

Uncle Sam has been showing the way toward peace and limitation of armament ever since the close of the World War, and I believe that his record on that subject must be clear to all the world. We have reduced our Army to a minimum, although we have not sacrificed its efficiency or its mobility, and possibilities for expansion in time of trou-

ble, and we will not sacrifice these unless we fail or refuse to support the program of training camps and developments of reserve officers. We have agreed to naval parity when we could have had superiority.

Now the first arm of our defense is the Navy. In accordance to our wealth and population, we are entitled, to say the least, to a Navy as good as any other navy in the world. So far as I am concerned, I intend to lift my voice and direct my efforts wherever possible toward acquiring this parity under the naval treaty which was signed in solemn agreement at London. Not to build up to the treaty requirements would be failing to live up to the international agreement made in London, and it would be a serious mistake so far as the welfare and safety of the people of the United States are concerned—but it is a mistake which we are not going to make if we have the support of all real Americans for our program.

FOREIGN POLICY

The policy of this administration, as well as that of previous Republican administrations, with regard to foreign affairs, has been a helpful cooperation with other nations of the world in the interests of peace and general international welfare. At the same time it has been our policy, and will continue to be our policy, to avoid involving the United States in any entangling alliances or commitments of any kind. We have realized as a nation that the advice which George Washington gave us in his farewell address still holds good, that we want to win the peace and friendship of all nations without committing ourself to any international policy or line of action in advance.

This was the policy of the Republic from its very beginning until the close of the World War. Then a tremendous effort was made to reverse our foreign policy and to induce the United States to enter into a program of helping to regulate the affairs of the whole world through membership in the League of Nations. It is not necessary for me to review the various phases and rehearse the arguments which were used for and against our league membership when the great fight over the question was waged in the United States Senate.

Sufficient it is to say that Republican leaders in the Senate waged the fight against the league and as a result defeated our entry. This verdict of the Senate was overwhelmingly approved by the people of America at the polls in the two succeeding national elections in which membership in the League of Nations was an issue.

Subsequent events have proved that those who advocated our remaining out of the league and out of European entanglements were correct. We have to do nothing more than to take a look around the world to-day to know that this is true. Everywhere there are mutterings of discontent. Europe is enduring a depression much worse than the one in the United States. There are millions of unemployed in Great Britain and in Germany and even in France prosperity seems to have passed its peak. There is unrest and disturbance in the Balkan nations and dictatorships are either in the saddle or are in the making. And in the East is the growing figure of Russia eager and anxious to take advantage of every opportunity to undermine and destroy the civilization of western Europe and of the New World.

And the political unrest is even greater than the economic unrest. On every side there are mutterings of discontent against certain phases of the Versailles treaty, or expressions of fear that efforts are about to be made to overturn the treaty. Italy feels that it lost many of the fruits of victory to which it was entitled. The Balkan countries are suspicious of Italy and Germany, and suspicious of each other. Germany looks with longing eyes on the Polish corridor, and Poland is determined to resist any change in the treaty even by force of arms if necessary, counting as she does on the active aid of France. And between France and Italy, two of the great powers of Europe, there are differences which may in time lead to an outbreak of hostilities. Lack of financing seems at present to be the greatest detriment to war in Europe.

Every American, as he gazes at this picture, ought to be thankful that he is a citizen of the United States and ought to be thankful, too, that his Government is not committed in advance to settling these difficult questions as they come up, questions in which we can have nothing more than an academic interest.

But, the internationalist replies, it is a duty we owe to humanity to use our good offices wherever possible in the interests of peace and progress. With this statement we can have no complaint. But it has been the opinion of the Republican statesmen that we can best help Europe by retaining our freedom of action, by avoiding future commitments which might arouse suspicion in various countries, and so because of our very disinterestedness and detachment, being able to command the respect and confidence of the rest of the world when a crisis arises. In short, we have believed that we could do more for ourselves and the rest of the world with our hands untied than if they were tied to a special program by advance agreements.

Now the proof of the pudding is in the eating thereof, and I believe that our record in national affairs during the last nine years amply proves not only that we have done well for ourselves to keep out of Europe's business, but that we have done better by Europe, too. Our record of constructive achievement in the interest of world peace and progress is one of which we may well feel proud, as is ample refutation of the charges of the internationalists that we have built a well of selfish isolation around the United States.

The Republican Party, not only during this administration but for the past nine years, has had a policy of international conciliation and constructive effort. We made peace with Germany and Austria, took the lead in calling two great naval conferences in the interest of the limitation of naval armaments, in the first of which we made tremendous sacrifices, and have shown in other ways our devotion to the cause of peace.

Since the present administration took office our record on foreign relations is one of which every American can feel proud. Soon after his election President Hoover went on a good-will tour of Latin America and the results were of lasting benefit in promoting good will between our peoples and the nations to the south of us.

President Hoover has also had the good fortune to be able to proclaim into effect the Kellogg-Briand treaty for the renunciation of war. This document, inspired in America, means, in short, that the nations of the world renounce war as a national policy and agree to resort to it only as a matter of self-defense.

In clearing up the Tacna-Arica dispute between Chile and Peru the United States Government has performed a real step in the interest of peace. The dispute was a bone of contention of 40 years' standing which was having a constantly irritating effect on South American politics.

Our relations with Mexico are now on a friendlier footing than for many years, and the President has also taken a step to promote friendship among the western republics by appointing a committee to study the whole question of future relations between the United States and Haiti. And so much better have our relations with Nicaragua become as a result of the election held there under the supervision of United States marines that we have been invited to supervise another election in Nicaragua. Our relations with the United States of Colombia, too, are now on a more friendly basis than has been the case for a generation.

Constructive measures have been taken by this administration to clear up many other problems growing out of our participation in the World War. These have included proposed settlements of the French, German, and Austrian debts. Congress has ratified the French debt settlement, with an approximate total of $4,000,000,000, and this brings the grand total of debts funded by allied governments under our Republican administration to something over eleven and a half billion dollars. Quite a sizable sum, this, in the face of dire predictions made by our internationalists a few years ago that we ought to cancel all of these obligations and load the debts onto the backs of American taxpayers. War debts and claims between the United States and Germany and the United States and Austria are being settled,

and material progress has been made in restoring to its owners property which was seized during the war by the Alien Property Custodian of the United States. Under our settlement with Germany we are to collect over a period of years the sum of $250,000,000 on account of the costs of our portion of the army of occupation during the World War. In addition there is to be collected a half billion dollars on account of the awards of the Mixed Claims Commission in sums due to citizens of the United States growing out of various war claims.

Here is some evidence that our foreign policy, with its avoidance of entangling commitments, has not been a failure. We have promoted the cause of peace and disarmament, and we have settled one by one, satisfactorily to both parties, the great majority of the vexatious problems growing out of the World War.

We have done all of these things without joining the League of Nations or entering into any general European alliance for maintaining the status quo, and in our ability to maintain freedom of action to-day and to sail our own course lies the best chance of our own safety, our own peace and tranquillity, and lies also the best chance for our being of service in case of sudden difficulties in Europe in which we may become a friendly mediator.

I believe it can be fairly said, therefore, that the Republican international policy of the past nine years, which is in line with the best traditions of the American Republic, has been a success and deserves the approval of the American people.

RELATIONS WITH LATIN AND SOUTH AMERICA

I want to say a few words about our relations with the countries of Latin America and of the importance of our cultivating them even more closely than we have done in the past. It is a matter of satisfaction to all Americans that our relations with them are becoming constantly more cordial. The fact that this is true is all the more surprising in view of insidious efforts which have been made in the past to bring about ill feeling between the United States and Latin America.

This effort has been well organized and has extended over a period of years, and its inspiration has been not in the Western Hemisphere but in Europe. Any observing American who has traveled in the countries to the south of us has sensed this effort. European nations from the beginning have controlled the avenues of information not only between Europe and Latin America but between the United States and South America. As a result, for years most of the foreign news and information appearing in the newspapers of South America has been colored in an effort to estrange the sentiment between the two Americas. News from the United States has been distorted to show that we are a nation of idle rich and of money-grabbing traders, that we had no ideals except finance, and that our purpose toward Latin America was to exploit it whenever and wherever possible and to maintain an imperialistic attitude toward all the other nations of the Western Hemisphere.

Unfortunately these European propagandists were not without assistance in our country. There has been a group of so-called liberals in the United States which has been busy shouting imperialism against our Government whenever it has been necessary to intervene in Latin America, not only to protect the lives of our citizens and their property but in the interests of the people of the revolution-torn land itself.

So long as our own newspapers and our own people paid little attention to Latin America this anti-American propaganda, inspired in Europe, was permitted to go on without interruption. And let me say in passing that this propaganda was not inspired by pure malice toward the United States. It had a carefully planned objective. The purpose of keeping the relations cool between the United States and Latin America was to prevent Uncle Sam from getting his share of the trade with these countries. Up to the World War the scheme worked pretty well, but after the war our trade with Latin America grew by leaps and bounds in spite of the barriers placed against it. Now it is greater than the trade of the three leading trade nations of Europe combined.

Writing upon this change in conditions, Dr. Thomas H. Healy, professor of foreign relations, Georgetown University School of Foreign Service, recently stated in an interesting article appearing in the Washington Star:

> Truly startling changes have been wrought in all of this within the last few years. Last year our trade with Latin America was approximately $2,000,000,000, or approximately three times as great as it was 20 years ago. In both imports and exports we had a greater total than our three principal competitors—Great Britain, France, and Germany—combined. To-day we occupy first place in sales to every one of the Latin American countries without exception. Our financial investments in Latin America to-day are over $5,500,000,000, or almost five times as great as they were 20 years ago. The capital that we have invested to-day in Venezuela is more than all the capital we had invested in the entire continent of South America 20 years ago. * * * A number of important press organizations and newspapers of the United States now have their own representatives in Latin America, reporting accurately and completely to the American public events and situations in Latin America; the space now devoted to such purposes in our magazines and newspapers is many times greater than it was even 10 years ago. From the telephones in any large city in the United States it is now possible to talk by telephone or radiotelephone to a number of the capitals of Latin America and in the space of a few minutes.

Increasing trade has brought a reawakened interest between the Northern and Southern Hemispheres. Newspapers of the United States and our press services are exchanging material with Latin America direct instead of permitting the news to go back and forth through London and Paris. There has been a greater exchange of visitors and tourists—in short, we are getting better acquainted with our neighbors. Another important fact is that the number of ship lines between the United States and Latin America is increasing, and as these lines and their direct commerce increase our relations will become more intimate and more cordial.

During the past year or so the friendship and mutual understanding has grown by leaps and bounds. It was given a great acceleration by the visit of President Hoover to Latin-America just before his inauguration. This visit made a lasting impression and it is being returned by high South American officials.

There are signs of increasing friendship on every hand. Nicaragua is now asking for American control of its next election. It is no longer afraid of the old cry of imperialism. Mexico and the United States have improved their mutual relations tremendously. The newspapers and statesmen of the United States of Colombia, formerly unfriendly with us, are now sounding the praises of Uncle Sam. Brazil is especially cordial, and Argentina has just gotten rid of a President who prided himself on his enmity to the United States.

All of which is entirely important, and for this reason I have dwelt upon it at some length. Now, why is it important? The reason is that a big trade between the United States and Latin America, and increasing friendliness and cooperation, are of supreme importance to the entire Western Hemisphere. Our trade with Europe has about reached its zenith. Europe is a continent grown old in its development. It is highly organized industrially as well as politically. As conditions improve and it adopts American methods of production it will have less and less use for American finished products, although it will still come to us for a part of its raw material. We must depend, therefore, for an increase in our foreign trade principally on Latin-America and the countries of the Orient. Already we have a larger trade with Japan than we have with France. The day is coming when stable government will settle over China once more, and we will then have another big customer in the Orient. All of which is for the future. But in the meantime our greatest chance for an improvement in commercial relations is with Latin America. Here is our opportunity. The people of Latin America, through their visiting here and through the moving picture, are getting some ideas of the comforts and luxuries enjoyed by the American people—and they are in the market for these.

And the case is far different from that of Europe. Latin America, certainly within this generation or the next, will

not become a manufacturing rival of the United States. Latin America can use our manufactured products and we can use their raw materials. The conditions for a beneficial exchange of goods are almost ideal. They have what we want and can not produce for ourselves. We have what they want and can not produce for themselves. We must have protection from a flood of European goods to save our own great market for the American producer. But most of the things we buy from Latin America can come in duty free, because they are not in conflict with American commodities. There are a few exceptions, of course, principally in Argentina, but in the other countries of South America the American protective tariff arouses little interest or apprehension.

Therefore the future tranquility and the future prosperity of the United States depends on cultivating closer relations between the Northern and Southern Hemispheres.

RECAPITULATION OF ACCOMPLISHMENTS

The Republican Party has always had a record of pledges kept. With but few intervening years it has had control of the Government at Washington since 1861. During this period, and for nearly 70 years, the United States has made greater progress than any nation has ever made during a similar period of time. From a State torn by factional strife which threatened its dissolution at a time when the Republican Party came into power it has grown to be the greatest and richest nation in the world. I might say, too, the most stable nation on the earth and the last remaining hope of those who believe in representative government as opposed to the rule of the single dictator or the rule of the mob.

Let me recount to you some of the things promised in the Republican national platform of 1928 and what steps have been taken to fulfill the promises by President Hoover and the Republican majority in Congress.

The Republican Party in 1928 pledged continued economy in the operation of government, and this has been accomplished. In the first year President Hoover held the national outlay to the figure provided for expenditures the year before by President Coolidge and at the same time found funds to provide for the expansion of our merchant marine and inland waterways, to say nothing of necessary increased activities in the Agriculture, Commerce, and Labor Departments.

The Republican Party promised further tax reduction, and this has been accomplished. It was here that the economy program showed its real results, and at the end of the first year of the Hoover administration there was a Treasury surplus of $184,000,000, paving the way for the tax reduction which followed.

The Republican Party in 1928 promised to carry out its established policy of funding the foreign debts without cancellation, and the French debt was successfully funded by the Hoover administration, bringing the refunding total of foreign war debts up to more than $11,500,000,000.

The Republican Party in its 1928 platform promised a foreign policy which, without in any way involving us in foreign entanglements, would promote the general peace of the world and, so far as possible, render war less likely. This pledge has been kept. The Kellogg-Briand peace pact by which the nations agree to abolish war as a foreign policy has been ratified by all the principal nations of the world. The London naval conference has done away with naval rivalry among the great powers, and yet has provided us with naval parity with Great Britain and a navy superior to that of Japan. Before taking office President Hoover made a tour of South America, with the result that our relations with the Latin American countries are now more friendly than ever before. All of this has been in response to the party platform pledge.

The Republican Party in 1928 promised to do what it could to help the farmer. The result has been additional legislation, the most important part of which perhaps was the farm relief act which, through its liberal expenditures and sweeping organization, seeks to assist the farmers in bringing about better marketing conditions and consequent higher prices. The Farm Board has, of course, been handicapped by the economic depression, but in time its importance for farm relief will be fully demonstrated. Hardly less important than the farm relief act was the increase of tariff rates on foreign farm products coming into direct competition with the products of our own farmers. The administration, too, has tried to improve the marketing problem by further improvement of our inland waterways and our market highways.

The Republican Party in 1928 promised to bend its efforts to better law enforcement. The Prohibition Department has been placed under the Department of Justice. Agreements have been made with Canada to curtail so far as possible the exports of liquor from that country to the United States, and measures have been taken to speed up the administration of justice in the Federal criminal courts. The President, in order that the Nation might have the best information concerning the problem of crime, appointed a National Law Enforcement Commission, the members of which are experts in their lines, men nationally known and enjoying the public confidence. They have made an exhaustive survey and will soon make their report. This will be invaluable in the shaping of legislation for law enforcement in the future.

Last, but not least, the Republican Party promised in 1928 a strengthening of our tariff laws, and, as a result, after tremendous opposition on the part of our Democratic opponents, an opposition which delayed the enactment of the tariff bill for months, and hence has delayed the recovery of the country from depression, the administration succeeded this summer in enacting into law a tariff bill which gives much-needed protection to the farmer, the fruit grower, and to those industries which were feeling the blighting effect of cheap foreign competition. The farmer and the worker will both benefit from this. During the closing months of tariff debate the importers were busy getting into the country great quantities of cheap foreign commodities ahead of the new tariff. This is being absorbed more slowly than usual because of the depression, but it will soon be absorbed and the full benefits of the new tariff law will then be enjoyed.

These are some of the accomplishments of the present administration as compared with the platform pledges of 1928, and I believe that they warrant your support in the November election.

But I would be remiss in my duty if I stopped here. The Republican Party has been in power since 1921, and its record in all of that time, like its record in the present administration, is one sufficient to inspire your confidence and your support. The nearly 10 years of Republican rule have been a period of economy in government, of debt reduction, of protection to American workers and farmers, and of constantly increasing friendliness with foreign nations.

Tax reduction acts have been passed in 1921, in 1924, in 1926, in 1928, and in 1929. These reductions have constantly improved the economic structure of America. The results are incalculable. In the first year of the operation of the 1921 act the saving was $663,000,000, in the first year of the 1924 act $519,000,000, in the first year of the act of 1926, $422,000,000, and in the first 12 months of the 1928 act $222,000,000. It is estimated that the first year of the 1929 revenue act will mean a further saving of $160,000,000 to the American taxpayers. Here are tangible results of the Republican administration of finances. During this same period our national debt has been reduced at the rate of nearly a billion dollars a year, being decreased from $24,500,000,000 in round numbers, when the Republican administration took office in 1921, to approximately $16,185,000,000 in June, 1930—a reduction of eight and a quarter billion dollars. No nation has ever equaled this achievement, and certainly no other political party has ever achieved a record of public-debt reduction like this. The decrease in interest alone on the debt amounts to more than $400,000,000 annually.

The Republican Party early after it took office made treaties of peace with Germany and her allies, and since

then has led the way toward peace, initiating the Washington and London conferences and the Kellogg pact. It has cleared up the vexatious question of foreign debts, and has not listened to talk of cancellation. The amount funded, as I stated a moment ago, is more than eleven billions. And in commenting on this remarkable financial program it is not to be forgotten that in clearing up the financial wreckage of the war the Republican administration has not forgotten the veterans of the war. Liberal increases have been made in the benefits allowed soldiers, and the Government is now spending more than $800,000,000 annually on this work.

Now, turning in conclusion for a moment again to this financial record of the Republican Party since it took over the reins of government in 1921, I feel justified in saying that the record of debt reduction, of tax decrease, of scientific reduction in expenditures justifies the confident statement that this same party will be able to steer the ship of state from the present depression, world-wide in its causes, and due to the failure of no governmental policy in America. For nearly 70 years the record of the Republican administration has been one of almost uninterrupted progress. During this same period the Democratic record has necessarily been one of negation. While the Republicans have been accomplishing, the Democrats, forced to the side lines, have been "viewing with alarm." They have sought to feed, not on constructive accomplishment but on calamity.

FIXING TIME FOR ASSEMBLING OF CONGRESS

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to address the House for 10 minutes. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Speaker, one of the measures that is on the agenda of the House that is demanded by the so-called insurgents is a vote on the so-called "lame duck" resolution, providing for a constitutional amendment to do away with hold-over sessions after congressional elections.

I am in sympathy with the purpose of that resolution. [Applause.] I am rather surprised that a vote has not heretofore been had in this Congress on that resolution. In no instance in the history of my 18 years of service in this body have I seen a greater need from a practical legislative standpoint of such a resolution being in effect. Some of the leaders of the House claim that the new Congress should not convene until a year hence because it will disturb business conditions.

The country has voted, they have expressed themselves upon the issues, and I can see no reason why after the country has expressed itself the Congress elect should not take up the responsibilities of legislation.

I do not think it is necessary in order to accomplish the end of doing away with the hold-over sessions to provide for a constitutional amendment. During the few spare moments that I have had since we last met—some of you know that I had a very hard contest for nomination and also for election, being opposed at the election by the Socialist nominee and a minor Democratic nominee—and I do not say minor because of his qualifications, but because he received so few votes, as my plurality over him was 17,000, although he coddled the Democratic congressional committee and got some money in order to try to make possible a victory for the Socialist. If they had used this good Democratic money in some other districts they might have gotten a clear majority of the House.

Now, on the question of the lame-duck session, as I have said, I do not think it is necessary in order to accomplish the end to pass a constitutional amendment.

Only last evening after the adjournment of the House I drafted the following bill. I would like to have favorable consideration of this bill, to which I have given considerable thought, to see whether the end in view could not be accomplished by a bill which only requires a majority of the two Houses, rather than a constitutional amendment, which, as the country knows, requires a two-thirds vote of the House and Senate, and ratification by three-fourths of the legislatures of the States.

I will say parenthetically that I would like to have the parliamentary leader advise me when he is ready to go ahead with the regular legislative work.

Mr. TILSON. If the gentleman is willing to suspend now, we can go on with the business and he can complete his statement later.

Mr. STAFFORD. I see my old friend, the executive clerk to the President, present, but I wish to read the bill I have drafted, so that you may consider the question of whether the end can not be accomplished by a bill rather than a constitutional amendment.

The bill is as follows:

That after the end of the present session, the next regular meeting of Congress shall be on the second Monday in November next, and in the event that Congress shall have adjourned before the 4th day of January following, it shall again assemble on said last-named date; and thereafter, beginning with the Seventy-third Congress, it shall assemble on the 6th day of March in each odd-numbered year; and again, in case Congress shall have adjourned before the second Monday in November of such years, it shall again assemble on said last-named date, and it shall also assemble, in the event it shall have adjourned before the 4th day of January following, on said 4th day of January in each even-numbered year, which session shall end, if it has not ended sooner, on the fourth Friday of October following.

In the event that any dates referred to in this section shall fall on a Sunday, then the next day shall be the date of assembling.

SEC. 2. Congress shall also assemble on the third Wednesday in February of each year that follows an election for President and Vice President, and on the day following the electoral vote shall be counted as provided by law.

The reason for that last provision is that there must be some meeting of the hold-over Congress every four years to consider the electoral vote. I thank you, gentlemen, for your respectful consideration of this proposal. [Applause.]

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

THE BUDGET MESSAGE

The Chair laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Appropriations and ordered printed:

To the Congress of the United States:

I have the honor to transmit herewith the Budget of the United States for the fiscal year ending June 30, 1932. A comparison between the estimates of appropriations for 1932 and the appropriations for 1931 is set forth in the following table:

	Estimates, 1932	Appropriations, 1931 [1]
Legislative establishment:		
Senate	$3,252,922.00	$3,244,744.00
House of Representatives	8,182,298.00	8,176,754.00
Architect of the Capitol	10,336,609.00	8,472,417.58
Botanic Gardens	175,082.00	194,592.00
Library of Congress	2,457,722.00	2,767,742.00
Government Printing Office	4,294,000.00	3,270,000.00
Miscellaneous	185,050.00	185,050.00
Total, legislative establishment	28,883,283.00	27,311,297.58
Executive Office	473,400.00	422,320.00
Independent establishments:		
Alaska relief funds	15,000.00	15,000.00
American Battle Monuments Commission	304,250.00	1,000,000.00
Arlington Memorial Bridge Commission	1,000,000.00	1,000,000.00
Board of Mediation	318,545.00	328,380.00
Board of Tax Appeals	654,460.00	650,000.00
Bureau of Efficiency	201,470.00	224,330.00
Civil Service Commission	1,678,442.00	1,542,952.00
Commission of Fine Arts	9,995.00	9,080.00
Employees' Compensation Commission	4,736,380.00	4,210,000.00
Federal Board for Vocational Education	10,087,260.00	9,400,400.00
Federal Farm Board	101,900,000.00	1,900,000.00
Federal Oil Conservation Board	20,000.00	17,220.00
Federal Power Commission	319,270.00	299,170.00
Federal Radio Commission	466,820.00	450,000.00
Federal Reserve Board	1,609,200.00	2,560,336.00
Federal Trade Commission	1,625,980.00	1,580,000.00
General Accounting Office	4,363,320.00	4,193,500.00
George Rogers Clark Sesquicentennial Commission	800,000.00	

[1] Exclusive of the annual cost of the act approved July 3, 1930, amending the classification act of 1923, estimated at $3,975,292.

	Estimates, 1932	Appropriations, 1931
Independent establishments—Continued.		
George Washington Bicentennial Commission	$338,195.00	$362,075.00
Housing Corporation	33,700.00	48,950.00
Individual records, civil-service retirements		150,000.00
Interstate Commerce Commission	11,975,593.00	10,329,963.00
Investigation of enforcement of prohibition and other laws		250,000.00
Mount Rushmore National Memorial Commission		60,000.00
National Advisory Committee for Aeronautics	1,053,790.00	1,321,000.00
National Capital Park and Planning Commission	4,000,000.00	1,000,000.00
Personnel Classification Board	220,830.00	
Porto Rican Hurricane Relief Commission	2,000,000.00	2,000,000.00
Protecting interests of the United States in oil leases and oil lands	20,000.00	
Public Buildings and Public Parks of the National Capital	5,595,685.00	4,289,044.00
Public Buildings Commission	125,000.00	100,000.00
Smithsonian Institution	1,212,924.00	1,208,671.00
Supreme Court Building Commission	4,250,000.00	1,000,000.00
Tariff Commission	1,240,000.00	785,000.00
United States Geographic Board	9,538.00	15,760.00
United States Shipping Board and Merchant Fleet Corporation	39,406,000.00	6,346,000.00
Veterans' Administration	946,289,758.00	[1] 836,244,020.00
Yorktown Sesquicentennial Commission		8,000.00
Total, Executive Office and independent establishments	1,148,354,811.00	895,321,171.00
Department of Agriculture	225,337,476.00	173,145,474.50
Department of Commerce	54,638,226.00	54,619,495.00
Department of the Interior	85,345,211.73	83,875,333.74
Department of Justice	51,988,261.00	[2] 45,395,922.00
Department of Labor	13,446,400.00	12,230,170.00
Navy Department	349,628,298.00	382,505,193.26
Post Office Department:		
Postal Service payable from postal revenues	735,003,057.00	725,844,097.00
Postal deficiency payable from Treasury	114,041,000.00	111,202,200.00
State Department	17,731,306.34	17,816,022.14
Treasury Department	281,296,380.00	359,638,676.00
War Department, including Panama Canal	464,645,806.00	456,041,951.00
District of Columbia	47,796,047.00	48,397,432.00
Total, ordinary, including Postal Service	3,618,335,563.07	3,393,344,355.22
Reduction in principal of the public debt:		
Sinking fund	400,410,600.00	392,152,200.00
Other redemptions of the debt	59,099,305.00	48,846,000.00
Principal of the public debt	468,509,905.00	440,998,200.00
Interest on the public debt	861,000,003.00	603,000,000.00
Total, including Post Office Department and Postal Service	4,667,845,468.07	4,437,342,555.22
Deduct Postal Service payable from postal revenues	735,003,057.00	725,844,097.00
Total payable from the Treasury	3,932,842,411.07	3,711,498,458.22

[1] Figures for 1931 include the appropriations transferred under the act of July 3, 1930, from the Interior Department (pensions) and the War Department (National Homes for Disabled Volunteer Soldiers).

[2] Figures for 1931 include appropriations transferred under the acts of May 27, 1930, and June 17, 1930, from the Treasury Department (Prohibition Bureau and the U. S. Customs Court).

The total of the estimates of appropriations payable from the Treasury shown in the foregoing table is $221,000,000 more than the appropriations for 1931. The estimates for 1932, however, contain $100,000,000 for the revolving loan fund of the Federal Farm Board, for which no amount appears in the 1931 appropriations. Of other large items of increase the veterans' administration calls for $110,000,000, the Shipping Board $35,000,000, the road program $51,500,000, while tax repayments are estimated at $92,000,000 less. For the purposes of comparing the estimates for 1932 with the appropriations for 1931, the large items which involve either increase or decrease are set forth below:

	Increases	Decreases
Legislative establishment:		
House Office Building	$2,300,000	
Senate Office Building	2,868,000	
Library of Congress Annex	1,000,000	
Enlarging Capitol Grounds		$4,763,000
Library of Congress, Vollbehr collection		1,500,000
Government Printing Office Building	1,000,000	
Independent establishments:		
Federal Farm Board	100,000,000	
George Rogers Clark Sesquicentennial Commission	800,000	
National Capital Park and Planning Commission	3,000,000	
Public Buildings and Public Parks of the National Capital	1,300,000	
Independent establishments—Continued.		
United States Shipping Board and Merchant Fleet Corporation—		
Shipping fund		$3,300,000
Construction loan fund	$35,000,000	
United States Supreme Court Building	2,750,000	
Veterans' Administration—		
General administration and hospitalization	17,000,000	
Military and naval compensation	71,290,000	
Military and naval insurance	1,500,000	
Government life insurance	890,000	
Army and Navy pensions	9,500,000	
Hospital and domiciliary construction	9,350,000	
Total, Veterans' Administration	109,620,000	
Department of Agriculture:		
Forest Service	1,450,000	
Plant quarantine and control		1,730,000
Forest roads	1,500,000	
Federal-aid roads	50,000,000	
Mount Vernon Highway		2,000,000
Flood relief, roads		1,300,000
Department of Commerce:		
Aeronautics Branch	1,160,000	
Bureau of the Census		2,230,000
Bureau of Standards		870,000
Department of the Interior:		
Indian Service	1,390,000	
Indian trust funds		5,000,000
Bureau of Reclamation	4,420,000	
National parks, land purchases		1,820,000
St. Elizabeths Hospital, construction	1,150,000	
Department of Justice:		
Bureau of Prohibition	2,480,000	
Expenses, etc., United States courts	1,570,000	
Penal and correctional institutions	2,010,000	
Department of Labor	1,190,000	
Navy Department:		
Bureau of Engineering		1,100,000
Bureau of Supplies and Accounts		1,940,000
Bureau of Aeronautics		1,180,000
Major alterations of vessels		7,400,000
Increase of the Navy		21,100,000
Postal Service: Deficiency		2,830,000
Treasury Department:		
Refunding taxes illegally collected		92,000,000
Construction of public buildings	10,330,000	
Customs Service	1,000,000	
War Department:		
Buildings at military posts		1,410,000
Other Quartermaster Corps items		1,230,000
Air Corps	1,630,000	
Maintenance and improvement of rivers and harbors—		
Annual appropriation	5,000,000	
Permanent specific and indefinite appropriations	4,580,000	
District of Columbia:		
Municipal Center		3,060,000
Net increase other items	2,465,000	
Public debt:		
Reduction of principal	27,500,000	
Interest		22,000,000

There are certain items which affect these increases and decreases which I feel require special comment.

SHIPPING BOARD

The estimates for the Shipping Board contained in this Budget show a net increase of about $33,000,000 over the appropriation for 1931. This increase is due to the estimate of $35,000,000 for the construction-loan fund of the Shipping Board, which is a new item of appropriation. Heretofore all authorized loans for the construction of ships by private parties have been met by the receipts credited to the construction-loan fund of the Shipping Board arising from sales of ships or property and other sources. There will be required, however, a direct appropriation to the credit of this fund to provide for authorized loans during the fiscal year 1932. Decreases in the 1932 estimates of the Shipping Board for other purposes amount to approximately $2,000,000, so that the net increase is $33,000,000.

VETERANS' ADMINISTRATION

Under the authority contained in the act of Congress entitled "An act to authorize the President to consolidate and coordinate governmental activities affecting war veterans," approved July 3, 1930, there have been transferred to and consolidated in the Veterans' Administration the duties, powers, and functions which devolve by law upon the Bureau of Pensions of the Interior Department, the National Home for Disabled Volunteer Soldiers, and the United States Vet-

erans' Bureau. The activities of the War Department dealing with the payment of the annuities prescribed in the acts of Congress approved May 23, 1908, and February 28, 1929, and the furnishing of artificial limbs, trusses, and surgical appliances under the laws recited in chapter 5, title 38, United States Code, have also been transferred to the Veterans' Administration. For the first time there is presented in the estimates of one establishment the funds necessary to carry on the activities of the Government which deal directly with the administration of veterans' affairs. The total of the estimate is $946,289,000, but not all of this pertains to veterans' affairs. Approximately $21,000,000, which pertains generally to the civil-service retirement fund and the administration of the retirement law, has no application to veterans as such. This function was transferred to the Veterans' Administration because it formed a part of the duties of the Bureau of Pensions which was merged intact into the new establishment. The estimate for the Veterans' Administration contained in this Budget is approximately $110,000,000 in excess of the appropriations for similar purposes for 1931. The principal items of increase are in general administration and hospitalization, $17,428,000, which is due principally to enlarged operating costs occasioned by the increase in the number and capacity of hospitals and domiciliary facilities; military and naval compensation, $71,300,000; construction of new hospitals and domiciliary facilities, $9,350,000; and Civil War and Spanish-American War pensions, $9,500,000. I feel confident that in the absence of the consolidation of veterans' affairs made possible by the act of Congress approved July 3, 1930, we would have required a larger appropriation for 1932 to serve the same purposes as are contemplated by the estimate contained in this Budget.

AGRICULTURE

The estimates for the Department of Agriculture for 1932 carry approximately $56,740,000 in excess of the appropriations for the current fiscal year 1931. The major portion of this increase, $51,500,000, is for the construction of roads in the Federal highway system and for forest roads and trails. Other increases are for agricultural research work, $2,000,000, for service work for the general public, including the Weather Bureau service, $2,440,000, and for enforcement of regulatory laws, $800,000.

TREASURY DEPARTMENT

In the estimates of the Treasury Department for the fiscal year 1932 the principal item of decrease from the appropriations for the fiscal year 1931 is $92,000,000 for refunding taxes illegally collected. On the other hand, the principal items of increase over 1931 are $10,300,000 pertaining to the construction of public buildings and $1,000,000 for the Customs Service. In total, the estimates for the Treasury Department for 1932, compared with the appropriations for 1931, show a decrease of $78,342,000. This, however, is only an apparent reduction in so far as amounts available for expenditure within the respective fiscal years are concerned.

The appropriations for the Treasury Department include a number of double-year and no-year items. It is estimated that the result of operations under these appropriations will be a reduction in expenditures in 1931 of $30,000,000, and an increase in the amount available in 1932 of $59,400,000. On this basis the amount available in 1932 will be over $11,000,000 in excess of 1931.

DISTRICT OF COLUMBIA

For the municipal government of the District of Columbia there is being requested $47,796,000, which is a decrease of $601,000 from the appropriations for 1931. However, the 1931 appropriations provided $3,000,000 for the purchase of land and $65,000 for the preparation of plans and designs of buildings for the municipal center, which are nonrecurring items. Deducting these amounts, the estimate for 1932 is $2,465,000 in excess of the appropriation for 1931. I may add that the estimate for 1932 does not contain any amount for commencing actual construction for the municipal center for the reason that the preparation of plans, designs, and estimates of cost have not progressed to a point which permits of a limit of total cost being expressed in the estimate. The Commissioners of the District of Columbia believe that approximately $1,500,000 will be required to commence construction work and they are reserving that amount from the estimated revenues of the District of Columbia. In considering the amount available for appropriation for the District of Columbia this amount has been withheld from the estimates of 1932 solely with a view to later presentation when more complete information is available. I mention this so as to prevent any possible misunderstanding that the omission of the amount of $1,500,000 from this Budget would leave excess funds of the District of Columbia available for appropriation for other purposes.

BUILDINGS

The progress made by the Treasury Department under the program to house Federal activities in Washington and throughout the country in Government-owned buildings has been greatly accelerated during the past year by a considerable enlargement of the program, expedition in acquiring sites, and the removal of restrictions on the employment of outside architectural services. The original public building act of May 25, 1926, authorized the expenditure of $15,000,000, in addition to sums already provided, for the completion of 69 projects authorized prior to 1926. It also authorized the expenditure of $50,000,000 for buildings in the District of Columbia, and $100,000,000 for the country at large. An act approved February 24, 1928, amended the original act by increasing the authorization for buildings outside the District of Columbia $100,000,000. A recent act, approved March 31, 1930, further amended the two prior acts by increasing the District of Columbia program for construction $100,000,000, and the program outside the District $115,000,000. The purchase of additional land in the District of Columbia at an aggregate cost of $40,000,000 has also been authorized. The total public-buildings program, therefore, under present authorizations, amounts to $520,000,000, to which should be added whatever amounts are derived from the sale of obsolete sites and buildings.

In furtherance of the purposes of this legislation specific authorizations have been made for 535 projects at limits of cost aggregating $378,560,000. To finance the projects, on the basis of providing for maturing obligations, appropriations have been made to the amount of $149,586,000. The total expenditures to October 31, 1930, amount to $77,027,625.80, of which $8,481,550.29 is chargeable to authorizations prior to 1926, leaving a balance available for further expenditure of $72,558,379.09. The amount which will be expended during the remaining eight months of the current fiscal year is estimated at $56,000,000. The appropriation balance then remaining, added to the $60,000,000 carried in this Budget, will permit of expenditures somewhat in excess of $76,500,000 during the fiscal year 1932. The expenditure program for the 20-month period from November 1, 1930, to June 30, 1932, therefore amounts to upward of $132,500,000, and it is fully expected that this program will be carried out.

In addition to the building program as above outlined, appropriations amounting to $23,680,000 have also been made under the authorization of $40,000,000 for the purchase of additional land in the District of Columbia. The expenditures to October 31, 1930, amount to $13,234,030.45, and approximately $7,600,000 will be spent during the remainder of the current fiscal year. The expenditures during the fiscal year 1932 are estimated at upward of $7,500,000, and for this purpose provision for an additional appropriation of $5,000,000 is carried in this Budget.

The War Department is also carrying forward a building program, involving an ultimate expenditure of about $160,000,000, for the housing of military personnel and utilities, made necessary by the need for replacing World War temporary construction and to provide generally for the increase in the pre-war strength of the Regular Army. There has already been appropriated for this purpose $53,348,000, and $14,700,000 is carried in the estimates for 1932, with authority to make contracts for $3,000,000 additional. The estimates for 1932 also carry $2,625,000 for technical buildings for the Air Service of the Army and $1,530,000 for other

buildings for various purposes for the Army and the Panama Canal.

For buildings and structures for the Navy the Budget carries estimates aggregating $9,542,500, of which $50,000 is for the purchase of necessary land.

To complete the $15,000,000 program for additional hospital facilities for the Veterans' Administration, $7,950,000 is provided in this Budget for liquidating contracts previously authorized by the Congress and $3,400,000 is provided for construction work at branches of the National Home for Disabled Volunteer Soldiers.

A total of $2,550,000 is estimated for new building construction for the Indian Service, including reservation and nonreservation schools, hospitals, and administration buildings.

The estimates for the Department of Justice include provision for construction at the Atlanta (Ga.) Penitentiary, $100,000; at the McNeil Island (Wash.) Penitentiary, $214,000; at the industrial reformatory, Chillicothe, Ohio, $1,000,000; for a new reformatory west of the Mississippi River, the location of which has not yet been decided upon, $500,000; for Federal jails, $500,000; and at the National Training School for Boys, Washington, D. C., $200,000; a total of $2,514,000.

For the Department of State $2,000,000 is provided to continue the program for the construction of houses and offices for our representatives abroad.

Altogether this Budget carries $111,811,500 for the procurement of sites and the construction of buildings, with a contract authorization for a further expenditure of $3,000,000.

NATIONAL DEFENSE

The estimates of appropriations for the War and Navy Departments for 1932 provide a total of $689,084,000 for national defense. This is exclusive of all items of a nonmilitary character and is a decrease under the appropriations for this purpose for 1931 of $33,697,000.

The decrease for the War Department amounts to $751,000, which amount is the net result of increases and decreases in many items based on the different requirements for the two fiscal years involved.

The decrease for the Navy Department is $32,946,000. Due to the ratification of the London treaty, the operating force program of the Navy was revised to provide for a reduction in the enlisted force and a reduction in the number of vessels to be retained in commission. These changes involved a reduction in the estimated requirements for 1932 of approximately $7,000,000. However, with a fleet much reduced in number of vessels, provision is made for 1932 for a reasonable increase in the enlisted complement of vessels and for relative increases in the items connected with the maintenance, repair, and operation of vessels, with the view that the efficiency of the personnel and of the vessels of the smaller active fleet may be further increased. After providing for these and other increases, the net decrease for ordinary operating expenses is $4,446,000. The decrease for modernization of battleships is $7,400,000, appropriations having previously been made to complete the modernization of all vessels so far authorized. For construction of vessels the decrease is $21,100,000. A large unexpended balance accrued under the appropriations for ship construction because of the delay in the program pending the result of negotiations for modification of the Washington treaty. The construction of those vessels now authorized which are permitted by the London treaty should now go forward without delay. The cash withdrawals for new ship construction during 1932 is estimated at $51,600,000 and for 1931 at $44,200,000. Seven of the light cruisers carrying 8-inch guns and the aircraft carrier authorized by the act approved February 13, 1929, will be under construction by the close of the current fiscal year. Under the terms of the London treaty, and if this Government so elects, three more 8-inch-gun cruisers may be laid down; one in the calendar year 1933, one in 1934, and one in 1935. The remaining five cruisers authorized by the act may not, under the terms of the treaty, be constructed with armament of 8-inch guns.

The estimates for 1932 provide additional funds necessary to carry forward work on the aircraft carrier and seven of the cruisers authorized by the act of February 13, 1929, and also the incompleted light cruisers and submarines being constructed under prior authorization.

AIR SERVICE

There is requested for the air services of the Army and Navy, including their civilian components, a total of $29,361,000 for the procurement of new airplanes, their engines, spare parts, and accessories. I am also asking a total of $277,000 for similar purposes for the Coast Guard, Department of Commerce, and the National Advisory Committee for Aeronautics. These two sums contemplate the procurement of a total of not less than 787 airplanes.

With regard to the Army, the estimates make provision for the procurement of at least 392 planes, which will provide an approximate total of 1,582 planes on hand and on order on June 30, 1932, leaving a possible shortage of 66 planes in the authorized total of 1,648. This is only an estimated shortage and may be substantially reduced by June 30, 1932. The National Guard now has its full complement of 152 planes.

Concerning naval aviation the expansion program authorized by Congress provided for 1,000 planes and two rigid airships. The airplane program will be completed during the current fiscal year, so that provision is made in this Budget only for the procurement of replacement planes to the number of 277. The two rigid airships are now under contract and there is included in this Budget $1,675,000 for the completion of one and commencing the construction of the other.

In addition to the amounts which we are spending for the acquisition of aircraft we are also spending large sums for lighting and equipping airways, for the inspection and licensing of commercial planes and pilots, and furnishing weather reports necessary to the carrying on of aerial navigation. For these purposes $10,375,000 is included in the estimates of the Department of Commerce and $1,760,000 in the estimates of the Weather Bureau of the Department of Agriculture. It is estimated that by the end of the fiscal year 1932 there will be about 19,500 miles of airways lighted and equipped.

RIVERS AND HARBORS AND FLOOD CONTROL

The estimates herewith contain an increase of $5,000,000 for the maintenance and improvement of existing river and harbor works over the annual appropriation for the current fiscal year. In addition to this increase the estimates for 1932 show a further increase of $4,680,000 over the estimates for 1931 in the funds required to meet the requirements of rivers and harbors and flood control under authorizations of law covering permanent specific and indefinite appropriations, advances, and contributions. The total contained in this Budget for rivers and harbors and flood control is $108,553,000, of which $71,703,000 is for rivers and harbors and $36,850,000 for flood control.

PANAMA CANAL

The annual amounts now being appropriated for the Panama Canal are approximately $12,000,000, and the receipts from the canal flowing to the Federal Treasury are approximately $28,000,000, an excess of receipts over appropriations of $16,000,000 annually. There seems to be a feeling in some quarters that under these circumstances either the tolls of the Panama Canal should now be materially reduced or the expenditures on the canal increased, or both. However, from 1903 to 1930 the total expenditures for the canal in excess of the receipts for the same period, with interest on the net outlay computed at 3 per cent annually, produce a total capital liability at the close of the last fiscal year of about $535,000,000. The annual interest on this sum at 3 per cent is $16,050,000. It is evident, therefore, as the tolls are now meeting only operating expenses

and interest on the investment, with no return of capital, any change in policy does not seem to be justified at the present time.

UNEXPENDED BALANCES

In the preparation of the estimates of appropriations contained in this Budget I have refrained (with the exception of one class of cases) from continuing the practice of recommending that the requirements for 1932 be met in part by a reappropriation, or extension of the availability, of unexpended balances of appropriations for the current or prior fiscal years. This practice effected an apparent reduction in the amount of an estimate of appropriation, but it did not affect in any way the amount of money to be withdrawn from the Treasury, and was to that extent misleading. As no saving resulted from such a practice, I felt that its discontinuance in framing the estimates for 1932 would result in having these estimates represent the true amount required and thus give a clearer and more accurate picture of actual requirements. The only cases in which the practice has been continued are those in which moneys appropriated for a specific nonrecurring project remain unexpended and it is necessary to continue the availability of the funds for the same purpose or purposes for which originally appropriated.

PAY OF FEDERAL EMPLOYEES

Under the classification act of 1923, as amended, and the application of that act to the field services by adjusting their rates of pay to correspond with those defined for the departmental service in the District of Columbia, there has developed through the years rather a wide difference among the several departments and establishments as to the relationship which the average of the existing salaries bears to the average of the compensation rates provided by law for the various grades of positions. In some instances the pay rolls show that the average has been approximately attained; in others that the grades are at least one step below the average, and in many cases two or more steps below the average. With a view to commencing the adjustment of this situation the estimates contained in this Budget carry for promotion purposes for each activity approximately 30 per cent of the amount required to bring all under-average grades up to the average. This will materially lessen the difference which now obtains between the many pay rolls, and if the same principle is followed for the next two or three years will eliminate such difference. It is estimated that it will require approximately $14,440,000 to bring all under-average grades up to the average, and the estimates contained in this Budget provide for approximately 30 per cent of this amount.

While the percentage has been arbitrarily chosen and might be modified without affecting the purpose of eliminating discrepancies between and within the departments and establishments, I believe any deviation from the general principle stated or any application of it to one department and not to another will defeat the purpose of providing "equal compensation for equal work," which was the expressed intent of Congress in enacting the classification act of 1923.

RECEIPTS AND EXPENDITURES FOR 1932

In preparing the detailed statements of receipts and expenditures contained in this Budget I have segregated trust funds from general funds and special funds. This has been done for the reason that trust funds do not belong to the Federal Government but to the beneficiaries of the trusts; and, in summarizing the financial condition of the Government, trust funds should therefore be excluded.

For the purpose of comparison with the estimates contained in the Budget for the fiscal year 1931, submitted last December, trust funds are included in the following summary of receipts and expenditures:

Summary of receipts and expenditures

[Exclusive of postal revenues and postal expenditures paid from postal revenues]

	1932	1931	1930
Total general fund receipts	$3,852,401,738.00	$3,611,634,871.00	$3,840,921,014.28
Total special fund receipts	103,317,543.00	94,143,572.00	207,639,566.98
Gross trust fund receipts	3,965,719,281.00	3,705,778,443.00	4,048,560,581.24
	361,034,371.00	353,846,208.00	351,410,919.66
Deduct transfers from general to trust funds	4,316,753,652.00	4,059,624,651.00	4,399,971,500.90
	231,533,725.00	224,759,408.00	222,029,798.91
Total net receipts	4,085,119,927.00	3,834,865,243.00	4,177,941,701.99
Total general fund expenditures	3,792,382,709.00	3,761,148,160.00	3,641,944,363.81
Total special fund expenditures	132,651,300.00	123,625,000.00	220,135,655.99
Total trust fund expenditures	3,925,034,000.00	3,884,774,100.00	3,862,080,019.80
	361,118,925.00	354,927,208.00	354,102,266.20
Deduct transfers from general to trust funds	4,286,152,925.00	4,239,701,308.00	4,216,182,286.00
	231,533,725.00	224,759,408.00	222,029,798.90
Total net expenditures	4,054,619,200.00	4,014,941,900.00	3,994,152,487.09
Excess of receipts	30,500,727.00		183,789,214.90
Excess of expenditures		180,076,657.00	

Since the Budget for 1931 was compiled before the segregation of funds was effected the estimates contained in that Budget do not show this segregation. In analyzing the differences between the present situation and that indicated in the Budget for 1931 it is therefore necessary to deal with totals including trust funds, although in the future it is contemplated to consider in such comparisons only general and special funds which represent true Government transactions.

	1931		1930	
	Estimated in this Budget	Estimated in the 1931 Budget	Actual	Estimated in the 1931 Budget
Receipts	$3,834,865,243.00	$4,225,727,666.00	$4,177,941,701.99	$4,249,263,434.00
Expenditures	4,014,941,900.00	4,102,939,700.00	3,994,152,487.09	4,023,681,900.00
Surplus		122,788,966.00	183,789,214.90	225,581,534.00
Deficit	180,076,657.00			

1930

The fiscal year 1930 closed with an actual surplus of receipts over expenditures of $183,789,214.90 as against an estimated surplus as contained in the Budget for 1931, of $225,581,534. The latter figure, however, did not reflect the effect of the temporary reduction in income taxes recommended in that Budget and which it was estimated would exceed $80,000,000 during the fiscal year 1930. As a matter of fact, the actual receipts during the fiscal year 1930 were about $71,000,000 less than the estimate contained in the 1931 Budget. This was partially offset by a net reduction in expenditures of $29,500,000 below those estimated in the 1931 Budget. This net reduction consisted of various increases and decreases, including about $74,000,000 decrease in the reduction of the public debt on account of certain foreign interest payments being made in cash instead of in securities, as had been anticipated.

1931

For the current fiscal year, 1931, there has been a material change in our financial situation as now estimated compared with the estimates presented a year ago in the 1931 Budget. At that time it was estimated that the receipts

would total $4,225,727,666 and the expenditures $4,102,938,700, which forecasted a surplus of $122,788,966. Here, again, the surplus estimated did not reflect the effect of the temporary tax reduction recommended in that Budget, which it was anticipated would cause a reduction of over $75,000,000 in the receipts for the fiscal year 1931. Therefore, with this adjustment the surplus estimated at this time last year would have been about $45,000,000.

Due to the depression it is now estimated that the income of the Government in taxes and in postal receipts for the current fiscal year will probably fall below the anticipation by over $430,000,000. Moreover, the measures taken to increase employment by the expansion of construction activities in the Government under the authorization of Congress, together with other items of increase, including the increase in veterans' services enacted by Congress, represent a very material increase in Government expenditures of over $225,000,000.

This would indicate a change in the situation from the estimates of the last Budget of nearly $655,000,000. This large sum, however, is partially met by the application of $185,000,000 of interest payments on the foreign debt to current expenditures and by arrangements of the Federal Farm Board by which they reduced their net cash demands upon the Treasury by $100,000,000 during this period. These sums, together with economies brought about in the Government, reduce the practical effect of the change in the financial situation to a present estimated deficit of approximately $180,000,000 for the current fiscal year.

This development, of course, is primarily due to the depressed condition not only in this country but in the whole world, accentuated by the drought, and, on the other hand, to the necessary measures of the Government to increase employment, and the increases of allowances to various services to veterans.

I do not look with favor on any attempts to meet this deficit by reduction of the statutory redemption of the public debt, which now amounts to about $440,000,000 per annum. Nor do I look with great concern upon this moderate deficit for the current fiscal year, which, in fact, amounts to less than 5 per cent of the total Government expenditure. The adverse balance can be met by reducing the general fund balance from the amount in it at the beginning of the year, supplemented, if necessary, by temporary borrowing by the Treasury. When we recollect that our Budget has yielded large surpluses for the last 11 years, which have enabled us to retire the public debt, in addition to retirements required by law, to the extent of nearly $3,500,000,000, we can confidently look forward to the restoration of such surpluses with the general recovery of the economic situation, and thus the absorption of any temporary borrowing that may be necessary.

It will probably be necessary for Congress to appropriate additional money for expendiure within the present fiscal year in order to increase employment and to provide for the drought situation. I have presented this matter in my annual message on the state of the Union. While this will operate to increase the amount of the deficit as above estimated, I believe such increase can be accommodated by the methods indicated. On the other hand, no appropriations should be made for such purposes which look beyond such action as will ameliorate the immediate situation during the next six months.

TAXES

The estimate of receipts for 1932 is predicated on the existing income tax law. The Congress granted a substantial reduction in tax rates upon incomes of the calendar year 1929. I wish that it were possible to continue this reduction for the taxes upon incomes of the calendar year 1930. I regret that the present outlook for heavy decrease in probable income and the necessity to increase public works and aid to employment does not warrant the continuation of the reduction at the present time. The difference in revenue between the tax rates upon incomes authorized for the calendar year 1929 by the joint resolution approved December 16, 1929, and the rates specified in the revenue act of 1928 is approximately $160,000,000. If our expected revenues for 1932 were reduced by this amount a deficit for 1932 as well as 1931 would now appear to be inevitable. I am confident that the sentiment of the people is in favor of a balanced Budget. I am equally confident that the influence on business of having the financial affairs of the Federal Government on a sound basis is of the utmost importance.

CONCLUSION

For the fiscal year 1932 the favorable margin between our estimated receipts and estimated expenditures is small. It will not take much to exhaust the expected surplus. In fact, it is inevitable that some portion, and perhaps a considerable portion, of it will be required to meet the settlement of judgments and claims and the cost of other contingencies or emergencies which can not now be foreseen. On the receipt side credit has been taken for all revenue that can reasonably be anticipated. In the expenditure statement there have been covered the amounts which reasonably can be estimated as necessary to meet the obligations of the Government under present law. This is not a time when we can afford to embark upon any new or enlarged ventures of government. It will tax our every resource to expand in directions providing employment during the next few months upon already authorized projects. I realize that, naturally, there will be before the Congress this session many legislative matters involving additions to our estimated expenditures for 1932, and the plea of unemployment will be advanced as reasons for many new ventures, but no reasonable view of the outlook warrants such pleas as apply to expenditures in the 1932 Budget. I have full faith that in acting upon these matters the Congress will give due consideration to our financial outlook. I am satisfied that in the absence of further legislation imposing any considerable burden upon our 1932 finances we can close that year with a balanced Budget.

When we stop to consider that we are progressively amortizing our public debt and that a balanced Budget is being presented for 1932, even after drastic writing down of expected revenue, I believe it will be agreed that our Government finances are in a sound condition.

HERBERT HOOVER.

DECEMBER 1, 1930.

TREASURY AND POST OFFICE APPROPRIATION BILL

Mr. WOOD, from the Committee on Appropriations, reported the bill (H. R. 14246, Rept. No. 2068), making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes, which was read the first and second times and, with the accompanying papers, referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. BYRNS. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Tennessee reserves all points of order on the bill.

Mr. WOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14246, the Treasury and Post Office appropriation bill; and pending that motion, ask that some arrangement be made with reference to general debate.

Mr. BYRNS. Mr. Speaker, I have numerous requests on this side for time. I suggest that we run along to-day, dividing the time equally, and we may be in a better position to-morrow to determine upon how much time we need.

Mr. WOOD. Then, Mr. Speaker, I ask unanimous consent that general debate be not limited at this time, but that it be divided equally between the two sides, the gentleman from Tennessee [Mr. BYRNS] to have charge of one-half of the time on that side and I to have charge of one-half of the time on this side.

The SPEAKER. The gentleman from Indiana moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Treasury and Post Office Departments appropriation

bill, and pending that asks unanimous consent that for to-day general debate be equally divided and controlled between himself and the gentleman from Tennessee. Is there objection?

Mr. BLANTON. Mr. Speaker, for the purpose of getting some information I reserve the right to object. When will we have the benefit of the chairman's speech on the bill? I am sure the Members want to hear his opening speech.

Mr. WOOD. I shall not make my speech to-day.

Mr. BLANTON. Will the chairman tell me why it is that the old-time practice has been changed in respect to making the opening speech on an appropriation bill? The time was when the chairman of the committee made the opening speech and made a full presentation of what the bill contained. I notice that recently that practice has been discontinued.

Mr. WOOD. It was changed in order to save time and expedite business. We found that many speeches made after the opening speech were made in criticism and there was no chance to reply, and in order that the House might have full presentation of the matter and that I might have a chance to answer any criticism that might be made, I felt that my speech should be made after the others.

Mr. BLANTON. Then the chairman's speech will come to-morrow?

Mr. WOOD. Yes; unless you gentlemen talk too much.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Indiana that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Treasury and Post Office Departments appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the Treasury and Post Office Departments appropriation bill, with Mr. MICHENER in the chair.

The Clerk reported the title of the bill.

Mr. WOOD. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WOOD. Mr. Chairman, I yield 40 minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Chairman and gentlemen, this Congress is faced with a crisis such as few Congresses in the history of the Republic have had to meet. If the Republic were threatened with an attack by the strongest nation in the world, there would be no question as to our power in marshaling the resources of the country to save the Republic.

If at this moment an individual falls on the street from starvation, municipal, State, or Federal Government will send an ambulance to his aid, stop traffic in getting that ambulance there, and bring him to a hospital and give him kindly and necessary aid, and restore him to life only to be turned loose again to starve. If a person breaks into a bank and he is caught he will have a judicial investigation of his conduct, a trial at great expense, and if guilty the State will provide him a sanitary room, proper diet, clothing, care, and recreation for a certain term. Yet we stand here as a Congress in despair and helpless to know what to do to meet a crisis of unemployment so great that it may threaten the very safety of our Republic. It is of no aid to know that there is distress, unemployment, and suffering in other countries, except that we can at least profit by the experience on this problem of other countries. We can at least examine and study measures taken by other countries to alleviate distress and their attempts to prevent suffering and hunger in periods of distress. I will concede that conditions are different in our country. Yet we can not close our eyes and ignore what has happened and is happening in other countries. By studying conditions and remedies we might be better able to solve our own immediate problem. We have our own immediate problems to solve. The cause of unemployment in this country is quite different from that in other countries. Other countries are suffering from unemployment and distress generally owing to overpopulation, industrial inefficiency, or poverty. The greatest factor of unemployment in this country, as I see it, is our efficiency together with our wealth.

Mr. JOHNSON of Texas. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Not at this moment. Our situation is not temporary, and, gentlemen, you will be making a great mistake in your legislative enactments if you consider unemployment as merely something temporary or spasmodic. With all due deference to the recommendations that have been made to the Congress that only temporary relief is necessary and essential, and of course it is, yet temporary relief is not the solution of our problem. You can authorize an appropriation for all the public works that you will, but there will come a time when resources for public works will be limited. That will not be sufficient. You are faced now with a deficiency of over $100,000,000. Recommendations have been made for additional public works, but no legislation has been enacted to provide means for carrying them forward. I would make provision for public works continually, work out all necessary engineering details and legal preliminaries so that such work could be immediately started and actual construction begun when needed as unemployment relief. But the number of employed is negligible on all the public work imaginable compared with the number of unemployed to-day. The thing to do is to prevent unemployment instead of just scratching the surface when millions of men and women are in want.

Cooperation between the Federal Government and the States and municipalities for temporary relief, of course, is highly desirable. But there should also be something done for permanent relief. If you will look up the figures of unemployment you will find our unemployment is increased progressively each year, regardless of our prosperity or so-called good times.

We are told that our efficiency in production and industry is so great and our industries are so wealthy in this country that, unlike the industries and needs of other countries, notably European countries, American industry can afford to acquire every new machine invented and thereby increase its output, reduce production cost—all resulting in less human labor employed. Yet we can not stop progress. We do not want to stop progress. We can not stop the utilization of machinery. But under our machine-producing methods all the advantage goes into capital and all the burden falls on labor. A readjustment is absolutely necessary and inevitable. Labor-saving devices can produce twice the output at one-half cost with 33 per cent less of human labor.

The result is that for several years American production has increased and employment has comparatively decreased. Whether it is shoes, steel, razors, automobiles, cigars, or even transportation, improved methods of production and labor-saving machinery have increased output and decreased employment. Such a system may work to the advantage of the manufacturers or, to be perfectly plain, to the owners of the machinery for a while. Eventually there is bound to be a glut of overproduction in the sense that there is not sufficient purchasing power to consume the productions of these industries. To date the owners of machinery have enjoyed the benefits of improved methods of production at the cost of human labor. But what good will it do to have machines to produce goods if human beings who are to consume these same goods have not the power to purchase. American manufacturers must never forget that machines may make their products, but human beings make the market.

Our great difficulty in dealing with this problem is not because a solution can not be found. Our trouble is to bring this solution into being. Had we but one Government I do not believe that Congress would hesitate to pass necessary regulatory laws and bring about a readjustment of the relation between capital and labor to fit the mechanical age in

which we are living. Our great difficulty is, instead of having one Government, we have 49 governments. There are 48 sovereign States, and no one will question that under a strict interpretation of the Constitution, the limited powers delegated to the Federal Government, each sovereign State has retained jurisdiction over such matters involved in bringing about such a readjustment. Many of the States have seriously endeavored to keep abreast of the times. Many of the States have enacted legislation to meet new methods of production, use of machinery, and to safeguard the interest of the workers. Many of the States have passed laws prohibiting the employment of children in factories. Many States have real effective factory laws and laws regulating the working hours of women. Employers' liability laws, which at one time were considered radical and extreme—I will not say bolsheviky, because the word did not exist at the time—have been enacted in many States. Injured workmen who at one time became public charges together with their families are now properly provided for. Many of the Members here may well remember that when machinery first was used on a large scale in factories the situation arose whether the old rules of the common law concerning injuries sustained while working could continue to be applied in the modern mechanical age.

At that time constitutional objections were immediately presented. How about the fellow-servant rule? How about assumption of risk and contributory negligence? How could an employer be held responsible if one of his workmen was injured through the negligence of another? That would be depriving him of his property without due process of law. Such objections were held sound for a long time, but the continued use of machinery, the introduction of high-powered machinery soon brushed aside all legal and constitutional arguments in opposition, and many of the States have enacted employers' liability laws. Workers are now cared for when they are injured while employed. Old principles of the common law which held for centuries became obsolete as machinery became perfected. And so it is with many other fundamental changes in law and constitutional construction which have been brought about by reason of changed conditions under which we are living. But many of the States that have been progressive and that have attempted to keep their laws abreast of progress have found all of this to their disadvantage. Why? For the simple reason that many States have remained backward. Many States have failed to pass State child labor laws, proper employers' liability laws, effective factory laws. Not only have many States failed to pass such necessary and beneficial laws but have advertised that fact.

The result is that industries have been attracted to such States, while industries remaining in the States desiring to protect the interests of the workers find that they must meet most unfair competition. Such competition is manifestly unfair both to the industry and to labor. It is well known that many industries, and we need only mention the textile industry, have been attracted from one State to another because of the fact that child labor was available. Every time a child is employed in a factory it means that another adult worker has been thrown out of work and the child taken out of school. The first thing that we must do is to bring about uniform State laws, uniform labor laws in all of the States. There should be a uniform child labor law in every State as well as the other measures which I have just mentioned. Of course, the easiest way would be a constitutional amendment giving Federal Government jurisdiction in these matters. I do not suggest a constitutional amendment at this time, regardless of how I may feel about it. The reason is people of this country are not yet ready to accept another constitutional amendment. I firmly believe that the havoc, wrath, and disappointment following the eighteenth amendment has made ratification of constitutional amendments difficult for a long time to come. That is the reason in my opinion that the child-labor amendment was defeated. I feel though that it is possible to get the States together and to agree upon uniform laws.

While it is well to talk about State rights, we must not forget that States are more interdependent now than ever before. We have had an economic unification of the country. Cable, telegraph, wireless, radio, transportation, railroads, canals, steamships, and airships have made 1 State out of 48. When we have unemployment in New York you will have it out in Indiana, and when the farmers are in distress we will feel it in industrial centers. While at one time each Colony or each State had its own economic problems, to-day the economic unification of the country is such that the economic problem of a State just can not be solved by the State alone. We must work together in this proposition, because distress in one section of the country is immediately reflected in other sections of the country.

Now, can we do something to urge all the States to get together, not through the National Congress, because we have our own particular function, but to meet and agree upon model, uniform State laws, and then have those model laws referred back to each of the States with the force of public opinion back of them and obtain their enactment by each of the States. I have such a resolution now pending.

Gentlemen, just consider if we had a uniform child labor law, and I have yet to hear a man stand up and oppose restriction of the employment of children of tender years in factories. I have heard many arguments on the constitutionality of a Federal child labor law; I have heard arguments against the enactment of a constitutional amendment increasing the powers of the Federal Government to regulate child labor, but I have yet to hear anyone who dared stand up and oppose restriction of the employment of child labor on its merits. That being so, as I have just stated, suppose we had a uniform child labor law in each of the 48 States preventing the employment of children in industries and in factories, that would immediately give work to several hundred thousand men and women. It has put these children back into school and given them the opportunity their American birth entitles them to.

Suppose we had a uniform employers' liability law in each of the States. To that extent it would relieve poverty in cases where the workers were injured in the course of their employment. And it would equalize the overhead costs of production and eliminate at least that factor in competition that now exists between industries in various sections of the country. Suppose we had uniform State laws regulating factories as to light, ventilation, and floor space—that, too, would decrease the number of dependents who become public charges by reason of laboring in insanitary and unsafe surroundings and becoming dependent by reason of vocational disease.

I do not want to shock some of my more conservative friends, but suppose we had proper State care of superannuated workers—that would immediately take care of and make place for several hundred thousand younger men and women. As it is now, the question of superannuated workers is a problem in each State. It is difficult for a man with a tinge of white hair to find employment in a factory to-day by reason of the speed of production and the use of machinery. We have the problem in every large city of men in the fifties simply unable to find work. What is to become of these men? The number is increasing. They must be cared for. It is part of the cost of the industry. Either directly or through the State these men must be cared for.

Gentlemen, we are talking, officially and otherwise, about overproduction. Overproduction. Overproduction is true as a fact only when there is no further need for a particular commodity. You can not talk of overproduction in wheat; you can not talk to me about overproduction in flour, when we have hungry people in the city of New York and there are hungry people all over the world. We may be suffering from lack of ability to purchase, but there is a marked difference between lack of ability to purchase the necessaries of life and overproduction of the necessaries of life.

If all the people in our industrial centers were sufficiently nourished, if all the children in our industrial centers could have an extra piece of bread, butter, and molasses every afternoon, there would be no overproduction in the farming districts.

Mr. VESTAL. Will the gentleman yield?

Mr. LaGUARDIA. I yield.

Mr. VESTAL. What does the gentleman say about uniformity in the hours of labor, and the fact that they should be reduced?

Mr. LaGUARDIA. I am coming to that. I am trying to administer this medicine in graduated doses. I do not want to shock my conservative friends too much. So, in my opinion, all this talk of overproduction when people are in need of the very commodities that are in the warehouses, in the storage houses, and in the elevators has been overplayed.

I think it was stated yesterday about the price of butter being 30 per cent more in New York than it is in Copenhagen. My good friend, Farmer STRONG of Kansas, told me to-day that eggs were selling at 14 cents a dozen out his way. Why, gentlemen, eggs have become a luxury in my city. You have either got to be sick or a millionaire to eat eggs regularly. The old American breakfast of oatmeal, ham and eggs, buns, butter, and coffee simply does not exist any longer. Not in the city for the workingman, anyway.

Mr. ARENTZ. Why do you not drive out the racketeers?

Mr. LaGUARDIA. I will join in any suggestion the gentleman from Nevada may have to drive them out. The gentleman, perhaps, is trying to get me onto another subject. I believe I know the gentleman has in mind oppressive methods employed in the distribution and retailing of certain commodities. That is another subject. When good, wholesome Americans are willing to work but can not find employment and when the heads of families see their children are not getting sufficient nourishment, something is wrong with our economic system. We can not dodge responsibility. That rests with us as national legislators. A cure must be found. A repetition of the present suffering must be prevented. To save the lives of American workers just can not be unconstitutional.

The gentleman from Indiana [Mr. VESTAL] has asked me what I have to say about shorter hours. Why, gentlemen, shorter hours are coming, just as sure as we are sitting here to-day, and it is our job to bring them about in a constructive way before we are forced to do it.

I remember a time—and it is only 17 years ago—when we were working the tailors and garment workers in New York 60 hours a week. They went on strike. It was a long strike during the winter months. They finally went back to a week of 54 hours, and that was considered a great victory. However, we no longer think in terms of 54 hours. We no longer think in terms of even 48 hours.

What good is it, gentlemen, if industries so handle and exploit labor as to create a situation in which a large proportion of the population is unable to buy what the minority and machines are producing? Anyone with any vision will concede that industry must adjust itself to these new conditions.

If we employ all of the people of the country, we will find that we have thereby immediately created a market for our production, whether it be agricultural or industrial. After we have passed upon the basic legislation as to child labor, superannuated workers, employers' liability, minimum wage for women, old-age pension, and factory laws then we come right down to the practical proposition: How are we going to extend the enjoyment of machinery to the whole country? You can not avoid that, gentlemen. There is only one answer. A reduction of the daily hours of work and a reduction of the weekly hours of work. Perhaps six hours a day, five days a week. Less profits, more work, more consumption, better times, happiness.

I know some one will say that will create idleness. Yes. It will create an opportunity for education, for recreation, for travel, for enjoyment of life. Of course it will. But it all creates work for others—theaters, clothes, transportation, books, libraries, schools—all important in our modern life.

We went way ahead of other countries in labor conditions and we prospered by it. We must now go to the very root of our troubles and adjust the relations between employer and employee, and between the producer and the consumer, so as to utilize machinery, enjoy the advantages of progress, and yet employ all of our people.

Some one will say that is all right in theory, but how are you going to do it? Where is it going to come from? I will tell you where it will come from. It will come out of profits. There is where it will come out of. It must come out of profits. But it will mean security and peace, both to business and to our people.

Why, gentlemen, did you notice the figures given in the President's message yesterday—and the President was rather conservative in his figures? Although there has been an increase in unemployment there is an increase in the surplus, resources, and deposits of the banks of the country. That bears out my contention that unemployment is not due entirely to poverty, such as it is in Germany.

It is not due to the inefficiency of industry in not keeping abreast with modern systems of production, such as is the case in England. It is not due to overpopulation, such as is the case in Italy. It is because, as I said before, we are so efficient, and we have so many resources that we have, gentlemen, a margin which will permit us to adjust ourselves, decrease the hours, employ more people, and decrease the week. As I have just stated, it will create an opportunity for recreation—a big industry in itself—for travel and for more education. That is all necessary to the make-up of our modern life.

So let us not stand here idly and say this is going to adjust itself. Gentlemen, it will not adjust itself. We may pull through this crisis in a few months, but it will recur in just a few years. We must prevent a recurrence; we must eliminate the fear of unemployment, now the worry of every American workman.

We are always prepared for great emergencies of prosperity. In 1914, when the greater part of the world stopped producing, Germany, France, Belgium, England, and Russia were at war. We came up to the situation immediately and we were furnishing the markets of the entire world. We not only furnished the markets of the warring nations but we immediately provided South America, Asia, and Australia all the imports they were previously receiving from Europe. We measured right up to that emergency. Then when the war was over, in 1919 and 1920, we thought we had the world. We thought we were sitting on top of the world. We were still exporting to South America and we were still exporting to Europe. Why? Because the warring nations had not yet gotten themselves on a production basis. But the minute Germany started to produce and the minute England put itself on a production basis you saw our South American markets slip by and we lost them.

So the period of prosperity we had from 1914 to 1920 was because of world conditions. We had the entire world as our market, and yet during all of that time there seemingly was not sufficient vision to see what would happen, and we just kept going right along thinking prosperity would last forever. We know that it can not and therefore we must provide ahead for periods of depression.

Now we are confronted with these cold and hard facts of unemployment and of poverty. I have said this many times on the floor of this House, but I repeat it. The minute depression hits my city it is immediately reflected in your farming districts.

Now, what would I suggest? I do not see why we can not authorize the President of the United States to call a conference of States for the purpose of agreeing to model and uniform State labor laws. We can appropriate for the expense of that conference. We will not be infringing upon the prerogatives of the States or upon State rights, because it will be their own conference, called for one specific purpose. They have sufficient information available and they can there agree on what should be the minimum, model laws to take care of industry in this mechanical age, and then submit the proposition to each State.

It is a long process, I know, but we must make a beginning some time. We are always ready to see constitutional objections to every constructive proposition. Other countries have been forced to adopt some kind of unemployment insurance, but each of these countries had to begin unemployment insurance in the midst of a crisis, and naturally

those countries ran into a deficit. But we are in a position to study that question and get the benefit of the experience of England, Germany, and other countries. Then we can, by cooperating with the States, adopt a system of unemployment insurance so as to make the dread of starvation and poverty impossible in every American home. [Applause.]

Of course, it costs money and, of course, it takes courage to suggest any such radical, if you please, innovation as that. But you know, gentlemen, that the American farmer and working men and women are thinking. They can not be permitted to starve. Of course, they are thinking, and there is nothing more conducive to that than an empty stomach.

We had before us in the last Congress a bill providing for a system of national employment agencies. First the committee and then the House saw fit to amend that bill. It is in conference now. The bill should be passed as originally introduced. The national employment bill should likewise be enacted into law.

We must have some clearing house for labor, and if you want to eliminate all the vice that now exists in bringing down wages, in creating more bitter competition in the labor market, you must eliminate the private employment agency, and this can be brought about by creating a national employment agency, cooperating with the States as provided in the bill S. 3060, which will establish a central source of information on labor conditions and provide a clearing house for employment, orderly systematized and organized.

Gentlemen, all of these questions must be considered by this Congress, whether it is a short session or any other kind of session. You can not feed people with statistics. We have had more investigations, more commissions, more researches than we can digest, and it is time for some drastic action.

I do not know what we are going to do if all the public works that we have appropriated for are put into construction. May I pause here for a moment to suggest that if the President of the United States really desires—and I am sure he does—to spend the money which we have heretofore appropriated for public works, he would better look into the Treasury Department and into the architect's office and get some men there who can speed up the blue prints so we can start to dig and do some building.

The CHAIRMAN (Mr. WOODRUFF). The time of the gentleman from New York has expired.

Mr. LAGUARDIA. I am sorry. I just got started. [Applause.]

Mr. BYRNS. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, it is not my purpose to discuss the bill which is pending before us. The chairman of the committee will doubtless later on take the bill up in detail and analyze it for the benefit of the membership of the House. For more than three weeks the subcommittee on the post office and Treasury appropriation bill has been conducting hearings in preparation of the bill before you. These bills are never considered from a partisan or political standpoint, and the Democrats of the Appropriations Committee will cooperate in every way possible with the majority members in the effort to promote economy and to bring about the speedy passage of all the regular annual appropriation bills by the House.

I wish to devote a very few minutes to a discussion in a general way, because I have not had an opportunity to study the message of the President which was read to-day or the annual message of the President, which was read upon yesterday.

May I say here that I somewhat regret the practice that has grown up in the last six years in the presentation of most of the appropriation bills in that the chairman, or the gentleman in charge of the bill, delays his remarks explaining the bill until the close of general debate.

There has been some criticism expressed to me of this practice, and while I have no personal criticism to offer of this practice, which, as I say, has prevailed with respect to some of the bills for the last six or seven years, I do think in the interest of those of the membership who are called upon to vote upon these measures and who desire to hear some explanation of them, it would be more agreeable if the opening remarks in general debate upon these bills came from the gentleman who has particular charge of the bill. Members would then know when the bill would be explained and would thus make it a point to be on hand, and it certainly would be more satisfactory to some of us who do not want to anticipate our chairman in what he may say with reference to some of these appropriations.

Everyone realizes the widespread depression and unemployment which have existed throughout the country for many months, and to which the President gave the greater part of his attention in his message of yesterday.

The President told us in this message there was little hope of any relief in the next few months, although he did say he did not believe that any appropriation should be made for the purpose of taking care of unemployment for a longer period than six months, intimating that he had the hope and the belief that this depression and unemployment would be over by that time, and, of course, we all sincerely join in that hope.

But I was somewhat amazed at the remedy proposed by the President to relieve unemployment. Several months ago it was widely published over the country that an expert had been brought here from the city of New York and established in offices with considerable clerical force in the Department of Commerce. It was said that he was brought here for the purpose of assisting in relieving unemployment and advising with the President.

When this question of depression and unemployment became acute I do not suppose there was a man, woman, or even child who did not think of the idea that one way to relieve it would be to increase and speed up public works. So there was nothing new and nothing constructive in the message of the President when he asked for an appropriation for that purpose; but I had hoped that with the aid of this expert from the city of New York there might have been some constructive proposition submitted to the Congress which would really relieve the situation.

I have said I was surprised at the proposal of the President that Congress, the responsible appropriating body, and this House, which has time and time again expressed its disapproval of lump-sum appropriations, should appropriate and hand over to him the huge sum of from one hundred to one hundred and fifty millions. Mind you, it was his proposal, not that Congress appropriate for certain specific functions which had been recommended by him, but the money was to be put into his hands and he was then to select a committee from among his Cabinet to expend this sum according to their judgment—not the judgment of Congress. It would be as reasonable for him to ask Congress to make a lump-sum appropriation for every Government department—to be expended as the President and his Cabinet should see fit.

I have the highest respect for every member of the Cabinet. I recognize their probity and their patriotism; but as a Member of the House, charged with the responsibility of appropriating the money of the people, and primarily responsible to the people for these appropriations, I am unwilling by my vote to appropriate the huge sum of one hundred to one hundred and fifty million dollars without having some information as to just where and how the money is going to be expended, by what department it is going to be expended, and in what sections of the country it is going to be expended.

The President states in his message that he has had a survey made of the departments and that he has information as to just how much each department can use in the way of construction work. Certainly Congress is entitled to have that information. Certainly Congress is entitled to have the Budget Bureau, created for this purpose, send us estimates showing just how much money is going to be used and in what way it will have the effect of speeding up the building program and giving employment to labor.

Let me say here that I stand ready to vote for every dollar that is necessary, or that is believed to be necessary, to relieve the present depressed condition throughout this

country. [Applause.] I feel I can, as one of its humble members, speak for the Democratic side and give assurance that no Democrat will offer the slightest objection to any appropriation that is designed for that purpose. On the contrary, we join with you gentlemen on the other side in every effort you may make to relieve the distressed situation which exists throughout the country. [Applause.] But for one I wish to be advised as to what is proposed, and certainly Congress is entitled to that information.

Let us see what speed has been made heretofore in the construction of public buildings.

This situation did not grow up overnight. It has existed for months and months and months. It began with the great stock panic in Wall Street in the city of New York. Ever since that time business has been going to pieces. Men and women have been losing their jobs and farm prices have been going down.

So I say it is not a sudden thing. What progress has been made up to this time in the construction of public buildings? I recall two cases in my own State, and I daresay you gentlemen have personal information as to cases of a similar kind in your States.

In the last deficiency bill, which passed July 3, 1930, an appropriation was made for a public building in Chattanooga and one in Knoxville, Tenn., neither of which are in my district. Yet to-day not even a site has been selected.

One gentleman who went to Knoxville to look over and select a site a few days ago is quoted as saying that it would be eight or nine months before the Government would begin work on the post-office building in the city of Knoxville, Tenn. And yet they have got to-day in the Treasury of the United States to the credit of the building fund $72,558,000. If the administration is so anxious to provide work and that money has been lying there in the Treasury idle, why is it that these buildings have not been put under construction?

Do not misunderstand me. I am not indulging in criticism of any public official; but I am saying that when the country is told that we need $100,000,000 or $150,000,000 to speed up the construction of public buildings in order to take care of unemployment this winter, and that if such an appropriation is made it will have that result, the facts now at hand do not justify such a statement.

I am perfectly well aware that in the large task of constructing public buildings over the country time is needed. I wish to repeat that I am not offering any criticism of those who are in charge of this work. Hon. Ogden Mills, the Undersecretary of the Treasury, in discussing the appropriation of $60,000,000 carried in this bill, and also the balance on hand, said:

> It may well be, in view of the expanding building program, that an additional appropriation will be needed 12 months hence. In other words, we will be in a much better position in December, 1931, to know how much can actually be expended in the fiscal year than we are to-day.

They have $72,000,000 now, and this bill carries $60,000,000 in addition, making $132,000,000 which will be at the disposal of the Treasury Department for the acquisition of sites and construction of public buildings. Do you know how long it takes to get a title through the Department of Justice after you have selected the site? It takes on an average of four months for the Department of Justice to pass on the title. Then after the title has been approved deeds must be passed; then plans and specifications must be drawn for the building, and bids must be called for; advertisements made, and after the lowest bid has been received and accepted contracts must be entered into and passed on by the legal authorities.

What about other public works? There is the construction of roads. There could be a good deal more money expended on roads, of course. That money could be distributed among the States, and let me say here that if it is done and legislation is passed, I want to see some of that money put upon what we might call the small market roads out in the communities, rather than upon the great highways, upon which most of the money has been expended in the past. However, under the law as it exists to-day, the States must cooperate with the Federal Government. Under the law as it exists to-day, the States must match dollars with the Federal Government. How many States of this Union are prepared to put up their part of the money necessary to insure this increased appropriation from the Federal Government? Many of their legislatures are not in session in order to meet the increased appropriation. Congress will have to change the law so as to permit this money to be appropriated and distributed to the States without cooperation, but when it does it I am unwilling to let even the President of the United States, for whom I have great respect, say how much shall be given to this State and how much to that State.

Congress has passed upon that, and has provided that it shall be distributed according to the mileage in public roads and the population of the States in order to be fair and not to discriminate. The agricultural bill, which will be reported shortly, will carry, I think, $125,000,000 for the building of public roads. That money can be made immediately available. I have no objection to increasing that amount, but I think a great deal has been said through the newspapers which has had the effect of creating the impression throughout the country that when Congress appropriates $100,000,000 to $150,000,000 and puts that money in the hands of the President the whole problem will be solved. The President stated in his message yesterday that in this year, 1930, there were $7,000,000,000 in contracts for construction and betterment upon the part of public-utility companies and other great corporations. One hundred and fifty million dollars is not 2 per cent of that amount, so one can see how little additional relief this is going to give to the millions of men and women who are out of employment to-day and to their dependents.

Money can be spent in increasing amounts upon river and harbor work. The President and the Budget have only recommended an increase of $5,000,000 for the next year over what we had last year, or $60,000,000 to be spent in the way of flood control.

I have called attention to these facts in the hope that the country will not be deceived by this claim that simply by the appropriation of $100,000,000 to $150,000,000 this whole problem is going to be settled.

There is one other subject of which I wish to refer and that is the question of the Budget, which was submitted here to-day. As I said at the outset, I have not had an opportunity to analyze it. I have contended for many years that the expenses of our Government for ordinary operations were increasing rapidly every year, and this year is no exception. Mind you, these estimates do not relate to the additional appropriations necessary for speeding up work and increasing work of public construction. The estimates for 1932 amount to $4,667,845,468.07. The appropriations for 1931 were $4,437,342,585.22, or an increase for the next year over the present year of $230,502,882.85. These are the estimates for the regular annual appropriation bills. You and I know that there will be deficiency bills at the next session of Congress, which will add to the amount of appropriations necessary to carry our Government through 1932. And this increase is made despite the fact that there is a saving in interest on the public debt of $22,000,000 next year over this year and despite the fact that owing to a balance in the Treasury it is not necessary to appropriate $28,000,000 for the increase of the Navy and major alterations of the larger vessels. Also, it is made in spite of the fact that the appropriation for 1932 carries $104,000,000 less than was carried for the present year for the purpose of making tax refunds.

As I have stated, these expenses relate to the ordinary expenditures of the Government. The total expenditures as stated by the President, exclusive of postal expenses, amount to $4,286,152,925, and if you will add to that the postal expenses, which are as much a part of the expenditures of the Government as those of any other department, and for which we appropriate, of course, in the pending bill for the next fiscal year, you will have, according to the President's figures, over $5,000,000,000 of expenditure for 1932, a greater amount than we have ever had to expend in peace times

except in 1921, when we were still paying for the hang over of the World War and had an army of occupation in Germany.

The President states that there will be a deficit of over $180,000,000 at the close of the present fiscal year. A year ago he estimated there would be a surplus of more than $200,000,000, and Congress thereupon reduced the income tax for the year 1929 in the sum of $160,000,000, and this fact was used in the last election as one of the great accomplishments of the present administration. Now, after the election it appears that instead of a surplus there will be a deficit and that the taxes obtaining in 1928 must be restored.

Those expenses are increasing, and increasing steadily.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield?

Mr. BYRNS. Yes.

Mr. LINTHICUM. What is the increase under the prohibition enforcement act?

Mr. BYRNS. That is not in this bill. The Bureau of Industrial Alcohol has an increase of $479,000 in this bill.

Mr. LINTHICUM. What is the amount of the Budget increase?

Mr. BYRNS. I understand the Budget carries an increase of $2,000,000 for the enforcement, making a total of about $17,000,000 for enforcement, with $5,000,000 for industrial alcohol.

Mr. LINTHICUM. And then how much for the Coast Guard? How much is appropriated for that?

Mr. BYRNS. Thirty million dollars, of which $16,000,000 or $17,000,000 is on account of prohibition.

Mr. LINTHICUM. And the more we spend the less we enforce.

Mr. BYRNS. Well, that may be true in some cases. Of course, the gentleman and I are not responsible for that.

Mr. LINTHICUM. It is certainly true in my section.

Mr. BYRNS. Well, I think it is true in nearly all sections, to a certain extent, but perhaps that is not altogether the fault of the law.

Mr. HASTINGS. Mr. Chairman, will the gentleman yield?

Mr. BYRNS. Yes.

Mr. HASTINGS. Has the gentleman before him the figures relating to permanent and indefinite appropriations?

Mr. BYRNS. I can give them to the gentleman. The permanent indefinite appropriations for the year 1932 amount to $1,075,369.89.

Mr. HASTINGS. I thought it might be interesting for the country to know that these figures include permanent expenditures.

Mr. BYRNS. I included permanent indefinite appropriations.

Mr. LINTHICUM. Is the appropriation for the Postal Department less than that of last year's law for the current year?

Mr. BYRNS. No; it is greater.

Mr. LINTHICUM. There is dissatisfaction in my city, and I presume everywhere, on the ground that there is not the same general delivery, and the people are dissatisfied. Why, then, should it take more money?

Mr. BYRNS. It is due to the natural increase and growth of the Postal Service. It is a growing service. More letter carriers and clerks are needed. There is a steady 4 per cent growth in the Postal Service every year on the average. For that reason postal expenditures naturally increase, though not to the extent of 4 per cent, because the Post Office Department does not estimate for the full increase of 4 per cent. But there is a necessary increase.

Mr. LINTHICUM. Has the gentleman any information as to the cause of the increase in industrial alcohol? Is that because more alcohol is used? Why is that?

Mr. BYRNS. Well, the gentleman is a distinguished leader of a certain number of gentlemen in the House, as——

Mr. LINTHICUM. Distinguished but not extinguished. [Laughter.]

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. BYRNS. I do not wish to consume any more time. I will probably have something to say on the Budget estimates at a later date. [Applause.]

Mr. WOOD. Will the gentleman from Tennessee yield some time to some Member on his side of the House?

Mr. BYRNS. Mr. Chairman, I yield 30 minutes to the gentleman from Oklahoma [Mr. McKEOWN].

The CHAIRMAN. The gentleman from Oklahoma is recognized for 30 minutes.

Mr. McKEOWN. Mr. Chairman, the year of our Lord 1930 is drawing to a close and many thousands of our citizens will give a sigh of relief as the old year dies and a new year is born. But before the warm days of spring return many a soul will feel the biting breezes of winter and pass on over the divide.

What is the state of the Union?

A land of plenty and poverty.

A land of plutocrats and panics.

A land of big business and bankrupt merchants.

A land of inflated stocks and deflated buyers.

A land of trusts and combinations—chain stores and chained competition.

A land of gushing oil wells with importation of oil and its products increasing daily.

A land of the Federal reserve bank and home of breaking banks.

A land of natural water power controlled by trusts whose stocks are soaked with water.

A land where prohibition prevails and racketeers flourish.

A land blessed by Almighty God and damned by bootleggers and the godless.

Where farmers fight in vain for a fair chance.

Where wheels of industry have stopped and laboring men wander up and down in search of work.

What has happened so suddenly to change in a decade a happy, prosperous, and contented people into a condition of misery, unrest, and chaos. There is but one answer—unwise and discriminatory laws.

This condition is not the result of just happened so or to any particular distressing occurrence. This condition has been long on the way and is the result of years of folly.

When the industrial sections of the Nation were not satisfied with reasonable tariff rates to protect their interests and wholly disregarded the fact that prosperity in America includes the far stretches of the West and South as well as the area of the manufacturing States, they obtained the enactment of the Fordney-McCumber Tariff Act. This afforded the industrial areas a season of apparent prosperity. They apparently cared nothing for the distress of the agricultural group, and imbued with the prospects of world-wide domination of trade they closed their eyes and ears to the cry of distress from the South and the West.

This attitude of industry led Mr. Coolidge to proclaim in every speech and from the housetop that we were enjoying unparalleled prosperity. This was his platform in 1924.

Speculative citizens after their run-to in Florida turned to the greatest of all Monte Carlos, the stock market in Wall Street, and there commenced an amazing debacle. Every sane man knew it could not last.

Whether it be the duty of the White House to warn reckless citizens is not one made so by statute, but it remains that no warning was issued.

The panic in Wall Street can not be said to be responsible for our economic dilemma.

The money was not destroyed in any holocaust of fire or lost in some whim of nature.

In the early days after the war the manufacturers having become more familiar with our European neighbors began to prepare to furnish to Europe her needed supplies. Funds to buy with were needed. This was arranged through eager bankers who could exact luscious rates of interest.

The orders came in a deluge.

Manufacturers converted war industries into mass production of goods. To hold this trade they set in to acquire and invent every possible labor-saving machine with which to reduce the costs of manufacturing and increase their profits.

The laborer and the farmer were left out of the picture. Whenever a labor-saving device was installed and 500 men thereby displaced, the wages of 500 men were saved; but, alas! the machine would not buy a pound of butter nor a yard of cloth.

They saved the cost of the labor of 500 men and likewise lost the buying power of 300 families.

While pandering to European trade they kept the sales prices at war levels to the consuming public in America. Although by mass production the costs were lowered, yet the retail prices were not immediately cut. When business slackened they made some reductions, but even to this hour the necessaries of life are above the price level of farm products. During the war period agriculture, driven on by the world's demands, expanded tremendously in spite of a dearth of farm labor and its greatly increased costs.

Upon the close of the war the farmers suffered more than their share in the deflation which immediately followed. In order to lower food prices in the great cities and industrial centers the farmer was sacrificed on the altar of deflation.

He did not have in his pockets the needed money with which to absorb the shock. All America went on a spending orgy for a time and we lost that element of saving and thrift for which our ancestors were noted.

How different has been the reaction from the World War as compared to the end of the War between the States. The soldiers of the North returned home to bend their efforts to restore their industries and broken fortunes. The followers of Lee went back to Dixie, a land of waste and ashes, to reconstruct a new and better South.

Saving, thrift, and work were magic talismen that brought this Republic to the forefront with the great nations of the earth. What of the state of the Union to-day? Gigantic surpluses of food products and manufactured wearing apparel and thousands are hungry and nearly naked.

A land of boundless acres of land and thousands of homeless farmers and laborers with no place to lay their heads. A land of combination and centralization of wealth, where by one transaction you make one millionaire and a million poor. This is a situation brought about by unwise legislation fostered by the party in control of the Government. But to correct the situation calls for the best thought and votes of progressive Americans in both political parties.

The transportation question is here again. The railroads are to be consolidated. The whole rate structure should be revised.

During the time passenger rates were 3 cents per mile under the laws of Oklahoma you could scarcely get a seat. The railroads would crowd you into their coaches as long as there was standing room, and complained bitterly that they were losing money. It may have been true, but it is impossible to convince one that it is more profitable to haul empty coaches at 3½ cents per mile for passengers than crowded cars at 2 cents per mile.

They now have the higher rate and the empty coaches; they are not flourishing. Then while the people were crowding the trains traveling across the country during the war the Pullman surcharge was inaugurated to hold down travel as a war measure; but although it was abandoned as a war measure it was reinstated by the roads as a revenue measure to the tune of over $30,000,000 annually. In this House an attempt to prevent the surcharge was defeated by the claim that to do so would defeat a reduction on farm products.

The surcharge is still on and farm products rates are still high. What a situation do we often find in America—delicious fruits and food rotting in orchards or fields in one section and mouths hungry for them in other sections, wholly because of prohibitive freight rates.

The railroads complain that the United States Government is building highways and waterways out of the public fund for busses and boats to use in competition with their privately owned roads. They will not agree for Uncle Sam to run them and do nothing to meet the competition.

There would be but few bus lines competing to-day had the railroads been willing to furnish shuttle trains and station-to-store delivery. On the other hand, if we do not regulate the tonnage, rates, and sizes of vehicles on highways, we will destroy both our railroads and highways.

The railroads, in a measure, are in the situation of the steamboats on inland waterways when railroads began to build. The Congresses of bygone days permitted the railroads over the outcry and protest of the river boats to parallel the river and destroy the steamboats.

We should profit by the errors of the past and put an end to the constant fighting between transportation agencies even if we go to the extent of fixing the classes of freight to be hauled by railroad, by busses and by barges, by pipe lines, and by air.

America needs all our methods of transportation, and it was an economic crime when we lost our river transportation.

The railroads are now clamoring for regulation of oil and gas rates by pipe lines.

Why did they not furnish equipment and fair rates to the oil people at the proper time and avoid the pipe-line competition?

America is suffering from high freight rates, and what we need most at this time is not consolidation but freight classification and conservation of all our transportation methods.

Proscribe the sphere of the activities of each method, make them stop squabbling among themselves, and give the American people service.

The farming industry has been permitted to starve out and is to-day a quarter of a century behind industry in the matter of equipment and method.

We are not going to solve the difficulties of agriculture until we start at the root of the trouble underlying. As long as there are thousands of tenant farmers without land of their own or hope of a home; as long as the tenant farmer because of his dire extremities must pay excessive rates of interest for his supplies and exorbitant tariffs on his purchases; as long as his home and community conditions are such that the bright lights of the near-by towns and cities lure his sons and daughters away from home, so long will farming be a failure.

Cooperative marketing is good for big producers, but the little fellow will never get into the picture.

American business men want to do things on a big scale. Never satisfied to enjoy the better things of life, such as happiness and contentment, they seem to want to gather together in a short span of life all the money in the world. Corporation farming and peasant farmers are in the offing. No individual farmer is financially able under present prices to equip his farm with necessary cost-cutting machinery. In Oklahoma, due under the constitution to the wisdom of its makers, corporation farming can not exist.

In view of the doctrine of isolation to which Republican leaders have committed our country in world affairs; first, by rejecting any affiliation with the other nations of the world, which action was approved by several millions of American voters who in an evil moment failed to foresee the commercial results; and second, by prohibitory tariff rates destructive to trade at home and commerce abroad. We shall now have to turn our attention, in so far as our industries are concerned, to the domestic markets.

Before you can stabilize agricultural products you must assist the producers in controlling production. You apply control to the other industries, why not agriculture? [Applause.]

This is what must take place in America under the ill-advised and ill-constructed policies that have been inaugurated and put into force in the last 10 years in this country. You may as well make up your minds that you are going to confine all of your business activities to America alone, because, as I said a moment ago, in an evil moment there was a rejection of the association of nations that would have put us in touch with the foreign peoples and kept us in contact with them. But what have we done? In order to add

insult to injury we refused to associate with them. We then passed the Fordney-McCumber Tariff Act, which was the highest bill that was ever passed. Then, in addition to that, we passed this monstrous Hawley-Smoot bill, which absolutely closed the markets for 26 nations of the world to our products.

Why do the cotton farmers of the South propose to raise cotton so that they can sell it abroad at less than it costs to produce it? Do your farmers of the South owe the manufacturers of England that much consideration that your women and your children shall toil in the fields in the hot days of summer to produce cotton and to sell it to the manufacturers at less than it costs to produce it? Why do you not favor curtailing production of your cotton to meet domestic demands? Why do the wheat farmers of the West produce wheat and spend their time and energy to produce wheat to be sold to foreigners for less than it costs to produce it in America?

You can control overproduction. You control the production of manufactured articles. You control the production of oil, and yet there is importation of oil into this country every day that is overwhelming the oil business. You are going to destroy the American oil industry. You are going to give the foreign companies control of the American oil industry in this country within the next five years unless you change your policy. If we are going to have home markets, then the farm products must be controlled.

I have introduced a bill, for whatever it is worth, that sets out a plan by which the products of the farm can be controlled to meet domestic demands, and I can not understand why the farmers want to produce these articles and sell them at less than it costs to produce them.

Now, let me call your attention to something else. You may just as well make up your minds that you have either to pass an old-age pension bill in the Congress of the United States or you must close the Patent Office of the United States for 10 years on labor-saving devices. Where are you going to gain when you put a labor-saving device in by which you supplant thousands of men and not only lose both the labor of those men but the purchasing power of those men to buy your products?

With reference to road construction and relieving unemployment by spending thousands and millions of dollars in road construction, what does that mean? Road construction, as it is carried on to-day, is a machinery proposition, and the farmer of the country gets very little good out of the proposition of road building by machinery. That is not the way to help the farmers of this country. The way to help the farmer is to help him stay on the farm; and not take him off the farm. To-day the American farmer has been driven from the farm into the cities where he augments the supply of unemployed people. When the farmers of this country learn that they are not going to make much money farming, and learn that it is not a place to make money, but where they can raise their children in the fear of God and where they can raise them in morals, and when they will be satisfied to make a good living, then America will take a step forward. Your fathers never made a fortune in farming. Nobody ever made fortunes in farming, except in the increased value of the land as time went forward.

But there is a priceless reward to the farmer that no other man enjoys in this world, and that is the fact that he is independent. He does not have to come at the whistle of any man. He is an independent American citizen. He goes about his business with that feeling of an owner, and with some pride, but unless you change his condition the situation is going to be worse.

If it were left to me to-day to say what would be the first thing I would do to relieve the financial situation in America, if I had it in my power I would pay all adjusted compensation claims up to $500 and I would advance $500 on those who had adjusted claims above that sum, and I would pay it before Christmas. [Applause.] If you will pay off the claims that amount to $500 it will be sent to every nook and cranny of this Nation. You will help men in every city, township, county, and State in the Nation. Now, somebody will say, "Is that not a bonus?" Certainly it is not a bonus.

Mr. MURPHY. Will the gentleman yield?

Mr. McKEOWN. I yield to the gentleman from Ohio.

Mr. MURPHY. Will the gentleman tell us what the widow of some World War veteran will do, some widow who has nothing to look forward to when her husband passes out, if this bonus was not in existence? It is the only protection that a widow or the children of an ex-service man now has to take care of them after he has gone.

Mr. McKEOWN. Will the gentleman answer me this question: If the gentleman owed me $1,500—and we say we owe it to them and that it is not a gift—does he think it would be best for my widow and my children for me never to have it in my lifetime? Is that the way the gentleman thinks it would relieve me?

Mr. MURPHY. The gentleman is begging the question. I am asking the gentleman if there is any other protection which the widows and children of ex-service men can get outside of the compensation laws?

Mr. McKEOWN. The same protection which the widows of Civil War veterans received when the time came. They got their protection when the time came.

Mr. MURPHY. But there is no pension now.

Mr. McKEOWN. Do I understand the gentleman to mean that the widows and children of these ex-service men should be allowed to starve to death?

Mr. MURPHY. The gentleman knows I did not say any such thing as that. The gentleman knows I have always been for the soldiers. The gentleman knows the fight I made years ago for the soldiers.

Mr. McKEOWN. I know that, and that is the reason I am surprised that the gentleman can not go with me now.

Mr. MURPHY. I am now calling the gentleman's attention to the fact that there is no protection for the widows or children of these ex-service men outside of this compensation or bonus, if you wish to call it that, and you are not going to help the widows and children of ex-service men by taking away from them the protection they now have.

Mr. McKEOWN. We came here and said to these soldiers, "Boys, you were not paid enough during the time you served in the war; we did not pay you what we paid the civilians, so we are doing it now. It is a debt, not a bonus, not a gift, but an honest-to-God debt," and you said you owed it to them. However, at that time you said, "We have not the money to pay you to-day, but we will pay you in 1945." Now, if we want to, why can we not start in and pay a little of this debt to-day and start the wheels of industry turning in this country and start everybody to paying a little on their debts? I am in favor of paying off to those ex-service men whose bonus does not amount to over $500, and I am in favor of paying $500 on account to those soldiers whose bonus amounts to more than $500. If that were done, the little shopkeepers in every part of this country would be greatly helped. If that were done, it would not be necessary for the Red Cross to take care of these ex-service men and the ex-service men would not be humiliated by going up and asking for a cup of coffee. So I say that the United States Government should start to pay some of this money now. Let us pay it when these men need it.

Mr. MURPHY. Does not the gentleman think it would be wise to introduce a bill to pay a pension to the widows and children of these ex-service men before you take away from them the only protection they have? If you took away that protection, they would become charges on the community if the poor fellow happened to die without any means. Does the gentleman mean to say he is in favor of taking away that protection from the children and mothers?

Mr. McKEOWN. No; I do not want to do that and I do not want them to become charges on the community now, and they will become charges on the community unless we do something for them. I want to say to the gentleman that he will not go any further on the proposition of giving pensions than I will, but I say we owe this debt to them and we should pay it. I also want to say to the gentleman

that he will find me right here fighting for any proposition which comes in for aiding the unemployment situation.

I stand here and say that farm relief should have been carried on by making loans to the States. I say the States should have been made responsible for the loans and should have been made to stand some part of the obligation. I will not stand here and be for everything that means taking money from the Treasury of the United States under the guise of helping unemployment, because we are not responsible for all of this situation. I want to say to the gentleman that we are here to guard the Treasury as well as to help the people. However, I am for helping the people now and not talking about it next week. Let us pay this $500 now. Some fellow will say, "Where are you going to get the money?" I would get the money in the same way I would have to get money if I paid my debts. If I pay my debts I would have to go to the bank and borrow the money and then pay it out to them. If everybody in this country—the Government and every citizen of the country—would pay a little money on what they owe between now and Christmas you would see a smile come over the people of this country, and in that way you will start things moving upward.

Mr. HASTINGS. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. HASTINGS. As I understand it, my colleague is in favor of placing the widows of these ex-service men on a parity with the widows of soldiers of the Civil War.

Mr. McKEOWN. I certainly am, and I will certainly go as far on that proposition as any other man here.

Mr. MURPHY. Does not the gentleman believe that the widows and children of these ex-service men should have and hold the protection they now have until this Congress does just what the gentleman admits it ought to do and what I say it ought to do? However, I do not want this protection taken away from these children and widows until this Government does what it ought to do.

Mr. McKEOWN. What about his insurance? For the protection of his widow and children you gave him insurance.

Mr. MURPHY. We did if he took it, but you know there are a million men and women in this country who carry no insurance. Some of them took out the insurance and then let it lapse. You can not put an old head on young shoulders, and they were boys who fought this war.

Mr. McKEOWN. But a debt is a debt. You said you could not pay it until 1945 and the soldier was indulgent and said that was satisfactory. There were those in this House who cried then for cash payments. Many of the level-headed men in this House said that it ought to have been paid in cash, but the soldiers accepted the proposition and agreed to extending the payment to 1945. So what I am asking is not to give anybody a bonus, not to give them something they are not entitled to, but simply to pay a part of our debt, and I do not ask that you pay it all. They do not want it all. I want to pay any such claim up to $500 and advance $500 in those cases where the amount is more than $500.

This can not be unfair and there can not be any other crowd coming in and getting this money. This money will go right into general business.

Although I was born and reared in South Carolina I have supported every pension bill in this House, because I knew that it was right; and in addition to that, I knew that as an economic proposition, pension money comes back into the Treasury quicker than any other money.

Mr. MURPHY. The gentleman, however, does want the widows and children of the World War veterans to be protected, does he not?

Mr. McKEOWN. I certainly do.

Mr. MURPHY. Then why does the gentleman want that protection taken away from them? The only protection they have now is this much abused "bonus," if you wish to call it that. Almost everyone abused you and me and the rest of us who voted for it, but it is the only protection the widows and children have. Let us keep it for the widows and the dependent children until this Government, of which the gentleman is a part and I am a part, passes a pension bill, which we ought to do.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. BYRNS. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. McKEOWN. All I have to say in conclusion is that this is a debt, it is an obligation and is not a bonus. We said, "We did not pay you enough wages during the war and we now ask you to give us until 1945 to pay this claim," and all I am asking the Government to do to-day is to say that on these small claims of $500 or less, we will pay them off now, and if any needy soldier wants $500 above that, we will advance it to him, and we will not be paying off all we owe. And I will say to you, to-day, if you pay this $500 between now and Christmas you will start a movement of prosperity, because the money goes to cities and towns, country and village, and goes into every nook, cranny, and into every county in this great Republic. In this way you will get some real benefit, and you can do this while they are waiting down here in the architect's office to draw plans to build public buildings.

Why, my friends, if we had been in a war and had depended on public buildings to save us, we would have been whipped a long time ago. We would have been whipped before they could ever get the plans prepared. Why, they will not draw a plan at all down there until they make some kind of scientific survey of the lot to see which way the water runs or whether it runs off at all, even in a little town of 5,000 people. It takes them more time to make blue prints than it takes a good contractor to build a building. [Laughter and applause.] And I may say to you now that if you want to start prosperity in this country you have got to go to the fundamentals, and you might just as well start out now by giving these soldiers some of the money we owe them, and pay it to them now. [Applause.]

Mr. WOOD. Mr. Chairman, I yield 20 minutes to the gentleman from Wisconsin [Mr. BROWNE].

Mr. BROWNE. Mr. Chairman, I ask to have the Clerk read in my time the bill H. R. 13542.

The CHAIRMAN. Without objection, it is so ordered.

The Clerk read as follows:

A bill to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes

Be it enacted, etc., That for the purpose of carrying out the provisions of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, and all acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated, out of the money in the Treasury not otherwise appropriated, the following additional sums, to wit: $250,000,000 for the fiscal year beginning June 30, 1931; and the sum of $250,000,000 for the fiscal year beginning June 30, 1932.

SEC. 2. The Secretary of Agriculture is hereby authorized to enter into cooperative agreement with the highway departments of the several States for the construction of highways with the funds appropriated under section 1 of this act, and he is hereby exempted from the limitations imposed by the said Federal aid road act and amendments thereto as to the per cent cost of such projects to be borne by the Federal Government. In no case shall any State be required to contribute more than 20 per cent of the cost of the highway constructed or improved with moneys appropriated in this act.

SEC. 3. That section 6 of the said Federal highway act is hereby amended authorizing and creating a third class of highways to consist of both those intracounty and intercounty highways over which passes the United States mail by rural mail carriers. First selecting and improving those rural mail roads which shall best serve the agricultural needs of the country in obtaining access to the Federal-aid system, the rail and water shipping points, and the markets. Funds provided by the counties or the subdivisions thereof may be used in cooperative contracts for the construction or reconstruction of the aforesaid farm service mail routes, but none of the appropriation made under this section 3 shall be spent in the construction or improvement of the roads included in the Federal-aid system and known as primary or secondary roads.

SEC. 4. Fifty per cent of the funds appropriated under section 1 of this act shall be used in the construction and improvement of highways comprised in the Federal-aid road system as specified in the Federal aid road act of July 11, 1916, and acts amendatory thereof, and the remaining 50 per cent of the funds apportioned under section 1 of this act shall be expended on the construction or reconstruction of the farm-service mail routes as designated in section 3 of this act.

SEC. 5. If any provisions of this act shall be held to be invalid, such invalid provision shall not affect the validity of any other provision of this act which can be given effect.

SEC. 6. All acts or parts of acts in any way inconsistent with the provisions of this act are hereby repealed, and this act shall take effect immediately upon its passage.

Mr. BROWNE. Mr. Chairman and ladies and gentlemen of the committee, official figures show that there are at least 3,500,000 people out of employment in the United States. Unemployment is undoubtedly the most important question which will be considered at this session of Congress.

The bill which I have introduced, in my opinion, will give employment to more people and at the same time will hasten an important public work which a larger number of people will receive benefits from than any other work this Government can undertake.

This bill provides for an authorization of $250,000,000 per year for the next two years for the improvement of our highways. Fifty per cent of the amount to be appropriated to be expended on trunk roads in the Federal-highway system. The remaining 50 per cent to be expended on the improvement of the rural mail farm-to-market roads. The amount of the appropriation in this bill would be apportioned among the several States as provided in the present law, and is in addition to the amount which has already been appropriated by the Federal Government.

It also provides that the Government shall contribute 80 per cent and the State 20 per cent to the building of roads.

In my opinion, there is no public work which the Government can engage in where the money expended will help as many and diversified industries and be distributed as widely as the money expended in building our highways. The remotest section in every county of our 48 States will receive the immediate benefits of this appropriation, not only in the expenditure of money for labor but in the improvement of roads over which the people will travel 365 days in the year in all kinds of weather, in the nighttime as well as in the daytime, and the 42,750 United States rural mail carriers will traverse daily. The passage of this bill will mean the purchase of tractors, trucks, graders, steam shovels, gas engines, cement, cement mixers, gravel, sand, asphalt products, lumber for fencing embankments and safety signs, steel, oil, gas, and iron, and dozens of other kinds of road machinery and material used in road making, and benefit the railroads in hauling the material. The construction of many public works are in the main helpful to a certain locality. The building of roads under this bill would be of great benefit to every locality in the United States.

FEDERAL-AID ROADS SHOULD BE HASTENED

Federal aid to roads is a belated improvement. It was begun in the administrations of Washington and Jefferson and advocated by both these statesmen, who believed that the Federal Government should pay the entire cost of these main arteries of travel. As a result the Federal Government built the Cumberland Road from Cumberland, Md., to the Ohio River, over which began the march of civilization from the east to the west. The invention of the steamboat and the locomotive centered the attention of the public to these modes of transportation, which were subsidized by Congress, leaving the building of roads to the local communities. Federal aid for highways was thus suspended for a hundred years.

INTERSTATE ROADS A NATIONAL MATTER

Before the invention of the automobile when traffic moved slowly over our highways in horse-drawn vehicles, the building of roads might have been considered of only local concern. The invention of the automobile has revolutionized transportation over our highways. The situation has changed very materially since the Federal aid road law was passed in 1916, at which time there were less than 4,000,000 motor-power vehicles in the United States. To-day there are over 29,000,000 motor-power vehicles in the United States. Out of these there are over 4,000,000 trucks, 93,000 busses, and over 8,000 of these are interstate busses. Seventy-two steam railroads are using busses as feeders for their railroads. There were 263,000 miles of common-carrier bus routes and 48,362 miles of exclusive interstate bus routes in operation in 1928. There are through bus schedules from Washington to New York and San Francisco, and every other large city in the United States. A total of more than 2,000,000 bus-miles were traveled in 1928; 19,900,000 motorists from all the States in the Union visited our national parks in 1929, a million and one-half more than the preceding year.

The United States mail is carried 300 days in the year, rain or shine, by 42,750 Government mail carriers, who traverse 1,319,576 miles of road daily between sunrise and sunset. Over 1,000,000 school children are transported daily in school busses. The State highway engineer of Wisconsin informs me that an accurate record of the number of cars with nonresident State licenses coming into Wisconsin in 1929 was kept, and that these cars brought into the State over 4,500,000 people in a hundred days during the summer season. These figures show conclusively that the question of building interstate roads and mail roads over which the United States mail is carried by Federal Government employees is not merely of local or State concern but a national matter over which the Federal Government will soon exercise complete control in the regulation of all interstate traffic the same as it now exercises over railroads.

HIGHWAYS ARE INADEQUATE

No one will seriously disagree with my statement that our highways are inadequate to meet the demands of traffic. The question is then how can we hasten the completion of our Federal-highway system and how rapidly should we complete the system of Federal-aid highways? It should be remembered that the Federal-road system includes only 7 per cent of the roads of the United States. The remainder, or 93 per cent, of the roads are built, maintained, and kept in repair by the States and political subdivisions of the States. In other words, the several States and political subdivisions of the States are building, maintaining, and keeping in repair close to 2,000,000 miles of road, including over 90 per cent of the rural Federal mail roads having a mileage of 1,543,545 miles. This is in addition to paying over 60 per cent of the cost of the Federal or interstate roads and maintaining and keeping in repair and open to traffic summer and winter all Federal or interstate roads.

Mr. Taber, president of the Grange, who carefully weighs his words, made the statement in his recent address that the taxes on the farm property of the United States had increased since the war 257 per cent and that high taxes were one of the major causes of farm depression. This enormous increase in the taxation of farm property has been caused very largely by the building of roads. Therefore, if our Federal-highway system is to be completed within a reasonable time, the Federal Government must appropriate larger amounts and pay a larger proportion in the building of Federal highways. The States and local subdivisions have gone to the limit and there is a reaction growing against further road building if it is to bankrupt the farmer.

With the small aid from the Federal Government and at the present rate of building roads it will take over 54 years to complete the Federal system of roads, which only comprise 7 per cent of the total road mileage. I make no criticism in any way of the Bureau of Roads; I have only words of commendation. They have used the money appropriated by Congress for Federal aid in the most efficient possible way. I am giving these facts to show how inadequate the Federal appropriations have been in the hope that the Federal Government may realize its responsibility and make adequate appropriations to complete the Federal-aid system of this country within a reasonable time.

Mr. SLOAN. Will the gentleman yield?

Mr. BROWNE. Yes; I yield.

Mr. SLOAN. I notice that you put 80 per cent on the Government and 20 per cent on the States. Is that correct?

Mr. BROWNE. Yes.

Mr. SLOAN. This bill does not give the Government any additional jurisdiction in the control or selection of these roads other than it has now?

Mr. BROWNE. No. Let me answer the gentleman. At the present time no road can be designated as a Federal road without the consent of the Director of the Bureau of Roads, Mr. MacDonald. Every cent of money that is expended on the Federal-road system must be approved by the Director of Roads. The Federal Government has a perfect veto power on anything the State may do on the Federal-road system.

Mr. SLOAN. They have not now, and the purpose is to make the Government expend $4 where the State expends $1. If the Government is going to adopt the additional burden, why should not the Government have something more to say about where the road shall be and more to say about the control of it than it now has under the 50-50 plan?

Mr. BROWNE. It has now the full power of veto on anything the State highway department contemplates doing on the Federal-road system. It can designate the road to be improved and if you wanted to you could not give the Federal Director of Roads any more power than he now has.

Mr. SLOAN. You could give the Government full control of the road after it is built.

Mr. BROWNE. It has that now, for if the State does not keep up the system the Federal Director of Roads can prevent the State being given any more money.

Mr. SLOAN. That is a veto power instead of direct control.

Mr. BROWNE. The Interstate Commerce Commission also has control over the Federal system of roads the same as it has over interstate railroads.

Mr. HASTINGS. Will the gentleman yield?

Mr. BROWNE. I yield.

Mr. HASTINGS. Does the gentleman think it is necessary to place that provision in the bill for the Government to contribute 80 per cent and the State only 20 per cent? Does he not think it would receive more favorable consideration if he put it on the 50-50 basis? Does he not believe that all the States of the Union would be glad to avail themselves of the opportunity of matching the Government's money 50-50? I know that my State would be glad to match any amount the Federal Government might contribute. And permit me, while I am on my feet, to say that I am in sympathy with the gentleman's bill. I am in favor of some of this money going to build up the smaller communities and the market road—the primary road in the various States.

Mr. BROWNE. In reply to the gentleman's statement, I will say that many of the States are bonded so high that they can not raise any more money by bonds than they are now raising. Some States' constitutions prohibit them entirely from issuing bonds, so that they have had to put the amount raised for roads in the tax roll. And you will find that there are many States to-day that are straining their financial resources to the very utmost to comply with the Government's requirements and of maintaining and keeping repaired the trunk lines besides helping the other State and county road systems. The Government so far has contributed 40 per cent and the States 60 per cent, but you will remember that that is only on 7 per cent of the roads. The 93 per cent have to be built and maintained and kept open at all times by the States and the subdivisions of the States. You will find that in many States there is a limit to that. Take the amount of money expended by the State and the subdivisions of the State and that appropriated by the Federal Government and you will find that the ratio is $1 of Federal money to $20 raised by the State and subdivisions of the State. That is too much.

Mr. HASTINGS. If there is that sort of proportion, it seems to me that there would be no difficulty in inducing every State in this Nation to match the Government on a 50-50 basis.

Mr. BROWNE. I maintain that on the Federal roads, purely interstate roads, the Federal Government should pay the whole cost of the roads. These roads are traveled by the people of all the States, as I have shown. The Wisconsin State Highway Commission keeps track of the number of autos with out-of-State licenses and of people who come into the State in automobiles bearing foreign licenses.

Mr. HASTINGS. How would he ascertain if they came in on interstate roads?

Mr. BROWNE. Oh, there are only a few trunk lines that come in, and they have their agents there. They made computation last year, and it is reasonably accurate, that four and a half million people came into the State of Wisconsin in 100 days in automobiles bearing foreign licenses, showing that these roads are not local State roads but are interstate roads.

Mr. HASTINGS. But it does show that Wisconsin was greatly benefited by those interstate roads.

Mr. BROWNE. Yes; and the people from other States coming there were benefited. It also shows that these interstate roads in the Federal system should be built with Federal money. Mr. Taber, of the Grange, says that the increase in taxation of farm property has been 257 per cent since the war. That increase has been upon real estate and personal property. The money which the States and the subdivisions of the States raise in taxes comes largely out of real estate, and real estate is assessed and taxed now more than it can stand. That is one of the troubles with agriculture to-day.

Mr. HASTINGS. The people of Wisconsin ought to have a progressive governor such as we have elected, who is going to do away with the ad valorem taxes on land.

Mr. BROWNE. Oh, I think the gentleman from Oklahoma can congratulate himself upon the governor that Oklahoma has. I had the pleasure of seeing him when he was in the House, and he was a very versatile and able Member. I know that he would pay the same high tribute to our governor elect if he knew him.

IT WILL TAKE 54 YEARS TO COMPLETE FEDERAL-HIGHWAY SYSTEM UNLESS LARGER APPROPRIATIONS ARE MADE

The Federal-road system consists of 7 per cent of the roads, 193,049 miles; total road improvement under Federal aid which will stand modern traffic, 34,773.7 miles; balance of road system remains unimproved for modern traffic, 158,275.3 miles.

Roads improved for fiscal year ending December 1, 1930, as shown by table in Bureau of Roads report, 3,151.6 miles.

At the rate of improvement of permanent roads in the last year, which was more than an average year, it will take 54 years to complete our Federal highway system.

The 34,012.8 miles classified as improved with Federal aid at the close of the fiscal year, June 30, 1930

[Taken from report of Thomas H. MacDonald, chief, Bureau of Roads, December 1, 1930, pp. 16–17]

EXHIBIT A

Roads which will not stand modern traffic

	Miles
Graded and drained earth roads	12,488.5
Untreated sand-clay roads	7,166.2
Bituminous-treated sand-clay roads	16.5
Untreated graveled surfaces	28,607.9
Total	48,239.1

EXHIBIT B

Roads which will stand traffic

	Miles
Bituminous-treated graveled surfaces	482.5
Water-bound macadam surfaces	1,754.1
Surfaced by bituminous-treated macadam	603.4
Improved with low-cost bituminous-mixed surfaces	742.0
Surfaced with bituminous macadam	4,057.1
Paved with bituminous concrete	3,204.7
Portland cement concrete pavements	23,693.3
Block pavements	904.7
Consist of bridges and their approaches	331.9
Total	35,773.7

Total mileage, 35,773.7 miles of improved roads, which will stand modern traffic, built with Federal aid from 1917 to June 30, 1930.

STATE APPROPRIATIONS CONTRASTED WITH FEDERAL APPROPRIATIONS

President Hoover in his message to Congress December 3, 1929, commenting on highways, gave the following figures: The total expenditure of Federal, State, and local governments last year for construction and maintenance of roads amounted to $1,660,000,000.

Taking the President's figures and deducting from this amount, the amount the Federal Government appropriates $75,000,000, it leaves the amount of State and local appropriations at $1,585,000,000, or the ratio at about $1 that the Federal Government expends on our roads to $20 the States and their subdivisions expend.

President Hoover in his message of December 3, 1929, says further:

Federal aid in the construction of the highway system in conjunction with the States has proved to be beneficial and stimulating. We must ultimately give consideration to the increase of our contributions to these systems, particularly with a view to stimulating the improvement of farm-to-market roads.

The bill which I have introduced provides for improving the farm-to-market roads which would be included in the rural-mail routes. With 3,500,000 men out of work in the United States, this is certainly a very favorable time to carry out the suggestions of President Hoover and at the same time help the unemployment situation.

GOOD ROADS CONCERN EVERYBODY

The question of good roads concerns everybody. At one end of the road is the farmer with his crops for sale, which aggregated last year over $12,000,000,000. At the other end of the road is the city with its people waiting to be fed, with merchants waiting for trade, and with railroads waiting for goods to transport. To whose advantage is it to have good roads for the farmer to come to town? It is clearly to the advantage of the merchant in the city and the railroads as much as it is to the farmer. Every man's house faces on a road which connects with every other and leads to every other man's door and to every market place throughout the land. The farm and the farmers are the great and abiding support of the city.

ROLLING STOCK

The phenomenal increase in automobiles in the last 14 years is amazing. In 1916 there were 3,512,996 motor vehicles. In 1930, up to October, there were 29,577,935.

Roads have not kept pace with rolling stock. Our highways are inadequate to meet the demands of traffic. Roads must be built faster. The rolling stock, which consists of over 30,000,000 motor vehicles, are almost 100 per cent perfect, while the roads they move over are not 25 per cent perfect.

At $600 per motor vehicle there are approximately $18,000,000,000 invested in these 30,000,000 automobiles and trucks. The increased wear and tear and depreciation of automobiles because of being operated over poor roads per year at $30 per motor vehicle would amount to $900,000,000 a year more than if operated over good roads.

Every railroad system considers it good business to keep its roadbed as perfect as its rolling stock, and hundreds of millions of dollars are expended by the railroads improving their roadbeds. Railroads consider this a very good investment. Why is it not a good investment for the Government? The poor-road tax is the heaviest tax the people are paying to-day.

THE FEDERAL GOVERNMENT HAS RECEIVED MORE FROM THE TAXATION OF AUTOMOBILES THAN IT HAS EXPENDED ON ROADS

The Federal Government up to date has expended on its roads less than $900,000,000. The Government, as a war measure in 1918, placed an excise or sales tax on automobiles at 5 per cent; also a tax on accessories. This in 1926 was reduced to 3 per cent. From 1918 to 1927, when the tax was repealed, the automobiles and accessories have paid a Federal excise tax or sales tax of $1,081,845,555. In addition to this the owners of automobiles are paying local personal-property taxes, State taxes for registration amounting to $787,501,791 annually.

OWNERS OF AUTOMOBILES PAY A HEAVY TAX

The motor-vehicle tax in 1928 was as follows:

Registration fees	$322,630,025
Gasoline tax	304,871,766
	627,501,791
Personal-property tax	140,000,000
Municipal tax	20,000,000
	160,000,000
Grand total	787,501,791

MONEY FOR FEDERAL AID DERIVED FROM INCOME TAXES

The Federal Government does not levy any tax on real estate. The money received by the Federal Government from taxation is from income taxes, inheritance taxes, excise taxes, and duties levied on imports of foreign goods under the tariff.

The opposition to Federal aid to highways comes from a few of the wealthy States east of the Allegheny Mountains.

Statements have been frequently made on the floor of Congress and broadcasted throughout the country that New York pays almost 25 per cent of the total income and inheritance tax. Therefore, unless it receives back 25 per cent of any distribution of Federal aid the State is imposed upon. One-fifth of all the money deposited in banks of the United States is deposited in banks in the city of New York. Admitting these facts, I deny that New York or any State contributes one cent more to the Federal highway fund than it receives in benefits. New York is the financial center of the United States, but if it were not for the natural resources of the various States the millions of acres of wheat, corn, and cotton, and the 25,000,000 dairy cows and the other great resources which contribute toward making this the wealthiest Nation in the world, New York would not have the bank deposits it now has and be the wealthiest city in the world.

In the 10-year period from 1912 to 1922 the wealth of the United States increased from $186,000,000,000 to $320,000,000,000, a net increase of $134,000,000,000. From 1922 to 1928 it is estimated by the Census Bureau our wealth has increased over $40,000,000,000. All of the 48 States, with their splendid citizenship and wonderful natural resources, contributed to the unprecedented increase of wealth. New York did no more than many other States in the creation of this wealth.

On May 15, 1925, the statement of the United States Treasury Department showed that while the deposits in the New York national banks totaled $2,218,027,000, 38 per cent of these deposits were from banks and trust companies outside of New York State. The coming census will undoubtedly show the same proportionate increase.

RAILROADS AND LARGE CORPORATIONS PAY TAXES IN NEW YORK

The Union Pacific Railroad in 1923 paid an income tax in New York of four and a half million dollars, and yet this road does not operate east of Omaha and Kansas City, a half continent away from New York State.

The Southern Pacific paid a tax of $5,000,000 in New York and this road does not run any nearer than New Orleans.

The United States Steel Corporation in 1923 paid an income tax of $16,000,000 in New York. They have 145 plants, only two of which are in the State of New York. They have 153,350 stockholders who paid this tax, and only 32,322 of these stockholders live in the State of New York. Many other corporations pay their income tax in New York, but are obtaining their resources and making their money in other States in the Union as well as New York State. As an illustration of this, such large corporations as the American Railway Express, American Beet Sugar Co., American Can Co., American Locomotive Co., American Radiator Co., American Smelting & Refining Co., American Tobacco Co., Western Union Telegraph Co., Nevada Consolidated Copper Co. pay their taxes in New York.

All of the chain stores have their home offices in the city of New York, Chicago, or some of the large cities and pay

their income taxes in those cities. The Borden Milk Corporation, the National Dairy Corporation, and other similar organizations, control 70 per cent of the fluid milk of the country, paying their large income taxes in New York City. The Ford Auto Co. and many other large automobile companies situated in Detroit and deriving their incomes from all parts of the United States pay their large income taxes in the cities where they have home offices. Thus the wealth of the United States coming from the millions of people in every one of the counties of the 48 States drains into the large commercial centers and pays a large income tax. It is therefore equitable and fair that a small proportion of the large incomes of these corporations having their home offices in the cities should contribute in the way of taxes toward the building up of a system of public roads which are helpful and necessary to them in the maintenance of their business. It is no more than fair that a portion of the wealth which is produced in the various States should come back to the thousands of localities where it originated for the improvement and betterment of these localities.

HOW TO RAISE THE MONEY

We have been paying off our national debt since the war at a rate of nearly a billion dollars a year. I am informed by the Treasury Department that we have reduced the national debt from $26,594,267,878.45, August 31, 1919, to $16,185,308,299.18, June 30, 1930, a reduction of $10,408,959,579.27. This is a most remarkable achievement. I think, however, in this emergency, with 3,500,000 men unemployed, it would be good business to skip one year in applying the Government income reducing the national debt and use the billion dollars, or as much thereof as is necessary, toward building public works and improvements, which will give employment to our people. An extra billion dollars expended by the Federal Government in the next fiscal year for road building and rivers and harbors and hastening our public-building program would go a great way toward relieving unemployment and helping business without increasing taxation, but only prolonging the payment of the national debt one year. I believe this plan is feasible and will meet with public approval.

SUBSTITUTE JOBS FOR DOLES—MONEY COULD BE RAISED BY AN ISSUE OF LIBERTY BONDS

During the war we had four Liberty bond issues.

An issue of Liberty bonds, or call them "employment bonds," the proceeds to be expended for needed public works, such as public roads and public buildings and rivers and harbors improvements, would meet with public approval. The prosperity that these expenditures, with the employment of this labor, would bring would pay the bonds with very little, if any, increase in income taxes.

It would substitute jobs for doles and increase the purchasing power of the people and help farmers, retailers, railroads, and business in general.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. BROWNE. Mr. Chairman, I ask the gentleman from Indiana to yield me 10 minutes more.

Mr. WOOD. Mr. Chairman, I yield the gentleman from Wisconsin 10 minutes more.

Mr. BROWNE. Harold S. Buttenheim, chairman of the Emergency Committee for Federal Public Works, 470 Fourth Avenue, New York City, a committee composed of prominent men who stand high in commercial circles, suggests that Congress authorize a billion dollars of Liberty bonds. The proceeds to be expended for needed public works in every State in the Union. He makes the following suggestion:

If we were facing a great war Congress would authorize billions of dollars of Liberty bonds; everyone would begin feverishly to produce and use machinery and other resources to the utmost capacity; and the general standing of living would be materially raised. Confronted now with this great problem of peace—this "war against human misery," as it has recently been termed by Col. Arthur Woods, director of the President's Emergency Committee for Employment—should we not act with similar patriotism and courage? Should not the Federal Government authorize an immediate issue of "Employment bonds"—to an ultimate total of a billion dollars or more if necessary—the proceeds to be expended for needed public works in every State of the Union?

To assume that the Nation could not afford to spend a billion dollars, or several billions, in this manner would be unreasonable. To pay the interest and amortization might require a slight increase in the income-tax rate; but it can not be doubted that the financial and psychological stimulus to prosperity would so increase corporation and individual incomes as to more than offset the taxes collected by the Government to finance such a program.

THE ADMINISTRATION SHOULD FOLLOW THE ADVICE IT GIVES OTHERS

The administration is advising the people to buy now and spend as much money as they are able to spend. In the conferences which have been held those in authority have advised the employers of labor to extend their activities in every way possible to relieve the unemployment situation. I believe this is excellent advice and I think the large employers of labor, including the railroads, have responded courageously. Is the Federal Government following its own advice?

In the rural-carrier service alone there were 44,168 carriers employed in 1928. In 1930, at the same date, there are 43,178 rural mail carriers employed by the Government, a reduction of 990. Over 546 carriers have been laid off during 1930 in one branch of the post-office service, and this curtailment to the injury of the rural-mail service.

I am reliably informed that there are approximately 600 vacancies in the clerical force in the first and second class post offices. There are 400 vacancies in the city-delivery forces which remain unfilled. This means that there are at least 1,000 jobs in the Postal Service that could be immediately filled if the department followed the policy which is being urged upon private industry.

Would it not be consistent for the Government at this time to take the money that it already has raised by taxation and expend it on Federal roads and other public works that will be of inestimable value to the people and employ a large number of people who are now idle and in destitute circumstances?

Congress could make the appropriation called for in the bill which I have introduced with no extra tax by simply putting off the payment of the national debt one year or by a bond issue.

It would give Wisconsin, which has 51,141 miles of rural and star routes, $6,066,000 per year.

UNEMPLOYMENT

The problem of unemployment is a world-old problem. The relief in times of unemployment has usually been slow and inefficient.

Not so with the Emperor Napoleon Bonaparte of France. Napoleon has been called by some a benevolent despot. He was a man of action in times of peace as well as in times of war. Here are some of his instructions given to his ministers at a time of great unemployment in France.

If the cold should be sharp, as it was in 1789, you must have fires kept alight in the churches and market places so that as many people as possible can warm themselves. * * * The winter is very severe, meat is dear, we must provide work in Paris. Get on with the cutting of the Ourcq Canal, with the construction of the Quai Desaix, with the paving of the back streets. * * * We must have several homes of refuge in every department. * * * There are a great many out-of-work shoemakers, hatters, tailors, and saddlers. See to it that 500 pairs of shoes are made every day.

He writes to the Minister for War, saying that special orders for supplies for the artillery are to be issued. To the Minister for Home Affairs:

We must provide work, especially this month before the holidays. Issue an order that in May and June 2,000 St. Antoine workmen are to supply chairs, chests of drawers, armchairs, etc. Send me your proposals to-morrow so that a beginning may be made promptly.

He reads a by-law that no one wearing a workman's blouse is to walk through the Tuileries garden. Instantly he has the regulation canceled and gives express permission for such people to walk through. He learns of a proposal to close the public reading rooms:

I won't allow anything of the kind. I have not forgotten my own experience, how useful it was to know of a well-warmed room where I could read the newspapers and recent pamphlets. I will not allow others who are as poor as I was then to be robbed of these comforts.

In the Theatre Français the stalls are to be very cheap on Sunday—" so that the people may enjoy the performance."

There are to be no gambling hells in France:

They bring families to ruin, and I should set a bad example were I to tolerate them.

By his new education law he establishes public elementary schools, middle schools, lycees, and technical colleges throughout the country. There are to be 6,000 free scholarships, and a third of these are to be reserved for the sons of especially deserving persons. Within three years there are 4,500 elementary schools, 750 middle schools, and 45 lycees. " He honors the institute by choosing a third of his first senators from among its members."

State	Mileage of star and rural routes as of June 30, 1930	Tentative apportionment of $250,000,000 Federal aid
Alabama	39,695	$5,176,000
Arizona	5,060	3,567,000
Arkansas	30,799	4,230,000
California	29,990	9,469,000
Colorado	22,352	4,594,000
Connecticut	7,727	1,585,000
Delaware	3,218	1,219,000
Florida	15,281	3,310,000
Georgia	54,908	6,329,000
Idaho	10,731	3,972,000
Illinois	74,218	10,348,000
Indiana	60,537	6,227,000
Iowa	64,248	6,447,000
Kansas	62,881	6,690,000
Kentucky	34,540	4,592,000
Louisiana	16,081	3,494,000
Maine	15,062	2,183,000
Maryland	12,937	2,067,000
Massachusetts	9,149	3,482,000
Michigan	57,187	7,584,000
Minnesota	56,380	6,858,000
Mississippi	34,854	4,371,000
Missouri	66,948	7,695,000
Montana	16,322	5,094,000
Nebraska	43,217	5,205,000
Nevada	3,982	3,198,000
New Hampshire	7,292	1,219,000
New Jersey	9,821	3,268,000
New Mexico	8,574	3,974,000
New York	53,714	12,267,000
North Carolina	46,240	5,872,000
North Dakota	31,414	3,958,000
Ohio	71,039	9,134,000
Oklahoma	46,986	5,867,000
Oregon	16,092	4,022,000
Pennsylvania	61,519	10,714,000
Rhode Island	1,510	1,219,000
South Carolina	27,612	3,393,000
South Dakota	30,123	4,076,000
Tennessee	47,677	5,303,000
Texas	89,300	15,503,000
Utah	4,607	2,820,000
Vermont	9,579	1,219,000
Virginia	35,979	4,586,000
Washington	19,562	3,872,000
West Virginia	17,194	2,667,000
Wisconsin	51,141	6,066,000
Wyoming	7,605	3,136,000
Hawaii	651	1,219,000
Total	1,543,545	243,750,000

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. BROWNE. Yes.

Mr. SLOAN. Does the gentleman from Wisconsin intend to use the money paid in as interest on our foreign obligations on the principal for the purpose of this enterprise he has so well put forth?

Mr. BROWNE. All of the money that we receive as interest on foreign debts goes into the Treasury, and that reduces the amount of general taxation.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. BYRNS. Mr. Chairman, I yield 30 minutes to the gentleman from Georgia [Mr. COX].

Mr. COX. Mr. Chairman, ladies and gentlemen of the committee, the remarks that I shall make will have no political significance whatever. I am not talking for home consumption, but I shall endeavor to bring to the committee certain information that may or may not have some bearing on an issue which the House will at an early date be called upon to decide. The Committee on Interstate and Foreign Commerce during the latter days of the last session of the present Congress reported favorably H. R. 11, commonly known as the Capper-Kelly retail price control bill. I would have much preferred waiting until that measure reached the floor for consideration to make my argument, but not being a member of that committee, doubtless I would not have the opportunity to give full expression to my views. And even now I do not hope to cover the entire case, but I shall briefly give you in a general way my views on the fundamental questions that are involved, leaving you to apply the arguments that may be suggested by anything that I might say.

The bill provides as follows: That no contract relating to the sale of a commodity which bears—or the label or container of which bears—the trade-mark, brand, or trade name of the producer of such commodity, and which is in fair and open competition with commodities of the same general class purchased by others, shall be deemed to be unlawful, as against the public policy of the United States, or in restraint of interstate or foreign commerce, or in violation of any statute of the United States, by reason of any agreement contained in such contract.

That the vendee will not resell such commodity except at the price stipulated by the vendor.

The only conditions and exceptions to this rule are:

SEC. 2. Any such agreement in a contract in respect to interstate or foreign commerce in any such commodity shall be deemed to contain the implied condition, (a) that during the life of such agreement all purchasers from the vendor for resale at retail in the same city or town where the vendee is to resell the commodity shall be granted equal terms as to purchase and resale prices; (b) that such commodity may be resold without reference to such agreement—

(1) In closing out the owner's stock for the purpose of discontinuing dealing in such commodity or of disposing, toward the end of a season, of a surplus of stock of goods specially adapted to that season;

(2) With notice to the public that such commodity is damaged or deteriorated in quality, if such is the case; or

(3) By a receiver, trustee, or other officer acting under the orders of any court, or any assignee for the benefit of creditors.

It will be noted there is no provision for Government supervision or regulation. The producers and manufacturers are given a free hand. They may fix their profits and prices to wholesalers, jobbers, retailers, and to the consuming public at will.

In the interest of a better understanding of the meaning of this bill, let me make a brief statement of conditions out of which the proposal comes.

Prior to 1890, when the Sherman law was passed, all business was being hurriedly merged into monopolistic combinations and trusts. Conditions became such that the public interest demanded some congressional action, hence the antitrust act, which denounced as illegal any contract, combination in form of trust, or otherwise, or conspiracy in restraint of trade or commerce among the several States or with foreign nations, and further provides that every person who shall make any such contract or engage in any such combination or conspiracy shall be deemed guilty of a misdemeanor.

While this law put some restraint upon the then widespread movement toward monopolistic combinations it did not entirely suppress it, and many schemes were devised to evade the statute, among which were certain forms of contracts. The contract scheme had developed into large proportions by 1910, when the Supreme Court in the case of Dr. Miles Medicine Co. v. John D. Park Sons Co., reported in 220 U. S. 373, declared them to be in restraint of trade in violation of the antitrust act and the common law.

There were two contracts involved in this case. One was between the manufacturing medicine company and a wholesaler, binding the latter to sell only to retailers approved by the former and at prices fixed by the manufacturer. The other contract was one between the manufacturer and the retailer binding the retailer to sell at prices fixed also by the manufacturer. The question presented to the court was: Can a manufacturer dictate by contract the price at which its trade-marked, patented, or otherwise identified products shall be sold by wholesaler or retailer, and the price at which the retailer shall sell to the consuming public?

In the course of its opinion the court said:

It is, as we have seen, a system of interlocking restrictions by which the complainant seeks to control not merely the prices at which its agents may sell its products, but the price for all sales by all dealers at wholesale or retail, whether purchasers or subpurchasers, and thus to fix the amount which the consumer shall pay, eliminating all competition.

The court further said:

Contracts between a manufacturer and all dealers whom he permits to sell his products, comprising most of the dealers in similar articles throughout the country, which fix the price for all sales, whether at wholesale or retail, operates as a restraint of trade, unlawful both at common law and, as to interstate commerce, under the antitrust act of July 2, 1890, even though such products may be proprietary medicines made under secret formulas.

It is the nullifying of that part of the antitrust act and the common law upon which the decision of the court is based and the legalizing of these contracts in restraint of trade that this bill is designed to accomplish.

The question presented is a serious one and demands careful consideration. An extensive and aggressive campaign for manufacturers' price-fixing legislation has been carried on by the manufacturers for more than 50 years. The advocates are closely organized and often heard, but the time has come for some one to speak for the voiceless millions who are threatened with having fastened upon them a trade system that will exact of them a greater toll represented in manufacturers' and producers' profits than they are already having to make. There is no better time than now to challenge this business of government by propaganda. Nothing tends to deteriorate the quality of legislation so much as yielding to such pressure. In the Washington Post of December 2, 1930, under heading Calvin Coolidge says, I read the following:

One of the hardest problems the Congress has to meet is the constant pressure of outside influences. The old lobby that was so frequently charged with vicious activity practically has disappeared. But the organized minorities of special interests, with agents and publicity bureaus for creating an artificial appearance of public opinion and showering Senators and Representatives with letters and telegrams, has grown to huge proportions. It is a species of supergovernment, undertaking to exercise sovereignty without any duly constituted authority or public responsibility. In consequence the Congress is put under duress. Almost all these organizations seek an expenditure of the taxpayer's money.

Every interest has a right to organize and be heard. But the right to congressional action depends on the relation of the request to the welfare of all the people. If the Congress could be let alone, if it could be free to form its own judgment on what it knows are the realities instead of being forced to surrender to the artificial, much time and money could be saved and much better legislation would result. The Congressmen are the legal representatives of the people. No other agency can claim exclusive right to speak in the name of the people.

Continuing in this course, how long will it be before the greedy maw of selfish interests will have swallowed up all the substance of the land?

You will have observed that the terms of the bill limit resale price control by the manufacturer to commodities which bear—or the label on container of which bears—the trade-mark, brand, or trade name of the producer, and that the exceptions to the rule that the distributor can not sell for less than fixed prices are, in discontinuing the handling of such goods, in selling seasonable goods at end of season, selling damaged goods with notice of damage, or sales made under orders of any court. In other words, the only way a retailer once signing one of these contracts can regain his lost independence is to die, or go broke, except as the manufacturer may determine when goods are damaged or as to when a season ends.

And it should not be overlooked that the contract, though in restraint of trade, is made legal by the bill and will subject the retailer and jobber to an action for damages for any breach thereof, and for the redress of any grievance that the wholesaler or retailer may have against the manufacturers or producers they must take their case to the courts where the manufacturers' or producers' principal place of business is located. This would mean that, due to expense involved in such proceedings, the average retailer would have no redress against the wrongdoings of the manufacturers and producers.

Mr. KELLY. Mr. Chairman, will the gentleman yield there?

Mr. COX. Yes.

Mr. KELLY. The gentleman is making an interesting statement. I regret I did not get the benefit of his remarks from the beginning. Does the gentleman oppose the principle of the manufacturer having the right to control his resale price?

Mr. COX. I do.

Mr. KELLY. Has not the Supreme Court of the United States given its sanction to that very practice?

Mr. COX. Let me make this observation to the gentleman: Your bill is intended to legalize price control by contract between the manufacturer and retailer. That is your proposal. The Supreme Court has said in a number of decisions that that practice is not only violative of the antitrust act but it is against the common law.

Mr. KELLY. The fact of the matter is that the Supreme Court has held it absolutely just and valid for the manufacturer to control the retail price through his own agencies. Under the General Electric case 30,000 retailers were required to maintain a retail price under the circumstances described, and the Supreme Court decided that the manufacturer could control the price under such circumstances.

Mr. COX. The Supreme Court has said that the manufacturer has a monopoly of the production and distribution of his product. Of course, it has that, and he does not violate the antitrust act by setting up agencies in the different localities and marketing his product through those agencies. That is what the Supreme Court has said in the decision referred to by the gentleman. But let me remind the gentleman that the decision in the Miles case was not the first pronouncement of the Supreme Court to the effect that the scheme sought to be legalized by the bill to which I am addressing my remarks was illegal. There are earlier decisions than that case, but the decision in the Miles case is the first pronouncement of the court which covered all of the points urged by the manufacturer in his effort to avoid the provisions of the antitrust act.

Mr. KELLY. Does my friend object to the principle of the manufacturer, by consignment, controlling the retail price of his product?

Mr. COX. If the consignment is merely a colorable transaction practiced on the part of the manufacturer for the purpose of avoiding the law, not only the provisions of the antitrust act but the provisions of the common law as against restraint of trade, I certainly am opposed to it.

Mr. KELLY. That is not what I asked you.

Mr. COX. But I submit that I am not opposing the manufacturer in good faith setting up agencies to market his product through them. If the gentleman has any point on which he wishes to question me relating to the conditions as presented to the court in the Miles case or in any of the cases succeeding, I shall be glad to answer any question. The decision in the Miles case, as I said, was the first pronouncement of the court that covered all the points that had up to that time been presented and all the schemes that had been urged by the manufacturer in his endeavor to avoid the provisions of the antitrust act. If the consignment is merely a device on the part of the manufacturer for evading the law, not only the provisions of the antitrust act, but the provisions of the common law as against restraint of trade, I certainly am opposed to it. That is what I am opposed to. I do not say that it is illegal for a manufacturer to set up an agency.

Mr. KELLY. I want to get at what the gentleman is really opposing.

Mr. COX. I am opposing the bill you have offered here, which has for its purpose the setting aside of a public law enacted for the public good, the suspending of the antitrust act and also the suspension of the common law, so far as it declares against acts and combinations in restraint of trade.

Mr. KELLY. The gentleman knows as well as I do that Congress never declared illegal a contract for the maintenance of a resale price.

Mr. COX. I submit that no open and fair minded lawyer can take the antitrust act and put any other construction upon its provisions than is put upon them by the Supreme Court in the Miles case.

Mr. KELLY. I would submit the name of Louis D. Brandeis, now a distinguished Justice of the Supreme Court of the United States. He says that decision did not take into consideration the facts connected with modern commercial transactions.

Mr. COX. The statement by Mr. Brandeis was based upon this supposition that the manufacturer's property rights in his patent and trade-mark monopolies give him the right to control resale prices of his products. In other words, he enlarged the property rights of the manufacturer in this respect.

Mr. KELLY. The gentleman is mistaken about that. If he will read the hearings had before the Committee on Interstate and Foreign Commerce, he will notice that Mr. Brandeis made a very complete argument in behalf of the passage of this bill.

Mr. COX. I regret to say that is not the fact.

I challenge the gentleman to name a single decision of the court which upholds the theory that the gentleman now proposes before this committee. There is not a single case.

Mr. KELLY. I just named one.

Mr. COX. Oh, there are decisions of inferior courts, but all these were upset by the Supreme Court.

Mr. KELLY. In 1928 the Supreme Court held that the General Electric Co. could deal with 33,000 retailers and maintain the price of the product.

Mr. COX. But there was nothing said in that case by the court that in any way modified the decisions of the same court outlawing price fixing by contract or otherwise.

Mr. KELLY. What they really did was to say that it is perfectly legal to maintain the resale price of a product if it is done by a system of resale agencies or consignment. It is not legal if done by contract. It is perfectly legal if done by consignment and resale agency, which reaches the same end.

Mr. COX. We come right back to the agency proposition. Nobody disputes but that a manufacturer has a right to market his products through an agent. Of course he has.

Mr. KELLY. Well, that is maintenance of price.

Mr. COX. And the courts have said that if it is a colorable transaction, set up for the purpose of evading the law, it is under the indictment of the law.

Mr. BUSBY. Will the gentleman yield?

Mr. COX. I yield.

Mr. BUSBY. In regard to the case just cited by the gentleman from Pennsylvania [Mr. KELLY], if I recall correctly, the sole reason the practice of the electric company was upheld was because it was their own product and belonged to them, and they were selling their own product.

Mr. COX. Of course.

Mr. BUSBY. And that is reasonable. The only reason their position was maintained was because it was dealing with a product that belonged to them, through their own agency.

Mr. COX. On which they have a complete monopoly, or did have until the title passed out of them.

Mr. KELLY. Then, neither the gentleman from Georgia [Mr. COX] nor the gentleman from Mississippi [Mr. BUSBY] objects to the principle of maintaining a uniform resale price of a product?

Mr. COX. I object to anything, sir, that is intended to be used for the purpose of interfering with trade; that is, in restraint of trade.

Mr. KELLY. The automobile business interferes with trade in just the same way.

Mr. COX. But it comes back to the same proposition. The automobile business has no bearing whatsoever on the issue I am discussing. That is a case where the automobile people market their cars and their products through their agencies, but if they have a contract with an agency which is entered into for the purpose of controlling the price that the agency will charge for the product in retail, that contract is unenforcable, provided the title to the product at any time before sale passes out of the manufacturer into the agency.

Mr. KELLY. That is true, but the end is maintenance of the resale price of the automobile.

Mr. COX. On the question that your bill is intended to effect, let me read from the best mind that has ever been brought to bear upon this whole question, from a decision by Mr. Justice White in the case of Boston Store against American Graphophone Co., which the committee has referred to in quoting from the brief filed by a distinguished Member of Congress in that case. The court said:

> We at once say, despite insistence in the argument to the contrary, that we are of opinion that there is no room for controversy concerning the subjects to which the questions relate, as every doctrine which is required to be decided in answering the questions is now no longer open to dispute, as the result of prior decisions of this court, some of which were announced subsequent to the making of the certificate in this case—

And so forth.

In that decision Mr. Justice Brandeis concurred, because, as the statement was made, the rulings of the court in prior decisions bound him in the case. There is a review of different decisions of the court made in that case.

Mr. BECK. Will the gentleman yield?

Mr. COX. I yield.

Mr. BECK. Will the gentleman not read the end of that opinion, which, if my recollection serves me correctly—and I happened to argue that case in the Supreme Court—two Justices dissented, and Justice Brandeis only failed to dissent on the ground of stare decisis. He felt the court had previously passed upon it. It does not militate against the argument of my friend that a majority of the court held otherwise. That is the purpose of this legislation.

Mr. COX. Yes, of course. Justice Brandeis concurred in the following language:

> Whether a producer of goods should be permitted to fix by contract, express or implied, the price at which the purchaser may resell them, and if so, under what conditions, is an economic question. To decide it wisely it is necessary to consider the relevant facts, industrial and commercial, rather than established legal principles. On that question I have expressed elsewhere views which differ apparently from those entertained by a majority of my brethren. I concur, however, in the answers here given to all the questions certified, because I consider that the series of cases referred to in the opinion settles the law of this court.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS. Mr. Chairman, I yield the gentleman 10 additional minutes.

The CHAIRMAN. The gentleman from Georgia [Mr. COX] is recognized for 10 additional minutes.

Mr. COX (continuing reading):

> If the rule so declared is believed to be harmful in its operation, the remedy may be found, as it has been sought, through application to the Congress, or relief may possibly be given by the Federal Trade Commission, which has also been applied to.
>
> Mr. Justice Holmes and Mr. Justice Van Devanter are of opinion that each of the questions should be answered in the affirmative.

Mr. BECK. So there were three dissents?

Mr. COX. One special concurrence and two dissents.

Mr. BECK. Now will the gentleman permit a further interruption?

Mr. COX. I will if it does not require any extended answer, because I wish to complete my statement.

Mr. BECK. The purpose of interrupting the interesting address which the gentleman is making is to correct what seems to be a misapprehension as to the nature of this bill as it is recommended by the Committee on Interstate Commerce. Apparently the gentleman is under the impression that the bill as now reported to the House sanctions the practice adopted in the Doctor Miles medical case.

Mr. COX. Unquestionably.

Mr. BECK. Such is not the fact, in my humble judgment.

Mr. COX. Well, I can not see that any other meaning could be given to the bill.

Mr. BECK. Would the gentleman just allow me to make a statement, as a member of that committee, as to what the committee, at least, conceived to be the nature of the bill? If, however, the gentleman prefers that I should not do so, of course I will not.

Mr. COX. I would like to have sufficient time to finish my statement.

Mr. BECK. I trust the gentleman will have it, because the gentleman is making a very interesting address.

Mr. COX. The gentleman flatters me.

Mr. CRISP. My friend from Tennessee [Mr. BYRNS] has promised me 15 minutes. I will be glad to waive it and give it to the gentleman from Georgia.

Mr. COX. How long will it take the gentleman from Pennsylvania [Mr. BECK] to make his statement?

Mr. BECK. Two or three minutes; just to explain what we believe to be the nature of the bill.

The bill called the Capper-Kelly bill, as originally considered by the Committee on Interstate and Foreign Commerce, unquestionably did seek to legalize the practice which was condemned by the Supreme Court in the Doctor Miles medical case, the practice being the power in a manufacturer not merely to impress upon his immediate vendee a prohibition against the retail price but to compel that vendee to project the same covenant against a cut price to his vendee, and thence forever, by a kind of running covenant, until it reached the consumer.

Mr. COX. Is not that the bill before the House?

Mr. BECK. It is not the bill of the Interstate and Foreign Commerce Committee. I happen to know this, because when the bill came before us in that form I made an amendment—which must be embodied in the bill—in which the limit of the proposed legislation was to give to a manufacturer who had created a good will at his own expense in his commodity the right to impress upon his immediate vendee the retail price, that he must not sell at less than a certain price, but that the vendee, having complied with that, could not say to anyone to whom he sold, "You must adopt a similar restriction." In other words, as all the goods that are really the subject matter of this bill are sold to distributors, undoubtedly a manufacturer, we will say the Victor Phonograph Co., could impress upon his distributor that he could not sell at less than a certain price, but the distributor could not say to the retailer, "You must not sell to the consumer at less than a certain price." So that the only purpose of the legislation as reported by the committee was as between the immediate vendor and vendee and their right under the general liberty of contract to require that the vendee shall not sell at less than a certain price.

Mr. COX. Let me say in answer to the gentleman that I, of course, do not agree with him in the construction he puts upon the bill, and I challenge every Member of this body to consider the bill in the light of the hearings, and determine if he agrees with the gentleman's pronouncement.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. COX. Yes.

Mr. HUDDLESTON. The principle announced in the Miles case that it was violative both of the antitrust act and of the rules of the common law that a vendor who parts with the title to property should dictate to the vendee the price at which it should be resold. The principle is violated in toto by the bill being discussed.

Mr. COX. That is right.

Mr. HUDDLESTON. That is the principle. Now, that principle is violated in toto by this bill.

Mr. COX. That is right.

What is the purpose of the bill? It is to legalize monopolies and contracts in restraint of trade. But that is not all. By this form of restrictive agreement the manufacturer seeks an enlargement of his property rights to the disadvantage of all others. It is proposed that he shall have the right to control his product all along the line, from the time it leaves his hands until it comes into possession of the ultimate consumer.

What becomes of the principle of freedom of exchange in movable property if the manufacturers be permitted to impress his products with the stamp of interest after it has been sold and paid for? Title would never vest with the unrestricted right of alienation. Is not such an arrangement as is sought to be legalized "against the trade and traffic and bargaining and contracting between man and man"? In the Miles case referred to, the Supreme Court said, in the language of the now Chief Justice, "The public have an interest in every person carrying on his trade freely." Under the bill there is no more freedom of contract or freedom of trade in the retailer. He will become the pawn of the manufacturer, a cog in the machine of another.

But has it occurred to you that this is a special law to be enacted for a special class? Immunity against the antitrust law is granted to none other. Why this special and extraordinary grant of power? Is this the class most entitled to the tender consideration of Congress? It has been the general belief that, due to the ability to measure demand and adjust production accordingly, thereby avoiding the loss incident to overproduction and burdensome surpluses, that they, of all operators, are in best condition, and in spite of the colossal losses in capital investments sustained by the whole country, theirs have been comparatively small. That which is made lawful for the manufacturer is unlawful for the distributor and the public.

But much is said by the advocates of the measure about protecting the manufacturers' interest in his trade-mark, patent, and copyrights in the sale of his goods. Confusion is likely to arise on this score, for which reason I would like to discuss his rights under existing laws.

A manufacturer may, because of his secrecy of process, letters patent, or for other reasons, have a complete monopoly of production on the thing he makes, and has absolute control of such production before sale, but his title ends when sale is completed. Rights of patentees are derived from statutory grants. The grant of letters patent is not a gratuitous conference of a right, as was the case under the old English law, but is one based upon public consideration. The right is to protect the inventor in the fruits of his invention. The consideration to the public is the stimulation of inventive genius and the benefit it derives from new inventions and discovery and the public use of the patent after monopoly expires.

This same principle, in part, holds true in the case of trade-marks and copyrights. No one can disturb him in the use and enjoyment of these statutory grants. Infringements are prohibited by law. His monopoly in production and distribution is secure. The control of his business is his, but this is not enough; he now demands that he be permitted to also control the business of the wholesaler and retailer.

Listen to what the Supreme Court, in the language of Mr. Justice Hughes, says:

> But because there is monopoly of production it certainly can not be said that there is no public interest in maintaining freedom of trade with respect to future sales after the article has been placed on the market and the producer has parted with his title. Moreover, every manufacturer before sale controls the articles he makes. With respect to these he has the right of ownership, and his dominion does not depend upon whether the process of manufacture is known or unknown, or upon any special advantage he may possess by reason of location, materials, or efficiency. The fact that the market may not be supplied with the particular article unless he produces it is a practical consequence which does not enlarge his right of property in what he does produce. * * * But because a manufacturer is not bound to make or sell it does not follow in case of sales actually made he may impose upon purchasers every sort of restriction.

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

Mr. BYRNS. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. COX. What changes have taken place in modern methods of business that demand the sacrifice of the public

interest through granting to manufacturers immunity from the operation of a public law enacted for the public good?

The bill legalizes price fixing—the dictation of prices by the manufacturer—which the courts have said is unreasonable restraint of trade and against public policy. If it eliminates competition—and who questions but that it does—what becomes of the public interest? If the public have an interest, why not preserve it? If fair dealings in trade be wholesome, why not make sure that they be maintained? What is the meaning of monopoly but excess profits and high prices? And with the unrestrained power in the hands of the manufacturer, with all competition out of the way, how will the public fare?

The contention that the passage of this bill is necessary to the protection of the property rights of manufacturers in their trade-marks and patents is based upon the false assumption that trade-marks and patents have a greater value than is actually given under the law. A patent simply protects one in the use and enjoyment of his creation during the period fixed by the statute. It is property and as such subject to transfer.

The reputation and good will which a man acquires in business are property, and as such entitled to protection against invasion, and also in part upon the theory of protection to the public against fraud, and in order to obtain the advantage of one's good will and reputation it has long been the custom to affix to the goods employed in a particular trade or business some particular mark to distinguish such goods from similar goods employed by others engaged in the same business. Broadly speaking, such distinguishing marks are trade-marks and their use has been widespread in all countries from very ancient times. There is no limit of time on the life of trade-marks as is the case with patents. A personal trade-mark can not be assigned while an impersonal trade-mark can be assigned only in connection with the particular business in which it has been used, and for continued use upon the same articles which it was first applied to and used upon by its original adopter. The sale of a trade-marked or patented article in nowise affects the manufacturer's property rights in his mark of identification. It is only title to the article itself that passes impressed with marks of identification. To contend that the stamp of identification gives to the owner of identifying mark an interest may be likened unto the affixing of a man's signature (which is his mark of distinction or identification) to a contract as witness giving to him an interest in the subject matter of the agreement. Or a better illustration would be giving a stockman who brands or marks his stock an interest in his product after sale simply because the stock bears his brand or mark. When a manufacturer is protected against use of his trade-mark or patent by another he has enjoyed to the fullest his property rights in the things themselves.

The inroads that chain stores have made into the fields of distribution heretofore occupied almost exclusively by the independent merchant, and the threat that these operations carry to the smaller communities, and the argument that the proposed law would operate as a restraint upon the chain store has brought to the manufacturers a support that otherwise they would never have been able to secure, and which they would not now have if the real purpose and intent of the measure were understood.

This is a manufacturer's bill, nothing more nor less. They want it as insurance of security and profit and at public expense. Its passage will convert the retailer into a mere distributing agent, putting him into a state of wardship to the manufacturer. The argument that it would restrain the chain store and protect the small merchant is a snare and a delusion. As between the manufacturer and retailer it is the spider's invitation to the fly. Chain stores in thousands of instances already take the complete output of manufacturers and in other instances are operating their own plants. If the bill would have any influence upon their business, would it not be to increase their manufacturing operations? The chain stores' methods of conducting their business have done great injury to the business of independent merchants, and we would all doubtless be glad to do something to remedy this evil, but this can not be done by uprooting an age-old principle of the common law, the destruction of rules of public policy, local and national, and the tinkering with fundamental principles of economic laws.

It is doubtless true, as the Federal Trade Commission says, "that price maintenance and price cutting have been found under certain conditions to be objectionable," but where does the public interest lie? In price maintenance by law, what becomes of competition? While in price cutting it is only the fair use of competitive practices that are involved. As between the manufacturer whose profits are fixed under competitive conditions, and extortionate prices exacted of consumers under unrestricted price maintenance, the duty of the legislator seems perfectly clear.

One of the dangers of the bill is that of putting a monetary value upon trade-marks that they are not intended to have, which will mean that they will be capitalized in the business of the manufacturers and the consuming public made to pay a dividend upon a statutory grant given for an entirely different purpose. The effort is to set up a new system of social arrangements that runs counter to our conception of property rights and personal liberty.

It would be ideal if every operator, whether manufacturer, wholesaler, jobber, retailer, farmer, laborer, or whatever the occupation might be, could realize reasonable profits upon his operations, but if no legislative insurance can be given to all then why give it to the manufacturer to the detriment of others?

The report of the committee reporting this bill is not convincing. It reflects a misconception of the purpose and effect of the measure in this statement:

> It must always be kept in view that this bill does not refer to necessities of life, so that it in no way affects the necessary cost of living.

It evidently did not occur to the author of this language at the time of penning it that it is comparatively few necessities of life that are not marketed under some trade-mark, brand, or trade name. What are the necessities of life that are not sold under trade names? They can be named on the 10 fingers. And the language that "what is accomplished by this bill is to restate the principle of the common law" would indicate that the very decision of the Supreme Court that outlawed the contract now sought to be legalized was likewise overlooked, for in that case the court said "that the contract was not only in violation of the antitrust act but likewise against the common law." The committee doubtless accepted as authority for this statement the brief and argument made by another distinguished member of the committee, the gentleman from Pennsylvania [Mr. BECK], in case of Boston Store of Chicago against the American Graphophone Co., decided by the Supreme Court in 1918 and reported in 246 U. S. 8, as it is from this brief that quotations are set forth in this report. Statements from the learned gentleman from Pennsylvania are always interesting and informative, but the committee might have learned by consulting the decision of the court in this case that every argument advanced by the gentleman from Pennsylvania in that case was rejected by the court.

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

Mr. WOOD. Mr. Chairman, I yield the gentleman three additional minutes.

Mr. COX. At common law, contracts in restraint of trade—other than conspiracies to defraud—were illegal in the sense that they were unenforceable; but they were not unlawful in the sense that they were prohibitive. However, the modern tendency of the general and common law recognizes a larger freedom of contract, a wider liberty of bargaining, materially broadens the narrow and medieval view as to what did constitute a restraint of trade. Nevertheless, no contract, arrangement, or conduct has been condemned by the Supreme Court as against the Sherman law, which would have been favored at common law, and no contract or quasi contract has been condemned that would have been enforceable at common law. If the antitrust act were re-

pealed, this contract would still be under the indictment of the law; and if the language set forth in the report to the effect that the bill is not intended to relate to the necessities of life were incorporated in the measure the manufacturers would reject it.

Another objection to the bill, as has already been mentioned and as stressed by the Federal Trade Commission, is that it contains no provision for a review of the terms of resale contracts or revision of resale prices by any disinterested agency. The commission's recommendation of the bill is upon the condition—

> That it be provided by law that if the manufacturer of an article produced and sold under competitive conditions desires to fix and maintain resale prices he shall file with an agency designated by the Congress a description of such article, the contract of sale, and the price schedules which he proposes to maintain, and that the agency designated by the Congress be charged with a duty, either upon its own initiative or upon complaint of any dealer or consumer or other party at interest, to review the terms of such contract and to revise such prices, and that any data and information needful for a determination be made available to such agency.

That is the condition upon which the commission makes its recommendation, and surely no legislator would favor the bill without such provision for the protection of the public being incorporated in the measure.

Why give the manufacturer the right to fix the prices that others shall ask for his products without at the same time subjecting his price to the revision of a disinterested agency? But write this provision into the law and the manufacturer will lose interest in it, for he is unwilling to have applied to his business the same rule that he wants to apply to the business of others.

There is much said about freedom of contract. What freedom has the retailer in dictating terms of a contract with a manufacturer for goods that the retailer must have and can secure from no other source? The advantage is already that of the manufacturer with his monopoly of production and distribution. Why give him the liberty to take away from all purchasers the freedom of contracting in the sale of his own goods as his best judgment dictates, taking from him the right of conducting his own business in his own fashion? The freedom here sought to be conferred upon a special class is the denial of freedom to all others. The right to contract as one wills should never be conferred. There are sound public policies that would thereby be upset. It is to such that this bill runs counter.

Public policy is that principle of the law which holds that no one can lawfully do that which has a tendency to be injurious to the public or against the public good. No court has undertaken to give an exact definition of the term, leaving it loose and free of definition in order to meet the exigencies incident to varying habits and fashions of the day, the growth and development of commerce, and the usages of trade, but Mr. Story says:

> This rule may, however, be safely laid down: That wherever any contract conflicts with the morals of the time and contravenes any established interest of society, that it is void, as being against public policy.

It was a rule of ancient common law that all contracts in restraint of trade were against public policy and therefore void, but this rule was early modified as the state of society and the condition under which business was transacted changed, however, held within the limits of the necessary protection of the rights of contracting parties. The courts of the United States, in the main, have followed, reluctantly, it is true, but have followed the English courts in the liberalization of the old rule, always, however, making the reasonableness of the restraint the test of legality.

The theory upon which the English courts and those of this country have upheld contracts in restraint of trade is that all restraints of trade are not against the public interest, but it can be safely asserted that any contract or combination in restraint of trade, partial or total, that injuriously affects the public interest is contrary to public policy and void.

This, in brief, is my contribution to the discussion. The question is fundamental and threatens our entire economic structure. It puts a check upon the progressive development of the law and starts us back toward where we stood three centuries ago under English law, when letters patent were granted, not upon public consideration but upon the favor of the Crown, when under patent rights monopolies upon trades, professions, callings, and such like were effected.

We may take the bill, we may take it with a smile, but the informed membership will smile as does the ass eating thistles. [Applause.]

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

Mr. WOOD. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY. Mr. Chairman and members of the committee, I appreciate the sincerity and the earnestness of my friend from Georgia in dealing with what is, as he says, a fundamental issue and one that touches deep on the business system of America and on social and economic conditions as well.

I did not have the pleasure of hearing the gentleman's opening discussion of the Doctor Miles decision, but I take it from what I heard that he made the point that the Supreme Court ruled against the right of a manufacturer to name or control the resale price of his product, and that he was in accord with that principle. I asked him the question as to whether he agreed with the Supreme Court in the decision where they said that a manufacturer has the right to maintain his price through the consignment or agency system, and my friend said he was in accord with that principle also. I made the point that the Supreme Court legalized price maintenance by certain methods, while denying it by another.

Now, let us take his statement that no "open and fair minded lawyer can take the antitrust law and put any other construction upon its provisions than is put upon them by the Supreme Court in the Miles case." My contention is that never in the history of the Congress has any bill been passed specifically limiting the right of a manufacturer to contract as to resale prices. In proof I will quote one man who has the respect of all and who, as a prominent member of the Boston bar, wrote the original measure for the legalization of resale prices, Louis D. Brandeis, now an honored Associate Justice of the Supreme Court. I shall quote his testimony before the Interstate and Foreign Commerce Committee. I simply put Justice Brandeis, or rather Attorney Brandeis, as one outstanding lawyer who went into the decision in the Miles case and reached opposite views regarding it.

Mr. COX. Would the gentleman be willing that the witness as judge be quoted against the witness as lawyer?

Mr. KELLY. I am placing in the RECORD his words and, of course, as justice or as lawyer, he stands in a position beyond cavil, as a man who looks at the public policy as well as the letter of a law. Here is what he has said:

> Prima facie, a man has a right to enter into any contract he wants to; the limitation is, it must not be against public policy.
>
> A man must start out in business some way. He has certain liberties guaranteed to him by the Constitution which should be protected by the laws of the land, and one of them is liberty of contract. The liberty of contract, however, guaranteed by the Constitution, is not absolute; it is subject to the police power of the Federal Government either as applied by legislation or by limitation in other ways. The law has a right to step in and should step in so far, and only so far, as liberty of contract is used to the injury of the public. I say that the right of the individual to fix a resale price for his goods is consonant with the public interest.
>
> The thing the Supreme Court was passing on was not a thing involving legal erudition. If the court had followed what other courts had said on this subject, it would have decided the other way. It merely exercised its judgment as to what the interests of the country demand and made its interpretation as to what Congress intended by the Sherman Act.
>
> The fact that the Supreme Court by a 5-to-4 decision in the Sanatogen case says that such a contract is in restraint of trade does not prove that such a business practice does actually restrain trade. That decision proves only that such is the law of the Federal courts until that court reverses its decision, or Congress, which has the supreme power of declaring the law in this respect, says otherwise. It is Congress which must ultimately

determine questions of economic policy in matters of interstate commerce.

The Supreme Court has the right to determine what is public policy in a limited number of cases as long as Congress has not declared what it is. The Supreme Court has, in passing upon this quasi-legislative question, made what I respectfully submit is an error, and if so, it is the duty of Congress to correct that error.

The court merely expresses its opinion that such agreements are against public policy and that it believes Congress intended to prohibit them when it enacted the Sherman law. I submit most respectfully that this is a most erroneous supposition. There is nothing against the public interest in allowing me to make such an agreement with retail dealers. The public interest clearly demands that price standardization be permitted.

There is no reason why five gentlemen of the Supreme Court should know better what public policy demands than five gentlemen of the Congress. In the absence of legislation by Congress the Supreme Court expresses its idea of public policy, but in the last analysis it is the function of the legislative branch of the Government to declare the public policy of the United States. There are a great many rules which the Supreme Court lays down which may afterwards be changed and are afterwards changed by legislation. It is not disrespect to the Supreme Court to do it.

The American principle is that a man has a right to do anything he pleases with the article he buys unless he has an agreement with the man from whom he bought it that he shall do something else.

There is no constitutional question involved. The only question is, What does the general interest of the community demand?

What I say is this: Such a restriction upon individual liberty instead of being beneficial is harmful and therefore Congress in its wisdom ought to correct the error.

There are certain liberties we have found by experience it is wise to curtail. But wherever you do not have to curtail liberty, wherever the exercise of full liberty by a business man is consistent with the public welfare, public policy demands that we should allow him that liberty, because freedom is the fundamental basis of our Government and our prosperity.

The object here is to restore the individual right to make a legitimate contract. * * * What is being asked for here is not any privilege at all; it is a measure to restore a right commonly enjoyed in the leading commercial States of this country, and the leading commercial countries of the world enjoy as a matter of course, and which was abridged in respect to interstate commerce by certain decisions of the Supreme Court.

Mr. COX. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. COX. The gentleman, as I understand, is quoting Justice Brandeis?

Mr. KELLY. Justice Brandeis; yes.

Mr. COX. As a special pleader in some case before some court?

Mr. KELLY. No; in an appearance before the Interstate and Foreign Commerce Committee, when he stated he represented the public interest.

Mr. COX. In what year?

Mr. KELLY. This was published in the hearings of 1926 and had been given by him at a previous hearing.

Mr. COX. I know, but can the gentleman recall the date of the statement?

Mr. KELLY. The date of the original hearing was 1915 or 1916.

Mr. COX. It was before he went on the court, of course?

Mr. KELLY. He was still a practicing attorney; yes.

Mr. COX. Was it the year before he went on the court?

Mr. KELLY. We all know Justice Brandeis, and I hope the gentleman will not take my time on that.

Mr. COX. In spite of what Justice Brandeis has said, the Supreme Court has followed the ruling of the court which he was indicting in the statement he made there before the committee. The Supreme Court has followed that ruling in the case of Bauer & Cie. *v.* O'Donnell (229 U. S.); and in the case of Straus against American Publishing Co., reported in Two hundred and thirty-first United States Reports; and in the case of American Graphophone Co. against Chicago Stores, in Two hundred and forty-sixth United States Reports; and in the case of Board of Trade of Chicago *v.* United States (246 U. S.); and in a number of other cases; is not that true?

Mr. KELLY. I am familiar with those cases.

Mr. COX. And they have also been supported and reaffirmed in decisions approving them?

Mr. KELLY. I hope the gentleman will not take any more of my time in citing cases, because those cases all come down to the last expression made by Justice Brandeis, wherein he said that his continued expression of dissent to the majority opinion of his brethren on the court had become impossible and Congress has the right to remedy the harm. That sums up all those cases.

Mr. COX. Is the gentleman familiar with the principle involved in the decision in the Henry against Dick case?

Mr. KELLY. The case of the requirement of an appliance to be used?

Mr. COX. Yes.

Mr. KELLY. Yes; but that does not enter into this question.

I would like to continue now, and I hope the gentleman will let me lay down a few points in reply to his assertions. Of course, it is impossible to go into the whole question at this time, because this involves a philosophy that, as the gentleman has said, concerns all business and every community.

I make the statement that the Congress of the United States never intended at any time to pass any law which would prevent an independent manufacturer of a standard trade-marked article from agreeing with his distributors as to the resale price at which it should be sold.

Mr. COX. Then the Supreme Court in all of these decisions is wrong?

Mr. KELLY. I just quoted Justice Brandeis on that very point. He says the Supreme Court made an error that should be corrected.

Mr. COX. I understand; but is the gentleman contending that those decisions of the Supreme Court are erroneous?

Mr. KELLY. I am contending that the Supreme Court did not take into consideration at all the progress of trademark merchandising and that they acted on a set of circumstances which did not apply.

Mr. COX. And, therefore, the decisions were wrong?

Mr. KELLY. And I was putting up Justice Brandeis as a better authority than myself on the Supreme Court.

Mr. COX. But a majority of the court did not agree with Justice Brandeis.

Mr. KELLY. I put Justice Brandeis forward as a far better authority on the Supreme Court than myself. I agree with every word he says, and maintain that it was an inadvertent decision that has wrought tremendous injury in the business fabric and is leading to monopoly in merchandising in this country.

Mr. COX. But the decision which has been followed by the court of which Justice Brandeis is a member——

Mr. KELLY. And Justice Brandeis has protested that by saying the Congress has the power to remedy the evil.

Mr. MERRITT. Will the gentleman yield?

Mr. KELLY. Yes.

Mr. MERRITT. The point being that the whole question is a question of economic law in which the Congress is the court of last resort and not the Supreme Court.

Mr. KELLY. Yes; Congress decides public policy. And Congress has never acted to make illegal such a contract, but the interpretation of the Sherman antitrust law was an interpretation by the Supreme Court and that created a law made by the judicial power instead of the Congress.

Mr. COX. And is not that decision——

Mr. KELLY. I want to be courteous, but I can not yield further at this time.

The CHAIRMAN. The gentleman from Pennsylvania has the floor and has declined to yield.

Mr. KELLY. I will yield to the gentleman for one question.

Mr. COX. Is not that the tribunal that the Government has set up for the interpretation of the acts of Congress and other laws?

Mr. KELLY. That question is thoroughly discussed in the passage I read, where Justice Brandeis said that as long as Congress does not decide what the public policy shall be the Supreme Court had the power of deciding it in disputed cases.

Now, the gentleman has said that the Miles decision prevented a manufacturer from maintaining a resale price on his product. It did not do anything of the kind. That Su-

preme Court decision applies to one method of maintaining a resale price, and that method is by agreement.

The Supreme Court in the Doctor Miles case and in all other cases that have come under it ruled that the manufacturer can not enter into an agreement with his distributors as to the resale price, but the Supreme Court says it is perfectly legal, if the General Electric Co. desires to deal with retailers on a consignment basis, they have the power to stipulate the price to the consumer. They also ruled that Henry Ford has a valid right to maintain the price on every automobile he puts out, making it uniform all over the United States by resale agencies. So that what the Supreme Court has done is to say, "Maintenance of the retail price is perfectly legal; we give our judicial benediction to it; we say it must be done, however, by corporations that have capital enough to establish resale agencies everywhere or to wait until the goods are sold and title transferred under consignment. Done by these methods it is perfectly valid, and we give it our blessing."

But if any little independent manufacturer who is in competition with hundreds of other manufacturers desires to put his article out in the regular channel of distribution via the wholesaler and retailer, he is absolutely debarred from having control over the price.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. WOOD. Mr. Chairman, I yield the gentleman from Pennsylvania 10 minutes more.

Mr. KELLY. My friends, if we are to limit the right of contract, if we are to interfere with the freedom of contract, one thing is certain, and that is we should put restrictions on every competitor alike. If it is right for Henry Ford to maintain the retail price of his product, then it is right for the little, independent manufacturer, who is in competition with many others of the same class. That is all we are contending for in this bill.

The gentleman thinks that this is extending a new and dangerous power to the little manufacturer. It is nothing of the kind. It is simply a restoration of the right universally held up to 1911 and one that is now recognized in every civilized land in the world. It is even legalized by the acts of the legislatures in some of our own States.

The result is that there is such a chaos in business that the Federal Trade Commission says that it can proceed no further.

This bill is a clear provision giving the right to any manufacturer who is willing to put his name on the article, who is willing to put up his guaranty that he stands back of it—that he may enter into an agreement as to the resale price of the article so that the predatory price cutter may not be able to use that article to lure customers into his store and then sell them other goods at excessive profits.

In the hearing before the Interstate Commerce Commission every opponent testified that there is an undoubted evil in the practice of using these articles as spider-web bargains under certain circumstances.

The results are seen in the monopolization of merchandising which has spread through the country.

From 1920 to 1930 there has been concentration in retailing. In 1920, 4 per cent of retail business was in the hands of chain stores; to-day 22 per cent of the retailing is in the hands of chain stores, that are conducted by heads of organizations far away from the local communities. A great part of that growth is due to this false-pretense system of merchandising.

My friend here says that this is a manufacturer's bill.

Ninety-five per cent of all of the retailers in this country have been praying for Congress to act on this bill for the past 10 years. I have here letters which were sent to President Hoover within the last 30 days, 1 from the National Grocers' Association, 1 from the National Druggists' Association, and 1 from the National Jewelers' Association of America, praying him to carry out the principle of his speech before the American Federation of Labor in Boston and take any step possible against the destructive competition which is now destroying independent retailers all over the United States.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. KELLY. I yield.

Mr. COX. Then what does the President mean when he inveighed against the repeal of the antitrust law in his message yesterday?

Mr. KELLY. His reference to the antitrust law was in line with the evil I inveigh against, and that is, destructive competition. That is what I am against—the cutthroat competition which is destroying independent retailers. But another point raised by the gentleman was that the trade-mark is a monoply and that if a man is given a right to name his article then he should go no further but must lose all right to have anything to do with the most vital factor of the good will of his trade-mark, and that is the price of the product. The trade-mark is a public welfare right granted because it is believed that when a man puts his name on a product he will stand back of it and guarantee it.

He is given the right to protect it against adulteration and infringement, but he is helpless against the cutting of his price for ulterior purposes. We are contending that the trade-mark, which is in itself an evidence of competition, because no man can get a trade-mark unless there are competing brands of the same kind of articles, shall also be protected from predatory cutting of prices, which injures the good will of the article. We say that the very existence of a trade-mark is a proof of competition. My bill provides that no man shall be permitted to make this agreement unless he is in competition; he shall not be able to make it unless he has a trade-marked, identified article. He will have a right to add other provisions to the contract besides those specified. He may give the retailer the right to send goods back to him at the price paid. This measure is for fair cooperation between the independent retailers and the independent manufacturers so that they shall serve the public better than they can serve them under a jungle method of price cutting, which destroys orderly distribution of identified goods.

Mr. COX. The gentleman agrees that this is a price fixing bill?

Mr. KELLY. Oh, now the gentleman raises a point to distort the purpose of the bill.

Mr. COX. Let me ask this question.

Mr. KELLY. The gentleman has asked me a question. Let me answer it. He asked whether this is a price fixing bill, and that is exactly the attempt on the part of many opponents. They would give this bill a bad name, calling it a price fixing bill, and thereby encourage the attempt to put into the hands of some Government agency the right to fix these prices.

Mr. COX. Oh, no; I did not mean that.

Mr. STRONG of Kansas. Mr. Chairman, I rise to a point of order. The gentleman from Georgia is interrupting the speaker without addressing the Chair.

The CHAIRMAN. The gentleman from Pennsylvania has the floor.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. KELLY. Let me continue my answer.

Mr. COX. But the gentleman is quoting me as insisting on this bill being adopted with the recommendation that the Federal Trade Commission be incorporated in it.

Mr. KELLY. I understood the gentleman to favor that.

Mr. COX. No; the bill would still be objectionable. I do not suppose the gentleman would insist upon the passage of the bill without the recommendation of the commission being incorporated in it.

Mr. KELLY. The Federal Trade Commission, if it still holds that view, and the gentleman, if he is in favor of that proposition, are entirely opposed to my position. I can not yield any further.

The CHAIRMAN. The gentleman from Pennsylvania declines to yield. The Chair hopes the gentleman from Georgia will respect his right to the floor.

Mr. COX. I shall respect it.

Mr. KELLY. The idea of a Government agency having the final determination of prices, which we contend shall be determined by fair competition, is, of course, the very opposite of the principle of this measure. That is what those who call this a price fixing bill want the public to understand it is. I have heard it said that the Government is to fix the prices under this measure. That is the very opposite of our contention.

We are trying to take the Government out of business. We are endeavoring to protect the freedom which is inherent in Americans and say to them: You shall have the right when you are in competition to agree for a worthy purpose, which is in line with true public policy. Price fixing! Of course somebody must fix the price. But who shall fix it, the maker or the price cutter? If I have a knife in my pocket and I want to sell it, somebody must name the price, either myself or the man who buys it. The manufacturer who makes the article is best equipped to name the fair price, if he is in competition, for fair competition best regulates fair prices. The public then says whether they will buy or not. Therefore we say that if there is competition there shall be restored the right of agreement, which was universally held up to 1911. The gentleman talks about the freedom of contract. Our opponents in the business world are not for freedom; they are not for free competition. What the great distributors who have chained up into powerful organizations want is the price-fixing power in their own hands. They want to take these articles and fix the price on them so that they will be bait to sell other articles at unduly high prices also fixed by themselves.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. KELLY. I ask the gentleman to yield me three minutes more.

Mr. WOOD. I yield three minutes more to the gentleman.

Mr. KELLY. The independent retail dealers favor this bill, and the chain stores generally are opposed to it. The chains know what they want, and they know what this bill will do. They know that if they have the power to slaughter the prices of nationally advertised articles they can thereby use those articles as a lure for the sale of other articles at high profit; and that is the reason why they contend manufacturers and independent retailers should not control price cutting. We say that all predatory price cutting on identified goods is an evil, and we propose to put in the hands of independent manufacturers and retailers the right to protect themselves against it.

You may talk about the propaganda that has been coming into Congress on this measure. Have we come to the time when Americans who find themselves crucified by unjust decisions shall not come to Congress and ask for relief? Mr. Brandeis in 1915 said, "You must educate the public and Congress on this vital business question." That is what we are trying to do. I have tried in every way to turn the light on this problem. I sincerely believe that the passage of this bill will benefit every consumer in America. It will also be beneficial to a million and a half retailers who find themselves in danger of extinction at the hands of chain-store organizations. It will be of benefit to many manufacturers who desire to protect their names and good will. It is in line with the American system of equal opportunity and the square deal. It is legislation which, if put on the statute books, will bring more relief to honest business than anything we can enact in this session of Congress. [Applause.]

Mr. BYRNS. Mr. Chairman, I yield 10 minutes to the gentleman from South Carolina [Mr. STEVENSON].

The CHAIRMAN. The gentleman from South Carolina is recognized for 10 minutes.

Mr. STEVENSON. Mr. Chairman and members of the committee, there is no question, after hearing the learned discussion that we have just had, but that occasionally the Supreme Court says something or does something that ought to be changed. Of course, Congress has always reserved the right to change it. Congress itself frequently does things that ought to be changed, and we reserve the right to change them. In fact, a distinguished President of the United States a few years ago—one of the great Presidents—held that the Comptroller of the Treasury was mistaken in one of his decisions. The comptroller held that he had merely followed a certain line of decisions. The President did not conform to that view. It was a matter in relation to seniority of Army officers, and so on. The question was submitted again to the Comptroller of the Treasury, and he held to the decision he had previously made, and he wrote a letter saying he regretted he was unable to change his opinion. The President replied, and said in substance: "It is perfectly proper for you not to change your opinion, but the President can change his Comptroller of the Treasury," and he did so in that case. We are not infallible, and I think sometimes we should change our policy.

Not long ago we had men from every township in the United States assembled in the most democratic army ever assembled, and we ascertained that we had not paid them what they were entitled to. As a matter of justice we said we would pay them a dollar a day; a dollar a day to those who did not go overseas, and $1.25 for those who went over. Congress agreed to that. We afterwards enacted a bonus certificate law. Those men have gone along until they are now men in the prime of life to-day. They are trying to build up this country, and the burden of the country will fall largely on their shoulders. Those men think they were not treated right, and they are tied up to-day.

Not long ago a very intelligent fellow came to my office and referred to a leading editorial in a well-known newspaper published in my State, which said, "The chief thing to do is to pay debts." About 100 banks have been closed within the last year. The editorial said, "If people paid their debts the banks would stop closing." The soldier put down on my desk a bonus certificate representing $1,522, payable in 1945. "Now," he said, "if the people advocating improvement of business and relief of unemployment would do their duty, they would pay their debts," referring to the bonus certificate. It would be a criminal offense for anybody to buy this certificate. He said, "If I tried to borrow money on it they would charge me 6 per cent for it. How can we pay debts when the Government does not pay us, and they are talking about millions and millions of money to be appropriated for the relief of unemployment and for the payment of debts, and all that.'

Gentlemen, if the Government would take that matter up—and it can get the money; there is no trouble about that—it would be of great public benefit under the present circumstances. It is a liability on the part of the Government to do justice to these men, just as $16,000,000,000 of United States war bonds are a liability.

If the Government would get the money and pay these men, it would put two and one-quarter billion dollars into circulation and it would be so distributed that there would not be a township or a school district in this United States that would not get some of it. It would be in circulation and the stringency that now confronts us would be largely relieved, at least temporarily.

I introduced a bill, and so did the gentleman from Texas [Mr. PATMAN] last year looking to this. We did not get much support then, but the experiences of last summer seem to have made many conversions. I have seen many gentlemen who have seen as much light as Paul when he was going into Damascus. They are all rushing to get behind it. What Congress should do is to change its policy and pay off these men who stood between the property interests of this country and the Kaiser and give them at this time this measure of relief, which will be a measure of relief to everybody in the United States.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. STEVENSON. I yield.

Mr. HUDDLESTON. Does the gentleman propose by his bill to pay these certificates at their present value or the value in 1945?

Mr. STEVENSON. I propose to pay them in full. [Applause.] How much does the gentleman suppose they have

loaned on it? There is $200,000,000 loaned on them, and they have been charged 6 per cent, and when the bank loaned on them they have charged 6½ per cent. Nearly every day a man comes to me to have me help him fix up his letters to send remittances for interest to the bank in Minneapolis. Most of mine seem to have strayed into the bank at Minneapolis. They are paying 6½ per cent to that bank.

Mr. HUDDLESTON. This bonus was originally based on $1 and $1.25 per day.

Mr. STEVENSON. Yes, sir.

Mr. HUDDLESTON. Has the gentleman figured out what it will amount to if we pay it in full now?

Mr. STEVENSON. Yes, sir. If we pay it in full now?

Mr. HUDDLESTON. Per day?

Mr. STEVENSON. I have not figured that, but it would not be very great. We could pay it in full now—there were $3,239,000,000 originally. There has been loaned by the Government and other agencies, mostly by the Government, $200,000,000. There has been paid on account of deaths, distributed, $100,000,000. There is a sinking fund now of about $700,000,000 for the purpose of paying it off. When those amounts are deducted they would have to pay $2,239,000,000.

Mr. HUDDLESTON. What is the difference in percentage between the present value of those certificates and their value when they mature?

Mr. STEVENSON. I have not calculated that.

Mr. HUDDLESTON. Would it be about 50 per cent?

Mr. STEVENSON. Four per cent for 15 years would be 60 per cent.

Mr. HUDDLESTON. In other words, to pay these certificates in advance we would have to pay 50 per cent more than the $1 and the $1.25 per day?

Mr. STEVENSON. Yes, sir; and that would mean that it would run up to about $1.85 or $1.90 per day instead of $1.25.

Mr. BLANTON. Will the gentleman yield?

Mr. STEVENSON. I yield.

Mr. BLANTON. When these men were getting only $31 per month for fighting in the trenches in France, and some of their brothers who were exempted from the Army were getting $31 a day for skilled work in our shipyards, it would not be out of proportion to pay them $1.80 a day, would it?

Mr. STEVENSON. It would not be out of proportion at all. Gentlemen, there was an old man in my county who was sort of out of a job at the time, and he got a job at a cantonment nailing shingles on the barracks at $7 a day. That is what he got. He was too old to get into the Army. He struck a nail carelessly and it flew up and put his eye out, and I got him a pension from the Bureau of Pensions for the injured civil employees, that is more than many of the men who were actually in the war get right now on their compensation. That is the situation—the people who stayed at home got much more than $2 a day.

Mr. STRONG of Kansas. Will the gentleman yield?

Mr. STEVENSON. I yield.

Mr. STRONG of Kansas. I am inclined to agree with the gentleman's proposition, but how is the money to be raised? Is it to be raised by bond issue?

Mr. STEVENSON. To be sure. The United States Government might just as well owe bonds to Wall Street as to the veterans all over the country. They want it. It is the way in which the capitalists earn their money. It is a good thing for them to have bonds of the United States. These boys are getting a little more every year, and the interest which they pay takes about one-half of the additional loan which they get. It is just a question of time when the Government will get all that they promised to pay them, and will get it in interest. I say, pay them now and distribute $3,000,000,000 into every township in the United States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Chairman, unemployment and distress can be relieved and our Nation made prosperous immediately without changing our tax laws if Congress will authorize the payment in cash at this time of an honest debt which has been publicly confessed now owed by the Government to the veterans of the World War for services rendered.

PAY VETERANS' CERTIFICATES NOW

May 28, 1929, I introduced a bill (H. R. 3493) to provide for the immediate payment to veterans of the World War the face value of their adjusted-service certificates. It is now pending before the Committee on Ways and Means, and a hearing is expected on it at an early date. June 6, 1929, and April 3, 1930, I made speeches in the House of Representatives advocating this legislation. Those speeches explained the proposal and the reasons for it more fully than I expect to explain it here to-day.

3,478,956 VETERANS HOLD CERTIFICATES—$1,010 AVERAGE VALUE

To date 3,478,956 veterans of the World War, who reside in every section of the United States, hold adjusted-service certificates for amounts from $51 to $1,585—of the average value of $1,010. These certificates are usually referred to as "bonus certificates," but they do not represent a bonus; they represent the Government's confession of a debt for services rendered. They are dated January 1, 1925, and due January 1, 1945.

EVERY SECTION OF THE UNITED STATES WILL BE BENEFITED

The following table discloses the maximum amount of money that will be paid to veterans in each State, District of Columbia, and foreign possessions of the United States if the certificates are paid in cash at this time. The minimum amount may be determined by deducting 18 per cent. Eighteen per cent is the maximum amount that the veteran can borrow on the certificates to this time.

	Approximately
Alabama	$62,544,670.97
Alaska	1,756,872.78
Arizona	9,487,113.01
Arkansas	52,354,808.84
California	120,170,098.15
Canal Zone	245,962.19
Colorado	35,137,455.60
Connecticut	50,597,936.06
Delaware	7,027,491.12
District of Columbia	21,433,847.92
Florida	31,623,710.04
Georgia	76,951,028.16
Guam	175,687.28
Hawaii	7,378,855.63
Idaho	16,514,604.13
Illinois	240,340,196.30
Indiana	99,087,624.79
Iowa	84,681,267.99
Kansas	60,436,423.63
Kentucky	69,923,536.65
Louisiana	56,871,303.52
Maine	24,244,844.36
Maryland	46,381,441.39
Massachusetts	148,280,062.63
Michigan	122,278,345.49
Minnesota	89,600,511.78
Mississippi	46,381,441.39
Missouri	120,521,472.71
Montana	29,515,462.70
Nebraska	42,516,321.28
Nevada	4,216,494.67
New Hampshire	14,406,356.80
New Jersey	99,790,373.90
New Mexico	10,892,511.24
New York	356,996,548.90
North Carolina	64,301,543.75
North Dakota	20,379,724.25
Ohio	178,498,274.45
Oklahoma	67,563,914.75
Oregon	32,326,469.15
Pennsylvania	268,398,786.23
Philippine Islands	19,676,975.14
Porto Rico	13,703,607.68
Rhode Island	20,731,098.80
Samoa	70,274.91
South Carolina	47,084,190.50
South Dakota	23,893,469.81
Tennessee	66,961,165.64
Texas	142,306,695.18
Utah	15,811,855.02
Vermont	10,541,236.66

	Approximately
Virginia	$68,166,663.86
Virgin Islands	35,137.46
Washington	49,543,812.40
West Virginia	43,219,070.39
Wisconsin	89,600,511.78
Wyoming	9,135,738.46

MONEY AVAILABLE NOW

"Where are we going to get the money?" This is the question that is usually asked and is the easiest question to answer. In 1919 Congress outlined a policy that our Government should pursue in paying the national war debt. Congress considered that the World War was fought for posterity, and the present generation should not be compelled to pay all of the expense of the war. Such policy, as outlined by Congress, if it had been carried out, would have caused the payment on our war debt during the past 10 years of $3,000,000,000. Instead, $10,000,000,000 have been paid or $7,000,000,000 more than Congress said should have been paid. The war debt has been reduced during this time from $26,000,000,000 to $16,000,000,000. Foreign governments owe us long-termed bonds aggregating about $11,000,000,000. After deducting the present value of these bonds from the $16,000,000,000 little remains of the public debt for the present generation.

SIMPLE PROCESS OF DIVERTING PAYMENTS FROM ONE WAR DEBT TO ANOTHER

Since we are $7,000,000,000 ahead of the program in paying the national debt I suggest that payments on the principal of the national debt should be diverted to the payment of the adjusted-service certificates. After they are paid our Government will then be more than $4,000,000,000 ahead of the program outlined by Congress in 1919 for the retirement of the national debt. No change in our tax laws will be necessary.

AMOUNT OF MONEY REQUIRED

To pay this debt in full will require $3,513,745,560. There is in the Treasury at this time a reserve fund to be used to retire the certificates, when due, of $748,222,715. After deducting the latter amount from the former the remainder, to be raised by either short-termed certificates or bond issue, is $2,765,522,845.

INTEREST RATE LOW

This money can doubtless be borrowed by our Government at this time for the lowest rate in many years. The Government is borrowing money now for 1.7 per cent annual interest. It would be good business policy to borrow the money at a low rate and pay off these certificates.

THE PRESIDENT'S BUDGET MESSAGE

The President to-day submitted his Budget message to Congress. It discloses that a payment is expected to be made on the principal of the public debt during the next fiscal year of $468,509,905. This amount can be paid each year without an increase of taxes. Why pay it on a debt that is $7,000,000,000 ahead of the policy outlined by Congress for the retirement of the public debt? Let us pay this amount each year on bonds used to retire another war debt, to wit, the adjusted-compensation certificates, until that debt is paid in full; then we will be more than $4,000,000,000 ahead of the program outlined by Congress for the retirement of the public debt.

FOREIGN DEBTS WILL BE CANCELED IF VETERANS NOT PAID

International and Wall Street bankers want Congress to cancel the $11,000,000,000 in debts owed our Government by foreign nations. They would profit to the extent of hundreds of millions of dollars if such debts were canceled. They know that the quicker our public debt is paid the quicker they will be successful in their efforts. If we do not pay the veterans now, our public debt will soon be paid and debts of foreign nations canceled.

FULL AMOUNT OF CERTIFICATE SHOULD BE PAID

"Why should the veteran have the full amount of the certificate?" John Doe went to the Army in 1917. He served 200 days overseas and 150 days in the United States. Congress, in adjusting the pay of the veterans, decided that John Doe was entitled to $1.25 a day extra for his oversea service and $1 a day for home service, making a total of $400 due him. Instead of paying him the $400, the Government issued to him an adjusted-compensation certificate for $1,000, due in 1945, which represented the $400 with interest at about 4 per cent, compounded annually, to that time. The Government having confessed the debt and the amount, it was certainly due halfway between the beginning and the ending of the emergency period, or about June 5, 1918. If John Doe is now given the $400 with 6 per cent interest, compounded annually, which is the same rate of interest that he is now paying the Government for his own money, the amount will exceed at this time $800, and by June 5, 1931, it will be $856, or only $144 less than full value of certificate. During this time Doe has borrowed the limit allowed by law on his certificate. He received as loans, $88.15 January 1, 1927, $26.80 in 1928, $26.34 in 1929, $25.85 in 1930, and he will be permitted to borrow $24.87 January 1, 1931, on his certificate. During this time he has had to pay as high as 6, 7, and 8 per cent interest, compounded annually. He has also had to wait 12½ years for his money. Considering the fact that he has only received the money in little dribs, paid high interest for his own money, and has had to wait so long, I think complete justice should be done by paying him the full amount at this time, less, of course, the amount of money he has borrowed.

SHOULD VETERANS KEEP CERTIFICATES UNTIL 1945?

"Would not the veterans be better off if they will keep their certificates until 1945 and receive the full amount then?" This question is often asked. The answer is "No." About 2,000,000 of the certificate holders have borrowed on their certificates. They are paying 6 per cent interest, compounded annually, for their own money, for which they are only receiving 4 per cent. The difference in interest rate unduly consumes the policy. By borrowing, as a majority of them are doing, they are receiving their money in small dribs, never receiving at any one time enough to be of substantial benefit. After the first loan is granted, the amounts allowed to be borrowed annually after that are about $24 each year on the average-sized certificate. At the end of 20 years, or in 1945, if he has been fortunate in obtaining the very best interest rate from the beginning, the veteran will have much less than $50 to his credit, which the Government will pay and cancel his certificate. Over the period of 20 years in the case of a veteran who borrows the limit allowed by law each time the Government will receive in interest more money than the veteran will receive on the principal of his certificate. Why would it not be better to pay the certificate now at full face value and give the veteran a sufficient amount in one lump sum to be of material and substantial benefit?

MILLIONS IN INTEREST AND OVERHEAD SAVED

If the certificates are paid in cash now, the Government will be saved millions of dollars each year overhead expense. The veterans will also be saved millions of dollars in interest that they are paying for their own money.

A PART OF THE WAR DEBT

This debt is just as much a part of the war debt as any other Government obligation. It will have to be paid some time. It can now be paid by diverting payments from one war debt to another. If our national debt is liquidated at the same rapid rate that it has been for the past 10 years, it will soon be paid; then foreign nations will, doubtless, make a successful effort to get their debts owed to the United States canceled.

ADJUSTED COMPENSATION OF OTHERS PAID IN CASH

After the war the owners of railroads received adjusted compensation in cash; 7,000 war contractors received adjusted compensation in cash; 50,000 Government employees, who received an annual salary of $2,500 or less during the war, received adjusted compensation in cash. The amount necessary to pay the railroads and war contractors aggregated approximately $3,500,000,000, and the money to pay them was raised in the fifth Victory loan drive. The same principle of adjusting pay was invoked for the veterans, but instead of paying them in cash the Government insists on being guardian for all of the veterans and permitting

them to receive their money in very small amounts at one time and is compelling them to pay 6 per cent interest, compounded annually, for their own money.

FOREIGN COUNTRIES GIVEN BILLIONS OF DOLLARS

After the war Congress gave to foreign countries what was the equal to $10,000,000,000. All of these foreign countries paid their veterans not only adjusted compensation but bonuses, and paid them in cash with our money. France was given $4,500,000,000 of our money, which she used to pay her own soldiers a bonus, and now France is so prosperous that she is trying to find a market for a billion dollars she has to lend, while people in the United States can not understand where we will get the money to pay our own veterans a debt that has been confessed by Congress as just and due. It will not be a raid on the Treasury to pay these certificates. It will be carrying out a policy adopted by Congress of paying a debt when due in a business way.

Mr. BLANTON. Will my colleague yield?

Mr. PATMAN. I yield to the gentleman.

Mr. BLANTON. If we were to pay this money in cash in January, it would go immediately into the banks of the country. How could we better help in relieving the present depression than by taking such action?

Mr. PATMAN. I am glad the gentleman has asked me that question.

Much of this money will be placed in the banks and can be borrowed by other people; none of it will be hoarded. Very little of it will be spent foolishly. Most of it will go to provide the veterans, their wives, and children with comforts and necessaries of life. Suppose a few of them should spend their money foolishly? The money belongs to them. It will be paid to them for services rendered, and why should the Government be interested in how the money is spent?

PURCHASING POWER WILL BE INCREASED

We all agree that there can be no prosperity without purchasing power. I believe that we are all in agreement that there can not be sufficient purchasing power unless there is sufficient circulating medium. We know that by deliberately increasing purchasing power we can increase general prosperity. Our problem is not so much overproduction as underconsumption.

WILL INCREASE PER CAPITA CIRCULATION OF MONEY

To-day we have about $36 per capita circulating money in the United States. Ten years ago the per capita circulation was more than $50, or at least one-third more than it is to-day. You had just as well expect a person to remain well and efficient after the withdrawal of one-third of his circulating blood as to expect a nation to remain prosperous after the withdrawal of one-third of its circulating medium.

PROSPERITY WILL BE RESTORED IMMEDIATELY

If these certificates are paid in cash now, the per capita circulation of money will be increased sufficiently to give the people of the Nation adequate purchasing power. The people of the Nation having adequate purchasing power, prosperity will be restored immediately. You can not operate an automobile without a clutch, neither can you expect our country to be prosperous without sufficient circulating medium.

If the veterans are not paid now, payments will continue to be made on the national debt on which $7,000,000,000 more has been paid than Congress intended should be paid up to this time. If payments are made on that debt, it will go to people who neither desire nor need the money. It will not cause the purchase of homes, automobiles, radios, furniture, or other comforts and necessities of life. If the money is paid the veterans, it will cause an immediate demand for all of the comforts and necessaries of life and even a few of the luxuries. The industries of the country will be able to resume their mass productions and still not be able to supply the demand. Everybody will be helped; the general welfare will be promoted.

Many Members of Congress claim that the ex-soldiers will squander the money. I believe that 99 per cent of them will use it for a good purpose. I hope the ex-soldiers of this Nation will write their Congressmen and Senators their views on this matter regardless of what they are.

Many Members of Congress claim that the ex-soldiers do not want these certificates paid; that they prefer the certificates in their present form to be payable upon death or 20 years after their issuance. I hope the ex-soldiers will write their Congressmen and Senators their views on this matter regardless of what they are.

I say to you, my friends, in all sincerity, if you want prosperity you should pass this bill. [Applause.]

Mr. BYRNS. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, the time was when each department of Government had a separate supply bill, with its annual necessities specifically provided for. We then knew where all of its money was to be spent. The time was when these bills were printed and they were carefully considered by the membership of this House before they were debated and passed. There was a time when there were no lump-sum appropriations.

I have heard such eminent chairmen of the Committee on Appropriations as Fitzgerald, of New York, as Sherley, of Kentucky, as James W. Good, of Iowa, and Martin B. Madden, of Illinois—than whom, in my judgment, no man in this Congress saved more money for the people of the United States—I have heard all of them inveigh on this floor against lump-sum appropriations.

I have heard such men say that there never would be economy in the Government until the Congress provided appropriations for departments specifically and knew what each million dollars was to be spent for before it was taken over by the department.

The time was when I have heard the present distinguished chairman of this Committee on Appropriations [Mr. WOOD] stand upon this floor and demand that big sums of money provided for in appropriations should be made specific, so that we should know who handled them, what they were for, and how they were to be spent.

There was a time when I followed the distinguished gentleman from Indiana in his efforts for economy, in his efforts to save the expenses of this Government and keep them within the bounds of proper limitation. But I am afraid I can not follow him much longer, because his policy has changed.

We now have in this bill appropriations for two departments of the Government. They are two large departments of the Government. We are appropriating for them in this one supply bill which is taken up under general debate to-day just a few minutes after it was introduced from the floor. There is no official print of the bill. There will be no official print until to-morrow, Thursday, and yet we have it up under debate hurriedly, and in it we provide $241,750,026 for the Treasury Department and $841,303,917 for the Post Office Department. Most of it is in lump sums.

I am in favor of the Capper-Kelly bill just as strongly as my friend Mr. KELLY is in favor of it. I am in favor of the bill of my friend, Mr. PATMAN, to pay the honest debt to these soldiers—to pay what is coming to them. These adjusted-compensation certificates should be paid at once to our ex-service men in cash. I am going to support him down the line on that bill. I am for the bill to stop immigration, to prevent foreigners coming into the country and taking away the jobs of American workmen. I would go farther than some of the pending measures are proposing. I have been preaching as long as I have been here that there should be a suspension of immigration for a number of years until we can properly assimulate the foreigners now within our bounds. I would like to see all immigration stopped for five years. I am sorry to say that my friend from Texas [Mr. BOX] will not be back next year. Every Member knows of the distinguished services of this gentleman, and if Congress could have followed him in his judgment and wisdom we would have now a proper limit on immigration. I am against the proposal of the Postmaster General to increase the rate on first-class mail. We must

defeat that. And I am against lump-sum appropriations, and in favor of getting back to specific appropriations.

The time was when we could take up the bill for the Treasury Department and the bill for the Post Office Department, and we would find that it had been considered by more than six Members of this House. As it is at present, only six Members of this House know anything about this bill; only six Members have sat in the hearings. They are the ones who have asked the department chiefs about it. The departments prepare these technical bills. They have their experts prepare them, and I am sorry to say with respect to the War Department and the Navy Department, they have experts prepare those bills in language so technical that few members of the subcommittee even understand what the language means and they do not know the legal result of the language after they pass it into the bill. The time was when a large proportion of the membership passed on appropriations, but now these six Members, the subcommittee of the Committee on Appropriations, consider and approve the bill, prepared by departments, and they bring it in here hurriedly, they debate it hurriedly, and they read it hurriedly under the 5-minute rule, and few of us ever have time to compare these bills with previous bills, and to read the hearings and see where the camouflaged items are that the departments have placed in the bills so that even the subcommittee has not been able to digest them.

I have made it a part of my duty since I have been a Member of this Congress, for 13 years, just as soon as the hearings are printed on a supply bill, to take them to my office and study same, and to take the bill and compare it with previous bills and try to find out what new items are being placed in the bill, as a charge on the exchecquer of the people.

I have tried to find out what legislative items are placed in the bills, and our departments are continually trying to legislate. That is nothing new to the membership. They are continually encroaching on the legislative powers of the legislative committees of the House, and that ought to be stopped. The Members who want to do it ought to be given time to look into these bills and scrutinize them carefully.

In a day or two our friend, the distinguished gentleman from Indiana [Mr. WOOD], I take it, in response to the President's message, is going to come in here with a bill asking this Congress to turn over to the President and his Cabinet $150,000,000 for the President and his Cabinet to spend without any direction, without any limitation, without the membership of this House knowing anything about how it is going to be spent, when it is going to be spent, where it is going to be spent, or for what purpose. I am in favor of relieving this present situation. I am in favor of voting every dollar that is necessary. I am one of those who, when the distinguished gentleman from Indiana brings that bill onto the floor, want him to tell every Member of the House what the money is going to be spent for, who is going to spend it, and where the money is finally going to land, and if he feels now as he did in January, 1919, he is going to require that to be done himself. It will be amusing for me to read to you a little passage from the speech of the gentleman from Indiana, whom we all love and respect, and whom, as I say, I used to follow sometimes on questions of economy.

He made a speech on January 13, 1919, when we had a similar proposition before this House, a proposition to turn over then $100,000,000 without strings to it to the same man who is now asking for it—President Hoover. Let us see how he felt about it then; let us see whether he was then in favor of lump-sum appropriations, and whether he was in favor of turning it over without any strings, without an understanding. I read now from page 1353 of the RECORD of January 13, 1919:

> Mr. WOOD of Indiana. As a member of the Appropriations Committee I voted against this measure, and nothing has occurred since it was reported to the House to change my opinion. * * * But it occurs to me that we should reach a point presently where we should distribute our charity with some degree of intelligence and where we have some idea as to the character of program that is to be pursued in its distribution. * * *
>
> There is no information in these hearings with reference to the extent of that suffering or where we should commence or the amount we should distribute here or there or yonder. All of that, we are told, must be left to the discretion of this newly organized body. * * *
>
> Where does it come from? It comes, if you please, from a new organization that has been formed within a month; and who is at the head of the organization? Mr. Hoover. It is Mr. Hoover that is asking for this appropriation and not the President of the United States. * * *
>
> Now, then, gentlemen may differ with me with reference to Mr. Hoover.

I want you gentlemen now to listen further to what the distinguished chairman of this committee [Mr. WOOD] said—a man who has spent years here watching the Treasury of the United States, a man whom many of us have followed on questions of economy, a man with good judgment, a man who is stable, a man who is not swept away hither and yon by this wind or that. Here is what he then said:

> Now, then, gentlemen may differ with me with reference to Mr. Hoover. I think that Mr. Hoover is the most expensive luxury that was ever fastened upon this country.

Mind you, that comes from the chairman of the Committee on Appropriations [Mr. WOOD], but he did not stop there. He said:

> I think that he will continue to be the most expensive luxury with which we have to do if we still continue to give him unlimited power.

Mr. Chairman, I hope that the distinguished gentleman from Indiana, Mr. WOOD, when he asks for the $150,000,000, will require the President, who he says is the most expensive luxury the country has ever had, and who he says will continue to be the most expensive luxury, to show us just exactly where and how he is going to spend the $150,000,000.

I hope he will come up and toe the line and show us exactly where he is going to spend the $150,000,000; and when he does that I will vote for it. But I am not going to vote for it if he does not. I am not going to vote to turn that much money over to any man thus spoken of by the gentleman from Indiana [Mr. WOOD].

Mr. BYRNS. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. BYRNS. Does the gentleman know what the people of the country think about that?

Mr. BLANTON. The country has already passed upon that question. It did so last November. Mr. WOOD was the campaign leader for the administration. They were following Mr. WOOD, and they took its estimate from the gentleman. I am sure the gentleman from Indiana does not often forget what he says. What he said was so important that we remember it.

Now, we get back to the question of legislation on an appropriation bill. I contend that we should make these departments come in and discuss and explain the specific appropriations and state in detail the amounts which they need. We shall continue to increase expenditures until we get back to specific appropriations.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. WOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MICHENER, Chairman of the Committee of the Whole House on the state of the Union, having under consideration the bill (H. R. 14246) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes, reported that that committee had come to no resolution thereon.

ADDITIONAL APPROPRIATION FOR A SPECIAL COMMITTEE

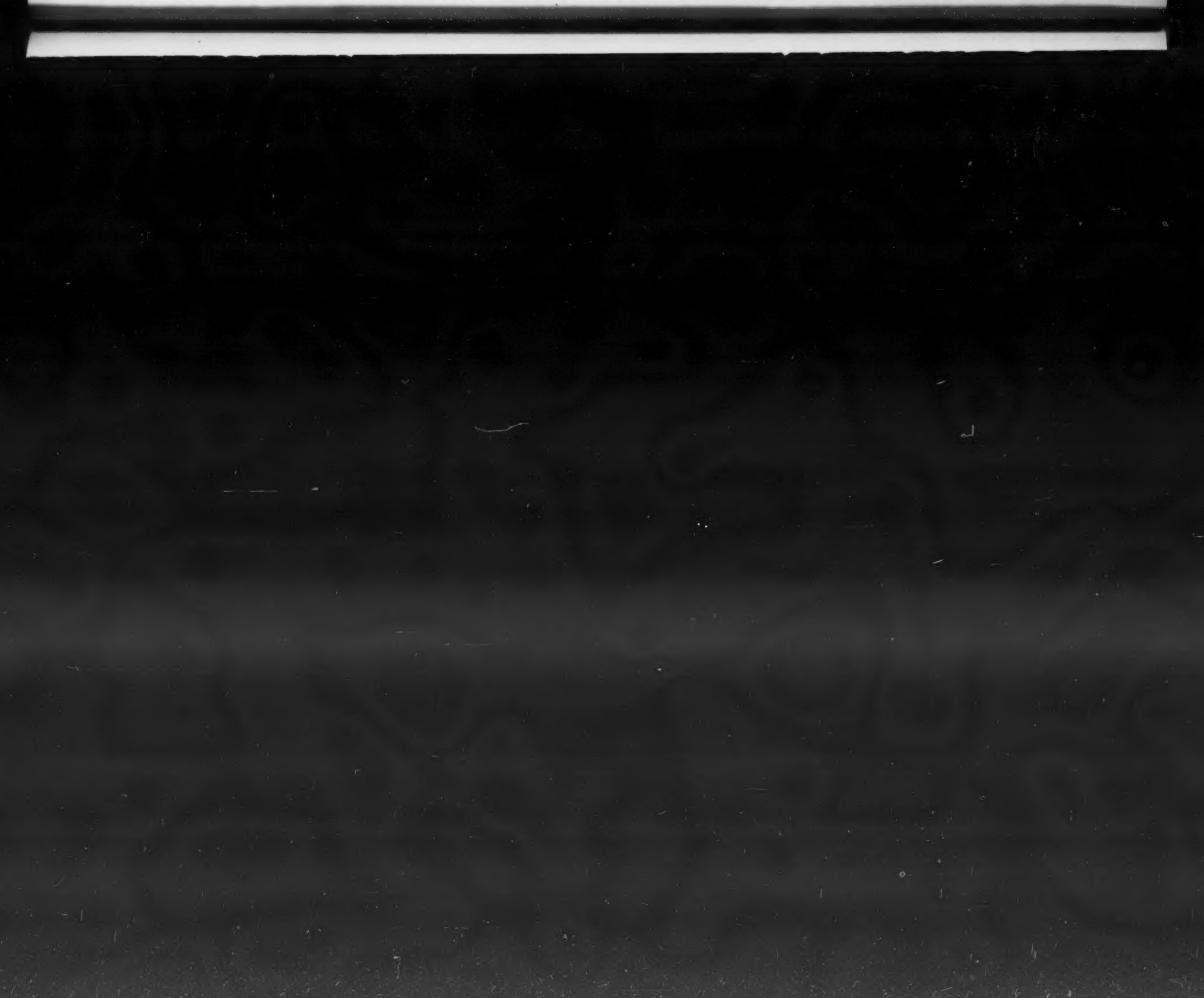
Mr. PERKINS. Mr. Speaker, I submit a privileged report from the Committee on Accounts.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House Resolution 305

Resolved, That an additional appropriation of $2,000 be paid out of the contingent fund of the House of Representatives on vouchers ordered by special committee, authorized by House Resolu-



tion 191, to inquire into the official conduct of Harry B. Anderson, United States district judge for the western district of Tennessee, be made available for the use of said special committee.

With a committee amendment, as follows:

On line 1 strike out "$2,000" and insert in lieu thereof "$5,000."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

MARY YOUKER

Mr. PERKINS. Mr. Speaker, I submit another privileged resolution from the Committee on Accounts.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House Resolution 304

Resolved, That there shall be paid, out of the contingent fund of the House, to Mary Youker, widow of George W. Youker, late an employee of the House, an amount equal to six months' compensation and an additional amount, not exceeding $250, to defray funeral expenses and last illness of the said George W. Youker.

Mr. GARNER. Was this a unanimous report from the Committee on Accounts?

Mr. PERKINS. Yes.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

TEMPORARY JANITOR, HOUSE DOCUMENT ROOM

Mr. PERKINS. Mr. Speaker, I submit another privileged resolution from the Committee on Accounts.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House Resolution 307

Resolved, That the Clerk of the House be, and he is hereby, authorized and directed to pay out of the contingent fund of the House compensation at the rate of $1,440 per annum, payable monthly, for the services of a temporary janitor in the House document room, to be appointed by the Doorkeeper of the House. The compensation and employment hereby authorized shall start from December 1, 1930, and terminate March 31, 1931.

Mr. PATTERSON. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman for one question.

Mr. PATTERSON. This was not a unanimous report. I want to make a little statement about this. All the members of the committee have agreed that the resolution was correct, but some thought that this was not the proper time to consider it. We are to pass a resolution here to employ a man temporarily as a janitor and put him in a place while there is another man in the same place. I am opposed to that kind of a policy. Many irregularities can be expected if we are to go on and pass such resolutions. When some fellow gets old and we have no particular system of retirement and no system of adjusting these things, and we say "We are just going to employ another man at $120 a month to do that work" when we are already paying a man $105 a month to do it, and he has been paid that for years and years, and we are still paying him that, and planning to continue it, I am opposed to such a measure.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. PATTERSON. Mr. Speaker, I will not call for a record vote on it if the gentleman from New Jersey will promise me that this entire matter will be taken up and investigated.

Mr. PERKINS. Yes. The Committee on Accounts has resolved to do that, and it will be taken up forthwith.

The resolution was agreed to.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. BELL for two weeks on account of important business.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on December 2, 1930, present to the President for his approval bills and joint resolutions of the House of the following titles:

H. R. 736. An act to authorize the cession to the city of New York of land on the northerly side of New Dorp Lane in exchange for permission to connect Miller Field with the said city's public sewer system;

H. R. 9267. An act for the relief of John A. Fay;

H. R. 10387. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of Denver, Colo., the ship's bell, plaque, war record, name plate, and silver service of the cruiser *Denver* that is now or may be in his custody;

H. J. Res. 384. Joint resolution making appropriations available to carry into effect the provisions of the act of the Seventy-first Congress entitled "An act to fix the salaries of officers and members of the Metropolitan police force and the fire department of the District of Columbia"; and

H. J. Res. 393. Joint resolution making an appropriation for the United States-Massachusetts Bay Colony Tercentenary Commission.

ADJOURNMENT

Mr. WOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 55 minutes p. m.) the House adjourned until to-morrow, Thursday, December 4, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Thursday, December 4, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

War Department appropriation bill.

Agriculture Department appropriation bill.

State, Justice, Commerce, and Labor Departments appropriation bill.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

652. A letter from the Postmaster General of the United States, transmitting the cost ascertainment report for the fiscal year 1930; to the Committee on the Post Office and Post Roads.

653. A letter from the Attorney General of the United States, transmitting statement of the expenditures under appropriations for the United States Court of Customs and Patent Appeals for the fiscal year ended June 30, 1930; to the Committee on Expenditures in the Executive Departments.

654. A letter from the Secretary of the Interior, transmitting accompanying statement of the fiscal affairs of all Indian tribes for whose benefit expenditures from public or tribal funds were made during the fiscal year ended June 30, 1930; to the Committee on Indian Affairs.

655. A letter from the Secretary of the Interior, transmitting report to Congress as to the desirability and practicability of establishing a national park, to be known as the Tropic Everglades National Park, in the everglades of Dade, Monroe, and Collier Counties of the State of Florida (H. Doc. No. 654); to the Committee on Public Lands and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WOOD: Committee on Appropriations. H. R. 14246. A bill making appropriations for the Treasury and Post

Office Departments for the fiscal year ending June 30, 1932, and for other purposes; without amendment (Rept. No. 2068). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. PERKINS: Committee on Accounts. H. Res. 304. A resolution to pay Mary Youker, widow of George W. Youker, late an employee of the House, an amount equal to six months' compensation and an additional amount, not exceeding $250, to defray funeral expenses of the said George W. Youker; without amendment (Rept. No. 2069). Ordered to be printed.

Mr. PERKINS: Committee on Accounts. H. Res. 305. A resolution to provide an appropriation to inquire into the official conduct of Harry B. Anderson; without amendment (Rept. No. 2070). Ordered to be printed.

Mr. PERKINS: Committee on Accounts. H. Res. 307. A resolution relating to payment of compensation for services of a temporary janitor in the House document room; without amendment (Rept. No. 2071). Ordered to be printed.

CHANGE OF REFERENCE

Under clause 2 of the Rule XXII the Committee on Claims was discharged from the consideration of the bill (H. R. 13543) to authorize the payment of the sum of $2,500 to the dependents of the officers and men who lost their lives on the submarines *S–4* and *S–51*, and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WOOD: A bill (H. R. 14246) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes; committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

By Mr. CHRISTOPHERSON: A bill (H. R. 14247) to increase the efficiency of the Veterinary Corps of the Regular Army; to the committee on Military Affairs.

By Mr. COLTON: A bill (H. R. 14248) to provide for the disposition of asphalt, gilsonite, elaterite, and other like substances on the public domain; to the Committee on the Public Lands.

Also, a bill (H. R. 14249) to amend the act entitled "An act to amend the act entitled 'An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes, approved July 11, 1916, as amended and supplemented, and for other purposes,' approved June 24, 1930, and for other purposes"; to the Committee on Roads.

Also, a bill (H. R. 14250) to provide for the compromise and settlement of claims held by the United States of America arising under the provisions of section 210 of the transportation act, 1920, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. FITZPATRICK: A bill (H. R. 14251) providing for a 40-hour week for Federal employees; to the Committee on the Civil Service.

By Mr. FREE: A bill (H. R. 14252) for the naming of an avenue in the District of Columbia in honor of the State of California; to the Committee on the District of Columbia.

By Mr. FULLER: A bill (H. R. 14253) authorizing an appropriation of $5,000,000 to the State of Arkansas to be expended on rural and post roads to relieve the drought situation of 1930; to the Committee on Roads.

Also, a bill (H. R. 14254) to stabilize conditions in areas gravely affected by drought in year 1930; to the Committee on Agriculture.

By Mr. GRAHAM: A bill (H. R. 14255) to expedite the construction of public buildings and works outside of the District of Columbia by enabling possession and title of sites to be taken in advance of final judgment in proceedings for the acquisition thereof under the power of eminent domain; to the Committee on the Judiciary.

By Mr. HAUGEN: A bill (H. R. 14256) to amend the filled milk act; to the Committee on Agriculture.

Also, a bill (H. R. 14257) to authorize the Secretary of Agriculture to sell the Morton nursery site, in the county of Cherry, State of Nebraska; to the Committee on Agriculture.

By Mr. MONTET: A bill (H. R. 14258) to establish terms of the District Court of the United States for the Eastern District of Louisiana at New Iberia, La.; to the Committee on the Judiciary.

By Mr. MOORE of Virginia: A bill (H. R. 14259) to provide for advancing to drought-stricken States funds for highway construction; to the Committee on Roads.

Also, a bill (H. R. 14260) to provide for the employment and compensation of agents to carry on agricultural extension work in counties affected by drought; to the Committee on Agriculture.

By Mr. WOLFENDEN: A bill (H. R. 14261) to remodel with colonial design the present post-office building at Phoenixville, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. BLAND: A bill (H. R. 14262) to amend section 2 of Public Resolution No. 89, Seventy-first Congress, approved June 17, 1930, entitled "Joint resolution providing for the participation of the United States in the celebration of the one hundred and fiftieth anniversary of the siege of Yorktown, Va., and the surrender of Lord Cornwallis on October 19, 1781, and authorizing an appropriation to be used in connection with such celebration, and for other purposes"; to the Committee on the Library.

Also, a bill (H. R. 14263) to authorize the Secretary of War and the Secretary of the Navy to lend War Department and Navy Department equipment and other supplies for the use of the United States Yorktown Sesquicentennial Commission at the celebration in October, 1931; to the Committee on Military Affairs.

By Mr. COOPER of Ohio: A bill (H. R. 14264) to revive and reenact the act entitled "An act granting the consent of Congress to the city of Warren, in the State of Ohio, its successors and assigns, to construct, maintain, and operate a dam across the Mahoning River, in the State of Ohio," approved September 22, 1922; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAIL (by request): A bill (H. R. 14265) to extend certain letters patent to the heir of Oscar Morath; to the Committee on Patents.

By Mr. HILL of Alabama: A bill (H. R. 14266) authorizing and directing the Secretary of War to lend to the Governor of Alabama 250 pyramidal tents, complete; fifteen 16 by 80 by 40 foot assembly tents; thirty by 50 by 15 foot hospital-ward tents; 10,000 blankets, olive drab, No. 4; 5,000 pillowcases; 5,000 canvas cots; 5,000 cotton pillows; 5,000 bed sacks; 10,000 bed sheets; 20 field ranges, No. 1; 10 field bake ovens; 50 water bags (for ice water); to be used at the encampment of the United Confederate Veterans to be held at Montgomery, Ala., in June, 1931; to the Committee on Military Affairs.

By Mr. REID of Illinois: A bill (H. R. 14267) to amend the act providing for the acquisition of land in the District of Columbia; to the Committee on the District of Columbia.

By Mr. RUTHERFORD: A bill (H. R. 14268) to extend hospital and home facilities to veterans of the Confederate Army and Navy; to the Committee on Military Affairs.

By Mr. WHITE: A bill (H. R. 14269) to amend section 11 (a) of the merchant marine act, 1928, Public No. 463, Seventieth Congress; to the Committee on the Merchant Marine and Fisheries.

By Mr. CULLEN: A bill (H. R. 14270) to amend the act of March 4, 1911 (ch. 239, 36 Stat. L. 1267), as amended; to the Committee on Naval Affairs.

By Mr. FITZGERALD: A bill (H. R. 14271) to authorize the Secretary of the Treasury to prepare and manufacture a medal in commemoration of the one hundred and fiftieth anniversary of the surrender of Lord Cornwallis at Yorktown, Va., and of the establishment of the independence of

the United States; to the Committee on Coinage, Weights, and Measures.

By Mr. KELLY: A bill (H. R. 14272) to empower the Government to write into the specifications and contracts the compensation to be paid to laborers and mechanics employed by contractors and subcontractors on public works of the United States and of the District of Columbia; to the Committee on Labor.

By Mr. SUTHERLAND: A bill (H. R. 14273) to provide for a memorial to William H. Seward for his distinguished services; to the Committee on the Library.

By Mr. TAYLOR of Tennessee: A bill (H. R. 14274) granting a pension to widows and dependent children of World War veterans; to the Committee on Pensions.

By Mr. GLOVER: A bill (H. R. 14275) to regulate the prescribing and use of waters from the Hot Springs Reservation at Hot Springs, Ark., and for other purposes; to the Committee on the Public Lands.

By Mr. McREYNOLDS: A bill (H. R. 14276) to extend the time for commencing and completing the construction of a bridge across the Tennessee River on the Dayton-Decatur Road between Rhea and Meigs Counties, Tenn.; to the Committee on Interstate and Foreign Commerce.

By Mr. SELVIG: A bill (H. R. 14277) to stabilize the price of wheat, and for other purposes; to the Committee on Ways and Means.

By Mr. WOLVERTON of New Jersey: A bill (H. R. 14278) to authorize the donation of obsolete Army rifles and accessories to organizations of war veterans, and for other purposes; to the Committee on Military Affairs.

By Mr. BRUNNER: A bill (H. R. 14279) to amend the World War adjusted compensation act so that adjusted-compensation certificates will be paid off in three years in quarterly installments; to the Committee on Ways and Means.

By Mr. EVANS of Montana: A bill (H. R. 14280) to enable the Secretary of the Treasury to expedite work on the Federal building program authorized by the act of Congress entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926, and acts amendatory thereof; to the Committee on Public Buildings and Grounds.

By Mr. KENDALL of Pennsylvania: A bill (H. R. 14281) for the construction of the proposed new lock and Dam No. 4, Monongahela River, at its present proposed location; to the Committee on Rivers and Harbors.

By Mr. JOHNSON of Washington: Joint resolution (H. J. Res. 410) to suspend for a period of five years general immigration into the United States; to the Committee on Immigration and Naturalization.

By Mr. HAUGEN: Joint resolution (H. J. Res. 411) for the relief of farmers in the drought-stricken areas of the United States; to the Committee on Agriculture.

By Mr. CONNERY: Joint resolution (H. J. Res. 412) to require that public contracts provide for employment of resident laborers and mechanics and for payment of highest prevailing wages; to the Committee on Labor.

By Mr. ERK: Joint resolution (H. J. Res. 413) designating the first United States narcotic farm to be established near Lexington, Ky., as the Stephen G. Porter Institute; to the Committee on Ways and Means.

By Mr. EVANS of Montana: Joint resolution (H. J. Res. 414) to require the public contracts provide for employment of resident laborers and mechanics and for payment of highest prevailing rate of wages; to the Committee on Labor.

By Mr. BLOOM: Joint resolution (H. J. Res. 416) to increase the amount authorized to be appropriated for the expenses of participation by the United States in the International Exposition of Colonial and Overseas Countries to be held at Paris, France, in 1931; to the Committee on Foreign Affairs.

By Mr. SELVIG: Joint resolution (H. J. Res. 417) authorizing an appropriation for loans for seed, fuel oil, and feed for farmers in the storm-stricken areas of Minnesota; to the Committee on Agriculture.

By Mr. DICKSTEIN: Resolution (H. Res. 309) to authorize an investigation of the methods of Chinese immigration to the Committee on Rules.

By Mr. WHITE: Resolution (H. Res. 310) relative to broadcasting stations since February 23, 1927; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD: A bill (H. R. 14282) granting an increase of pension to Mary E. Turbeville; to the Committee on Invalid Pensions.

By Mr. BOLTON: A bill (H. R. 14283) granting a pension to Eliza A. Humiston; to the Committee on Invalid Pensions.

By Mr. BRAND of Ohio: A bill (H. R. 14284) granting an increase of pension to Serepta O. Pearson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14285) granting an increase of pension to Mary A. Cozier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14286) granting an increase of pension to Louisa P. Moon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14287) granting an increase of pension to Anna Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14288) granting an increase of pension to Tabitha Alkire; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14289) granting an increase of pension to Sarepta Short; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14290) granting an increase of pension to Josephine L. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14291) granting an increase of pension to Millie A. Washington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14292) granting an increase of pension to Mary E. Stokes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14293) granting an increase of pension to Elizabeth Weigel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14294) granting an increase of pension to Mary Ann Marion; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14295) granting an increase of pension to Ann E. Tracy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14296) granting an increase of pension to Catherine March; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14297) granting an increase of pension to Bethana W. Glaze; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14298) granting an increase of pension to Mary A. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14299) granting an increase of pension to Catharine M. Hampton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14300) granting an increase of pension to Flora Willhide; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14301) granting an increase of pension to Deborah Fent; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14302) granting an increase of pension to Emma D. Eagleston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14303) granting a pension to Stella E. Moody; to the Committee on Pensions.

Also, a bill (H. R. 14304) granting an increase of pension to Lavina M. Leaverton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14305) granting an increase of pension to Hattie A. Lemen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14306) granting an increase of pension to Hannah Null; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14307) granting an increase of pension to Malinda Wood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14308) granting an increase of pension to Kate J. Lafferty; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14309) granting an increase of pension to Talitha Craig; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14310) granting an increase of pension to Harriet E. Diltz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14311) granting an increase of pension to Emma L. Thompson; to the Committee on Invalid Pensions.

By Mr. BUCKBEE: A bill (H. R. 14312) granting an increase of pension to Loretta G. Welch; to the Committee on Invalid Pensions.

By Mr. CARTER of California: A bill (H. R. 14313) for the relief of Harvey M. Hunter; to the Committee on Claims.

By Mr. CHRISTOPHERSON: A bill (H. R. 14314) for the relief of Walter Crowley; to the Committee on Military Affairs.

By Mr. CLARKE of New York: A bill (H. R. 14315) granting a pension to Grace A. Walker; to the Committee on Invalid Pensions.

By Mr. ALMON: A bill (H. R. 14316) for the relief of Fitzhugh Robinson; to the Committee on Claims.

By Mr. COOKE: A bill (H. R. 14317) granting a pension to Victoria I. Gates; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 14318) granting a pension to William Hansen; to the Committee on Pensions.

Also, a bill (H. R. 14319) granting an increase of pension to Harry E. Panghorn; to the Committee on Pensions.

By Mr. CRAIL: A bill (H. R. 14320) granting a pension to James P. Frederickson; to the Committee on Pensions.

Also, a bill (H. R. 14321) granting a pension to Joseph A. Wright; to the Committee on Pensions.

Also, a bill (H. R. 14322) for the relief of Walter Prince Keene; to the Committee on Naval Affairs.

Also, a bill (H. R. 14323) for the relief of John McBirney; to the Committee on Military Affairs.

Also, a bill (H. R. 14324) granting an increase of pension to Belle C. Fisher; to the Committee on Invalid Pensions.

By Mr. DOWELL: A bill (H. R. 14325) granting an increase of pension to Margaret Freestone; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14326) granting an increase of pension to Harriett L. Moon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14327) granting an increase of pension to Anna M. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14328) granting an increase of pension to Mary E. Person; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14329) granting a pension to Eliza Utter; to the Committee on Invalid Pensions.

By Mr. DRIVER: A bill (H. R. 14330) for the relief of Maj. L. D. Worsham; to the Committee on Claims.

By Mr. ENGLEBRIGHT: A bill (H. R. 14331) for the relief of E. Grant Stuart; to the Committee on Pensions.

Also, a bill (H. R. 14332) to confer jurisdiction upon the United States District Court for the Northern District of California to determine the claim of Madelena Carattini; to the Committee on the Judiciary.

By Mr. FITZGERALD: A bill (H. R. 14333) for the relief of Martin T. Leamy; to the Committee on Military Affairs.

By Mr. FOSS: A bill (H. R. 14334) granting an increase of pension to Addie J. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14335) granting an increase of pension to Mary J. Beckwith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14336) granting an increase of pension to Mary E. Pickard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14337) granting an increase of pension to Josephine A. Lothrop; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14338) granting an increase of pension to Eliza Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14339) for the relief of the Metropolitan Camp Goods Co.; to the Committee on Claims.

By Mr. FREEMAN: A bill (H. R. 14340) granting an increase of pension to Sarah L. Humes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14341) granting an increase of pension to Sophie H. Penn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14342) granting an increase of pension to Marian E. Champlin; to the Committee on Invalid Pensions.

By Mr. GIFFORD: A bill (H. R. 14343) for the relief of John Young Gooch, deceased; to the Committee on Military Affairs.

By Mr. GUYER: A bill (H. R. 14344) granting a pension to Amanda M. Case; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14345) granting a pension to Ruth P. Kerns; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14346) granting a pension to Mae M. Hobson; to the Committee on Pensions.

Also, a bill (H. R. 14347) granting an increase of pension to Priscilla Ann Craine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14348) granting a pension to Emma Zane; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14349) granting an increase of pension to William James Eaton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14350) granting an increase of pension to Anna C. Eldridge; to the Committee on Invalid Pensions.

By Mr. HASTINGS: A bill (H. R. 14351) granting a pension to Julia Mulkey; to the Committee on Pensions.

By Mr. HAUGEN: A bill (H. R. 14352) granting a pension to Kathryn Abernethy; to the Committee on Invalid Pensions.

By Mr. HOGG of Indiana: A bill (H. R. 14353) granting an increase of pension to Hattie M. Robbins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14354) granting an increase of pension to Revitha A. Snyder; to the Committee on Invalid Pensions.

By Mr. HOGG of West Virginia: A bill (H. R. 14355) granting a pension to William M. Cheuvront; to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 14356) granting a pension to Priscilla Jane Smith; to the Committee on Invalid Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 14357) granting an increase of pension to Rachel Smith; to the Committee on Invalid Pensions.

By Mr. IRWIN: A bill (H. R. 14358) for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department; to the Committee on Claims.

Also, a bill (H. R. 14359) for the relief of Earl I. Brown, colonel, Corps of Engineers; to the Committee on Claims.

Also, a bill (H. R. 14360) for the relief of Lieut. M. A. Sprengel, Supply Corps, United States Navy; to the Committee on Claims.

Also, a bill (H. R. 14361) to provide for the reimbursement of certain civilian employees of the naval operating base, Hampton Roads, Va., for the value of tools lost in a fire on Pier No. 7, at the naval operating base on May 4, 1930; to the Committee on Claims.

By Mr. JENKINS: A bill (H. R. 14362) granting a pension to Chester Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14363) granting a pension to Ernest Stapleton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14364) granting an increase of pension to Missouri F. Johnson; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 14365) granting an increase of pension to Susan Ashley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14366) granting a pension to Lizzie Downing; to the Committee on Invalid Pensions.

By Mr. KELLY: A bill (H. R. 14367) for the relief of Henry James Pape; to the Committee on Naval Affairs.

By Mr. KENDALL of Kentucky: A bill (H. R. 14368) granting a pension to Dicey Terry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14369) granting a pension to Louise Workman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14370) granting a pension to Carrie Stidham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14371) granting an increase of pension to Nettie Adams; to the Committee on Pensions.

Also, a bill (H. R. 14372) granting a pension to Roda Markwell; to the Committee on Invalid Pensions.

By Mr. KERR: A bill (H. R. 14373) granting an increase of pension to Thomas E. Carson; to the Committee on Pensions.

By Mr. MARTIN: A bill (H. R. 14374) granting an increase of pension to Martha R. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14375) granting an increase of pension to Annie E. Tillinghast; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14376) granting a pension to Gladys Sanford; to the Committee on Pensions.

Also, a bill (H. R. 14377) for the relief of Walter S. West; to the Committee on Naval Affairs.

Also, a bill (H. R. 14378) for the relief of John Leonard; to the Committee on Claims.

Also, a bill (H. R. 14379) for the relief of Walter E. Bassett; to the Committee on Claims.

By Mr. MOORE of Kentucky: A bill (H. R. 14380) granting a pension to Creed C. Polston; to the Committee on Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 14381) granting a pension to Jennie Morrison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14382) granting a pension to Rachel Elizabeth Phelps; to the Committee on Invalid Pensions.

By Mr. MOORE of Virginia: A bill (H. R. 14383) for the relief of Julia A. Reid; to the Committee on War Claims.

By Mr. MURPHY: A bill (H. R. 14384) granting an increase of pension to Mary E. Britton; to the Committee on Invalid Pensions.

By Mr. NELSON of Maine: A bill (H. R. 14385) granting an increase of pension to Clara E. Seaward; to the Committee on Invalid Pensions.

By Mr. NELSON of Missouri: A bill (H. R. 14386) granting a pension to William James; to the Committee on Pensions.

By Mr. HARCOURT J. PRATT: A bill (H. R. 14387) granting a pension to Emily D. B. Pharmer; to the Committee on Invalid Pensions.

By Mr. RAGON: A bill (H. R. 14388) for the relief of Moses Flowers; to the Committee on Naval Affairs.

By Mr. ROWBOTTOM: A bill (H. R. 14389) granting an increase of pension to Sallie Frakes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14390) granting an increase of pension to Eunice T. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14391) granting an increase of pension to Elizabeth Dowdell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14392) granting an increase of pension to Catherine Coleman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14393) granting an increase of pension to Lizzie E. Vaughn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14394) granting an increase of pension to Louisa Yearwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14395) granting a pension to Harry D. Reed; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14396) granting an increase of pension to Anna E. Bucklin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14397) granting an increase of pension to Mary E. Conrad; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14398) granting an increase of pension to Nancy J. Pace; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14399) granting an increase of pension to Zetta Webb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14400) granting an increase of pension to Josephine Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14401) granting an increase of pension to Mary A. Grubb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14402) granting an increase of pension to Amanda A. Sibrel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14403) granting an increase of pension to Jane Reed; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 14404) granting a pension to Thomas Grimsley; to the Committee on Pensions.

By Mr. RICH: A bill (H. R. 14405) granting a pension to Michael Wolf; to the Committee on Invalid Pensions.

By Mr. ROBINSON: A bill (H. R. 14406) granting a pension to Allie Henkel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14407) granting an increase of pension to William A. Blades; to the Committee on Invalid Pensions.

By Mrs. ROGERS: A bill (H. R. 14408) granting a pension to James B. Taylor; to the Committee on Pensions.

Also, a bill (H. R. 14409) granting a pension to Jane Wood; to the Committee on Pensions.

By Mr. SANDERS of New York: A bill (H. R. 14410) granting an increase of pension to Helen L. Madden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14411) granting an increase of pension to Mary Montgomery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14412) granting an increase of pension to Sarah L. Hunt; to the Committee on Invalid Pensions.

By Mr. SELVIG: A bill (H. R. 14413) granting a pension to Emma L. Marheine; to the Committee on Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 14414) for the relief of Seymour Fairchild; to the Committee on the Public Lands.

By Mr. SPEAKS: A bill (H. R. 14415) granting an increase of pension to Mary E. Laning; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14416) granting an increase of pension to Cora O. Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14417) granting an increase of pension to Alice T. Downs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14418) granting an increase of pension to Elizabeth E. Franks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14419) granting an increase of pension to Maria Mitchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14420) granting an increase of pension to Mary Schutte; to the Committee on Invalid Pensions.

By Mr. STOBBS: A bill (H. R. 14421) granting an increase of pension to Nellie M. Henry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14422) granting an increase of pension to Ellen Burke; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14423) granting an increase of pension to Mary S. Darling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14424) granting an increase of pension to Susan L. Dean; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 14425) for the relief of Erik Nylen; to the Committee on Claims.

By Mr. VESTAL: A bill (H. R. 14426) granting an increase of pension to Laura E. Tansey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14427) granting an increase of pension to Sarah C. Personett; to the Committee on Invalid Pensions.

By Mr. VINCENT of Michigan: A bill (H. R. 14428) to authorize the appointment of Chester Lawrence Fordney as a captain in the Marine Corps; to the Committee on Naval Affairs.

By Mr. WATRES: A bill (H. R. 14429) for the relief of Daniel Williams; to the Committee on Military Affairs.

By Mr. WHITLEY: A bill (H. R. 14430) granting an increase of pension to Catherine Schuey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14431) granting an increase of pension to Ella Budd White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14432) granting an increase of pension to Mary A. Bowman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14433) granting an increase of pension to Anna E. Reed; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14434) granting an increase of pension to Phebe Janet Clark; to the Committee on Invalid Pensions.

By Mrs. WINGO: A bill (H. R. 14435) granting a pension to Julia Pitts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14436) for the relief of William C. Ross; to the Committee on Military Affairs.

By Mr. WOLFENDEN: A bill (H. R. 14437) for the relief of Edward P. O'Neal; to the Committee on Military Affairs.

Also, a bill (H. R. 14438) for the relief of Laura Mae Kurtz; to the Committee on Claims.

By Mr. CELLER: Joint resolution (H. J. Res. 415) for the relief of Bernt Balchen, a member of the Byrd Antarctic expedition; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7756. By Mr. BOYLAN: Resolution adopted by the American Federation of Labor, at its convention held in Boston, Mass., October 6 to 17, 1930, favoring the maintenance of efficiently manned navy yards and arsenals to produce adequate national defense; to the Committee on Naval Affairs.

7757. By Mr. BRUMM: Petition of evidence in support of House bill 14104, granting a pension to Sarah E. Derr; also, House bill 14105, granting a pension to Anna Stutzman; to the Committee on Invalid Pensions.

7758. By Mr. CRAIL: Petition of approximately 500 citizens of Los Angeles County, Calif., favoring the immediate enactment of legislation which will result in the outstanding adjusted-compensation certificates being paid in cash at their face value; to the Committee on Ways and Means.

7759. By Mr. CRAMTON: Petitions signed by Georgia M. Canty and three other residents of the seventh district of Michigan, urging favorable action on House bill 7884, a bill for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

7760. By Mr. CULLEN: Petition of American Federation of Labor, favoring maintenance of efficiently manned navy yards and arsenals for adequate national defense; to the Committee on Military Affairs.

7761. Also, petition of Women's Committee for Repeal of the Eighteenth Amendment, urging that the people be given the right to determine the question of retaining or repealing the eighteenth amendment to the Constitution; to the Committee on the Judiciary.

7762. Also, petition of Retail Dry Goods Association of New York City, urging that Congress reject the proposal of Postmaster General Brown to increase the rate of postage for first-class mail; to the Committee on the Post Office and Post Roads.

7763. By Mr. EATON of Colorado: Petition of 20 citizens of Denver, Colo., urging the passage of legislation looking to immediate payment of soldiers' adjusted-compensation certificates in cash (H. R. 3493); to the Committee on Ways and Means.

7764. Also, resolution signed by the president and five members of the board of directors of the Board of County Commissioners of La Plata County, Durango, Colo., urging passage of Senate Resolution 282 to secure an appropriation for use on highways in Ute Indian Reservation; to the Committee on Indian Affairs.

7765. By Mr. FISHER: Petition of citizens of Memphis, Tenn., urging the passage of House bills 162 and 6603; to the Committee on the Post Office and Post Roads.

7766. By Mr. GARBER of Oklahoma: Petition of certain citizens of the eighth congressional district of Oklahoma, urging enactment of legislation providing for cash payment of adjusted-compensation certificates; to the Committee on Ways and Means.

7767. By Mr. GLOVER: Petition of citizens of England, Ark., urging drought-relief legislation; to the Committee on Agriculture.

7768. By Mr. MEAD: Petition of the common council of the city of Buffalo, relative to the restoration of excess-profits tax; to the Committee on Ways and Means.

7769. By Mr. O'CONNELL: Petition of Al Grosz, Accepted Modes (Inc.), New York City, opposing increased postal rates; to the Committee on the Post Office and Post Roads.

7770. Also, petition of the American Federation of Labor, Washington, D. C., favoring maintenance of efficiently manned navy yards and arsenals for adequate national defense; to the Committee on Naval Affairs.

7771. By Mr. O'CONNOR of New York: Resolutions of the American Federation of Labor, favoring manufacture of war munitions and naval vessels in arsenals and navy yards; to the Committee on Naval Affairs.

7772. By Mr. ROBINSON: Petition urging the passage of the Vestal copyright bill, H. R. 12549, signed by Alfred R. Bradford and 53 other citizens of Dubuque, Dubuque County, Iowa; to the Committee on Patents.

SENATE

THURSDAY, DECEMBER 4, 1930

(Legislative day of Wednesday, December 3, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

CARTER GLASS, a Senator from the State of Virginia; HARRY B. HAWES, a Senator from the State of Missouri; and JOSEPH E. RANSDELL, a Senator from the State of Louisiana, appeared in their seats to-day.

COMMITTEE SERVICE

Mr. REED. Mr. President, I send to the desk the following order, which I ask to have read.

The VICE PRESIDENT. The Clerk will read, as requested.

The Chief Clerk read as follows:

Ordered, That the following Senators be assigned to membership on the following committees:

Mr. CAREY: To the Committee on Banking and Currency, the Committee on Civil Service, the Committee on the District of Columbia, the Committee on Irrigation and Reclamation, and the Committee on Military Affairs.

Mr. DAVIS: To the Committee on Banking and Currency, the Committee on Civil Service, the Committee on Interoceanic Canals, the Committee on Manufactures, and the Committee on Naval Affairs.

Mr. MORROW: To the Committee on Education and Labor, the Committee on Military Affairs, the Committee on Post Offices and Post Roads, the Committee on Printing, and the Committee on Public Buildings and Grounds.

Mr. REED. I ask unanimous consent that the order may be entered at this time.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

On request of Mr. ROBINSON of Arkansas and by unanimous consent it was—

Ordered, That the membership of the Committees on Banking and Currency, Commerce, Education and Labor, Manufactures, Post Offices and Post Roads, and Privileges and Elections be increased by one each for the minority and that one each of the membership on the Committees on Military Affairs and Naval Affairs heretofore assigned to the majority be transferred to the minority.

That Mr. BRATTON be excused from further service on the Committee on Pensions.

That the following Senators be assigned to membership on the following committees:

Mr. MCGILL: To the Committee on Naval Affairs, the Committee on Pensions, and the Committee on Post Offices and Post Roads.

Mr. BULKLEY: To the Committee on Banking and Currency, the Committee on Manufactures, and the Committee on Privileges and Elections.

Mr. WILLIAMSON: To the Committee on Commerce, the Committee on Education and Labor, and the Committee on Military Affairs.

EXECUTIVE MESSAGES

Sundry messages from the President of the United States making nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

ANNUAL REPORT OF THE SECRETARY OF THE TREASURY

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmit-

ting, pursuant to law, his annual report on the state of the finances for the fiscal year ended June 30, 1930, which was referred to the Committee on Finance.

REPORTS OF THE POSTMASTER GENERAL

The VICE PRESIDENT laid before the Senate six communications from the Postmaster General, transmitting, pursuant to law, the following reports, which, with the accompanying papers, were referred to the Committee on Post Offices and Post Roads:

A report of a special contract entered into between the Post Office Department and the Hudson & Manhattan Railroad for carrying the mails on its road between Hudson Terminal Station, New York, N. Y., and Journal Square, Jersey City, N. J.;

Two reports of special contracts entered into between the Post Office Department and the Denver & Rio Grande Western Railroad Co. for carrying the mails on its road between Sapinero and Lake City, Colo., and between Thistle and Marysvale, Utah;

A report of a special contract entered into between the Post Office Department and the Copper River & Northwestern Railway Co. for carrying the mails on its road between Cordova and Kennecott, Alaska;

A report of a special contract entered into between the Post Office Department and the Alaska Railroad for carrying the mails on the Government railroad in Alaska; and

A report of a special contract entered into between the Post Office Department and the Pacific & Arctic Railway & Navigation Co. for carrying the mails on its road between Skagway and White Pass, Alaska.

TROPIC EVERGLADES NATIONAL PARK, FLA.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report as to the desirability and practicability of establishing a national park to be known as the Tropic Everglades National Park, in Florida, which, with the accompanying report, was referred to the Committee on Public Lands and Surveys.

REPORTS OF INTERSTATE COMMERCE COMMISSION

The VICE PRESIDENT laid before the Senate a communication from the chairman of the Interstate Commerce Commission, transmitting, pursuant to law, the forty-fourth annual report of the commission, which was referred to the Committee on Interstate Commerce.

He also laid before the Senate a communication from the chairman of the Interstate Commerce Commission, transmitting, pursuant to law, part 2 of the annual report, being a statement showing the names and compensation of persons employed by the commission for the fiscal year ended June 30, 1930, which was referred to the Committee on Interstate Commerce.

He also laid before the Senate a communication from the chairman of the Interstate Commerce Commission, transmitting, pursuant to law, final valuations of properties of the New Orleans, Texas & Mexico Railroad Co. and 29 other railroads, which, with the accompany papers, were referred to the Committee on Interstate Commerce.

SENATORIAL ELECTION EXPENDITURES IN NEBRASKA

The VICE PRESIDENT laid before the Senate a communication from Charles E. Matson, of Lincoln, Nebr., relating to charges made in Nebraska against Senator GERALD P. NYE and the committee investigating senatorial election expenditures and the conduct of that committee while in that State, which was referred to the Select Committee to Investigate Contributions and Expenses of Senatorial Candidates.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution adopted by the National Progressive League at Detroit, Mich., favoring an increase in the pay of members of the Army, Navy, and Marine Corps, which was referred to the Committee on Military Affairs.

He also laid before the Senate resolutions adopted by the Veterans of All Wars of the United States, favoring an army and navy equal to that of any other nation, which were referred to the Committee on Military Affairs.

He also laid before the Senate resolutions of the East Side Commercial Club, of Portland, Oreg., favoring an appropriation of $180,000,000 for the construction of dams, power houses, and locks in the Columbia River to Pasco and Kenewick, Oreg., which were referred to the Committee on Commerce.

He also laid before the Senate a resolution of the International Association of Game, Fish, and Conservation Commissioners adopted at Toronto, Canada, praying that the select committee of five appointed by the Senate to study the wild-life resources of America be made permanent, which was referred to the Committee on Rules.

He also presented a communication from E. E. Dudding, president of the Sandison Memorial Home, of Washington, D. C., submitting his conclusions as to the causes of crime and law violation, which was referred to the Committee on the Judiciary.

He also laid before the Senate a resolution adopted by the Improved Order of Red Men, in great council assembled, at Santa Cruz, Calif., favoring the repeal of the national prohibition amendment and the restoration in the several States of the right to regulate the manufacture and sale of intoxicating liquors, which was referred to the Committee on the Judiciary.

He also laid before the Senate a draft by Abraham Schomer, of New York, N. Y., of a proposed constitutional amendment embodying scientific definition of war and relating to the prevention of war, which was referred to the Committee on the Judiciary.

He also laid before the Senate resolutions adopted by Washington Camp, No. 130, of Cape May Court House, Washington Camps, Nos. 163 and 206, of Burlington County, all of the Patriotic Order Sons of America in the State of New Jersey, praying for the passage of legislation making the Star-Spangled Banner the national anthem, which were referred to the Committee on the Library.

He also presented a resolution of Milwaukee Council, No. 19, Universal Craftsmen Council of Engineers, of Milwaukee, Wis., praying for the passage of legislation establishing a Federal department of education, which was referred to the Committee on Education and Labor.

He also laid before the Senate a resolution adopted by the Brockton (Mass.) Central Labor Union, favoring action by the Government looking to the relief of the present unemployment situation, which was referred to the Committee on Education and Labor.

He also laid before the Senate a resolution adopted by an unemployment conference held in Boston, Mass., praying for the passage of legislation providing for a Federal planning board for the purpose of stabilizing industry, which was referred to the Committee on Education and Labor.

He also laid before the Senate a statement of policy by the Navy League of the United States, of Washington, D. C., with reference to a naval building and replacement program, which was referred to the Committee on Naval Affairs.

He also laid before the Senate the petition of Miss Grace L. Bigelow, of Bloomfield, Conn., praying for the enactment of legislation imposing a tariff on importations of oil, which was referred to the Committee on Finance.

He also laid before the Senate a petition of the Russian Veterans' Society of the World War, of Seattle, Wash., praying for the passage of legislation providing for the relief of Russian invalids in the United States who were wounded in the World War, which was referred to the Committee on Finance.

He also laid before the Senate the petition of Royal C. Stephens, of Philadelphia, Pa., praying for the passage of legislation prohibiting immigration for a period of five years, which was referred to the Committee on Immigration.

He also laid before the Senate letters and communications in the nature of petitions from sundry citizens and organizations of New York, N. Y., Chicago, Ill., and Cleveland,

Ohio, praying for the passage of legislation providing for the deportation of communists and other undesirable aliens, which were referred to the Committee on Immigration.

He also laid before the Senate resolutions adopted by sundry municipalities in the Philippine Islands, praying for the passage of legislation granting independence to the Philippines, which were referred to the Committee on Territories and Insular Affairs.

He also laid before the Senate memorials of sundry municipalities in the Philippines, remonstrating against the confirmation of Nicholas Roosevelt as Vice Governor of the Philippine Islands, which were referred to the Committee on Territories and Insular Affairs.

He also laid before the Senate a resolution adopted by the Woman's Missionary Society of the General Synod of the Reformed Church in the United States, extending to the Members of the Senate thanks and appreciation of the organization for the prompt ratification of the London naval treaty, which was ordered to lie on the table.

Mr. CAPPER presented a petition of sundry disabled members of the National Military Home in the State of Kansas, praying for the passage of legislation providing for the immediate payment of adjusted-service compensation certificates of World War veterans, which was referred to the Committee on Finance.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

Mr. BORAH, from the Committee on Foreign Relations, favorably reported Executive Q, a treaty of arbitration between the United States of America and the Republic of China, signed at Washington on June 27, 1930.

He also, from the Committee on Education and Labor, favorably reported the nomination of William N. Doak, of Virginia, to be Secretary of Labor, vice James J. Davis, resigned.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WALSH of Massachusetts:

A bill (S. 5059) to reinstate Lawrence L. Myatt and Miller S. Burgin as midshipmen in the United States Naval Academy; to the Committee on Naval Affairs.

By Mr. CARAWAY:

A bill (S. 5060) to provide for the immediate payment to veterans of the face value of their adjusted-service certificates; to the Committee on Finance.

A bill (S. 5061) to authorize the National Society United States Daughters of 1812 to make annual report to the Smithsonian Institution; to the Committee on the Judiciary.

Mr. CARAWAY. I desire to make this explanation with reference to one of the bills just introduced. It was introduced on Tuesday, but certain typographical errors were discovered in it, so that I am now reintroducing it as corrected, and ask that it be referred to the Committee on the Judiciary instead of the Library Committee.

The VICE PRESIDENT. Without objection, the bill will be so referred.

By Mr. COPELAND:

A bill (S. 5062) restricting the sale and providing for the distribution of certain military and naval supplies; to the Committee on Commerce.

By Mr. SHEPPARD:

A bill (S. 5063) authorizing the Court of Claims of the United States to hear and report to Congress the claim of the city of Park Place, heretofore an independent municipality, but now a part of the city of Houston, Tex.; to the Committee on Claims.

By Mr. BROUSSARD:

A bill (S. 5064) to authorize the erection of an addition to Veterans' Bureau hospital at Alexandria, in the State of Louisiana, and to authorize the appropriation therefor; to the Committee on Finance.

By Mr. HATFIELD:

A bill (S. 5065) granting an increase of pension to Martha A. Brand; to the Committee on Pensions.

By Mr. BORAH:

A bill (S. 5066) granting a pension to Stephen D. Jones (with accompanying papers); and

A bill (S. 5067) granting an increase of pension to James J. Jordan (with accompanying papers); to the Committee on Pensions.

By Mr. KING:

A bill (S. 5068) prescribing qualifications for voters in the Virgin Islands; to the Committee on Territories and Insular Affairs.

A bill (S. 5069) authorizing the Secretary of the Navy to deliver to the State of Utah the silver service which was in use on the battleship *Utah;* to the Committee on Naval Affairs.

By Mr. HARRISON:

A bill (S. 5070) for the relief of Orville E. Clark; to the Committee on Claims.

By Mr. GLENN:

A bill (S. 5072) granting a pension to Jessie Parker Booth; to the Committee on Pensions.

A bill (S. 5073) to authorize an appropriation of $2,000,000 to round out the construction program at Edward Hines, Jr., Hospital, Hines, Ill., and for other purposes; and

A bill (S. 5074) to authorize the erection of an addition to the Veterans' Bureau Hospital Plant No. 105, at North Chicago, Ill., and to authorize the appropriation therefor; to the Committee on Finance.

By Mr. SHORTRIDGE:

A bill (S. 5075) for the relief of Andrew M. Dunlop; to the Committee on Claims.

A bill (S. 5076) for the relief of Howard P. Cornick; to the Committee on Military Affairs.

A bill (S. 5077) authorizing the President to appoint Capt. DeWitt Blamer, United States Navy, retired, a rear admiral on the retired list of the Navy; to the Committee on Naval Affairs.

By Mr. McNARY:

A bill (S. 5078) to provide for the establishment and development of American air-transport services overseas, to encourage construction in the United States by American capital of American airships and other aircraft for use in foreign commerce, and for other purposes; to the Committee on Commerce.

By Mr. JOHNSON:

A bill (S. 5080) for the relief of the State of California; to the Committee on the Judiciary.

By Mr. ROBINSON of Arkansas:

A bill (S. 5081) authorizing the erection in the State of Arkansas by the Administrator of Veterans' Affairs of a 400-bed patient capacity hospital plant for disabled veterans, and for other purposes; to the Committee on Finance.

By Mr. HALE (for Mr. METCALF):

A bill (S. 5083) to authorize the Secretary of the Navy to proceed with certain public works at the Naval War College, Newport, R. I.; to the Committee on Naval Affairs.

By Mr. McKELLAR:

A bill (S. 5084) for the relief of Charles Whitaker (with accompanying papers); to the Committee on Claims.

By Mr. WHEELER:

A bill (S. 5085) to provide funds for cooperation with the school board at Poplar, Mont., in the extension of the high-school building to be available to Indian children of the Fort Peck Indian Reservation; to the Committee on Indian Affairs.

By Mr. BARKLEY:

A bill (S. 5086) granting a pension to Earl F. Alexander;

A bill (S. 5087) granting a pension to Sidney Britton;

A bill (S. 5088) granting a pension to Fred Faulkner;

A bill (S. 5089) granting an increase of pension to Charles N. Cannon; and

A bill (S. 5090) granting an increase of pension to Lucinda C. Muncey; to the Committee on Pensions.

By Mr. GLENN:

A joint resolution (S. J. Res. 217) to authorize personnel quarters, elevator, and kitchen equipment at Dwight, Ill.; to the Committee on Finance.

VETERANS' BUREAU HOSPITAL IN SOUTH CAROLINA

Mr. SMITH. Mr. President, I introduce a bill to authorize the erection of a veterans' hospital in the State of South Carolina, which I asked be referred to the Committee on Finance, and in this connection I request that a letter from the vice chairman of the national legislative committee of the American Legion be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill (S. 5071) to authorize the erection of a Veterans' Bureau hospital in the State of South Carolina, and to authorize the appropriation therefor, was read twice by its title and referred to the Committee on Finance.

The letter above referred to is as follows:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMITTEE,
Washington, D. C., December 1, 1930.

Hon. ELLISON D. SMITH,
United States Senate, Washington, D. C.

MY DEAR SENATOR SMITH: Inclosed herewith please find draft of bill prepared in response to the resolution adopted by the Boston convention of the American Legion.

The veterans from your State will appreciate very much your introduction of this bill. If you will advise us when it has been introduced we will, of course, take pleasure in notifying the adjutant of the department of South Carolina so that the proper publicity can be given the matter in the Legion circles there.

Very truly yours,

JOHN THOMAS TAYLOR,
Vice Chairman National Legislative Committee.

RELIEF OF UNEMPLOYMENT

Mr. JONES. I introduce a bill which proposes to appropriate $150,000,000, and is offered pursuant to a Budget estimate which has been sent down by the Treasury Department. It is intended to apply this sum of money only to projects that have been heretofore adopted by Congress. All that it will do will be to expedite them, in order to assist in meeting the unemployment situation. I ask that the bill may be referred to the Committee on Appropriations.

The bill (S. 5079) making an appropriation to provide an emergency construction fund for public works during the remainder of the fiscal year ending June 30, 1931, was read twice by its title and referred to the Committee on Appropriations.

RIVER AND HARBOR PROJECTS

Mr. SHIPSTEAD. I ask unanimous consent to introduce a bill and to have it printed in the RECORD, and following that an explanatory statement of the bill and the reasons for its introduction. I also ask that an article from the Boston American setting forth the views of Mayor Curley, of Boston, of a program of development of inland waterways, and also a resolution by the National Organization of Farmers' Elevators indorsing the development and early building of the inland waterways be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill (S. 5082) to provide for the early completion of the works of improvement on the adopted and authorized river and harbor projects, including the connecting channels of the Great Lakes, and to authorize the issuance of bonds therefor, was read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That for the purpose of supplementing the appropriations made by Congress from time to time for the improvement of rivers and harbors used in interstate commerce; of completing the authorized and adopted river and harbor projects, including the connecting channels of the Great Lakes, and insuring for the public the beneficial use thereof within the shortest possible time and at the lowest possible cost; of enabling the Secretary of War to enter into such comprehensive and continuing contracts for the execution of said works of improvement as will establish for each project the probable date of its completion with a degree of certainty justifying the immediate investment of capital in terminal and industrial development based upon the prospective use of such improvements; and of employing idle capital, idle industry, and idle labor in the construction of said works, the Secretary of the Treasury is hereby authorized and directed to borrow on the credit of the United States from time to time, as the proceeds may be required to defray expenditures on account of works of improvement authorized on said adopted projects, the sum of $500,000,000 (which sum, together with moneys already appropriated, equals the estimate of the United States Army engineers to cover the entire cost of completing the adopted river and harbor projects, including the connecting channels of the Great Lakes), and to prepare and issue therefor coupon or registered bonds of the United States, to be known as internal improvement bonds, in such form as he may prescribe and in denominations of $100, $500, and $1,000, redeemable in gold coin at the pleasure of the United States after 10 years from the date of their issue and payable 20 years from such date, and bearing interest payable quarterly in gold coin at a rate not exceeding 3 per cent per annum, and the bonds herein authorized shall be exempt from all taxes or duties of the United States, as well as taxation in any form by or under State, municipal, or local authority: *Provided*, That said bonds may be disposed of by the Secretary of the Treasury at not less than par, under such regulations as he may prescribe, giving to all citizens of the United States an equal opportunity to subscribe therefor, but no commission shall be allowed or paid thereon; and a sum not exceeding one-tenth of 1 per cent of the amount of the bonds herein authorized is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the expenses of preparing advertising and issuing the same.

The proceeds of the sale of bonds herein authorized shall be applied, in addition to moneys already appropriated, to the prosecution of works of improvement on all adopted and authorized river and harbor projects, including the connecting channels of the Great Lakes, with a view to their completion within the shortest time not exceeding a period of five years.

Nothing contained in this or any other act shall prevent the Secretary of War from entering into such contract or contracts as may be deemed expedient by him for the completion of the construction of works of improvement on said adopted and authorized projects where the completion of the improvement may be hastened thereby. Purchases of material and equipment for use in the construction of such projects shall be restricted to articles of domestic production and manufacture, from the lowest responsible bidder, unless the Secretary of War shall, in any case, deem the bids or tenders therefor to be extortionate or unreasonable.

The statement of Mr. SHIPSTEAD is as follows:

I am introducing this bill providing for the issuance of internal-improvement bonds to complete the authorized river and harbor projects, including the connecting channels of the Great Lakes, within five years, in order to place this proposal before the country for the earnest consideration of our people. It must be apparent to anyone who has given thought to the subject that the condition of the Federal Government's finances is such that these projects can not be completed within the time allotted to each under the present method of financing through direct appropriations. Therefore I have suggested two methods of getting these authorized waterways built on time, through the application of a part of the war-debt retirement funds to the construction of these waterways or a comparatively small internal loan. At this time I believe that a combination of both methods is advisable.

We are confronted with a reduced national income and an insistent demand for increased expenditures to stimulate industry and to relieve unemployment. Private capital can not alone meet this situation. Industry is already overexpanded and the present state of both business and securities calls for retrenchment. Public works, on the contrary, have not since the beginning of the war kept pace with the rapid growth of the country. In my judgment the whole rivers and harbors program should be pressed at this time to a speedy completion. Directly and indirectly the work would give large employment for the next five years. Nothing would have a more steadying effect upon labor than a realization that Federal aid in the form of intensive prosecution of all authorized river and harbor improvements would be given now.

This emergency can not be met by current appropriations without resorting to increased taxation. It appears to be most timely as well as logical and sound policy for the Government to now employ not only idle labor but idle capital and idle industry in the construction of these reproductive works. All of these improvements have already been planned by the Government, sanctioned by Congress, and are only awaiting suitable financial arrangements to carry them into execution. And when we consider that we can save millions of dollars in first cost, in addition to interest, and make available to the people of the United States the beneficial use of these waterways during the present generation, then it seems to me it is our sacred duty to adopt the best means of accomplishing these objects.

The National Government has called upon private industry, municipalities, and States, to bond themselves for the construction of new work and internal improvements, but beyond this request and the compilation of statistics as to what others are doing the Government of the United States has not provided a dollar in addition to current appropriations to relieve this emergency.

The general depression has of necessity affected the railroads but not to the extent that it has affected industry and com-

merce. What the railroads need is not higher freight rates, which add to the burdens of business and industry and correspondingly reduced tonnage, but the creation of conditions which will make business and industry prosper and thereby increase tonnage and the revenues of the railroads. Meanwhile the vigorous prosecution of these works carried on simultaneously in all sections of the United States will employ the transportation facilities of the country and assist them greatly in tiding over this period of depression.

I have previously pointed out the advantages to the Government and to the people of the United States in completing our authorized waterway projects in the shortest time possible, not in excess of five years. Summarized, they are as follows:

First. The depressed condition of trade, industry, and agriculture calls for relief now through the savings which will be available from transportation on improved waterways.

Second. Economy in Government financing. The present piecemeal method of prosecuting the work on these projects under the handicap of uncertain annual appropriations will require 20 years for their completion. Conservative calculations disclose that piecemeal methods of the past increase the cost at least 40 per cent over original estimates and authorizations—witness the Ohio River, which was estimated to cost $63,000,000, and actually cost after 20 years of piecemeal work in excess of $100,000,000. A 5-year program on already authorized river and harbor projects would, therefore, save in first cost approximatly $330,000,000.

Third. Savings in interest on capital and unproductive during the average period of construction of some 20 years under present piecemeal methods will amount to $162,500,000.

Fourth. The relief of unemployment. Directly or indirectly 500,000 men will be given employment during the next five years.

Fifth. Industry would, if a definite short term of years was officially established for the completion of our inland waterways, anticipate their completion as it did on the Ohio, and construct plants and facilities now, thus employing added labor and capital.

This program if carried on vigorously will, in my judgment, do more to relieve the present depressed condition of the country than any other measure so far suggested. It will remove the element of uncertainty which underlies every industrial crisis. Moreover, these improvements are of a permanent nature and equally serve future generations, who in all justice should bear a part of their cost.

In view of the present economic depression, whose seriousness and duration is, in my opinion, underestimated, I believe that a prudent and courageous expenditure of public funds is not only imperative from the point of view of economics but is the patriotic duty of statesmen.

The newspaper articles above referred to are as follows:

[From the Boston American of Wednesday October 29, 1930]

CURLEY IN NEW BILLION PLEA TO HOOVER—MAYOR IN LETTER TO PRESIDENT ELABORATES ON PLAN TO END JOBLESS CRISIS

By John T. Lambert

A billion-dollar project for development of the Mississippi River in order that business may be revived, unemployment relieved, and the future greatness of America envisioned was to-day submitted to President Hoover by Mayor Curley.

The mayor urged the project to President Hoover during his recent visit to Washington, when they discussed unemployment and the business crisis at length. But the President seemed wedded to a program of river development in which only $125,000,000 a year would be spent.

Piecemeal development of America's great natural resources is wasteful and ineffective, the mayor declares, and contains no element of the constructive leadership and imagination which the people have the right to expect in a period of grave emergency.

WHAT IT WOULD DO

An announcement by President Hoover of his intention to go forward with a billion-dollar development, Mayor Curley says, would electrify the country, destroy the grim psychology of fear, put America on the road to business recovery, and dissipate unemployment overnight.

In addition to the armies of men immediately required for the construction work, Mayor Curley believes it would afford employment for many thousands in the manufacture of the basic construction materials, ranging from the brick kiln to electrical equipment manufactories like the General Electric Co. here in Massachusetts.

At the request of the administration, Mayor Curley elaborated the tremendous project in a comprehensive letter which he sent to-day to President Hoover, Secretary of War Hurley, whose Army engineers would supervise such a project, and to other Government officials at Washington.

His letter is a document believed to contain the most constructive suggestion yet made in this country to overcome the business depression.

Mayor Curley declares in his letter that the deepening of the river, opening it to ocean-borne traffic, would stimulate development of the American merchant marine.

It would develop an inland industrial empire of more potential value than the Louisiana purchase, he says, because no great manufacturer could afford to be without at least one plant on this new waterway of commerce.

By building storage basins, the people of the Mississippi Valley, he says, would be saved from the flood catastrophes such as devastated this country only three years ago, and they would be guaranteed a steady supply of water for their crops in the periods of drought.

The farmers of the West, now languishing in a period of sorry depression that has lasted 10 years, with wheat down to 50 cents a bushel, would derive the immense advantage of lower transportation rates for their products of the soil, Mayor Curley declared. Without their prosperity, the country as a whole can not be prosperous to its fullest degree.

A deeper and wider Mississippi River, he declares, would facilitate the industrial and agricultural commerce of inland America to the trade marts of the Orient and Latin America. He reminds President Hoover that because of the tariff and because of anti-American hostility in Europe, the future foreign trade of the United States must be largely with the countries of Latin America to the south.

WOULD PAY FOR SELF

European competition is again penetrating those markets, he says, attempting to regain its pre-war advantage. The United States has the advantage of contiguity, Mayor Curley says, but it can not be utilized fully to the best interests of the American continent as a whole until the industrialist and exporter are given the benefit of cheap water transportation rates.

President Hoover's largest reputation is as an engineer, Mayor Curley reminds him, and he will be expected by the country to visualize the vast merit of this great enterprise.

Mayor Curley also declared that the American people would not countenance the blocking of this magnificent development by the powerful railroad interests which selfishly opposed the Panama Canal or by the electric-power interests which for years stood in the path of Boulder Canyon Dam. Cheaper water-power energy from the storage basins would be one of by-products of this development and the lowered rates and more efficient electrical service would be of incalculable value to all consumers, from manufacturers to householders.

Mayor Curley predicts that the saving in transportation rates and electric power and the increment of increased property values would alone pay the entire cost of this project within this generation.

He calls President Hoover's attention to the fact that the Army engineers have been in charge of the Mississippi many years and he presumes they have evolved plans which would permit the development to be undertaken without delay.

[From the Chicago Journal of Commerce and La Salle Street Journal of December 3, 1930]

ELEVATOR MEN DISAGREE ON RELIEF PLANS—NATIONAL GROUP, FRIENDLY TO FARM BOARD, URGES WATERWAY COMPLETION—OTHERS ARE ANTAGONISTIC—CONFERENCE WANTS INDIVIDUAL MARKETING WITH FEDERAL AID MANDATORY

Two farmers' elevator organizations with the same purposes but divergent aspirations closed individual sessions in Chicago last night. One was the National Organization of Farmers' Elevators, which met at the Fort Dearborn Hotel, and urged President Hoover and Congress to speed the construction and completion of the entire inland-waterways system, and the other was the Farmers' Elevator General Conference, which went on record as favoring immediate congressional action that will assist the farmers of the mid-western district in solving their marketing problems.

The national organization of farmers' elevators was formed in 1913. The general conference, which is an outgrowth of the national group, with the chief object of preventing Government control of grain elevators through the proposed marketing system, came into being at Mason City, Iowa, in November of this year.

PRIVATE OWNERSHIP URGED

"We want the 4,000 farmer elevators in the middle-western or surplus-grain region of the country to be entirely owned and controlled by the farmers and not by the National Government," said Millard R. Myers, a leader in the cooperative farmer elevator movement, who met with the general conference in the Great Northern.

"We also want the farmers who own these elevators to have control of the terminal and other marketing agencies that handle their grain. In short, we want decentralized control of the farmer elevators," he asserted.

RESOLUTION ASKS RELIEF

The resolutions as adopted by the general conference of farmer elevators pertaining to legislation as adopted just before adjournment, said:

"Whereas the farm relief law was enacted as an emergency measure to meet a condition that existed in the agricultural districts and the purpose of the bill was to immediately relieve a depressed condition then existing, which condition was the closing of banks, foreclosing on farms and placing the land in the hands of large corporation interests; and

"Whereas the methods of applying the law have resulted in the establishment of mere merchandising agencies which have utterly failed to accomplish any benefit to agriculture or business: Now, therefore,

LOAN PROVISION DEMAND

"This conference urgently recommends such action by our National Government as will in some measure at least assist the people of the agricultural districts to meet their pressing needs.

"We demand such an amendment to our agricultural marketing act as will make it mandatory upon the Federal Farm Board to recognise with loans on grain any group of farmers' elevators operating within the State handling a minimum of 5,000,000 bushels of grain annually, without a requirement by the Farm

Board that the grain shipped from members of such regional shall be pooled when sold: *Provided*, That the loans from the Farm Board to the local elevators through such regional be protected by satisfactory security."

STATE ORGANIZATIONS FAVORED

In continuance of the thought in this resolution, the general conference also adopted a resolution to the effect that "the farmers' elevator State associations form organizations within those States for the purpose of binding together the companies for merchandising."

The conference also authorized the farmer elevator general committee to prepare and submit two plans for cheaper money and adequate financing of farmers' elevators. One of these would be for the storing of grain, entailing the use of bankers' acceptances, and the other financing through a corporation to cover the physical property of the owners on a long time loan basis. These two plans are to be worked out by the committee and presented at a meeting of the general conference in another session at Minneapolis some time next February.

WATERWAY ACTION URGED

The National Organization of Farmers' Elevators said specifically on the point of inland-waterways construction in its resolution:

"*Be it resolved*, That we continue to pledge our support and urge President Hoover and Congress to speed the construction and completion of the entire inland-waterways system to the end that transportation costs may be reduced and thus assist our producers in the Middle West."

Still another resolution had to do with the repayment of the farmers' elevators by the United States Grain Corporation on grain contracts with the elevators, which would be covered by the passage of a resolution approved by President Coolidge on March 4, 1929.

COOPERATIVES APPROVED

The organization of national elevator owners went on record as favoring and indorsing the principles of voluntary cooperative marketing with local, terminal, and national sales agencies so long as the local companies are privileged to retain their local ownership and control.

Robert B. Orndorff, vice president of the Illinois Farmers Grain Dealers Association, who attended the sessions of the general conference of elevator operators at the Great Northern, stated that the State association has already adopted a resolution in cooperation with the Farmer Elevator Association of Minnesota that the farmer elevator companies refrain from relinquishing any control of their local organizations

OPPOSES SIGNING RESTRICTIONS

He also said they refrain, as well, from signing any contracts under the United States grain marketing plan that would deprive them of the privilege of selling their grain to the highest bidder in competitive markets.

It was on this point, largely, that the general conference and the National Organization of Farmers Elevators were in disagreement, it was said, the national favoring the farm relief law and the general conference being opposed to it.

LEGGE ADDRESSES MARKETERS

Alexander Legge, chairman of the Federal Farm Board, yesterday spoke before the National Association of Marketing officials. He said:

"There is plenty of room for improvement through cooperation of producers when it costs more to get a small package of fruit from the railroad car in Chicago to the consumer's table than the entire cost of producing, packing, and hauling it over a distance of 2,000 miles to town. The main job is for each group and agency to discover its proper relation to the entire program and join whole-heartedly in cooperating for the welfare of all."

Mr. Legge added that there had been progress made in clarifying the relationship between the various Farm Board agencies recently and he felt that prospects for closer cooperation were brighter than ever before.

EMPLOYMENT OF RESIDENT LABORERS AND MECHANICS

Mr. COUZENS. On December 2 I introduced a joint resolution (S. J. Res. 214) to require that public contracts provide for employment of resident laborers and mechanics and for payment of highest prevailing rate of wages, and asked that it be printed and lie on the table. I ask to have the joint resolution referred to the Committee on Education and Labor.

The VICE PRESIDENT. Without objection, it is so ordered.

AMENDMENT TO FIRST DEFICIENCY APPROPRIATION BILL

Mr. KING submitted an amendment intended to be proposed by him to the first deficiency appropriation bill, fiscal year 1931, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

At the proper place, insert the following:

"UNITED STATES GEOLOGICAL SURVEY

"Rocky Mountain district: For continuing the activities of the United States Geological Survey in the Rocky Mountain district, $24,000."

INVESTIGATION OF POSTAL CONDITIONS IN FIRST CONGRESSIONAL DISTRICT OF TENNESSEE

Mr. McKELLAR submitted the following resolution (S. Res. 353), which was referred to the Committee on Post Offices and Post Roads:

Whereas in the recent election held in the first congressional district of Tennessee there was an independent Republican candidate for Congress against a sitting Congressman; and

Whereas during the campaign innumerable charges of fraud and wrong were made in said district in reference to the appointment of postmasters, the appointment of clerks, carriers, and other civil-service employees; and

Whereas charges were made that such employees and postmasters were required to contribute to political campaigns; and

Whereas since the said election, charges have been preferred against civil-service employees and innumerable letters are coming in, for or against, such employees: Now, therefore, be it

Resolved, That the Committee on Post Offices and Post Roads, or any subcommittee thereof, is hereby authorized and directed to make an investigation of postal conditions, postal appointments, and postal employees in the first congressional district of Tennessee, and to ascertain whether or not charges of political activity or of enforced contributions from postal employees or other practices hurtful to the service have been carried on in said district.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places, to employ such experts and clerical, stenographic, and other assistants, to require by subpœna or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services in reporting such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $1,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

INVESTIGATION RELATIVE TO THE ANTITRUST LAWS

Mr. KING submitted the following resolution (S. Res. 354), which was referred to the Committee on the Judiciary:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized to conduct a thorough investigation for the purpose of determining whether it is desirable or necessary (a) to strengthen and extend the provisions of the antitrust laws or (b) to modify any of the provisions of such laws. The committee shall report to the Senate as soon as practicable the results of its investigation, together with its recommendations, if any, for necessary legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold hearings, to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-first and succeeding Congresses until the final report is submitted, to employ such clerical and other assistants, to require by subpœna or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony and make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

DEPORTATION OF ALIENS

Mr. HAYDEN. I ask leave to submit a Senate resolution, and I ask that it may be printed and lie over, to be considered during the next morning hour.

The resolution (S. Res. 355) was read and ordered to lie over under the rule, as follows:

Resolved, That the Secretary of Labor be, and is hereby, requested to furnish to the Senate the following information:

First, the estimated number of aliens who have unlawfully entered and are now in the United States.

Second, approximately what number of such aliens are subject to deportation under existing laws.

Third, what additional appropriations of money are necessary to accomplish the prompt deportation of such aliens.

Fourth, what changes should be made in existing laws to facilitate the deportation of undesirable aliens.

MARY A. CHAPLINE

Mr. BARKLEY submitted the following resolution (S. Res. 356), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1930, to Mary A. Chapline, widow of Charles B. Chapline, late an employee of the Senate folding room, under supervision of the Sergeant at Arms, the sum of $500, said sum to be considered inclusive of funeral expenses and all other allowances.

EXECUTIVE MESSAGES

Sundry messages from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

APPORTIONMENT OF REPRESENTATIVES IN CONGRESS

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying statement, referred to the Committee on Commerce:

To the Congress of the United States:

In compliance with the provisions of section 22 (a) of the act approved June 18, 1929, I transmit herewith a statement prepared by the Bureau of the Census, Department of Commerce, giving the whole number of persons in each State, exclusive of Indians not taxed, as ascertained under the Fifteenth Decennial Census of population, and the number of Representatives to which each State would be entitled under an apportionment of the existing number of Representatives by the method known as the method of major fractions, which was the method used in the last preceding apportionment, and also by the method known as the method of equal proportions.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

REPORT OF JUVENILE COURT IN THE DISTRICT (S. DOC. NO. 228)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, referred to the Committee on the Judiciary, and ordered to be printed:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, a communication from the judge of the juvenile court of the District of Columbia, together with a report covering the work of the juvenile court during the year ended June 30, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

NOTE.—Report accompanied similar message to the House of Representatives.

REPORT OF NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying paper, was read and referred to the Committee on Naval Affairs:

To the Congress of the United States:

In compliance with the provisions of the act of March 3, 1915, establishing the National Advisory Committee for Aeronautics, I submit herewith the sixteenth annual report of the committee for the fiscal year ended June 30, 1930.

Attention is invited to the opening portion of the committee's report dealing with the aeronautical situation generally, and also to Part V of the report presenting a summary of progress in the technical development of aircraft. It is gratifying to note therein, and in Chairman Ames's letter of transmittal, the committee's views as to the factors that have contributed to and assure the further progress of aeronautics.

I concur with the committee's recommendations at the end of the report regarding the further development of aircraft and the need for continued prosecution of scientific research in aeronautics.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

NOTE.—Report accompanied similar message to the House of Representatives.

REVISION OF CANAL ZONE LAWS

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Interoceanic Canals:

To the Congress of the United States:

In conformity with the provisions of the act of May 17, 1928 (45 Stat. 596), entitled "An act to revise and codify the laws of the Canal Zone," I transmit herewith a letter from the Secretary of War forwarding certain amendments suggested for consideration in connection with the proposed revision of the Canal Zone laws, which was printed in House Document No. 460, Seventy-first Congress, second session.

The changes recommended by the Secretary of War have my approval, and I recommend that they be given consideration and approval by the Congress.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

REPORT OF GOVERNOR OF THE PANAMA CANAL

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Interoceanic Canals:

To the Congress of the United States:

I transmit herewith for the information of the Congress the annual report of the Governor of the Panama Canal for the fiscal year ended June 30, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

REPORT OF PANAMA RAILROAD CO.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Interoceanic Canals:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the Eighty-first Annual Report of the Board of Directors of the Panama Railroad Co. for the fiscal year ended June 30, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

REPORT OF THE BUREAU OF EFFICIENCY

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Appropriations:

To the Congress of the United States:

As required by the act of March 4, 1915, and February 28, 1916, I transmit herewith the report of the United States Bureau of Efficiency for the period from November 1, 1929, to October 31, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

REPORT OF DIRECTOR OF PUBLIC BUILDINGS AND PARKS OF THE NATIONAL CAPITAL

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Public Buildings and Grounds:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the annual report of the Director of Public Buildings and Public Parks of the National Capital for the fiscal year ended June 30, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

REPORT OF PERRY'S VICTORY MEMORIAL COMMISSION

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on the Library:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the Eleventh Annual Report of the Perry's Victory Memorial Commission for the year ended December 1, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

REPORT RELATIVE TO ARLINGTON MEMORIAL AMPHITHEATER

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Military Affairs:

To the Congress of the United States:

In compliance with the requirements of the act of Congress of March 4, 1921, I transmit herewith the annual report of the Commission on the Erection of Memorials and Entombment of Bodies in the Arlington Memorial Amphitheater for the fiscal year ended June 30, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

LAWS OF THE EIGHTH PHILIPPINE LEGISLATURE

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying documents, referred to the Committee on Territories and Insular Affairs:

To the Congress of the United States:

As required by section 19 of the act of Congress approved August 29, 1916, entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands," I transmit herewith a set of the laws and resolutions passed by the Eighth Philippine Legislature during its second regular session, from July 16 to November 8, 1929.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

FRANCHISES—PORTO RICAN PUBLIC SERVICE COMMISSION

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Territories and Insular Affairs:

To the Congress of the United States:

As required by section 38 of the act of Congress approved March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes," I transmit herewith certified copies of each of 11 franchises granted by the Public Service Commission of Porto Rico. The franchises are described in the accompanying letter from the Secretary of War transmitting them to me.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

REPORT OF THE GOVERNOR OF PORTO RICO

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Territories and Insular Affairs:

To the Congress of the United States:

As required by section 12 of the act of Congress of March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes," I transmit herewith for the information of the Congress the Thirtieth Annual Report of the Governor of Porto Rico, including reports of the heads of the several departments of the government of Porto Rico and those of the Auditor and the Chief of the Bureau of Commerce and Industry, for the fiscal year ended June 30, 1930.

I concur in the recommendation of the Secretary of War that this report, with the indicated parts of the appendices, be printed as a congressional document.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

NOTE.—Report accompanied similar message to the House of Representatives.

REPORT OF GOVERNOR GENERAL OF THE PHILIPPINES

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on Territories and Insular Affairs:

To the Congress of the United States:

As required by section 21 of the act of Congress approved August 29, 1916, entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands," I transmit herewith for the information of the Congress the report of the Governor General of the Philippine Islands, including the reports of the heads of the departments of the Philippine government, for the calendar year 1929.

I concur in the recommendation of the Secretary of War that this report be printed as a congressional document.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

NOTE.—Report accompanied similar message to the House of Representatives.

REPORT OF THE ALASKA RAILROAD

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Territories and Insular Affairs:

To the Congress of the United States:

I transmit herewith for the information of the Congress the annual report of the Alaska Railroad for the fiscal year ended June 30, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

NOTE.—Report accompanied similar message to the House of Representatives.

REPORT OF GOVERNOR OF THE VIRGIN ISLANDS

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Territories and Insular Affairs:

To the Congress of the United States:

I transmit herewith for the information of the Congress the annual report of the Governor of the Virgin Islands for the fiscal year 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

NOTE.—Report accompanied similar message to the House of Representatives.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate sundry executive messages from the President of the United States, which were referred to the appropriate committees.

ADDRESS BY DR. JULIUS CURTIUS AND LETTER OF DR. NICHOLAS MURRAY BUTLER

Mr. CAPPER. Mr. President, in an address delivered June 21 last in Berlin, and broadcast over the United States, Dr. Julius Curtius, German Minister of Foreign Affairs, delivered to the people of the United States an able and forceful message from the people of Germany. Doctor Curtius spoke for the new Germany, which he points out is committed to peace, to scientific and intellectual progress, to economic development, to a peace, as he says, "secured not by military armaments but by justice, good will, and reciprocal, sincere understanding."

In the interest of good will and sincere reciprocal understanding between our people and the people of Germany, I ask permission to insert in the RECORD the radio address of Doctor Curtius, together with the letter of Dr. Nicholas Murray Butler on the same subject, which I send to the desk.

There being no objection, the address and letter were ordered to be printed in the RECORD, as follows:

ADDRESS BY DR. JULIUS CURTIUS, GERMAN MINISTER OF FOREIGN AFFAIRS, TO THE PEOPLE OF THE UNITED STATES, JUNE 21, 1930

Ladies and gentlemen, I have spoken to many a large assembly in my life, but I have never had the honor before of addressing so vast an audience as the one to which my esteemed friend his excellency the American ambassador to Germany kindly introduced me to-night. It is awe-inspiring to think that my voice is being carried across the wide ocean to anyone in the United States who may care to "listen in." The earnest endeavors of German and American statesmen to strengthen and deepen the friendly relations between the two countries are furthered in a marvelous manner, indeed, by the progress of science which, through the medium of atmospheric waves, puts our two peoples in ever closer contact with each other.

Personally I have observed and cultivated those relations with particular care and interest for many years. In Heidelberg, my second home town, as well as in Berlin, I have been watching the ever-increasing stream of American travelers. With a large num-

ber of them I freely exchanged views; with many of them I formed bonds of sincere friendship. Fortunately, the outgrowths of war psychosis lost their evil effects between our two countries in a gratifyingly brief time, and, in judging German affairs, truth and justice are rapidly gaining ground in American public opinion.

During my tenure of office as German Minister of Economics I did everything in my power to promote and consolidate the economic relations between Germany and the United States. It is an outstanding feature of these relations that among our erstwhile enemies your country was the first after the expiration of the economic clauses of the treaty of Versailles to offer to Germany a treaty of friendship and commerce. It is another outstanding feature that the United States was one of the few countries which restored the German property, seized during the war, to its rightful owners. Moreover, it was due to the active cooperation of prominent leaders of the American business world that the thorny problem of reparations was put to an appreciable extent on a business basis. But above all, American capital, though well aware of the enormous difficulties facing Germany in its work of reconstruction, has come to our assistance and given new blood to our anæmic business life, reciprocating in a way what German capital did for your country in pre-war times.

To complete the picture of the friendly relations between the two nations which, in the last analysis, rest in a large measure on close ties of kinship, I may mention the speedy revival of cultural exchange, the mutual taking part in sporting events, and the close cooperation in the field of technical sciences. It is a matter of sincere gratification to us that more than 100 American delegates are taking part in the Second World Power Conference, which is in session in Berlin just now, to deliberate on more rational uses of the various forms of technical energy; and we felt highly honored by the cordial and encouraging message which President Hoover was pleased to send to the large audience, assisting the so-called "American hour" of the conference last Wednesday. One great achievement of the technical sciences particularly helpful to the intercourse between Germany and the United States is the considerable shortening of the traveling distances between the two countries which we all witnessed these last few years. The American flyers Chamberlin and Levine, whom it was my good fortune to welcome in the name of the German Government upon their arrival at the Tempelhofer Field, and the German flyers Köhl and Hünefeld, as well as our *Graf Zeppelin*, which received your enthusiastic welcome over there, have extended the bounds of human capacity in the air farther than anyone before them.

In view of such close relations, a German Minister of Foreign Affairs speaking to the radio listeners in the United States may count on open ears and open hearts. If Doctor Stresemann had lived, I would to-day be amongst you and thus be able to establish direct personal contact with you. Only a few hours before his tragic death I had suggested to him that this summer I would resign the portfolio of economics in order to take an extensive tour through the United States for the sake of broadening my knowledge of national and world economics. The fate with which Stresemann met shortly afterwards made me his successor in office, and therefore instead of being able to speak face to face to you I have to make use now of the Hertzian waves.

The close financial and economic links between Germany and the United States, briefly referred to, are, indeed, the firm basis of our relations. It must not be forgotten, however, that real mutual understanding between two nations can never rest on anything merely material but can only be created by a common purpose, pointing, beyond the national aims of either, to a higher goal. Fortunately, that community of purpose exists between Germany and the United States.

When several weeks ago your ambassador, Mr. Frederic Moseley Sackett, presented his credentials to President von Hindenburg, he laid stress on the striking similarity of aims of the two nations in the field of international conciliation; and, indeed, it is this similarity, nay, identity, of purpose which, in my opinion, is the strongest of the many links existing between the two countries. The noble endeavor to build the peace of the world on a solid and lasting foundation which the United States has been pursuing for many years and which is voiced again and again in the public utterances of her highest spokesmen, can find nowhere a truer echo and a heartier response than in this country. Germany needs and desires peace—a peace honorable for everybody, a peace secured not by military armaments but by justice and good will and reciprocal sincere understanding. We desire such a peace not as a nation unfit or loath to bear arms. We desire it as men who know how to fight—I myself served at the front for more than four years—but who have come to understand that there are other ways for settling international controversies than by letting inferno loose over humanity. And we have given ample proof of that spirit. The world knows how the German people, although hit incredibly hard by the most unjust of peace treaties, renounced from the beginning every idea of revenge; it knows the great work of conciliation of my much-lamented friend Gustav Stresemann, embodied in the treaties of Locarno; it knows of our active collaboration in all the labors of the League of Nations. Like the United States, Germany is striving to make the world safe from a recurrence of a cataclysm which would without fail put an end to our civilization. And just as there is identity of purpose, so there is identity with regard to the methods to be applied. Mindful of the old proverb that an ounce of prevention is better than a pound of cure, we are less concerned with the question of how a possible violator of the peace ought to be dealt with than with the all-important problem of preventing the outbreak of any armed conflict, the consequences of which nobody is able to foresee. Therefore, we strongly advocate going to the very root of the matter by removing in good time all causes of war. We stand unreservedly for the peaceful settlement of every kind of conflict between states. And having ourselves, in spite of all rumors to the contrary, following the treaty of Versailles, completely disarmed, we strongly insist upon an all-around reduction to the minimum of all military establishments and preparations for war, which are always a potential danger to the peace of the world; for the more guns there are the more readily one will go off accidentally at a critical hour.

I am glad to say that amongst enlightened peoples the idea is steadily gaining ground that after all the relations between civilized states ought to be governed by no other standards than those governing the relations of fellow citizens; that is to say, a voluntarily observed regard for one's neighbor and a general order of conduct by common assent. International relations, with their constantly increasing complexity of national policies at cross purposes, may be likened to the traffic at a central thoroughfare of a large city, where vehicles of every size and speed pass along in half a dozen different directions. Not so long ago every driver used to drive his vehicle pretty much as he saw fit, with the consequence that at times serious collisions and even severe disasters occurred. To-day the traffic is thoroughly organized under detailed regulations, with the result that collisions are of relatively rare occurrence and that violations of the rules as well as complaints of injured parties are promptly dealt with by special traffic boards. In a similar manner measures have been taken of late with regard to the cross-currents in international relations—measures of which we hope that they will become more and more effective. For the declared purpose of preventing clashes between the different vehicles of state, the covenant of the League of Nations made it obligatory for member states to submit all their controversies to the League Council. Moreover, a vast amount of bilateral or multilateral treaties, obliging the contracting parties to submit all disputes of every kind arising between them to specified procedures of arbitration have been concluded. And quite recently in the pact of Paris all the civilized states have signed the solemn pledge to renounce war as a means of national policy and to settle their controversies by peaceful means only. All these undertakings are a kind of traffic regulation for vehicles of state, big or small, to safeguard anyone from being rammed or bumped into by another with detrimental effect for himself and the whole traffic. And, to complete the simile, certain magistrates, like the League Council, have been set up to act as traffic policemen, entitled to call any reckless driver to order, while others, like the World Court, play the rôle of traffic boards to deal with complaints and claims of one vehicle against another.

And now a new attempt is to be made in Germany under the motto: "If you want peace, organize for peace!" Its purpose will be to study all the possibilities of promoting international understanding and extending peaceful intercourse, with a view to educate the world, so to say, to the traffic rules of international relations. We have long been planning to start a new and modern sort of academy, hitherto unknown but badly needed in our times—a peace academy. In the same manner as the war academies were to study the most effective ways of conducting war, our peace academy is to study the best ways and the most efficient means of securing peace. And because nothing but this was the high aim of Gustav Stresemann, our great untiring fighter for international conciliation, we have had for some time already the idea to found such a peace academy as a Stresemann memorial. In cooperation with the Court of International Justice in The Hague and the Institute for the Scientific Study of International Relations in Geneva and similar institutions abroad, the peace academy will have a threefold task to accomplish: First, the publishing of international research work in various languages, that is to say, of scientific investigations into the possibilities of organizing a just and peaceful order in international politics, for example, of developing the pact of Paris; secondly, educational work, which would consist in teaching this—if I may so call it—"peace science" to students and officials in special courses at universities and other high institutions of learning; thirdly, propaganda work, to spread amongst the largest public the various conceptions of world peace, especially by arranging international conferences, where broad-minded people of good will and vision thoroughly discuss the big problems of peaceful international development and thus prepare and facilitate the work of the politicians.

When Dr. Nicholas Murray Butler, presidept of the Carnegie Endowment for International Peace, who, as you all know, played such a conspicuous rôle in the origin of the pact of Paris for the outlawry of war, was in Berlin some weeks ago I made use of the occasion to discuss this, our idea, with him, and I am glad to be able to say that it found his whole-hearted approval. Doctor Butler has undertaken to form an American committee that will give every possible assistance to the Stresemann endowment.

As I recently pointed out at Geneva, the great common aims of the civilized world can be realized only by incessant and well-organized effort. We are living in an era of rapid development, in a period of evolution in all spheres of life. Everywhere strong forces spring up which are working through new channels for a better future. It behooves the leaders among men to utilize these forces, and, by developing them on the firm basis of the valuable traditions of the past, to lead humanity to its new goal.

I sincerely hope, ladies and gentlemen, that in this respect the future peace academy may prove to be an important forum, materially contributing to the promoting and deepening of international understanding. For centuries war was organized to

ever higher perfection. Now it is time to organize peace to the highest perfection. For centuries our two nations have often been engaged in hard and horrible wars and have always, up to the end of the World War, proved that they know how to fight. Now let us keep this grand tradition of warriors and fight shoulder to shoulder against the common enemy, war. We are going to conquer peace and we shall not rest until we have got it—just, firm, and unshakable.

MEMORIAL TO GUSTAV STRESEMANN—WE SHOULD COOPERATE IN GERMAN FOREIGN MINISTER'S PEACE PLANS

(Published in the New York Times, June 26, 1930)

To the EDITOR OF THE NEW YORK TIMES:

The appeal made to the people of the United States by Doctor Curtius, the broad-minded and progressive statesman who has succeeded Doctor Stresemann as German Foreign Minister, which was reported in the Times of June 21, is the most important happening in the field of international relations since M. Briand made to us his now famous appeal of April 6, 1927, which resulted in the pact of Paris to renounce war as an instrument of national policy.

Doctor Curtius speaks for the new Germany, which is committed to peace, to economic development, to scientific and intellectual progress, and to increasingly close international relations not only with her neighbors in Europe but with the world. Germany may be counted on with perfect confidence to be one of the strongest and most eager supporters of M. Briand's plan for a closer union of the peoples and governments of Europe.

In his address to the people of the United States, Doctor Curtius committed Germany to "a peace secured not by military armaments but by justice, good will, and reciprocal, sincere understanding. We desire such a peace," he said, "not as a nation unfit or loath to bear arms. We desire it as men who know how to fight—I myself served at the front for more than four years—but who have come to understand that there are other ways for settling international controversies than by letting an inferno loose over humanity."

These are splendid and epoch-marking words. Doctor Curtius gives them new strength and new application by adding: "We stand unreservedly for the peaceful settlement of every kind of conflict between states. And having ourselves, in spite of all rumors to the contrary, completely disarmed, following the treaty of Versailles, we strongly insist upon an all-round reduction to the minimum of all military establishments and preparations for war, which are always a potential danger to the peace of the world."

Not only so, but Doctor Curtius proposes to prepare for a peaceful world by studying the bases of peace, the methods of peace, the institutions of peace. To this end there will be founded in Berlin as a memorial to the late Doctor Stresemann an academy of peace, the like of which has not heretofore been seen in this world. This academy will have the threefold task of publishing international research work in various languages, of making scientific investigation into the ways and means of organizing a just and peaceful order of international politics, and of the education of public opinion through the press, the universities, and other institutions of learning.

In this great enterprise Doctor Curtius invites the cooperation of the American people, and that he should have it quickly and generously goes without saying. It is understood that M. Briand in France and Prime Minister Ramsay MacDonald in Great Britain have given their cordial approval to this new undertaking in Berlin, which will start under the best possible auspices and at a most fortunate moment in the history of the modern world. It is no small pleasure and satisfaction to commend this undertaking most earnestly to the American people and to ask for it their cordial sympathy and support.

France spoke her intention to walk the path of peace by the voice of M. Briand on April 6, 1927, and now Germany adds her potent and significant voice to the same end for the same high purpose on June 21, 1930. Surely the world is rapidly moving on toward a new and higher plane of international morals and international cooperation.

NICHOLAS MURRAY BUTLER.

NEW YORK, *June 24, 1930.*

MOTOR-BUS TRANSPORTATION

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 10288) to regulate the transportation of persons in interstate and foreign commerce by motor carriers operating on the public highways.

The VICE PRESIDENT. The clerk will state the pending amendment.

The CHIEF CLERK. The Senator from Wisconsin [Mr. BLAINE] offers the following amendment: On page 26, strike out all of line 23, after the semicolon, and all of lines 24 and 25, and in lieu thereof insert:

And notwithstanding the provisions of this act and any provision of the Federal highway act, the laws enacted by any State and the regulations thereunder that relate to the maintenance, protection, safety, or use of the highways therein, and which laws and regulations thereunder are made equally applicable to intrastate and interstate commerce or use of such highways, shall not be deemed to be a burden upon or an obstruction or impediment to interstate commerce, and the power to enact such laws and promulgate regulations thereunder is hereby expressly reserved to the respective States under their police powers.

Mr. LA FOLLETTE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	George	King	Shortridge
Barkley	Gillett	La Follette	Simmons
Bingham	Glass	McGill	Smith
Black	Glenn	McKellar	Smoot
Blaine	Goff	McMaster	Stelwer
Blease	Goldsborough	McNary	Stephens
Borah	Gould	Morrow	Swanson
Brock	Greene	Moses	Thomas, Idaho
Brookhart	Hale	Norbeck	Thomas, Okla.
Broussard	Harris	Norris	Townsend
Bulkley	Harrison	Oddie	Trammell
Capper	Hastings	Overman	Tydings
Caraway	Hatfield	Patterson	Vandenberg
Carey	Hawes	Phipps	Wagner
Connally	Hayden	Pine	Walcott
Copeland	Hebert	Pittman	Walsh, Mass.
Couzens	Heflin	Ransdell	Walsh, Mont.
Cutting	Howell	Reed	Waterman
Davis	Johnson	Robinson, Ark.	Watson
Deneen	Jones	Robinson, Ind.	Wheeler
Fess	Kean	Schall	Williamson
Fletcher	Kendrick	Sheppard	
Frazier	Keyes	Shipstead	

Mr. FRAZIER. I wish to announce that the Senator from North Dakota [Mr. NYE], the Senator from Vermont [Mr. DALE], and the Senator from Washington [Mr. DILL], are absent on business of the Senate. I ask that this announcement may stand for the day.

Mr. SHEPPARD. I wish to announce that the junior Senator from Washington [Mr. DILL] is necessarily detained from the Senate on official business.

The VICE PRESIDENT. Ninety Senators have answered to their names. A quorum is present. The pending amendment will be again read.

The Chief Clerk again read Mr. BLAINE's amendment.

Mr. COUZENS. Mr. President, I have talked with the Senator from Wisconsin [Mr. BLAINE] about the language of his amendment. There seems to be some difference of opinion as to the interpretation of the language of the bill and of his proposed amendment. I would like to see the amendment adopted by the Senate and then let us see if we can straighten it out in conference. There does not seem to be much difference except in one or two small particulars between the language of the bill as it was passed by the House and the language of the amendment proposed by the Senator from Wisconsin.

INCREASE OF STEEL PRICES

Mr. NORRIS. Mr. President, I want to take this opportunity to call attention to a news item appearing to-day in the New York Times. On the first page of to-day's New York Times there is an article in regard to the increase in the price of steel products. The headlines are:

Steel price raised to stimulate trade. Action by the leading makers spreads quickly in industry. Other advances predicted. Increase equals $1 a ton, but it is still about $5 below year ago. End of slashing is forecast.

Mr. President, regardless of how we disagree on very many political and economic questions, I believe we are all agreed that whatever can be done ought to be done and will be done to relieve the unemployment with which our country is faced, and the distress that comes from such unemployment. We have begun a very much enlarged building program for the Government of the United States. The President and his various committees have been urging men in all walks of life to go ahead with building operations and proceed with other construction work that may be needed within the next two or three years, but to do it now in order to give present employment to labor.

It follows that this program, whatever may be the result of it, to the extent that it is successful—and everybody wants it to be successful—will consume vast amounts of steel products. In the Government program of building opera-

tions alone there will be many million dollars from the Federal Treasury expended for various kinds of steel products which are used in modern buildings.

In the face of this patriotic move, which everybody wishes to help and to push along, we are faced with the announcement that the great steel combinations, the great steel corporations, commencing with the United States Steel and running all the way down through the entire list, have agreed upon an increase that amounts to more than $1 a ton in the price of their products. On the face of it, it looks to me as though such an agreement is a violation of the antitrust laws. I hope the Department of Justice will take notice of it, and that the country will realize that the steel companies are facing this patriotic move to help those who are suffering by announcing that they have arbitrarily agreed among themselves that they will increase by $1 a ton all the steel that goes into all the buildings constructed by the Government, as well as into privately constructed buildings and structures of the railroads and of the public utilities and all other kinds of buildings, by the work on which employment might be given to some of the millions of men who on the eve of winter are suffering for the necessaries of life because they are not able to get employment.

Let me read from the President's message. He says:

> The third direction of cooperation has been to maintain and even extend construction work and betterments in anticipation of the future. It has been the universal experience in previous depressions that public works and private construction have fallen off rapidly with the general tide of depression. On this occasion, however, the increased authorization and generous appropriations by the Congress and the action of States and municipalities have resulted in the expansion of public construction to an amount even above that in the most prosperous years. In addition the cooperation of public utilities, railways, and other large organizations has been generously given in construction and betterment work in anticipation of future need. The Department of Commerce advises me that as a result, the volume of this type of construction work, which amounted to roughly $6,300,000,000 in 1929, instead of decreasing will show a total of about $7,000,000,000 for 1930.

Showing, Mr. President, that on account of appropriations made by Congress governmental agencies are going ahead with construction work, because the Government knows it is going to need buildings in the future, although in the immediate future they may not be necessary, all for the purpose of alleviating the terrible conditions that confront the country.

In the face of that campaign to increase building operations we are met by a combination of steel corporations which say, "We are going to cooperate in this great patriotic movement to help unemployment by increasing by $1 a ton the price of our output. In another place in his message the President says:

> The world-wide depression has affected agriculture in common with all other industries. The average price of farm produce has fallen to about 80 per cent of the levels of 1928.

So, while the price which the farmer receives for the food which he produces, which nourishes and keeps the world alive, has gone down 20 per cent, we are having this great combination of the largest corporations in the country, and indeed in the world, which agree that they will show their patriotic feeling in this great movement by increasing the price of their product $1 a ton.

The President says in another place:

> In order that the Government may meet its full obligation toward our countrymen in distress through no fault of their own, I recommend that an appropriation should be made to the Department of Agriculture to be loaned for the purpose of seed and feed for animals. Its application should, as hitherto in such loans, be limited to a gross amount to any one individual and secured upon the crop.

While we are asked—and rightly, too, I think—to appropriate from the taxpayers' funds in the Treasury money to buy seed for stricken agriculture in various portions of our country—loaning it, taking a mortgage upon the crop, so that the toiling farmer will be compelled, of course, to pay it back—this great move is made on the other side of the fence by a combination of steel companies covering the entire United States, which say that their patriotism, their idea of helping the unemployed and the farmers in distress is to increase the price of a necessary article that goes into the construction of every railroad, every public-utility institution, and every public building and most of the private buildings in the United States.

Mr. WALSH of Massachusetts. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Massachusetts?

Mr. NORRIS. I yield to the Senator.

Mr. WALSH of Massachusetts. My reaction to the news article the Senator has read was very similar to that expressed by him. I note that the original story emanated from Wall Street, but following the Wall Street story is the headline "Youngstown Follows Suit."

Mr. NORRIS. Yes; and the Illinois Steel Co. also.

Mr. WALSH of Massachusetts. And following that press dispatch are the words "Illinois Steel acts quickly."

Mr. NORRIS. Yes.

Mr. WALSH of Massachusetts. It seems to me the facts make out a possible case of a conspiracy to fix prices at a time when it may be detrimental to the public interest to do so. It certainly is a precedent for all other large producers to get together to increase prices.

I should like to inquire of the Senator if, as chairman of the Judiciary Committee of the Senate, he and his committee should not undertake a preliminary investigation into the matter which he is discussing, with the idea of finding out to what extent there was an understanding between all the steel companies of the country to increase their prices and the effect such action would be likely to have upon the restoration of general prosperity in the country?

Mr. NORRIS. Mr. President, I am assuming that the Department of Justice will take cognizance of this matter. It has the machinery, and I think it has the law. I shall refer a little later on and call attention in more detail to the dispatches to which the Senator has referred; but the steel companies are publicly and defiantly announcing in effect that they have agreed to raise prices. Their agreement is perfectly apparent, although it shows that the largest steel company fixed the prices at $1 in advance, and immediately, the same day, almost the same hour, every other steel company followed suit. Of course, they may say that that is just a coincidence, but it is a coincidence of which the Department of Justice and the courts of the country ought to take notice.

Mr. KING. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Utah?

Mr. NORRIS. I will yield in just a moment. The President, after referring to loaning money to the farmers for seed in their distress, says:

> The Red Cross can relieve the cases of individual distress by the sympathetic assistance of our people.

I suggest to the President that when he reads this article as to what the steel companies are doing in helping carry out this great program of justice, and perhaps of mercy in some instances, he send another message or make a recommendation to the Red Cross that if the steel companies will refrain from increasing their prices in this hour of distress the Red Cross will relieve the distress, perhaps, of the steel companies and help them out, rather than to see them suffer, if they must get along without increasing their prices.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks the dispatch referred to in the New York Times of December 4, commencing on the first page and ending on page 4.

The VICE PRESIDENT. Without objection, it is so ordered.

The article referred to is as follows:

[From New York Times of December 4, 1930]

STEEL PRICE RAISED TO STIMULATE TRADE—ACTION BY THE LEADING MAKERS SPREADS QUICKLY IN INDUSTRY—OTHER ADVANCES PREDICTED—INCREASE EQUALS $1 A TON—BUT IT IS STILL ABOUT $5 BELOW YEAR AGO—END OF SLASHING IS FORECAST

Higher steel prices, discussed for some time in Wall Street as the development most needed to instill confidence in business and industry, were posted yesterday by the United States Steel Corporation, the Bethlehem Steel Corporation, and other important producers.

The initial increase of $1 a ton on principal finished products was announced first by the Carnegie Steel Co., a subsidiary of United States Steel, and its example was promptly followed elsewhere in the industry. The new prices are for business booked for delivery in the first quarter of 1931. They apply specifically to plates, shapes, and bars, the products most widely used, and there are indications that prices on certain other steel products will be stiffened soon.

Carnegie Steel's advance was announced in Pittsburgh and confirmed here at the headquarters of the United States Steel Corporation. Bethlehem Steel, the second largest producer in the country, met the increase almost immediately.

MOVEMENT SPREADS RAPIDLY

News came from large producing centers in the Middle West soon thereafter that corresponding increases were being put into effect. The Illinois Steel Co., also a subsidiary of United States Steel, took the initiative in the Chicago district, as Carnegie Steel did in the Pittsburgh district. It also was reported from Chicago that the Inland Steel Co., one of the most important independents, planned an increase of from $1 to $2 a ton on bars, shapes, and plates for first-quarter delivery. Other producers, if they did not post increases yesterday, will do so to-day, it is understood. The increase will become general throughout the industry by the end of the week, it is expected.

The new prices vary according to the location of the producers, but they amount, roughly, to $1 a ton everywhere. In Pittsburgh, for example, the price on plates, shapes, and bars is advanced to $1.65 per 100 pounds, against $1.60 at present. The new price in Chicago for first-quarter delivery will be $1.75, against $1.70.

These, of course, are minimum prices and simply represent the first move in a program to stabilize the price situation in the steel industry. Some of the largest producers, including Carnegie Steel, had already fixed minimum prices of $1.60 on 100 pounds in Pittsburgh as well as elsewhere. Nearly all of the important steel interests are of the opinion, it is understood, that the new prices can be maintained without any difficulty, since large consumers as well as producers appreciate the desirability of a profitable price basis for the steel industry.

NO CHANGE IN RAIL PRICES

There is no talk of higher prices on steel rails, but the present schedule, which has been in effect several years, will be maintained in spite of the reported insistence in certain quarters that concessions be made. Extensive buying of rails by the large carriers is said to have been delayed, but such orders, it is believed, will be placed soon. Current railroad purchases and inquiries are said to involve a total of 650,000 tons, to be distributed among the various rail makers. The New York Central, the Pennsylvania, and other large carriers are among the rail buyers depended upon to furnish a large volume of business soon.

The advance in the price of bars, plates, and shapes was definitely forecast last week. At that time it was learned from some of the most influential steel executives that they were determined to bring prices more nearly into line with production costs. At the same time it became known that some of the independent producers who were regarded as the worst offenders in price shading some time ago had become convinced that price stabilization was necessary. In some quarters it was hinted that if higher prices were not put into effect it might become necessary to reduce wages. Some of the largest companies, including United States Steel, are not expected to earn dividends on common stock in the last three months of 1930.

The present slack conditions in the industry are due in large part to previous price uncertainties, it is contended. It has always been the experience of steel producers that consumers delayed purchases as long as there was a prospect of lower prices, whereas any firmness in the price structure tends to encourage buying. The current low operating rate of the industry is traceable to a considerable extent to the lack of price stability. Some of the leading producers have publicly blamed the ills of the industry on price cutting, which was quite widespread a short time ago.

NEW PRICES FAR BELOW YEAR AGO

The prices posted yesterday for first-quarter delivery are far from what most steel producers regard as a satisfactory basis. In this connection it is pointed out that the new prices are really about $5 a ton less than they were at the beginning of 1930. The prevailing official prices at that time were $1.90 on 100 pounds, Pittsburgh. Price shading was already under way at that time.

If effect be given to the shading of official quotations which was being practiced a short time ago, the increase announced yesterday amounts to considerably more than $1 a ton. According to steel authorities, the new prices will represent an increase of between $3 and $4 a ton in the earnings of producers, depending upon how cheaply these producers can make steel. In other words, the new prices are from $2 to $4 higher than the levels at which some steel interests have been known to sell steel recently in underbidding competitors.

Wall Street anticipates that steel, as in the past, will prove a reliable business barometer; and if it does, the present price increase may foreshadow a gradual recovery in business, according to views expressed yesterday. It is recalled that in the past price stabilization in the steel industry has been followed by widespread business improvement. This has been particularly true, it is remembered, where the establishment of minimum prices was followed by a definite price advance.

Mr. NORRIS. Mr. President, I want now to call attention in a little more detail to what the Senator from Massachusetts referred to. Immediately following the article which I have inserted in the RECORD comes this one:

YOUNGSTOWN FOLLOWS SUIT—STEEL INTERESTS IN DISTRICT EXPECT RISE ON OTHER ITEMS

YOUNGSTOWN, OHIO, December 3.—The Youngstown Sheet & Tube Co., Republic Steel Corporation, and other district interests will adhere to the new quotations on bars, plates, and shapes announced to-day by Carnegie Steel and Bethlehem Steel, representing an advance of $1 a ton.

This action is seen as a forerunner to similar advances in other rolled steel lines and follows efforts of the leading interests to strengthen the market. It is expected that price increases will spread to pipe, sheets, strips, pig iron, and all forms of finished products.

It is considered unlikely that semifinished steel prices will be changed, as there has been considerable resistance to the $31 a ton market on sheet bars, slabs, and billets. However, makers have been able to resist such pressure and the semifinished market has remained firm, while rolled steel lines have been subject to fluctuations downward.

Then follows the next dispatch:

ILLINOIS STEEL ACTS QUICKLY—ANNOUNCES PRICE RISE AFTER CARNEGIE'S ADVANCE

CHICAGO, December 3.—In the face of the lowest rate of ingot output in years steel producers have raised prices $1 a ton on first-quarter delivery of shapes, plates, and bars.

Notice that, Senators, while ingot output—which, I take it, is in reality the raw product of finished steel—is lower than it ever has been they have raised the price of the finished product $1 a ton.

I ask leave to insert the remainder of the article as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Carnegie Steel, subsidiary of the United States Steel Corporation, took the lead in making a price of $1.65 for 100 pounds the minimum. Illinois Steel, on the basis of a base price of $1.65 at Pittsburgh, is increasing its prices to $1.75, a similar $1-a-ton advance.

E. J. Buffington, president of the Illinois Steel Co., director of United States Steel and veteran of the middle-western steel industry, has believed for some weeks that the steel industry was near bottom and that advances were more to be anticipated than recessions.

Mr. NORRIS. Mr. President, it seemed that the country was about to enjoy a united effort on the part of everybody to restore prosperity; that all interests, regardless of politics and economic belief, were going to unite to try to relieve the distress that has come to us on account of the vast amount of unemployment that exists. Yet on the eve of a time when it is generally understood that we are going to require a larger amount of steel, as the President says in his message, than we have required in any other year, when the output of the great and rich steel mills of the country is going to be larger than it was in the preceding year, we are met face to face with the fact that, although ingots are lower than they ever were, the price of the finished product is going to be made $1 a ton higher!

That ought to appeal to the patriotic people of the United States, and ought to remind us that sometimes even the great and powerful steel corporations, when they want to participate in a great campaign to help the distressed, do it by first wrapping the American flag about themselves and then proclaiming their patriotism from the housetops, while they meet together and make an agreement—which seems on the face of it to be in violation of law—by which they will mulct the public and make a profit out of the sufferings of those who are trying to get employment and are unable to do so.

Mr. KING. Mr. President, in view of the statement just made by the able Senator from Nebraska [Mr. NORRIS], and the question submitted by the Senator from Massachusetts [Mr. WALSH], I desire to state that I have submitted a resolution which authorizes the Committee on the Judiciary, or any duly authorized subcommittee thereof, to conduct a thorough investigation for the purpose of determining whether it is desirable or necessary (a) to strengthen and

extend the provisions of the antitrust laws, or (b) to modify any of the provisions of such laws. The committee is directed to report to the Senate as soon as practicable the results of its investigation, together with its recommendations, if any, for necessary legislation.

The remaining part of the resolution is in the usual form, authorizing the appointment of a subcommittee and providing for the subpœnaing of witnesses. The resolution calls for an appropriation of not to exceed $5,000 for the purpose of making the investigation.

The remarks of the Senator from Nebraska are timely and challenge the attention of Senators to the fact that the economic and industrial depression through which we are passing apparently has not weakened the movement which has for its object the strengthening of monopolies and trusts and the control of the economic life of the people by giant corporations—industrial and financial. There are many who believe that the present deplorable situation is largely due to the operation of trusts and industrial organizations. There are many who believe that the era of individualism is over; that the man of limited means may not succeed in business enterprises; and that giant organizations are to further consolidate the business activities of our country and draw to themselves the economic and financial resources of our country.

The press a few days ago carried the news that the rayon and silk interests of the United States and other countries were seeking to form an international cartel obviously for the purpose of controlling production and fixing prices. If the reports contained in the press are correct, it would appear that the projected scheme, if carried into effect, would violate the antitrust laws of the United States. It is unfortunate, as I view the situation, that in this democratic country there should be economic and industrial policies destructive of a proper individualism and under the operation of which the genius and enterprise of the great mass of the people are weakened and, indeed, seriously affected.

Speaking generally, monopolies are incompatible with what might be called industrial democracy and that intrepid and fine individualism essential to the development and maintenance of democratic institutions and political freedom. If the industries of our country are controlled by monopolistic organizations, it is certain that extortionate prices will be exacted and economic servitude will ultimately result. Centralization of industry in the hands of a few is an evil, the effects of which will prove disastrous. If consolidations and mergers continue, it is certain that in the not far distant future an intolerable situation will develop that will result in demands for Federal control of much of the business and industrial life of the people.

The interstate commerce provision of the Federal Constitution, if not other provisions, will be invoked in support of Federal legislation for the control not alone of public utilities but of what has been universally regarded as private enterprises. Several years ago, as I recall, a Republican President advocated that all corporations engaged in interstate commerce should obtain Federal charters; that there should be a Federal corporation act requiring that all corporations engaged in interstate commerce should submit to some form of Federal control and regulation. I should regret to see a situation so menacing and dangerous as to justify legislation of the character indicated, and the adoption of a policy which would be so much at variance with the policies of the past under which our country has been developed. However, if trusts and monopolies and conspiracies in restraint of trade are permitted to exist and to pursue a destructive and devastating course, then I fear that an irresistible demand will be made that the Federal Government take control of corporations and organizations engaged in interstate commerce. It seems to me that the business interests of our country should be warned by the growing fear of trusts and monopolies and the resentments that are being aroused against mergers and consolidations which seek to bring within the powerful grasp of a limited number of individuals and corporations the economic and industrial resources of our country.

Mr. President, I hope that the Committee on the Judiciary will make a searching investigation under the resolution which I have offered, with a view to determining whether or not the antitrust laws should be strengthened. In my opinion, as they have been interpreted by the courts, they should be strengthened and their provisions enlarged so as to make more effective any efforts that may be made to prevent further monopolistic development in the business activities of our country.

MOTOR-BUS TRANSPORTATION

The Senate resumed the consideration of the bill (H. R. 10288) to regulate the transportation of persons in interstate and foreign commerce by motor carriers operating on the public highways.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Wisconsin [Mr. BLAINE].

The amendment was agreed to.

The VICE PRESIDENT. The bill is open to further amendment. If there be no further amendment, the question is on the engrossment of the amendments and third reading of the bill.

Mr. LA FOLLETTE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	George	King	Shortridge
Barkley	Gillett	La Follette	Simmons
Bingham	Glass	McGill	Smith
Black	Glenn	McKellar	Smoot
Blaine	Goff	McMaster	Steiwer
Bease	Goldsborough	McNary	Stephens
Borah	Gould	Morrow	Swanson
Brock	Greene	Moses	Thomas, Idaho
Brookhart	Hale	Norbeck	Thomas, Okla.
Broussard	Harris	Norris	Townsend
Bulkley	Harrison	Oddie	Trammell
Capper	Hastings	Overman	Tydings
Caraway	Hatfield	Patterson	Vandenberg
Carey	Hawes	Phipps	Wagner
Connally	Hayden	Pine	Walcott
Copeland	Hebert	Pittman	Walsh, Mass.
Couzens	Heflin	Ransdell	Walsh, Mont.
Cutting	Howell	Reed	Waterman
Davis	Johnson	Robinson, Ark.	Watson
Deneen	Jones	Robinson, Ind.	Wheeler
Fess	Kean	Schall	Williamson
Fletcher	Kendrick	Sheppard	
Frazier	Keyes	Shipstead	

The VICE PRESIDENT. Ninety Senators have answered to their names. A quorum is present.

Mr. BORAH and Mr. SMITH addressed the Chair.

The VICE PRESIDENT. The Senator from Idaho.

Mr. BORAH. I wanted to make a request. If the Senator from South Carolina desires to discuss the matter, I will not do so.

Mr. SMITH. No; I just wanted to make a motion with reference to the pending measure. If the Senator wants to discuss it, I will wait, of course.

Mr. BORAH. I will listen to the Senator's motion.

Mr. SMITH. Mr. President, in view of the importance of this measure—and I am sure a large percentage of the Senators have not given it the attention that it deserves—I move to recommit the bill to the Committee on Interstate Commerce for further consideration.

Mr. HEFLIN. On that motion I call for the yeas and nays.

Mr. BORAH. Mr. President, before that motion is voted upon I should like to have the Senator from Michigan [Mr. COUZENS] or some other Senator who is very familiar with the bill make a statement as to the object and purpose of the bill. We have come in here and are considering it at this particular session without very much discussion. It is true that when we left here last summer the bill was on the calendar, and it is also true that there had been some discussion of it; but the purport of the bill is not very clear in my mind, and I should like to have a statement on the subject before I vote upon the motion of the Senator from South Carolina, if the Senator from Michigan is willing to make it.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from Idaho yield to me?

Mr. BORAH. I yield.

Mr. ROBINSON of Arkansas. That statement, in my judgment, should comprehend the amendments which have been adopted, so that we would understand the bill as it is now presented to the Senate.

Mr. COUZENS. Mr. President, a parliamentary inquiry. Is the motion of the Senator from South Carolina debatable?

The VICE PRESIDENT. It is.

Mr. COUZENS. During the last session of Congress there was considerable debate on the bill. There appeared at that time to be three viewpoints as to the bill and as to how it should operate.

As the bill came from the House, it provided that every prospective operator of a motor-bus line must apply to the Interstate Commerce Commission for a certificate of public convenience and necessity. It is true that it contained what is called a grandfather clause, which provided substantially that those who, on the date of the passage of the bill, were operating, would not be required to make an application for a certificate of convenience and necessity, but would have 90 days in which to make a showing before the commission that they were competent to operate a line, that they would maintain schedules and would maintain routes and maintain equipment for the safety of the public.

When the bill came to the Senate and went to the Committee on Interstate Commerce, the committee gave long consideration to it, and there was a division of opinion in the committee. Some of the committee thought that the bill as it came from the House was all right; that every applicant for a permit to operate should be required to give a certificate of public convenience and necessity.

There was another group in the committee which thought that there should be no certificate of public convenience and necessity required under any circumstances; that every applicant for permission to run a bus line should be required only to assure the commission that they were financially competent to operate a schedule, to maintain their busses in the interest of the safety of the riding public, and would be able to pay damages in case of accident. In other words, there was to be no question about the proposed operation being necessary for public convenience.

There was another group in the committee which thought that competition should be maintained, that unless there were two bus lines operating between two points, it should be mandatory on the commission to issue a certificate if the applicant complied with all the rules and regulations of the commission.

That view prevailed in the committee. In other words, the committee reported the bill out containing a provision, as found on page 15, line 7, of the print I have, in the form of instructions to the Interstate Commerce Commission that unless there was competition between the two points, the commission would be required—in other words, it would be mandatory upon the commission—to grant a certificate if the applicant complied with all the safety and other regulations promulgated by the commission. That is the form in which the bill came to the Senate.

The Senator from Illinois [Mr. GLENN] offered an amendment, which was proposed to take the place of the committee amendment, and this is what the amendment of the Senator from Illinois provided:

(f) If, upon consideration of any application for a certificate of public convenience and necessity, it appears that there is inadequate service by a common carrier by motor vehicle, in whole or in part, upon the route and/or between the fixed termini covered by the proposed operations, then the absence of such adequate service shall be sufficient evidence that the public convenience and necessity will be served by the whole or that part of the proposed operations with respect to which such absence of adequate service exists; and a certificate shall be issued accordingly if the applicant is qualified to comply with the requirements, rules, and regulations of the commission for such service. For the purposes of this section service shall not be deemed to be adequate unless there is sufficient operation of motor-vehicle equipment by a common carrier by motor vehicle over the proposed route to meet all reasonable public demand for motor-vehicle transportation.

This amendment was adopted in the Senate to take the place of the committee amendment, the vote being 33 yeas and 22 nays. The vote was taken on July 2. So, as the bill stands, the Glenn amendment has taken the place of the committee amendment.

The other requirements of the bill are generally those provided for the regulation of railroads, except that the Interstate Commerce Commission does not fix the rates. The Interstate Commerce Commission assures itself that the rates are reasonable.

Mr. ROBINSON of Arkansas. Mr. President——

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Michigan yield to the Senator from Arkansas?

Mr. COUZENS. I yield.

Mr. ROBINSON of Arkansas. Before passing from the provision the Senator has just been discussing, will he say how long, in his opinion, usually will be required for the commission to determine an application for convenience and necessity? In that connection may I be permitted to state that in one instance relating to a railroad, within my knowledge, where such a certificate was sought for the construction of a railroad 8 miles in length into a coal field, some 15 months elapsed from the time of the filing of the application before its determination. It seems to me that if there is assurance that these applications can be determined with reasonable promptness it would strengthen the support of this feature of the bill.

Mr. COUZENS. In that connection I may say that there is a provision in the bill for setting up local boards, which is new legislation, so far as I know, under which if there is a question as to public convenience and necessity for a bus line between two States, the commission may permit the States to appoint a local board, made up of one member from the public-utilities commission of each State. If there be no public-utilities commission within any one of the States, the governor would have the right to make the appointment. The question involved is submitted to that local board, and if a majority of that board agrees that a certificate should be entered, or that a certain permit should be granted, it becomes mandatory upon the Interstate Commerce Commission to grant it.

That is an idea presented for the purpose of reserving to the States, as nearly as is humanly possible, State rights, the right to regulate the conditions in the several States. It seems to me that that is an assurance that these matters will be dealt with expeditiously.

Mr. SIMMONS. Mr. President, will the Senator yield to me?

Mr. COUZENS. I yield.

Mr. SIMMONS. If the so-called Glenn amendment, to which the Senator referred a few moments ago, is adopted, is it the Senator's opinion that if there were only one line, and that line were giving adequate service, in the sense that it provided for all the traffic, there could not then be issued a certificate of public convenience and necessity for a competing line?

Mr. COUZENS. Those are the instructions to the Interstate Commerce Commission, that if there is such a line in existence giving adequate service, it may not grant another license.

Mr. SIMMONS. It is discretionary whether they will grant another license for another company to operate in competition?

Mr. COUZENS. That is correct.

Mr. SIMMONS. So that it leaves the commission the power to determine whether there shall be any competition on that particular route?

Mr. COUZENS. That is correct. If it finds that the service is adequate for all public needs, it may not grant another license.

Mr. BORAH. Mr. President, will the Senator yield to me?

Mr. COUZENS. I yield.

Mr. BORAH. The sole question which, under this amendment, they would have to determine, would be whether or not there was adequate service?

Mr. COUZENS. That is correct.

Mr. BORAH. And that is to be finally and conclusively determined by the commission?

Mr. COUZENS. That is correct.

Mr. BORAH. There would be no appeal from their decision?

Mr. COUZENS. I know of no provision for an appeal from it, unless under the general statutes there would be a right to appeal to some court. I do not know of any such right, any more than there is in the matter of building a competing railroad line.

Mr. KING. Mr. President, will the Senator yield to me?

Mr. COUZENS. I yield.

Mr. KING. Apropos of the statement made by the Senator a moment ago—and I am asking for information—I invite the Senator's attention to paragraph (d) of the bill, found on page 8, where it is provided that—

> The commission shall, when operations of common carriers by motor vehicle conducted or proposed to be conducted involve not more than three States, and the commission may, in its discretion, when operations of common carriers by motor vehicle conducted or proposed to be conducted involve more than three States, refer to a joint board for hearing.

I was wondering why, when there were only three, a certain policy was to be pursued, but when the motor bus was to operate through more than three States an entirely different policy was to be pursued. I was wondering why, when motor busses operate as they do, from the Atlantic to the Pacific, the question as to whether there was any necessity should be restricted to the consideration of three States instead of to be decided by all the States through which the line operates.

Mr. COUZENS. I think the Senator will understand that if all the States are involved, or the number of States through which a coast-to-coast bus line would operate, it would not be practical to have representatives from all the States from coast to coast to determine the matter. In other words, it would then become more than an issue between two or three States; it would become a national issue, and the determination would properly belong to the Interstate Commerce Commission, without reference to the individual States.

Mr. BORAH. Mr. President, coming back to the amendment of the Senator from Illinois again, suppose the commission should determine that there was adequate service and refuse to grant a certificate for additional service. Then who would fix the rates?

Mr. COUZENS. The Interstate Commerce Commission will fix the rates if they are unreasonable. There are no absolute provisions for the fixing of rates. They must be reasonable. Anyone may protest to the commission, and the commission may order the rates reduced. In other words, it is the same policy that was followed in the regulation of the railroads when the railroad regulatory act was first passed.

Mr. BORAH. It would follow, then, that if the commission should find that a rate was not reasonable the only thing to do would be for the bus line again to fix a rate itself.

Mr. COUZENS. Yes.

Mr. BORAH. And the commission would again pass upon the question of whether the rate was reasonable or not.

Mr. COUZENS. It might.

Mr. GLENN, Mr. ROBINSON of Arkansas, and Mr. GOFF addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Michigan yield; and if so, to whom?

Mr. COUZENS. I yield to the Senator from Illinois, who has been on his feet for some time.

Mr. GLENN. Upon the point to which the Senator from Idaho referred a moment ago, as to the effect of the so-called Glenn amendment which was adopted, I do not understand the meaning of the amendment as the Senator from Michigan understands it.

As the bill came from the committee, it provided that where there was no bus line, or where there was only one bus line, operating along a given route, upon that showing alone the commission was required to grant a second certificate of public convenience and necessity, providing the qualifications as to service, financial responsibility, and so forth, were complied with. My amendment does not mean what the Senator from Michigan thinks it means. I do not understand it as he understands it at all.

My amendment does not mean that where there is one bus line, and it is giving adequate service, the Interstate Commerce Commission may not grant a second or third or fourth certificate to other lines, but it does mean, and means simply that, that showing alone is not sufficient to require the Interstate Commerce Commission to issue the second or third or fourth certificate. In other words, if there is adequate service along a given route, then it is left to the Interstate Commerce Commission to decide whether or not they will grant other certificates to other lines. They are not debarred from it, neither are they required to do it. That is the meaning of my amendment.

Mr. BORAH. In other words, the Senator from Michigan thinks it is mandatory that they shall or shall not, and the Senator from Illinois contends that it is discretionary?

Mr. GLENN. Yes.

Mr. COUZENS. I may say in answer to the statement of the Senator from Illinois that it seems to me that this is a definite instruction to the Interstate Commerce Commission that it is the intent of Congress, if there is adequate service in the public interest, that no further competing lines should be permitted to operate. That is the understanding of the Senator from Kentucky [Mr. BARKLEY], who was particularly interested in this matter, and I so interpret the amendment of the Senator from Illinois.

Mr. BORAH. It seems to me the Senator from Michigan is correct in his interpretation, if the Senator from Illinois will pardon me. His amendment provided:

> (f) If, upon consideration of any application for a certificate of public convenience and necessity, it appears that there is inadequate service by a common carrier by motor vehicle, in whole or in part, upon the route and/or between the fixed termini covered by the proposed operations, then the absence of such adequate service shall be sufficient evidence that the public convenience and necessity will be served by the whole or that part of the proposed operations with respect to which such absence of adequate service exists; and a certificate shall be issued accordingly if the applicant is qualified to comply with the requirements, rules, and regulations of the commission for such service.

Mr. GLENN. Certainly. For instance, take the situation which existed when I offered my amendment. The bill as reported by the committee provided that where there was only one bus line, upon that showing the issuance of a certificate for a second or third or fourth line was made mandatory. I sought to correct that, and therefore provided that where a showing is made that there is inadequate service it becomes mandatory upon the commission to grant a second or third certificate. It does not provide that no other evidence of other conditions or other circumstances shall not empower the commission to authorize other lines, but it does say that upon a showing alone that the service is inadequate, that fact makes it mandatory that another certificate be issued. It leaves open all the other questions to the discretion of the commission. It does not purport to exclude other facts at all from the consideration of the commission.

Mr. BORAH. When the public service is adequately protected what other conditions would be relevant to the situation?

Mr. GLENN. I do not know that any other would be relevant, and I do not know that any other should be relevant. If the public is adequately served at reasonable rates, I think we need no more bus lines; but I take the position that the object of the bill should be to serve adequately the public at reasonable rates, and when that is done it is sufficient. But there is nothing in the amendment which would prevent the commission from acting upon other evidence.

Mr. GOFF and Mr. BLAINE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Michigan yield; and if so, to whom?

Mr. COUZENS. I yield first to the Senator from West Virginia.

Mr. GOFF. I want to ask the Senator from Illinois if it is not his understanding that the conclusion which he has reached differs from the view entertained by the Senator from Michigan?

Mr. GLENN. Yes; it does.

Mr. COUZENS. He stated that fact and has just explained it.

Mr. GOFF. In view of that statement I want to ask the Senator from Illinois how we can clearly vote upon the question? It seems to me the Senator from Idaho [Mr. BORAH] clearly stated the position which is announced by the Senator from Michigan [Mr. COUZENS], and since we have this interpretation of the language, then before we vote upon the matter I think we should have it clarified in such a way that it admits of no doubt of the interpretation thereof.

Mr. GLENN. In answer to the inquiry of the Senator from West Virginia, I know well the study given to the bill and the efforts made by the chairman of the committee in relation to it. I know that he has worked hard to get the bill in proper form. But since I have been in the Senate at this session yesterday and to-day, Members of the Senate on both sides of the aisle of every line of economic thought have said to me that they think the bill is not in form to be acted upon now by the Senate.

In the first place, there is a very definite feeling and I think a well-founded feeling that when we deal with the bus situation we should not separate it between passengers and passenger vehicles and trucks and freight, but that we should have a comprehensive bill dealing with the truck and freight problem together with the bus and passenger problem. The bill does not purport or intend to touch the great problem of freight on the public highways. There are other differences, not only of opinion about the provisions of the bill but there are also differences of opinion as to the construction of the language upon the most important features of the bill.

Answering the Senator from West Virginia, in my opinion and not with a desire finally to prevent the passage of a bus bill, but with a desire finally to obtain a bus bill which the country does need and one which is comprehensive and thorough and reasonably clear in its language and construction, I think that the bill should be recommitted.

Mr. COUZENS. Mr. President, without intending to imply a wrong motive to any Senator, I believe that this agitation has been begun by the railroads. Since this session of the Congress convened the railroads have been lobbying to have the bill killed. Just as soon as the Senate disagreed to the Glenn amendment, which was to the effect that railroads might consolidate and buy up and monopolize bus lines, then the railroads began to exercise their lobbying methods to defeat the bill. Senators have come to me and said that the railroads are now opposing the bill. They were not in evidence until after the Senate by a vote of 21 to 27 defeated the amendment proposed by the Senator from Illinois, which would have taken out of the bill that provision on page 20, beginning in line 22, which reads:

(c) No consolidation, merger, or acquisition of control shall be approved under this section if it involves the consolidation or merger of two or more carriers by railroad or the acquisition of control of any carrier by railroad by another such carrier; nor shall any consolidation, merger, or acquisition of control be approved under this section if one or more of the corporations involved is engaged, directly or indirectly, in the transportation of persons by railroad.

That was a prohibition placed in the bill by the committee to prevent a monopoly of passenger traffic by the railroads. Everyone knows that the railroads desire to monopolize the passenger traffic of the Nation. They do not make any attempt to conceal it. They were perfectly satisfied with the bill when there was in it no prohibition against their absorbing all of the bus lines of the Nation if they chose to unify them with their rail systems. When the bill permitted that sort of thing to be done it was entirely satisfactory to the railroads. But now that the Senate has refused to permit them to acquire by consolidation, purchase, or otherwise all of the bus lines of the Nation there is a concerted movement here to have the bill sent back to the committee and killed.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Idaho?

Mr. COUZENS. I yield.

Mr. BORAH. Would the Senator from Michigan be willing instead of having the bill go back to the committee, so far as my vote is concerned, to permit the bill to go over for two or three days before we vote on it?

Mr. COUZENS. I do not desire to have it displaced as the unfinished business, and I am afraid it will be displaced and I will probably never get votes enough to get it before the Senate again as long as the railroads are lobbying here to kill it.

Mr. BORAH. I am not sufficiently familiar with the bill to feel sure what I should do. I have very profound respect for the ability and judgment of the Senator from Michigan. I know of the careful attention he has given to the bill. But there is more than one Senator who, since we have returned to this session, has not had time to familiarize himself with the provisions of the bill. I do not desire to vote for a recommittal, but I do desire to know what I am voting on before I vote.

Mr. COUZENS. Of course I can not compel Senators to study the bill. The bill was before the Senate for days and days before we adjourned last summer. It was carried over the summer recess as the unfinished business. It has now been before the Senate for two or three days. I have no assurance when Senators are going to study the bill and inform themselves or when we are going to get a vote on the bill if Senators continue to ask that action on it shall be postponed from time to time.

Mr. BORAH. Could we not agree to vote on Monday without further debate? That would hold the bill before the Senate for a vote no matter what comes up in the meantime. If we agree to vote on Monday at 1 o'clock, we will have opportunity in the meantime to study the bill.

Mr. ROBINSON of Arkansas. Mr. President, I would not want to discontinue the debate on the bill. The Senator from Michigan is making a very illuminating statement, and I would like to have his statement concluded, and also to have the discussion on the bill taken up by other Senators. To me the matter is of considerable importance, as I infer it so appears to the Senator from Idaho. There are many features of the bill which raise comparatively new questions. I do not wish to vote for recommittal of the bill if it can be avoided. I have no objection to its going over until Monday. I am inclined to think that it ought to take that course.

I had some discussion of the matter with the Senator from Michigan on yesterday. He is certainly not censurable for the failure of Senators to understand the bill. The simple truth is that there have been so many matters requiring the attention of Senators that they have refrained from giving to the measure that study which they would like to give. I think the suggestion which the Senator from Idaho makes has force, but I do not think we should undertake now to terminate the debate.

Mr. BORAH. I have no desire to do that.

Mr. COUZENS. What does the Senator propose?

Mr. BORAH. That we go ahead with the discussion of the bill, if there is anybody who wishes to discuss it; but I do not want to vote on it to-day.

Mr. ROBINSON of Arkansas. I suggest to the Senator from Idaho that when the discussion has been concluded perhaps it will be practical to make such an arrangement as he has suggested.

Mr. COUZENS. May I ask the Senator from Idaho and the Senator from Arkansas if they can not prepare themselves to finish the consideration of the bill to-morrow? There is ample time after we get through to-night to formulate any contemplated amendments. It seems to me the greatest divergence of views is what has been developed between the Senator from Illinois [Mr. GLENN], the Sena-

tor from Idaho [Mr. BORAH], and myself concerning the interpretation of the so-called Glenn amendment which we have been debating.

Mr. ROBINSON of Arkansas. While I do not regard it as a proper subject for division according to aisles in the Chamber, I know there are some Senators on this side of the aisle with whom I have talked who are questioning the provision in the bill relating to certificates of convenience and necessity, and whether it is essential at this time to require every operator of a bus line to make application to the Interstate Commerce Commission to secure such a certificate. I want to hear some discussion of those questions. My mind is open on the subject.

The principal thing that prompts me to that belief is the difficulties that have been encountered in procuring such certificates for railway development in certain sections of the country. I do not mean to imply by that statement that the Interstate Commerce Commission has unnecessarily delayed decisions, but it has seemed to me that in some cases at least it has been exceedingly difficult to get such certificates where my humble mind can not grasp the occasion for dispute about the matter.

I cited the case, I believe, this morning, with the courtesy of the Senator from Michigan yielding to me, where it was desired to construct and operate a railway about 7 miles in length, or perhaps somewhat longer, in the State of Arkansas and an application was made. My memory is that it required about 15 months of persistent effort to get a decision in that instance. The case was finally decided and the certificate issued. If it is to require 15 months to decide whether a bus line may be permitted to operate, it seems to me that it is unnecessarily handicapping the service.

Mr. COUZENS. May I point out to the Senator from Arkansas that that very question was the rock on which we split, if we did split, before we adjourned; and on May 20 the bill was recommitted to the committee in an effort to try to straighten out the divergence of views as to the requirement of a certificate of public convenience and necessity. The committee, however, was unable to do anything differently from what they had done prior to the bill being first reported to the Senate.

Mr. ROBINSON of Arkansas. The bill has already once been recommitted?

Mr. COUZENS. Yes, sir; the bill has already once been recommitted.

Mr. ROBINSON of Arkansas. I think that is a very good reason why it should not again be recommitted.

Mr. COUZENS. Should the bill again be recommitted, I do not think the committee will get any farther than it has in the past.

Mr. ROBINSON of Arkansas. I think the bill should not be again recommitted unless the Senate should do so for the purpose of finally terminating its consideration for this session.

Mr. COUZENS. I am charging no one with any wrong motive.

Mr. ROBINSON of Arkansas. I understand that.

Mr. COUZENS. But I know that if the bill shall be recommitted, it will never get out of the committee again at this session; and I object to its being recommitted, because it has already once been recommitted, and members of the committee know that we then did everything in order to try to harmonize our views with respect to the requirement as to certificates of public convenience and necessity.

Mr. KING. Mr. President, will the Senator permit an inquiry?

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Utah?

Mr. COUZENS. I yield.

Mr. KING. When the bill was recommitted, was the question brought to its attention of including within the terms of the bill the control of trucks used in the transportation of freight in interstate commerce?

Mr. COUZENS. It was not, because the committee had had extensive hearings in years past with respect to the regulation of motor trucks and the handling of freight and could reach no agreement either with the railroad or the truck owners or among its own members as to the regulation of trucks carrying freight. It was adduced that most of that business was contract work and did not come under the jurisdiction of any commission having jurisdiction of rates of carriers engaged in interstate commerce.

Mr. BARKLEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Kentucky?

Mr. COUZENS. I yield.

Mr. BARKLEY. The Senator's answer to the Senator from Utah [Mr. KING] is hardly accurate in this, that while it is true the hearings, both in the other House and before our committee, were centralized on the question of passenger transportation, in the secret sessions of the committee the question of including trucks engaged in carrying freight was raised. I remember that I myself brought up the question, in order to determine why they were not included, and I was perfectly satisfied, I will say to the Senator, as a member of the committee, with the reasoning which finally convinced me of the futility of any effort at this time to link the two branches of interstate traffic together; and that the only sensible thing to do was to try to get bus legislation in the absence of our ability to get both of them linked into one legislative act. The matter, however, was discussed in the committee.

Mr. COUZENS. The Senator may be right so far as what happened in the secret sessions of the committee is concerned. I know there was no proposal before the committee from anyone outside of the committee to include the regulation of freight-carrying trucks.

I think I have fairly well covered the bill, except that, on page 13, it provides:

(1) That the carrier or a predecessor in interest was in bona fide operation on April 1, 1930, as a common carrier by motor vehicle in interstate or foreign commerce on any public highway and (except as to interruption of operations over which the applicant or its predecessors in interest had no control) continuously has so operated since that date, and (2) that such operations are bona fide for the purpose of furnishing reasonably continuous and adequate service at just and reasonable rates—

And so on.

On yesterday we agreed to change the date of this so-called grandfather's clause to December 1, 1930, instead of April 1, 1930, which the Senate had previously agreed to.

Now, I wish for just a moment to refer to section 14 of the bill.

Mr. KING. Mr. President, will the Senator yield to me?

The VICE PRESIDENT. Will the Senator from Michigan yield to the Senator from Utah?

Mr. COUZENS. I yield.

Mr. KING. I wish to ask a question for information. As I understood the Senator, a few moments ago he took up the question of the fixing of rates. I am not quite clear, may I say to the Senator, just who under the bill will have jurisdiction to fix the rates and fares that are to be applied by these transportation companies. I find on page 4 that "just and reasonable rates" are to be applied. On page 9 I find that the commission, where only three States are involved, has certain powers which are mandatory; if more than three States are involved the Interstate Commerce Commission may then, as I read the bill, fix the rates themselves, or they may remit the matter of rates and fares to the States through which the busses operate. It seems to me that there will be lack of uniformity. For instance, if two or three States only are involved they are permitted to fix the rates; their rate, for illustration, may be 5 cents a mile, while in some other sections the rate may be 2 cents a mile.

Mr. COUZENS. Mr. President, there is no authority to fix rates granted by this bill anywhere. All that is required under this bill is that the rates must be fair and reasonable, and neither any joint board nor the Interstate Commerce

Commission itself has any right to fix the rates. All they have a right to do is to determine that a rate is reasonable or unreasonable.

Mr. KING. May I direct the Senator's attention—and I am asking these questions for information—to lines 22, 23, and 24 on page 8, from which I quote?—

> Complaints as to rates, fares, and charges of common carriers by motor vehicle—

That is to say, the joint board may investigate complaints which are made. What would be the purpose of investigating the complaint unless the board could fix or limit the rates and fares which were charged?

Mr. COUZENS. As the Senator from Idaho pointed out a while ago, if the joint board or the Interstate Commerce Commission should determine that the rates were unreasonable and unfair, then the bus line would be required to reduce its rates; but the board or the commission will not actually fix the rates. That is the procedure under which the Interstate Commerce Commission operated for years in the regulation of railroads before the commission was given authority actually to fix rates.

Mr. KING. The Senator's position, then, is that there is no authority given either to the joint board or to the Interstate Commerce Commission to fix rates?

Mr. COUZENS. That is correct.

Mr. KING. I should like to ask in that connection what is meant then by the provision on page 23, subdivision (e), which reads:

> In any proceeding to determine the justness or reasonableness of any rate, fare, or charge of any such carrier there shall not be taken into consideration or allowed, as evidence or elements of value of the property of such carrier, either good will, earning power, going value, or the certificate.

Obviously some elements must be taken into account if a hearing is being held to determine whether rates are reasonable or unreasonable. What is the purpose of the hearing to determine whether rates are reasonable or unreasonable unless there is to be some adjudication either raising rates or lowering rates; and if there is a hearing for the purpose of determining whether the rates are reasonable or not, what elements are to be taken into account?

Mr. COUZENS. I should say that the investment value would be taken into account. It is particularly provided in the bill that no bus operator shall be permitted to capitalize his license and thereby claim a return on the license. That is the reason for that language. It is necessary to go into the question of values, whether a specific rate is to be determined or whether it is to be determined that a rate is reasonable or unreasonable.

Mr. KEAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from New Jersey?

Mr. COUZENS. I yield to the Senator.

Mr. KEAN. I have here a letter from the Evening Courier and Morning Post, of Camden, N. J., inclosing a table of bus fares and railroad fares, single-trip and 60-day trip tickets, in the southern part of New Jersey. The figures show that the bus fares for a 60-trip ticket are about double the fares of the railroads.

The interest of New Jersey, which has probably more bus lines running through it than any other State in the Union, is that there be some regulation which will prevent the operation of busses which are not properly equipped, which are not sanitary, which are in a dangerous condition to the public. New Jersey desires some regulation of bus lines operating in interstate commerce so that the people traveling in such busses may be protected. At the present time——

Mr. COUZENS. Is the Senator making a speech in my time?

Mr. KEAN. I will not proceed further, Mr. President, but will ask that the letter and table to which I have referred may be printed in the RECORD at this point.

The VICE PRESIDENT. If there is no objection, the letter and table will be printed in the RECORD.

There being no objection, the letter and table were ordered to be printed in the RECORD, as follows:

EVENING COURIER-MORNING POST,
CAMDEN, N. J., *August 5, 1930.*

Hon. HAMILTON F. KEAN,
Deal, N. J.

DEAR SENATOR: Mr. Stern has asked me to send you the inclosed comparative bus and railroad fare rates. Mostly, as you will note, the bus fare is double that of the train commutation rate.

But commuters are virtually forced to use the busses because the railroads have discontinued most of their trains. The situation is driving people out of this region. And with no regulation of the interstate busses, the public is powerless to control either service or fares.

If you wish any other figures or information, I will be glad to send them.

Yours very truly,

ARTHUR D. PIERCE.

Railroad and bus fares in south Jersey

	Mileage from Philadelphia	Bus fare	Bus fare per month (60 trips)	Train fare (1 way)	Train fare (60-trip ticket)	Per trip (cents)
Haddonfield	8.5	$0.20	$12.00	$0.29	$6.74	11.2
Merchantville	5.0	.20	12.00	.22	6.28	10.4
Haddon Heights	6.5	.25	15.00	.26	6.68	11.1
Moorestown	9.0	.30	18.00	.42	8.45	14.1
Brooklawn	7.3	.20	12.00	.23	6.47	10.7
Blackwood	15.0	.35	(1)	.45	8.66	14.4
Woodbury	10.0	.30	(2)	.35	7.86	13.1
Berlin	18.6	.50	(2)	.64	10.24	17.0

[1] Strip tickets, 12 rides for $2.50, making rate $12.50.
[2] 12 rides, $3, making monthly rate $15.
10 trips, $4.50, or $27 per month.

Mr. WAGNER. Mr. President, I should like to inquire what the reason is for giving the commission power merely to ascertain whether or not a certain charge made by a particular company is reasonable or not, instead of giving it the power, which is almost universally given now in the case of the regulation of public utilities, of fixing the rates to be charged where complaint is made as to their unreasonableness?

Mr. COUZENS. The Senator is a member of the committee; I do not recall whether he was there during the discussions; but the committee thought that the interstate operation of busses was rather a new enterprise; that it had not altogether found itself; and that we should proceed along the lines of the authority given to the Interstate Commerce Commission when the Government first commenced to regulate the railroads. When Congress created the Interstate Commerce Commission in the first instance to regulate the railroads, it did not give the commission the power to regulate rates. So it was thought, as this was a new industry, we perhaps should not attempt to regulate in detail all of the rates at this time, but that we ought to give the industry an opportunity to get on its feet and see what could be done, and later on give the Interstate Commerce Commission the authority to regulate the rates.

Mr. BARKLEY. Mr. President, will the Senator yield to me there?

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Kentucky?

Mr. COUZENS. I yield.

Mr. BARKLEY. It might also be said in that connection that the conditions are entirely different in different sections of the country. What might be a reasonable rate in one locality might be a wholly unreasonable rate in some other community. And in view of the fact that local boards have the authority to hear controversies involving the reasonableness and unreasonableness of rates, the committee felt that it was not at this time wise to undertake to give the Interstate Commerce Commission blanket authority to fix rates all over the country with reference to bus fares.

Mr. COUZENS. I think the Senator is correct in the statement he has made.

Mr. WAGNER. I might suggest that the power was given to them to fix telephone rates; and in that case, of course, the conditions would not be the same in every section of the country.

If the Senator remembers, I was not in sympathy with that view when the bill was before the committee for con-

sideration, because I think, as a matter of looking at it realistically, that we really give the commission the power to fix the rates, because in determining the unreasonableness of a rate undoubtedly they would intimate what they would regard as a reasonable rate. That is why my view is that we ought to adopt the policy which has been adopted in the regulation of public utilities and give them the power to fix the rates.

Mr. COUZENS. Mr. President, I referred to section 14. I want to say that so far as the committee was concerned I think every member of the committee was particularly anxious that nothing be done which would interfere with the control by the States of bus lines. There has been some discussion with respect to that; and I want to draw the attention of the Senate to section 14. It is not long:

> Nothing in this act contained shall be construed to affect the powers of taxation of the several States or to authorize a motor carrier to do an intrastate business on the highways of any State. It is not intended hereby to interfere with the exclusive exercise by each State of the power of regulation of intrastate commerce by motor carriers on the highways thereof, and, notwithstanding this act, motor carriers operating in intrastate commerce on the highways of a State shall continue to be subject to the laws of the State regulating such intrastate commerce; and motor carriers operating in interstate commerce shall be subject to the proper exercise by the State of its police powers.

I do not know that there is any other feature of the bill that I have not explained. I am perfectly willing to answer any more questions. I can see no reason for postponing a vote upon the bill.

Mr. GEORGE. Mr. President, may I inquire of the Senator from Michigan whether the amendment offered by the Senator from Wisconsin [Mr. BLAINE] was adopted?

Mr. COUZENS. It was.

Mr. GEORGE. I understood that it was adopted.

Mr. BARKLEY. Mr. President, I do not know whether or not anything can be gained at this juncture by further discussion. In view, however, of the rather unexpected and sudden confusion which has developed here about the meaning of this legislation since we took it up a day or two ago, which did not seem to exist at the time we adjourned earlier in the year, in spite of the fact that I took a good deal of time then in attempting, probably unsuccessfully, to explain the provisions of the bill and the necessity for it, I feel that I should like to say just a few words with reference to some questions which have been propounded to me privately.

Mr. FLETCHER. Mr. President——

Mr. BARKLEY. I yield to the Senator from Florida.

Mr. FLETCHER. As I understand the situation, what is known as the Glenn amendment was rejected by the Senate; so that there is no need of any discussion about that.

Mr. BARKLEY. There have been two or three Glenn amendments.

Mr. FLETCHER. I meant the one offered this morning. That was rejected?

Mr. BARKLEY. Yes. The amendment which the Senator from Illinois offered in the last session, which probably would have permitted the railroads to consolidate with bus lines, was rejected.

Mr. FLETCHER. That stands rejected now; does it?

Mr. BARKLEY. That stands rejected now.

Mr. FLETCHER. So there is no need of any confusion about that. That is not now in the bill.

Mr. BARKLEY. No; that is true. There was another Glenn amendment which was adopted as a substitute for the language which the bill contained as it came from the House, and also as a substitute for another amendment offered by some Senator, whose name I do not now remember; I believe it was the Senator from Washington [Mr. DILL]. That amendment of the Senator from Illinois was agreed to.

Mr. President, with reference to the necessity for this legislation, I wish to say that if the motion of the Senator from South Carolina [Mr. SMITH] should be adopted, to recommit the bill to the committee, there will be no legislation on the subject of bus regulation at this session of Congress.

For five years the State utility commissions have been urging legislation for the regulation of interstate bus lines. Until 1925 the States assumed that they had the authority to require bus lines engaged in intrastate business and interstate business, both, to obtain a certificate of convenience and necessity before they would be permitted to operate. Nearly every State among the 48 now has a law requiring bus lines to obtain that sort of certificate before they can use the highways of the State for profit. Certainly there ought to be somebody who has the power to protect the public against the unnecessary use of public roads for purposes of making money. I am going to discuss that feature of the matter a little later though when we come to the question of the certificate of convenience and necessity.

In 1925 the Supreme Court rendered a decision, to which it has adhered ever since, holding that notwithstanding the provisions of any State law, and notwithstanding the absence of any Federal legislation on the subject, the State had no authority to require a certificate of convenience and necessity from any bus line operating between points in different States. In other words, the court held that even where the Federal Government has not entered the field by the enactment of any Federal legislation to regulate the carrying of passengers between a point in one State and a point in another State by bus, the State utility bodies have no power to regulate such transportation; and while, under the State laws, they had the power and exercised the power to require every bus line wholly within a State to obtain a certificate of convenience and necessity before it could operate, every bus line engaged in interstate passenger traffic could operate without complying with any such requirement.

As a result of that situation in 1925, and from that time on until the present time, the State utility commissions have urged Congress to enact legislation to protect the people with reference to the carrying on of the business of interstate passenger traffic by bus.

Not only that, but in 1928 the Interstate Commerce Commission, in making its report to the Congress of the United States, urged legislation similar to that before the Senate at this time. Not only did the Interstate Commerce Commission urge Congress to enact legislation for the regulation of the transportation of passengers by bus in interstate commerce, but they even went so far as to recommend that Congress empower them to fix rates and charges for carrying passenger traffic from one State to another.

So we are here to-day, and have been for several months, in response not only to a recommendation of the Interstate Commerce Commission, which has no power at all to deal with the subject, but in response to a 5-year agitation on the part of State utility bodies, which undertook until 1925 to regulate interstate traffic by busses but which were denied that right by the Supreme Court of the United States.

As the Senator from Michigan has indicated, there have been two or three subjects of controversy, not only in the committee but here on the floor, revolving around this question of the necessity to obtain a certificate of convenience and necessity. I will say that practically all of the States, with one or two exceptions, which have attempted to regulate bus traffic in the States, have required that any bus line shall obtain such a certificate from the State before it shall be authorized to use the public highways for purposes of profit.

I think that is a fair requirement. I think it is a reasonable requirement. The public highways of every State have been constructed for the convenience of the people. They have been constructed for the free transportation and travel of the people, who have paid taxes for the construction of these highways. Those public highways having been primarily dedicated to the use of people who have their own vehicles or who may travel upon foot in any part of the State, certainly it is reasonable to require some restriction with reference to the permission of indiscriminate persons or corporations to use the public highways to make profits, possibly to the inconvenience of the great masses of the

people for whose convenience and necessity the public highways were built in the first place.

I realize that there is a certain well-settled opinion among Senators and among a considerable group of people to the effect that anybody who desires to establish a business anywhere, regardless of its nature, so long as it is a legal business, ought to be allowed to do it, regardless of the wishes of anybody and regardless of the convenience or inconvenience of the people who may be involved. I think that with reference to merchandising and manufacturing and private enterprises of that sort the theory is well founded and is justified; but I take the view that the establishment of a bus line on a public highway which interferes to some extent at least with the use of that highway by the people, and especially when it is for profit, occupies an entirely different situation from the establishment of a grocery store next door to some man who already has one or the installation of a manufacturing institution in the same town or in the same vicinity where already there is one in existence manufacturing the same thing.

In other words, my theory is that the public highways should not be cluttered up, as the expression has been used, by unnecessary bus lines, which may ultimately become so numerous as to interfere with the primary purposes for which the highways were constructed in the first place.

In addition to that, if we are to weigh the equities on the two sides of the proposition, the right of the public who have their own vehicles, or, if they do not have them, may desire now and then to venture out upon the public highways on foot in competition with the vehicles already on the highways, we have the right to consider which element of our population has the greatest right in the public highways—those who desire to use them in their own vehicles, or in their own way, who make up the vast majority of the rank and file of the people, or some man or group of men who desire to establish a bus line on the highway in order that they may use the highway and make profit.

My theory is that the great masses of the people who have built the highway have the first right, and that therefore the public highways should not be allowed to be used by private corporations desiring to use them to make profit, except in so far as the convenience and the necessity of the people may require that they be used for that purpose. That is the theory upon which a certificate of convenience and necessity not only is required in the States which have undertaken to regulate bus lines but it is the theory upon which we require it in this bill. In other words, if there is no necessity for an additional bus line on any highway, if the convenience of the people not only will not be served by installing an additional line but might be interfered with by the installation of it, why should anybody have the unrestricted right to go upon the public highway and install or operate a line of busses?

If that theory is to be carried to its ultimate conclusion, we might well imagine that after a while the entire highway will be used by busses, and those who have their own methods of travel will be driven off the highway, which is the case even now in many of the congested sections of the United States.

Those of us who drive in the vicinity of large cities, or even out in the more sparsely settled sections of our country, have personal knowledge of the inconvenience sometimes of trying to get along and make headway, or to avoid accidents, or even injury, or sometimes death, because of the existence of enormous busses and enormous trucks upon the highways. I remember very vividly an incident which occurred to me within the last two months, when I was approaching a highway bridge in my own State. I did not see an approaching bus because there was a turn in the road, but it so happened that when I arrived at the end of the bridge there was in the middle of the bridge, and in the middle of the road, an enormous bus, which drove me over to the side and made it necessary for me to run into the side of the bridge and damage my car in order that I might avoid an even more serious accident.

My contention is that no man has the right to use a highway, either for a bus or for a truck, except to the extent that convenience and necessity of the community and the section of the country may demand that there shall be service of that sort upon that public highway. In other words, I contend that no man has an inherent right unnecessarily to use the public highway out of which he may make profit unless the convenience and necessity of the people is of such a character as to make it necessary for the highway to be used for that purpose.

Mr. BORAH. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. BORAH. Is the Senator satisfied with this bill with reference to the fixing or controlling of the rate to be charged, in view of the other limitations which may arise by reason of the issuing of the certificate of necessity? I think I would agree with the Senator that a provision for a certificate of necessity and convenience should be in the bill, but the terms of the bill with reference to controlling charges do not seem to me to be very adequate.

Mr. BARKLEY. I will discuss that, because I have said about all I can say on the other subject. It seems to me fundamental that we have to deal with the public highway with reference to its use for private profit entirely in a different way from the way in which we deal with the railroad track, which has been built by a railroad company, and which is private property, over which the public have no such right of travel as they have over a public highway, which they themselves have dedicated to the public, and for which they have paid.

Now with reference to rates. I am not entirely satisfied with the provisions of the bill on that subject, but I am so nearly satisfied with them that I would not be willing to vote at this time to confer the positive authority on the commission to fix rates in every case involving interstate passenger traffic. Of course, some of these bus lines, as has been indicated already, go from the Atlantic to the Pacific. You can get on a bus in New York and, with very few changes, go all the way to San Francisco. Some of the bus lines are owned by the same company, some of them have working arrangements involving different sections of the country, and if it involved only nation-wide traffic on the highways with reference to bus fares, there might be more reason at this time, in my judgment, for giving the Interstate Commerce Commission the positive power to fix rates. But I have in mind localities where there is a city on one side of a river and another city opposite on the other side. There is a bus line existing between those two points. There may be an interstate bridge, not more than a mile in length, over which the bus travels.

I do not believe that the public interest will suffer because of the absence of any positive authority on the part of the Interstate Commerce Commission to go to Cincinnati, Ohio, and Covington, Ky., and exercise the positive power of saying what the rate shall be, whether it shall be 5 cents or 6 cents. I do believe they ought to have the power to say that a given rate, fixed by either the bus line itself or by any local board set up under this by the Interstate Commerce Commission, is an unreasonable rate. In other words, if they fix a rate of 10 cents to go from a town on the south side of the Ohio River to a town on the north side of the Ohio River, over a bridge which has been paid for out of public funds, they ought to have the right to say that that 10 cents is not a reasonable charge, which would require them to fix a rate below 10 cents. It might be that they would fix the rate nearest to 10 that they could get by with; but, still, with the power of the Interstate Commerce Commission, through the intermediary action of this local board, which is an effort, I will say to the Senator, to preserve some semblance of local self-government in the regulation of these local matters which affect local communities, there would be no justification, in my judgment, for setting up these local boards, taken from the public utilities bodies of the different States, except for the purpose of undertaking to

leave in the local community as far as possible the regulation of these transportation difficulties without coming to Washingon in order to get relief.

Mr. BROOKHART. Mr. President——

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Iowa?

Mr. BARKLEY. I yield.

Mr. BROOKHART. Under the provisions of this bill would there not be required all the machinery and all the evidence and everything with reference to determining whether or not a rate was unreasonable just as fully as if you were passing upon what was a reasonable rate?

Mr. BARKLEY. Probably so.

Mr. BROOKHART. After a rate was declared unreasonable they might lower it a little and still leave it unreasonably high, and it would be necessary to have the proceeding all over again.

Mr. BARKLEY. One may suppose that in some cases that would be possible. Yet upon the same facts, without any additional investigation, where the Interstate Commerce Commission held that a 25-cent rate between two points was unreasonable, if a bus line then, in order to get around the decision, fixed the rate at 24½ cents, it is unreasonable to think that upon an application to declare that rate unreasonable the commission would have to go through the same hearing through which they had gone in order to find that a 25-cent rate was unreasonable. They could keep on shaving the rate down as long as they believed it unreasonable, based upon the information they had obtained, until they brought it to a reasonable basis.

Mr. BROOKHART. There is no provision in the measure that would require the commission to use former evidence or abbreviate the proceedings in any way. The bus line would have the right to a full hearing again on the 24½-cent rate as it had on the 25-cent rate.

Mr. BARKLEY. There is no requirement that the commission shall use the information obtained in a previous investigation in passing on a new application, but it is hardly reasonable to expect that the commission would go out of its way to do a lot of unnecessary work, if it already had the information gathered in an investigation that was required.

Mr. BROOKHART. There is one good provision here, in reference to going-concern value, in view of the troubles we have had with the railroad law. They are cut out by one provision of this bill.

Mr. GEORGE. Mr. President, will the Senator from Kentucky yield to me?

Mr. BARKLEY. I yield.

Mr. GEORGE. I merely wish to ask the Senator a question. Is the Interstate Commerce Commission given the power to say that a rate is too low as well as to say that one is too high?

Mr. BARKLEY. I think there is a provision here relating to that subject. I would like to ask the Senator from Michigan whether in the committee we did not insert a provision that they would have the right to hold that a rate was too low?

Mr. GEORGE. I do not find it, and I am merely asking for information. Provision is made for complaints to the commission with regard to the reasonableness and justness of rates.

Mr. BARKLEY. I know we had before us in the committee the question as to whether the commission should be authorized to hold that a rate was unreasonably low. My recollection is that we inserted an amendment which would take care of that, although I may be mistaken.

Mr. GEORGE. I have found a provision which indicates that the test of reasonableness can not be raised by a carrier of a different character or kind—for instance, by a railroad company as against a bus company. I do not find any provision which clearly indicates whether a complaint may be based on the fact that a rate is too high or too low, according to the allegations of the complainant.

Mr. BROOKHART. Mr. President, I remember something of that matter. Rates were to be made by the bus lines themselves; therefore it was assumed that there would be no question about their being too low. The only time complaint would be made would be when there would be a question of unreasonableness, when they would be too high.

Mr. GEORGE. In the case of two bus lines, one line might say that the other reduced rates unduly for the purpose of running it out of business. In fact, that not only might arise but it would arise.

Mr. BROOKHART. That was not considered while the bill was before the committee.

Mr. BARKLEY. Here in subsection (b), page 22, appears this language:

> No such carrier shall charge or demand, or collect or receive, a greater or less or different compensation for the transportation of persons, or for any service in connection therewith, between the points named in such tariffs than the rates, fares, or charges specified in the tariffs in effect at the time.

I rather think that under that language the question of the reasonableness of a rate, both as to whether it was too high and as to whether it was too low, might be considered, especially in connection with the efforts on the part of one line to drive another one out of business by reducing a rate below a point where it might be profitable for them to carry passengers.

Mr. GEORGE. Now, Mr. President, if the Senator will allow me to interrupt him again——

Mr. BARKLEY. I yield.

Mr. GEORGE. As I understand the bill as it now stands there is nothing in the measure to prevent a railroad from acquiring a single bus line operating between points in different States. To put it concretely, let us say that there is a bus line operating from Washington City to Louisville, in the State of Kentucky, and only one bus line operating between those two points. There is nothing in the bill as it now stands to prevent the acquisition of that line by a railroad company operating on the same route.

Mr. COUZENS. There is a prohibition against the absorbing of that line by a railroad company. Is that the question the Senator asked?

Mr. GEORGE. Yes; that is what I am trying to reach.

Mr. COUZENS. There is a prohibition against absorbing a going line.

Mr. BARKLEY. I will read the provision which we added in the committee and which is the amendment which has been agreed to by the Senate.

> (c) No consolidation, merger, or acquisition of control shall be approved under this section if it involves the consolidation or merger of two or more carriers by railroad or the acquisition of control of any carrier by railroad by another such carrier; nor shall any consolidation, merger, or acquisition of control be approved under this section if one or more of the corporations involved is engaged, directly or indirectly, in the transportation of persons by railroad.

In other words, the Senate committee added this provision which prohibits a railroad from buying out a competing bus line, whether it be a single line or whether there be more lines, so that under the language of the bill as it now stands a railroad company can not buy a competing bus line operating between the same points as the railroad.

Mr. GEORGE. It can, under the terms of the bill as it now stands, put in a new bus line if there is a public necessity and convenience.

Mr. BARKLEY. Where there is no bus line already in existence.

Mr. GEORGE. And only then?

Mr. BARKLEY. Yes.

Mr. BLEASE. Oh, no.

Mr. BARKLEY. Does the Senator refer to the amendment which we had under consideration yesterday?

Mr. GEORGE. I am asking about the bill as it now stands, because I am confused as to what amendments have been adopted and what amendments have been rejected. Let me take the concrete case of an established bus line operating between Washington City and Louisville, Ky. Could a railroad operating between those two points, under the terms of the bill as it now stands, acquire that bus line? I am now advised that it can not.

Mr. COUZENS. It can not.

Mr. GEORGE. I now ask the further question whether that railroad company could install or put into operation a bus line between Washington City and Louisville?

Mr. BARKLEY. If it should obtain a certificate of convenience and necessity from the Interstate Commerce Commission it could.

Mr. GEORGE. I understand that to be the state of the bill.

Mr. COUZENS. I wish to invite the Senator's attention to the language of the bill, if the Senator from Kentucky will yield.

Mr. BARKLEY. Certainly.

Mr. COUZENS. With respect to the question of rates, I would invite the attention of the Senator from Georgia to page 23, line 14, where it is provided:

No such rate, fare, or charge shall be held to be unjust or unreasonable by the commission or by any joint board, under this act, on the ground that it is unjust to a competing carrier engaged in a different kind of transportation.

Mr. GEORGE. Yes; I referred to that.

Mr. COUZENS. It then continues:

Nothing in this act shall be construed to authorize the commission to fix a rate, fare, or charge.

Mr. BARKLEY. In other words, a railroad company can not complain that the rates of a bus line which competes with it are unreasonably low, but another bus line may do so.

Mr. GEORGE. The preceding question which I asked was whether another bus line could complain.

Mr. COUZENS. I think that is inferred.

Mr. BARKLEY. Another bus line could go before the Interstate Commerce Commission and complain that a rate which had been put into effect by its competitor was so unreasonably low as to make it unprofitable to engage in the business or was intended for the purpose of driving it out of business, and in that case I think the commission, under the language of the bill, would have the right to review it.

Mr. CARAWAY. Mr. President——

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Arkansas?

Mr. BARKLEY. I do.

Mr. CARAWAY. Of course, I realize that to a large extent the improbability of it occurring is so great that it is possibly not entitled to serious consideration, but on page 20, line 21, it is provided:

Or the acquisition of control of any carrier by railroad by another such carrier.

Mr. BARKLEY. If the Senator will permit me, I will say that that language was put in by the committee merely as a precaution against anybody construing the bill to confer any jurisdiction on the Interstate Commerce Commission to authorize the consolidation of railroads in any different way than as provided by the transportation act. Otherwise that language would not have been necessary.

Mr. CARAWAY. But that is not my question. The language is:

No consolidation, merger, or acquisition of control shall be approved under this section if it involves the consolidation or merger of two or more carriers by railroad or the acquisition of control of any carrier by railroad by another such carrier.

Does the Senator say that is intended to prevent the construing of permission to merge railroads?

Mr. BARKLEY. Yes; under the terms of this bill.

Mr. CARAWAY. It reads:

Or the acquisition of control of any carrier by railroad by another such carrier.

That has nothing to do with busses.

Mr. BARKLEY. Not that particular language.

Mr. CARAWAY. Nothing that preceded it has anything to do with them.

Mr. BARKLEY. No. I repeat that the question was raised whether under the terms of the bill somebody might take the position that it was an amendment to the transportation act with reference to consolidation, and in order to be sure that it was not to be so construed, we inserted this language.

Mr. CARAWAY. I understand that. Will the Senator let me call attention to another clause:

Nor shall any consolidation, merger, or acquisition of control be approved under this section if one or more of the corporations involved is engaged, directly or indirectly, in the transportation of persons by railroad.

Under that language bus lines can merge; that is, there is no inhibition against bus lines merging?

Mr. BARKLEY. No.

Mr. CARAWAY. They can buy each other out and thus stifle competition?

Mr. BARKLEY. Of course they can if it is permitted by the Interstate Commerce Commission. The commission has jurisdiction over such questions.

Mr. CARAWAY. Does the Senator really think there is any jurisdiction at all of that question, because we are dealing now with the right of consolidation, and the language of the bill is:

Nor shall any consolidation, merger, or acquisition of control be approved under this section if one or more of the corporations involved is engaged, directly or indirectly, in the transportation of persons by railroad.

When we undertake to say what the commission shall or shall not do, then everything outside of that is outside of the control of the commission, is it not?

Mr. BARKLEY. If the Senator will refer to page 18, section 9, he will see that it deals with mergers and acquisition of control. He will find there, of course, that—

Any corporate consolidation or merger of two or more corporations, at least one of which is a common carrier by motor vehicle, and any acquisition of control of any common carrier by motor vehicle shall be invalid and unlawful unless approved and authorized as hereinafter provided.

Then, a provision somewhat lengthy is in the bill with reference to the question of consolidations and mergers and acquisition of control. That applies, of course, to bus lines. Then, in order to make sure that the bill would not be interpreted to cover any other sort of consolidation, this language was inserted to which the Senator from Arkansas has called attention.

Mr. CARAWAY. I do not want to argue too much with the Senator about it; but, coming back to section 9 on page 18, from which the Senator has just read, it is there provided:

Any corporate consolidation or merger of two or more corporations, at least one of which is a common carrier by motor vehicle, and any acquisition of control of any common carrier by motor vehicle, shall be invalid and unlawful unless approved and authorized as hereinafter provided. For the purposes of this section, control of any common carrier by motor vehicle shall be deemed to be acquired if any person or corporation acquires (except pursuant to court order or by operation of law), directly or indirectly—

And so forth.

I do not see, then, the force and effect of the provision on page 20. I would like to ask if it is contended that a court might order the consolidation of transportation lines in defiance of the provisions of this bill?

Mr. BARKLEY. No; I do not think a court would defy the law.

Mr. CARAWAY. What is the purpose and meaning of that language, then?

Mr. BARKLEY. Does the Senator mean within the parentheses?

Mr. CARAWAY. Yes; "except pursuant to court order or by operation of law."

Mr. BARKLEY. It is possible that in litigation involving the property of common carriers by motor bus, receiverships, and matters of that sort, it might be necessary for the court to take cognizance of the fact that under its jurisdiction there might be brought about some consolidation of operation under the jurisdiction of the court, so that we thought it wise to take care of it in that parenthetical provision. But the likelihood of it occurring is so remote that it really does not create a problem.

Mr. CARAWAY. "By operation of law." If the legislature of the State were to authorize the consolidation, does

the Senator think he has ousted the Interstate Commerce Commission of its jurisdiction by specific act of Congress?

Mr. BARKLEY. No; I do not. I do not believe a legislature could authorize the consolidation of interstate facilities so as to take away the jurisdiction of the United States.

Mr. CARAWAY. It could if the United States would assent to it. What does it do here? "By operation of law." What was in the minds of the committee when that language was put in the bill?

Mr. BARKLEY. That language was put in by the draftsmen in the House. Frankly, I do not know all that it did include. It was evidently thought sufficiently broad to take care of any legal or technical situation that might arise, either by virtue of the jurisdiction of the court over the financial or operating interests of any company or any two or more companies, or by any legislative act that did not in any way contravene the jurisdiction of the United States to deal with questions of interstate commerce. I realize that the creation of private corporations, even those we are seeking to regulate, is a State function and that the legislature of any State can change its corporate laws in so far as it may see fit to do so and that it is possible to conceive of a situation where the legislature might enact a permissive consolidation law with reference to its own corporations that might seem to make this language inconsistent.

Mr. CARAWAY. I do not care to argue further about it, but I do want to ask the Senator again if there is not a positive conflict between the language in the first part of section 9, page 18, and the language in the latter part of the section on page 20?

Mr. BARKLEY. The Senator is referring now to section 9?

Mr. CARAWAY. Yes; the beginning of section 9 on page 18 and the latter part of the section on page 20.

Mr. BARKLEY. The latter part of the section, at the bottom of page 20, of course, is to nullify any modification in the early part of section 9 that would authorize the sort of consolidations prohibited in that language.

Mr. CARAWAY. It reads:

> Nor shall any consolidation, merger, or acquisition of control be approved under this section if one or more of the corporations involved is engaged, directly or indirectly, in the transportation of persons by railroad.

Very well.

Mr. BARKLEY. In other words, under that language, no railroad can buy or merge with a motor-bus line.

Mr. CARAWAY. A railroad company may own a bus line. It is a separate corporation. That bus line can merge with another bus line. Then, why can not the whole intent of the bill be evaded by this bus line absorbing every other bus line and yet the control of that bus line be in that railroad, though an independent corporation?

Mr. BARKLEY. Of course, under the language of the amendment at the bottom of page 20, the railroad company involved is either directly or indirectly engaged in the transportation of passengers by railroad.

Mr. CARAWAY. But this is an entirely separate corporation.

Mr. BARKLEY. I realize that a bus company might be created composed of the same stockholders and the same directors. It is difficult to understand how a separate corporation could be created under the laws of any State owned by a railroad except that there shall be separate directors and stockholders.

Mr. CARAWAY. If the Senator will pardon me, he may acquire every dollar of the stock of a corporation and yet not own that corporation. That would only give him the right to take over its assets. I am conscious of the fact that the situation is unlikely to occur. I was just endeavoring to get the Senator's viewpoint. I would not see any difficulty in one bus line absorbing another bus line, although the actual ownership of the stock of that bus line was in a railroad company.

Mr. BARKLEY. I was reading the language of the bill, and I did not catch the last sentence of the Senator's statement.

Mr. CARAWAY. I was merely saying that I could not see, why under the provisions of that section, if one bus line may absorb another, a railroad, by owning the stock and yet not owning and controlling the corporation, might not let its bus line absorb every other bus line, accomplishing exactly what the bill is undertaking to defeat.

Mr. BARKLEY. Of course, it may be that in this amendment which was put in by the committee there was an overabundance of caution in order to prevent the consolidation of railroads and bus lines already in existence, or the taking over of control and acquiring the property of such bus lines; and it may be that in some remote case it might involve a bus line that had been started by a railroad company; but, of course, none of these consolidations can take place except by permission of the Interstate Commerce Commission.

Mr. CARAWAY. I am not so certain about that, but I think an invitation to rather a good lawsuit is laid by the language on page 18 of the bill.

Mr. BARKLEY. That may be.

Mr. President, I do not wish to consume any additional time in the consideration of the bill unless there shall be some question that I can help elucidate with reference to provisions in the measure. In conclusion, I wish to emphasize that I have, after a great deal of thought, come to the definite conclusion that certificates of convenience and necessity must be required in order that people may operate bus lines.

We have attempted to leave to the local authorities just as much jurisdiction as is possible consistent with the regulation of interstate commerce by Congress. We have done that to a greater extent in this bill than in any other measure regulating interstate traffic either in passengers or freight. Under these circumstances, and in view of the long need for this legislation and the growing demand on the part of the people for the regulation of this character of transportation, it would be most unfortunate if this bill should be recommitted to the committee. I hope, therefore, that it will be speedily passed here and sent to conference, so that at this session we may be able to enact some legislation recognizing our obligation and our duty to the people with reference to this vast accumulation of transportation facilities now engaged in the hauling of passengers all over the United States.

PERSONAL EXPLANATION—SEATING OF SENATOR FROM PENNSYLVANIA

Mr. SHEPPARD. Mr. President, a prominent newspaper contains to-day a statement in reference to Senator JOSEPH T. ROBINSON and the seating of Senator DAVIS which does not give my position correctly.

In this statement occurs the following:

> In any event the declaration of unanimity was demonstrated to be ill founded by the fact that two members of the committee—Senators SHEPPARD, of Texas, and SIMMONS, of North Carolina, voted against the seating of DAVIS. Senator SHEPPARD was present at the meeting and said to-day that he had expressed his opposition to the ROBINSON position.

I did not say to the reporter who sent this statement to his paper that I had taken any position in the Davis matter in the steering committee. In fact, I expressed no opinion in the committee, and if I gave the reporter the impression that I did so I did not express myself to him clearly. I wish to go farther in saying that anyone present in the steering committee meeting would have been justified in saying that the opinion of the committee was unanimous. My opinion was shown by my vote in the Senate.

I want to take this occasion to say that in my judgment Senator ROBINSON possesses the support and confidence of the Democratic side to an extent unsurpassed by any previous Democratic leader. I want to say further that I am unqualifiedly for his reelection as leader, and so is Senator HARRIS, another member of the Democratic steering committee, who was present at the meeting above referred to and who voted as I did in the Senate for the Nye resolution in regard to the seating of DAVIS.

Mr. HARRIS. Mr. President, I wish to say that my views on this question coincide with those just expressed by the Senator from Texas [Mr. SHEPPARD].

PROPOSED SPECIAL COMMITTEE ON RELIEF LEGISLATION

Mr. THOMAS of Oklahoma. Mr. President, I desire to call the attention of the Senate to some newspaper clippings. The first is from the New York Times of this date. The title of this article is "Green Asks Speed on Congress Bills." Quoting from the body of the story, I find the following:

Mr. Green pleaded for a speeding up of relief measures.

Further I find this statement:

"It is no aid to distressed industry and labor to know that unemployment exists in other countries," he declared. "We are concerned with our own problem. There is distress in this land right now, and it is foolish to think the condition is temporary. You will make the greatest mistake of your legislative lives if you treat it as a temporary depression and do not rise up to meet this situation as it is."

Later I find this statement:

This year we enter the winter months with an unemployment crisis already on our hands. We should take this November increase as warning that relief measures must be speeded and the utmost possible done to hasten the work of relief and prevention already begun.

At another point I read this language:

We estimate that in the United States as a whole 4,500,000 wage earners were without work in October, and in November our preliminary estimate shows 4,860,000 unemployed. These figures do not include farm laborers or office workers.

Mr. President, a few days ago the Washington Post in an editorial made a statement somewhat in opposition to the figures just read. In that editorial, which was printed on November 26, I find the following statement:

A high officer of the United States who has just completed a country-wide survey in which he made a personal examination of conditions advises the Post that the unemployment situation is exaggerated. "The rural and country regions are not much, if any, below normal," said this official.

Mr. President, those who live on thrones, in gilded palaces, and exclusive clubs do not and, it seems, can not know the conditions existing among the people who perform the real work and labor of the country.

In this connection, Mr. President, I exhibit to the Senate a picture published in one of the leading dailies of the country. It shows a number of women and children searching in a garbage pile. The picture is printed below a heading as follows:

Unemployed hunt for food in garbage dump.

Under the picture I find this language—I will omit the name of the city, but will say it is not in the agricultural West, but is in the industrial East—

A food station for the unemployed of ———. To this garbage dump at Commerce and Silver Streets every morning come women and children, and occasionally some men, to rummage for a few odds and ends of refuse to make a day's meal. Débris from the markets is dumped here after it has been swept up by street cleaners. Often youngsters eat fruit directly from the pile without first taking it home to be washed, as most women do. The picture was taken last week by a photographer of ———.

Mr. President, the present condition of depression is not limited to any one class; it has reached every class of our citizenship.

On yesterday I sent out telegrams to some of the great insurance companies of the country in order to ascertain how the insurance companies are taking care of this situation. I have only one or two replies, but desire to call attention to such replies. I have a reply from a large life-insurance company with headquarters in the central West as follows:

Number of policy loans made averaged 2,300 each month since October, 1929, and 2,500 for this October and November.

From a large insurance company located in the Northwest I have this message:

The number of applications for policy loans during past 14 months exceeds any previous experience and the period of heavy demand is longer. The third week, November, 1930, brought largest number of applications in history of company.

I likewise have a report from a large insurance company with headquarters in the northeastern part of the United States, and from that message I read the following statement:

We are pleased to reply to your inquiry as follows: With total insurance in force of $1,250,000,000 we have outstanding cash policy loans amounting to approximately $45,250,000. Year 1930 to date records some 24,000 individual loans, amounting to some $9,000,000, which is a 5 per cent increase over a like period in 1929.

Mr. President, before the policyholders appeal to the insurance companies for loans, as a rule, they have exhausted other means of securing assistance and help. They first go to the banks and draw out their deposits, and when the deposits are gone they negotiate loans. When the deposits are gone and loans are unobtainable, then they go to their insurance companies and ask for relief.

We recently had an election. I am not inclined to ascribe the reasons for the results in that election to opposition to the tariff or opposition to the policy of the Federal Farm Board. I think the reason for the change of so many votes was dissatisfaction, the vision of threatened bankruptcy, the existing condition of unemployment, the vision of a hard winter without work, with hunger and actual suffering.

Most of us have just come from our States. I realize, Mr. President, the deadening effect that the luxury and the environs of this Chamber are sometimes alleged to have upon the Members who have the privilege of sitting here. Before that effect has completely deadened the minds of the Members, if it has that effect, I desire to have considered by the Senate the matter of doing something to help those of our people who are unemployed, cold, and even hungry. Before the memory of scenes of rags and bare feet and hunger that many of us have just witnessed in our respective States fades from our minds, I want the Senate to take some active steps to bring about relief.

I know that there are numerous bills pending upon the calendar. Mr. Green, the head of the American Federation of Labor, is asking Congress to speed up these bills. Congress is a rather large and numerous body; and what is everybody's business is nobody's business. There is no one Member upon this floor to whom anyone can go and ask that he get busy and try to speed up these bills, for the reason that the bills are scattered through numerous committees of the Senate. No one feels any special responsibility for taking up these measures. Those on the Appropriations Committee feel a regular responsibility to take up and consider bills pending before that committee, and those on the Agricultural Committee likewise feel a regular responsibility to take up the bills pending before that committee and consider them; but to the end that a special responsibility may be placed upon some Members of the Senate, I have pending upon the desk a resolution proposing to create a special select committee to be appointed by the President of the Senate. This committee is to be made up of what, in the estimation of the President of the Senate, would be the best possible membership to select.

We have a leader on the Republican side and likewise a leader on the Democratic side. The President would have the power under this resolution to place those two gentlemen on this committee. We now have among us as the junior Senator from Pennsylvania a Senator who formerly was the Secretary of Labor in the Cabinet of the President. He could render most important service upon this committee. It would be my idea that the older Members of this body, those who know what should be done and how to do it, should be placed upon such committee.

Mr. President, to the end that no deserving person should be permitted to suffer because of hunger and cold, I now ask unanimous consent for the consideration of Senate Resolution No. 338.

The VICE PRESIDENT. Is there objection?

Mr. COUZENS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. COUZENS. If that consent is given, will it displace the unfinished business?

The VICE PRESIDENT. If the resolution is taken up by unanimous consent, it will not displace the unfinished business.

Mr. BORAH. I should like to have the resolution read.

The VICE PRESIDENT. Let it be read.

The Chief Clerk read Senate Resolution 338, submitted by Mr. THOMAS of Oklahoma on the 2d instant, as follows:

Resolved, That a special select committee on emergency and relief legislation be, and is hereby, created; such committee to consist of 11 members, to be appointed by the President of the Senate as follows: 6 members from the majority party and 5 members from the minority party.

Immediately upon appointment the members shall meet and organize such committee and, when organized, said committee shall have power coequal with regular Senate committees and shall have jurisdiction of emergency and special relief legislation, including proposals for the authorization of appropriations.

When organized such committee shall report to the Senate its plan of organization and location.

Mr. BORAH. Mr. President, is it the purpose of the Senator by this resolution to take the various bills on this subject out of the hands of the committees that now have them and turn them over to this committee?

Mr. THOMAS of Oklahoma. I will answer that question in the negative. My purpose is that if the author of any bill believes that the subject of his proposed legislation is of great importance, and that he could get more speedy action by having the bill referred to this special committee, it would be up to him to initiate that transfer. Otherwise the regular committee would handle the legislation. The committee is to have charge of only those bills that are in the nature of relief and special emergency legislation, and to the end that one committee may consider the whole subject and bring about a program that will take care of every section and every class of our people, so that no one shall be left out.

Mr. BORAH. Does the Senator want to get the legislation passed at this session?

Mr. THOMAS of Oklahoma. I most certainly do; and I think this class of legislation should come up first.

Mr. BORAH. I do not think, myself, that we will make any progress in this way.

Mr. COPELAND. Mr. President, I have been very much touched by what the Senator from Oklahoma [Mr. THOMAS] has said. I agree with all he has said. There was just one issue in the last campaign, as I see it. It was the issue of unemployment.

Speaking for my State, I want to say that never since I have known it has there been such distress as at the present time. When I walk down Sixth Avenue and see the great crowds of people in front of the employment bureaus, and when I witness, as I do, in my own office the multitudes of people seeking work, the thing goes straight to my heart.

If the plan proposed by the Senator from Oklahoma has in it the possibility of a coordination of these efforts to give relief, I think the Senate should give it consideration. There is always the danger, when these various bills are passed about—one bill to one committee, and another to another—that there may be an overlapping of effort, and there may not be the coordination which is necessary to the relief of the present situation.

I can not speak too strongly in support of any measure which has in it the hope of relief of the present situation. It is a terrible thing to think that four or five millions of workers are without opportunity to earn a living; and that means that that many families or millions of families in this country are without means of support. For myself, I think I can see the wisdom of what the Senator from Oklahoma proposes. As he has already explained, if for any reason a Senator who has a bill desires to send it to a particular standing committee, all right; but there ought to be some one group in this body giving thought to this most essential thing, the most important thing now pressing itself upon the American people.

The VICE PRESIDENT. Is there objection to the request of the Senator from Oklahoma?

Mr. JONES. Mr. President, it seems to me this resolution would only complicate matters. If it develops that the standing committees are neglecting their duties and responsibilities, then it may be time enough to consider a proposition of this kind. I think the resolution should go to the Committee on Rules, anyhow; so I object to its present consideration.

The VICE PRESIDENT. The Senator from Washington objects.

Mr. McKELLAR. Mr. President, while we are talking about unemployment I desire for a very brief period, not more than five or six minutes, to call the attention of such Senators as are here to a measure that I introduced day before yesterday on the subject of unemployment. I am going to read the first two sections of the bill and then I wish to explain very briefly what it is:

That there is hereby appropriated, out of any sums in the Treasury not otherwise appropriated, the sum of $250,000,000, or so much thereof as may be necessary, to be expended as provided in this act.

SEC. 2. That the county courts, county commissioners, or other governing authorities of each of the several counties in the United States, are hereby authorized and empowered to rent such necessary implements and to employ as many as 300 men, not now employed, at $3 per day for a period of three months of January, February, and March, 1931, for the purpose of surveying, grading, or building new post roads, or improving, separating grades, or concreting post roads already built, such post roads to be selected by said county court, commission, or other governing authority in each of the said counties in the United States: *Provided*, That in the counties where snow, ice, or other weather conditions prevent daily work during January, February, and March, 1931, on such post roads the time of such work may be extended by the governing authorities of said counties so that at least 75 working days may be allotted to each county.

Now, Mr. President, I desire to explain what I think should be done in this emergency.

We have a condition that confronts us right now. If we are going to help the unemployed in this country, the time to do it is in January, February, and March. It is a pity that it can not be done for this month; but the greatest suffering will occur during the months I have just mentioned. This bill will provide employment for about 1,000,000 men and it will cost something over $200,000,000. There can not be any politics about it. There can not be any factional troubles about it, because it will apply to every county in the United States. There are 3,057 counties in the United States, and the sum of money that is to be appropriated will have the effect not of giving out doles, not of contributing charity to people, but of giving them work, and the best and most practical kind of work—work in the open air, work for which they will be paid a wage that they can actually live on. It must go to unemployed persons, and it is to be turned over to the various counties of the United States for the purpose of enforcing it. If this bill should be enacted into law, it would not only give this work speedily but it would furnish the means for people to live on and would lead to the United States obtaining good roads and better roads.

Mr. GOFF. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. GOFF. Does the Senator's bill make any provision for employment in case there is no necessity existing in these counties for the character of work he has just mentioned?

Mr. McKELLAR. No. I will state the reason why that is not done. The Senator will see from reading the bill that it provides for work on post roads. Congress has the constitutional right to do this work. No constitutional question can be raised.

Mr. GOFF. I am not raising that question. I quite agree with the Senator; but if there is no necessity for doing that species of work, then I desire to know what provision the Senator makes for the employment of the unemployed.

Mr. McKELLAR. I shall be delighted to answer the Senator's question. There is always work to be done in the maintenance of roads, even if not building new ones. It seems to me there can be no question that this will be the best possible method of contributing to taking care of the unemployed, and the United States will get value received for every single dollar that is expended.

Mr. SHORTRIDGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from California?

Mr. McKELLAR. In just a moment. Not only that, but the money will be distributed throughout the country.

It may be said, "In some counties there may not be 300 unemployed." If not, under the provisions of the bill unem-

ployed persons from other counties of the same State can be employed. There is another provision that makes it certain that no part of the appropriation can be spent in overhead. It must be spent by the county courts or the county commissioners or the boards of supervisors or other county authorities.

Mr. CARAWAY. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. CARAWAY. I have no question but that that would help; but is the Senator aware that there is a very great body of people who could not avail themselves of that employment, and yet they are the worst sufferers from this depression?

Mr. McKELLAR. I am aware, for instance, that there are a great many deserving women out of employment who probably could not be employed under this bill.

Mr. CARAWAY. Yes, sir.

Mr. McKELLAR. There are a great many other people, men who would not be able to do work of this kind.

Mr. CARAWAY. They are not able to do it. Then there are widows who are the heads of families.

Mr. McKELLAR. Those people will have to be taken care of by the charitable organizations; but this bill will give employment at a reasonable wage to at least a million people in the United States who need that employment, who are worthy to be employed, and who could be employed under the terms of the bill. It would not provide for everybody.

I am told that there are probably three or four million unemployed. Some contend there are more than that number. This bill will only provide for 1,000,000 of the unemployed; but to that extent it will be very widely distributed, the work will be done, and benefits will come to the United States. It will not be charity; and it does seem to me that some such thing ought to be done.

Mr. President, the first question is, where are we to get the money? I am going to read just one provision of the bill on that subject. Section 7 provides—

> That in order to finance the said work on post roads as herein set forth, the Secretary of the Treasury is hereby authorized and directed to set apart and use so much of the interest and payments due the United States by foreign governments as may be due and payable and collected during the calendar year of 1931; and should not a sufficient amount of such interest be available at any time during the progress of this work for carrying the same on, the Secretary of the Treasury is authorized and directed to issue short-term notes under terms and conditions as now provided by law and to pay the same out of the collection of such interest on said foreign debts as soon as the same may be paid in; and any law directing a different application of such interests and payments is hereby suspended for the calendar year of 1931.

Mr. President, we now apply the interest collected and payments made on foreign debts to the reduction of our national debt. We are reducing it very rapidly. It seems to me that in the interest of employment we might readily devote $250,000,000 from those payments to the relief of the unemployed in this country, and especially where the Government would get absolute value for every dollar, because it will be found that under the provisions of this bill not one single dollar of the money is to be spent for overhead, and guaranties are made that it will be honestly and properly spent.

I want to read in this connection section 8, which provides:

> That no compensation shall be paid to the county courts, county commissions, or other governing authorities, for employing men under this act, or for laying out and superintending the work of such post roads, or for drawing checks, or for making reports, or for the hiring of teams and implements as herein provided; nor shall any compensation be paid to the United States banking depositories for paying out such funds; it being the object and purpose of this act to contribute the money herein provided to improving post roads in the several counties of the United States on condition that the counties do and perform the services required of them under this act and to the end that no part of the sums herein appropriated shall be expended for overhead charges, but all of said moneys appropriated may be applied to the work and labor done in building said post roads.

Mr. President, in this brief way I call this bill to the attention of Senators who are here this afternoon. There is a copy of the bill on the desk of each Senator. It is in the interest of the unemployed. If the bill were enacted into law, it would take care of a million of the unemployed in this country for a brief period, providing them with honest work, extending no charity, no dole. I ask Senators to take the bill home with them to-night and read it, and see if they are not in favor of the passage of such a measure.

I ask to have the bill printed in the RECORD as it was introduced.

The VICE PRESIDENT. Is there objection?

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

(S. 4938)

A bill providing for the construction and improvement of post roads in the several counties in the United States for the relief of unemployment, and for other purposes

Be it enacted, etc., That there is hereby appropriated, out of any sums in the Treasury not otherwise appropriated, the sum of $250,000,000, or so much thereof as may be necessary, to be expended as provided in this act.

SEC. 2. That the county courts, county commissioners, or other governing authorities of each of the several counties in the United States are hereby authorized and empowered to rent such necessary implements and to employ as many as 300 men, not now employed, at $3 per day for a period of three months of January, February, and March, 1931, for the purpose of surveying, grading, or building new post roads, or improving, separating grades, or concreting post roads already built, such post roads to be selected by said county court, commission, or other governing authority in each of the said counties in the United States: *Provided*, That in the counties where snow, ice, or other weather conditions prevent daily work during January, February, and March, 1931, on such post roads, the time of such work may be extended by the governing authorities of said counties so that at least 75 working days may be allotted to each county.

SEC. 3. That the Secretary of the Treasury, upon the approval of this act, shall cause to be estimated, as nearly as possible, the amount of money to be expended in each State as herein provided and shall place the same in such national bank depositories as may be most accessible and convenient for the carrying on of such work, and checks shall be drawn on said fund by the chairman of the county court, or the commission, or other governing authority in such county, which checks shall be honored by said depositories; and attached to each check shall be a statement giving the name of the person employed, the number of days or hours employed, and in what county employed, or what teams and implements rented; and should any county chairman, commission, or other governing authority, make any misrepresentation as to such employment of the time when such persons may be employed or the amount of rental or character of teams or implements rented, the county represented by such offending chairman, commission, or other governing authority, shall be liable to the United States for the amount involved in such deception or wrong and a suit may be prosecuted by the United States district attorney in any district court of the United States in which such county is situated to recover the same.

SEC. 4. That in the event the said county court, commission, or other governing authority, is unable to find as many as 300 persons unemployed in their respective counties, they are hereby authorized and directed to employ unemployed persons from other counties within the same State who may be desirous of work.

SEC. 5. That said counties where they own the necessary teams, implements, and the like shall furnish, free of charge, plows, teams, scrapers, spades, shovels, picks, drills, and other implements necessary for the purpose of carrying on the work of grading, cutting out, building, or improving roads as herein provided; but where such counties do not own such teams and implements they are authorized hereby to rent the same and pay a reasonable rental for such teams and implements not exceeding the market rental price of such teams, implements, and the like, and they may draw checks in payment of such rentals in the same way as they draw checks for wages as provided in section 2 of this act: *Provided*, That in each case they shall attach to said check a full statement showing the implements and teams rented and the rates of rental.

SEC. 6. That the hours of work shall be an 8-hour day; that the heads of families are to be preferred in securing workers; that women may be employed where the work is suitable to their capabilities; that in the employment of teams those engaged in agricultural work shall be preferred; and all work shall be superintended by such county officials or engineers as the county court, county commission, or other governing authority may designate; which officials or engineers shall have actual superintendence of the work and shall make complete and detailed statements of same which shall be furnished the Clerk of the House of Representatives of the United States within 10 days after the close of each month, giving a detailed description of the roads built or improved; the number of miles constructed or improved; the kind of work done; the teams and implements used; and all the details concerning the same.

SEC. 7. That in order to finance the said work on post roads, as herein set forth, the Secretary of the Treasury is hereby authorized and directed to set apart and use so much of the interest and

payments due the United States by foreign governments as may be due and payable and collected during the calendar year of 1931; and should not a sufficient amount of such interest be available at any time during the progress of this work for carrying the same on, the Secretary of the Treasury is authorized and directed to issue short-term notes under terms and conditions as now provided by law and to pay the same out of the collection of such interest on said foreign debts as soon as the same may be paid in; and any law directing a different application of such interests and payments is hereby suspended for the calendar year of 1931.

SEC. 8. That no compensation shall be paid to the county courts, county commissions, or other governing authorities for employing men under this act, or for laying out and superintending the work of such post roads, or for drawing checks, or for making reports, or for the hiring of teams and implements as herein provided; nor shall any compensation be paid to the United States banking depositories for paying out such funds; it being the object and purpose of this act to contribute the money herein provided to improving post roads in the several counties of the United States on condition that the counties do and perform the services required of them under this act, and to the end that no part of the sums herein appropriated shall be expended for overhead charges, but all of said moneys appropriated may be applied to the work and labor done in building said post roads.

SEC. 9. That where an independent city takes the place of a county in any State such independent city shall be considered a county under the terms of this act and entitled to all the benefits provided therein and subject to all the limitations.

Mr. McKELLAR. I also ask to have printed in the RECORD an editorial from the Washington Herald of this morning.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Herald, December 4, 1930]

WHERE MR. HOOVER IS WRONG

To relieve unemployment, President Hoover recommends that Congress appropriate from $100,000,000 to $150,000,000 to expedite the building of public works already authorized.

This is a wise and patriotic recommendation.

It has met with no opposition in either House.

But the Democratic leaders of the House have been quick to oppose Mr. Hoover's extraordinary, undemocratic proposal that Congress abdicate to a Cabinet committee the power to determine the distribution of this large sum.

To Congress, and not to the President, the Constitution gives the power to provide for the common defense and general welfare and definitely the power to control the purse strings of the Government.

Mr. Hoover's proposal violates one of the most fundamental principles of the American system of government.

Under that American system, the legislative branch is the "policy-determining" as well as the fund-raising and fund-granting organ of the Government.

But Mr. Hoover would change this and give to a committee of his own Cabinet the determination of policy involved in the decision as to what public works shall be expedited and how much shall be expended on each class of work and in each section.

Were Congress to abdicate, as Mr. Hoover requests, he would become the general manager of the Government and Congress would be reduced to the level of a board of directors of a business corporation.

If Mr. Hoover had properly discharged the responsibility which is properly his as the framer of the Budget, he would have submitted to the Congress with his recommendation a specific program showing how and where he wished the emergency appropriation to be expended.

Congress never has delegated to the President in time of peace the extraordinary power which Mr. Hoover asks, and never except in war should such a request be granted or even made.

In opposing the method by which Mr. Hoover proposes to go to the relief of the unemployed, the Democratic leaders of the House have the Constitution and the wisdom of experience on their side. They deserve the cooperation of all Senators and Representatives who believe in the Government established by the Constitution.

We are not living in the days of Charles I of England, who dissolved his Parliament when they refused him the appropriations he asked; who governed without Parliament for 11 years and came to grief as a result. We are not living under an European system of government or a Central American dictatorship.

We are living under the Government of the Constitution, and the American people have a right to demand that their public affairs shall be ordered as the Constitution provides.

Mr. McKELLAR. Mr. President, the President has sent to the Congress a message asking for the appropriation of $150,000,000, to be turned over to a committee of the Cabinet to take some vague, indefinite steps for the relief of the unemployed in this country. Is any scheme provided? None at all.

How is the President to divide up the money if we give it to him? How is he to distribute it if we appropriate it for him? How much of it is to be spent on overhead if we hand it over in the way he requests it? It is the duty of the Congress to find some method of looking after the unemployed in this country. It is our duty to say how the money we appropriate shall be expended. We should not turn it over in a lump sum to the President, or to anyone else, to determine how it shall be spent, where it is to be spent, in what sums it shall be spent, in what localities it shall be spent.

Mr. President, we shall never get anywhere in helping the unemployed by such a method. If we appropriate money in that way, it will be purely a charity. We ought to adopt some scheme, not charitable in its application but which will furnish employment for the unemployed, furnish work for those who want to work, and this measure will furnish it in a very marked degree. It will certainly take care of from one-third to one-fourth of the unemployed in this country. It will mean the expenditure of a large sum of money, it is true, but it will be spent proportionately in all the States, in every county in the United States. There will be no doling of it, there will be no expenses to be paid out of it, we will not have any commission, but we will just use the instrumentalities which we already have. If we can not trust our county courts and county commissions, our boards of supervisors, and our other governmental authorities, whom can we trust? They have been elected by the people; they are the people who ought to have control of such an activity. Under any circumstances, if we appropriated the money in a lump sum, it would have to be turned over to some local organization in order properly to handle the sums, and it seems to me that this, safeguarded as it will be if this bill shall pass, will be the proper way and the best way to handle the situation for the present.

Mr. CARAWAY. Mr. President, there can be no doubt in anybody's mind of the unwisdom of the objection that was offered to the present consideration of the resolution submitted by the Senator from Oklahoma [Mr. THOMAS], because everybody realizes that the objection would result in the resolution being sent to the Committee on Rules, and that would kill it. That was the intention and that would be the effect of it.

Any measure which might result in taking care of one situation may leave another that is serious unprovided for. The employment of mechanics does not relieve agriculture, nor does the employment altogether of people upon public highways relieve the people living in the communities contiguous to the highways. There are men who would not be able to avail themselves of such an opportunity to work if it were granted to them. There are women, heads of families, who certainly are entitled to as much consideration from this Government as the men are entitled to receive it.

The President's program evidently looks toward a big building program. A man who is not a builder, who can not lay brick, or plaster a building, would not be helped by that. Therefore the wisdom of the resolution offered by the Senator from Oklahoma is apparent. If a special committee were created to which might be referred measures which would be in the control of a sufficient number of Senators so that they would have a comprehensive knowledge of the entire situation, we might hope for some kind of legislation. There would be no objection to the consolidation of all these measures in one bill, and it would expedite action tremendously.

In fact, there is not a bill pending on the calendar in the Senate which, if enacted into law to-day, would adequately meet the situation, nor would all of them, if enacted, meet it, because each is designed to take care of some peculiar situation, and leaves out of consideration altogether other equally deserving classes, classes which are equally depressed and equally in need of assistance.

As I said, however, when an objection was made to the creation of this committee, it was done with full knowledge of the fact that that killed the resolution. It leaves without any hope of redress the very great number of worthy citizens of the United States who are not responsible at all for the situation which now renders them all but paupers, if not entirely so.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. CARAWAY. I yield.

Mr. McKELLAR. And it may jeopardize any relief of any kind to any number of our citizens.

Mr. CARAWAY. Every Senator on this floor realizes the danger of having a number of relief bills, each supported by an aggressive, determined group, one fighting the other for a right of way, and, as the Senator from Tennessee so aptly remarks, which may result in the defeat, or at least in so modifying each one of the pending bills, that no one will get any very great relief from them.

I can not conceive of any objection on the part of anyone to a committee which could view the whole situation, which at least, whether it obtained jurisdiction of these bills or not, would have the bills before it, and see how far they took care of the entire situation. They might initiate legislation which would be more helpful than all the pending bills, and doubtless would. But, of course, for reasons we do not understand, objection is made.

Mr. COPELAND. Mr. President, is it not exactly as in a community? Every great city in the country now, instead of leaving every social-service body to work alone, has appointed a central committee.

Mr. CARAWAY. To coordinate activities.

Mr. COPELAND. Yes; to coordinate activities. It would seem to me that the same good sense should be used here.

Mr. CARAWAY. The Senator from Oklahoma called attention to the citizens in some eastern industrial city who were looking for something to eat, and consuming unwholesome food, or something of that kind. I do not know what the situation is in the industrial centers; I could not know from personal knowledge; but I do know what the situation is in my own State, and if anyone imagines that he can relieve suffering and prevent actual loss of life by passing a building program, he does not know anything about the situation in that particular State. As my colleague was reported in the papers this morning as saying how utterly foolish it would be to provide for feeding a mule next spring when the owner of the mule would be permitted to starve this winter.

I am not trying to indulge in any theatricals. I know how easy it is to pretend that such calamities have overtaken communities and be thought to be enlarging upon them for reasons not entirely worthy. But I know what the situation is in my State.

I talked to a farmer not a great while ago whom I have known for a number of years. He and his wife and two children made a crop this year. They cultivated 33 acres of land, 15 acres of it in cotton and 18 acres of it in corn. He made less than two bales of cotton, and sold them for less than $70. He made 25 bushels of corn, and every grain of it has already been consumed. He owes rent of $4.50 an acre on the land. Those crops represented 12 months' employment of the entire family. The return would not feed them for a month.

Mr. President, the sources of credit are dried up, in the agricultural sections, at least. There is not a bank I know of that would lend anybody any money if it could not be returned within 30 or 60 or 90 days. There is no long-time credit available anywhere, and everybody knows that if three months' credit is extended to a farmer it is really a denial of credit altogether, because he has no source of revenue from which he could pay the interest, much less the principal.

Therefore, in the great body of the agricultural section of the country, and that is the section for which I am now trying to speak, they have nothing. Their gardens were burned up; their livestock died; there was no fruit. There is no source from which they have heretofore drawn some means of livelihood to which they can now turn, and there is no credit. There is not enough on many of the farms to take care for 30 days of the people who live upon them.

That is the situation which confronts us. Are we going to sit here and, for some reason for which we are not quite prepared, object to the actual consideration of a situation which exists and has existed for weeks—object to the formulation of some legislation that might render it possible for those people to escape deprivation and want if not actual starvation? That is the situation which confronts us and we need not try to avoid it.

MOTOR-BUS TRANSPORTATION

The Senate resumed the consideration of the bill (H. R. 10288) to regulate the transportation of persons in interstate and foreign commerce by motor carriers operating on the public highways.

Mr. WATSON. Mr. President, what is the parliamentary status of the bill?

The VICE PRESIDENT. The question is upon agreeing to the motion of the Senator from South Carolina [Mr. SMITH] to recommit the bill.

Mr. SMITH. Mr. President, before the vote is taken upon that motion I should like to call the attention of the Senate to the fact that even the committee reporting on the bill as submitted to the Senate was practically evenly divided. The minority lacked one, I believe, of being equal in number to those who, tentatively at least, advocated the reporting of the bill to the Senate. I am sure that time will be saved and no delay will be incurred by sending the measure back to the committee for them to take into consideration the suggestions which have been made both from the floor and from outside and endeavor to formulate a bill which will more nearly meet the conditions which are involved in the legislation. In my opinion it is one of the most serious questions that has come before this body.

Mr. COUZENS. Mr. President, as I said, I do not charge anybody with bad faith, but if there is any desire to get legislation at this session of Congress, the questions which have been discussed on the floor of the Senate can be determined in conference and presented to the Senate in the conference report. There is no more reason for recommitting the bill for consideration the second time than there is to kill the bill entirely. If it is the desire to kill the bill, let us vote it down. There is absolutely no reason for recommittal.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from South Carolina [Mr. SMITH] to recommit the bill.

Mr. McNARY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Kean	Sheppard
Barkley	Frazier	Kendrick	Shipstead
Bingham	George	Keyes	Shortridge
Black	Gillett	King	Simmons
Blaine	Glenn	La Follette	Smith
Blease	Goff	McGill	Steck
Borah	Goldsborough	McKellar	Steiwer
Brock	Gould	McMaster	Stephens
Brookhart	Greene	McNary	Thomas, Idaho
Broussard	Hale	Morrow	Thomas, Okla.
Bulkley	Harris	Moses	Townsend
Capper	Harrison	Norbeck	Trammell
Caraway	Hastings	Norris	Tydings
Carey	Hatfield	Oddie	Vandenberg
Connally	Hawes	Overman	Wagner
Copeland	Hayden	Patterson	Walcott
Couzens	Hebert	Phipps	Walsh, Mass.
Cutting	Heflin	Pittman	Walsh, Mont.
Davis	Howell	Reed	Watson
Deneen	Johnson	Robinson, Ark.	Wheeler
Fess	Jones	Schall	Williamson

The PRESIDENT pro tempore. Eighty-four Senators having answered to their names, a quorum is present. The question is upon agreeing to the motion proposed by the Senator from South Carolina [Mr. SMITH] to recommit the bill.

Mr. SMITH. Let us have the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. STEPHENS (when his name was called). On this vote I have a general pair with the junior Senator from Indiana [Mr. ROBINSON]. I therefore withhold my vote. If permitted to vote, I should vote "yea."

Mr. THOMAS of Oklahoma (when his name was called). I have a general pair with the junior Senator from Colorado [Mr. WATERMAN]. I understand that if he were present he would vote "yea." If I were permitted to vote, I would vote "nay."

The roll call was concluded.

Mr. TYDINGS. On this vote I have a general pair with the senior Senator from Rhode Island [Mr. METCALF]. I understand that if he were present he would vote as I shall vote. I vote "yea."

Mr. JONES (after having voted in the negative). The senior Senator from Virginia [Mr. SWANSON] is necessarily absent. I promised to take care of him with a pair for the day. I understand, however, that if he were present he would vote as I have voted. Therefore I will allow my vote to stand.

Mr. BINGHAM. Has the junior Senator from Virginia [Mr. GLASS] voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. BINGHAM. I have a general pair with the junior Senator from Virginia [Mr. GLASS]. Not knowing how he would vote, I withhold my vote.

Mr. SHEPPARD. I wish to announce that the senior Senator from Louisiana [Mr. RANSDELL] is necessarily detained from the Senate on official business. If present, he would vote "nay."

Mr. FRAZIER. I desire to announce that the junior Senator from North Dakota [Mr. NYE], the junior Senator from Vermont [Mr. DALE], and the junior Senator from Washington [Mr. DILL] are necessarily absent from the city on business of the Senate.

The result was announced—yeas 51, nays 29, as follows:

YEAS—51

Black	Glenn	Kendrick	Sheppard
Blease	Goff	Keyes	Smith
Brock	Goldsborough	King	Steck
Brookhart	Greene	McGill	Steiwer
Bulkley	Harris	McKellar	Townsend
Carey	Harrison	McMaster	Trammell
Connally	Hastings	Moses	Tydings
Copeland	Hatfield	Norbeck	Wagner
Deneen	Hawes	Oddie	Walcott
Fess	Hayden	Patterson	Walsh, Mass.
Frazier	Hebert	Phipps	Walsh, Mont.
George	Heflin	Pittman	Wheeler
Gillett	Howell	Reed	

NAYS—29

Barkley	Davis	McNary	Simmons
Blaine	Fletcher	Morrow	Thomas, Idaho
Borah	Gould	Norris	Vandenberg
Broussard	Hale	Overman	Watson
Capper	Johnson	Robinson, Ark.	Williamson
Caraway	Jones	Schall	
Couzens	Kean	Shipstead	
Cutting	La Follette	Shortridge	

NOT VOTING—16

Ashurst	Dill	Pine	Stephens
Bingham	Glass	Ransdell	Swanson
Bratton	Metcalf	Robinson, Ind.	Thomas, Okla.
Dale	Nye	Smoot	Waterman

So the bill was recommitted to the Committee on Interstate Commerce.

PROPOSED SPECIAL COMMITTEE ON RELIEF LEGISLATION

Mr. THOMAS of Oklahoma obtained the floor.

Mr. HOWELL and Mr. JONES addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Nebraska or to the Senator from Washington?

Mr. THOMAS of Oklahoma. I desire to make a motion. I move that the Senate now proceed to the consideration of Senate Resolution 338.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Oklahoma.

Mr. McKELLAR. I ask that the resolution may be read.

The PRESIDENT pro tempore. The resolution will be read for the information of the Senate.

The Chief Clerk read the resolution (S. Res. 338) submitted by Mr. THOMAS of Oklahoma on December 2, as follows:

Resolved, That a special select committee on emergency and relief legislation be, and is hereby, created; such committee to consist of 11 members to be appointed by the President of the Senate, as follows: 6 members from the majority party and 5 members from the minority party.

Immediately upon appointment the members shall meet and organize such committee and, when organized, said committee shall have power coequal with regular Senate committees and shall have jurisdiction of emergency and special relief legislation, including proposals for the authorization of appropriations.

When organized such committee shall report to the Senate its plan of organization and location.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Mr. HEFLIN obtained the floor.

Mr. HARRISON. Mr. President, may I ask the Senator from Oklahoma a question?

Mr. HEFLIN. If the Senator from Mississippi will pardon me for just a moment, I wish to ask the Senator from Oklahoma if the creation of the proposed committee will delay action upon relief measures already introduced and referred to other committees?

Mr. THOMAS of Oklahoma. Mr. President, my idea is, unless the author of a particular bill desires its reference changed from some existing committee that it will remain in the committee where it is now pending; but if its author desires that the reference be changed and that the bill be transferred to the special committee, he can make that request; and, if agreed to, of course it will be so ordered.

Mr. HEFLIN. I think the proposition made by the Senator is a good one, but there has already been introduced a bill for the relief of the drought-stricken States, which has been referred to the Committee on Agriculture and Forestry, and I would not want to see that bill held up by being referred to another committee.

Mr. HARRISON. Mr. President, I should like to ask the Senator from Oklahoma a question. The committee he proposes is merely to be an emergency committee, is it?

Mr. THOMAS of Oklahoma. Yes; it is to last only during the present session.

Mr. HARRISON. The Senator does not propose to change the Rules of the Senate to constitute the special committee?

Mr. THOMAS of Oklahoma. It is proposed that the special committee shall be created for this session of Congress only.

Mr. HARRISON. Of course, the Senator has taken into consideration the fact that we have two more years of Republican control under the present President. The Senator is not asking that the special committee shall act during those two years?

Mr. THOMAS of Oklahoma. No; unless the depression continues; then we might continue it later on.

Mr. REED. Mr. President, will the Senator from Oklahoma yield for a question?

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Pennsylvania?

Mr. THOMAS of Oklahoma. I yield.

Mr. REED. I should like to ask the Senator whether it is not true that some measures for the relief of agriculture and relief in other directions are already under inquiry by the Committee on Agriculture and Forestry?

Mr. THOMAS of Oklahoma. I am a member of that committee, and to date we have had no hearings on relief measures.

Mr. REED. Have not meetings been arranged for next week for hearings on some of those bills?

Mr. THOMAS of Oklahoma. I have no notice to that effect, but undoubtedly that is so.

Mr. REED. Has the Senator any idea that those bills will be taken from the Committee on Agriculture and Forestry and referred to the new committee?

Mr. THOMAS of Oklahoma. No; unless the authors of the bills so desire. I have no intention of providing any new system, but I want a system under which every relief measure may be promptly considered. I want to see to it, if I can, that every person who is in need shall have a chance to be heard.

Mr. REED. I should like to ask also about public buildings. Some measures affecting the public building program have been under consideration for years by the Committee

on Public Buildings and Grounds; would the Senator's special committee take over part of that program?

Mr. THOMAS of Oklahoma. I should have confidence in any committee that may be appointed by the Chair. The majority of the committees will be composed of Members on the Senator's side, and the chairmen of the committees will be selected from his side of the Chamber. So I think there can be no fear interjected in connection with this proposition that anything unfair is going to be done.

Mr. REED. I have no fear about the integrity of the committee that may be appointed, but I have some apprehension about their familiarity with the subjects involved. The Committee on Public Buildings and Grounds have studied the questions before them.

I do not pretend to have any special knowledge on the subjects mentioned. But take another subject, the Army housing program, which is under the jurisdiction of the Committee on Military Affairs. That program has been studied for years and has been carried on in an effort to build consistently. I should be very sorry to see that turned over to a committee that had not had an opportunity to study it, although it might be an abler committee or a much more intelligent committee than the Committee on Military Affairs. I hope, Mr. President, that we will not disturb the orderly progress of the measures providing for public buildings and other employment relief measures by the creation of a committee, which necessarily must begin at the bottom and educate itself before it can act with any great degree of intelligence.

Mr. BORAH. Mr. President, I am interested in knowing as to the jurisdiction of the proposed special committee if it shall be appointed. As I understood the resolution when it was read, all legislation in the nature of emergency legislation, and so forth, would have to go to the special committee.

Mr. THOMAS of Oklahoma. No. The committee will have jurisdiction over emergency and special relief legislation, but the resolution does not say all such measures.

Mr. BORAH. How would it be determined whether a bill was going to a regular committee or to the special committee?

Mr. THOMAS of Oklahoma. As a rule, bills introduced contain a notation of the committee to which the authors desire them to be referred.

Mr. BORAH. That is under the regular system and under the established committees.

Mr. THOMAS of Oklahoma. I take it that rule would still be followed.

Mr. BORAH. But, for instance, suppose there is a bill pending before the Committee on Agriculture and Forestry, or it is proposed to introduce a bill which relates to agricultural relief, if on introducing it I desire that it be sent to the Agricultural Committee, then would it be possible for me to have it sent there or would the new committee take charge of it if it desired to do so?

Mr. THOMAS of Oklahoma. I would say that the Senator, in conjunction with the Presiding Officer, would have exclusive jurisdiction, in the absence of a vote of the Senate.

Mr. BINGHAM. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Connecticut?

Mr. BORAH. I will yield in just a moment. I have not any doubt about the good intentions of the Senator from Oklahoma, and his desire to speed proposed relief legislation, but it is my candid belief that the adoption of the resolution will only complicate matters, and that we will make much slower progress by undertaking to refer all such measures to one committee, a special committee, than to permit the regular committees to go ahead and discharge their duties with reference to the respective bills which will be before them. I am satisfied, should the Senator's resolution be adopted, it would delay matters rather than hasten them.

Mr. BINGHAM. Mr. President, may I ask the Senator from Idaho a question?

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Connecticut?

Mr. BORAH. I yield.

Mr. BINGHAM. The Senator has been here so much longer than most of us that I should like to ask him for an interpretation of the words "shall have jurisdiction of." That is an unusual phrase, and I think it is not used in the rules regarding committees.

Mr. BORAH. I suppose it means, of course, that the special committee shall have authority primarily to deal with legislation which has been denominated "emergency relief legislation."

Mr. BINGHAM. If this committee is to have that jurisdiction, then, would it be within the province of a single Senator introducing a bill to ask that it be referred to another committee?

Mr. BORAH. I hardly think so.

Mr. NORRIS. Mr. President, I do not believe there is any disagreement in the Senate as to what we desire to do. I think there is no Senator who is opposed to any proposition that will give a fair opportunity for the consideration of any measure proposing relief in the unemployment situation and in relation to kindred matters. In that connection let me say that, of course, the Senator from Oklahoma is moved by the very highest and loftiest of motives. He desires to have one committee consider all such measures. A special committee that is appointed ordinarily has some particular thing in view; usually it is something that does not properly come within the jurisdiction of a standing committee already in existence. There is now no such condition existing, as I understand. In so far as I know, no measure for relief has been proposed and perhaps none will be proposed but that peculiarly and properly will come within the jurisdiction of some standing committee of the Senate. Unless I believed that the standing committee to which such measure was to be referred when introduced was not in sympathy with it and therefore perhaps, unconsciously or otherwise, might not do what we believed to be its duty in expediting the consideration of the measure referred to it, I would not feel justified in voting for the creation of a special committee to take charge of that matter.

I repeat that, so far as I know, and so far as I have heard, there is no proposition for relief except on a subject upon which we now have standing committees. No one suggests and no one thinks that any one of the standing committees to which any measure of that kind may be referred is out of sympathy with what the Senator from Oklahoma wants to accomplish. It seems therefore to me that while his intentions are, of course, the very best, he is going to injure the cause that he is trying to forward by the advocacy of the adoption of this resolution.

It is perfectly apparent that there will be, if the idea of the Senator from Oklahoma shall be carried out, a great deal of confusion. He says that measures already introduced and already before standing committees providing for various measures of relief will remain where they are unless the author of a particular bill wants to have its reference changed, and that when a new measure is introduced the author of the bill and the Presiding Officer will decide to what committee it shall be referred.

I desire to call the attention of the Senate to the fact that while these references are made more or less loosely by the Presiding Officer and also by the introducer of a bill or resolution, the fact always remains that in the end, if the point is raised by any Member of the Senate, it is within the jurisdiction of the Senate itself to decide which committee shall have jurisdiction of any particular bill or resolution that may be introduced. I think we shall continually be operating under the confusion and disagreement of honest minds trying to do the same thing, but having different ideas as to how it should be accomplished, as to whether a committee should be discharged and the matter referred to this special committee. On the face of the resolution it seems to me it is imperative to refer it to this committee if the Senate would comply with the resolution, as I assume it would

whenever its attention was called to any bill or resolution. On the face of the resolution this committee would have exclusive jurisdiction; and it would be the duty of the Chair, or of the Senate if it made the reference, to refer to the special committee these resolutions that have already been introduced or that may be introduced in the future.

Mr. COPELAND. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from New York?

Mr. NORRIS. I yield.

Mr. COPELAND. There do come times when it is very difficult to know where to send a bill. For instance, this morning I introduced a bill which relates to surplus material which is being put on the market by the Navy Department, the War Department, and the General Supply Committee. It has seemed to me that when we are seeking to build up our manufactures and to give employment it is no time for the Government to flood the market with cheap material. I had that bill referred to the Committee on Commerce because that is the committee that has to do with business in a sense; and yet, after all, it relates to the Navy Department, and the Army, and various branches of the Government. That is a measure that might very properly be considered by the committee proposed by the Senator from Oklahoma, and yet which could not well be considered by any one of the standing committees of the Senate.

Mr. NORRIS. The Senator raises a question upon which honest minds could very well honestly differ, as to what committee should have that bill. That would be true of any committee. In the end, if the point is raised, the Senate will pass on it. In my judgment, the Senator's bill ought to be referred either to the Committee on Military Affairs or to the Committee on Naval Affairs; but somebody else may think differently. If any Senator did think differently and wanted to raise the point, he could make the motion, and it would be in order, that it be referred to any committee he might name in his motion, and the Senate would have to pass on it.

The question might arise, on a bill that would be introduced, whether it was emergency legislation within the meaning of the resolution which the Senator from Oklahoma has introduced; and Senators would disagree as to whether that committee ought to have jurisdiction of that particular bill. If the point is raised, the Senate will have to pass on it, and its judgment will be final. I think the same thing would be true of every bill and every resolution.

Mr. President, the illustration has been given here of a bill having some relief provisions pertaining to agriculture. We have a standing Committee of the Senate on Agriculture, presided over by the Senator from Oregon [Mr. McNARY]. Nobody questions the sincerity of that committee or its loyalty to all agricultural subjects. It has been in existence for years. Members have been on that committee for a period—in one instance I happen to know—of 18 years. They become familiar with the operations, the jurisdiction, and the business that is done by that committee. It seems to me that if I were introducing a bill providing for the relief of agriculture I would rather have it go to that committee than to a special committee.

The same thing would be true if any Senator should introduce a bill to provide for a large amount of public building. We have a Public Buildings Committee, composed of men who are familiar with the details of that kind of work. They have been working along that line for years. They are better qualified to pass on the subject than the rest of us; and the only excuse for taking such a bill away from that committee would perhaps be that the committee was out of sympathy with the particular resolution that some one wanted to get through or some bill that some Senator wanted passed; and if the Senate felt that way, it could send the bill to some other committee.

It seems to me that it is going to add to confusion if we pass this resolution. It is going to retard speedy action upon the various bills and resolutions that may come before us.

Mr. FLETCHER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Florida?

Mr. NORRIS. I do.

Mr. FLETCHER. Mr. President, I gathered when the Senator introduced the resolution, from the remarks he made at that time, that he had in mind this language in the President's message. On page 5, he says:

> I have canvassed the departments of the Government as to the maximum amount that can be properly added to our present expenditure to accelerate all construction during the next six months, and I feel warranted in asking the Congress for an appropriation of from $100,000,000 to $150,000,000 to provide such further employment in this emergency. In connection therewith we need some authority to make enlarged temporary advances of Federal highway aid to the States.
>
> I recommend that this appropriation be made distributable to the different departments upon recommendations of a committee of the Cabinet and approval by the President.

When the Senator offered the resolution I had an idea that he had in mind making this distribution as recommended by the committee which he provides for in his resolution, in connection with any other legislation that might be passed, rather than to have this extra emergency fund distributed by a committee of the Cabinet. I may be in error about that, but I supposed that was what he had in mind.

Mr. THOMAS of Oklahoma. Mr. President, if I may answer the question——

Mr. NORRIS. Yes; I yield to the Senator from Oklahoma.

Mr. THOMAS of Oklahoma. I did not have in mind the disposition of that $100,000,000 or the $150,000,000. I made the statement at that time that if $100,000,000 should be given for relief purposes, that would only be at the rate of 81 cents per capita. If we should give $150,000,000, that is at the rate of $1.20 per capita to the entire population. While I realize that the entire population will not need relief, taking the figures from reliable estimates that there are 40,000,000 of our people that are in need of relief—8,000,000 unemployed, allowing 5 to a family, makes 40,000,000—even if we take that estimate, $100,000,000 only means $2.50 per capita, and $150,000,000 means $3.75 per capita.

My idea is that to get results we should have one committee made up, for example, of the chairmen or the ranking members of the great committees like Finance, Appropriations, Agriculture, and Commerce, with perhaps the majority and minority leaders placed on this committee. As I understand, they are not on any regular committee. I think our leader is not. He could serve admirably and with great credit and effectiveness on this committee. As I said a moment ago, we have with us now the junior Senator from Pennsylvania [Mr. DAVIS], formerly Secretary of Labor. He could render great assistance on this committee.

I had only one purpose in view—to have the best committee appointed to survey the entire question, to see to it that every class of our people is taken care of.

Mr. NORRIS. Mr. President, let me refer first to what the Senator from Florida said. He referred to what the President said in his message about the President wanting these matters attended to by a committee of Congress and a committee of members of the Cabinet.

I do not suppose the Senator from Oklahoma was speaking about members of the Cabinet being on the committee. The Senator from Florida was of the opinion that perhaps the Senator from Oklahoma wanted to head off the proposition of having Congress provide for committees consisting of Members of the Senate and House and members of the Cabinet. I do not believe there is any danger of the Senate providing for committees composed partially of its Members and of members of the Cabinet. The committees of Congress can call members of the Cabinet before them whenever they desire to do so, and members of the Cabinet will always be given courteous treatment when they appear before any of the committees either in that way or upon their own request.

Perhaps we should not be misled by the suggestion of President Hoover about the appointment of committees. He has been appointing committees ever since he has been President; and he has more committees operating now than I could enumerate. They have been doing various things, some of them perhaps very useful things, and some of them, so far as any information I have is concerned, have not been doing very much; but these committees are in existence. President Hoover is becoming famous for referring every difficult question to some committee that he may pick up somewhere around the country.

It reminds me, Mr. President, of a little verse that a newspaper friend of mine composed and gave to me several months ago. I have changed it just a little, and I hope the change I have made will be satisfactory to its author. As it is changed, it runs like this:

Once to every man and nation
Comes the moment to decide,
In the strife of truth with falsehood,
For the good or evil side.
But the case presents no problem
To the White House engineer;
He appoints a big commission
To report some time next year.

So, Mr. President, I do not want to get into the habit of appointing numerous and miscellaneous committees to take up these matters when we already have provided by the rules sufficient committees that understand this work, and I think can do it more expeditiously.

Mr. WATSON. Mr. President, while we all cheerfully concur in the sentiment that the Senator from Oklahoma [Mr. THOMAS] has been actuated by the highest motives in the introduction of this measure, yet, after all that has been said, it must be clear to everybody that it would result in very great confusion and probably in retarding the promotion of the enterprise we all have in mind—namely, the relief of unemployment in the country. I think that after all that has been said we ought to be willing to refer the resolution of the Senator from Oklahoma to the Committee on Rules, and I therefore so move.

The PRESIDENT pro tempore. That motion may not be entertained, because the resolution is not before the Senate. The question is on agreeing to the motion of the Senator from Oklahoma that the Senate proceed to its consideration.

The motion was rejected.

WELFARE OF MOTHERS AND INFANTS

Mr. JONES. Mr. President, I move that the Senate proceed to the consideration of Senate bill 255, for the promotion of the health and welfare of mothers and infants, and for other purposes. I desire to say that if this motion is carried it is not expected to press the bill to-day. I understand that it is the desire to adjourn over until Monday.

Mr. NORRIS. Mr. President, may I ask the Senator from Washington a question?

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Nebraska?

Mr. JONES. Certainly.

Mr. NORRIS. I should like to ask the Senator whether his suggestion that he is not going to press the bill means that next week, if we adjourn until Monday, the bill will not be taken up and hurried along with reasonable speed to final disposition?

Mr. JONES. Oh, no; I did not mean that. I meant that the bill would not be pressed this afternoon. I expect to make it the unfinished business and press it as rapidly as possible.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Washington.

Mr. PHIPPS. Mr. President, as I understand the motion, the bill referred to is a bill similar to a law which was formerly in operation, the life of which had been extended from year to year for perhaps two years at a time, and when the matter was up the last time for extension a vote was had which continued the operation of the law for a period of two years, as I recall it, but with the definite understanding that if that agreement were entered into not again would the Congress be called upon to enact similar legislation.

The measure to which I have just referred was always handled by the Committee on Education and Labor, of which I hapened to be a member for some years. The bill now sought to be brought before the Senate, as I understand it, was referred, when introduced, to the Committee on Commerce, which to my mind was an incorrect reference to begin with.

I feel that the reopening of that question at this time, asking the Senate to pass upon that character of legislation, is going back upon an understanding and agreement which was definitely arrived at on the floor of this Chamber.

I hope the motion to take up the bill and make it the unfinished business will be disagreed to.

Mr. GOFF. Mr. President, as the chairman of the steering committee I should like to state that yesterday the matter of taking up the bill proposed by the Senator from Washington was considered, and there was no objection offered by the committee to the Senator proposing to take up the bill as the unfinished business next Monday. I promised the Senator that I would make this statement upon the floor of the Senate.

Mr. BINGHAM. Mr. President, will the Senator yield for a question?

Mr. GOFF. I yield.

Mr. BINGHAM. I should like to ask the distinguished Senator from West Virginia, the chairman of the committee, whether members of the committee were aware of what happened here when there was before the Senate two or three years ago the measure referred to a moment ago by the Senator from Colorado, when it was made the unfinished business. It was considered for several days, we got into a night session, and there were still a good many speeches to be made in opposition, when the proponents of the measure came before those who were conducting the opposition and stated that if we would withdraw the opposition and permit the bill to be passed, and the bureau created thereby, and its activities to be continued for one year longer, they would make no further effort to continue the legislation.

The original idea was that the bureau was to be a temporary matter to last for five years, but it had been continued from year to year. We were in a position at that time to defeat the legislation. The proponents came before us in the middle of the night, a conference was held, the telephone was used, Members at the other end of the Capitol were informed of the situation, the principal proponents of the bill outside of the Capitol were consulted, and they agreed that there would be no further effort made to continue the legislation, provided we would continue it for a year or two longer.

Mr. ROBINSON of Arkansas and Mr. JONES addressed the Chair.

The PRESIDENT pro tempore. To whom does the Senator from West Virginia yield?

Mr. BINGHAM. I am asking the Senator from West Virginia a question, as to whether these matters were brought to the attention of his committee?

Mr. GOFF. I will say, in answer to the question of the Senator from Connecticut, that the matters to which he refers were not discussed by the committee. Several members of the committee were present who were members of the committee at the time to which the Senator from Connecticut makes reference, and I know that I myself had in mind and knew somewhat generally, but not in detail, as the Senator has stated them, the facts of the case.

Mr. FESS. Mr. President, will the Senator yield to me?

Mr. BINGHAM. In just a moment. The Senator has yielded to me and I have not finished.

I wanted to ask the Senator from West Virginia whether he consulted the present Vice President, who was at that time the majority leader on this side, and who was conversant with the agreement then made?

Mr. GOFF. I did not, but I did consult with the floor leader on the Republican side, who was present at the time the conference was held.

Mr. FESS. Mr. President, will the Senator yield to me?

Mr. GOFF. I yield to the Senator from Ohio.

Mr. FESS. My recollection is that there was opposition to the consideration of the legislation at the time referred to, and, as the Senator from Connecticut has stated, the opponents were in a situation where they could prevent a vote. It was reported to me that some agreement had been made that if they permitted the law to stand for two years more, that would be the end of it. I recall very distinctly that statement made by the Senator from Utah.

I raised the question at that time as to who entered into any such agreement, and the Senator from Washington made the same inquiry. I recall very distinctly that he would not be held to any kind of an agreement about which he knew nothing, and that was the situation in which I found myself. I knew nothing about any agreement of any sort except as was stated by the junior Senator from Utah, and I asked at the time he made the statement by what authority the agreement was made. How can any agreement of that kind be entered into to bind a future Congress?

Mr. JONES. Mr. President, will the Senator from West Virginia yield to me?

Mr. GOFF. I yield.

Mr. JONES. I simply wanted to say that there was some talk of an agreement. I was not attending any midnight meeting, or anything of the kind. I expressly stated on the floor of the Senate that I would not be bound not to press this matter in the future.

Mr. BINGHAM. Mr. President, if the Senator from West Virginia will yield to me, I recollect perfectly that the Senator from Washington, and I think the Senator from Ohio—I believe the RECORD will show this to be a fact—both stated at that time that they were not bound by the agreement. They had taken no part in the discussion, as far as I can recollect.

The senior Senator from Texas [Mr. SHEPPARD] was in charge of the measure. It was the Senator from Texas who came to us and proposed that if we were willing to let the measure go along for a year or two more than the law then provided there would be no further effort made to continue this particular kind of legislation.

That was the understanding we had, and the present Vice President was a party to that agreement. Of course, it did not control the Senate. I was asking the chairman of the steering committee, representing the Republican Members, whether they had had that agreement brought to their attention, because it seemed to me rather strange that a Republican steering committee, in view of the arrangement then entered into, should put this bill on their preference list and ask for its present consideration.

I recognize the fact that when the measure was introduced this time, the Senator from Washington introducing it, exercising his prerogative as a Senator, asked that it be referred to the Committee on Commerce instead of to the Committee on Education and Labor, where maternity legislation had previously been referred, very appropriately, and where it had been considered for years. That struck me as a rather remarkable thing to do. I have not been able to understand why maternity was a matter of commerce. But undoubtedly the Senator had the right to make that request. That was his committee.

The bill was promptly reported out, and the Senator is now pressing for its consideration. But before we vote to take it up I wanted to bring to the attention of the Senate the fact that we fought this matter out two or three years ago. The junior Senator from Utah, I am sure, will bear me out that we fought this matter out on the floor, and it was not our idea to enter into any compromise; it was the idea of the proponents of the legislation, who came to us and said, "If you will let this matter go through, it will not be brought up again." They said that after consulting with their Representatives in the House and those who represented this legislation outside the Halls of Congress.

The Senator from Washington and the Senator from Ohio cleared themselves immediately, and are entirely in order in supporting the legislation at this time, but there was that agreement made by the proponents of the legislation, which they promptly paid no attention to, and in the very next Congress approached the committee in the House and the committee in the Senate in an effort to secure additional legislation, after they had agreed not to do so.

Mr. GOFF. Mr. President, I want to reply, just in one word, to the Senator from Connecticut. The Senator from Connecticut will agree that a promise of legislation in futuro would not be binding upon a Congress that did not then exist.

Mr. BINGHAM. I so stated.

Mr. GOFF. That was one of the things which, I might say, we had sub silentio in mind when we were discussing this question yesterday.

Mr. COPELAND. Mr. President, I remember very well the discussion which took place in the Senate when this matter was up before. I have occasion to remember it because of the tongue lashing I had from the then Senator from Missouri, Mr. Reed. I do not regard anybody bound except the Senator from Texas. He is bound not to bring up the bill again. But certainly nobody who took part in the discussion of the bill on the occasion referred to felt that he was bound to vote against a proposal which makes for the good of humanity whenever it might be presented.

As far as I am concerned, as one who took part in the debate at the time, I am here to say that I think this is a very meritorious matter, that it makes for the good of the families of America, it is life-saving to the mothers, it is life-saving to the babies, and whether there was any obligation placed upon a single Senator or not each will fight it out with his conscience, but as far as I am concerned, as one who was in the battle at the time, I am not bound by anything which happened then to stand against a measure so important as this when it comes up in this particular way.

Mr. SHEPPARD. Mr. President, my proposal was, so far as I recollect the matter, that I would not endeavor to extend the legislation at the time of its expiration. The legislation expired by virtue of its own terms on June 30, 1929. It has been inoperative now for a year and a half. I made no effort at the time it expired to renew it. I consider, therefore, that I complied with my obligation, and I do not feel that I am obligated to oppose the legislation now.

Mr. KING. Mr. President, in view of the reference made to myself by the senior Senator from Ohio [Mr. FESS], I feel justified in making a brief statement on the matter under discussion. Senators will recall that when the so-called maternity act was first brought to the attention of Congress those who were advocating the measure declared that it was not intended that the law should extend beyond a period of five years. Evidently they recognized that under our form of government the States have exclusive jurisdiction and control over their domestic affairs, and that the care of children and questions relating to maternity come within the supervision and control of the sovereign States. They pleaded, however, for the measure referred to upon the theory that some of the States were not sufficiently interested in the matter involved, and that if the Federal Government for a limited period would make an appropriation to be matched by the States, the latter at the expiration of the Federal-aid period would go forward without any further aid from Congress. If they had demanded a measure that was to fasten upon the Federal Government as a national policy the provisions of the bill, it is quite certain it would not have been passed, but under the plea that the bill was only temporary and that it would expire by limitation at the end of five years, it became a law. The opponents of the bill regarded it not only as unwise but as unconstitutional; they believed it to be an invasion of the rights of the States and a covert attempt to place the control of the children of the people under some bureaucratic Federal organization.

During the discussion of the bill the charge was made, as I recall, that the measure was not only socialistic but that it

found support in measures which were in force in Bolshevik Russia and which were brought to the attention of other countries by Madame Kollontoy, one of the most active of the soviet leaders. There were some, however, who supported the measure who were not so modest in their requests and who demanded legislation that would provide maternity hospitals throughout the United States and doctors and nurses to care for mothers and children. Under this scheme the Government was to spend millions annually to erect hospitals and to have an army of nurses and doctors, all of whom where to be under civil service and were to be paid liberally out of the Treasury of the United States. This view, however, was rejected and the bill as it became a law was materially narrowed in its provisions and, as stated, was limited to a period of five years.

Before the expiration of the five years, however, those who had proposed the legislation began an agitation for further legislation. The matter was referred to the Committee on Education and Labor of the Senate, as stated by the Senator from Colorado [Mr. PHIPPS]. That committee, after examining the question, reported a measure which was in the nature of a compromise and which continued the provisions of the bill for a further period of two years. When the bill came to the floor of the Senate it was debated at considerable length, and during the discussion, when it was obvious that the bill would not pass, an understanding was reached by the advocates and opponents of the bill. I recall that I had the floor and was speaking in opposition to the bill when I was informed that an understanding had been reached by the contending forces, under the terms of which, if opposition were withdrawn and the bill permitted to pass, no further efforts would be made to renew it or to extend its life or to obtain like legislation. When this information was conveyed to me I yielded the floor and the bill was passed. I understood, as did other Senators, that there would be no further effort to secure legislation of the character contained in the bill. It is certain that the opposition to the bill would have continued and the measure would have been defeated had it not been for the agreement which was reached.

Mr. BROOKHART. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Iowa?

Mr. KING. I am glad to yield to my friend.

Mr. BROOKHART. I wish to say to the Senator from Utah that I made no such agreement as that and there was no Senator who had any authority to make any such agreement to bind me.

Mr. KING. I did not charge that the Senator from Iowa made such an agreement. I am not arguing now that if the Senator had made such an agreement he would be precluded from supporting any measure that he saw fit. I am merely stating what my understanding was of the situation at that time. It is certain that the bill would have been killed then if it had not been for that agreement then entered into.

But the life of the measure was prolonged for two years. Now, after it was prolonged for two years, an effort is being made not only to revive it for two or four years more but to fasten upon the country a permanent system of Federal interference with the rights of the States. I hope the motion will not prevail.

While I have the floor I desire to call the attention of the Senator from Connecticut [Mr. BINGHAM] to a bill providing for the deportation of seamen, which was passed before adjournment last session. A motion to reconsider was made and is still pending. The motion was not acted upon before adjournment and, as stated, is still pending. I desire to give notice to the Senator from Connecticut and to the Senate that at the earliest possible moment I shall ask to take up that motion and have it disposed of. I do not desire to disregard the rights of the Senator or discommode him, but feel that this matter should be disposed of.

The PRESIDENT pro tempore. The question is on agreeing to the motion submitted by the Senator from Washington [Mr. JONES].

The motion was agreed to; and the Senate proceeded to consider the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes, which had been reported from the Committee on Commerce without amendment.

EXECUTIVE SESSION

Mr. McNARY. I move that the Senate proceed to the consideration of executive business in open executive session.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. Reports of committees are in order.

Mr. BINGHAM. From the Committee on Finance I report the nomination of Elwyn T. Clark, of Connecticut, to be collector of customs for customs collection district No. 6, for the calendar.

The PRESIDENT pro tempore. The report will be placed on the Executive Calendar.

Mr. PHIPPS. From the Committee on Post Offices and Post Roads I submit reports of nominations for the calendar.

The PRESIDENT pro tempore. The reports will be placed on the Executive Calendar.

WILLIAM N. DOAK

The PRESIDENT pro tempore. The clerk will state the first business on the calendar.

The Chief Clerk announced the nomination of William N. Doak, of Virginia, to be Secretary of Labor, vice JAMES J. DAVIS, resigned.

Mr. WATSON. I ask unanimous consent for the present consideration of the report.

The PRESIDENT pro tempore. Is there objection?

Mr. COUZENS. I do not like to object, and I do not object because of the individual nominated, but I think we ought to have a rule that these nominations be placed on the calendar so we may know what is going to come up.

The PRESIDENT pro tempore. The report will go to the printed Executive Calendar.

The Senate resumed legislative session.

WELFARE OF MOTHERS AND INFANTS

Mr. JONES. Mr. President, the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes, I understand stands as the unfinished business?

The PRESIDENT pro tempore. It does.

ADJOURNMENT TO MONDAY

Mr. McNARY. I move that the Senate, as in legislative session, adjourn until Monday at 12 o'clock noon.

The motion was agreed to; and the Senate (at 4 o'clock and 7 minutes p. m.) adjourned until Monday, December 8, 1930, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate December 4 (legislative day of December 3), 1930

SECRETARIES IN THE DIPLOMATIC SERVICE

The following-named persons to be secretaries in the Diplomatic Service of the United States of America:

J. Kenly Bacon, of Massachusetts.
Edward P. Borden, of New York.
Homer M. Byington, jr., of Connecticut.
Theodore S. Cleveland, of Ohio.
Everett F. Drumright, of Oklahoma.
F. Russell Engdahl, of Washington.
Daniel Gaudin, jr., of Pennsylvania.
John Hubner, 2d, of Maryland.
Tevis Huhn, of New Jersey.
Alfred W. Jones, of New York.
J. Wesley Jones, of Iowa.
Reginald S. Kazanjian, of Rhode Island.
Nathaniel Lancaster, jr., of Virginia.
F. Ridgway Lineaweaver, of Pennsylvania.
Cecil B. Lyon, of New York.

Leslie G. Mayer, of California.
Walter P. McConaughy, of Alabama.
Joseph E. Newton, of Pennsylvania.
John B. Ocheltree, of New Jersey.
Maurice Pasquet, of New York.
Charles B. Perkins, of Rhode Island.
Arthur L. Richards, of California.
Donald H. Robinson, of New Jersey.
Frank A. Schuler, jr., of Michigan.
Allan C. Taylor, of New York.
Laurence W. Taylor, of California.
Clare H. Timberlake, of Michigan.
Leo Toch, of New York.
Ralph Townsend, of New York.
Arnold Van Benschoten, of Rhode Island.
Gerald Warner, of Massachusetts.
Lee Worley, of Washington.
Kenneth J. Yearns, of the District of Columbia.
Charles W. Yost, of New York.

VICE CONSULS OF CAREER

The following-named persons to be vice consuls of career of the United States of America:

J. Kenly Bacon, of Massachusetts.
Edward P. Borden, of New York.
Homer M. Byington, jr., of Connecticut.
Theodore S. Cleveland, of Ohio.
Everett F. Drumright, of Oklahoma.
F. Russell Engdahl, of Washington.
Daniel Gaudin, jr., of Pennsylvania.
John Hubner 2d, of Maryland.
Tevis Huhn, of New Jersey.
Alfred W. Jones, of New York.
J. Wesley Jones, of Iowa.
Reginald S. Kazanjian, of Rhode Island.
Nathaniel Lancaster, jr., of Virginia.
F. Ridgway Lineaweaver, of Pennsylvania.
Cecil B. Lyon, of New York.
Leslie G. Mayer, of California.
Walter P. McConaughy, of Alabama.
Joseph E. Newton, of Pennsylvania.
John B. Ocheltree, of New Jersey.
Maurice Pasquet, of New York.
Charles B. Perkins, of Rhode Island.
Arthur L. Richards, of California.
Donald H. Robinson, of New Jersey.
Frank A. Schuler, jr., of Michigan.
Allan C. Taylor, of New York.
Laurence W. Taylor, of California.
Clare H. Timberlake, of Michigan.
Leo Toch, of New York.
Ralph Townsend, of New York.
Arnold Van Benschoten, of Rhode Island.
Gerald Warner, of Massachusetts.
Lee Worley, of Washington.
Kenneth J. Yearns, of the District of Columbia.
Charles W. Yost, of New York.

FOREIGN SERVICE OFFICERS

UNCLASSIFIED

The following-named persons to be Foreign Service officers, unclassified, of the United States of America:

J. Kenly Bacon, of Massachusetts.
Edward P. Borden, of New York.
Homer M. Byington, jr., of Connecticut.
Theodore S. Cleveland, of Ohio.
Everett F. Drumright, of Oklahoma.
F. Russell Engdahl, of Washington.
Daniel Gaudin, jr., of Pennsylvania.
John Hubner, 2d, of Maryland.
Tevis Huhn, of New Jersey.
Alfred W. Jones, of New York.
J. Wesley Jones, of Iowa.
Reginald S. Kazanjian, of Rhode Island.
Nathaniel Lancaster, jr., of Virginia.
F. Ridgway Lineaweaver, of Pennsylvania.
Cecil B. Lyon, of New York.
Leslie G. Mayer, of California.
Walter P. McConaughy, of Alabama.
Joseph E. Newton, of Pennsylvania.
John B. Ocheltree, of New Jersey.
Maurice Pasquet, of New York.
Charles B. Perkins, of Rhode Island.
Arthur L. Richards, of California.
Donald H. Robinson, of New Jersey.
Frank A. Schuler, jr., of Michigan.
Allan C. Taylor, of New York.
Laurence W. Taylor, of California.
Clare H. Timberlake, of Michigan.
Leo Toch, of New York.
Ralph Townsend, of New York.
Arnold Van Benschoten, of Rhode Island.
Gerald Warner, of Massachusetts.
Lee Worley, of Washington.
Kenneth J. Yearns, of the District of Columbia.
Charles W. Yost, of New York.

VICE GOVERNOR OF THE PHILIPPINE ISLANDS

George Charles Butte, of Texas, to be Vice Governor of the Philippine Islands.

UNITED STATES CIRCUIT JUDGE

J. Whitaker Thompson, of Pennsylvania, to be United States circuit judge, third circuit. (Additional position.)

JUDGE OF THE UNITED STATES CUSTOMS COURT

David H. Kincheloe, of Kentucky, to be a judge of the United States Customs Court, to succeed George E. Weller, retired. (Mr. Kincheloe is now serving under a recess appointment.)

UNITED STATES MARSHALS

Thomas J. Kennamer, of Alabama, to be United States marshal, northern district of Alabama. (He is now serving in this office under an appointment which expired June 30, 1930.)

Charles D. Jones, of Alaska, to be United States marshal, division No. 2, District of Alaska. (He is now serving in this office under an appointment which expired June 30, 1930.)

Lynn Smith, of Alaska, to be United States marshal, division No. 4, District of Alaska. (He is now serving in this office under an appointment which expired February 16, 1930.)

Fred S. Pulver, of New York, to be United States marshal, eastern district of New York, to succeed August Ferrand, appointed by the court. (Mr. Pulver is now serving under a recess appointment.)

James C. McGregor, of Pennsylvania, to be United States marshal, western district of Pennsylvania. (He is now serving in this office under an appointment which expired April 13, 1930.)

RECORDER OF THE GENERAL LAND OFFICE

Mrs. Emma L. Warren, of Idaho, to be recorder of the General Land Office, vice Mrs. Mabel P. LeRoy, resigned.

APPOINTMENT, BY TRANSFER, IN THE ARMY

TO AIR CORPS

Second Lieut. Ezekiel Wimberly Napier, Quartermaster Corps (detailed in Air Corps), with rank from June 13, 1929.

PROMOTIONS IN THE ARMY

To be colonels

Lieut. Col. John Royden Kelly, Infantry, from December 1, 1930.

Lieut. Col. Edward Raynsford Warner McCabe, Field Artillery, from December 1, 1930.

Lieut. Col. William Gustin Ball, Quartermaster Corps, from December 1, 1930.

To be lieutenant colonels

Maj. James Macdonald Lockett, Infantry, from December 1, 1930.

Maj. Jesse Cyrus Drain, Infantry, from December 1, 1930.

Maj. Alexander Wheeler Chilton, Infantry, from December 1, 1930.

Maj. Charles Henry Rice, Infantry, from December 1, 1930.

To be majors

Capt. Joseph Ware Whitney, Infantry, from December 1, 1930.

Capt. Peter Paul Salgado, Infantry, from December 1, 1930.

Capt. Guy Griswold Cowen, Infantry, from December 1, 1930.

Capt. Myron Gilbert Browne, Infantry, from December 1, 1930.

Capt. Pier Luigi Focardi, Corps of Engineers, from December 1, 1930.

To be captains

First Lieut. Clifford Cameron Nutt, Air Corps, from November 26, 1930.

First Lieut. Harry George Rennagel, Infantry, from November 27, 1930.

First Lieut. Everett Roscoe Stevens, Quartermaster Corps, from December 1, 1930.

First Lieut. Harry Samuel Fuller, Quartermaster Corps, from December 1, 1930.

First Lieut. Isaiah Davies, Air Corps, from December 1, 1930.

First Lieut. Arthur William Vanaman, Air Corps, from December 1, 1930.

First Lieut. Franklin Otis Carroll, Air Corps, from December 1, 1930.

First Lieut. Frederick William Evans, Air Corps, from December 1, 1930.

First Lieut. Oliver Edward Cound, Quartermaster Corps, from December 1, 1930.

First Lieut. David Nathaniel Hauseman, Ordnance Department, from December 1, 1930.

First Lieut. George Lincoln Townsend, Signal Corps, from December 1, 1930.

First Lieut. Edwin Yancey Argo, Field Artillery, from December 1, 1930.

To be first lieutenants

Second Lieut. Raymond Cecil Conder, Field Artillery, from November 26, 1930.

Second Lieut. Ralph Frederick Bartz, Infantry, from November 26, 1930.

Second Lieut. James Wentworth Clinton, Infantry, from November 27, 1930.

Second Lieut. Arthur Bliss, Field Artillery, from December 1, 1930.

Second Lieut. William Holmes Wood, Cavalry, from December 1, 1930.

Second Lieut. John William Black, Field Artillery, from December 1, 1930.

Second Lieut. Lucien Eugene Bolduc, Infantry, from December 1, 1930.

Second Lieut. Alfred Boyce Devereaux, Field Artillery, from December 1, 1930.

Second Lieut. Paul Maurice Seleen, Signal Corps, from December 1, 1930.

Second Lieut. Henry Ewell Strickland, Coast Artillery Corps, from December 1, 1930.

Second Lieut. Wilmer George Bennett, Field Artillery, from December 1, 1930.

Second Lieut. Arthur Charles Boll, Signal Corps, from December 1, 1930.

Second Lieut. Clifford Palmer Bradley, Air Corps, from December 1, 1930.

Second Lieut. Hubert Merrill Cole, Field Artillery, from December 1, 1930.

HOUSE OF REPRESENTATIVES

THURSDAY, DECEMBER 4, 1930

The House met at 12 o'clock noon.

The Rev. Walter John Sherman, D. D., of the Temple Methodist Church, San Francisco, Calif., offered the following prayer:

Father of all mercies, generation after generation rises and passes away before Thee. Age after age, generations seek Thee and we seek Thee. Our fathers asked of Thee wisdom and power and abundant grace and Thou gavest it unto them. Impart to us, we pray, and to this Congress and to our Nation that confidence in Thy keeping power that alone can give to us the spiritual sufficiency to match this hour. Not as a God who giveth us benefits alone but as the God who daily beareth the burden of our lives, be Thou to us our uttermost resource. In simple trust we ask our prayer. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed, without amendment, bills and a joint resolution of the House of the following titles:

H. R. 4050. An act donating trophy gun to F. D. Hubbel Relief Corps No. 103, of Hillsboro, Ill.;

H. R. 7996. An act to change the name of Iowa Circle in the city of Washington to Logan Circle;

H. R. 10093. An act for the relief of Emmett Brooks;

H. R. 10341. An act to amend section 335 of the Criminal Code;

H. R. 12742. An act to amend the act entitled "An act to adjust the compensation of certain employees in the Customs Service," approved May 29, 1928;

H. R. 13035. An act to extend the times for commencing and completing the construction of a bridge across the Grand Calumet River at East Chicago, Ind.; and

H. J. Res. 333. Joint resolution to authorize an appropriation of $10,000 for the expenses of participation by the United States in the Ninth International Dairy Congress, Copenhagen, Denmark, 1931.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 1759. An act for the relief of Laura A. DePodesta; and

H. R. 10198. An act to repeal obsolete statutes and to improve the United States Code.

The message also announced that the Senate had passed bills, a joint resolution, and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 457. An act for the relief of the estate of Benjamin Braznell;

S. 896. An act to pay the Pioneer Steamship Co. the sum of $3,100.50, money paid as duty for repairs in foreign ports;

S. 899. An act authorizing the Treasurer of the United States to refund to the Farmers' Grain Co., of Omaha, Nebr., income taxes illegally paid to the United States Treasurer;

S. 3620. An act for the relief of the Fairmont Creamery Co., of Omaha, Nebr.;

S. 4018. An act for the relief of the Lebanon Equity Exchange, of Lebanon, Nebr.;

S. 4274. An act for the relief of Dr. Cooper Nicholson;

S. J. Res. 195. Joint resolution authorizing investigation of certain operations on cotton exchanges; and

S. Con. Res. 34. Concurrent resolution to pay the Sussex Trust Co. a sum equal to six months' compensation of the late Napoleon B. Hearn.

ADDRESS OF THE PRESIDENT OF THE UNITED STATES BEFORE THE AMERICAN BANKERS' CONVENTION

Mr. CHALMERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing the speech delivered by the President before the American Bankers' Association in Cleveland, October 2, 1930.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by printing the speech delivered by the President before the Bankers' Association in Cleveland. Is there objection?

There was no objection.

The address is as follows:

Members of the American Bankers' Association and guests, I am glad to meet with this assembly of representative bankers from every State and almost every county of our country. During the past year you have carried the credit system of the Nation safely through a most difficult crisis. In this success you have demonstrated not alone the soundness of the credit system but also the capacity of our bankers in emergency.

We have had a severe shock and there has been disorganization in our economic system which has temporarily checked the march of prosperity. But the fundamental assets of the Nation, the education, intelligence, virility, and the spiritual strength of our 120,000,000 people, have been unimpaired. The resources of our country in lands and mines are undiminished. Scientific discovery and invention have made further progress. The gigantic equipment and unparalleled organization for production and distribution are in many parts even stronger than two years ago.

Though our production and consumption has been slowed down to 85 or 90 per cent of normal, yet by the very fact of the steady functioning of the major portion of our system do we have the assurance of our ability and the economic strength to overcome the decline. The problem to-day is to complete the restoration of order in our ranks and to intensify our efforts to prevent such interruptions for the future.

And it is not a problem in academic economics. It is a great human problem. The margin of shrinkage brings loss of savings, unemployment, privation, hardship, and fear, which are no part of our ideals for the American economic system.

This depression is world-wide. Its causes and its effects lie only partly in the United States. Our country engaged in overspeculation in securities which crashed a year ago with great losses. A perhaps even larger immediate cause of our depression has been the effect upon us from the collapse in prices following overproduction of important raw materials, mostly in foreign countries. Particularly had the planting of rubber, coffee, wheat, sugar, and to a lesser extent cotton, expanded beyond world consumption even in normal times. The production of certain metals, such as silver, copper, and zinc, had likewise been overexpanded.

These major overexpansions have taken place largely outside of the United States. Their collapse has reduced the buying power of many countries. The prosperity of Brazil and Colombia has been temporarily affected from the situation in coffee; Chile, Peru, Mexico, and Australia from the fall in silver, zinc, and copper. The buying power of India and China, dependent upon the price of silver, has been affected. Australia, Canada, and Argentina have been affected by the situation in wheat; Cuba and Java have been depressed by the condition of the sugar industry; East India generally has suffered from the fall in rubber. These and other causes have produced in some of the countries affected some political unrest. These economic disturbances have echoed in slowed-down demand for manufactured goods from Europe and ourselves, with inevitable contribution to unemployment. But the readjustments in prices, which were also inevitable, are far along their course. Most of these commodities are below the level at which sufficient production can be maintained for the world's normal needs, and therefore sooner or later must recover.

Because the present depression is world-wide and because its causes were world-wide does not require that we should wait upon the recovery of the rest of the world. We can make a very large degree of recovery independently of what may happen elsewhere.

I should like to remind you that we did precisely that thing in 1922. We were then experiencing the results of the collapse of war inflation in all commodities and in every direction. We had less organized cooperation between the business community and the Government to help mitigate that situation. The rest of the world was in chaos from the war far more menacing both to economic and political stability than anything confronting us to-day. Our difficulties at that time were far more severe than they are at present. The commercial banks particularly were sufferers from a large volume of frozen credits and enjoyed nothing to compare with the comfortable liquidity that prevails to-day. We then had overexpansion and large stocks in most commodities; to-day with one or two exceptions we are free from this deterrent. But we led the world in recovery. It was our independent recuperation from that depression, and the economic strength which we so liberally and largely furnished to other countries, that was the very basis for reconstruction of a war-demoralized world.

We are able in considerable degree to free ourselves of world influences and make a large measure of independent recovery because we are so remarkably self-contained. Because of this, while our economic system is subject to the shock of world influences, we should be able, in large measure, to readjust ourselves. Our national production is over one-third of the total of the whole commercial world. We consume an average of about 90 per cent of our own production of commodities. If, for example, we assume a restored normal home consumption and held even our present reduced basis of exports, we should be upon a 97 per cent of normal business basis. Even this illustration does not represent all of our self-contained strength.

We shall need mainly to depend upon our own strong arm for recovery, as other nations are in greater difficulty than we. We shall need again to undertake to assist and cooperate with them. Our imports of commodities in the main depend upon our domestic prosperity. Any forward movement in our recovery creates a demand for foreign raw materials and goods and thus instantly reacts to assist other countries the world over.

I wish to take your time to discuss some of the pivotal relationships of the bankers, not only to the immediate problem of recovery but to the wider problem of long-view business stability. Any discussion of the one involves the other.

Before I enter upon that subject, however, I wish to say that no one can occupy the high office of President and conceivably be other than completely confident of the future of the United States. Perhaps as to no other place does the cheerful courage and power of a confident people reflect as to his office. There are a few folks in business and several folks in the political world who resent the notion that things will ever get better and who wish to enjoy our temporary misery. To recount to these persons the progress of cooperation between the people and the Government in amelioration of this situation, or to mention that we are suffering far less than other countries, or that savings are piling up in the banks, or that our people are paying off installment purchases, that abundant capital is now pressing for new ventures and employment, only inspires the unkind retort that we should fix our gaze solely upon the unhappy features of the decline. And, above all, to chide the pessimism of persons who have assumed the end of those mighty forces which for 150 years have driven this land further and further toward that great human goal—the abolition of intellectual and economic poverty—is perhaps not a sympathetic approach. Nevertheless, I always have been, and I remain, an unquenchable believer in the resistless, dynamic power of American enterprise. This is no time—an audience of American leaders of business is no place—to talk of any surrender. We have known a thousand temporary setbacks, but the spirit of this people will never brook defeat.

Our present situation is not a new experience. These interruptions to the orderly march of progress have been recurrent for a century. And apart from recovery from the present depression, the most urgent undertaking in our economic life is to devise further methods of preventing these storms. We must assure a higher degree of business stability for the future.

The causes advanced for these movements are many and varied. There is no simple explanation. This is not an occasion for analysis of the many theories such as too little gold or the inflexible use of it. Whatever the remote causes may be, a large and immediate cause of most hard times is inflationary booms. These strike some segment of economic life somewhere in the world, and their reechoing destructive results bring depression and hard times. These inflations in currency or credit, in land or securities, or overexpansion in some sort of commodity production beyond possible demand even in good times—may take place at home or abroad—but they all bring retribution.

The leaders of business, of economic thought, and of government have for the last decade given earnest search into cause and remedy of this sort of instability. Much has already been accomplished to check the violence of the storms and to mitigate their distress. As a result of these efforts the period of stable prosperity between storms is longer, the period of storm is shorter, and the relief work far more effective. But we need not go beyond our situation to-day to confirm the need for further effort.

The economic fatalist believes that these crises are inevitable and bound to be recurrent. I would remind these pessimists that exactly the same thing was once said of typhoid, cholera, and smallpox. If medical science had sat down in a spirit of weak-kneed resignation and accepted these scourges as uncontrollable visitations of Providence, we should still have them with us. This is not the spirit of modern science. Science girds itself with painstaking research to find the nature and origin of disease and to devise methods for its prevention. That should be our attitude toward these economic pestilences. They are not dispensations of Providence. I am confident in the faith that their control, so far as the causes lie within our own boundaries, is within the genius of modern business.

We have all been much engaged with measures of relief from the effect of the collapse of a year ago. At that time I determined that it was my duty, even without precedent, to call upon the business of the country for coordinated and constructive action to resist the forces of disintegration. The business community, the bankers, labor, and the Government have cooperated in wider-spread measures of mitigation than have ever been attempted before. Our bankers and the reserve system have carried the country through the credit storm without impairment. Our leading business concerns have sustained wages, have distributed employment, have expedited heavy construction. The Government has expanded public works, assisted in credit to agriculture, and has restricted immigration. These measures have maintained a higher degree of consumption than would have otherwise been the case. They have thus prevented a large measure of unemployment. They have provided much new employment. Our present experience in relief should form the basis of even more amplified plans in the future. But in the long view the equally important thing is prevention. We would need have less concern about what to do in bad times if we discovered and erected in good times further safeguards against the excesses which lead to these depressions.

American business has proved its capacity to solve some great human problems in economics. The relation between employer and employee has here reached a more stable and satisfactory basis than anywhere else in the world. We have largely solved the problem of how to secure the consumption of the gigantic increase of goods produced through that multiplication of per capita production by the application of science and the use of labor-saving devices. That solution has been attained by sharing the savings

in production costs between labor, capital, and the consumer, through increased wages and salaries to the worker, and decreased prices to the consumer with consequent increased buying power for still more goods. Every step in that solution is a revolution from the older theories of business.

We may safely assume that our economic future is safe so far as it is dependent upon a competent handling of problems of productivity. But one result is to render further advance toward stability even more urgent, because with higher standards of living the whole system is more sensitive and the penalties of instability more widespread.

There is no one group of which the public expects so much in assuring stability as the bankers, because in the vortex of these storms many values lose their moorings. Nor can any other group contribute so much in constructive thought and action to solve the problem either to-day or in the long run.

Three most important relationships to these business movements lie in the banker's field. The first is what, for lack of better terms, we call psychology—both that contagious overoptimism which accelerates the inflation of the boom and those depths of fear and pessimism which deepen and prolong the depression. The American banker has come to occupy a unique position in the strategy of stability, for he is the economic adviser of American business. He is the listening post of economic movement. He, in large measure, makes or tempers its psychology.

I do not suppose the banker has consciously sought this new function of general adviser, but such he has become. His business is no longer the simple function of discounting commercial bills and lending money on first mortgages. That is to-day but part of his work. These days, when he establishes a line of credit to a business, or furnishes loans upon securities of a business, or advises investment in a business, he must know the elements which make for success and failure of that business. And he must form judgment as to the future trend of business in general. On the other side, the American business man, big and little, the farmer, and the labor leader are coming more and more to consult with the banker on problems of his business. Whatever the origin of his position may be, the banker is now the economic guide, philosopher, and friend of his customers, and his philosophy can dampen our enthusiasm and equally it can lift our courage and hope.

The second point of the banker's unique position in relation to business trends lies in the part which credit plays in the whole business process. Obviously during the inflationary period the use of credit for unwise expansion and speculation draws away the supply of credit from normal business. It imposes upon normal business an interest rate which strangles the orderly commerce of the country. Commerce sickens under this pressure, its pace slackens and contributes to collapse. Therefore, I wish to emphasize what has long been recognized; that is, that the flow of credit can accelerate and it can retard such movements. Equally a wise direction of credit provides a large contribution to recovery from depressions.

The third reason why this is so much a banker's problem is that banking is the one great line of business activity that is in itself interconnected. Each credit institution shares the credit burdens of others and all are largely coordinated through national organization—the Federal reserve system.

The reserve system and its member banks and the Treasury participation in fact form a widespread cooperative organization, acting in the broad interest of the whole people. To a large degree it can influence the flow of credit. Bankers themselves are represented at each stage of management. And in addition the various boards and advisory committees represent also industry, agriculture, merchandising, and the Government. The reserve system therefore furnishes an admirable center for cooperation of the banking business with the production and distribution industries and the Government in the development of broad and detached policies of business stability.

You have gained much experience from the two great crises of recent years. I trust you will seriously and systematically consider what further effective measures can be taken either in the business world or in cooperation with the Government in development of such policies, both for the present depression and for the future. I know of no greater public service. It is a service to every business man, to every farmer, to every worker, whether at the desk or bench. I am not assuming you can do it all, or that all disturbance, domestic or foreign, can be wholly prevented or cured.

The Government should cooperate. It plays a large part in the credit structure of the country. Its fiscal system has most important bearings. For instance, I believe an inquiry might develop that our system of taxes upon capital gains directly encourages inflation by strangling the free movement of land and securities.

The regulatory functions of the Federal and State Governments also have a bearing on this subject through their effect upon the financial strength of the railways and utilities. During a period of depression the soundest and most available method of relief to unemployment is expansion of public works and construction in the utilities, railways, and heavy industries. The volume of possible expansion of construction in these private industries is about four or five times that in public works. During the present depression these industries have done their full part, but especially the railways have been handicapped by some provisions of the transportation act of 1920. With wider public vision the railways could be strengthened into a greater balance wheel of stability. We have need to consider all of our economic legislation, whether banking, utilities, or agriculture, or anything else, from the point of view of its effect upon business stability.

I have never believed that our form of government could satisfactorily solve economic problems by direct action—could successfully conduct business institutions. The Government can and must cure abuses. What the Government can do best is to encourage and assist in the creation and development of institutions controlled by our citizens and evolved by themselves from their own needs and their own experience and directed in a sense of a trusteeship of public interest. The Federal reserve is such an institution.

Without intrusion the Government can sometimes give leadership and serve to bring together divergent elements and secure cooperation in development of ideas, measures, and institutions. That is a reenforcement of our individualism. It does not cripple the initiative and enterprise of our people by the substitution of government.

Proper cooperation among our people in public interest, and continuation of such institutional growths, strengthen the whole foundation of the Nation, for self-government outside of political government is the truest form of self-government. It is in this manner that these problems should be met and solved.

I wish to revert to the influence of the bankers, through encouragement and leadership, in expedition of our recovery from the present situation. You have already done much, and at this juncture the responsibility of those in control of money and credit is very great. Without faith on your part and without your good offices the early return to full prosperity can not be accomplished. This depression will be shortened largely to the degree that you feel that you can prudently, by counsel and specific assistance, instill into your clients from industry, agriculture, and commerce a feeling of assurance.

We know that one of the prerequisites of ending a depression is an ample supply of credit at low rates of interest. This supply and these rates are now available through the cooperation of the banks and the Federal reserve system.

The income of a large part of our people is not reduced by the depression but it is affected by unnecessary fears and pessimism, the result of which is to slacken the consumption of goods and discourage enterprise. Here the very atmosphere of your offices will affect the mental attitude and, if you please, courage, of the individuals who will depend upon you for both counsel and money. Many, perhaps all of you, have been through other periods of depression. Those of you who have had occasion to review the experience of the past will, I believe, join in the thought that there comes a time in every depression when the changed attitude of the financial agencies can help the upward movement in our economic forces.

I started with the premise that this question of stability was much more than a problem in academic economics—it is a great human problem, for it involves the happiness of millions of homes. A continued unity of effort, both in our present situation and in establishing safeguards for the future, is the need of to-day. No one can contribute more than our banking community.

It appears from the press that some one suggested in your discussion that our American standards of living should be lowered. To that I emphatically disagree. I do not believe it represents the views of this association. Not only do I not accept such a theory, but, on the contrary, the whole purpose and ideal of this economic system which is distinctive of our country is to increase the standard of living by the adoption and the constantly widening diffusion of invention and discovery amongst the whole of our people. Any retreat from our American philosophy of constantly increasing standards of living becomes a retreat into perpetual unemployment and the acceptance of a cesspool of poverty for some large part of our people.

Our economic system is but an instrument of the social advancement of the American people. It is an instrument by which we add to the security and richness of life of every individual. It by no means comprises the whole purpose of life, but it is the foundation upon which can be built the finer things of the spirit. Increase in enrichment must be the objective of the Nation, not decrease.

In conclusion, I would again profess my own undaunted faith in those mighty spiritual and intellectual forces of liberty, self-government, initiative, invention, and courage which have throughout our whole national life motivated our progress and driven us ever forward. These forces, which express the true genius of our people, are undiminished. They have already shown their ability to resist this immediate shock. Any recession in American business is but a temporary halt in the prosperity of a great people.

ADDRESS OF HON. FREDERICK W. DALLINGER

Mr. LUCE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting an address delivered by my colleague, Hon. FREDERICK W. DALLINGER.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LUCE. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address delivered by my colleague, Hon. FREDERICK W. DALLINGER,

June 15, 1930, at Watertown, Mass., on the occasion of the three hundredth anniversary of the First Parish Church in that town, it being the second church established in the colony of the Massachusetts Bay in New England:

THE RELIGIOUS SPIRIT OF THE PURITANS

Beneath those rugged elms, that yew-tree's shade,
Where heaves the turf in many a mould'ring heap,
Each in his narrow cell for ever laid,
The rude forefathers of the hamlet sleep.

The breezy call of incense-breathing morn,
The swallow twitt'ring from the straw-built shed,
The cock's shrill clarion, or the echoing horn,
No more shall rouse them from their lowly bed.

For them no more the blazing hearth shall burn,
Or busy housewife ply her evening care;
No children run to lisp their sire's return,
Or climb his knees the envied kiss to share.

Thus sang the poet Gray almost two centuries ago of the forefathers of a small hamlet in old England, and so he might have written of the first settlers of this old historic town of New England, whose mortal remains lie buried in the ancient cemetery at East Watertown.

But although almost three centuries have elapsed since they rested from their labors and passing through the valley of the shadow of death, fearing no evil, entered the gates of the eternal city, it may truly be said of them as it was said of them of old time, "Their works do follow them." Ridiculed and despised by the great and powerful of their own day and generation and caricatured by the thoughtless and evil-minded of every generation since, no mightier men ever lived than these English yeomen who founded this historic town and church. Mighty in thought, their ideas of government still inspire mankind, and in the light of their example men and nations everywhere have established their institutions. Mighty in deed, their descendants and the descendants of the early Puritan settlers of the other towns of this old historic Commonwealth conquered the wilderness and carried their ideals of Christian civilization and representative government from the Atlantic to the Pacific. As an eminent divine of the Puritan faith has truly said:

"We can not understand the times in which we live, interpret the movements and problems of modern Christendom, or appreciate the meaning of our flag, until we make the acquaintance of this immortal company of intrepid souls by whose genius the world has been re-created."

The outstanding characteristics of the New England Puritan were his iron sense of duty, his willingness to work, and his practical good sense in carrying out what he conceived to be his mission in the world. His task, as Theodore Roosevelt graphically described it, was "to conquer a continent; not merely to overrun it, but to settle it, to till it, to build upon it a high industrial and social life; and while engaged in the rough work of taming the shaggy wilderness, at that very time also to lay deep the immovable foundations of our whole American system of civil, political, and religious liberty—achieved through the orderly process of law. This was the work allotted him to do; this is the work he did; and only a master spirit among men could have done it."

But how was it possible for this small band of middle-class Englishmen to accomplish this mighty task? The answer is to be found in the reading of the covenant of Watertown Church. Listen:

"We whose names are hereto subscribed, having, through God's mercy, escaped out of the pollutions of the world * * * have undertaken, for the promoting of His glory and the church's good * * * a long and hazardous voyage from east to west, from old England in Europe to New England in America, that we may walk before Him without fear, in holiness and righteousness, all the days of our lives; * * * humbling ourselves before the Lord, to seek Him, and at His hands a way to walk in, by fasting and prayer, that we might know what was good in His sight; and the Lord was entreated of us."

Here we have the source of the power which made it possible for these men and their contemporaries to accomplish their mighty work in the world. And it has always been so. In every age men who have been willing to put themselves in a receptive attitude and to seek first the Kingdom of God and His righteousness, have been granted a vision of the King in His beauty and have been inspired by that vision to the performance of what appeared to the world to be impossible of human accomplishment. Thus it was with Noah, with Abraham, with Moses, and the Hebrew prophets. It was because of power from on high that the little band of unlearned Jewish peasants and fishermen in that upper room in Jerusalem were able to change the whole course of human history.

And so it was with the Puritan founders of this church and town, as it was with their brethren who founded the other churches and towns of the Massachusetts Bay Colony whose tercentenary we are celebrating in this year of grace 1930. For more than a century their form of government was a theocracy, and it was because of that fact—because to them religion was the all-important thing in life—that they received the power to accomplish what they did for us, for our country, and for mankind.

To the writers of the sacred Scriptures God was so transcendently glorious that it is impossible for human pen to describe Him, and that was the God that the Puritans worshipped and to whom they prayed. To the question, "What is God?" the answer in their catechism was: "God is a spirit, infinite, eternal, and unchangeable in His being, wisdom, power, holiness, justice, goodness, and truth." Moreover, the Puritans' God was a God that spoke to them like the prophets of old. "Thus saith the Lord," they cried as they went forth to subdue the wilderness. To them His message was recorded in the Bible and in order to be able to read and understand it the people must be educated, and so next to the church they established the public school. Their first ministers of the Gospel had received a college education in England and, fearing that when they passed away the people would be confronted with an illiterate ministry, they founded Harvard College and other colleges throughout New England. And we must not forget that it is to the Puritans' burning desire that they and their descendants should know and understand God's word that we owe our educational institutions, of which we in Massachusetts and New England are so justly proud.

Like St. Paul, the Puritans were afraid of only one thing, and that was that they might not be worthy to stand before God at the day of judgment. It is told of Rev. John Cotton that on his deathbed he said: "Draw the curtains and leave me alone; I would speak for a while to the King."

From this conception of God as a perfect being who spoke to men and to whom men could speak in prayer, in the case of the Puritans as with the Apostles, there came a sublime courage that has never been surpassed. There was no antagonist, however powerful, whom they hesitated to fight and no suffering or hardship, however severe, from which they shrank. The Puritan, with all his faults, was the incarnation of heroic courage, and, along with this dauntless courage, there went a deep and lasting hatred of falsehood. Above everything else, the Puritan despised dishonesty and the slightest deviation from truth and duty. In short, these men and women whom we honor to-day were good living men and women because they feared God in the true sense of the word and tried to keep His commandments. By constant prayer and mediation throughout their lives they kept in touch with the eternal and stored-up reservoirs of spiritual power for themselves and their descendants.

It has always been a mystery to me that so many of these descendants fail to comprehend the reality of the things of the spirit which to their ancestors were the all-important things in human life. One of these descendants, a political friend of mine, who was a great admirer of Abraham Lincoln, said to me a number of years ago that he couldn't understand how so great a man as Lincoln could have been so foolish as to pray to God. "Why," I said to him, "it was Lincoln's reverent reading of the sacred Scriptures and his constant habit of prayer that were the sources of the power which made him the great man he was and enabled him to do his great work in the world."

As another example of the reality of this spiritual power let me cite an example from my own experience. Phillips Brooks, that great nineteenth-century prophet of righteousness and a direct descendant of Rev. George Phillips, the first minister of this very church, was one of the preachers to the university when I was a student at Harvard. Once a year he conducted one of the regular monthly meetings of the St. Paul's Society, an organization composed of Episcopalian students. At one of these meetings I sat beside a fellow student of wealthy parents, who had evidently phid little attention to the things pertaining to religion since he left his church preparatory school and who had the reputation of being very "wild." Doctor Brooks conducted a short service from the prayer book and then gave us a wonderful address, followed by one of the most beautiful extemporaneous prayers I have ever heard. As we left the meeting together the student to whom I have referred was silent for quite a while and then, turning suddenly to me, he said, "Gee, when you were in the room with that man you not only couldn't do anything wrong but you couldn't think anything wrong." The reason for it was that, like his Puritan ancestor, Phillips Brooks so walked and talked with God that he radiated spiritual power wherever he went and left a lasting impression on his day and generation.

My friends, it is a splendid thing for us to commemorate the founders of this old church and town, but after all it is of little value if we heed not the lessons their noble lives would teach us. They were poor as the world counts riches, but they made multitudes of descendants rich with the wealth of a noble inheritance. If we listen, and who can doubt that they are here with us to-day in spirit, we can hear them say to us, "Why do you lay so much stress on worldly wealth and power and so little upon Christian character? Why is there so much open disregard of the laws of God and man? What shall it profit a man if he shall gain the whole world and lose his own soul? We, your predecessors, were able to walk, imperfectly perhaps at times, in the straight and narrow way only by the power which comes from prayer to God and by the study of His sacred Word, and for that reason we established our church and college and had our family devotions. We left behind us a reservoir full to overflowing with spiritual power. If you, through neglect, have permitted it to be depleted, then replenish it by the same means by which we filled it, so that we may see realized in you the lofty purpose which we had in mind when we founded this church; and that through its beneficent influence you may receive from on high, as we did, the power of an endless life."

"Severe they were; but let him cast the stone
Who Christ's dear love dare measure with his own.
Their strict professions were not cant nor pride.
Who calls them narrow, let his soul be wide!
Austere, exclusive—aye, but with their faults,
Their golden probity mankind exalts.

They never lied in practise, peace, or strife;
They were no hypocrites; their faith was clear;
They feared too much some sins men ought to fear;
The lordly arrogance and avarice,
And vain frivolity's besotting vice;
The stern enthusiasm of their life
Impelled too far and weighed poor nature down;
They missed God's smile, perhaps, to watch His frown.
But he who digs for faults shall resurrect
Their manly virtues born of self-respect.
How sum their merits? They were true and brave;
They broke no compact and they owned no slave;
They had no servile order, no dumb throat;
They trusted first the universal vote;
The first were they to practise and instil
The rule of law and not the rule of will;
They lived one noble test: who would be freed
Must give up all to follow duty's lead."

TREASURY AND POST OFFICE APPROPRIATION BILL

Mr. WOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14246, the Treasury and Post Office appropriation bill. Pending that motion, I would like to make some arrangement as to time.

Mr. BYRNS. I will say to the gentleman that I have several requests, but some of the gentlemen who made the requests have already notified me they do not want any time, and some of the gentlemen have not come in as yet. I think if the gentleman will just let the matter run along we can probably get through on this side in two hours or two hours and a half, and I will promise the gentleman to do what I can to bring that about.

Mr. WOOD. Then, Mr. Speaker, I ask unanimous consent that general debate be not limited at this time, but that it be divided equally between the two sides, the gentleman from Tennessee [Mr. BYRNS] to have charge of one-half of the time on that side and I to have charge of one-half of the time on this side.

The SPEAKER. The gentleman from Indiana moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Treasury and Post Office Departments appropriation bill, and, pending that, asks unanimous consent that for to-day general debate be equally divided and controlled between himself and the gentleman from Tennessee. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, can the House be informed, with any reasonable degree of accuracy, when we will commence the reading of the bill?

Mr. WOOD. My judgment is that there will not be much reading of the bill to-day, but we do want general debate to close to-day.

Mr. TILSON. We will probably read the first paragraph of the bill to-day.

Mr. STAFFORD. Then it is the understanding that only the first paragraph of the bill will be read to-day?

Mr. TILSON. Yes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Indiana.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Treasury and Post Office Departments appropriation bill, with Mr. MICHENER in the chair.

The Clerk reported the title of the bill.

Mr. BYRNS. Mr. Chairman, I yield 20 minutes to the gentleman from Illinois [Mr. ARNOLD].

Mr. ARNOLD. Mr. Chairman, ladies and gentlemen of the committee, I want to take a short time this morning to discuss some of the provisions of the bill that is pending before us, and I shall confine my remarks to some features of the post office division of the bill.

From the Cost Ascertainment Report for the fiscal year ending June 30, 1930, we find that there is a distributable loss of postal expenses over receipts of $98,448,782.80.

There are several items that go to make up this loss that are not chargeable to the operating deficit of strictly postal functions. The impression seems to be prevailing in some sections of the country that a great portion of the loss in the Post Office Department is due to the franking privilege of Members of Congress. I want to call your attention to the fact that under this Cost Ascertainment Report the revenue equivalent of the franked matter for Members of Congress is but $718,060, as against a distributable loss of $98,448,782.80, less than 1 per cent, or about 0.7 of 1 per cent of this total distributable loss. I call your attention to the following items that contribute to this deficit:

	Revenue equivalent	Expense	
Distributable loss			$98,448,782.80
Penalty matter for branches of the Government other than the Post Office Department, including free registration	80,347,505.60		
Franked matter for:			
1. Members of Congress	718,060.00		
2. Others than Members of Congress	154,545.00		
Total franked matter	872,605.00		
Publications going free in county	753,263.00		
Free mail for the blind	63,779.00		
Differentials in second-class postage favoring religious, educational, scientific, philanthropic, agricultural, labor, and fraternal organizations	414,388.00		
Excess cost of airplane service over the postage revenues derived from air mail		$13,863,174.10	
Differentials favoring vessels of American registry		14,355,004.20	
Nonproductive and extraordinary items	11,451,840.00	28,218,178.30	39,669,718.30
Net operating deficit exclusive of nonproductive and extraordinary items			58,779,064.41

By deducting these nonproductive and extraordinary items from the total loss distributable there is still a loss you will observe of $58,779,064.41.

It is the last two items I want to discuss particularly. First, the air mail service. Last year we appropriated $15,000,000 for inland air service. This year that amount has been raised to $20,000,000, but we are advised by the post-office authorities that they are confronted with a deficiency of four and a half million dollars for inland air mail, which will be presented to the Congress later for attention in a deficiency bill.

At the last session of Congress we passed what is known as the Watres bill. The bill was designed for the purpose of authorizing and empowering the Postmaster General to give a subsidy or subvention to private concerns engaged in air transportation for the development of commercial aviation.

Our domestic and foreign air mail combined for 1930 shows a net loss to the Government of $13,863,174.10, out of a total expenditure of $19,468,778.58. This shows the price that we are paying for the development of commercial aviation. I am not inclined to criticize for subsidizing commercial aviation to a reasonable extent. Congress has heretofore voted almost unlimited authority to an executive department of the Government and by voting a lump-sum appropriation to the Post Office Department puts into the hands of the Postmaster General full and complete power and authority over these subsidies as to the beneficiaries and amounts.

The only limitation in existing law is with respect to the price per pound for carrying domestic air mail, which is limited, under the Watres bill, so that it can not exceed $1.25 per mile for weight space of 1 cubic foot, equivalent to 9 pounds of air mail.

Under this law, as it is, in changing from the poundage basis to the space basis and authorizing and empowering the Postmaster General to make these contracts and these awards without limit, we have opened the doors of the Treasury to this department, and Congress seems to have no alternative in making the appropriations.

In matters of the character and importance of granting subsidies and subventions to private interests the Congress ought to control the purse strings.

There was a limit in the Watres bill providing that new contracts could not be entered into by the Postmaster General for the establishment of new routes after the 1st day of July, 1931, but there is nothing in that law, it appears, that will prevent the Postmaster General from issuing certificates increasing the frequency of air mail on routes already established, and thereby adding to the subvention from year to year.

In speaking as I do, I am not finding any fault with the Postmaster General and I am not imputing bad motives to him or to the department, but, gentlemen, in my judgment, this is entirely too much power and authority to put in the hands of any one man.

Last year, with an appropriation of $15,000,000, we find that the department has entered into contracts that will produce a deficiency of four and a half million dollars; in fact, there is no limit to which the Postmaster General may not go in contracting with private interests, in excluding others, or in the amount of money he may obligate the Congress to make appropriations for.

Of course, you may say that it is up to the Appropriations Committee and to the House to determine the amount of money they will authorize for subsidies or subventions of this kind. This is true in a limited sense only. With the Postmaster General having full and complete power and authority to contract, when he enters into contracts if the Congress fails or neglects or refuses to make the appropriations, the holder of that contract may go into the Court of Claims and sue the Government for the damages that may accrue by reason of the failure of the Government to carry out its part of the contract.

Mr. O'CONNELL. Will the gentleman yield?

Mr. ARNOLD. I yield.

Mr. O'CONNELL. Do I understand my friend to make the statement that the Postmaster General has entered into contracts that create a deficit of $4,500,000?

Mr. ARNOLD. It was so stated by the Post Office Department.

Mr. O'CONNELL. Where did he get the authority?

Mr. ARNOLD. Under the so-called Watres bill passed at the last session, wherein the Congress gave him full and complete authority to establish new rates and make contracts with concerns engaged in developing commercial aviation; the Post Office Department itself says that carrying the mail is a secondary consideration.

Mr. O'CONNELL. What becomes of the contracts if the House of Representatives, the Appropriations Committee, does not go along with him on these contracts?

Mr. ARNOLD. If Congress should not go along with the Postmaster General after he has entered into the contracts, of course there would be no money available to pay the contractors. Then the contractor would be at liberty to go before the Court of Claims and bring suit against the Government, and of course the contractor would recover.

No secret is made of the fact that the primary object of this law is the development of commercial aviation, and my contention is that in the development of commercial aviation by subventions Congress itself should determine the extent of the subsidy, and not some executive department of the Government.

Here is another angle I want particularly to call your attention to. This is for the purpose of developing commercial aviation—putting men or the people in the air. During the last six months they say something like 200,000 commercial passengers have been carried in the air. As we develop commercial aviation we are taking passengers off the railroads and putting them into the air, and reducing the revenues of the railroads to that extent. We are doing it through a direct Government subsidy. If developed, as predicted, the loss of railroad passengers will soon materially affect railroad revenues.

The bus lines have been developing in recent years to such an extent that they are likewise taking from the railroads many of their passengers and much of their freight, which means a reduction of revenue of the railroads. The bus lines of the country have their roadbed free of charge. They pay no amount of money to the Government, and but little to the States by way of license, for the privileges they enjoy.

Now, I want you to understand that I hold no brief for the railroads of the country, but if you stop and think just a moment, the transportation act of 1920, section 15 (a) of that act, gives the Interstate Commerce Commission power and authority to fix passenger and freight rates at such an amount as will give a fair net return to the railroads.

That fair net return has been fixed at 6 per cent. The railroads under the transportation act of 1920 are authorized to go to the Interstate Commerce Commission and ask that commission to fix their passenger and freight rates at such a figure as to give them a net profit of 6 per cent on their investment over and above the operating cost and charges.

This movement or policy of the Government in giving subsidies that act directly in taking from the railroads a part of their revenue is an invitation to the railroads of the country to go back to the Interstate Commerce Commission and ask for an increase in freight to enable them to earn the stipulated returns, and, of course, the burden of that increase of rates will fall upon the shippers of the country. The farmers of the country, whose welfare depends so much upon low freight rates in getting their commodities to and from the markets, will be the chief sufferers.

The agricultural interests in the end will bear the chief burden, because of the fact that under the transportation act of 1920 the Interstate Commerce Commission is authorized and empowered to fix freight and passenger rates at such a point as to make a net return of 6 per cent to the railroads of the country.

Where revenues of the railroads are lost they must be made up from some source, and the most available source for making up their revenues is by way of increased freight rates. I call attention to this matter, because I think that it is of such importance that it should be given careful consideration; but the underlying thought that I want to leave with you on this question of subventions for the development of commercial aviation and a merchant marine through the transportation of air and ocean mail is that we have opened the doors of the Treasury to the Post Office Department to allocate and make these subvention contracts with private interests to an almost unlimited extent.

Not only in inland air mail transportation but in our ocean mail contracts and in our foreign air mail contracts we find the same situation existing. We are told that in awarding contracts to the shipping interests for the carrying of our foreign mails the primary concern was the development of the merchant marine; that little consideration was given to the actual needs and necessities of establishing new routes from the standpoint of transporting our foreign mail. Under the system as it is now, and as it is being handled by the Post Office Department, when a new or an old line might want to build new ships or recondition old ships and want a favorable contract it would make known its desire to have a contract for carrying ocean mail to the Postmaster General. The Postmaster General would certify that to the Shipping Board. The Shipping Board would go into the question as to the kind and character and class of vessels, new or reconditioned, that would be desired, and then a subcommittee of the Department of Commerce and the Shipping Board and the Post Office Department would hold hearings and make a report, and the Postmaster General, under the Jones-White Merchant Marine Act, is empowered to make 10-year contracts, with the primary purpose of subsidizing a shipping line under the guise of a mail contract.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. BYRNS. Mr. Chairman, I yield 15 minutes more to the gentleman from Illinois.

Mr. ARNOLD. The only limit there is on the Postmaster General, so far as ocean mail is concerned, is as to price per mile. That rate varies from $1.50 to $12 per mile, dependent upon the speed and size of the ship. When they

reach a speed of 24 knots then they can increase that limit of $12 per mile to the extent of 50 cents per mile for every knot that the ship is capable of making in excess of 24.

There is nothing to prevent the Postmaster General from obligating this Government to any extent, except as to price limit, in making contracts for the carrying of this foreign mail, and it is immaterial whether any mail is carried or not. The contract simply provides a certain rate per mile that ship travels over the route, whether there is any mail for that route or not. We pay by way of subvention to the shipping interests of the country $14,355,004.29 more than we could have our mail carried for in other ships or competing lines. We should develop our merchant marine, but here you have a situation where an executive department of the Government is given the key to the Treasury, so far as the amount of subsidies that might be granted to those engaged in marine shipping is concerned. By this policy of our Government Congress is abandoning its constitutional functions and placing the matter into the hands of an executive department. I am aware of the fact that the executive departments of the Government must have a wide latitude in the conduct of the business of the particular departments, but I do not believe that any executive of any department of the Government should have the authority to determine the amount of subventions this Government should give to private business, and that is what we are doing under the Jones-White Merchant Marine Act, which gives the Postmaster General complete authority so far as making subventions to the merchant marine is concerned, and under the Watres Act so far as our inland mail is concerned.

I wanted to call attention to these matters particularly. This whole matter should be made the subject of careful thought and consideration—this whole matter of giving subsidies to private business. If it is determined that that should be handled through an executive department of the Government by a lump-sum appropriation and not under the direction of Congress, then Congress should require the most detailed report from the Postmaster General as to the contracts contemplated or entered into. No contracts in excess of appropriations authorized by Congress should be made. I wanted to call your attention to these matters and invite your most serious consideration. [Applause.]

The CHAIRMAN. The gentleman from Illinois yields back five minutes.

Mr. WOOD. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

The CHAIRMAN. The gentleman from Massachusetts is recognized for 10 minutes.

Mr. GIFFORD. Mr. Chairman and members of the committee, as chairman of the committee, I have been importuned so much in the last few days by the newspaper correspondents concerning the proposed constitutional amendment to remedy the so-called "lame duck" situation that I ought to say something about it very early in the session.

We intend to use every possible means to bring that amendment before the House at this session. I would like to emphasize that the House amendment raises a question much more important than the lame-duck matter. Some 10 years ago this lame-duck resolution emanated from another body. Our committee took the stand that if there was to be a constitutional amendment relating to the mechanics of elections, the whole matter ought to be gone into very carefully, so that when an amendment was presented to the people many serious questions that have been brought up from time to time ought to be considered.

We reported an amendment providing for the succession of the executive branch of the Government; that is, should the President or Vice President, or both, die or be disqualified between the time they are elected and the time when they were to be inaugurated, a catastrophe might happen to our Government. Congress should be given the authority to act in such a contingency.

That feature in the amendment is many more times important than that relating to the so-called lame-duck proposition. As a matter of fact, while I think and fully believe that the lame-duck proposition ought to be inserted, it is particularly difficult to set out where any session has been harmful and particularly odious to point out defeated legislators who have conducted themselves in a way harmful to needed legislation. But I do know that the sober, serious editorial thought of the Nation, as indicated through the clipping bureaus, shows that probably 90 per cent of such comment is favorable to eliminating this so-called "lame-duck" session of Congress.

In my opinion, it ought to be done. Such a demand must not go unheeded, and I do not believe that men who to-day stand defeated feel any too comfortable because in the mind of the country is the thought that they have been defeated and, in a sense, not properly with credentials to continue to legislate after the people have spoken by ballot at the polls.

We had a lengthy and informative debate on this subject about two years ago, lasting three days. This debate is now contained in a special public document. You will find therein much food for thought and more valuable than hearings on the subject. The first resolution came from the Committee on Agriculture of another body, having passed with little debate and consideration. Our committee was helped greatly by representatives of the American Bar Association and other persons interested and qualified to advise and assist. We reported to the House something that we thought would embrace the solution of other embarrassing questions and would be more acceptable to the Nation.

We incorporated the thought of the Norris amendment, so called. When the amendment came from the other branch into the House last year it was laid on the table because of a resolution pending to refer constitutional amendments to the Judiciary or to some special committee. We reported to the House the resolution which we had drafted, and we shall press for action as early as possible.

Mr. JOHNSON of Texas. Mr. Chairman, will the gentleman yield there?

Mr. GIFFORD. Yes.

Mr. JOHNSON of Texas. Has the gentleman any hope for the early consideration of that measure?

Mr. GIFFORD. I would hate to believe that Members of the House would have the temerity to prevent its coming up for discussion, considering the tremendous demand for its consideration throughout the country. This amendment carried in the House a couple of years ago by a large majority, but it did not get the necessary two-thirds vote.

It is only fair and proper that it should again be brought up for discussion, and especially at this time when the public is demanding it. It might as well be taken up now. When another Congress comes in, it will certainly take it up. Why not now?

Mr. TUCKER. Will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. TUCKER. Is the gentleman satisfied that what he is seeking to accomplish must be carried out by an amendment to the Constitution?

Mr. GIFFORD. Yes.

Mr. TUCKER. I am anxious to have the gentleman's views. I have read the gentleman's report and bill with great care and with great interest. I think the report is an exceedingly able one, but I think I can go further and say that I believe that every proposition in the amendment proposed by the gentleman, with the possible exception of one, can be enacted into law without an amendment of the Constitution.

Mr. GIFFORD. Exactly; and let me say that we all agree to that, but Congress would have to be called into session after the 4th of March and remain here during the summer season. No one wants to bring about that condition. That is the only way it can be done by legislation. We have debated it. While I appreciate very much the argument of the gentleman, I want to say that our committee last year and I personally several times waited upon the gentleman and urged him to come before our committee and

present his views so that they could be presented to the House in our report.

Our amendment differs from the one offered from the other body in two very vital principles. In our amendment there is a provision that if the election of President is thrown into the House of Representatives and the House is not able to agree by March 4, that the Vice President, who may have been elected by the Senate, should act as President only until the House did select. This other measure provided that if the House could not agree by the 4th day of March, the Vice President elected by the Senate should become President of the United States. All of those many serious questions presented to avert a catastrophe in our Government have been answered in the House amendment by giving Congress the power to act in these emergencies.

I repeat, this part of the resolution is vastly more important than the lame-duck feature of the amendment. But if we are going to present constitutional amendments to the people, why not present them together? Let us bring the resolution to the floor of this House, and if any portion of it should be defeated by amendment, well and good. The public will be more satisfied.

Other provisions in the House amendment differ from the one most recently sent from the other branch, especially as to dates of the commencement of the terms of both the Executive and the legislative branch of the Government. The resolution from the other branch provided that we should convene on the 2d day of January, and the President and Vice President should be inaugurated on January 15. In our amendment it is provided that we shall convene on January 4, and we shall not inaugurate the President until January 24, leaving 20 days for us to organize and count the ballots for President and Vice President, and if the election is thrown into the House, allow us ample time to act. Those are other very serious and important changes.

In reply to a constantly recurring question, "Is there any limitation on the second session of Congress provided in the amendment?" No. At present the second session of Congress must conclude at noon on March 4. Many prominent Members of Congress desire this limitation in our amendment, suggesting May 4 or June 4.

Two years ago we reported on a resolution with the limitation of May 4, but it was amended after long discussion by striking out, by a vote of more than 2 to 1, as I recall it. Having listened to the mandate of the House on that occasion, the proposed amendment now on the calendar does not have that limitation. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. SLOAN. I would like to ask the gentleman a few questions. Will the gentleman ask for more time?

Mr. WOOD. I yield five additional minutes to the gentleman from Massachusetts.

Mr. SLOAN. Will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. SLOAN. I would like to ask the Chairman of the Committee on Election of President, Vice President, and Representatives in Congress if it is not a fact that the committee held extensive hearings covering about 123 pages on this subject last spring?

Mr. GIFFORD. We did.

Mr. SLOAN. Permit me to ask the chairman to state whether or not any person belonging to another body of this Government appeared before that committee at that time and manifested any interest in the proceedings?

Mr. GIFFORD. They did not.

Mr. SLOAN. I note the chairman said that when this amendment was first brought to his attention 10 years ago, or 5 years ago, it came from the Committee on Agriculture of another body. Is that correct?

Mr. GIFFORD. That is correct.

Mr. SLOAN. Has the gentleman any information, or does the gentleman know why it was referred to the Committee on Agriculture in such other body, if it was so referred?

Mr. GIFFORD. I think it is generally known and conceded that the author of the resolution was the chairman of that particular committee.

Mr. SLOAN. Does the Chairman know and is he able to state from what brain came the peculiar designation "lame duck" applied to men or women who, from choice or mandate of the people were not reelected? Does the gentleman know in whose brain originated such an opprobrious term as "lame duck"?

Mr. GIFFORD. I do not know where it originated, and I, for one, am entirely out of sympathy with the designation.

Mr. SLOAN. In the hearings, was it not frequently asked of many persons who were interested if they could give any reason or had any opinion as to why any man who, from choice or by reason of defeat, was not to be a Member of the succeeding Congress was not as good a man on the floor of this House as any man reelected?

Mr. GIFFORD. I do not think there was anything presented in the hearings at any time which related to that phase of it. It is simply generally conceded that it is not the proper procedure, and that some time or other harm might come from it. It might be that on some occasion of very great importance some one, smarting under defeat and caring nothing for the future, might set himself in the way of some very important legislation.

Mr. SLOAN. Would not such a man be likely to be chastened by defeat and bettered by it? [Laughter.]

Mr. GIFFORD. I think the gentleman could answer that question better than I could answer it. [Laughter.]

Mr. LAGUARDIA. Will the gentleman yield?

Mr. GIFFORD. Yes.

Mr. LAGUARDIA. Is it not the real purpose, that in this age in which we are living, with quick methods of transportation and communication, to have the Members of the Congress take office shortly after the election and to legislate on the issues on which the election was determined?

Mr. GIFFORD. I will answer the gentleman by saying that undoubtedly that is true. However, if the gentleman read the editorial appearing in the Washington Post a day or two ago, he knows that it was stated in that editorial that great harm might result by having legislation enacted by those who were so recently only political campaigners and that it would not be well for such Members to immediately take office?

Mr. LAGUARDIA. Has the Washington Post considered the fact that when 13 months have expired and Congress is in session that on the eve of an election greater harm can be done?

Mr. GIFFORD. That might be true, but it is not right to suggest that a man elected to come to this House is not fit to take his seat and legislate immediately after he is elected. To suggest that such Member should wait for 13 months, I think, is an insult, no matter whether it might be true in individual cases or not.

Mr. STEVENSON. Will the gentleman yield?

Mr. GIFFORD. Yes.

Mr. STEVENSON. Is it not a fact that Congress has heretofore fixed the 5th of March to meet, and can not the Congress now fix the 5th of March after the election for the meeting of the new Congress, and is not that absolutely provided for in the Constitution?

Mr. GIFFORD. Absolutely. But, as I have explained over and over again, we would come here the 5th day of March, take up these appropriation bills and other business, and be compelled to remain here during the hot summer, and the country would most certainly suffer from legislation under such a condition. It is not practical.

Mr. STEVENSON. The gentleman does not hope to change the climate by reason of a constitutional amendment?

Mr. GIFFORD. No; but we expect to change the methods of legislation and place legislation on a higher plane than could possibly obtain by any such procedure as he suggests.

In closing, I again repeat that this succession idea, as carried in this amendment, is far more important than the other, and we must have a constitutional amendment to take care of it. In fact, every one of us should realize that this feature of the resolution is the real "milk in the coconut" of this amendment. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. ARNOLD. Mr. Chairman, I yield 30 minutes to the gentleman from Texas [Mr. JOHNSON].

Mr. JOHNSON of Texas. Mr. Chairman and members of the committee, I am glad that the time allotted to me immediately follows the discussion of the distinguished gentleman from Massachusetts [Mr. GIFFORD], who is chairman of the Committee on the Election of President and Vice President. I wish to talk about the same subject he has been discussing and of which his committee has jurisdiction.

The day before the congressional election last month I gave an interview to the press in which I stated that, regardless of whether the Democrats or the Republicans won, I sincerely hoped that this the last session of this Congress would initiate legislation that would hereafter abolish the short sessions of Congress, which are popularly known as lame-duck sessions of Congress.

I would like to say in the beginning, so that I may have a sympathetic hearing by those to whom that term might be offensive, that I have no desire whatever to speak aught about those who come within the category of lame ducks. My affectionate regard for them is such that I would not wound their feelings, and it is my observation that as a rule defeated or retiring Members are as patriotic after their defeat as before. I assert as a basis of my remarks that it is an unsound governmental policy which prevents a Congress from legislating until 13 months after its election.

I think the result of the recent election accentuates the need of this change. On the face of the returns we have 218 Republicans, 216 Democrats, and 1 Farmer-Labor elected to the House. In the other body we have 48 Republicans, 47 Democrats, and 1 Farmer-Labor, but, on account of the fact that the Seventy-second Congress will not convene until December 7, 1931, which is more than a year from this date, nobody knows which party will organize either body.

We can not tell, at this time, whether it will be Speaker LONGWORTH or Speaker GARNER. We can not tell whether the Senate will be organized by the Democrats or by the Republicans. Judging the future by the past material changes in the membership will occur before the Seventy-second Congress is organized.

During the last 12 months there have been a number of changes, by death or resignation, in the membership of this House. Within that time 13 Members of the House died and 4 resigned, making a total change of 17. In the Senate two Senators resigned and one died during the same period of time. So political control of the Seventy-second Congress seems to be a matter that will resolve itself into an endurance contest, and the longevity of the Democrats and the Republicans will determine who won the election last November. In a number of districts the election was exceedingly close, and there will likely be contests, but those contests can not be considered until the Seventy-second Congress is organized one year hence.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. JOHNSON of Texas. Yes.

Mr. O'CONNOR of New York. Does the gentleman think that any of the actuaries of any of the insurance companies can determine the relative longevity of Democrats and Republicans? [Laughter.]

Mr. JOHNSON of Texas. I do not know whether Lloyds would quote a rate on that or not, but I have always felt that the Democrats live longer than Republicans. [Laughter and applause.]

Mr. LINTHICUM. At least, it seems longer.

Mr. SLOAN. The good die young.

Mr. BYRNS. The gentleman knows who deserve to live longer.

Mr. JOHNSON of Texas. I am basing my belief on the doctrine of the final perseverance of the saints.

With this uncertainty that confronts us it appears to me that the result of the last election is a revelation that ought to commend to this House the need of this change, and I think it would be most appropriate to initiate it at this session, which may be called a lame-duck session of the Congress. It would mean that the membership of the House, whether they have been defeated or whether they did not run for reelection, are not influenced by self-interest, but for the good of the country they are willing to initiate legislation that would abolish for all time lame-duck sessions and make possible ascertainment of the result of congressional elections within a few months, and not a year after the election.

I listened to the query of my good friend and distinguished colleague from Virginia [Mr. TUCKER] for whom I have great affection and the highest regard, when he asked the gentleman from Massachusetts [Mr. GIFFORD] as to whether the change should be made by statute rather than by an amendment of the Constitution. Like the gentleman from Virginia [Mr. TUCKER], I am ordinarily opposed to making changes in the Constitution unless such is absolutely necessary. I think changing the Constitution, like entering into the holy bonds of matrimony, should not be lightly regarded. Statutes may be changed in a day, but our experience is that constitutional provisions prevail throughout the centuries.

Mr. O'CONNELL. Will the gentleman yield?

Mr. JOHNSON of Texas. Yes.

Mr. O'CONNELL. Does not the gentleman think the old Constitution has been patched enough now, and if we can accomplish this result without patching it again, would not that be better?

Mr. JOHNSON of Texas. I thoroughly agree with the gentleman from New York, but it is my judgment that this change can not be made effectively unless there is an amendment of the Constitution and I will point out in a moment my reasons for thinking that.

Possibly one reason we have not made this change sooner is because of our antipathy to making changes. We naturally are satisfied with conditions as they are, and we do not like to change them. I am somewhat that way myself. I inherited that disposition. But I think there are three outstanding reasons why there should be a change made in the sessions of the Congress.

The first one is that the Congress should convene sooner than 13 months after its membership is elected. Upon this proposition I think we are all agreed.

In the second place, I think that any session of Congress convening after a congressional election should be composed of Members chosen at that election.

In the third place, I think that the change should be made because, in case of a failure of the Electoral College to select a President and a Vice President, the choice of those officials under Article II, section 3, of the Constitution would devolve upon Congress, and I think that the Congress which is to discharge the important function of selecting for the people of the United States a President and a Vice President should be the Congress elected and voted upon at the same time that the candidates for President and Vice President were likewise voted upon.

There is no other office in the United States, and I dare say no other office in the world, where there is a postponement of 13 months after election before the official elected begins the performance of the chief function for which he was elected.

Our State legislatures ordinarily convene in January after the election in November, and I have heard no one complain that they did not have time within which to prepare and equip themselves to discharge their duties.

In all of the other leading countries of the world their legislative bodies convene in from 10 days to 3 months after the election.

Let me quote you a few of the facts which are contained in a speech I made upon this question when it was considered in the House two years ago.

In England the Parliament usually convenes in two or three weeks after the election.

In Canada there is no definite time fixed by law, but the time has generally been short, about the same as in England.

In France the Chamber of Deputies, in case of a new election, must convene within 10 days following the election.

The German constitution of August, 1919, provides that the Reichstag shall assemble for its first meeting not later than 30 days after the election.

In Hungary the date of assembling is within six weeks.

In Australia it is within 30 days after the day fixed for the return of the writs of election.

In Brazil the elections are held on the first Sunday in February, except that when they occur in the same year with election of president and vice president, they are to be held on the first of March, and the Congress must assemble on May 1. In the first case there is an interval of three months and in the second case an interval of two months.

In Argentina the elections take place on the first Sunday in March and the constitution requires the congress to meet on May 1, an interval of two months.

In the Netherlands the States-General must assemble within three months.

The Polish Parliament must convene on the third Tuesday after election.

You will observe, therefore, that in all the other leading governments of the world the Congress, or whatever their parliamentary body is called, convenes within from 10 days to 3 months following their election.

It is unthinkable that in the great Republic of the United States, where we boast of our representative government and our ability to achieve and accomplish things in much shorter time than any other nation on earth, there should be an enforced intermission of 13 months after the National Congress is elected before it is permitted to begin its labors.

There is no reason for this delay. The only excuse given by those who defend it is that cooling time may intervene so that Congress will not be impetuous or rash in the passage of legislation. This is an impeachment of our capacity for self-government. What the defenders of this system mean by "cooling time" is time within which to forget the promises and pledges of political parties and candidates, so that these may be violated with impunity. Representative government, to be effective, must be so framed that the people's will must be performed and not thwarted.

Another reason why Congress should convene sooner than 13 months after election is that a substantial portion of the term of those elected to the House of Representatives has expired before they are sworn in or begin their legislative duties.

The chief purpose for which these Members are chosen is to exercise legislative functions as Members of Congress. Now, a Member of the House is elected for two years, and while his term begins on the 4th of the next March after election, the Congress to which he has been elected does not assemble until the next December and three-eighths or nearly one-half of his term has expired before he begins to discharge any legislative function.

The terms of the members of the lower house in other countries are longer than in the United States, although, of course, in some of them the legislative body may be dissolved by the sovereign authority. In England, Canada, Italy, and Hungary the term of the members of the House of Commons, or lower branch, is five years. In France, Germany, Austria, Japan, Sweden, Belgium, the Netherlands, Chile, and Argentina, members of the lower house serve for four years; and in Finland, New Zealand, Australia, and Brazil three years.

The terms of our House Members are shorter, and yet their chief official duties do not begin until a year later than those of other countries. In fact, before our House Members begin their legislative duties the time is at hand when they must begin their campaign for reelection.

Now, the next question, and one that seems to give serious concern, is whether or not this change can be best made by a statute or whether it is necessary to have a constitutional amendment; and I wish to address myself briefly to that, because if it could be done by statute I should much prefer it to be done that way because I do not like to change the Constitution. I am aware that section 4, Article I, of the Constitution provides that Congress "shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day." The power to change the time of the sessions may be done by statute, but insuperable difficulties prevent.

I introduced in this House two bills, one providing for an amendment of the Constitution, and the other a change by statute, but in trying to make the change by statute I discovered four reasons why I think it could not be effectively done by statute, and why a constitutional amendment is required. I have read the bill introduced by the gentleman from Wisconsin [Mr. STAFFORD] and his bill encounters the same difficulties, which I shall point out.

REASONS STATUTORY CHANGE WILL NOT SUFFICE

If change in sessions of Congress is made by statute, rather than by constitutional amendment, then the terms of the Members of Congress will continue to begin and expire on March 4. If what is known as the lame-duck session is to be abolished, then the first session of the new Congress can not convene prior to March 4, and this will mean:

(1) That one of the annual sessions must begin subsequent to March 4, and will necessarily extend into the summer months, when the climate in Washington is not conducive to wholesome legislation.

(2) Those proposing change of the sessions by statute, in order to eliminate the lame-duck session, propose that the beginning of the sessions alternate—in the odd years subsequent to March 4, and in the even years prior to that date. Such a program would necessarily mean the lapsing of one session into that of the other, and instead of two separate sessions, it would be one long continuous session; or, in any event, the time between the two sessions would necessarily be exceedingly short.

(3) In addition to the alternating sessions mentioned, an extra session would be required every fourth year, after the presidential election, so that the votes cast in the Electoral College for President and Vice President may be canvassed, as provided in article 2, section 3, of the Constitution.

(4) The insuperable objection to changing the time of meeting of the sessions, and not the terms of the Members of Congress, is this: That if the election of President and Vice President devolves upon Congress, as provided in Article II, section 3 of the Constitution, then the old Congress and not the new will select the President and Vice President. If Congress is to exercise the important function of selecting the President and Vice President, such a choice should be made by a Congress whose membership was chosen at the same time the people voted upon the candidates for President and Vice President. Otherwise it is apparent that the result might be different.

Let me illustrate. If the congressional election of 1930, when a President is not voted upon, should be favorable to the Republican Party, and then two years later, in 1932, in the combined Presidential and congressional elections, the Democrats should control the House, and the vote for President should be so close that the Electoral College failed to select a President, and that duty should devolve upon the House, then, under existing law, the Republican Congress of 1930, which was defeated in 1932, would, subsequent to its defeat, select the President, presumably of their own party.

You can turn the illustration around and suppose that the Democratic Party won the House in 1930 and the Republicans won the House in 1932. Then the Democratic Congress that was elected in 1930 and defeated in 1932

would, subsequent to its defeat, select a Democratic President.

This is a denial of the right of the people, and should not be tolerated in a republican government, and any law that permits such a thwarting of the people's will should be changed, even though it require an amendment to the Constitution to do so.

There is another reason why a constitutional amendment is required—the chairman of the committee referred to it in his speech a few moments ago—which, I think, is an important reason. There should be a change made in the Constitution to clarify an ambiguity. Article II, section 3, under Amendment XII, I think it is, provides that if the House fails to elect a President and the electoral college fails and it goes into the House before March 4, then the Vice President shall be the President. It is debatable as to which Vice President is referred to, the outgoing or the incoming Vice President. That should be clarified. Then, there is another provision that should be clarified. Suppose a President elect should die between the November election and March 4, the date of the inauguration. Who would be President? The Constitution should be changed to take care of a contingency of that kind, and if it is necessary in order to clarify the situation with reference to the election and term of the President, why not at the same time clarify this other matter in respect to the length of the term of service of Members of the House and Senate and also the sessions of Congress?

This subject, I hope, will be considered later when the House shall act upon it, as the chairman of the committee seems to hope such will be done. It will then be my purpose to discuss somewhat in detail this same question, but I am speaking now at this time in the early part of the session simply to call attention to the importance of this matter and express the hope that we will initiate legislation at this time by which this amendment will be submitted, so that the States can determine whether they desire this change. [Applause.]

Mr. WOOD. Mr. Chairman, I yield 20 minutes to the gentleman from Colorado [Mr. HARDY].

Mr. HARDY. Mr. Chairman, since we have had this bill before the House for general debate we have heard a good deal about many things, but little about the bill before the House or about the departments for which it provides funds.

It occurs to me that a few facts and figures about the bill and these departments might be in order.

This bill appropriates money for the Treasury and Post Office Departments.

For the Treasury Department $241,750,026.

For the Post Office Department and Postal Service $841,803,917.

It is of the Post Office Department and the Postal Service that I shall speak principally.

For the fiscal year ending June 30, 1930, the expenditures in the Postal Service were $803,700,085.58. The receipts from all sources—for stamps, stamped paper, postage paid in money, and all fees—was $705,484,098.15. The difference between what was taken in for postage and fees and the amount paid out by the department was $98,215,987.43. That is what is called the deficit. It costs the country that sum of money in addition to all postal revenues to maintain the Post Office Department and the Postal Service. The bill provides that the deficit shall be a charge on any moneys in the Treasury, and is paid by the taxpayers of the country.

The deficit has grown to be large. Last year it was larger than in any former year in the history of the country save one, the year of 1921.

The deficit for the year 1930 was just a little in excess of the total cost of the Post Office Department for the year 1898. The total cost that year was $98,033,523.61.

The Post Office Department experts estimate that the deficit for the fiscal year 1931 will be $111,202,200 and for the year 1932—the year for which this bill appropriates money—it will be $112,000,000.

The responsibility for the creation of this huge deficit is not entirely with the Post Office Department, although the administrators of that department have it within their power to hold the expenditures down to some extent.

The Congress by legislation sets the rate of postage and the rates of pay for the employees. The Interstate Commerce Commission sets the rate charged by the railroads for their large share of the Budget.

The Congress has been liberal in its legislation for pay schedules. The Interstate Commerce Commission has been liberal in its adjustments of railroad rates; and the Postmaster General has been liberal with the interpretation of the laws that give him discretion in awarding contracts and making awards, especially with the subsidies for the merchant marine and air mail. All of this liberality, when brought together has resulted in the department having to pay out about $100,000,000 more than it takes in.

Mr. GARBER of Oklahoma. Mr. Chairman, will the gentleman yield there?

Mr. HARDY. Yes.

Mr. GARBER of Oklahoma. Can the gentleman furnish the material items that go to make up that deficit?

Mr. HARDY. Yes. I will get to that. I have some figures and will give them.

This deficit of nearly $100,000,000 charged to the taxpayers is not all the Post Office Department costs the country. Something like $17,200,000 was paid by the department for rent, light, and heating. But this is not a circumstance to what this item would have cost the department if it were not for the post-office buildings that are owned by the Government.

These post-office buildings are built and maintained by the Treasury Department, and the money for such buildings and their maintenance comes through the appropriation bills for the Treasury. It is not charged to and no accounting is taken of it by the Post Office Department.

The post-office buildings owned by the Government at this time are worth $700,000,000 or $800,000,000. When the new building program now under way has been completed in seven or eight years the value will exceed $1,000,000,000. The Treasury heats, lights, and maintains these buildings with no charge back on the Postal Service. So the Post Office Department is thereby saved an enormous amount annually for rents, at least $30,000,000 a year at this time. The taxpayer, however, pays the bills.

I served on the Committee on the Post Office and Post Roads for about six years and for the past several years on the Appropriations Committee and on the subcommittee handling the bill for the Post Office Department, so I have had an opportunity of observing the development of this service and the growing costs.

THE PAY ROLL

There is an enormous pay roll in the Postal Service. On June 30, 1930, the total number of employees in the Postal Service was 316,995. This number does not include 33,483 clerks in fourth-class offices and 22,240 mail messengers who are paid by contract. It does include 49,103 postmasters of all classes, 72,015 clerks and supervisors, 53,762 city letter carriers, 43,280 rural carriers, and 21,185 in the Railway Mail Service.

This pay roll in the aggregate runs into big figures. Here is what was paid out in salaries in the different divisions in 1930:

Pay to assistant postmasters and clerks	$201,971,546.47
Pay, city delivery service	126,425,559.01
Rural-delivery carriers	106,346,568.23
Railway Mail Service	61,887,803.65
Compensation to postmasters	52,850,087.45
Vehicle service, cities	19,044,484.91
Star-route service	14,073,289.69
Mail messengers	10,065,958.63
Special-delivery service	9,694,928.88
Post-office inspectors	2,861,604.76
Post Office Department salaries	2,788,695.25
Village delivery service	1,464,324.22

So the pay roll in the Post Office Department and the Postal Service runs well over $600,000,000 annually.

The Congress has tried to be liberal and just with its employees. Numerous acts have been passed in recent years granting increases in pay and better working conditions.

The postal employees in the United States are vastly better taken care of than they are in any other country in the world.

It is well, once in a while, for us as individuals to take a look at the past and see, if we can, wherein we are better off than we were. The older boys who were in the service 20 years ago know something about that.

Take the clerks and supervisory employees, for instance: In 1910, just 20 years ago, the initial pay was $600, maximum $3,200. Only a very few ever get the maximum. The greatest number in any grade was 7,096 clerks getting $1,000 per year. The average salary was $1,015.03. Ten years ago—1920—the initial pay was $1,200, maximum $3,360, average $1,536.74; and the greatest number—15,246—were getting $1,650 per year. By July 1, 1930, the pay for clerks, and so forth, has been raised so that the young man now going into the service gets $1,700 the first year, the maximum he can look forward to in big cities is $4,700.

The average pay of clerks is now $2,156.75, and considerably more than half the clerks in the service—that is, 45,494—get a salary of $2,100 per year.

City letter carriers have been advanced along similar lines. In 1910 the entrance salary for a carrier was $600. The rate advanced with service up to $1,200 per year, which was the amount paid 11,527 carriers. The average salary was $1,045.

On July 1, 1930, the pay of a new carrier in the service was $1,700, which is increased annually until the carrier gets $2,100 per year. The number of city letter carriers getting $2,100 annually was 46,469 on June 30, 1930.

Watchmen, messengers, and laborers in 1910 were getting from $650 to $840 per year. At the present time the salary is from $1,500 to $1,600, and 4,323 are getting the maximum salary.

Rural carriers are paid more or less on a mileage basis. In 1910 the maximum salary was $900 per year. By 1920 the salary had been raised to $1,800 for a 24-mile route, and this could go up to $2,600 for a 50-mile route.

In 1925 an act was passed allowing rural carriers 4 cents per mile for equipment maintenance. This added to the salary makes the total now for a 24-mile route $2,093.76 and for a 50-mile route about $3,220.

In 1910 there were 41,102 routes; in 1920, 43,443 routes; and July 1, 1930, there were 43,280. Not as many as there were 10 years ago but they are probably longer on an average.

The Railway Mail Service has had some increases also. In 1910 the man who went in service as a railway mail clerk got $800. This advanced by easy stages to a top salary of $1,600. The largest number of men, 5,969, were getting $1,100. By 1920 the rates of pay had been advanced to $1,600 for the first year, and from that went up to $2,300. The greatest number of mail clerks, 7,257, were in the $2,150 grade. In 1925 the new law raised salaries in this service to $1,900 for a beginner, which goes up to a maximum of $2,700. They have also been given a travel allowance when away from home, which averages $279 per year.

There are about 21,185 men in the Railway Mail Service.

All other employees in the Postal Service have had reasonable increases in pay or salaries. Perhaps the postmasters have been favored least of all.

In addition to the increases in salaries all postal employees have received, the Congress has passed a number of acts which add much to the pleasure and comfort of the employees and somewhat to the expense of the service.

I shall mention some of these by title—the list includes the most beneficial measures for the improvement of working conditions of postal employees in the past 20 years—the more important of them having been passed in the last three Congresses.

CHANGES IN LAW SINCE 1910 IMPROVING WORKING CONDITIONS FOR POSTAL EMPLOYEES

Elimination of Sundays and holidays from 15-day vacation; Reilly 8-in-10-hour law; closing of post offices on Sundays; compensatory time for Sunday work; Reilly Act, compensating injured employees; repeal of act dismissing sick employees after 150 days of absence; compensatory time for holiday service; retirement for superannuated employees; 10 days' sick leave, cumulative 30 days, 3 years; credit for substitute service; authorization of Saturday half holidays during summer months; sick leave, exclusive of Sundays and holidays; sick leave made cumulative indefinitely; retirement act amended increasing maximum annuity to $1,000; 10 per cent additional compensation for night work; amendment to the retirement act, providing for increased annuity to $1,200, including disability after 5, instead of 15 years of service.

OTHER INTERESTING EXPENDITURES

Next to salaries the biggest item of expense is "railroad transportation," that is pay to the railroads for carrying the mails. This amounted to $117,264,637.39 last year. Pretty big item. But the rate is fixed by the Interstate Commerce Commission.

Printing the postage stamps last year cost about $1,473,595.78—not a large figure when you look at the number of stamps made last year—that number was 18,006,729,529.

Of post cards 1,688,509,500 were used at a cost of about $844,254.

Postage stamps and post cards are printed at the Bureau of Engraving, which institution also prints the paper money and bonds for the Government. The printing of the stamps and money is one of the most interesting sights Members can show their visiting friends from back home. And Mr. Alvin W. Hall, the director, is always glad to give the friends of Members special courtesy. It may interest you to know that this bureau prints about 600,000,000 $1 bills annually—which is about the number we wear out in trade in a year.

The stamped envelopes cost last year $3,513,797.69. This paid for something like 3,164,127,424 stamped envelopes.

Stamped envelopes are not printed at a Government plant, but are contracted for and the contract is let to the lowest bidder. The department thinks it makes a little profit on this business. There are a variety of sizes and prices, of course. But take a No. 13—6¾ inches long envelope—most commonly in use.

The Government pays 91.7 cents per thousand for this stamped envelope. It is sold to the customer for $1.92 plus the postage if there is no printing on it. If the customer has his return card printed on the envelope, the Government pays the contractor 2.1 cents additional, or 93.8 cents, and charges the customer $2.16, or 24 cents additional. The difference between what the Government pays for the envelope and what it charges the customer is estimated to be just about what it costs the service for handling the business and distributing the envelopes over the country.

It costs about $10,000,000 a year to deliver the special-delivery letters. This service pays for itself. The sender pays 10 cents for the special-delivery stamp to put on the letter and the boy who delivers it at your door gets 9 cents for the delivery.

Twine and tying devices, chiefly just plain twine, cost about $483,717.17 last year. Twine is used chiefly in post offices and railway mail cars for tying up packages of letters.

Paying of indemnities for mail lost in transit cost $1,374,056.63.

Stationery costs, $740,809.89.

POSTAL INCOME

As has been stated, the total receipts of the Post Office Department for the last fiscal year was $705,484,098.15.

The little postage stamps, so small and so inexpensive, produced most of that large sum.

The total paid in for postage of all classes last year was $676,980,669.42. The item was divided up as follows:

Sale of stamps, stamped envelopes, post cards, etc	$574,650,715.01
Paid in money for all classes of mail by those who use the permit system in lieu of postage stamps	73,545,494.87
Paid in money for second-class postage by publishers and news dealers for newspapers, magazines, and periodicals	28,784,459.54

Some other items of receipts were:

Box rents	$8,538,940.90
Revenue from money-order business	16,934,558.86
Interest and profits, Postal Savings System	1,562,106.84
Unpaid money orders more than 1-year old	561,034.75
Dead letters	147,280.51
Fines and penalties	$101,414.82
Foreign-mail transit service	161,767.55
Miscellaneous receipts	489,774.10

SUBSIDIES

Through legislation the Post Office Department has been handed a system of subsidies for distribution which add much to the cost of the department and to the deficit which must be paid by the taxpayer. Many Members are of the opinion that if the country is committed to the principle of subsidies for special industries the facts should be known, the Treasury protected as far as possibe, and the total amount of such subsidies should be limited to definite figures above which overenthusiastic administrators may not go.

The Jones-White Act sets up a system of subsidies for the encouragement of an American merchant marine. The objects are worthy, the system complicated, and the administration of it should be closely guarded. The subsidies are distributed through contracts for carrying the mail on American ships. Whatever the subsidy amounts to is carried under the head "Foreign-mail transportation." For this item was expended in 1929, $15,477,407.38. For 1930 the appropriations were $26,400,000. For 1931 the appropriations were $29,500,000, and for 1932 we are asked for an appropriation of $36,600,000. All of this item is not subsidy, of course, but the item has grown up rather rapidly.

Out of that total for "foreign mail" we are spending $7,000,000 for air mail routes to and in Central and South America. This item may be charged up partially as a subsidy to aircraft development and partially for trade expansion in the countries south of us. The service is of some benefit no doubt. It does not produce much revenue. Our returns are probably about 20 per cent of the cost.

AIR MAIL

The expenditures for the air mail service has grown rapidly, and in this item is a big element of subsidy. Contracts are now let on a space basis—that is, an air line is paid so much a mile for flying a stated route whether it carries little mail or much. The department has estimated that the net operating loss on air mail, domestic and foreign, last year was $13,863,000. This year and next will be more. The rates paid vary, most of the lines getting from 80 cents to $1.25 per mile. The Postmaster General has large authority in awarding contracts. He has been very liberal with the awards during the past few years. Contracts now in operation and about to be awarded run up to $20,000,000 a year. These contracts are made for a 10-year period. So, based on our investment basis, the contracts for air mail are worth about $200,000,000 to the few air-transportation companies who have them.

These figures show how this expenditure has grown in the past few years.

Appropriations for air mail have been as follows:

For 1927	$2,000,000
For 1928	4,500,000
For 1929	12,430,000
For 1930	15,000,000
For 1931	15,000,000

There will probably be a large deficiency item of several millions of dollars brought in for 1931.

And this bill includes $20,000,000 for 1932.

There is no question about the wisdom of encouraging the development of air craft and air mail. The only question is about what is the limit to the amount the country should be taxed for this purpose.

NONPRODUCTIVE SERVICE AND COSTS

The Post Office Department conducts a cost ascertainment investigation as to the actual costs of handling the several classes of mail and an annual report is made to Congress. Members interested may get copies of that report by request.

One interesting feature of this report is the estimated costs of nonproductive service—service that is not paid for by the users.

Here are the estimates of what this service would have cost for 1930 if paid for by somebody at regular postal rates.

Mail matter sent out by the different Government departments other than the Post Office Department	$9,347,505.00
Franked matter for Members of Congress	718,060.00
Franked matter for others	154,545.00
Newspapers and publications that go free in county of publication	753,263.00
Free mail for the blind	63,779.00
Differentials in second-class (newspaper) postage favoring religious, educational, labor, fraternal organizations, etc	414,388.00
Excess cost of airplane service over the postage revenues derived from air mail	13,863,174.10
Differentials favoring vessels of American registry	14,355,004.29
Total for nonproductive service and extraordinary items	39,669,718.39

BIG SERVICE AT SMALL COST

The American postal system is a gigantic business enterprise. It renders service at less than cost. It is efficient and expeditious in its movement of the mails. It touches the lives of more people than all the other Government activities combined. It is the connecting link between the Federal Government and its citizens everywhere. It employs more people than are in the Army and Navy and probably in all other Government departments. It has been humane and generous with its employees. It is big business with a heart and soul.

The American postal system gives big service for little fees. It picks up a letter in remote regions of Hawaii, carries it across the Pacific Ocean to San Francisco, by fast trains across the American continent to New York, across the Atlantic Oceans, and delivers the letter anywhere in old England for the small price of 2 cents. And it will do it all in about 15 or 16 days. Surely a big service at small cost. [Applause.]

Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The gentleman yields back two minutes.

Mr. BYRNS. Mr. Chairman, I yield 25 minutes to the gentleman from South Carolina [Mr. McSWAIN].

The CHAIRMAN. The gentleman from South Carolina is recognized for 25 minutes.

Mr. McSWAIN. Members of the committee, the President, in enumerating certain pending legislation which he declared to be "desirable" to conclude at this short session, mentioned specifically Muscle Shoals, and I venture upon your patience for a little while to discuss that matter.

I submit that it is possible for fair and reasonable men, uninfluenced by mere prejudice and passion and self-interest, to agree upon a solution of this proposition, even in view of the present parliamentary status. I know there is a great deal of animus that has taken the form of propaganda in various ways, seeking to poison the minds of the people of the country against that bill, which passed the Senate at this session, and in favor, absolutely and exclusively, of the bill which passed the House at this Congress.

The name of a certain Senator is connected with the bill that passed the Senate, and that is used in certain quarters as anathema in order to prejudice the minds of certain groups of citizens.

I submit to you that the record shows that the bill which the distinguished Senator from Nebraska introduced in this Congress, which passed with little debate, unanimously and without a record vote, is, almost word for word, the bill which originated in this House, which passed this House, and that it is the House bill of the Seventieth Congress that now is denounced in certain quarters as the bill which, if it should become law in whole or in part, would, as they say, introduce "socialism" into the United States; would foster "communism" in the United States; would "sovietize" the United States Government. I have here a copy of a referendum which the United States Chamber of Commerce has

been sending out. I received two copies. It proposes on its face to be a referendum on the general question of what should be a proper Federal policy toward water-power problems generally, but it is a very ingeniously devised piece of propaganda against Muscle Shoals and against any fair and adequate solution of the Muscle Shoals problem now pending before the Congress.

Appended to the last copy of this proposed referendum, which same must conclude on December 23, is an editorial, which was pasted on by somebody, because it came in an envelope from the United States Chamber of Commerce. The editorial was already pasted on the front page. The editorial is from the Washington Post of November 19, 1930, in which it is said:

> Seeing no hope of enacting the Norris bill, the insurgent ranks of the Senate have brought forth a proposed compromise on the Muscle Shoals issue.

And then it goes on to discuss it, and finally concludes by saying:

> There can be no compromise on the Muscle Shoals issue. Either the Government will go into the power business or it will not. The suggested compromise exposes the hypocricy of those who are trying to use Muscle Shoals to commit the United States to sovietism.

Now, gentlemen, if there is any sovietism in this proposition in either end of the Capitol, that sovietism originated in this House in the Seventieth Congress and was passed by the Seventieth Congress. What is the fact? The original Norris resolution was Senate Joint Resolution 46, of the Seventieth Congress, and when it came to this side and was referred to the Committee on Military Affairs every word of it was stricken out. The Committee on Military Affairs appointed a subcommittee of five to propose to the full committee what would be an adequate solution of the proposition. The full committee then adopted the report of the subcommittee of five. That report came upon this floor for consideration, and that bill was just exactly the words of the Senate bill in the present Congress, with this exception, that in the bill which the Military Affairs Committee reported to the Congress in the Seventieth Congress the corporation that was to be set up and operated by three directors, appointed by the President and confirmed by the Senate, should have the power not only to fix nitrogen but also to process potash, also to acquire by purchase or by manufacture phosphoric acid, and combine the three into a complete fertilizer for agricultural use. When that bill came upon this floor these galleries were filled with fertilizer manufacturers and their sympathizers.

A perfect wave of propaganda had been put before the House, and my colleague, the distinguished gentleman from South Carolina [Mr. McMILLAN], whose home is in Charleston, S. C., which is the original home of the fertilizer industry and perhaps the oldest group of commercial fertilizer manufacturers in the world, was the spokesman for those who were opposed to those provisions in the bill that provided for the mixing and sale of a complete fertilizer with these three essential ingredients, and upon his motion this House struck out every part of that bill except the provisions permitting the Government corporation to fix nitrogen. It struck out the potash provision; it struck out the phosphoric-acid provision, but permitted to remain in the bill the provision with reference to the fixation of atmospheric nitrogen for agricultural purposes, and as soon as those amendments were adopted by the House the fertilizer manufacturers filed out of that gallery with a smile. They had won their fight, and my colleague from South Carolina [Mr. McMILLAN], his amendments having been adopted, then voted for the bill. He was their friend and their spokesman, and he voted for the bill. Everybody seemed highly satisfied. After conference the House bill was substantially agreed to in both Houses, but President Coolidge gave it a pocket veto.

The fertilizer manufacturers had no objection to the fixation of atmospheric nitrogen whatsoever, because fertilizer manufacturers do not manufacture nitrogen. They buy their nitrogen from Chile or from the meat packers in the form of blood, or from the cottonseed crushers in the form of cottonseed meal, or from the tanners in the form of scraps of leather. Since they do not manufacture nitrogen, they wish to buy cheap nitrogen.

Ever since the dawn of civilization the world has been solely dependent upon saltpeter. The Old World mines were practically exhausted when the great deposits in Chile were discovered, and the world for the last hundred years has been dependent absolutely upon Chile's deposits.

Fifty years ago the Chilean Government, realizing that it had a monopoly on the world's supply of mineral nitrogen, imposed an export tax upon that nitrogen. Now that export tax is $12.54 a ton; and since we import into the United States for agricultural purposes, in round numbers, a million tons a year, the farmers of the United States are paying $12,000,000 a year to the upkeep of the Chilean Government.

There are some people so afraid that the United States Government will do something for the American farmer that they close their eyes to what the Chilean Government is doing to the American farmer. Who? The Chief of Ordnance, General Williams, was before our committee, and when I called his attention to that fact he said, "I do not see anything criminal in that on the part of Chile," I said, "Oh, no; not criminal, but do you not think it is wrong for the United States Government to have the means of fixing nitrogen from the air right there at Muscle Shoals that would supply this demand and yet continue to tax the American farmers to support the institutions, to support the universities, to build the roads of Chile?" In 50 years since they have had that export tax upon Chilean nitrate the farmers of the United States have paid to Chile in the form of export duty $265,000,000.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. McSWAIN. I yield.

Mr. LaGUARDIA. What did the Chief of Ordnance have to do in a fertilizer proposition?

Mr. McSWAIN. Well, the Chief of Ordnance was representing the War Department, appearing before our committee to give his views relative to what would be the wise and proper disposal of Muscle Shoals.

Not only that, gentlemen, a good many years ago we set up a bureau in the Department of Agriculture, known as the Bureau of Fixed Nitrogen, to investigate the modern, scientific processes by which to bring, not in the language of Benjamin Franklin, lightning from the air, but to bring life from the air, because nitrogen is life in peace just as it is death in war, as we will perceive in a few minutes. To bring life from the air was our aim, and yet when Doctor Howard, one of the chemists, was before this committee, I called his attention to the fact of Chile's export duty. He was opposing our using these properties at Muscle Shoals for agricultural purposes. He said it would not help the farmer; said it could not be economically done. I said, "Do you think it is right to let the Chilean Government, that has a God-given monopoly upon mineral nitrogen, tax the farmers of America to the tune of $12,000,000 a year?"

He said, "Well, I do not see how that hurts the American farmer." He said, "I think that operates to his advantage in the long run." I said, "How could that be? If it would cut the price of Chilean nitrate $12.54 a ton by taking off the export duty, how can cutting the price on nitrogen hurt the farmer and how can maintaining a high price on nitrogen help the farmer?" And I said, "If you will explain that, Doctor, I will introduce a bill to double your salary," because he is on the pay roll of this Government. He said, "Well, the Chilean Government gives back to the processors, to the manufacturers of this nitrogen"—because you will remember they must dig it from the soil and purify it by machinery; they must bring it down to a state of purity of about 16 per cent nitrogen—he said, "The Chilean Government gives back to these processors, these manufacturers, a part of that export duty as a bonus to help them stay in business, and since they stay in business it increases the world supply of nitrogen and helps to keep the price down by competition." That was his explanation. Gentlemen, there is no possibility of that argument being worth a copper cent, because the truth is—and it was admitted either by

him or Doctor Cottrell, who is the head of that bureau—that there is a world trust price on nitrogen.

In the Wall Street Journal—and I suppose that ought to be good authority in certain quarters—of June 29, 1929, it was stated that a dispatch from Berlin announced the organization of a world combine on nitrates. They said that unless this combine could be established the Chilean nitrate industry would be threatened, and so the German producers of nitrogen from the air, the British producers of nitrogen from some of their possessions, the British stockholders in the Chilean industry, and the Chilean producers of nitrogen entered into an enormous combine to fix the price of nitrogen throughout the world, and when Mr. Charles J. Brand, who is the secretary of the National Association of Fertilizer Manufacturers, was before our committee, and I called his attention to this export duty by the Chilean Government and what it was taking out of the pockets of the American farmer every year, he said it was a good thing to maintain it; that it helped to keep the supply of nitrogen in the world abundant, but that Muscle Shoals ought not to be operated for the production of nitrogen because, he said, Hopewell, Va., Syracuse, N. Y., and Belle, W. Va., were producing all the nitrogen we needed in this country. I said, "Do you know any American stockholders, any American owners of an interest in these nitrate fields of Chile?" and he said, "Oh, yes. The Guggenheims and the Du Ponts have hundreds of millions of dollars invested in the Chilean nitrate deposits and in the machinery for their purification." So that the Guggenheim interests and the Du Pont interests were speaking through Doctor Howard, an employee of the Government of the United States, who draws his salary from the Treasury of the United States and is supposed to be working in the interest of agriculture of the United States. He, as their innocent mouthpiece, said that the Chilean export duty of $12.54 a ton on nitrogen is a good thing for the American farmer.

Gentlemen, nitrogen, as I have already stated, is absolutely indispensable to war and peace. The President complimented us in his address upon our defense forces, and the American Federation of Labor, under date of December 2, sent me some resolutions which they adopted at their October meeting in Boston, in which they resolved in favor of an adequate national defense and said:

> We favor the manufacture of war munitions and naval vessels in our arsenals and navy yards, so that the elimination of private profit will place the department of national defense beyond the baleful influence of those who seek to create sentiment for the production of war munitions so that they may make greater profits.

I want to submit that the best and ablest and most efficiently trained and disciplined Army that this Government could possibly organize would be as helpless as a mass of earthworms without nitrogen in abundance, and that the best Navy you can build, the greatest ships, with the greatest power of projecting their explosives, would be as powerless as a bunch of empty barrels floating upon an idle sea without nitrogen. Our reliance now is upon Chile, and should an enemy drive our transports from the sea, our armies would become helpless and our Navy would become helpless. That is what was about to happen to Germany in 1915. Her fleet had been able to keep the Pacific lanes open for her transports to carry Chilean nitrates to her ports and ports of the Baltic. The combined fleets of Great Britain and Japan defeated the German fleet at the Falkland Islands, took control of the Pacific, and drove the German transports from the sea. If German science had not come to the rescue of Germany her army would have had to lay down its arms in less than 90 days. But German science said, "We know how to get our supply of that destroying commodity called nitrogen from the air." They began using the water power of Germany, together with such power as they could employ in neighboring Norway and some in Sweden, fixed the nitrogen, and carried on the war for three years longer with most destructive effect.

Now, what did we decide to do? We learned something from Germany's experience. We said, "We will have a supply of nitrogen. God did not put any mineral nitrogen in our land, but we will establish a supply of nitrogen far inland, not near the coast, no; because enemy airplanes taking off from an enemy fleet might bomb and destroy that great plant for the fixation of nitrogen from the air. We will put it far inland, so far that it is not probable that an enemy bombing planes can ever destroy it." And upon that theory they took it away yonder beyond the Allegheny Mountains on this side of the country and from the Pacific side beyond the Rocky Mountains, far enough from the Gulf of Mexico to render it reasonably secure. We further said, "Now, we ought to be reasonably safe, now we ought to be secure. The enemy fleets may drive our transports from the ocean, the enemy's bombing planes may destroy our locks in the Panama Canal and make it impossible for us to bring our transports through, but we have put our source of the destructive agency of nitrogen far inland and made it secure." That was all well and good so far as it went, so far as national defense is concerned. But now came along a common-sense consideration, and here is the meat of the whole matter. Along came this economical consideration, and we said, "Now, here is an agency that is necessary in war and it is highly beneficial in peace; in fact, in view of our wasted soils it is indispensable in time of peace in order to make agriculture more profitable." So we said, "Would it not be nice if we had an army that would not have to be fed, that would not cost us $300,000,000 a year? Would it not be nice if that army were self-sustaining?" That was partly George Washington's idea, as my distinguished historian friend knows. Washington advocated that all of these western frontier posts should have farms that the soldiers could cultivate in corn and small grains and that they should have ranges on which they could feed their cows in order to produce their milk and butter and beef cattle, and thus make the maintenance of those posts more economical. That was George Washington's plan. We said, "Would it not be splendid if the very thing we must have for war can be made useful in peace time?" What a double-barreled proposition!

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. BYRNS. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. ALMON. Will the gentleman yield for a question? Would not this plant be obsolete and of no value for national defense if it were not operated in peace time for the manufacture of fertilizer?

Mr. McSWAIN. It will add to its efficiency very greatly to continue its operation during peace times.

Somebody says, "Oh, that sovietizes the United States Government." Now, let us see. Suppose we had a house that was necessary for national defense in time of war to store our Army supplies, our munitions, our uniforms, our tentage, and so on, and suppose that all during the years of peace somebody said, "Oh, here is a great big house that we do not now need for storage purposes, but we must not rent it to anybody else for warehouse purposes." But that is exactly what we are doing. The Brooklyn Army base is being rented to the merchants of New York. The Philadelphia base is being rented to the merchants of Philadelphia. The Army base at Charleston, S. C., is used as a warehouse for cotton. The base at New Orleans is used by the merchants of New Orleans, and so all over the country. Now, did it sovietize the United States Government and the United States Army to use in peace a piece of property that in time of war is indispensable? It is a common-sense plan. Would it not be a great thing if we had a fleet that was commercially valuable in time of peace? Would it not be a great thing if our battleships, instead of costing $300,000,000 a year for maintenance and operation, as they do, in time of peace could be used as instrumentalities of commerce which would enable them to pay their way? Why would not that be an ideal proposition? That is what we have in the case of warehouses and that is what we have at Muscle Shoals, and surely common sense should dictate to us to employ that method.

Mr. GARRETT. Will the gentleman yield?

Mr. McSWAIN. I yield to the gentleman from Texas.

Mr. GARRETT. I want to ask my colleague a question. Of course the fundamental principle with respect to Muscle Shoals is section 124, which provides it shall be used for the manufacture of munitions of war in war time and for the manufacture of fertilizer for the farmers in peace times, and I want to ask the gentleman, with his long experience with respect to the struggle in the Military Affairs Committee, whether or not the very interests he has spoken of that have fought a disposition of Muscle Shoals, fertilizer, power, and everything else, have not turned all of their guns on the one proposition of converting that nitrate into fertilizer for the farmers, and have they not confused the issues every time they have had an opportunity to do so by bringing forward all the propaganda they can from whatever source possible in order that Muscle Shoals shall stand as it is to-day, of no benefit to the farmer but of immense profit to the Alabama Power Co.?

Mr. McSWAIN. Absolutely. The gentleman, who has been on the Committee on Military Affairs ever since the legislation was initiated 17 years ago, knows that the real issue has been obscured from first to last.

Why? If these plants were operating at their full capacity of 48,000 tons a year, it would be less than 10 per cent of the national consumption of nitrogen; and as to the power, why, gentlemen, that has been terrifically exaggerated. The primary power there from the source of water is only 88,000 horsepower. Of course, there is enormous secondary power, but that is worth very little commercially. The primary hydropower is 88,000 horsepower.

We just completed a project in South Carolina, gentlemen, on a little river that I have waded many a time in dry weather, where the primary power is three times that amount, due to the enormous impoundage over a vast area; whereas the Wilson Dam at Muscle Shoals is a run-of-the-river dam, with only 88,000 primary horsepower; and every horsepower will be necessary, and more than that, to operate the plant and produce 48,000 tons a year. There will be no surplus power.

Why has there been this terrific opposition? I will tell you why in my humble judgment. Because the fertilizer interests, the Guggenheim interests and the Du Pont interests that control the deposits of Chile and the power interests that are one in monopoly over the whole country, do not want the people of the country to know how cheap nitrogen may be produced or how cheap power may be produced.

Mr. GARRETT. And fertilizer.

Mr. McSWAIN. I say nitrogen, and, of course, that includes fertilizer. Nobody now proposes to make a complete fertilizer at Muscle Shoals. We only ask that this nitrogen be combined with soda ash from the sea to make it available as a plant food, as a nitrate only, and then if the farmer, when he buys it, or the mixer when he buys it, wants to mix it with potash and with phosphoric acid, that is his business. We are not asking the Government of the United States to set up a phosphoric-acid plant there or to set up anywhere in the United States a potash-producing plant. We are only asking the Government to make nitrate of soda, a plant food, for which we farmers of the South are now paying $55 a ton, and I reckon the price is more in the interior, whereas in my judgment when the wheels start to run yonder it can be produced, and still pay a fair dividend upon a fair investment, with a profit to the Government, and sold at from $30 to $35 a ton as against $55 now. Therefore they do not want this cost to be known.

Gentlemen, the Hopewell plant is a great plant. I have been told they send out trainloads of nitrates every day. I went there last year when this question came up and when there was all this hullabaloo by the Chief of Ordnance and the Bureau of Fixation of Nitrates of the Department of Agriculture. I went down there at my own expense to inspect it, and I might as well not have gone, because they would not let me see anything but the inside of the fence. They will not tell you anything. They will not let you see anything, but I call your attention to this. You look at the stock quotations on the New York Stock Exchange and you will find that Allied Chemical & Dye stock, which controls the General Chemical Co., which controls the Air Nitrogen Corporation at Hopewell, Va., that controls the production of nitrogen everywhere in the United States, is the highest quoted of any stock in this company. It has lost less. It is still 209, whereas American Telephone & Telegraph is only 190. There is a reason for this, gentlemen.

They know they are making enormous profits out of it. They are selling that nitrate of soda for fertilizer purposes, and they are following what price? They are following the Chilean nitrate price. Chilean nitrates fix the world price. Chilean nitrate carries an export duty of $12.54 on every ton. So that the firms manufacturing nitrogen have got the benefit of the Chilean export duty of $12.54 a ton.

Now, how long will the American Congress let the Chilean Government impose this burden upon the backs of the American people?

Mr. GARRETT. Will the gentleman yield?

Mr. McSWAIN. I yield.

Mr. GARRETT. There is nothing being done about it yet; has the gentleman any suggestion as to how we finally may get action?

Mr. McSWAIN. The President says it is desirable to settle it. This is a democratic Government. It can not be settled according to the views of any one man or any one set of men. There has got to be a compromise, and it is easy to make a compromise between the views of the House and the Senate. It is recommended in my bill, H. R. 12097, which has been discussed upon the House floor while the bill was under consideration.

It is easy to provide that a board shall be permitted for six or nine months to lease the property for private operation. If, at the end of that time a private company does not come forward and make a contract according to the terms set out in the bill, then let the Government corporation start the wheels.

There is the third alternative, that if at any time after the Government-control operation shall commence, if a private contractor or corporation comes in and says we will comply with the terms of the bill, we will take over the plant, manufacture the minimum of 48,000 tons of nitrogen, then that very minute the board of directors under that law would be ordered to make a lease and turn over the plant to the private contractor without ever stopping the wheels for a single minute.

If the private enterprise will not take hold, the Government shall operate it. But, if after the Government has taken hold and the private interests come up and say that they have changed their mind and decided that it is better to come in and comply with the terms of the law, then let them have it. [Applause.]

[H. Rept. No. 1430, pt. 2, 71st Cong., 2d sess.]

VIEWS OF REPRESENTATIVE McSWAIN

I regret my inability to give my unqualified approval at this time to the bill which has been reported by the committee, being substantially the same bill which was formulated by the subcommittee of five of which I was a member. The other members of the subcommittee understand fully my attitude. Our difference is fundamental and relates to what should be the controlling principles underlying such a bill. These differences may be summarized generally as follows:

1. As to permitting the property to be subdivided and leased to two or more different lessees. In my opinion the property is a unit, and should be let to only one person, firm, or corporation.

2. As to the temporary nature of the board which is not confirmed by the Senate. In my judgment the board should be a continuing body and be confirmed by the Senate, and even if the property should be leased, should exist for the purpose of supervising the performance of the lease, thus insuring that the interests of the public, and especially of agriculture, are protected and that the provisions of the lease are carried out by the lessee.

3. As to the absence of sufficient definiteness and certainty in the specifications and limitations governing the formulation of a lease and the performance of the provisions of the lease. The requirements as to the fixation of nitrogen and as to the processing of such fixed nitrogen into the form of fertilizer, such as can be directly applied to the soil and to crops, should not only be definite as to the amount to be prepared during the first period, which in the bill is three and one-half years, but the law should specify exactly the increases to be made in production and the

successive periods of time in which such exact increases must be made, provided the market demand justifies, and for this reason, among many other reasons, the continuing presence of an official body such as the board is necessary.

4. The absence of an alternative provision of the same general nature as that which passed the Senate. It should be provided that unless a satisfactory lease with a responsible person, firm, or corporation should be made within one year after the act becomes law, then the same board which has been trying to negotiate a lease should proceed to put the plant to work in the fixation of nitrogen and in altering and adding to the plant so as to process such fixed nitrogen for use as a fertilizer. The bill should also provide that if the board should at any time after commencing the operation of the plant have an offer to lease the same, then it should consider such offer, and if the board should be able to agree upon a lease and should execute it, then the possession and control of the property should pass as a going concern to the lessee, with the minimum of interruption to the business.

REASONS FOR MY DISSENT

I do not believe that the property can be advantageously and wisely—having in view its purpose for national defense and for agriculture—leased to more than one person, firm, or corporation. The plant was built as a unit; its arrangement, its service systems, such as water and sewerage, railroad tracks, and lighting wires, all contemplate one management, and to divide the same up into two or more parts will lead to confusion, collision, and consequent failure for at least some of the lessees. It is too much to expect of human nature that there should be cooperation and joint action among two or more lessees upon the same ground, dealing with the same property, and, especially, receiving power from the same source. Since inequality of control and management would lead to deadlocking, and since predominance of control in one, would lead to despotism and oppression, it is too much to expect thoughtful business men to invest the necessary millions of capital under conditions so unpromising. One or more of the lessees will get the advantage over the others, and thus at least a part of the properties will be surrendered to the Government, and such part will almost certainly be nitrate plants No. 1 and No. 2. When these plants are no longer operated, then the power necessary for their operation is released to the other lessee, or to the board of control, or to the holding corporation which is dominated by such other lessee, and thus the project is one-sided and incomplete.

THE BOARD SHOULD BE PERMANENT

Only by means of a permanent board, appointed by the President, but confirmed by the Senate, can the public interest be constantly watched after and protected. If the property be leased, then the maximum number of days per year for which the board can collect a per diem may be easily limited so as to not be burdensome. By having a continuing body we are assured of three persons kept constantly familiar with all the problems connected with the Muscle Shoals project, whether under lease or under Government operation, and this board will be in a position to say and decide whether or not the law is being observed and the provisions of the contracts of letting lived up to by the lessee. There is need for the board as the representative of the public and especially of agriculture in connection with the cheapest possible production of nitrogenous plant food. The greatest problem in agriculture to-day is, aside from the marketing problem, that of artificial fertilizers at reasonable prices. In order to accomplish this end it is necessary to free the farmer from the strangle hold of Chilean monopoly over nitrate of soda. Likewise, it is necessary to demonstrate to the farmer and to the world the cost of producing synthetic nitrogen adapted as a plant food. Chilean nitrates, controlled by a natural monopoly, whose existence is guaranteed by the Chilean Government, which controls the production and marketing of sodium nitrate and imposes an export duty upon the same, is the standard by which the manufacturers of synthetic nitrogen throughout the world gage and fix their prices. It is admitted that there is a world-wide trust or agreement called a cartel, amounting to a monopoly in the production and sale of nitrogen products.

During the last 50 years the farmers of America have paid to the Chilean Government in the form of export duty about $265,000,000. In addition, they paid for the charges of transport from the west coast of South America to the east coast of North America about $280,000,000. Thus they have paid as charges, which should now be absolutely unnecessary, more than $500,000,000 for what represents no value whatever but is tribute paid to a natural monopoly located several thousand miles from our farms and fields. Since science has discovered that over every acre of land there are many tons of nitrogen which by scientific process may be converted into plant food just as good and effective as the natural Chilean nitrate of soda, we should do everything in our power to shake off the grip of Chilean monopoly and to overthrow the power of the world trust. Strange as it might seem, there are some people who are glad for the Government to help industry by protective tariffs, and to help banks by governmental machinery, and to help railroads by guaranteeing returns upon investment, and to do this the Government itself prevents cutthroat competition, and to spend hundreds of millions, aggregating throughout our history billions of dollars, in improving rivers and harbors as agencies of commerce, in order to make commerce more profitable for certain cities and certain classes of individuals. In many other ways that I might mention the power of law exerted by the Federal Government has been employed to help certain kinds of business. But, stranger still, some of these very people that take governmental aid as above indicated to be a matter of course, in fact, a practice so long standing that they regard it as a right on their part to demand such Government aid, and a duty on the part of the Government to give such aid, yet these very people are so afraid that the Government will do something for the American farmer that they seem utterly indifferent to what the Chilean Government has done and is doing to the American farmer.

INSUFFICIENT SPECIFICATIONS AND LIMITATIONS IN THE BILL

From the beginning of the Muscle Shoals project in 1916, when by the terms of the law the property was dedicated to national defense in time of war and to the production of nitrates or other products useful in the manufacture of fertilizers, there have been certain fundamental and prevailing principles governing the action of the committee, of the Congress, and controlling the public opinion of the country. The first formal expression of these ideas bears date of April 24, 1922, and is as follows:

MUSCLE SHOALS

COMMITTEE ON MILITARY AFFAIRS,
HOUSE OF REPRESENTATIVES,
April 24, 1922.

It is the judgment of this subcommittee that any proposition for the purchase, lease, or use of the Muscle Shoals property of the Government of the United States shall be based upon the following as fundamentals and essentials:

1. That the property shall at all times be subject to the absolute right and control of the Government for the production of nitrates or other ammunition components of munitions of war, and that nitrate plant No. 2 must be kept available therefor by the purchasers, lessees, or users of the property.

2. That the purchasers, lessees, or users of the property shall be obligated in the strictest terms to the manufacture and sale to the public of fertilizers in time of peace.

3. That any proposal for the purchase, lease, or use of the Muscle Shoals property of the United States Government must be for the entire property except the so-called Gorgas plant and the transmission line therefrom.

FRANK L. GREENE.
JOHN F. MILLER.
RICHARD WAYNE PARKER
(So far as it goes).
PERCY E. QUIN.
WILLIAM C. WRIGHT.

The next expression of these principles is found in the majority report of the commission appointed by President Coolidge on March 26, 1925. The concluding statement of the majority of that commission is as follows:

"CONCLUDING STATEMENT

"It is the mature judgment of the undersigned members of the inquiry that the Muscle Shoals property is primarily a part of our national defense, and we are convinced that this view is generally shared by the people of the United States. It is obvious that when these plants are needed for the production of munitions in time of war they will be needed quickly. The Government should therefore hold the title to the plants and prevent their being so changed as to make impracticable their immediate conversion for the manufacture of munitions, and arrangements should be made that will assure the maintenance of a trained operating force. These needs can best be served, in our judgment, by operating the plants. Fortunately, the plants are of such a character that they can render an important peace-time service to agriculture, and this vast expenditure of the Government need not remain idle or unproductive.

"We therefore unhesitatingly recommend legislation be enacted by Congress to lease this property on such terms as have been herein enumerated, and in event of failure to obtain a lease the President should have authority to cause these plants to be immediately operated as a Government enterprise.

"It is with great reluctance that we turn toward Government operation, being well advised of all of the infirmities inherent in such an undertaking. The great investment of the Government at Muscle Shoals, however, the importance of its continued maintenance as a part of our national defense, the crying need of agriculture for more and cheaper fertilizer, and the favorable opportunity for meeting that need, all compel us to disregard our prejudices, for we are convinced that to longer permit this great investment to stand idle when it can be of such great service to our people would be little less than a public calamity.

"Delay in this case is expensive. Legislative action is imperative.

"Dated this 14th day of November, 1925.

"JOHN C. MCKENZIE.
"NATHANIEL B. DIAL.
"R. F. BOWER."

The next expression of these same ideas is found in the House Concurrent Resolution 4, adopted by the Sixty-ninth Congress, first session, 1926, and is as follows:

"*Resolved by the House of Representatives (the Senate concurring)*, That a joint committee, to be known as the Joint Committee on Muscle Shoals, is hereby established to be composed of three members to be appointed by the President of the Senate from the Committee on Agriculture and Forestry and three members to be appointed by the Speaker of the House of Representatives from the Committee on Military Affairs.

"The committee is authorized and directed to conduct negotiations for a lease or leases (but no lease or leases shall be recom-

mended which do not guarantee and safeguard the production of nitrates and other fertilizer ingredients mixed or unmixed primarily as hereinafter provided) of the nitrate and power properties of the United States at Muscle Shoals, Ala., including the quarry properties at Waco, Ala., for the production of nitrates primarily and incidentally for power purposes, such power to be equitably distributed between the communities and States to which it may be properly transported, in order to serve national defense, agriculture, and industrial purposes, and upon terms which so far as possible shall provide benefits to the Government and to agriculture equal to or greater than those set forth in H. R. 518, Sixty-eighth Congress, first session, except that the lease or leases shall be for a period not to exceed 50 years.

"Said committee shall have leave to report its findings and recommendations, together with a bill or joint resolution for the purpose of carrying them into effect, which bill or joint resolution shall, in the House, have the status that is provided for measures enumerated in clause 56 of Rule XI: *Provided*, That the committee shall report to Congress not later than April 26, 1926: *And provided further*, That the committee in making its report shall file for the information of the Senate and the House of Representatives, a true copy of all proposals submitted to it in the conduct of such negotiations."

The next expression of this same principle is found in the report of this committee to the Sixty-ninth Congress, second session, and dated March 3, 1927, and is as follows:

"The Committee on Military Affairs, to which was referred sundry bills relating to Muscle Shoals, Ala., submit to the House a report containing the report of the subcommittee, which report was adopted by the full committee on March 3, 1927.

"*The Chairman and Members of the Military Affairs Committee of the House:*

"Your subcommittee appointed February 2, 1927, to consider H. R. 16396 and H. R. 16614, known, respectively, as the Reese bill and the Madden bill, both having reference to the disposition of Muscle Shoals, organized and proceeded to the discharge of its duties immediately after being appointed.

"In considering the subject your subcommittee felt that the principal purpose of the Congress regarding Muscle Shoals is to safeguard the national defence, promote fertilizer production of substantial benefit to agriculture, and to secure the most beneficial public use of the power-generating facilities after the national defense and fertilizer manufacture purposes have been fully served. This purpose has been stressed in reports made on the subject by various committees of Congress, the joint commission, and the President of the United States.

"Having in mind this fundamental purpose in its consideration of the two offers, your subcommittee also felt bound by the following limitations placed upon it by the full committee:

"'1. That the property shall at all times be subject to the absolute right and control of the Government for the production of nitrates or other ammunition components of munitions of war and that nitrate plant No. 2 must be kept available therefor by the purchasers, lessees, or users of the property.

"'2. That the purchasers, lessees, or users of the property shall be obligated in the strictest terms to the manufacture and sale to the public of fertilizers in time of peace.

"'3. That any proposal for the purchase, lease, or use of the Muscle Shoals property of the United States Government must be for the entire property except the so-called Gorgas plan and the transmission line therefrom.

"'4. In the consideration of any offers for Muscle Shoals that it be a prerequisite that such offer contain a stipulation that the lessee, operating agency, or owner, as the case may be, be required to return to, or account for to the Government, either in cash or by way of reduction in the price of the fertilizer manufactured, the profits from the sale of power which would have been used in the manufacture of fertilizer in case there had been no discontinuance in the manufacture thereof; that the manufacture of fertilizer may be discontinued only when there shall be such excess accumulation of fertilizer stocks as shall be in excess of the reasonable or prospective demands for such fertilizer, and such manufacture shall be resumed upon reduction to a reasonable degree of such accumulated stock of fertilizer.

"'5. That any bid must contain a provision for the forfeiture of the power rights and fertilizer provisions if there is any failure to produce nitrates in the amount of at least 40,000 tons per year, provided that such forfeiture as may not be due to the neglect, misconduct, or fault of the lessee, shall not include the loss of the reasonable value of the property at the time of the forfeiture, but the lessee shall be reimbursed by the Government for the reasonable value of such property then and there belonging to the lessee and essential to the operation of the plants.'

"After full and careful consideration, including discussions on both propositions with representatives of the respective bidders, your subcommittee has reached the unanimous decision that neither of the offers as embodied in the two bids considered, either as originally introduced or as amended by representatives of the respective bidders following discussion in the subcommittee, meet all the fundamental principles hereinbefore enumerated and in their present forms neither sufficiently safeguards all the public interests involved.

"Your subcommittee has agreed unanimously that the principle and limitations noted in this report should be held as fundamental and any proposed legislation submitted to Congress for consideration at the next session should contain provisions based on these fundamentals.

"Your subcommittee is also of the opinion and submits to the committee that unless by the time Congress convenes for the Seventieth Congress a bid is received which more fully and satisfactorily meets the conditions and limitations set forth in this report an effort should be made to secure an operating contract for the production of fertilizer at Muscle Shoals, and in default thereof this committee should give the matter of operation at Muscle Shoals by a Government corporation full and careful consideration.

"The subcommittee unanimously agreed that the committee be advised that it is the sense of the subcommittee that no preliminary permit be granted by the Federal Power Commission at Cove Creek, or any other point which might affect the Muscle Shoals project, until after the expiration of the next session of Congress.

"It was also unanimously agreed that the Secretary of War be requested to allot a sufficient amount from available funds for the Government engineers to make a preliminary investigation and survey of the Cove Creek Dam proposition, including borings, and that such work be actively prosecuted, so that a report to Congress can be made thereon at the beginning of the next session. It is also the sense of your subcommittee that any money expended by the Government in this preliminary work, including borings at Cove Creek, should be repaid to the Government by any licensee to whom a license might hereafter be granted by the Federal Power Commission, in case the Government should not build the dam at Cove Creek.

"It is recommended that the stenographic report of the hearings and discussions held by the subcommittee, together with data pertinent to the subject filed with the subcommittee, be printed with a proper index for the information of the committee and the Members of Congress.

"For the information of the members of the committee there is made a part of this report the proposed legislation with original language eliminated or changed indicated by stricken-through type and new language inserted indicated by italics. Proposed amendments not agreed to by the representatives of the bidders will be found in the printed hearings.

"W. FRANK JAMES.
"HARRY WURZBACH.
"J. MAYHEW WAINWRIGHT.
"NOBLE J. JOHNSON.
"HUBERT P. FISHER.
"W. C. WRIGHT.
"J. J. MCSWAIN."

These are the general principles that have become fundamental in my thinking on this subject, and I believe the country will be shocked by finding that some of them at least are now partially disregarded. I am not a blind worshiper of the past, and I recognize the full value of any ideas introduced and any suggestions coming from persons that have not been long habituated by a fixed manner of thinking on the subject. At the same time, in view of the peculiar nature of this project, in view of its essential unity, in view of its constituting an important, essential, indispensable part of our national-defense program, I am still persuaded that the views of our predecessors on the committee, and the views that have prevailed in the committee since I became a member thereof up to the present modification of these views, are justified by reason, common sense, and business experience.

BOARD NECESSARY TO NEGOTIATE LEASE

I fully concur in that feature of the bill setting up a board to negotiate the terms of a lease, but, as above indicated, think that the board should be a permanent body and should, therefore, be confirmed by the Senate. Several years ago I became convinced that it would be impossible for the two Houses of Congress ever to negotiate the terms of a lease for this property. I, therefore, frequently announced this conclusion and expressed an intention of formulating a bill setting up a board to negotiate and execute the lease subject to specifications and limitations so definite and clear that the original ideas of the Congress with reference to these properties could not be frustrated. I did prepare such a bill and the same appears in the form of a committee print dated April 15, 1930. Later I revised the same somewhat by way of clarifying and amplifying the same, and it now appears as H. R. 12097. That bill represents my individual views as to the limitations and requirements that should be imposed on the board. In the bill reported by the majority of the committee, I fear there is too wide a discretion vested in the board. The board has almost as much power to deal with these Government properties as the individual citizen has in dealing with his own property. It is contended by those directly responsible for the bill that these ample powers and this great latitude are necessary in order to enable the board to effectuate a lease. I know that these gentlemen are sincere in this contention, and I merely submit most respectfully that they are mistaken. There is no such urgent necessity for the swift and certain execution of a lease as to justify our taking the chances of making a serious mistake.

Having studied the problem very carefully for about eight years, having attended all the hearings within that time, having made an earnest effort to accomplish leases with proposed private operators, I am clearly of the opinion that the limitations and restrictions imposed upon the board under the terms of H. R. 12097 would not prevent the negotiation of a lease for the entire property, and that is especially true if the alternative provision for operation of the properties by the board in the event of failure to execute such lease is coupled with the lease authorization in the same bill. I fully sympathize with the opposition to Government operation. I

would turn to it most reluctantly. But I believe if we say in one and the same bill, unless private persons are willing to lease these properties upon the fair and reasonable terms that we set down, being such terms as we have all agreed upon for the last eight years or more, then the property shall be operated by the board. This will be a very persuasive and perhaps compelling consideration in the minds of both the board and prospective lessees in hastening negotiations and in concluding a lease.

WHAT THE SPECIFICATIONS SHOULD BE

The law should insure the financial responsibility of any lessee by requiring the lessee to deposit at least $10,000,000 in such securities and with such trustee as would satisfy the board of the absolute and undisputed financial solvency and good faith of the lessee. In the next place, the law should require the lessee to fix nitrogen and to convert the same into nitrogenous plant food available as a fertilizer by direct application to the soil, in fixed quantities to be specified in the law and to be increased at fixed periods of time by fixed amounts until the maximum production capacity of both nitrate plants Nos. 1 and 2 has been reached. Of course, there should be ample authority granted to the lessee to change the process of fixing nitrogen in either or both of said plants, or to establish other plants on the same property for that purpose, but the amounts to be produced should not be left to the discretion of the board.

Of course, the law should provide that if the nitrogenous fertilizer will not sell in sufficient volume to take practically the entire output of said plants, then the plants need not be operated so long as a stipulated minimum is kept in storage. Furthermore, the President should not be authorized upon the recommendation of the board to release the lessee from any of the requirements of the law or of the leases. If, in the progress of science or under great economic changes, the lessee can not succeed with any part of the project, for illustration, with the fertilizer feature, then Congress alone should exercise the discretion to release a lessee from the terms of his contract.

However, I have always favored a provision of law that if a lessee makes an honest effort in good faith, to make a success of the fertilizer feature at Muscle Shoals, and if for any reason beyond his control the fertilizer feature fails, then the lessee should be released by Congress, and should also be reimbursed for the reasonable value of any property that the lessee might have placed upon the land of the Government for the purpose of carrying out the provisions of the lease. It would be more economical for the Government to thus have the lessee make the experiment and to fail, than it would be for the Government itself to make the experiment and fail. The Government would thus own whatever plant and machinery the lessee might have installed, and it would only be a fair and reasonable inducement for the execution of a lease. Such was the opinion of the committee in its report of March 3, 1927.

SOME FAVORABLE POINTS

Candor compels the admission that, if the exact quantity of nitrogenous fertilizer to be produced were unequivocally and absolutely stipulated, the bill has several favorable features as to fertilizer and has some features more favorable to agriculture than any bill that has been seriously considered since the Ford offer was before Congress.

(a) The limitation of 8 per cent profit on the turnover is such as to induce the lessee to turn out the greatest quantity of fertilizer consistent with the capacity of the plants and with the demands of the trade. For every dollar's worth of fertilizer he manufactures and sells, he gets 8 cents clear profit.

(b) Exceedingly important in the matter of the cost of fertilizer is the provision requiring a bilateral audit to be made each year of the cost of fertilizer for the purpose of fixing the price. It is my belief that under the set-up of this bill nitrogenous fertilizers can be produced and sold at somewhere between 25 and 40 per cent less than fertilizers containing the same kind and the same percentage of plant food are now being sold at. To insure this reduction in the selling price of nitrogenous plant food, the bill contemplates an impartial ascertainment and decision of the costs of production. This is insured by the appointment of one production engineer by the lessee and another production engineer by the President on behalf of the public, and these two shall work in connection with a certified public accountant to be chosen by them, and in the event of any dispute among them as to the elements and proper items of cost they shall select a third production engineer, and after hearing all the facts and arguments for both sides he shall render a decision. Each annual audit shall be filed with the Secretary of Agriculture and preserved for purposes of comparison and for checking in the future. This is a most valuable provision.

(c) According to the long-standing decision of the committee and of Congress, credit shall be allowed as against the cost of manufacturing fertilizer, for any profit arising from the sale of power during any period of temporary suspension in the manufacture of fertilizer. It is also provided that if the lessee installs any new process or method of fixing nitrogen and of preparing the same for use as a fertilizer and if such new installation or method results in an economy of power, then such economy shall be divided equally between the lessee, to encourage him to make such change, and the fertilizer account, in order to give agriculture the benefit of such economy.

(d) An entirely new and highly valuable suggestion is contained in the direction that secondary power shall be employed wherever the same can be economically done, either by firming the same up by the use of supplementary steam power or by the periodic employment of secondary power. As the consumption of fertilizer is periodic, being used almost exclusively in the southern tier of States during the spring and summer, the production thereof can also be made periodic. If the period of production is made to fit the period of greatest volume of water in the Tennessee River which usually extends from the late fall to the late spring, then there should be a still greater economy in the production of such fertilizer.

(e) The stipulation that no charge shall be made against the lessee for the ammonization of nitrate plants No. 1 and No. 2 so long as they are employed in the fixation of nitrogen for agricultural purposes, is highly advantageous to fertilizer. It is a perfectly fair proposition because the bill requires that those parts of nitrate plants No. 1 and No. 2 which are employed for the oxidation of ammonia in the production of nitric acid and of ammonium nitrate, shall be maintained in good condition by the lessee and ready at all times to be employed for such purpose, for the making of the ingredients of explosives for ammunition purposes.

Thus the lessee is obligated to keep up, ready for use at all times, what is virtually an arsenal, and an essential feature of national defense. In fact, the whole project of fixing nitrogen is essential to national defense. Fortunately and happily the more nitrogen we fix for agriculture the better prepared we are in that respect for war. There is no other situation analogous to it. This dual use of the plants at Muscle Shoals, this peace-time purpose and war-time mission, is similar to the supposed case of where a ship would be useful for peace time in carrying commerce and in war for fighting battles. It is also similar to what would be the case if an army were useful in peace times for producing crops, or for manufacturing products, or for carrying on useful and valuable education, and at the same time be thus better prepared for the conduct of war in that event. For these reasons, the Muscle Shoals project is unique and stands separate and apart from any other thing connected with our national-defense program. In view of the supreme importance of agriculture and of our absolute dependence upon agricultural products both in peace and in war, it is highly proper than every reasonable encouragement should be provided in the lease for the fixing of nitrogen during all the years of peace.

(f) The provision that the lessee shall not charge for any patent rights belonging to it, or to any of its officers, or to any of its subsidiary or allied corporations or to their officers is a wise protection against abuse. Furthermore, such patent rights as may be purchased for the purpose of producing fertilizer ingredients more economically shall be charged as plant account and thus distribute the cost of such patent rights through a long period of time.

(g) It will also be noted that the lessee shall be bound to carry on laboratory experiments to ascertain what, if anything, can be done to produce fertilizers more economically and in general to establish agriculture on a scientific basis. In fact, the entire plant is one huge laboratory that will prove of vast value to agriculture, and especially in breaking the power of the world trust in nitrogen, and especially in casting off the yoke that the Chilean Government and the Chilean nitrate producers have fixed upon the necks of American farmers.

(h) The right of visitation at any time by the representatives of the War Department and of the Department of Agriculture, in order to keep abreast of the progress being made in the Muscle Shoals properties in connection with the fixation and processing of nitrogen, must prove exceedingly valuable. While the information thus obtained is not to be published, it will become indirectly and eventually the property of the scientific and industrial world and will thus prove of great benefit to the whole people, producers and consumers.

(i) The right of recapture, both temporary and permanent, is absolutely protected by the provisions of the bill. In the event of war the President may by order take over the property without interference by any court, and the Government shall be liable only for the actual damages sustained by the lessee on account of such taking, not including any speculative damages, and the amount of such actual damages must be ascertained by proceedings in the Court of Claims. On the other hand, in the event of failure by the lessee to carry out the terms of the lease, the President may direct the Attorney General to institute suit in any United States district court having jurisdiction of the lessee, to declare the lease vacated and enjed by reason of such failure, and thus accomplish the permanent recapture of the property.

(j) The manifest and reasonable provision that the lessee must be either an American citizen or a corporation owned and controlled by an American citizen and in the event of a failure in this requirement the President is to have the absolute and immediate right or reentry (by force if necessary), for the purpose of repossessing the property, and in such event there shall be no compensation paid to the lessee.

(k) The provision in section 11 whereby the power to lease is limited to the prior or contemporaneous leasing of some part of the property whereby the lessee shall agree to the production of fertilizer bases or fertilizers as specified in subsection A of section 2. While this provision is made necessary by reason of the proposed cutting up of the property into two or more parts, and leasing the same to two or more lessees, and is a partial protection against the danger inherent in such plant, yet it is not a complete protection and if the bill becomes law in its present form, the board must watch these dangers and hedge against them, or otherwise all hope for agricultural relief against the world monopoly in nitrogen may be abandoned. The danger

lies in the possibility of the nitrate plants being leased to one or more persons, firms, or corporations that do not possess ample assets, and whose financial solvency is not above question and who may not enter into the leases in good faith but merely as "straw men" or "decoys" in order to permit the leasing of the valuable power parts of the property. In such event the financially weak and morally faithless lessees of the nitrate plants might drop out of the picture very soon and the United States would be helpless. It is true there would be the performance bond on which the United States might after long litigation be able to collect some money, but the money would be utterly insignificant in value when compared with the losses to agriculture. Furthermore, the Government would be unable to lease these same properties to any other lessee in the face of the failure already made, and second, in view of the fact that the power and its privileges and benefits has already passed to another lessee and that lessee would probably be unfriendly to the claims and admissions of agriculture.

This way lies danger, and for this reason the entire property should be tied together and if not leased to the same person, firm, or corporation, the two or more lessees should certainly be mutual guarantors. If there were one lessee only, then the failure of the provisions of the lease in any one important respect would justify the United States in recapturing the entire property. In like manner, if the lessees were mutual guarantors, no one lessee could drop out of the picture. Either all would succeed or all would fail. It will be practically impossible for all to fail, in view of the magnitude of the power privileges.

SAFETY CLAUSE

Provision is made in the bill that the negotiations for leasing and the actual lease itself shall not be transacted in a dark chamber nor in a corner. The board is required to give the widest possible publicity, inviting proposals to lease. The board is also required to furnish any person on demand full information as to the appraised value of the property. It is further provided that at least 30 days shall elapse after the board and the lessee shall agree as to the terms of the lease before the same shall become effective by the written approval of the President. During this 30 days any citizen of the United States interested in the subject, and having ground to think that a mistake is about to be made, can either see the President or address a memorial or brief or other communication to the President stating the reasons for such belief and warning the President against confirming by his approval the action of the board.

SECOND ALTERNATIVE PROVISION

I think, however, that there should not only be coupled with the authority to lease a provision that the same board shall commence the operation of the property at a fixed time, in the event that no satisfactory lease for the entire property should have been negotiated, but I also think that the bill should contain what may be rightly termed a "second alternative," providing that the same board shall have authority even after it may commence the operation of the properties, to consider any proposal made to it for leasing the property, and if a satisfactory proposal be made and a lease be executed by the board, then that the lease should contain provisions for the lessee to take over the property as a going concern by paying for the stock in process and any stock on hand, so that there may be the minimum of interruption to the business. A transfer can be made from Government operation to private operation without the stopping of a single wheel or the reduction of the fertilizer product by a single pound.

FINAL DISPOSITION OF QUESTION DESIRABLE

If the bill contained adequately definite stipulations and requirements for any lease to be executed by a continuing board to be appointed by the President and confirmed by the Senate, and if in the same bill there were provisions for the board thus constituted to operate the property upon failure to execute a satisfactory lease within the time stipulated, and if in addition there was a provision, as above indicated, giving the board power and authority to execute a lease even after commencing Government operation, then every possible phase of this long-standing and many-sided problem would be settled legislatively. To provide now for the leasing only means that if a satisfactory lease is not made the proposition must be before Congress again, with all of its perplexing complications and undisputed difficulties, in about 18 months.

The question will then be the same as it is now. We are just as well prepared now to settle the entire proposition as we will be to settle it piecemeal 18 months from now. Under such a threefold disposition of the problem, every aspect of the question is met and settled. Undoubtedly the clear majority opinion is that Government operation should be resorted to only as a last resort. But the power in the board to commence Government operation will give momentum to negotiations looking to a lease. Also, after Government operation commences, the power to make a lease will stimulate interest on the part of persons wishing to enter that field of business and wishing at the same time to be free from Government competition. From every point of view this threefold treatment of the proposal should be satisfactory and should command a prompt and overwhelming majority in both Houses.

ECONOMIC AND INDUSTRIAL RESULTS

Let us take a glimpse into the future of what will probably be the result of wise and rational action by the leasing board. If the property is leased to a concern financially responsible which intends in good faith to carry out the purposes of the act, then I can envisage a marvelous development in the whole Tennessee River region and even in adjacent sections. The first and direct result will be the production of a cheap nitrogenous plant food which will demonstrate to the farmers and the business people of the United States, the actual cost of fixing nitrogen and of processing the same for use as fertilizer.

Judging by numerous estimates made by experts, the reduction will cut the present cost of nitrogen products from 25 to 40 per cent. This should break the power of the Chilean nitrate trust, which has extracted tribute from the world, and especially from the farmers of the United States, merely because Chile has a monopoly upon mineral nitrate of soda. Two hundred and sixty-five million dollars has been paid into the public treasury of Chile as the export duty upon nitrate of soda exported to the United States alone. When to this is added the exports of nitrate of soda to other countries, especially prior to the World War, the total receipts by the Government of Chile for such export tax must amount to more than a billion dollars. Thus the people of Chile have shifted a large part of their tax burden upon the shoulders of the people of other nations, merely because they possess a natural monopoly in an essential commodity vitally important in both peace and war.

In the next place, to ascertain the actual cost of producing such synthetic nitrogen for agricultural purposes will help to crush the world-wide Nitrogen Trust. At present the world price of nitrogen follows along and barely below the price of Chilean nitrate. Thus a monopoly on mineral nitrogen and a monopoly on synthetic nitrogen go hand in hand. If the United States Government can help break this trust team and set the farmers of this country free, it will be one of the greatest blessings that agriculture has ever received.

Commencing with 10,000 tons of pure nitrogen, in such form and combination as the leasing board may specify and as the lessee may subsequently decide to be most attractive to the farmer, the volume of fertilizers produced will increase and will probably increase very rapidly.

With the advantages given to the protection of agricultural nitrogen, it is my belief that the lessee will find production profitable to himself and therefore will be induced to increase the annual quantity. In order to dispose of such increased quantity, very naturally the lessee will resort to the reasonable and proper business method of combining nitrogen with phosphoric acid and perhaps with potash. Phosphate rock is found in great abundance in the Tennessee River Basin. This can be floated down the river and subjected to electric furnace methods at the time of the year when cheap secondary power is available and thus phosphoric acid produced more cheaply than it is being produced to-day by the wet process. Then probably the potash shales in that section of the country can be economically treated so as to extract the potash for agricultural purposes and leave valuable by-products of high commercial value.

It is entirely within the range of reasonable possibility that in 10 or 15 years the whole fertilizer practices in America will be revolutionized. The unit cost of plant food will be cut from 25 to 40 per cent. The present annual fertilizer expenditure is about $230,000,000 a year. Deduct 25 per cent of that and you have a saving of $56,000,000. Also the fertilizer will be more concentrated and there will be great saving in freight, in sacks, in hauling, and in handling, thus accomplishing another saving of at least $20,000,000 a year. We can thus reasonably hope to realize an annual saving of $76,000,000 for the users of commercial fertilizer.

INDUSTRIAL RESULTS

But in the field of industry the results will surely be more marvelous and astonishing. The lessee will certainly find it advantageous to set up large establishments for the production of electrochemicals and ferro-alloys. In that section of the country are all the raw materials for the manufacture of chemicals and all-steel products; at the same time numerous and valuable by-products will be manufactured. Furthermore, there are 11 valuable dam sites between the Cove Creek Dam and the Wilson Dam, and the construction of the Cove Creek Dam will double the power available at each one of these dam sites. Within the next generation, perhaps, all of the dams in that stretch of the river will be constructed and the power will be used not only at and near the dam but will be sent in various directions to existing cities and towns and to new cities and towns within transmission distance.

Thus the 1,000,000 horsepower to be found along that 300-mile section of the Tennessee River from Cove Creek to Wilson Dam will become a great hive of industry. Perhaps millions of busy and industrious people will gather to use the electric energy there generated. New cities and towns will rise in places now unthought of. Many hundreds of millions of dollars will be invested in new plants and in new enterprises, and proportionate profits will arise from these investments. From the day that earth is broken for the construction of the Cove Creek Dam, which will impound 3,000,000 acre-feet of water stretching over practically 60,000 acres, the largest artificial lake in the world, the eyes of the whole country will be turned upon that section and the footsteps of millions will be directed toward the Tennessee Valley. Agriculture in that section will thrive as never before, producing diversified crops and vegetables to feed the busy millions engaged in construction and in the conduct of industry.

While such a picture dazzles the imagination, it is backed up by reason and human probability and based upon the commanding influence of cheap power. Power is the secret of modern in-

dustry. Modern industry is the impelling force of modern civilization. In this Tennessee River Valley, so rich in the quantity and variety of mineral deposits, will spring up some of the greatest industrial activities of the world. With a magnificent climate, with a productive soil, with a strong and virile population to draw from in the surrounding States, with a people devoted to the ideals of our Republic and to the principles of our Constitution, resolved to maintain and preserve order and justice, that section presents a promise of future development and prosperity comparable to what has taken place in a commercial and financial way on Manhattan Island.

IT ALL DEPENDS

But this bright picture will never be realized unless the leasing board uses great wisdom, profound business judgment, and unusual foresight in selecting the person or persons to whom the property may be leased and in prescribing the conditions under which the leases may be made. The financial responsibility of the lessees must be carefully scrutinized. If any newly organized concern, not now in business, offers to lease the property or any part thereof, the stock ownership and control of such new corporation must be thoroughly examined. I very much fear that hostile interests may organize some new corporation with the deliberate purpose of using it to help wreck the entire project, and especially to lease the nitrate plants and to operate them in such a way as to insure the defeat of the fertilizer project. Great caution must be exercised by the leasing board to prevent this result.

The CHAIRMAN. The time of the gentleman from South Carolina has again expired.

Mr. BYRNS. Mr. Chairman, I yield to the gentleman from Georgia [Mr. LANKFORD].

Mr. LANKFORD of Georgia. Mr. Chairman, I have been reading again the many farm-relief speeches I have from time to time made in Congress during the last decade, and in view of the present prices of farm products, these remarks read like prophesies rather than speeches. I am not a prophet nor the son of a prophet, but I do not have to be either to see that Congress has neither solved the farm problem nor closely approached a proper solution of this most vital question.

I have given years of study to this question. Being reared on a farm I quite naturally studied the problem from early boyhood. This study on my part was greatly intensified when my people, mostly farmers, elected me to Congress. It soon became evident, to my mind, that no proper solution of the farm problem had ever been proposed. I felt and still feel in my heart that from the time Adam and Eve were driven out of the Garden of Eden to the present time the farmer has been the slave of the more wealthy class and has never been on a basis of economic equality with other businesses and enterprises.

A study of years fully convinced me that all the proposals in and out of Congress thus far considered would either not help the farmer in the least or like a dose of morphine would only help him temporarily, and finally leave him worse than ever before.

Having become convinced that other plans were either failures, of little value or really harmful, I found my trouble had just begun. Could the farm problem be solved, and if so, how? Like Banquo's ghost there was ever present the problem of production, marketing, and price control. There could be no farm relief without better prices for farm products. There could be no enduring better prices without production and marketing control. The former is impossible without the latter.

Thousands told me the problem could not be solved. It never had been solved. I believed it could be done. Finally, like a voice from the clear sky, the solution occurred to me. I wondered and still wonder why it had not occurred before. The plan is simply, let the farmers, in sufficient numbers sign contracts with the Government or its agent, stipulating that the Government's agent shall control the farmers' production and marketing and thus be in position to carry out the Government's part of the contract and guarantee the farmers a permanent good price for his crop.

As soon as a proper solution occurred to me I was anxious to publish it to the world. So I have made dozens of speeches in Congress telling of the contract plan. I have discussed the plan in detail before the Senate Committee on Agriculture and Forestry and before the House Committee on Agriculture. I discussed my plan with the former Secretary of Agriculture, Mr. Jardine, and with the present Secretary, Mr. Hyde. I discussed my contract plan in detail with the President of the United States, Mr. Hoover, and received a sympathetic hearing. I have discussed the plan with thousands of farmers in my district and with every other person in or out of Congress who will stop long enough to listen to me, and I am yet to find the first person who, having heard the plan fully, says it will not work if the farmers sign and live up to the proposed contracts. I have also yet to find the first farmer who says he will not sign and perform his part of the proposed contract.

The trouble is not in securing enough signatures of farmers to the proposal but is in getting enough Members of Congress who are willing to give the farmers the chance to make the contract. I have received reasonable support from the big dailies of the Nation.

In this connection let me read a letter I wrote to the editor of the Atlanta Constitution and which was carried by that paper, as follows:

CONGRESSMAN LANKFORD, CONCEDING FARM BOARD CAN NOT RELIEVE SITUATION, PROPOSES PLAN

[The Constitution, August 21, 1930]

EDITOR CONSTITUTION: Under the law as now written I see no possible way for the Federal Farm Board to function effectively and efficiently for the producers of tobacco, cotton, wheat, and other so-called basic commodities. To my mind it matters not what the emergency may be nor to what extent the producers may be organized, the entire scheme is doomed to utter failure. Real farm relief must provide not only stabilization of prices, but also an elevation of prices before stabilization becomes effective. Stabilization below the cost of production would only mean ruin for the farmer. Good prices can not be secured and maintained through a term of years without both an effective production curtailment program and an orderly marketing arrangement. There is no effective provision for either in the law which brought the farm board into being and under which it must operate.

Therefore the complete collapse of the Farm Board program is inevitable unless Congress amends the act at once so as to enable the board to prevent the rushing on the market of an entire crop of tobacco, cotton, or other commodity without regard to demand. Only as much of a product should be offered for sale as can be absorbed at a profitable price to the producer.

The farmer will never be on a parity or equality with other industries until he can name the price of what he sells as fully and as effectively as others name the price of what they sell to the farmer. Some say this can never be done. To my mind, if it can not there should be no more promises made that farmers are to be placed on an equality with others. I am fully convinced, though, that the farmers can be placed on an equality with others, and I am also fully persuaded that the present Farm Board under the present law will not and can not help the farmers secure this economic equality.

CONGRESS TO BLAME

I don't blame the board. I blame Congress for not enacting sufficient law to control the situation. The present Farm Board act only provides that the farmers shall be advised to curtail production and threatened with low prices if they do not accept the advice. The farmers heard this advice long before the Farm Board was ever created, and no one should be surprised when such advice is not followed by any considerable number. If one farmer follows the advice, another ignores it. If one State curtails, another increases. At least, we find that acreage control can not be brought about by advice, threats, or contemptuous gestures. All agree it can not be done by law.

Then can it be done, and if so, how? In brief, can a plan be inaugurated to help the farmer get a fair price for his tobacco, cotton, and other products?

I believe such a plan is practical and humbly submit my proposal for this purpose.

PROPOSES DEFINITE PLAN

I am advocating and have a bill pending in Congress to provide that when the planters of a large specified acreage—say 75 or 90 per cent—sign contracts to stand to and abide by a reasonable acreage, allotment, and marketing program prescribed by the Farm Board or other governmental agency, then that the Government through its agency will, in effect, guarantee to the producers a profitable price for their products. This plan contains a most perfect referendum and leaves the producers of each specific commodity to determine by an overwhelming majority that the plan is acceptable as to the specific commodity before the operation begins as to the commodity.

The producers vote their approval by signing fair contracts giving the agency control of their production within reasonable limitations, and giving the agency or board the power to sell the entire output of the particular product. The contracts would be void unless enough farmers signed to put the board into operation as to the particular commodity, but would also provide that when enough signatures were obtained the Secretary of Agriculture should make declaration of the fact and the board would be bound to take steps to loan the producers of the commodity such

amounts under such contracts as would enable the producer to allow the Farm Board to hold his commodity off the market until it could be sold in bulk by the board at a fair and reasonable stable price.

Under this plan the Government's board would take the commodity as the sole and only collateral for the loan and would be under obligations to sell the commodity for enough to pay the loan, interest, storage, and all expenses, and such amount to the farmer in addition to the loan as would arise from a sale of the commodity at a reasonable price. This would be real farm relief, with the farmer getting probably twice as much money for one-half the expense and labor and with such a contractual production control and marketing arrangement as to prevent any loss to the Government.

WOULD GUARANTEE FREEDOM

The farmers would gladly sign the required number of contracts, for they would be assured a new freedom of price control. The governmental agency could curtail production so as to maintain a sufficient price to protect all concerned, and would offer for sale only such amounts as could be sold at a fair price. Neither exaggerated crop reports nor cotton-future transactions could affect the price unfavorably.

The plan would usher in greater diversification and more intensive cultivation of the acreage actually cultivated. Prices of farm products would become stabilized on a profitable plane to the farmer, and a reasonable basis to the manufacturer and exporter.

Inequalities and uncertainties would disappear; the credit of the farmer would be enhanced; the farmer would soon become a lender of money instead of a borrower; the farmer would gain the new economic freedom of naming within reasonable limits, the price of the products of his toil, and the Nation would have made safer and more secure its foundations of justice and right.

W. C. LANKFORD,
Congressman Eleventh Georgia District.

DOUGLAS, GA., *August 20, 1930.*

On the same day the Atlanta Constitution carried my letter. Editorial mention of it was made, as follows:

[The Constitution, August 21, 1930]

LANKFORD'S PLAN

We publish elsewhere to-day an interesting communication from Congressman W. C. LANKFORD, of the eleventh Georgia district, in which he expresses the opinion that no agricultural relief can be obtained under the law controlling the operation of the Federal Farm Board.

He sees the complete collapse of the Farm Board program unless Congress amends the act under which it was created so as to enable the board to operate on a broader scale, by which it can prevent the flooding of the market with agricultural products without regard to demand.

Congressman LANKFORD now has a bill pending in Congress which he thinks offers a substantial remedy.

This plan is based upon cooperative marketing, with the Farm Board in control of production as well as sales.

Congressman LANKFORD believes that practically all producers would sign the necessary number of contracts to place the matter in the hands of the Farm Board and that the result would be more extensive diversification, more intensive cultivation, and general prosperity for the farmers.

There can be no doubt that as at present operated the Farm Board program is doomed to failure. Indeed, it has already failed. Prices have gone constantly down and there seems to be no change for the better.

The basis of Congressman LANKFORD's plan is cooperation.

Whether or not effective results can be obtained by carrying cooperation to the limit, as suggested by him, can not be said. Nothing but a trial can demonstrate its practicability.

All must agree, however, that something must be done to put the farmers of the country on a better basis than now. They have a right to ask that they be placed on a parity with other industries which, through cooperation, can at least partially control the price for which their products are sold, and which can at least hold them off the market when the price is below the cost of production.—Atlanta Constitution.

The Savannah Morning News, in discussing my plan, while expressing fears that the farmers would not sign the production and marketing contracts, among other things, said:

Congressman LANKFORD, of the eleventh district, has proposed a method of farm relief which, if adopted and followed, would actually relieve. * * *

In brief, it provides for a large majority of the growers of any one farm crop to agree in advance, by signing contracts, to plant a "reasonable" acreage, giving a governmental agency control of their production within reasonable limits, and of the marketing of the product. Congressman LANKFORD agrees that threats, coercion, limitation of acreage by law are futile; the farmer pays and would pay no attention to them. The whole thing must begin with the production end, simply because overproduction will wreck any scheme of farm relief any government could put into attempted operation.

The Morning News has realized for many years that this is the basis of any sure-enough, lasting farm relief—production control. And it has wondered how in the world that control can be exercised. The farmers could do it if they would. But will they? And by the "farmers" is meant the growers of the United States. The farmers of one State can't do very much about relief by themselves. As to cotton, for instance, the whole Cotton Belt of the Nation would have to be in accord, in great majority, before relief could amount to much. Congressman LANKFORD thinks such an agreement could be obtained. Certainly it is hoped that it can and will be. * * *

Again the Savannah Morning News adds that if the Lankford plan can be put into operation "it would solve an infinite number of farm problems."

Mr. Chairman, when the tobacco market opened up in my district last summer, just as I so much feared, but as I expected, the Farm Board act was found to be of no real value and the farmers' tobacco began to sell below the cost of production and at a terrific loss to the producers.

The farmers wrote me, called me over the phone, wired me, and came to see me in person, begging me to help them in some way. I felt helpless. I told them I had done my best to secure the passage of a genuine farm-relief measure, but Congress had refused and passed a bill which was of no real value to the farmers. They begged me to wire the Farm Board for help. I told them I would wire but that I could tell them what reply I would receive before I sent the telegram. I told them the board would wire that nothing could be done in the absence of organization on the part of the farmers. I, furthermore, then and there stated that the Farm Board under the present law was not able to render real relief even if my farmers were organized, and that the present Farm Board act, unless amended, would never be the means of putting the farmer on a parity or equality with other industries as promised by both the Democratic and Republican Parties. I was glad to send the telegram as requested. I promptly received the reply as anticipated.

The failure of the present farm board to bring about genuine farm relief is what I have expected all the while. I have said repeatedly in Congress and out of Congress that in the absence of an effective production control and marketing arrangement, the Farm Board act had failure written on its pages. Cooperative marketing, if enabled to name for the farmers the selling price of the farmers' products, will become the farmers' greatest economic benefactor, but cooperative marketing will become a delusion and a snare if used only to give the farmers a false hope of relief and cause them to accumulate a greater and yet greater surplus to menace the farmers at every turn and ultimately wreck and ruin them. It seems evident that the latter result is inevitable if the cooperatives are to operate under the present laws as written in the Farm Board act. The cooperatives are not to blame. The members of the Farm Board are not to blame. Congress is to blame for not working out an effective production control and marketing arrangement.

Before I sent the wire to the board asking that relief be given the tobacco farmers I told the editor of one of the daily papers in Georgia that the board would refuse and say the lack of organization by the farmers prevented help by the board. The trouble, though, is that the board will not be able to render effective help, it matter not how much the farmers may attempt to organize. The trouble is not with the farmers. I repeat, Congress is to blame for not enacting sufficient basic laws. I called for help knowing it would be refused, so that there might be emphasized more fully the necessity for real farm-relief legislation.

Mr. Chairman, there are those who say give the Farm Board additional time for experimentation. Let me say while this is going on the farmers are losing their all. Let us repeal the Farm Board act and enact real farm-relief legislation or let us amend the present law by authorizing my contract plan.

Some say, since the Farm Board act is a failure, let us enact the old equalization-fee plan. The present Farm Board act is a failure. The equalization-fee plan would have been not only a failure but an outrageous crime. I bitterly oppose even giving further consideration to the equalization-fee scheme.

But, some say, what about the export debenture? My reply is the same as I have repeatedly given. The export debenture would help the farmer slightly for a little while.

I will vote for it. It will not bring permanent farm relief, and an awful mistake will be made if it is passed as the final solution of the farm problem.

Let us quit traveling in a circle. Let us quit experimenting to the loss of the farmer. Let us quit back tracking. Let us pass real farm relief, and let us do it now.

Mr. Chairman, I hope that the President and Congress will yet enact an amendment to the Farm Board act, giving it power to help the farmers in emergencies, such as we are now passing through. Better prices over a period of years, in my humble judgment, can only come from effective control of production and marketing and these can only be brought about by a contract system as heretofore repeatedly outlined by me. I am hoping the time is at hand for such an effective cooperative control of production and marketing as to enable the farmers of our Nation to enjoy the economic freedom of naming the prices of the products of their own toil. I feel this right should be enjoyed by the farmers as fully as it is now exercised by all others.

There can be no effective farm relief without permanent fair prices for farm products and there can be no permanent price elevation without an efficient and effective control of production. The farmers by contract should protect the governmental agency in the matter of acreage control and the agency should guarantee a reasonable price for tobacco, cotton, and other basic commodities. This would be real farm relief.

Mr. Chairman, last week the Savannah Morning News and other daily papers throughout the country carried a news item as follows:

LANKFORD CALLS ON PRESIDENT HOOVER

WASHINGTON, D. C., November 26.—Congressman W. C. LANKFORD called on President Hoover to-day and talked to him about the plan of the Congressman to bring about farm relief by controlling through a voluntary contract system the acreage of cotton, wheat, tobacco, and other basic crops included within the scope of the Federal Farm Board act.

The Georgian does not think that there can be any real farm relief without restriction of acreage, and he is also of the opinion that the only restriction that is practicable would have to be voluntary on the part of the grower.

Judge LANKFORD has a bill pending, and intends to reintroduce it as an amendment to the Farm Board act, to provide that whenever a certain proportion of the farmers producing any one of the basic crops covered by the act sign contracts agreeing that the board shall have a right to control their acreage, the board would then take measures to stabilize the price of the commodity at the average at which it has sold during the preceding 10 years.

The proportion of farmers signing such a contract would, of course, have to be very large. In his pending bill the Georgia Congressman starts with a figure of 75 per cent, but he would be willing to raise the percentage to 95 per cent to get his measure enacted.

Judge LANKFORD said that the President appeared interested in the plan and called it a unique proposition which was worthy of study, but did not commit himself in any way about it. The Congressman is also holding conference with members of the Farm Board in the hope of securing its support.

Mr. Chairman, from several favorable editorials carried during the last few days, I wish to read another one from the Savannah Morning News, as follows:

VOLUNTARY ACREAGE RESTRICTION

Congressman LANKFORD is perfectly right in his opinion that there can not be any real farm relief without restriction of acreage, and that there can not be any practical restriction except such as is voluntary. In the first place, it is necessary to try to increase demand and to curtail supply when prices are very low. In the second place, any effective curtailment of supply, except by the accident of bad seasons, can be obtained only by general voluntary effort on the part of the producers.

There is no sense in trying to force farmers to cut acreage by legislation—that is, by laws fixing the number of acres or the percentage of acres formerly planted in one crop which they may be permitted to plant again in that crop. The farmers would not stand for such laws and would not obey them. They would be hard to convince that they do not have the fundamental right to plant any number of their acres in anything they please.

But if they, in great majority, enter into contracts to plant just so much acreage and no more in a certain crop, they could control the output of that crop and have direct influence on its price. They should not expect the Government to be able to make their price attractive unless they themselves help to do that very thing by assisting the old-fashioned, often-condemned law of supply and demand to do it. For, after all, and in the course of years, farm crops which are of world-wide production are going to have their market value determined by world production and world consumption. And even where one nation produces a tremendous percentage, almost a monopoly, of a certain crop, national price fixing has been a failure. Brazil tried it with coffee; the British Empire tried it with rubber; it has been a failure with sugar.

Just what legislation and Government aid can do to bring about voluntary restriction of acreage remains to be seen. It is a fact, however, that unless there is control of supply, and voluntary control by producers of supply, farm relief is going to find the sledding very rough.

Mr. Chairman, in the next few days I hope to secure at least an hour in which to again explain in detail my farm-relief plan. I have unbounded faith in the scheme as the only proper solution of the farm problem.

I am anxious for Congress to adopt my plan and put it into operation at once. I certainly invite constructive criticisms and want all to either approve the plan or suggest what they think is a better one. I am anxious to argue the merits of my plan with anyone who believes it is faulty or that he has a better one. [Applause.]

Mr. BYRNS. Mr. Chairman, I yield 30 minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Chairman, I heard the reading of that part of the President's message dealing with the present economic situation with much disappointment. I was able to draw from it very little upon the causes of the present depression. I was able to find nothing in the way of recommendations to prevent the occurrence of such situations in future.

Apparently the President belongs to that school of political and economic philosophy that looks upon such depressions with their resulting unemployment and destitution as inevitable and unpreventable. Apparently he visualizes similar suffering, similar starvation, and similar despair, occurring at fairly regular intervals so long as the Republic may survive. Apparently he thinks that they are a necessary evil, inherent in our economic system and impossible to guard against.

DEPRESSIONS PREVENTABLE—RESULTS OF ABUSE OF OUR SYSTEM

I regret the President's approach to this subject with such a despairing point of view. The existence of the present economic situation is an indictment both of our statesmanship and our economic intelligence, both in and out of government. Depressions are not inherent in our system of individualism. To the contrary, they are preventable; they are unnecessary; they are hurtful to our system; they violate and run counter to its principles; they are merely the consequences of the abuse of our system.

If it be true that situations such as the present depression—if hunger and despair are its legitimate fruits and inherent in our system, then it will be only a matter of time before a change in the system will be made. If such suffering is essential to the system of individualism, my frank conclusion is that the system is not worth while, and that the time will soon come when the intelligence of the Nation will demand that we change to some other system, even if it should be in the nature of a rash experiment.

I believe in our economic system. I hold to the old-fashioned ideas of individualism and of competition. I want this system to be made to work. It must be made to work or it will be abandoned. Unless brains can be made to produce intelligence, unless vision can be brought to bear upon our problems, unless men can be produced who may attain to the stature of statesmen, our system is certainly doomed. Men will not remain content to stagger on from one period of depression to another, from one siege of starvation to another which may be worse, without some desperate experiment to relieve themselves from the constant threat of suffering and ruin.

INADEQUATE STATEMENT OF CAUSES

The President's statement of the causes of the depression is, to me, most inadequate. He mentions as the chief causes "speculation" and "overproduction." He cites "price falls," which "have diminished the buying power," as an incident and places blame upon political conditions in certain countries of Asia and South America. Russia is accused, of course, and casual mention is made of "our own drought," and blame is charged to "fear."

The President makes no mention as causes of the depression of the maladjustment due to overstimulation of certain industries and to labor-saving machinery; nor of the vast burden of debt flowing from inflation and installment buying; nor of the excessive spread in prices between producer and consumer; nor of high living, waste, extravagance, and idleness; nor of tariffs and trade barriers, trusts and monopolies; nor of excessively high prices for commodities and transportation; nor of taxation; nor of the failure of the Federal reserve system to function for the prevention of inflation; nor of numerous other causes which economists must recognize as contributing to the situation.

THE PRESIDENT'S RECOMMENDATIONS

Apparently the President thinks that our problem is merely one of "unemployment" and that that is the complete picture. Apparently he does not recognize that unemployment is in itself merely a symptom—merely a witness that something is ailing in our economic system. And dealing altogether with this narrow aspect of the situation, the President makes certain recommendations which are shocking in their inadequacy. No remedies for the causes which produced the ailment are proposed. He prescribes merely certain slight palliatives which are expected apparently to ease us in this hard place, while we are to go on with our eyes wide open to the fact that in a little while we will lapse into just such a similar situation of suffering. He says that "these occasions have been met many times before," and that they "are but temporary." He recommends "cooperative action," "faith and courage," and "self-reliance."

He says that we—

Should not hoard, but should pursue our normal living and recreations—

Which is but another way of advising us to "buy now." Also:

That each should seek to assist his neighbors who may be less fortunate.

A beautiful platitude! And that the—

State should assume its full responsibilities for organization of employment and relief of distress.

Then he says that the best contribution of Government lies in the "encouragement" of "voluntary cooperation" and proceeds to relate that he had encouraged cooperation and appointed committees and enjoined employers with certain pious platitudes—and so had done all that was required of him.

But there is one thing in the President's address that I heard with much pleasure. It was a real contribution. I quote:

We have as a nation a definite duty to see that no deserving person in our country suffers from hunger or cold.

That definite duty the President proposes to meet by injunctions to charity and to odd jobs, and by proposing limited expenditures for public improvements and for a loan to farmers for "seed and feed for animals" to be "secured upon the crop." And that is to be the end!

UNEMPLOYMENT MERELY PART OF PICTURE

Any picture of the situation which only includes men ready, able, and willing to work but who can not find work to do is incomplete, for it does not show the black shadow of hunger and dispair which hangs over many other classes as well as the unemployed. Work is wholesome and good of itself, as idleness is of itself bad and demoralizing. But it is lack of income, not mere lack of work that is the cause of suffering. It is the destitution which affects idle wage earners as well as other classes who are affected.

An idle worker may or may not be hungry, depending upon whether he has savings, how long he has been idle, and other facts. There are other classes than workers who may be suffering more—the crippled, the infirm, the "too-old" men and women, the children, and all of the nondescript, semisubmerged classes generally called the poor, who lead but a scrambling and miserable existence at best, and who are first to go under in a depression. Then there are the thousands of small business and professional men who have been crowded to the wall, and who have neither skill nor fitness for work even if they could find it. A count of wage earners out of work would probably include less than half of those without income sufficient to sustain life. Relief for wage earners merely will do little or nothing to alleviate the condition of the submerged other half, who are suffering as much or more.

Common intelligence and statesmanship dictate that we should bend our efforts to cure in a comprehensive way the causes which have brought about this situation; but even if, in the dismally hopeless frame of mind that what is today will recur in another year only a little way hence, we are to confine ourselves merely to palliatives, surely we ought not to be satisfied merely with a program of public improvements which can at the best give employment to only a few thousand men.

The President says that his program will provide for the expenditure of $650,000,000 in public works within the next 12 months, though he says that of that time six months is all we ought to give ourselves any concern about. How far will that go toward relieving unemployment? Surely the President is lacking in imagination if he thinks that such a limited program will do anything substantial to relieve the situation.

The aggregate expenditures for public works by States, municipalities, and the Government for 1930 reach the respectable total of $6,300,000,000. Has that relieved unemployment? No; it has steadily and progressively increased. Yet the burden has taxed the credit of the States and cities, and their 1930 outlay probably can not be duplicated in 1931. The Government's contribution for 1930 was $530,000,000. It is to be increased to $650,000,000 for 1931, but it seems certain that the States will lag and that the total will be less than for 1930.

At last a program of public improvements is a very poor way even of palliating an economic depression, and is to be resorted to only in a case of emergency. A public improvement is always a liability as well as an asset, and its cost of manning and maintenance is often greater than its benefit—it is not to be constructed without carefully weighing the advantages. Then, too, improvements must be paid for either now or hereafter; either means taxation, which of itself works against good times and stability.

EXTENT OF UNEMPLOYMENT

A few hundred millions spent for public work within the next six months! What will that do toward relieving unemployment? Does the President know how much unemployment there is? It does not help him to minimize it. It serves no purpose for me to magnify it—the bare facts are appalling enough. I hold in my hand a copy of Labor, which carries the statement from William Green, president of the American Federation of Labor, that 22 per cent of the members of organized labor are out of work and that if unemployment—

Continues to increase at the usual rate, we shall have 50 per cent more out of work by February than we now have.

The members of organized labor, speaking in a general way, and by average are select men and are more skilled and more competent and through their organizations are better able to secure employment than the average of men who work. If 22 per cent of the members of organized labor are idle, then it must be that near 30 per cent of the nonunion workers of the country are unemployed. This 25 to 30 per cent of all labor does not include those employed only part time. It is, of course, clear that two men working half time are the equivalent in earning capacity to one man idle and only one man at work. From actual facts in hand, including figures on production, transportation, and trade, it is demonstrable and certain that not less than 10,000,000 persons are totally without employment, and that another 15,000,000 to 20,000,000 are working on an average only half time.

The census figures are ridiculous. As an illustration, they give the unemployed in the State of Alabama as 21,400, whereas a recent careful computation by our State emer-

gency employment commission, an official body, shows a total of 98,330, of whom more than half belong to industry. The census showed only 8,410 unemployed in my home county of Jefferson, while the commission's count is 17,086. We may well conclude that the census figures on other communities are equally misleading. But the picture of unemployment, appalling thought it be, is not all. The 10,000,000 unemployed in the country at large do not include other millions of the old, crippled, deficient, and others who can not be fairly called wage earners.

WHAT LABOR'S SHARE WILL BE

Suppose we spend $650,000,000 for public works. Of that amount not exceeding 60 per cent will be paid to the men who labor, to those engaged upon the works, and those engaged in producing the materials. The balance of 40 per cent will go for sites, raw material, overhead, profits, salaries, and so on—little, if any, of it to those in great need. Assuming that three-fourths of the $650,000,000 is laid out within six months, labor's total share of the expenditure will be in the neighborhood of only $292,000,000, which will give each of the 10,000,000 now unemployed about $29 during the next six months.

And to whom will that be paid? In times such as these employers are able to pick their labor. They are able to choose the most efficient, strongest, and most capable. Nearly all of that money will be spent among that section of labor that is the most intelligent, able-bodied, and strong. This means the exclusion of all others. Perhaps some of the poor may be included among the chosen workers, but as a class those chosen are likely to be the less destitute, those most likely to have savings accounts or to have some means to ward off present starvation.

Little, if any, of this expenditure will be paid to women workers. What will be the share in the construction of public works of the women unemployed who must support themselves and their families?

No part of this money will be paid to those under 20 or above 50 years of age, and none to the decrepit, the infirm, and the crippled, and none to those who have no skill and no training which qualify them for labor. Are the sufferings of these to be ignored? Or must they depend upon catching a few crumbs under the tables of those who may be benefited by the Government's favor?

DESTITUTION AMONG COAL MINERS AND TENANT FARMERS

I read in one of my home newspapers the other day a letter from a widow, from a mining village in my State, who stated that she had been maintaining herself and her two small children by washing the clothes of the coal miners. Her husband had been a miner. She wrote that the depression in coal was so great and the conditions of the miners so low that she could no longer get washing to do.

My children and myself are starving. We are dependent upon an occasional hand-out from our neighbors, who are almost as poor as ourselves.

I have in my district hundreds, perhaps it is even thousands, of men working in the soft-coal industry whose earnings do not exceed an average net of $15 per month, and upon that pittance they are trying to feed families, sometimes of six to eight children. A short time ago I was in a mining village of 400 to 500 people in my district. Poor people they were; there was no wealth or surplus there to sustain charity. They were chiefly merchants who had sold groceries and other goods to the workers at the near-by mines. I found they were running a free kitchen, doing the best they could, giving to the destitute one meal a day, consisting of bread and soup and a plate of mixed vegetables with a little grease mixed in to season them. I was told that 93 hungry people had called for that meal on the previous day. I looked at those who came for the food and my heart bled for them. They were not accustomed to charity. In the main they were children; the grown folks would not come, but they let the children come. I looked at them. I saw their pale faces and the ragged little overalls they were wearing.

Do you tell me that those miners are going to get work constructing public improvements! What is to be done for them must be done quickly or they and their dependents are going to be so weakened by starvation and exposure that they will be forced to yield at the first touch of disease that may come along.

I have in mind the poor tenant farmers. They exist by hundreds of thousands in this country. I have in mind a typical community in Alabama, where the farm work is, in chief, done by negro tenants. They raise cotton to pay for supplies consumed while they are raising it and to pay the rent of the land. This year the price has been desperately low. Their crop has yielded them barely enough, if indeed even enough, to pay what they owed for supplies and for the rent for the land which they tilled. Those negro tenants by the hundred thousand scattered throughout the Southern States now confront the winter without credit, without supplies, and without money with which to buy food for their children. What good to them will be a loan to buy seed next spring? They are not going to make any crop next spring. Unless something is done they are going to be dead next spring.

The President proposes a loan for seed and for feed for livestock to help the farmer make a crop next year. The poor negro farmer who has no livestock is to have feed for a mule, but the women and children are to starve. Oats are to be furnished for the horse trough, but no bread for him and his children to eat.

A BILL FOR THE RELIEF OF THE STARVING

It is the duty of the Nation "to see that no deserving person in our country suffers from hunger and cold," said the President. What are we going to do about it? Shocking indeed is the inadequacy of the President's program, and so lacking in initiative has been the Majority in the House that no proposal has been made which contemplates anything more than he recommends, so that I have felt it my duty to take upon myself the responsibility of introducing a bill (H. R. 14042) which would place at the disposal of the President $50,000,000 which he may use for the relief of the hungry and suffering throughout this Nation.

The argument against a proposal for direct relief is that it will undermine thrift and industry. Granted that it will, the consequences will not be half as serious as a failure to relieve widespread destitution. Direct relief will be less injurious to the morale of the people than for our Government to stand helpless and aloof in the presence of wholesale suffering.

The argument will also be made that direct relief savors of the socialistic. I may grant that also, but I reply that it is no new departure. There are many precedents. Time and again our Government has granted direct relief in times of emergency. We have assumed to relieve destitution and suffering in times of fire, flood, and widespread calamity. I remember the controversy during Cleveland's administration over aid for the drought-stricken farmers of Texas. Numerous similar grants have been made. In 1919, just after the World War, $100,000,000 was voted for the relief of the starving populations of certain European countries. Again in 1921, $20,000,000 was voted to feed the starving in Russia. If we may feed Europe's hungry millions, surely we need not ignore the pangs of our own.

ONE OF THE CAUSES OF DEPRESSION

Any discussion of the present depression should include proposals for remedying the causes which have brought it about. I regret that the time which I have is insufficient for this purpose, but I feel that I must mention at this time one of the causes—one which I regard as the chief cause, which is "high prices."

Prices are too high. The spread between what the producer receives and what the consumer pays is excessive. This spread has increased more than 100 per cent during the past 15 years. A part of the increase has been caused by higher costs of doing business, greater overhead, more middlemen, and other items which are more or less legitimate.

It is the usual practice to charge it to higher labor costs. This charge can not be sustained. Labor, it is true, has received increases in rates of pay, but increased production per man has also been brought about. It may be said fairly that in practically all industries the labor costs of to-day are little, if any, more than 20 years ago, and in many industries machine production has actually reduced the share of labor in the cost of the product. The producers who are using the machines in the place of men are grabbing the saving for themselves in increased profits, instead of passing it on to the consumer in reduced prices.

A part of the increase in spread between producer and consumer is more or less legitimate, but the bulk of the increase represents not an increase in cost of doing business or production but in extortionate profits exacted from the consumer. From the manufacturer, in his capacity as distributor, all along the line to the consumer, profits totaling more than 100 per cent above pre-war profits are being extorted. Consumers are being required to pay extravagant salaries to officials and dividends on watered capital, and so on down the line.

The advocates of the "buy-now" policy apparently do not realize that the present depression is in some respects a buyers' strike, a strike against high prices and extortionate profits. It is no bad sign that prices are coming down. It is one way toward relief. A business man engaged in distribution should recognize that those of his class who are to survive are those who will find ways in which to deliver their products to the consumer at lower prices, representing less waste, extravagance, and extortion in distribution.

THE BATTLE FOR BREAD

I have in my mind the cost of bread. The battle for bread in these days is not a struggle, as with our fathers, against the forces of nature, but a battle against extortionists and profiteers, led on by the Bread Trust. Wheat is selling at 60 cents per bushel on Kansas farms, yet bread retails at 10 cents per pound to the starving masses in the centers of population. Four and six-tenths bushels of wheat will make a barrel of flour, 196 pounds, and the by-products are nearly enough to pay for the milling. From the wheat for a barrel of 196 pounds of flour, costing on the farm less than $3, the baker makes 285 pounds of bread, retailing for $28.50.

During last year the Navy made bread for their men at a cost of less than 2 cents per pound for flour, shortening, salt, and all other ingredients. The labor cost of producing bread in a city like Baltimore was 47 cents per 100 pounds. The cost of producing a pound of bread in Baltimore is less than 2½ cents, bread which the retailer sells at from 8.5 to 10 cents per pound—a spread of about 300 per cent.

The extortion being practiced on consumers of bread is made possible by four great corporations—the Ward, the General, the United, and the Purity—which, with their flock of subsidiaries, compose the Bread Trust, and are able to dictate the price of bread throughout the United States. I have presented this situation to the Trade Commission—nothing done! I appealed to the Attorney General—still nothing done! The cost of bread is higher in the United States than in any civilized country in the world. It is more than twice as high as in any of the leading European countries.

The situation as to bread is duplicated in numerous other lines. Combinations, trusts, monopolies, conspiracies in restraint of trade—they are on every hand. They exist without let or hindrance. They are not legitimate to our system. They are excrescences upon and abuses of our system. Our Government can not be acquitted of fault, for it has failed to force business men to compete, a thing which it seems that they have become unwilling to do voluntarily.

Let us do something for the people who are starving. Let us give it to them direct. I would rather have $10,000,000 distributed for the relief of destitution than to have $100,000,000 spent for works of public improvement. It will do more good. It will do more to preserve the lives of our people than an expenditure of ten times the amount for public improvements could possibly do.

Under leave to extend my remarks, I include a copy of my bill to which I have referred:

A bill authorizing an appropriation for the relief of destitution in the United States

Be it enacted, etc., That the sum of $50,000,000 is hereby authorized to be appropriated, to be available until July 1, 1931, to the President of the United States for disbursement by him, at his discretion, for the relief of persons residing in the United States who may be destitute and in need of the necessaries of life.

SEC. 2. In disbursing the said sum the President shall have authority to use and employ such agencies as he may create for that purpose or as may already exist in communities, and may cooperate with States, counties, and municipalities upon such terms and conditions as he may deem best, and may disburse same either in the purchase of supplies or by payments in money to the beneficiaries.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. BYRNS. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. O'CONNELL].

Mr. O'CONNELL. Mr. Chairman, ladies and gentlemen of the committee, at the last session of Congress I directed the attention of the House to a question that I am going to bring up to-day during the few moments which are allowed me, because since that time the question has attracted additional attention on the part of some Members of the House. This afternoon we listened to a very interesting speech by the gentleman from Illinois [Mr. ARNOLD], a distinguished Member of the House, upon the question of the post-office and mail facilities, and my remarks will be along the same lines.

Mr. Chairman, the opening of the short session of Congress on Monday found four Congressmen eager to push bills introduced by them during the last session for expediting air mail service. The bills pertain to the construction and use of underground pneumatic-tube service for the speedy handling of mail between airports and post offices. In addition to my own bill affecting the Floyd Bennett-Brooklyn route, the gentleman from New York [Mr. CELLER] is urging early public hearings before the Committee on the Post Office and Post Roads for his bill. The gentleman from Minnesota [Mr. MAAS] is also interested in pushing the measure he introduced providing for a tube service between the St. Paul airport and the St. Paul post office, a distance of 7 miles, and from the St. Paul post office to the Minneapolis post office, a distance of 2 miles. A similar measure sponsored by the gentleman from Massachusetts [Mr. DOUGLASS] to link the Boston Municipal Airport with the general post office is likewise being revived with the reopening of Congress.

Although these bills pertain specifically to the installation of such service at local airports, a bill of national importance was introduced in the Senate by Senator GEORGE H. MOSES in April, 1929. His bill referred to the necessity of pneumatic-tube service for the transportation of mails between mail-contract airports and the main post office of each principal city recognized as the terminus of an air mail contract route.

The feasibility of a superspeed air mail service between important cities, demonstrated by the air records recently established by Capt. Frank M. Hawks in his 270 miles per hour flights, has emphasized the importance of speeding mail deliveries between post offices and airports.

Based on the flyer's own record of 53 minutes from New York to Boston, a distance of 190 miles, and 20 minutes to cover the distance of 90 miles from New York to Philadelphia, air mail between these points may be expected to approximate telegraphic communication, provided the time now lost between post offices and landing fields may be reduced. This is possible through the use of pneumatic tubes instead of the present truck deliveries through the congested city streets.

Based on the recent achievements of Captain Hawks, experts point out the use of fast, single-motored mail planes would permit a minimum speed of 200 miles per hour with a full quota of mail.

On the basis of direct air lines between certain important cities, air mail planes flying at 200 miles would result in such spectacular time records as:

New York to Pittsburgh, 315 miles, 1 hour and 35 minutes; New York to Chicago, 717 miles, 3 hours and 35 minutes; New York to Miami, 1,125 miles, 5 hours and 38 minutes; New York to Atlanta, 750 miles, 3 hours and 45 minutes; and New York to San Francisco, 2,560 miles, 12 hours and 48 minutes.

Aviation enthusiasts for the pneumatic-tube idea point out that the installation of pneumatic-tube facilities for the handling of mail between post offices and airports at these points would give air mail a speed comparable to the telegraph at a mere fraction of its cost. Fliers and aviation enthusiasts are generally agreed that too much of the time saved by the speedy travel of air mail between airports is now lost by the delays in terminal deliveries.

The pending measures to expedite the air mail service will be of the greatest support to aviation, which now more than ever needs the country's support. The air mail service is the backbone of commercial aviation in this country, and to reach its logical development it must have facilities for improved terminal deliveries of air mail.

The bill I have introduced to provide swift pneumatic-tube service for air mail between New York's municipal airport at Barren Island and the Brooklyn general post office would provide employment for a considerable number of men and serve more than 1,000,000 persons with fast mail through the five post offices on the way to the airport, reaching one of the fastest growing sections of Brooklyn. It is unthinkable that the great city of New York should receive its air mail via another State.

The brilliant achievements of that successful crusader for aviation, Captain Hawks, and Clarence Chamberlin, has demonstrated that the country has been dormant to the new high speeds possible with safety in the dispatch of air mail. We must look ahead to the development of these vehicles of the air and not lose hope that aviation will yet fulfill its high promise to the Nation.

The efficiency of the pneumatic-tube mail service as an adjunct to fast air mail service has been established by the success of a similar service between the main and branch post offices of New York City and in Paris, Berlin, and other centers. The reports of the Joint Commission on Postal Service of the Senate and House of Representatives, 1920–1924, give ample evidence from the Government's own engineers and postal authorities and from experts called in at the time as to the efficiency and economy of the service.

The bill introduced by myself on May 1 last pertains specifically to the installation of pneumatic-tube service between the Brooklyn general post office and New York's new airport on Barren Island, a distance of 10 miles. Service to this new air field, named in honor of the late Floyd Bennett, anticipates the development of New York's new municipal airport into a terminal of major importance. This installation, the bill points out, would also provide tube service between five intermediate postal stations in the Flatbush Avenue region and the Brooklyn general post office. Inasmuch as tube connections already exist between Manhattan and the Brooklyn general post office, the municipal airport would have tube-service connections with all parts of New York. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BYRNS. Mr. Chairman, I want to state to the committee and to the gentleman from Indiana that that concludes the number of speakers on this side who have requested time at this time. The gentleman from Indiana has been extremely generous and liberal in granting time to this side of the House in this general debate, and on behalf of myself and all of those who have spoken I want to take this opportunity of thanking him for his liberality. [Applause.]

The CHAIRMAN. The gentleman from Indiana [Mr. WOOD] is recognized for one hour.

Mr. BYRNS. Mr. Chairman, I ask unanimous consent that the gentleman from Indiana be permitted to continue until he has concluded his remarks, if I am in order.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the gentleman from Indiana [Mr. WOOD] be permitted to pursue his argument to conclusion regardless of the rules of the House. Is there objection?

There was no objection.

Mr. SPROUL of Illinois. Mr. Chairman, I think we should have a quorum. There has not been very much said in debate with reference to this bill, and I make the point of order there is no quorum present.

The CHAIRMAN. The gentleman from Illinois makes the point of order that there is no quorum present. The Chair will count.

Mr. RANKIN. Mr. Chairman, I move that the committee do now rise.

The question was taken; and the motion was rejected.

Mr. RANKIN. Mr. Chairman, I demand tellers.

The CHAIRMAN. Those in favor of taking this vote by tellers will rise and stand until counted. [After counting.] Two Members have risen; not a sufficient number. Therefore, tellers are refused and the committee refuses to rise. The Chair will continue to count to determine the presence of a quorum. [After counting.] Sixty-eight Members are present; not a quorum. The Clerk will call the roll.

The Clerk proceeded to call the roll.

The committee rose; and the Speaker having resumed the chair, Mr. MICHENER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had found itself without a quorum, caused the roll to be called, and found 321 Members present, and he reported to the House the following as the names of the absentees:

[Roll No. 2]

Abernethy	Douglass, Mass.	McCormick, Ill.	Rowbottom
Aldrich	Doyle	McFadden	Schafer, Wis.
Andrew	Driver	McLeod	Scars
Auf der Heide	Eaton, N. J	McSwain	Simms
Bachmann	Edwards	Maas	Sirovich
Beck	Estep	Manlove	Smith, W. Va.
Bell	Evans, Mont.	Merritt	Snow
Blackburn	Fenn	Michaelson	Steagall
Bloom	Foss	Milligan	Stevenson
Bohn	Free	Montet	Stobbs
Browne	Graham	Mooney	Sullivan, N. Y.
Brunner	Greenwood	Mouser	Sullivan, Pa.
Buckbee	Hale	Nelson, Wis.	Swing
Carley	Hall, Ill.	Norton	Tarver
Carter Wyo.	Hastings	O'Connor, La.	Thatcher
Celler	Hill, Ala.	O'Connor, Okla.	Treadway
Chase	Hudspeth	Oliver, N. Y.	Underhill
Clark, Md.	Igoe	Peavey	Vinson, Ga.
Cole	Johnson, Wash.	Pou	Welch, Calif.
Cooke	Johnston, Mo.	Pratt, Ruth	White
Cooper, Ohio	Jonas, N. C.	Quin	Wigglesworth
Craddock	Kahn	Ragon	Williams
Crisp	Kearns	Rayburn	Wolfenden
Dempsey	Kendall, Pa.	Reece	Woodrum
Denison	Kiefner	Reid, Ill.	Wurzbach
DeRouen	Knutson	Reilly	Yon
Dickstein	Lambertson	Rich	Zihlman
Douglas, Ariz.	Leech	Romjue	

The SPEAKER. Under the rule the names of the absentees will be spread upon the Journal; and a quorum being present, the committee will resume its session.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. WOOD].

Mr. WOOD. Mr. Chairman, ladies and gentlemen of the committee. Before calling your attention to the more salient points of the bill we have before us for consideration, I wish to digress for a moment to answer some of the statements that were made upon yesterday on a subject not included in this bill. I refer to the recommendation made by the President of the United States for an appropriation of from $100,000,000 to $150,000,000 to help relieve the present unemployment situation.

My good friend from Tennessee [Mr. BYRNS] in his remarks upon yesterday said that under no circumstances would he be willing to vote so large a sum of money to any one man or to any set of men; that he felt that the expenditure of such a sum of money should be according to

specific allotments made by Congress; and that the Congress should be informed as to how, where, and when this money is to be expended.

In reply to the gentleman from Tennessee, I wish to say I agree with him exactly with reference to the time in which this money is to be expended, the manner in which it is to be expended, and that there shall be a full statement to the Congress before this appropriation or anything like it shall be made. [Applause.]

I differ with him, however, with reference to who shall be charged with this responsibility.

I was taunted in the campaign two years ago and was taunted here upon yesterday with respect to a speech I made in 1919 when there was a proposition before this House, after the war was over, for placing $100,000,000 in the hands of a private citizen. I did not feel that it was the thing to do. I objected to it because of the fact that it was not placed in the hands of the President of the United States.

Before that time, and during the war, there was first a proposition to give the President of the United States, then a Democrat, if you please, $100,000,000 to be expended at his will and discretion without any authorization of law. After that time there was a further appropriation made of $50,000,000 to that same President to be expended without any authorization of law.

The $100,000,000 to which I raised objection was not to be expended in time of war, was not to be expended to relieve any critical situation of the United States, but was proposed to relieve suffering abroad.

For the $100,000,000 that was to be given to the then President of the United States to spend as he saw fit and thought best to spend, I voted. For the $50,000,000 proposed thereafter for him to expend without authorization of law, I voted; and if my memory serves me right there was not a dissenting vote on the Republican side. At that time, when the country was in distress, when we were confronted with a situation in the midst of war, we threw no obstacles in the way of the President of the United States.

Again we are in distress, again there is suffering in the United States, again there is suffering in the world, and most of the suffering here is caused, if you please, by the suffering in the world that has been reflected in this country, and in order that we may not forget, I wish to call your attention to some of the facts with reference to this situation.

By the act approved April 17, 1917, Congress made an appropriation to President Wilson for the national security and defense in the following terms:

> For the national security and defense, and for each and every purpose connected therewith, to be expended at the discretion of the President, and to be immediately available and to remain available until December 31, 1917, $100,000,000.

Every Republican voted for this, and if my memory serves me right, there was no dissent upon the Democratic side.

This sum was continued available until June 30, 1918, by the act approved December 15, 1917, and by the act approved July 1, 1918, the President was given a further sum of $50,000,000 in the following terms:

> For the national security and defense, and for each and every purpose connected therewith, to be expended at the discretion of the President, $50,000,000.

This likewise received the unanimous support of the Republican side, and, as I understand, there was no division upon the Democratic side.

Mr. BYRNS. Will the gentleman from Indiana yield?

Mr. WOOD. I yield.

Mr. BYRNS. Of course, the gentleman recognizes, as we all do, the difference in times of war and in times of peace. I want to ask the gentleman if he has any precedents in the entire history of this Government for an appropriation of from $100,000,000 to $150,000,000 to be placed in the hands of the President of the United States or any other official of the Government for expenditure without restriction in times of peace.

Mr. WOOD. Yes; and I will give it to the gentleman in a minute.

Mr. BYRNS. I would like to have it.

Mr. WOOD. Yes. The Congress, therefore, during the period above referred to, placed at the disposal of President Wilson a total sum of $150,000,000 to expend as he pleased. He could use it for any purpose connected with the national security and defense that he chose, whether it was a purpose which Congress had previously authorized by law or one that Congress had never heard of before.

There is a parallel between the situation then and the condition now. The country then was at war, and there was a great national emergency. The security of the lives and the property of our citizens was at stake. We are in a great national emergency at the present time that is world-wide, just as the war was world-wide then. People are out of employment, there is suffering everywhere, business is stagnant, and our national security is a matter of concern.

There is a vast difference in the authority which I shall support for the President in this instance and that which was given to President Wilson during the war. The proposed appropriation of $150,000,000 will not be given to the President to do with as he pleases and for any enterprise that he may choose. It will be confined to expenditure upon construction projects which the Congress has already authorized by law. They will be projects which have been provided for by acts heretofore passed by the legislative branch and placed upon the statute books. The duty which the President will have to perform will be to allocate this fund to those projects which Congress has already said that it desires to be undertaken when the funds are available. He will not be allowed to go beyond those projects, and he will be further limited to a selection among the authorized projects of only those which will furnish employment.

Mr. BYRNS. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. BYRNS. The President in his annual message stated that he had contacts with all departments and had been advised by the various departments as to the greatest amount of money that could be used for these particular projects to which the gentleman from Indiana refers. Since the President has the information as to how much money can be used by these departments for that purpose, why is it that we must depart from all precedents and do something that Congress has never done before, pass a lump-sum appropriation of this enormous sum of money without any direction upon the part of Congress? Why does not the President tell Congress where this money is to be expended and how much, so that it can be specified in the appropriation?

If that is done I venture to say that there will not be a dissenting vote on either side of the Chamber. [Applause.]

Mr. WOOD. I am glad to have that expression from the gentleman from Tennessee. I believe that when he and the Members of this House read the estimate that has come from the President, together with the hearings—and there will be the fullest hearings—it will be made perfectly plain as to the purposes for which this money is to be allocated.

You must remember that this whole thing must be done within a period of six months. It is purely an emergency matter. It may be that the Bureau of Roads can use more or less than that tentatively allocated in the estimates by the Budget, and which the hearings may develop. It may be possible that the river and harbor work may be able to take more or less than allocated in the estimates by the Budget.

The whole purpose is to give employment to men; and, if perchance they can not be employed on river and harbor improvements, it may be the Bureau of Roads, if we give them the money, may find employment for them.

Now, the gentleman asks if there is any precedent. There is. It was not in a time of war; it was not when there was suffering in our country, for we had profited by reason of the war. But there was suffering abroad and there was starvation; women and children were starving to death over the seas. Then it was that President Wilson advocated the appropriation of $100,000,000. For what purpose? For the purpose of putting in the hands of Herbert Hoover, a private citizen, that sum of money to buy wheat in Russia in order to relieve the starving people in Belgium and other places.

The gentleman from Tennessee will remember that every man on that side voted for it.

I may have been mistaken in my criticism of Mr. Hoover. He was serving at a time when I did not feel that he was occupying a position where he could prove his worth. I felt that when he was appointed as Food Administrator of the United States, when he was the purchasing agent, the two positions were in conflict, but he was big enough to do the job. [Applause.] You gentlemen at that time had faith in Herbert Hoover and gave him $100,000,000 to expend to relieve suffering in Europe.

Mr. BLANTON. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. BLANTON. The chairman has spoken of Mr. Hoover as being a private citizen. He was the Food Administrator of the United States Government, and that was an official position.

Mr. WOOD. He had ceased to perform the functions as Food Administrator of the United States. He took the position of relieving the distress in Europe, and he did the job well. [Applause.]

So there is a precedent; and now, when this private citizen, by reason of the greatest vote that was ever given to a candidate for the Presidency, has been made President of the United States and is charged under the oath of office with all of the responsibilities of that great office, have you less faith in him now than you had then?

But enough of that. I wish to say in addition that there will be no controversy here. All of the information that can be had will be had. It is purely an emergency affair and one of estimating during a time when conditions are changing rapidly. When the great flood on the Mississippi befell us, when we appropriated thousands of dollars for the purpose of relieving that distress, we could not tell how much might be expended here, there, or yonder or how it might be expended. Our purpose, our desire, was to relieve that distress, and we gave it freely without hindrance whatever.

Mr. BYRNS. Mr. Chairman, will the gentleman yield? I do not want to interrupt the gentleman if it interferes with his argument.

Mr. WOOD. I yield.

Mr. BYRNS. The gentleman has referred to the proposal to place $100,000,000 in the hands of Mr. Hoover as Food Administrator of the United States for the purpose of relieving distress in Europe. That, of course, was for a specific purpose, and, of course, neither Congress nor anyone else could undertake to designate just how that money was to be expended or do more than provide that it was to be applied to that one specific purpose. We are now asked to appropriate a greater sum to be distributed in indefinite or unnamed amounts among the departments by the President and a committee of his Cabinet, when the President of the United States tells us that he now knows how much each department needs and can use. Why is it that Congress is not to be given the right to direct where this money shall go? Why should it not at least be given that information? Why must it surrender its constitutional prerogatives as the responsible appropriating power in this Government to any individual, whether he is the President or a member of the Cabinet appointed by the President? [Applause on the Democratic side.]

Mr. WOOD. I shall answer the gentleman. It is purely a matter of administration. The gentleman in charge of the Federal road-building program can not say right off how much of this money he can use. He will give an estimate and may be absolutely honest when he presents the facts to our committee—and we will hear him to-morrow morning and the gentleman from Tennessee will be there.

He will come just as near as he can to stating what he can use. Those who are the engineers in charge of rivers and harbors may have a pretty definite idea in their minds now as to how much they may use of this sum in the next six months, and allocation tentatively will be made therefor. But suppose the roadman finds out that he was mistaken; that he will not be able to give the employment to the number of men or can not do the work that he would like to do in that time. Then that appropriated portion of that money would not be used for the purpose for which we had appropriated it. Or suppose those in charge of the rivers and harbors should find themselves in the same situation. Then the proportion appropriated would not be used for the purpose for which it was appropriated, and we would fall short of our purpose. This whole thing, as I say, is purely emergency, and must be completed in six months. Therefore there ought to be somebody at the helm who knows constantly how much can be expended here and how much there, and how much all along the line, so that we will get the best possible relief out of our attempt at this appropriation.

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. MOORE of Virginia. Do I understand that the bill which the gentleman has in mind will apply the expenditures to projects that have already been sanctioned by law?

Mr. WOOD. Absolutely; and not one dollar can be expended for any other purpose.

Mr. MOORE of Virginia. And I suppose the gentleman has it in mind to enumerate those projects in the bill?

Mr. WOOD. That is right.

Mr. MOORE of Virginia. So that there may be no discretion exercised outside of the field of those projects?

Mr. WOOD. Yes; and that is the very reason for doing that thing, so that they can not take advantage of this by exploiting new projects. This Congress has had that experience before, and we do not want to have it again.

Mr. FULLER. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. FULLER. Do I understand from the gentleman's statement that it is contemplated that this money might possibly be used for taking care of the drought situation in the United States?

Mr. WOOD. There is another recommendation in the President's message about that.

Mr. FULLER. Then that would not be included in this allotment?

Mr. WOOD. That is not included in the $150,000,000 that we are talking about.

Mr. FULLER. It would not be included in this amount the gentleman is discussing?

Mr. WOOD. Not in this $150,000,000, but there is a proposal of many millions which will require some legislation or will require its coming to a legislative committee.

Mr. MOORE of Virginia. And permit me to say that so far as the drought conditions are concerned and the relief expected to be accorded to agriculturists there are several bills pending applicable to that situation which are wholly independent of the bill that the gentleman proposes to offer here.

Mr. WOOD. That is correct. There is another thing I wish to call attention to that may be controversial in this bill. The matter that we have been talking about will be considered when that particular bill comes before the House, and I have referred to it to-day only because of the fact that it was stressed yesterday by the gentleman from Tennessee [Mr. BYRNS] and by the gentleman from Texas [Mr. BLANTON].

Now I wish to refer to the matter of salaries under the classification act, both in so far as it affects this bill and the other bills that are to come from the committee.

The act of July 3, 1930 (Brookhart Act), amending the classification act of 1923, as amended, providing increases in compensation for certain employees who failed to receive increases contemplated under the act of May 28, 1928, added a total cost to the salary appropriations of the Treasury Department for the fiscal year 1931 of approximately $1,400,000. Part of this excess cost will be absorbed by savings in other directions in existing appropriations and the remainder will need to be restored to existing funds from which the increase is currently being paid by deficiency appropriation. The amount of increase provided in the appro-

priations recommended for 1932 for the Treasury Department on account of these salary raises is slightly in excess of $1,200,000. In addition to the salary increases made possible by the Brookhart Act for the fiscal year 1931, a sum of $100,000 was granted by Congress in the current appropriation act toward promotions in under-average grades, making a total of $1,500,000 under the Treasury Department for salary increases during this fiscal year.

The Budget estimates for 1932 contain further increases in compensation aggregating $1,175,000 distributed throughout the several bureaus and offices of the department and the field in varying amounts. This sum is a part of a program for the entire Government service based upon a 3-year period of appropriation to supply funds for promotions within the grades so as to bring the under-average grades up to the average and to grant promotions to employees who are in such grades. The amount of appropriation required to bring all under-average grades up to the average is $14,500,000, and the first year's increment for all departments, approximately 30 per cent, recommended in the 1932 Budget is $4,264,000.

The committee has eliminated the $1,175,000 estimated for such increases applicable to the Treasury Department in this bill, believing that the economic condition of the country and the present and prospective situations of the Treasury do not justify the commencement at this time of a program that involves the expenditure of approximately $28,000,000 within the next three years for increased compensation and an annual charge thereafter of $14,500,000.

In addition to the elimination of funds for such salary increases the committee has inserted a paragraph, section 4 of the bill, which will prohibit during the fiscal year 1932 the use of funds during that fiscal year to make increases in compensation within the various grades of the classification act, as amended, either in the District of Columbia or in the field. The purpose of the amendment is to restrict the use of any appropriation for general purposes from which leeway might be found to make some increases from unexpended allotments accruing from lapses, and so forth.

I suppose that most of you have received or will receive a letter and telegrams petitioning you to vote against that proposition. I think it is a wise course to take to inhibit that advancement at the present time, because of this fact: In the last two years we have raised the salaries of the Federal employees more than $25,000,000. In the last 10 years we have raised their salaries by a very substantial percentage. Under the Welch bill we raised the salaries of Federal employees $20,100,000. That bill, by reason of its interpretation, was full of inequalities, full of unjust discriminations. Then, on July 3 last, we passed the Brookhart bill for the purpose of curing some of those defects. Under that we are now called upon for $4,000,000, making $24,000,000.

The reallocations made by the Personnel Classification Board and the promotions made by the departments by using funds from lapses due to death, resignation, and from other savings in appropriations have amounted to over a million more.

Mr. STAFFORD. I understand the gentleman is referring only to the employees of the Government outside of the Postal Service?

Mr. WOOD. Yes. What I have referred to is the Brookhart bill and the Welch bill, not those salaries made mandatory by law. We are only inhibiting the advance of salaries where there is administrative discretion dependent upon appropriation by Congress for the purpose.

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. MOORE of Virginia. A while ago the gentleman was concurring in the views of the President. I do not know but that I agree with you. Now the gentleman combats the recommendations made in the message of the President. Is that correct?

Mr. WOOD. If the gentleman means by that that the President signed the Budget recommending these step-ups, that is correct. The question is a pertinent one, and it has been asked of me several times. These estimates were framed along in July. But the enormity of this unemployment that exists now throughout the country has been growing since, though it is now on the decline.

But look at the situation we place ourselves in. When Congress is trying to relieve the distress of the country and do what we can to diminish that distress should we authorize additional salaries to these men and women who are well fed?

Mr. O'CONNELL. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. O'CONNELL. Is it not a matter of fact that under the Welch bill some of these salaries were raised only $60?

Mr. WOOD. Yes; and the Brookhart bill corrected that to some extent. There is not a single employee who was not benefited by the Welch bill or the Brookhart bill, and they have received, most of them at least, two step-ups.

Now, gentlemen, let us be honest to ourselves. We have increased the salaries of the employees of this Government generously the last 10 years, and those employees are working for the best paymaster in the world. They are getting their money promptly when it is due.

Mr. O'CONNELL. Except the post-office employees.

Mr. WOOD. The post-office clerks and carriers have had their salaries increased many times since I have been a Member. It seems that a large number of the clerks of the United States are devoting more of their attention to shorter hours, shorter days, and more salaries than they are devoting to the duties for which they are employed. I will not admit that I am here for the purpose solely of serving the clerks of the United States. [Applause.] I could mention a hundred men in this House who put in more hours in a day than those clerks work in several days. I know it is easy for us to raise pay. We are glad to help those people out. But I want to say to you that one of the worst things that this Congress could do in the face of the prevailing economic conditions would be to advance salaries, when there are 4,000,000 people who would be glad to have one day's work in a week. [Applause.]

It may be that there are some inequalities existing in the departments in the pay situation, but they can wait. No employee of the United States Government has to go out upon the streets and ask for something to eat. If there is any one of them that feels that he can better his position—and I hope there are many of them—he is at liberty to try it. The United States Government is a university where training is had for men and women for higher places and to enable them to get higher compensation. I am glad to relate that several waited on me to-day about these increases and said that they had never given a thought to the facts that I have stated, and in view of the distress throughout the country they said they were ashamed to press the matter. If there is a need to right this matter, this is not the time to do it. This can wait until the next session of Congress; it can wait until a better time, when the sun of prosperity is again shining, and when everybody shall have a chance for employment—a chance to make a living. [Applause.]

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. BLANTON. When we consider to-morrow the relief bill, why does not the gentleman embrace in my one bill all the relief, including the farmers' side as well as the industrial side?

Mr. WOOD. Because of the fact that that will require legislation, somebody might raise a point of order against it.

Mr. BLANTON. Surely in this time of great distress for the farmers I do not think anyone would raise that question.

Mr. WOOD. I will say to the gentleman there will be no delay as far as that is concerned, for we have the promise of the Committee on Agriculture that that bill will be reported immediately. There will be no delay.

Mr. BLANTON. But I understand the farmers' end will be $25,000,000, as against $150,000,000 for the industrialists' end.

Mr. WOOD. No. Some bills call for as much as $60,000,000.

Mr. BLANTON. I am glad to hear the gentleman say that.

Mr. ARENTZ. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. ARENTZ. Personally, I think the President of the United States should use the same common sense as some counties of California. For instance, in road work they are cutting out all machinery and putting men to work with picks and shovels for three or four days a week. If this fifty or a hundred million dollars of which the gentleman is speaking were applied to that use throughout the United States, it would put hundreds of thousands of men on road work within a few weeks after the President of the United States was given the money. I hope he does this thing.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. TAYLOR of Colorado. The gentleman has said that this Budget was prepared before the information became general throughout the country that the distress was so widespread and so acute. It seems to me it would be eminently fitting for the President of the United States to send Congress a brief message saying that in view of this distressing condition he would recommend that we eliminate all increases in salaries for the present and until times get better. If he and the Bureau of the Budget would do that and have the executive part of the Government assume its proper share of this responsibility it would be much more appropriate than to put that unpleasant task upon Congress and compel us to act in the face of an avalanche of telegrams from our constituents. With 5,000,000 people walking the streets and highways of this country desperately trying to find some honest way of getting something to eat it is no time to increase salaries, and the President, I think, should say so.

Mr. WOOD. I will say, in answer to the gentleman, that I think the Members of Congress should not shirk their responsibility. Many things transpire from the time these estimates are submitted to the Budget and the time they get to the committee, and I hope the day will never come when the Congress of the United States becomes a mere suppliant; when Members of Congress can not exercise their right of free thinking and free judgment and action.

Mr. TAYLOR of Colorado. As I understand, if the gentleman will permit, the administration is urging upon Congress the strictest economy and at the same time the President recommends an increase in the salaries of Federal employees of something like $28,000,000, and the gentleman, as chairman of our committee—and I may say I am in full accord with the gentleman in all the administration's economy program—but as chairman of the Appropriations Committee the gentleman now recommends that we go in the face of the President and disregard his recommendation and refuse to appropriate for these salary increases.

Mr. WOOD. This is not the first time we have done that. I have no objection to doing that, and I think we ought to do it. The Appropriation Committee has frequently heretofore cut the Budget estimates, and we have cut them every year, and I am glad that we have. [Applause.]

I want to say in passing that every time we have legislation of this character, every time we open our hearts and give vent to an expression of our sentiments, we are fastening upon the country an expensive policy. We have not yet got rid of the attempts we made to relieve the sanitary situation resulting from the flood conditions in the Mississippi Valley, and we will not for years to come. I wish to admonish Congress now that sentiment is the finest thing in the world, but we should not let sentiment run away with our judgment, and we should be free to exercise our judgment as free men and women.

Mr. SPROUL of Illinois. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. SPROUL of Illinois. In private industry for the past year none of the employees has asked for an increase in wages; not in one single instance that I know of, and when wages are not increased in private industries, why should the Government employees be increased?

Mr. WOOD. I think that is very pertinent and I wish to make this observation: I do not think that in the history of this country or in the history of any other country when such a calamity has befallen the world as is now pending, were the people of the United States as well organized to meet it with courage and efficiency and success as they are to meet this one. I need only give you one example. The Red Cross has $5,000,000 for the purpose of relieving the present distress. They have only disbursed $500,000 of it. That is the only need they have had for disbursing it. Every village, every hamlet, every city in all the United States took the lead from President Hoover when he called about his table the representatives of labor, the representatives of capital, and all public missions of this country and told them what was before us and asked the employers of all men not to reduce their wages.

They were not reduced. He asked the leaders of labor not to ask for more wages, and they have not asked for more wages. Organizations all over this country are meeting this distress as was never done before. If President Hoover never does another thing in his life worthy of commendation, the world will never fully appreciate the service that he rendered when he called that committee together. [Applause.]

In this bill, as I said before, we have cut considerably under the Budget. I first wish to call your attention to some of the more important parts of the Treasury Department section.

The appropriation for the Treasury Department in 1931 was $333,633,741. The Budget estimate for 1932 was $255,436,296. The amount recommended by this bill is $241,750,026, or $91,883,715 less than the 1931 bill, and it is $13,686,270 less than the Budget estimate. I hope the gentleman from Texas will still follow me.

Mr. BLANTON. I am following the gentleman on many things, and I am glad to hear the chairman say that he is going to give us limitations with respect to the expenditure of this enormous sum of $150,000,000.

Mr. WOOD. I think the gentleman will be entirely satisfied.

The various activities of the Treasury Department are supported and conducted under two classes of appropriations—(1) the regular annual appropriations which are carried in the bills which come before Congress for consideration, and (2) the permanent annual specific and indefinite appropriations which occur automatically each year without annual action by Congress, having been created specifically in previous years and continuing as such until legislation is enacted modifying or discontinuing them.

I wish to say in passing that these are lump-sum appropriations. The gentleman from Tennessee [Mr. BYRNS] spoke about lump-sum appropriations. I am against lump-sum appropriations whenever it is possible to avoid making them, yet one of the biggest appropriations we make is a lump-sum appropriation and the allocation of that lump-sum appropriation is left entirely to the department, as it sees fit. I refer to the rivers and harbors appropriation, and that has been so ever since the abolishment of the pork-barrel system and has been successful.

Mr. BYRNS. The gentleman will admit that is for a specific purpose, and I have not raised any objection to this immense sum that is going to be appropriated. All I have asked and all I now ask is for the Congress and the country to be told for what purpose the money is to be appropriated and how it is going to be used. I want the information which the President, in his message, says he now has as to how much the departments need and how much they can use. That is all I ask.

Mr. WOOD. I am glad the gentleman has made that statement. I promise him now he will get that information, so that nobody can say the information has not been furnished.

The following table shows the total appropriations for the Treasury Department, permanent and regular annual, for

the fiscal year 1931, the estimates for the fiscal year 1932, the amounts recommended for 1932, and the increases and decreases. A comparison of the permanent appropriations will be found at the end of the tabulation in this report.

Treasury Department appropriations for 1931, estimates for 1932, and amounts recommended for 1932

	Appropriations for 1931	Budget estimates for 1932	Amounts recommended for 1932	Increase (+) or decrease (−) compared with 1931 appropriations	Increase (+) or decrease (−) compared with 1932 estimates
Regular annual appropriations	$333,633,741.00	$255,436,296.00	$241,750,026.00	−$91,883,715.00	−$13,686,270.00
Permanent and indefinite appropriations	1,070,003,135.00	1,075,369,989.00	1,075,369,989.00	+5,366,854.00	
Total	1,403,636,876.00	1,330,806,285.00	1,317,120,015.00	−86,516,861.00	−13,686,270.00

While the annual appropriations for 1932 show a net decrease of $91,883,715 under the appropriations for 1931, the permanent annual appropriations show a net increase of $5,366,854. This latter sum is practically the net difference between a decrease of $22,000,000 in the appropriation for the payment of interest on the public debt and an increase of $27,500,000 in the funds for the retirement of the public debt payable from ordinary receipts. The increase in public-debt retirement funds is composed of the automatic increase in the sinking fund of $17,258,400, an increase of $9,503,305 in the appropriation for the retirement of debt from cash repayments of principal by foreign governments, and an increase of $750,000 in the appropriation for the retirement of obligations from Federal reserve bank franchise tax receipts.

Mr. STAFFORD. Will the gentleman yield in that particular?

Mr. WOOD. Yes.

Mr. STAFFORD. I have read the report of the committee on this bill, and the gentleman is now referring to a portion of the report which it is rather difficult for me to understand and it may be difficult for other members of the committee to understand. It is found on page 2 of the report, and reads as follows:

> The increase in public-debt retirement funds is composed of the automatic increase in the sinking fund of $17,258,400, an increase of $9,503,305 in the appropriation for the retirement of debt from cash repayments of principal by foreign governments, and an increase of $750,000 in the appropriation for the retirement of obligations from Federal reserve bank franchise tax receipts.

Will the gentleman kindly explain why there has been that necessary automatic increase in the sinking fund of $17,258,400, which is referred to in the report?

Mr. WOOD. Well, that increase is automatic under the law and represents savings in interest through decrease in the debt. As the interest charge comes down the sinking fund goes up.

Mr. STAFFORD. There has been considerable discussion in the press of the country as to whether the administration should go ahead retiring the public debt in the same amount in these times as in prior years, yet we have here appropriations which apparently provide for the continuing of that same policy and in addition appropriating an added amount running into the millions. I had hoped the gentleman might be able to explain this intricate fiscal arrangement to the committee.

Mr. WOOD. I might say to the gentleman that these payments of principal which come from foreign countries must be used under the law to retire the public debt. However, these are permanent appropriations and I can not give the details.

Mr. STAFFORD. But here there is an increase of nine and a half million dollars occasioned by the automatic retirement, and I am rising to obtain information as to the occasion for that increase of nine and a half million dollars as carried in this appropriation bill.

Mr. WOOD. I will say to the gentleman that the increase is due to the larger payments of principal by foreign governments. Under the debt-funding agreements they are larger each year and the interest payments are less. I can not give the gentleman all the details.

Mr. BLANTON. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. BLANTON. That is the technical language of the experts from the department to which I referred yesterday, and which appears so frequently in these bills.

Mr. STAFFORD. But that is far from being informative, and I am seeking information.

Mr. BLANTON. You must go to the experts in these departments to get it.

Mr. STAFFORD. I consider no one a greater expert than the chairman of the Committee on Appropriations.

Mr. WOOD. I am sorry I can not carry all of this in my head, but my head is too small.

The amount directly considered by the committee in making its recommendations in connection with this bill is the aggregate of the estimates of the regular annual appropriations for the Treasury Department customarily submitted for action by Congress. That sum is $255,436,296.

The amount recommended to be appropriated in this bill for the Treasury Department for the fiscal year 1932 is $241,750,026. The amount of the appropriations for the fiscal year 1931 on a comparable basis to this figure is $333,633,741.

The amount recommended in the bill compared with the amount of the Budget estimates, and the amount of the 1931 appropriations, shows the following differences:

It is $13,686,270 less than the Budget estimates for 1932, and it is $91,883,715 less than the appropriations for the fiscal year 1931.

While the Treasury Department in the aggregate shows a net reduction of $91,883,715 under the total of the 1931 appropriations, attention is directed to the fact that there is a decrease in the appropriation for the refunding of internal revenue taxes of $104,000,000. Eliminating this decrease from consideration, there is a net increase in the operating funds of the department of $12,116,285, which is found principally in the appropriations under the Supervising Architect for public buildings construction.

I wish to refer to a few of the more important changes in the bill as compared with the current law.

BUREAU OF CUSTOMS

The appropriation for the Bureau of Customs for 1932 is recommended at $23,983,600, which is $384,960 more than the current appropriations and $618,660 less than the Budget estimates. The latter sum consists of $613,260 for salary increases in the field service and $5,400 for the bureau organization in Washington. The paragraphs for scales and for the payment of compensation in lieu of moieties are merged with the general appropriation in lieu of being carried as heretofore in separate appropriation accounts.

Mr. STAFFORD. Will the gentleman yield in that particular?

Mr. WOOD. Yes.

Mr. STAFFORD. I read that portion of the report that the gentleman has just read, and I was going to ask what is meant by the expression "compensation in lieu of moieties."

Mr. WOOD. Compensation in lieu of moieties means the premium that is paid to persons who report those who have bootlegged their goods into this country without paying any duty on them. I do not recall just the percentage, but I think they get about one-fourth of what is recovered.

Mr. STAFFORD. Will the gentleman in this particular explain what general salary increases in the field force are proposed in the $613,000 of additional appropriation carried in this bill?

Mr. WOOD. The gentleman misunderstands this item. That $613,260 for salary increases in the field as well as the $5,400 for the bureau organization in Washington is the amount that was eliminated by the committee.

Mr. STAFFORD. There has been crying need for some increase of salary in certain of the field services of the Treasury Department, and I was wondering whether this $613,000 made provision for some of those necessary increases.

Mr. WOOD. No. This is the amount that has been cut out.

I may say to the gentleman that some of the customs officers were benefited under the Welch Act and some under the Bacharach Act. That is one of the discrepancies that occurs in this service.

The increase of $384,960 over 1931 appropriations is made up as follows: $79,200 for allowances for living quarters, including heat, light, and fuel for personnel on foreign stations, as authorized by the act approved June 26, 1930, involving 66 employees; $15,000 for travel of families of officers on foreign duty as authorized by the tariff act of 1930; $21,780 to cover the reallocation of 40 positions in the Washington organization by the Personnel Classification Board; $1,000 on account of the increase from $9,000 to $10,000 in the salary of the Commissioner of Customs, as fixed by the act of July 3, 1930; $51,400 increase in the allotment for the installation of automatic electric scales; $50,000 increase in the allotment for the payment of awards to informers as provided by law; $69,220 on account of the operations of the Brookhart Act in the field and in the District of Columbia; $50,480 increase in general expenses of the service throughout the country, due mainly to repairs and operation of small craft and to replacement of labor-saving machinery at various ports; and $46,520 for 22 additional employees distributed as follows: 5 additional inspectors in Arizona (1 at Nogales, 2 at Sasabe, and 2 at Ajo), 1 additional inspector at Pembina, N. Dak., 1 additional guard at Savannah, Ga., 2 additional clerks in North Carolina (1 at Wilmington and 1 at Durham), 1 clerk, 1 examiner, and 1 examiner's clerk in Ohio (1 examiner and 1 examiner's clerk at Cleveland and 1 clerk at Akron), 3 additional guards in Rhode Island (Providence), at San Diego, Calif. (new district), 1 collector and 1 liquidator, 2 additional examiner's clerks at San Francisco, and 3 additional guards at Charleston, S. C.

The appropriations for the Federal Farm Bureau remain at the same amount for the current year, $1,020,000. In accordance with the act of June 26, 1930, the portion of the appropriation to be reimbursed to the United States by assessment against the Federal land banks, the joint-stock land banks, and the Federal intermediate credit banks is the sum of the salaries and expenses of the division of examinations of the bureau, totaling approximately $425,000. The remainder of the appropriation, $595,000, will be borne by the United States instead of the entire amount being chargeable to the system as was the case prior to July 1 last.

The appropriation for the Bureau of Internal Revenue for collecting the internal revenue is decreased from $34,400,000 to $33,962,560, or by $437,440. Of this decrease $283,300 was recommended in the Budget estimates and $154,140 has been eliminated by the committee on account of proposed salary increases. The cost of the Brookhart Act aggregates $462,560, which has been absorbed in the present appropriation and has rendered impossible a further decrease in the appropriation at this time of that amount. The decrease recommended is made possible by a reduction in the bureau and field personnel through the disposal of many of the large cases pending for former years. Taking into consideration the absorption of the cost of the Brookhart Act, the decrease carried by this bill, the actual operating appropriation of the bureau is $900,000 less than for 1931.

For refunding internal-revenue taxes erroneously collected the appropriation is reduced from $130,000,000 for the current year to $26,000,000 for the ensuing year, or by $104,000,000. For the present fiscal year there is available for this purpose $155,338,395, consisting of a balance from the previous year of $25,338,395 and the appropriation of $130,000,000. Expenditures for the present fiscal year have been estimated at $97,500,000 on the basis of a monthly expenditure of $8,000,000. Expenditures for the first four months of the fiscal year have totaled $22,000,000, or at the rate of $5,500,000 per month. The amount allowed by the committee will provide funds sufficient for refund payments at an average rate of $7,000,000 per month, believing that the unexpended balance to be carried over from the present fiscal year, together with the amount appropriated in the bill of $26,000,000, to be ample for the purpose.

It would appear that the peak of tax refunds has been passed. The total of expenditures for the fiscal year 1929 was slightly in excess of $190,000,000. For the fiscal year 1930 it dropped to $127,000,000 and for the present year it should be considerably less than $100,000,000. The average for the last five fiscal years is approximately $50,000,000 higher than the estimated expenditures for the present and the next fiscal years. The reduction in refunds can be attributed largely to the fact that the bureau has disposed of a great proportion of the excess-profits tax returns which were filed for the taxable years prior to 1921. These cases were the most difficult to settle and several of them involved large overassessments and the payment of interest over a long period of time. Practically all of these old cases have now been closed and special effort is being made to close the greater proportion of the cases pending for 1922 to 1926 by the close of the present fiscal year.

Under legislation of the past session the Bureau of Prohibition was transferred to the Department of Justice and the duties theretofore imposed upon that bureau divided between the Bureau of Prohibition and the new Bureau of Industrial Alcohol. The appropriation of $15,000,000 made in the Treasury Department appropriation act for the current fiscal year to the Bureau of Prohibition was divided administratively as follows: To the Bureau of Prohibition, $9,000,000, to the Bureau of Industrial Alcohol, $4,338,740, and to the Bureau of Narcotics, $1,661,260.

The amount recommended in this bill for the Bureau of Industrial Alcohol is $4,814,420, an increase over the current allotment of $475,680. This sum is a reduction under the Budget estimates of $53,520 on account of salary increases. Of the increase of $475,680, there is due to the Brookhart Act $34,200 and to additional personnel and their expenses $455,200. This latter sum provides for 104 additional inspectors, 25 storekeeper-gaugers, and 20 clerk-stenographers to provide better inspection and supervision of industrial-alcohol plants, industrial-alcohol bonded warehouses, denaturing plants, bonded warehouses, bonded wineries and distilleries, and the operations of permittees. The number of permits outstanding is 167,830 for which a present force of 310 inspectors was provided upon separation from the Bureau of Prohibition.

BUREAU OF NARCOTICS

The Bureau of Narcotics was established by the act of June 14, 1930, and took over the administration of the narcotic laws formerly imposed upon the Bureau of Prohibition in the Treasury Department. The allotment for the bureau for the fiscal year 1931 as made under the Bureau of Prohibition is $1,661,260. The amount recommended in the pending bill is $1,708,528, which is an increase of $47,268 over current appropriations and $11,160 under the Budget estimates. This latter sum is eliminated on account of salary increases. The increase of $47,268 over the 1931 appropriation is accounted for by $25,360 for salaries of the commissioner and seven additional employees in the administrative organization due to the fact that the supervisory work of the bureau had theretofore been performed by the organization of the Bureau of Prohibition, $8,548 is on account of the Brookhart salary increases, and $13,360 for

additional employees in the division of foreign control for the handling of information and the detection of violations from abroad.

The amount recommended for the Coast Guard is increased from $32,702,056 for 1931 to $32,897,582 for 1932, a net increase of $195,526. The amount recommended is $413,160 under the Budget estimates, the decrease including $7,020 omitted on account of salary increases; $38,640 under pay and allowances in the belief that ration costs in the next fiscal year will be less than the cost on which the present appropriation is based; $100,000 for part of the cost of a patrol boat, construction of which the service hoped to commence under existing funds; $124,000 under the fund for repairs of vessels and boats; and $143,500 for the establishment of Coast Guard stations ($60,000 for the station in the vicinity of Grand Island, Mich., and $83,500 for the station at or near Port Orford, Oreg.).

I may say that we struck this out for the reason that we have about 17 recommendations for the establishment of these Coast Guard stations and the committee felt there was not any better case made for these two than might be made for a half dozen others, so we struck them all out.

Mr. STAFFORD. Do I understand from the gentleman's report that they have eliminated provision for the establishment of stations in the vicinity of Grand Island, Mich., and Port Orford, Oreg.?

Mr. WOOD. Yes.

Mr. STAFFORD. I gained the opinion from reading the report that you had really provided those two appropriations.

Mr. WOOD. That is the reason I have explained that item. I thought from the language one might get that impression. They were both stricken out.

Mr. STAFFORD. So no provision has been made in this bill for any new stations?

Mr. WOOD. No. The major increases and decreases over 1931 appropriations are as follows: $31,260 for 17 additional employees in the office of the commandant and $1,300 on account of the salary increases under the Brookhart Act, $481,054 under pay and allowances to provide for 42 additional commissioned officers, 15 additional warrant officers, an increase of 40 on the retired list, an increase in the amount for pay of enlisted men due to higher ratings, and $135,000 for carrying out the provisions of the act of April 14, 1930, granting retired pay to certain members of the former Life Saving Service equivalent to compensation granted to members of the Coast Guard.

The appropriation for "Fuel, etc.," is increased by $160,450 through the transfer of that amount from the appropriation for "Outfits, etc." Taking this transfer into consideration the appropriation for 1932 shows a decrease of $41,225 due to lower fuel costs and a smaller number of destroyers in commission instead of an apparent increase of $119,225.

The appropriation for "Outfits, etc.," is decreased by $160,450 through the transfer of the item of lubricating oil and kerosene to the appropriation for "Fuel, etc.," and is increased by a consolidation of the appropriation of $22,060 for draft animals with this fund, making a net decrease through transfers of $137,850. Taking this transfer into account there is a net increase over 1931 of $73,037 accounted for principally by increases in funds for the provision of lifeboats and smaller boats for vessels and stations and the replacement of motor trucks and radio apparatus.

The appropriation for communication lines shows an apparent increase of $88,000. There is transferred to this appropriation from the appropriation for contingent expenses the account for telephone rentals, toll service, telegraph and radio charges, etc., amounting to $53,000, which leaves an actual net increase of $35,000 due to increase in routine upkeep of existing lines and $18,000 for major rebuilding and new construction work. The amount for new construction for 1932, aggregating $112,000, comprises the following: Telephone line to new station, Quillayute, Wash., $6,000; new circuit, New Jersey coast, $15,000; new line, Grand Marais, Mich., $5,000; repairing line, Port Bolivar, Tex., $4,000; new line, Newberry, Mich., $22,000; and repairs to cable, Beaver Island, Mich., $60,000.

For rebuilding and repairing stations and houses of refuge while only a slight increase is shown, the sum or $300,000 will be devoted to rebuilding and major repair projects as follows: Bellport station, Long Island, N. Y., fourth district, $20,000; Oak Island station, North Carolina, seventh district, $20,000; Saluria, Tex., station, eighth district, $40,000; Lake View Beach station, Michigan, ninth district, $35,000; South Chicago, Ill., station, eleventh district, $45,000; Vermilion, Mich., station, eleventh district, Lake Superior, $20,000; section base, Norfolk, Va., rebuilding docks, $50,000; section base, Cape May, N. J., repairs to docks, $10,000; depot, Curtis Bay, Md., $60,000.

The appropriation for "Contingent expenses" while showing an apparent decrease is actually an increase, due to the transfer from this item to "Communication service" of certain expenses for telephone rentals, telegraph, etc. The principal item of increase consists of $10,000 toward the installation of sound motion pictures to replace silent motion-picture equipment in various units of the Coast Guard Service.

While the vessel building appropriations show a very large decrease, due to the dropping out of appropriations made only for 1931 for construction and of various units, there is recommended the following sums: $800,000 for the completion of the last of the 10 vessels authorized under the act of June 10, 1926, $200,000 for completion of appropriations under the authorization of April 18, 1930, of $450,000 for a vessel for rescue work on Lake Michigan, and $600,000 for new vessels and seaplanes comprising $160,000 for two new seaplanes, their spare parts and accessories, and $440,000 for two additional offshore patrol boats.

An appropriation of $1,640,000 is recommended for completion of appropriation under the authorization of $2,500,000 for buildings and equipment for the Coast Guard Academy as authorized by the acts approved February 16, 1929, and April 7, 1930. Appropriations previously made consist of $10,000 for preparation of plans and $850,000 toward construction. In connection with this appropriation a paragraph is recommended authorizing the Secretary of the Treasury to have the construction of the buildings and appurtenances supervised by the field force of the Office of the Supervising Architect and the appropriations of that office reimbursed for such expenses from the construction appropriations for the academy.

The appropriation for repairs to vessels and boats is increased from $2,165,394 to $2,400,000, or by $234,606, to cover increased repairs on account of the age of destroyers and other units of the fleet. A decrease of $124,000 is effected in the Budget estimate in the belief that the cost of repairs will be lower during the ensuing year than during the past.

The amount recommended for the Public Health Service for 1932 is $11,910,054, which is $780,215 over the 1931 appropriations. There has been eliminated from the estimates items totaling $140,900 submitted to cover salary increases under the classification act during the next fiscal year.

The increased funds for 1932 include the following principal items:

In the office of the Surgeon General there is carried $5,700 to cover cost of the Brookhart Act, and $4,280 on account of two additional employees.

For pay and allowances of commissioned officers an increase of $44,940, which includes $19,676 for adjustment of pay and allowances of commissioned personnel under existing law and $25,264 for eight additional assistant surgeons for assignment as follows: Coast Guard, Bureau of Mines, Bureau of Standards, Miami, Fla.; Tampa, Fla.; Washington, D. C.; Vienna, Austria; and Habana, Cuba.

For pay of acting assistant surgeons an increase of $19,944, which includes $5,000 on account of the Brookhart Act and six additional acting assistant surgeons at the following points: San Ysidro, Calif.; Madawaska, Me.; San Diego, Calif.; San Pedro, Calif.; and Malone, N. Y. An additional acting assistant surgeon for St. Thomas, Virgin Islands, is not allowed.

For pay of all other employees an increase of $16,840, to include $8,740 on account of the Brookhart Act and seven additional employees for the National Institute of Health (Hygienic Laboratory) with salaries aggregating $8,100, to provide more adequate maintenance.

For supplies and equipment for the National Institute of Health an increase of $5,000 is recommended largely for acquisition of animals for experimental purposes.

Under pay of personnel and maintenance of hospitals there is an increase from $5,861,776 to $6,563,812, or by $702,036. This sum includes $16,200 on account of the Brookhart Act, $17,610 for pay of 29 additional employees for service at 12 different hospitals or quarantine stations, $326,024 for equipment and additional operating expenses for the new marine hospital at San Francisco, Calif., $305,036 for equipment and additional operating expenses for the new marine hospital at New Orleans, La., and $93,899 for equipment and additional operating expenses for the new marine hospital at Galveston, Tex.

While the increases set forth aggregate in excess of the sum shown by the bill there will be an offset by credit to the appropriation from the Veterans' Administration due to increased per diem payments on account of veterans cared for in Public Health Service hospitals.

While the quarantine service shows an apparent decrease of $42,850, the funds allowed for the current year carried $200,000 especially for floating equipment. The amount recommended for 1932, therefore, in addition to showing this decrease will provide $60,000 for a new boarding vessel at New Orleans and $60,000 for the equipment of the new station at that point as well as allowing an increase of $37,150 for additional expense for fumigants and other materials for the service at large.

The appropriation for field investigations shows an increase of $23,700 which includes a new item of $10,000 for special research and investigation in diseases of the heart and small additional increments in funds for investigations in industrial hygiene, milk, nutrition studies, stream pollution, and undulant fever.

Under the Bureau of the Mint the increase of $880 under the director's office covers $380 for the Brookhart Act and $500 for reallocation of positions under existing law.

A Budget decrease of $55,000 was recommended in the appropriation for salaries and expenses of operating mints and assay offices. The committee has enlarged this decrease to $83,940 by a disallowance of $3,120 for increased salaries and $25,820 for operation of assay offices. The assay offices which are again recommended to be eliminated and the amounts of their annual allotment for 1932 are as follows: Boise, Idaho, $7,940; Carson City, Nev., $6,540; Helena, Mont., $6,740; and Salt Lake City, Utah, $4,600. The amounts recommended for the general appropriation for 1932 will include $7,000 on account of the Brookhart increases and $9,000 for overtime of employees at several institutions requiring such service.

PUBLIC BUILDINGS

The appropriations under control of the Supervising Architect are increased from $77,747,230 to $87,924,450, or by $10,177,220. This sum is $159,660 less than the Budget recommendations and covers the eliminations on account of salary increases.

In the office of the Supervising Architect there is an increase of $8,990, which covers $6,870 on account of the Brookhart Act and $2,120 for reallocation of positions.

There are decreases of $200,000 in the item for rental of temporary quarters for Government activities pending the construction or remodeling of Federal buildings and $4,000,000 in the appropriation for the acquisition of properties in Washington, D. C., as sites for public buildings in the so-called triangle and other areas designated by law to be taken for such purposes.

Something was said upon yesterday, and many inquiries have been made with reference to the building program, and I asked the Treasury Department to furnish us with a statement, up to date, as to what the situation is concerning this program, and I will read it to the committee:

In the message to Congress on December 3, 1929, it was recommended that consideration should be given to the extension of the authorizations for public-building construction, both for the country at large and for the District of Columbia. Up to this time, $75,000,000 had been authorized for the District of Columbia and $225,000,000 for the country at large under an expenditure program of five and nine years, respectively.

Congress took action on the recommendation and passed what is known as the Keyes-Elliott bill, the essential features of which are: (1) An increase in the general authorization from $300,000,000 to $530,000,000; (2) increase in annual expenditures from $35,000,000 to $50,000,000; (3) authority permitting the employment of private architects for full professional services in lieu of the limited services theretofore authorized. This bill became a law March 31, 1930, and under the extended program the completion period for the District of Columbia was prolonged from 5 to 10 years, and that for the country at large from 9 to 10 years.

In compliance with instructions to accelerate construction because of the existing emergency I am pleased to report that the 10-year public-building program of $530,000,000 authorized by the acts approved May 25, 1926, January 13, 1928, February 24, 1928, and March 31, 1930, has been advanced to the point where it is possible to complete the authorization within seven years. Amendatory legislation must be enacted, however, to permit completion within any period less than 10 years, since the present legislation contemplates an average annual expenditure of $50,000,000.

The following analysis of the status of authorized projects on November 15, 1930, under the $530,000,000 program clearly indicates the advancement of the work:

Completed, 93 projects. Limits of cost, $31,000,000.

Under contract, 92 projects. Limits of cost, $69,000,000.

Bids in, on market or specification stage, 26 projects. Limits of cost, $13,000,000.

Drawings being prepared by Office of the Supervising Architect, 90 projects. Limits of cost, $46,000,000.

Assigned to private architects, 24 projects. Limits of cost, $116,000,000.

Ready for drawings, 12 projects. Limits of cost, $4,000,000.

Sites accepted awaiting title, 46 projects. Limits of cost, $18,000,000.

Sites or additional land under condemnation, 23 projects. Limits of cost, $23,000,000.

Sites reports in awaiting selection, 77 projects. Limits of cost, $37,000,000.

Agents inspecting sites, 45 projects. Limits of cost, $15,000,000.

Held for amendatory legislation or further information, 9 projects. Limits of cost, $2,400,000.

Under the present general authorization the department is preparing to submit to the forthcoming Congress for specific authorization approximately 200 additional projects. It is also proposed to place before Congress this session the result of the nation-wide survey of needs as required by the Keyes-Elliott Act.

Notwithstanding the innumerable delays incident to Government construction, such as the legal requirement to advertise for sites, the examination by competent site agents of all properties offered, the necessity for condemnation in many instances, the acquisition of title which concerns the Department of Justice, Treasury, and the General Accounting Office, necessity for competition for obtaining topographical surveys and test-pit borings, and the prior approval of every department or establishment as to the space to be assigned in the proposed building, it is quite evident that the Treasury Department is not only in a position to complete the present program at least three years in advance of the authorized period but also to continue the program at an even faster rate through the continued employment of private architects for full professional services as authorized by the act approved March 31, 1930, should Congress decide to further increase the public-building program.

An increase of $725,000 is allowed for the employment of outside professional and technical services in connection with the public-building program, the sum being increased from $1,675,000 to $2,400,000, in furtherance of the policy expressed in the amendment of the public buildings act approved March 31, 1930, authorizing the employment of such services to expedite the construction program.

The appropriation for general expenses of public buildings shows a net increase of $28,230, which includes $17,700 on account of the Brookhart Act in the District of Columbia and in the field, $12,800 for salaries of four new construction engineers in the field service, and $4,200 for reallocation of positions in the departmental service. While the total of these increases exceeds the net increase in the appropriation, that excess is offset by decreases in other classes of expenditure.

Increases of $60,000 in the appropriation for mechanical equipment, $290,000 in the appropriation for operating force, $60,000 for furniture, and $74,300 for operating supplies are occasioned by the commissioning during the next fiscal year of 50 new buildings and 10 extensions to existing buildings anticipated to be ready for occupancy under the building

program. An additional increase of $170,000 under the appropriation for operating force for public buildings is occasioned by the operation of the Brookhart Act.

Two special items of construction are recommended—namely, $1,250,000 for construction of a 2-story vault in the north court of the Treasury Building to provide modern facilities and a rearrangement of the storage accommodations of that department. The sum of $55,000 is allowed for protection of the shore line and removal of certain temporary buildings at the Fort Monroe, Va., quarantine station.

For the prosecution of work on the public-building program the amount for the acquisition of sites and construction work is increased from $48,000,000 to $60,000,000. This sum will be applicable to any and all buildings on which limits of cost have been fixed or may be fixed in the future. This sum, in conjunction with a balance on November 1 of $72,558,379 in existing appropriations, would make available $132,558,379 for the prosecution of work on all authorized projects for the 20 months ending June 30, 1932, at the most expeditious rate now deemed possible. In the event of the program moving forward at a more rapid rate additional funds would be asked at the next regular session of Congress to supplement those now granted.

The Budget estimates do not contain any recommendations for the establishment of limits of cost on any new projects under the public buildings act as amended. It is expected, however, that the "fifth installment" of new projects will be ready for submission to Congress later at this session for inclusion in a deficiency appropriation bill.

The following tables give the total authorizations under the entire public building program in the first table and a subdivision of that program in the three following tables between the District of Columbia and the field and also show the status of 1913 projects:

Status $480,000,000 program as of November 15, 1930

Completed, 93 buildings, total limit		$31,561,362.00
Under contract, 92 projects, total limit		69,748,948.00
Bids in, on market, or in specification stage, 26 projects, total limit		13,123,971.00
Drawing stage:		
Supervising Architect, 92 projects, total limit		51,480,647.00
Private architect, 22 projects, total limit		111,667,000.00
Sites acquired, drawings not yet taken up, 12 projects, total limit		4,026,741.00
Sites accepted, waiting title, 46 projects, total limit		18,161,300.00
Sites or additional land under condemnation, 23 projects, total limit		23,100,100.00
Site reports in, awaiting selection, 77 projects, total limit		37,548,000.00
Agents inspecting sites, 45 projects, total limit		14,957,800.00
Data being collected, 1 project, total limit		85,000.00
Held, 8 projects, total limit		2,320,000.00
Allocated to Seattle, Wash		900,000.00
Total limit		378,680,869.00
Total specification authorization		368,516,551.80
Sent to surplus fund on Economics Building, Department of Agriculture		25,000.00
Total authorization prior to public buildings program (sec. 3)	$9,249,317.24	
Reduction in limit on Malden, Mass.	10,000.00	
		9,239,317.24
Allocated to Seattle, Wash		900,000.00
Total limit		378,680,869.04

STATEMENT A

$315,000,000 program, section 5, outside of Washington, D. C.

Status Nov. 15, 1930:	
Completed 32 buildings, total limit	$5,693,410
Under contract 88 projects, total limit	45,603,943
Bids in, on market, or in specification stage, 26 projects, total limit	13,123,971
Drawing stage—	
Supervising architect, 87 projects, total limit	47,162,647
Private architects, 13 projects, total limit	67,452,000
Sites acquired, drawings not yet taken up, 11 projects, total limit	2,258,000
Sites accepted, awaiting title, 45 projects, total limit	18,036,300
Sites or additional land under condemnation, 21 projects, total limit	17,525,100
Status Nov. 15, 1930—Continued.	
Site reports in awaiting selection 74 projects, total limit	$37,148,000
Agents inspecting sites, 45 projects, total limit	14,957,800
Held, 7 projects, total limit	2,245,000
Total	271,206,176

STATEMENT B

$15,000,000 program—Section 3 (1913 projects), act May 25, 1926

Status November 15, 1930:	
Completed 55 buildings, total limit	$11,667,952.00
Under contract 2 projects, total limit	895,000.00
Drawing stage, Supervising Architect, 5 projects, total limit	4,318,000.00
Site accepted 1 project, total limit	125,000.00
Condemnation 2 projects, total limit	5,575,000.00
Site reports in 3 projects, total limit	400,000.00
Held 1 project, total limit	75,000.00
Allocated—Seattle, Wash	900,000.00
Total limit	23,955,952.00

STATEMENT C

District of Columbia, section 5, $150,000,000

Status November 15, 1930:	
Completed 6 buildings, total limit	$14,200,000.00
Under contract 2 projects, total limit	23,250,000.00
Drawing stage, private architects, 9 projects, total limit	44,215,000.00
Site acquired, Supreme Court	1,768,741.00
Data being collected 1 project, total limit	85,000.00
Total	83,518,741.00

POST OFFICE DEPARTMENT

The estimates for the Post Office Department aggregate $848,844,057 for the fiscal year 1932.

The appropriations for the fiscal year 1931 aggregate $836,826,297.

The amount recommended in the accompanying bill for the fiscal year 1932 is $841,803,917.

The amount recommended compared with the Budget estimates for 1932 and with the 1931 appropriations is as follows:

It is $4,977,620 more than the 1931 appropriations, and it is $7,040,140 less than the Budget estimates.

The business depression affecting the country reflects itself in the appropriations made in this bill for the Postal Service. The appropriations for the fiscal year 1931 were based upon an estimated postal revenue for that year of approximately $754,000,000. Due to decrease in business the revenues will not reach that point, and in consequence of a decline in the amount of postal matter to be handled it has not been necessary to expend during the current fiscal year large portions of the appropriations made for that period. Unexpended balances in the present year's appropriations will probably exceed $15,000,000. It will therefore be possible during the fiscal year 1932 to carry on a much larger volume of business with accompanying increased expenditures to accomplish it with the same or somewhat smaller appropriations than were provided for the present fiscal year. Consequently most of the appropriations for the fiscal year 1932 will show decreases under 1931, a number are recommended without any change, and a very few show slight increases.

In two cases, however, there are large increases due to matters of governmental policy which are not governed wholly by the necessities of the Postal Service—namely, ocean mail contracts in furtherance of the policies under the merchant marine act of 1928 and the carrying of domestic air mail under contract under the provisions of the Watres Act. Eliminating the increases under these items of $7,100,000 and $5,000,000, respectively, the rest of the department as a whole shows a decrease under 1931 appropriations of approximately $7,000,000.

The appropriation for transportation of foreign mail is increased from $29,500,000 to $36,600,000, an apparent increase of $7,100,000. There was available during the current year, in addition to the direct appropriation of $29,500,000, an unexpended balance from the previous year of approximately $3,000,000, making the total available for

1931 of $32,500,000. The actual increase, therefore, of 1932 over 1931 is $4,100,000. The increase in the appropriation is wholly on account of new merchant-marine contracts and the transportation of foreign mail by air. Included in the recommended appropriation is $20,500,858 for the payments on 37 contracts already entered into under the merchant marine act of 1928 as follows:

No.	Termini	Contractor	Annual rate
4	New York-Buenos Aires	Munson Steamship Line	$1,253,200
5	New York Mediterranean and Black Sea ports.	Export Steamship Corporation	1,855,490
6	New York-Beira, Portuguese East Africa.	American South African Line	258,522
8	New York-Valparaiso	Grace Line (Inc.)	1,404,580
10	San Juan-Santo Domingo	New York and Porto Rico Line	46,176
15	Boston-Yarmouth	Eastern Steamship Lines	225,624
16	New York-Copenhagen and Helsingfors.	American Scantic Line	583,700
17	New York-Ports on West Coast of Africa.	American West African Line	287,850
18	New York-Maracaibo	Atlantic & Caribbean Steam Navigation Co.	375,878
19	New York-Cartagena	Colombian Steamship Co	280,410
20	New York-Habana	New York & Cuba Mail Steamship Co.	616,720
21	New York-Vera Cruz	do	419,536
22	New Orleans-Progreso	Gulf Mail Steamship Co	23,619
23	Galveston and Port Arthur-Santo Domingo City.	Lykes Bros. Steamship Co	274,974
24	San Francisco-Sydney	The Oceanic Steamship Co	747,230
25	San Francisco-Manila	Dollar Steamship Lines	1,262,664
26	Seattle-Manila	Admiral Oriental Line	1,070,784
27	San Francisco-Colombo	Dollar Steamship Lines	1,492,464
28	Portland-Manila	States Steamship Co	399,540
29	Portland-Dairen	do	184,440
30	Los Angeles-Auckland	Oceanic & Oriental Navigation Co.	669,740
31	Los Angeles-Melbourne	do	219,960
32	New York-Balboa	American Line Steamship Corporation.	418,406
33	Savannah-Liverpool and Bremen.	South Atlantic Steamship Co. of Delaware.	357,840
34	San Francisco-Buenos Aires	Pacific Argentina-Brazil Line	308,922
35	Gulf ports-Ports on east coast of South America.	Mississippi Shipping Co	716,763
36	Tacoma-Manila and Taku Bar	Tacoma Oriental Steamship Co	347,679
37	San Francisco-Puerto Colombia	Panama Mail Steamship Co	407,576
38	Tacoma-Valparaiso	Grace Line (Inc.)	270,300
39	San Francisco-Puerto Armuellas	United Fruit Co	392,470
40	New York-Port Limon (4 months).	do	85,716
43	New York-Hamburg	United States Lines	1,381,608
44	New York-London	do	1,055,184
45	New York-Spanish and Portuguese ports.	Tampa Inter-Ocean Steamship Co.	452,580
47	New Orleans and other Gulf ports-Ports on west African coast.	American West African Line	147,340
48	San Francisco-Dairen	Oceanic & Oriental Navigation Co.	316,587
49	San Francisco-Saigon	do	375,600
	Total		20,500,858

In addition to the foregoing routes there is included in the recommended appropriations $2,331,647 for seven additional proposed contracts.

Under the agreements for carrying the mail over these routes there will be constructed under the 37 contracts already let a total of 54 new vessels and the remodeling of 36 vessels is required, a total of 90 new and reconstructed vessels for the upbuilding of the American merchant marine. The estimated construction and remodeling cost of such vessels in American shipyards is in excess of $270,000,000. In addition to the vessels for routes already under contract the additional seven routes for which funds are provided in this bill will bring into the merchant marine 10 more new vessels.

The merchant marine act of 1928 placed upon the Post Office Department the duty of building up the merchant marine of the country through the making of mail contracts, and while the cost of so carrying the foreign mail is more than what it can be transported for on a weight basis, the excess is more properly chargeable to a governmental policy of merchant marine development than to the operations of the Postal Service. The excess charge to the department due to preferences to American vessels and merchant marine policy is $14,355,000 for the fiscal year 1930 and will be larger for 1931 and 1932.

The allocation under the foreign mail appropriation for the transportation of mail by aircraft is $7,000,000. The following table shows the routes now in operation and the estimated annual compensation of each, together with additional routes now under contract but not in operation:

Appropriation for transportation of foreign mail by aircraft

Route No.	Termini	One-way mileage	Number of trips	Rate	Compensation
1	New York-Montreal	334	414	$0.96	$100,360.32
2	Seattle-Victoria	74	[1] 144	.76	16,197.12
3	New Orleans-Pilottown	75	[1] 366	[1] 100.00	39,600.00
4	Miami-Habana	251	365	2.00	183,200.00
5	Miami-Cristobal, via Central America	2,141.5	[1] 104	2.00	890,864.00
	San Salvador-Cristobal	920.5	[1] 52	2.00	191,464.00
	Miami-Cristobal (direct)	1,412.5	[1] 104	2.00	587,600.00
	Cristobal-Puerto Cabello	1,058	[1] 52	2.00	220,064.00
5,6	San Juan-Paramaribo	1,379	[1] 52	2.00	286,624.00
6	Miami-San Juan	1,253	[1] 156	2.00	781,872.00
7	Miami-Nassau	193.5	140	1.25	33,862.50
8	Brownsville-San Salvador	1,256	[1] 156¼	2.00	785,256.00
	Brownsville-Mexico City	801	209	2.00	209,418.00
	Tampico-Mexico City	250	157	3.00	78,300.00
9	Cristobal-Montevideo	4,522	[1] 104	1.80	1,693,036.80
10	Paramaribo-Santos	3,619.5	[1] 52	2.00	752,856.00
					6,851,774.74

[1] Round trip.

Under contract but not in operation:

Puerto Cabello to La Guayra, weekly	$15,704
Camaguey to Kingston, twice weekly	104,000

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. WAINWRIGHT. Did I understand the gentleman that it is practicable to get the increase in the amount of tonnage in the merchant marine?

Mr. WOOD. Absolutely; I do not think there is any question about it. You know for a long time after we commenced to advocate the increase of the merchant marine the idea was objected to. Gentlemen on the other side threw every obstacle in the way of the establishment of a merchant marine. They said that we did not need a merchant marine. There were a lot of newspapers in the country—whether they were paid for it or not I do not know, but I presume they were—said that it was cheaper for the United States to ship goods in foreign vessels than it would be to have vessels of our own. They have quit advocating that idea now.

Mr. STAFFORD. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. STAFFORD. I assume that the gentleman does not wish to carry his argument to the extent that we appropriate $7,000,000 for carrying mail to foreign countries by air?

Mr. WOOD. No.

Mr. STAFFORD. You are appropriating $7,000,000 for carrying air mail—outside of continental United States. The report shows that $4,300,000 is authorized for foreign mail contracts, and the revenue is only $332,000. How can that service be justified in these times when we need the money for home expenditure to help unemployment?

Mr. WOOD. I will say to the gentleman that I have been of that opinion, and am still of the opinion. We are sending money to foreign lands for the development of our air mail. But there is a demand for air mail for every little hamlet in the United States.

Mr. STAFFORD. I am directing my inquiry to the foreign mail service. I am not referring to the $20,000,000 provided for the domestic service.

Mr. WOOD. I understand that, but I was merely prefacing my answer by referring to the demand for air mail in our own country. There is a similar demand for the carrying of air mail to every foreign country on the face of the earth, and a very specious argument is given or may be given why that should be done. Those who are interested in the development of the carrying of the air mail offer two arguments in support of it.

One is that we are thereby preparing an army of flyers to be of assistance to us in time of war, and that they are really better equipped and would be better equipped for the purpose because of this service. The second argument is that it is an experimentation on the part of the Govern-

ment, competing with governments on the other side of the ocean, for the purpose of developing our foreign trade through the air mail. The most important group of advocates are the bankers of the country. Whether they can get a check or a draft from here to Brazil or Argentina within two days instead of two weeks is a matter to them of very great concern. There is this thing to be said in favor of the amount of money we are spending for air mail. Every country in Europe has been seeking air routes through the south, and many of them have established them. We had to take our stand, for or against. We could not be a dog in the manger and not fly ourselves, and permit no one else to fly, and the business interests of this country demanded that we have our air mail in order to accomplish the purpose which the merchant marine is meant to accomplish. I do not think it will be in the same degree, but the parallel between the two is not dissimilar. That is for the purpose of encouraging trade. They quote some interesting figures as to what has already been accomplished in that respect. How far that is to go remains to be seen. But I wish to say this, that the Post Office Department is not entirely responsible for the attitude it occupies, and they have made one statement to our committee that has not been carried out by performance.

We were led to believe last year that an appropriation of $17,500,000 would complete the picture and establish all of the routes necessary for air mail in the United States on the outside. Now, then, they come up and argue before the Budget, asking for more than $21,000,000. The Budget has cut that down to $20,000,000, and in addition to that amount they come before us with certain tables by which they claim they should establish certain other routes in the United States.

Under the Watres Act passed last year, after the 1st of July the Post Office Department can not establish any new route or make a contract for the establishment of any new route without first coming to Congress and getting an appropriation for its establishment. Up to that time the department claims it has the right to obligate the country for the establishment of any number of routes and run into a deficiency in so doing.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. GARNER. As I understand the gentleman, he said he believes that we are appropriating too much money for these routes?

Mr. WOOD. Yes.

Mr. GARNER. Is the gentleman's committee in accord with him in that view?

Mr. WOOD. No, they are not. There was a difference of opinion in the committee with reference to the amount that should be appropriated. It was a matter of compromise, and we have a happy faculty in our committee of getting along. I don't think there is a committee in the Congress or ever was that exercised a more kindly spirit of compromise.

Mr. GARNER. I realize that compromise prevails in a good many committees. Then if I understand the gentleman he was either overpersuaded or outvoted.

Mr. WOOD. I might say both, but I will tell you what we have before us now in the way of promise, and I want you gentlemen to bear witness to the promise that I am repeating to you. They have promised that they will not ask for more than $500,000 more than the present appropriation ever in the future. They jumped it $2,500 000 last time.

Mr. STAFFORD. Does that include both foreign and domestic service?

Mr. WOOD. Domestic.

Mr. STAFFORD. I am more concerned about the Foreign Mail Service and why you are spending $7,000,000 in carrying a few pounds of mail in the foreign air service.

Mr. WOOD. Under the law the Postmaster General can raise the postage rates and has the right to either abandon certain contracts after a given length of time, or reduce the carrying price, and he has also a right to combine lines which I think could be done to an advantage.

Mr. STAFFORD. Does the gentleman mean to say that it is the policy of the Post Office Department to continue to reduce downward the rates of postage for carrying the mail so that there will still be left money?

Mr. WOOD. No; they are reducing the amount we are paying for carrying the mail. It was adverted to here this morning by the gentleman from Illinois [Mr. ARNOLD] that with all this mighty advancing improvement we are disordering existing conditions. They tell me that they are often carrying more people in a day in flying machines from here to New York City than are carried on the railroad. What the result of that is going to be on the railroads I do not know, but that is indicative of what is going to happen, the time is not far distant, after we all get courage enough to fly, when the carrying business on the railroads will be much less than it is now.

The data which the committee has been able to obtain shows that for the fiscal year 1930 the expenditures for transportation of foreign air mail by contract were $4,300,000 and the revenues derived from that source totaled $332,988.03, an estimated excess of the cost of service over the revenues of $3,967,011.97. While the foreign air mail lines have been in operation a comparatively short time and the business is increasing, the Post Office Department here, as in the case of the merchant marine, is charged with an excessive expense in connection with the foreign commercial policy of the Government which is not strictly a postal item.

The appropriation for the transportation of domestic air mail by contract is increased from $15,000,000 to $20,000,000. Of this increase of $5,000,000 the sum of $3,000,000 is due to the establishment since the current appropriation was made of routes as follows: Atlanta to Los Angeles, New York to St. Louis, St. Louis to Kansas City to Los Angeles, and Amarillo to Oklahoma City to Tulsa to St. Louis.

The following statement shows a list of the 28 routes now actually under contract and the estimated annual rate of payment on each:

Termini	Average rate per mile	Annual rate
Boston-New York	$0.81	$214,599.60
Chicago-St. Louis	.64	265,168.56
Chicago-Dallas	.88	1,267,465.80
Salt Lake City-San Diego	1.14	1,453,238.64
Salt Lake City-Seattle	.90	1,143,530.88
Seattle-San Diego	.84	752,757.12
Chicago-St. Paul	.75	717,003.00
Cleveland-Pittsburgh	.80	138,153.60
Cheyenne-Pueblo	.75	108,756.00
Cleveland-Louisville	.75	191,808.00
New York-Chicago	1.10	1,549,756.80
Chicago-San Francisco	1.20	3,343,723.20
New York-Atlanta	.85	1,038,243.60
Albany-Cleveland	.75	196,434.00
Dallas-Galveston	.85	194,514.00
Dallas-Brownsville	.85	313,527.00
Atlanta-New Orleans	.80	277,699.20
Chicago-Cincinnati	.60	269,707.20
Atlanta-Miami	.85	394,011.12
Great Falls-Salt Lake City	.70	319,905.60
Bay City-Chicago	.70	374,589.60
St. Louis-Omaha	.75	218,160.00
New Orleans-Houston	.75	150,660.00
Chicago-Atlanta	.80	442,368.00
Atlanta-Los Angeles	.75	1,118,542.00
New York-St. Louis	.75	486,750.00
St. Louis-Kansas City-Los Angeles	.80	982,656.00
Amarillo-Oklahoma City-Tulsa-St. Louis	.80	403,240.00
		18,326,929.12

The remainder of the increase of $5,000,000, namely, $2,000,000, is allowed for the establishment of service on the following proposed routes at the rates estimated:

Termini	Mileage	Average rate per mile	Annual rate
Louisville-Fort Worth	806	$0.70	$338,520.00
Kansas City-Denver	550	.70	277,200.00
Pittsburgh-Norfolk	337	.75	184,507.00
St. Paul-Winnipeg	432	.70	220,752.00
Richmond-Jacksonville	625	.75	342,200.00
Greensboro-Columbia-Augusta	215	.75	117,700.00
Pueblo-Fort Worth	600	.70	306,600.00
Pueblo-El Paso	500	.70	255,500.00
Total			2,042,979.00

The committee has eliminated from the appropriation as recommended the amounts proposed for an increase in frequency and an increase in rates on existing routes and intends the $5,000,000 to be used as indicated herein, namely, $3,000,000 to carry the routes established since the last appropriation was made and $2,000,000 for the establishment of the new service just referred to.

The Watres Act approved April 29, 1930, provided for the extension and consolidation of routes with a view to the establishment of a logical air mail map of the United States. With the new service inaugurated and other changes already made since the approval of that act and the new service proposed by the appropriation carried in this bill, the committee feels that the enlargements contemplated by the act will be practically complete and the annual appropriation in the future for domestic air mail should only be slightly, if any, in excess of $20,000,000.

The domestic air mail activities of the department bear much the same relation toward the development of commercial aviation in the United States that the ocean mail contracts under the merchant marine act of 1928 bear to the policy of merchant marine development. The excess cost of the domestic air mail operations over the postal revenue derived therefrom is more properly chargeable to this governmental policy than to the postal function performed.

The Watres Act also changed the mode of compensation for carrying domestic air mail from the poundage to the space-mile rate and provided for the extension and consolidation of routes. The following tabulation shows a comparison, for each of the routes, of the two methods of compensation based on the business of August, 1930. The difference between the two methods is not great with a favorable factor in the new rates of considerable space at Government disposal which can be used to carry a heavier poundage on many of the routes without increasing the payments.

Route	At poundage rates	At space-mile rates	Space-mile rates	
			Increase from poundage rates	Decrease from poundage rates
1. Boston-New York	$34,812.00	$14,890.75		$19,921.25
2. Chicago-St. Louis	13,643.43	21,926.05	$8,282.62	
3. Chicago-Dallas	114,144.00	109,007.30		5,136.70
4. Salt Lake City-San Diego	216,078.00	97,281.60		118,796.40
5. Salt Lake City-Seattle	[1] 73,621.63	91,705.47	18,084.84	
8. Seattle-San Diego	[1] 70,378.87	63,554.83		6,824.04
9. Chicago-St. Paul	56,673.12	62,784.90	6,111.78	
11. Cleveland-Pittsburgh	16,229.62	11,240.60		4,989.02
12. Cheyenne-Pueblo	7,306.18	9,802.20	2,496.02	
16. Cleveland-Louisville	9,405.05	19,823.88	10,417.83	
17. New York-Chicago	121,734.08	136,367.88	14,633.80	
18. Chicago-San Francisco	342,703.07	268,905.13		73,797.94
19. New York-Atlanta	122,170.50	99,307.39		22,963.11
20. Albany-Cleveland	6,208.20	20,584.98	14,376.78	
21. Dallas-Galveston	9,765.67	8,093.48		1,672.19
22. Dallas-Brownsville	21,743.28	24,078.94	2,335.66	
23. Atlanta-New Orleans	17,699.06	23,599.68	5,900.62	
24. Chicago-Cincinnati	10,847.08	24,547.66	13,700.58	
25. Atlanta-Miami	22,529.26	41,177.30	18,648.04	
26. Great Falls-Salt Lake City	15,696.45	30,269.37	14,572.92	
27. Bay City-Chicago	15,894.51	41,604.02	25,709.51	
28. St. Louis-Omaha	14,594.04	[2] 14,594.04		
29. New Orleans-Houston	4,719.50	[2] 4,719.50		
30. Chicago-Atlanta	9,443.73	50,792.88	41,349.15	
Total	1,348,041.33	1,390,060.83	196,630.15	254,100.65

[1] Based on June poundage for routes 5 and 22.
[2] Based on May division of rates.
[3] Poundage rates.

The relationship of revenues from domestic air mail to expenditures for the fiscal year 1930 is as follows:

Expenditures	$15,168,778.58
Revenues	5,272,616.45
Excess of expenditures	9,896,162.13

In connection with the relationship between revenues and expenditures for both domestic and foreign air mail the committee has been furnished the following statement by the Third Assistant Postmaster General:

Audited expenditures from the appropriation "Contract air mail service, 1930"	$14,658,638.83
Audited expenditures from the appropriation "Foreign mail transportation, 1930, air mail service," including estimated unliquidated obligations	4,300,000.60
Estimated expenditures from the appropriation "Vehicle service, 1930," account service to and from air mail fields	$128,777.68
Estimated expenditures from the appropriation "Railroad transportation and mail messenger service, 1930, mail messenger service," account service to and from air mail fields	97,894.47
Estimated expenditures from the appropriation "Railway Mail Service, salaries, 1930," account distribution and transfer service at air mail fields	283,467.60
Total	19,468,778.58
Revenues from air mail:	
Domestic destinations	$5,272,616.45
Foreign destinations	332,988.03
Total	5,605,604.48
Estimated excess during the year of the cost of aircraft service over the postage revenue derived from air mail	13,863,174.10

The estimate for the motor-vehicle service is reduced by $250,000 not with a view to a curtailment of the service but due to the belief of the committee that the large operating costs for fuel, repairs, new trucks, tires, tubes, and other supplies will show considerable reductions compared with prices paid during the past year and the existing funds with the addition of $100,000 recommended in the bill will be sufficient to conduct all operations and provide for the truck-replacement program.

The appropriation for post-office equipment and supplies shows an increase of $620,000. This increase is largely accounted for by a new proposal for the purchase of furniture and equipment for third-class post offices. At the present time postmasters at such offices occupied on a rental basis are required to provide the necessary furniture and equipment at their own expense. At the last session of Congress legislation was proposed to increase the compensation of such postmasters to offset the cost of furniture and equipment which they were required to furnish. Such legislation would have cost $24,000,000 in 20 years—the life of post-office furniture—and the cost of the furniture and equipment for all of such offices is estimated to cost $10,000,000, a net saving of approximately $14,000,000. While the committee has reduced the estimate for these purposes by $200,000 there will remain in the fund something in excess of $300,000 for starting on this proposal.

For the Post Office Department in the District of Columbia the sum of $4,386,755 is recommended. This amount is $141,620 more than the current appropriations and $50,140 less than Budget estimates. The amounts eliminated from the Budget estimates include $16,480 on account of salary increases. In addition to this item an engineer at $3,800 is omitted from the estimates of the Fourth Assistant. The Budget estimates proposed 2 additional employees in the office of the First Assistant with salaries totaling $5,240, 4 employees in the solicitor's office with salaries aggregating $12,320, and 5 employees in the chief inspector's office with salaries of $10,300, in connection with a centralization in Washington of the investigation and direction of action in cases under the criminal fraud statutes and a determination of the financial accountability of postal employees for mail mistreated through their misconduct. The committee has eliminated these increases from the bill in the belief that such work should remain in the field where it was formerly done.

The increase of $141,620 over the 1931 appropriations includes $8,280 on account of the reallocation of positions, $37,480 to cover the cost of the Brookhart Act, 15 additional employees in the office of the Second Assistant with salaries aggregating $27,220 on account of increased work in connection with star routes and ocean mail contracts and 10 additional employees with salaries totaling $23,540 in the office of the Fourth Assistant on account of increased work in connection with the public-building program, the enlarged motor-vehicle service, and the furnishing of rural route maps, and an assistant accountant at $2,600 in the Bureau of Accounts in connection with improving the accounting methods in the Postal Service.

An increase of $45,000 is provided under the item for printing and binding for printing a new edition of the postal

laws and regulations, the last edition having been brought out in 1924 and approximately 650 changes having been made since that time.

The parcel-post division provided for the current year under the Fourth Assistant's office, with salaries totaling $13,020, is transferred to the office of the Third Assistant in accordance with the request of the Postmaster General.

The expenditures of the Postal Service for the fiscal year 1930 totaled $803,700,085.58 and the revenues $705,484,098.15, an excess of audited expenditures over revenues of $98,215,987.43.

For the fiscal year 1931 the expenditures are estimated at $825,202,200 and the revenues at $714,000,000, leaving a postal deficit of $111,202,200.

For the fiscal year 1932 the appropriations carried in this bill total approximately $842,000,000 and the estimated revenues are $730,000,000, leaving an estimated deficit of $112,000,000.

Congress, by the act of June 9, 1930, required the Post Office Department in connection with its statements of receipts and expenditures to show bookkeeping credits in connection with amounts expended for nonproductive mails, and for the carrying out of governmental policies not directly a postal charge. The items as segregated by the department for the fiscal year 1930 are as follows:

Penalty matter carried for branches of the Government other than the Post Office Department	$9,347,505.00
Franked matter for Members of Congress	718,060.00
Franked matter (other than Congress)	154,545.00
Publications going free in the country	753,263.00
Free mail for the blind	63,779.00
Publications exempt from zone rates	414,388.00
Excess cost of air-mail service over the revenues	13,863,174.10
Differential favoring vessels of American registry	14,355,004.29
	39,669,718.39

The total of these credits, $39,669,718.39, deducted from the postal deficit $98,000,000 for the fiscal year 1930 leaves a net operating deficit from purely postal functions of $58,000,000. The act of June 9, 1930, however, did not require that the Post Office Department should set up any debit on account of space occupied by the department in the numerous public buildings throughout the country free of rent, heat, light, maintenance, and repair. While no definite basis has been established for arriving at such a computation nor any estimate accurately arrived at, such a charge would certainly be somewhere between $25,000,000 and $30,000,000 annually and should be considered in connection with any attempt to establish a true deficit from postal functions. If such a factor is considered the net operating deficit from postal functions would return more nearly to the stated deficit of $98,000,000 before deducting these items for which the act of June 9, 1930, directs credit to be taken.

A good deal of talk has been heard here and there, and it was adverted to, I think by Mr. ARNOLD and also by Mr. HARDY, in respect to a criticism made against Members of Congress because of the franking privilege they exercise.

That criticism became so acute that every speech coming out of this Congress, made either by a Democrat or a Republican, now has printed on it the words "Not printed at Government expense." Yet the criticism still continues concerning the Government carrying our official mail. But I want to say that that subsidy given to the Members of Congress amounts to less than one-tenth of 1 per cent. It costs $700,000 in a total postal budget of over $840,000,000. I thought it was only fair both to the public and to the Congress that I should call attention to this matter.

Mr. HOUSTON of Hawaii. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. HOUSTON of Hawaii. On pages 18 and 19 of the gentleman's report I find this statement:

> With the new service inaugurated and other changes already made since the approval of that act—

Referring to the Watres Act of April 29, 1930—

> the new service proposed by the appropriation carried in this bill, the committee feels that the enlargements contemplated by the act of April 29 will be practically complete.

That word "practically" is the word that disturbs us in Hawaii, because we have never had a contract in Hawaii, although we are carrying on a route covering about 282 miles daily.

Mr. WOOD. That matter has been taken under consideration, and we are hoping that by researches made by the Post Office and Commerce Departments that matter will be taken care of.

Mr. HOUSTON of Hawaii. It involves about $40,000.

Mr. WOOD. There is no disposition on the part of the committee to discriminate against Hawaii, but we do want the Post Office Department to do something.

Mr. LANKFORD of Virginia. Mr. Chairman, will the gentleman yield there?

Mr. WOOD. Yes.

Mr. LANKFORD of Virginia. In the report concerning the routes proposed, does this $2,000,000 take care of this? Is that the agreement of the committee?

Mr. WOOD. The report sets out exactly how they are to be taken care of.

I thank you, gentlemen. [Applause.]

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc.—

TITLE I—TREASURY DEPARTMENT

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department for the fiscal year ending June 30, 1932, namely:

Mr. WOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. TILSON, as Speaker pro tempore, having assumed the chair, Mr. MICHENER, Chairman of the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 14246) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes, reported that that committee had come to no resolution thereon.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 4050. An act donating trophy gun to F. D. Hubbel Relief Corps, No. 103, of Hillsboro, Ill.;

H. R. 7996. An act to change the name of Iowa Circle in the city of Washington to Logan Circle;

H. R. 10093. An act for the relief of Emmett Brooks;

H. R. 10341. An act to amend section 335 of the Criminal Code;

H. R. 12742. An act to amend the act entitled "An act to adjust the compensation of certain employees in the Customs Service," approved May 29, 1928;

H. R. 13035. An act to extend the time for commencing and completing the construction of a bridge across the Grand Calumet River at East Chicago, Ind.; and

H. J. Res. 333. A joint resolution to authorize an appropriation of $10,000 for the expenses of participation by the United States in the Ninth International Dairy Congress, Copenhagen, Denmark, 1931.

MERCHANTS' AIRSHIP BILL

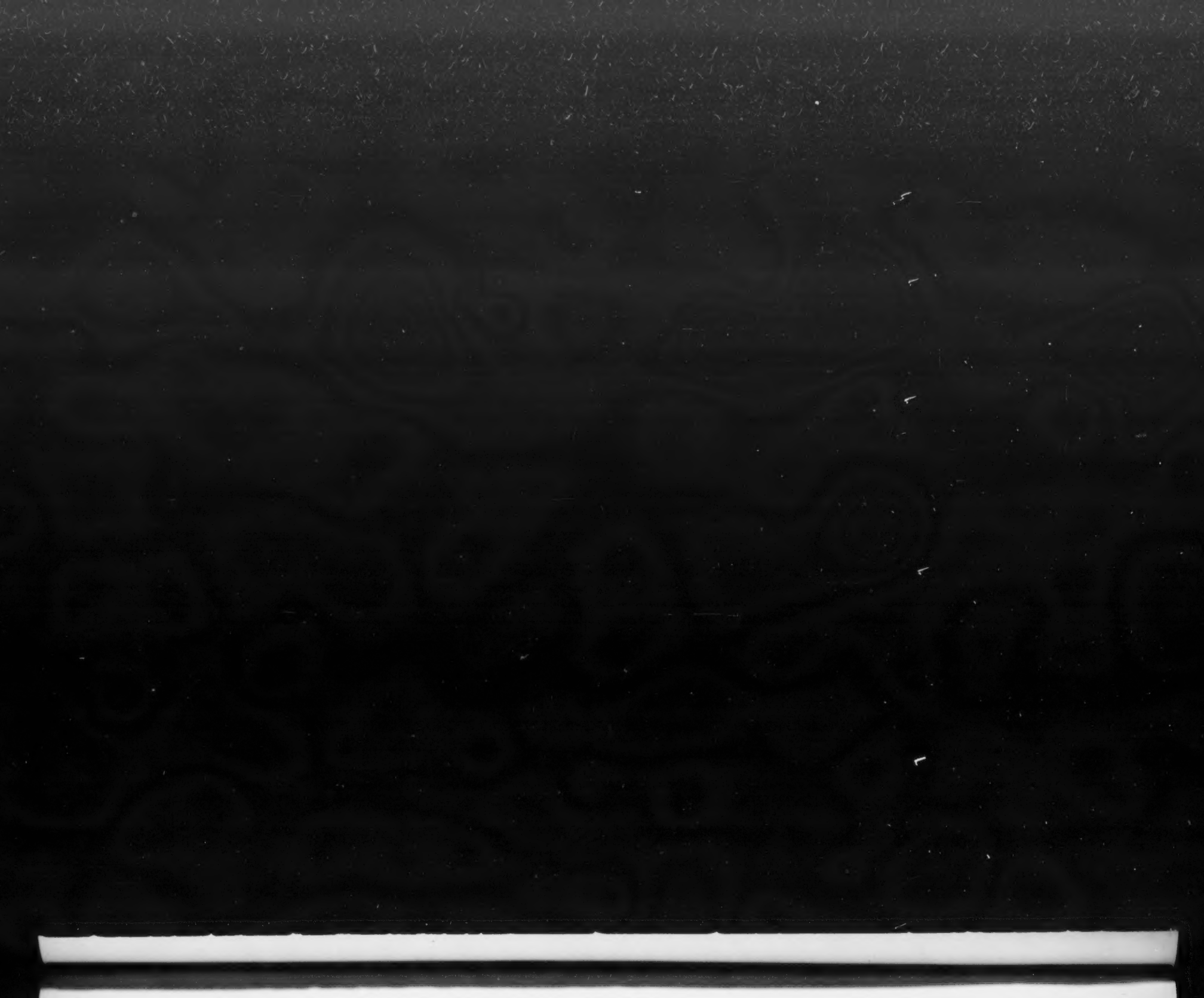
Mr. PARKER. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER pro tempore. Is there objection to the gentleman's request?

There was no objection.

Mr. PARKER. I am introducing a revised draft of the merchants' airship bill similar to one introduced in the Senate by Senator CHARLES L. MCNARY.

The foreign commerce of the United States to-day, and in the near future, is dependent upon speed and adequate means of communication and transportation.



The airship offers such a service, and the present bill proposes to encourage the development and operation of airships capable of carrying not less than 10,000 pounds of mail and, in addition, a substantial commercial load over distances of at least 2,000 miles. The measure proposes to accomplish this by means of foreign air mail contracts to be awarded by the Post Office Department. This method of encouraging superior transportation service for our foreign trade is, of course, in complete conformity with the ocean mail acts which Congress has in the past enacted for the benefit of our merchant marine.

In developing our foreign trade by means of airships, the United States has one outstanding advantage over all other nations. This advantage lies in its helium supply. No other nation boasts any supply of this gas, while our supply is apparently unlimited. It is found in substantial quantities in several of the Western States, including Kansas, Oklahoma, Texas, Utah, and Colorado. With this natural advantage this country would be at fault should it fail, through the lack of proper legislation, to give our foreign trade the benefit of the safety, speed, and capacity of helium-sustained airships.

In redrafting the new bill it has been revised so as to conform with certain suggestions made by the War, Navy, and other Departments. Foremost among these is the omission of the construction-loan feature based upon similar provisions in the merchant marine act of 1920, as amended. This has been omitted for the reason that our domestic interests now find themselves in a position to finance without Government assistance the construction of airships and terminals which will be necessary for our foreign trade. In addition certain other modifications have been made in conformity with the advice of Government departments.

Among these is the insertion of requirements that the crews of the airships eligible for air-mail contracts will be comprised of at least 90 per cent of American citizens, commencing not later than the fifth year after the service is established. The authority of the Secretary of War and the Secretary of the Navy to detail volunteers of the military and naval forces for service on airships has been stated in the most general terms in order that the Secretaries may have ample discretion to exercise the authority in such manner as not unduly to interfere with the conduct of military and naval forces. Finally, the provisions granting authority to the Secretary of War and the Secretary of the Navy to make their airports and facilities available for commercial airship operations has been redrafted so as to prevent the Government entering into competition with private industry when it shall have established such airports and facilities, and so as to conform to the principles under which a similar authority is now granted with respect to aviation by the air commerce act of 1926.

The provisions that apply the limited liability act and the Harter Act to air transportation remain unchanged. This is also substantially true of the provisions with regard to preferred mortgages on airships modeled in large part on the provisions of the ship mortgage act of 1920.

(Mr. PARKER was granted permission to revise and extend his remarks.)

THE POLITICAL UPSET IN OHIO

Mr. THOMPSON. Mr. Speaker, to-day I received an illuminating letter on the basic cause of the political upset in Ohio this fall, written by the chairman of the Republican central committee in Paulding County, Dr. Don C. Gorrell. I ask leave to print it in the RECORD, as it will prove of interest to all, I believe.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The letter is as follows:

PAYNE, OHIO, *December 1, 1930.*

Hon. C. J. THOMPSON,
Washington.

DEAR FRIEND: Your favor of recent date at hand. I was pleased to hear from you, but was sorry to know that you were defeated. I did all any human could have done under such odds. My precinct, as well as the county, gave you a small majority, just as I told you it would do. You remember, I told the various county chairmen of central committees of the fifth district of Ohio at Defiance, at which meeting you were present, what was going to happen to the Republican Party if it did not get back to Republican principles. The Republican Party has, "in the recent past," been controlled by a bunch of "fanatics," who are in the minority, and who are traitors to both parties, and who place selfish interests above everything else. The country has suffered greatly because of such domination.

You seem to think that the cause and result of last election was caused by the present depression. Don't fool yourself. It may have played a small part, but the depression was not the main cause. The principles that underlie the prohibition movement are repulsive to the majority of voters of this United States, as was shown in Ohio by the defeat of Cooper, McCulloch, yourself, and Corbitt, all of whom favored the present order of things. I will support Senator FESS as I did the above candidates because I am a Republican and a friend, but he will be the next to fall.

There is only one chance to stave off defeat of the whole Republican Party at next election and that is to give the people a 4 per cent beer, which is sufficient alcohol content, to keep it pure in any climate yet not sufficient to produce intoxication; also light wines, which I believe can not and will not be done, because without repeal of the eighteenth amendment any legislation along this line would be unconstitutional, and as there is only one way to repeal or amend any part of the Constitution I believe any change is impossible. The eighteenth amendment says in substance, "You can not manufacture 'for sale' intoxicating beverages." Consequently, the minority can prevent any change, which defeats the will of the majority, implied in the Constitution. This state of affairs is sure eventually, or in the near future, to result in a deadly war. But it was the ignorant people and the Democratic Party "under Wilson" who put us where we are at the present time. Why should we defend Democratic policies and deceive the people. Why not tell the people the truth and lay the blame where it belongs?

The reason is obvious. We have been led by a class of single-track minds, who are not honest or trained in the science of government, but who have a potential strength to which the Republican Party in the recent past has catered, but now fear, because of their threats to form a third party, which, "of course," would injure most the Republican Party. Their brainless leadership has forced the Republican Party into this deplorable position, from which it can not now extricate itself, and the Democratic Party will profit greatly, not because of sound issues of Democratic statesmen, but because of foolish mistakes of the present leaders of the Republican Party. And now, friend Charles, I have painted the picture as it really is. The people are awaking to the real facts. The time for fooling the people is past. The minority can no longer rule, and just as fast as a solution can be found these conditions are going to be corrected. It may go by way of Democratic policies, which will make conditions worse, to again return to a Republican Party, "the leaders of which" will advocate and adhere to former sound Republican principles and Republican policies which will lead us out of the present condition, if a way out can be found. If not, then the people will lead the way. I fear for the future. I am inclosing an article on temperance which I wrote; read it. Regards to Mrs. Thompson and your son. I am,

Yours respectfully, DON C. GORRELL.

P. S.—I see that the great Mr. Crabbe has learned the truth and now asks the repeal of his saintly "Crabbe Act."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. STEVENSON, for an indefinite period, on account of illness in his family.

To Mr. QUIN (at the request of Mr. RANKIN), indefinitely, on account of illness.

ADJOURNMENT

Mr. WOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 16 minutes p. m.) the House adjourned until to-morrow, Friday, December 5, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Friday, December 5, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10 a. m.)

State, Justice, Commerce, and Labor Departments appropriation bill.

War Department appropriation bill.

Deficiency Committee to consider an appropriation for construction work.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

656. A letter from the Secretary of the Treasury, transmitting annual report of the Secretary of the Treasury on the state of the finances for the fiscal year ended June 30, 1930 (H. Doc. No. 526); to the Committee on Ways and Means and ordered to be printed.

657. A communication from the President of the United States, transmitting estimate of appropriation for the fiscal year 1931, amounting to $150,000,000, for an emergency construction fund to enable the Chief Executive to accelerate work on construction projects already authorized by law, so as to increase employment (H. Doc. No. 655); to the Committee on Appropriations and ordered to be printed.

658. A letter from the chairman of the Mount Rushmore National Memorial Commission, transmitting report of the Mount Rushmore National Memorial Commission in compliance with the act of February 25, 1929 (Pub. No. 805, 70th Cong.) (H. Doc. No. 656); to the Committee on the Library and ordered to be printed.

659. A letter from the Postmaster General, transmitting report that a special contract has been entered into with the Pacific & Arctic Railway & Navigation Co. for carrying the mails on its railroad on route No. 113739, between Skagway and White Pass (no office), Alaska; to the Committee on the Post Office and Post Roads.

660. A letter from the Postmaster General of the United States, transmitting report that a special contract has been entered into with the Copper River & Northwestern Railway Co. for carrying the mails on route No. 113737, between Cordova anad Kennescott, Alaska; to the Committee on the Post Office and Post Roads.

661. A letter from the Postmaster General of the United States, transmitting report that a special contract has been entered into with the Denver & Rio Grande Western Railroad Co. for carrying the mails on its road on route No. 108814, between Thistle and Marysvale, Utah; to the Committee on the Post Office and Post Roads.

662. A letter from the Postmaster General of the United States, transmitting report that a special contract has been entered into with the Denver & Rio Grande Western Railroad Co. for carrying the mails on its road on route No. 114764, between Sapinero and Lake City, Colo.; to the Committee on the Post Office and Post Roads.

663. A letter from the Postmaster General of the United States, transmitting report that a special contract has been entered into with the Hudson & Manhattan Railroad for carrying the mails on its road on route No. 102891, between Terminal Station, New York, N. Y., and Journal Square, Jersey City, N. J.; to the Committee on the Post Office and Post Roads.

664. A letter from the Postmaster General of the United States, transmitting report that a special contract has been entered into with the Alaska Railroad for carrying the mails on the Government railroad in Alaska; to the Committee on the Post Office and Post Roads.

665. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on Stilaguamish River, Wash. (H. Doc. No. 657); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

666. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Kennebec River, Me., covering navigation, flood control, power development, and irrigation (H. Doc. No. 658); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

667. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on Saco River, Me. (H. Doc. No. 659); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

668. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on Mongaup River, N. Y. (H. Doc. No. 660); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

669. A letter from the chairman of the Interstate Commerce Commission, transmitting part 2 of its forty-fourth annual report which is a statement showing the names and compensation of persons employed by the Interstate Commerce Commission for the fiscal year ended June 30, 1930; to the Committee on Interstate and Foreign Commerce.

670. A letter from the chairman of the Interstate Commerce Commission, transmitting Forty-fourth Annual Report of the Interstate Commerce Commission (H. Doc. No. 549); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

671. A letter from the chairman of the Interstate Commerce Commission, transmitting copies of final valuations of properties of certain carriers, subject to section 19a of the interstate commerce act; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. KELLY: Committee on the Post Office and Post Roads. S. 3178. An act to authorize the collection of additional postage on insufficiently or improperly addressed mail to which directory service is accorded; with amendment (Rept. No. 2072). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ELLIS: A bill (H. R. 14439) relating to fraudulent voting at certain congressional elections; to the Committee on Election of President, Vice President, and Representatives.

By Mr. STAFFORD: A bill (H. R. 14440) appointing days, different from those fixed by the Constitution, for the assembling of Congress; to the Committee on the Judiciary.

By Mr. BURDICK: A bill (H. R. 14441) to authorize the Secretary of the Navy to proceed with certain public works at the Naval War College, Newport, R. I.; to the Committee on Naval Affairs.

By Mr. COLTON: A bill (H. R. 14442) for the relief of certain settlers and claimants within the limits of the grant of land to the Atlantic & Pacific Railroad Co. in the State of New Mexico, and for other purposes; to the Committee on the Public Lands.

By Mr. CRAIL: A bill (H. R. 14443) to authorize appropriations for construction of additional hospital facilities at the Pacific Branch of the National Soldiers' Homes, Los Angeles County, Calif., and for other purposes; to the Committee on Military Affairs.

By Mr. HALL of Indiana: A bill (H. R. 14444) to remove the inequalities in pension payments to World War veterans, their widows, and orphans; to the Committee on World War Veterans' Legislation.

By Mr. JOHNSON of South Dakota: A bill (H. R. 14445) to authorize appropriations for construction at the Battle Mountain Sanitarium, National Soldiers' Homes, Hot Springs, S. Dak., and for other purposes; to the Committee on Military Affairs.

By Mr. NELSON of Wisconsin: A bill (H. R. 14446) to extend the time for completing the construction of a bridge across the Mississippi River at or near the city of Prairie du Chien, Wis.; to the Committee on Interstate and Foreign Commerce.

By Mr. PARKER: A bill (H. R. 14447) to provide for the establishment and development of American air transport services overseas, to encourage construction in the United States by American capital of American airships and other aircraft for use in foreign commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SWING: A bill (H. R. 14448) to prohibit the unlawful use of locations made under the mining laws; to the Committee on Mines and Mining.

By Mr. WELSH of Pennsylvania: A bill (H. R. 14449) to convert Veterans' Bureau Hospital No. 49, at Philadelphia, in the State of Pennsylvania, to a diagnostic center, and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. WOOD: A bill (H. R. 14450) making an appropriation to provide an emergency construction fund for public works during the remainder of the fiscal year ending June 30, 1931; to the Committee on Appropriations.

By Mr. FITZGERALD: A bill (H. R. 14451) to extend the time limit for application for benefits under disabled emergency officers' retirement act; to the Committee on World War Veterans' Legislation.

By Mr. CULKIN: A bill (H. R. 14452) to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River, near Alexandria Bay, N. Y.; to the Committee on Interstate and Foreign Commerce.

By Mr. CAMPBELL of Iowa: A bill (H. R. 14453) to authorize the erection of a Veterans' Bureau hospital in the State of Iowa, and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. CELLER: A bill (H. R. 14454) to further the commerce of the United States by creating a world commerce corporation; to the Committee on the Judiciary.

By Mr. SIMMS: A bill (H. R. 14455) to authorize and direct the Secretary of War to issue a lease to the Veterans' Bureau covering the grounds and property at Fort Bayard, N. Mex., necessary to the operation of Veterans' Hospital No. 55; to the Committee on Military Affairs.

By Mr. EVANS of California: A bill (H. R. 14456) to validate a certain conveyance, heretofore made by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, to Pacific States Box & Basket Co., a corporation, involving certain portions of right of way in the vicinity of the town of Florin, county of Sacramento, State of California, acquired by the Central Pacific Railway Co. under the act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356); to the Committee on the Public Lands.

Also, a bill (H. R. 14457) to authorize the erection of an addition to Veterans' Bureau Hospital No. 104, at San Fernando, Calif., and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. LaGUARDIA: A bill (H. R. 14458) to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes; to the Committee on the Judiciary.

By Mr. SUMNERS of Texas: A bill (H. R. 14459) to authorize apropriations for construction at Hensley Field, Grand Prairie, Tex., and for other purposes; to the Committee on Military Affairs.

By Mr. CHASE: Joint resolution (H. J. Res. 418) providing certain restrictions as to aliens becoming citizens of the United States; to the Committee on Immigration and Naturalization.

By Mr. LINDSAY: Resolution (H. Res. 311) relating to the present unsettled condition of unemployment; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADKINS: A bill (H. R. 14460) for the relief of Edward N. McCarty; to the Committee on Claims.

Also, a bill (H. R. 14461) granting a pension to Augusta H. Briggs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14462) granting a pension to Catherine E. Burke; to the Committee on Pensions.

By Mr. ALMON: A bill (H. R. 14463) for the relief of Fitzhugh Robinson; to the Committee on Claims.

By Mr. AUF DER HEIDE: A bill (H. R. 14464) granting an increase of pension to Caroline Westervelt; to the Committee on Invalid Pensions.

By Mr. BRAND of Ohio: A bill (H. R. 14465) granting an increase of pension to Mary Hill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14466) granting an increase of pension to Minerva Orr; to the Committee on Invalid Pensions.

By Mr. BRUMM: A bill (H. R. 14467) granting a pension to Margaret E. Hoffman; to the Committee on Invalid Pensions.

By Mr. CABLE: A bill (H. R. 14468) granting a pension to Mary A. Harley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14469) granting an increase of pension to Catherine Berry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14470) granting an increase of pension to Pahanna Marker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14471) granting an increase of pension to Hannah C. Shiverdecker; to the Committee on Invalid Pensions.

By Mr. CANFIELD: A bill (H. R. 14472) granting a pension to Samuel Strader Sering; to the Committee on Invalid Pensions.

By Mr. CLARKE of New York: A bill (H. R. 14473) granting an increase of pension to Sarah L. Salisbury; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14474) granting an increase of pension to Adelia B. Folsom; to the Committee on Invalid Pensions.

By Mr. COLLINS: A bill (H. R. 14475) for the relief of Orville E. Clark; to the Committee on Military Affairs.

By Mr. COOKE: A bill (H. R. 14476) granting a pension to Emma L. McMannus; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14477) granting an increase of pension to Catherine J. Cooper; to the Committee on Invalid Pensions.

By Mr. COYLE: A bill (H. R. 14478) for the relief of William Hammond; to the Committee on Claims.

By Mr. CRAIL: A bill (H. R. 14479) for the relief of Harmon D. Ryus; to the Committee on Military Affairs.

By Mr. CULKIN: A bill (H. R. 14480) granting a pension to Catherine Berrigan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14481) granting an increase of pension to Sarah C. McCulloch; to the Committee on Invalid Pensions.

By Mr. DEMPSEY: A bill (H. R. 14482) for the relief of the Squaw Island Freight Terminal Co. (Inc.), of Buffalo, N. Y.; to the Committee on Claims.

By Mr. DOUTRICH: A bill (H. R. 14483) granting an increase of pension to Elizabeth C. George; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14484) granting a pension to Catherine Gunderman; to the Committee on Invalid Pensions.

By Mr. DRANE: A bill (H. R. 14485) granting a pension to Alice Werner; to the Committee on Invalid Pensions.

By Mr. DUNBAR: A bill (H. R. 14486) granting a pension to George E. Hilgert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14487) granting an increase of pension to Clarinda Smitson; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 14488) for the relief of the heirs of Irene Gillespie; to the Committee on Claims.

Also, a bill (H. R. 14489) for the relief of Frank Emile Perrot; to the Committee on Claims.

Also, a bill (H. R. 14490) for the relief of Valentine Schaefer; to the Committee on Naval Affairs.

By Mr. EATON of Colorado: A bill (H. R. 14491) for the relief of J. N. Gordon; to the Committee on the Public Lands.

By Mr. EVANS of California: A bill (H. R. 14492) granting a pension to Sarah M. Lorimer; to the Committee on Invalid Pensions.

By Mr. FISH: A bill (H. R. 14493) granting an increase of pension to Anna E. Whitmore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14494) granting an increase of pension to Ann Amelia Moore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14495) granting an increase of pension to Catharine A. Jones; to the Committee on Invalid Pensions.

By Mr. FITZPATRICK: A bill (H. R. 14496) granting an increase of pension to Cora A. Long; to the Committee on Invalid Pensions.

By Mr. FULMER: A bill (H. R. 14497) for the relief of the Ladies' Ursuline Community of Columbia, at Columbia, S. C.; to the Committee on War Claims.

Also, a bill (H. R. 14498) for the relief of the Washington Street Methodist Episcopal Church South, of Columbia, S. C.; to the Committee on War Claims.

By Mr. GARRETT: A bill (H. R. 14499) authorizing the Court of Claims of the United States to hear and report to Congress the claim of the city of Park Place, heretofore an independent municipality but now a part of the city of Houston, Tex.; to the Committee on War Claims.

By Mr. GIBSON: A bill (H. R. 14500) granting an increase of pension to Mary A. Perkins; to the Committee on Invalid Pensions.

By Mr. HALSEY: A bill (H. R. 14501) granting an increase of pension to Anna S. Younts; to the Committee on Invalid Pensions.

By Mr. HARE: A bill (H. R. 14502) granting an increase of pension to Dora D. Walker; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 14503) for the relief of Richard Hawkins Grinsted; to the Committee on Military Affairs.

Also, a bill (H. R. 14504) granting a pension to Fannie L. Rhode; to the Committee on Invalid Pensions.

By Mr. HOCH: A bill (H. R. 14505) granting compensation to Edward Steckel; to the Committee on Claims.

By Mr. IRWIN: A bill (H. R. 14506) for the relief of Howard Dimick; to the Committee on Claims.

Also, a bill (H. R. 14507) for the relief of Mildred N. O'Lone; to the Committee on Claims.

Also, a bill (H. R. 14508) for the relief of the National Dry Dock & Repair Co. (Inc.); to the Committee on Claims.

Also, a bill (H. R. 14509) for the relief of the Sun Shipbuilding & Dry Dock Co.; to the Committee on Claims.

Also, a bill (H. R. 14510) for the relief of the B. & O. Manufacturing Co.; to the Committee on Claims.

Also, a bill (H. R. 14511) for the relief of T. Morris White; to the Committee on Claims.

Also, a bill (H. R. 14512) for the relief of the David Gordon Building & Construction Co.; to the Committee on Claims.

Also, a bill (H. R. 14513) for the relief of C. O. Smith; to the Committee on Claims.

Also, a bill (H. R. 14514) granting a pension to Jessie G. Bivens; to the Committee on Pensions.

By Mr. JENKINS: A bill (H. R. 14515) granting an increase of pension to Lizzie Dillon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14516) granting an increase of pension to Rebecca Saunders; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14517) granting a pension to Mary Turner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14518) granting a pension to Emma Barrett; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 14519) granting a pension to Mollie Brooks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14520) granting an increase of pension to Lizzie Clay; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14521) granting an increase of pension to Mary F. Stewart; to the Committee on Invalid Pensions.

By Mr. KENDALL of Kentucky: A bill (H. R. 14522) granting a pension to Luther Howell; to the Committee on Invalid Pensions.

By Mr. KINZER: A bill (H. R. 14523) granting an increase of pension to Emma R. McDaniels; to the Committee on Invalid Pensions.

By Mr. LANKFORD of Virginia: A bill (H. R. 14524) for the relief of Dr. Samuel A. Riddick; to the Committee on Claims.

Also, a bill (H. R. 14525) granting an increase of pension to Carl Enevoldsen; to the Committee on Claims.

By Mr. LETTS: A bill (H. R. 14526) granting an increase of pension to Jennie E. Lowden; to the Committee on Invalid Pensions.

By Mr. McMILLAN: A bill (H. R. 14527) for the relief of Joe G. McInerney; to the Committee on Naval Affairs.

Also, a bill (H. R. 14528) granting a pension to Carl Wilhelm Janssen; to the Committee on Pensions.

By Mr. McSWAIN: A bill (H. R. 14529) for the relief of G. W. Wall; to the Committee on Claims.

Also, a bill (H. R. 14530) granting a pension to Horace H. Glenn; to the Committee on Pensions.

By Mr. MOORE of Kentucky: A bill (H. R. 14531) granting a pension to Mary E. Pierce; to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 14532) granting an increase of pension to Viola Welker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14533) granting an increase of pension to Edith Butler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14534) granting an increase of pension to Sarah J. Wyant; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 14535) granting an increase of pension to Hannah H. Moore; to the Committee on Invalid Pensions.

By Mr. NELSON of Missouri: A bill (H. R. 14536) granting an increase of pension to Martha J. Jamison; to the Committee on Invalid Pensions.

By Mrs. OWEN: A bill (H. R. 14537) for the relief of Howard Dimick; to the Committee on Claims.

By Mr. PARKER: A bill (H. R. 14538) to place George L. Phillips on the retired list of the Navy; to the Committee on Naval Affairs.

By Mr. REECE: A bill (H. R. 14539) to extend the benefits of the employees' compensation act of September 7, 1916, to Matilda Hoss, widow of Clifton Hoss, a former rural carrier at Shell Creek, Tenn.; to the Committee on Claims.

Also, a bill (H. R. 14540) for the relief of John W. Hollifield; to the Committee on Military Affairs.

Also, a bill (H. R. 14541) for the relief of Ralph Hart; to the Committee on Naval Affairs.

Also, a bill (H. R. 14542) for the relief of Harry Gordon; to the Committee on Military Affairs.

Also, a bill (H. R. 14543) for the relief of Cecil E. Phipps; to the Committee on Claims.

By Mr. SANDLIN: A bill (H. R. 14544) granting a pension to Alice E. Scovell; to the Committee on Invalid Pensions.

By Mr. SEIBERLING: A bill (H. R. 14545) granting an increase of pension to Ellen Whittington; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 14546) for the relief of John L. Dunn; to the Committee on Claims.

By Mr. SPEAKS: A bill (H. R. 14547) for the relief of Kathryn Thurston; to the Committee on Claims.

Also, a bill (H. R. 14548) granting a pension to Rosa Gatterdam; to the Committee on Pensions.

Also, a bill (H. R. 14549) granting an increase of pension to Caroline Collier; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 14550) granting an increase of pension to Martha Fleming; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 14551) granting a pension to Nancy Lewallen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14552) granting a pension to James A. Riggs; to the Committee on Pensions.

Also, a bill (H. R. 14553) granting a pension to Ben Harrison Martin; to the Committee on Pensions.

By Mr. THURSTON: A bill (H. R. 14554) granting an increase of pension to Estella Jones; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 14555) granting a pension to Elizabeth Rose Clark; to the Committee on Invalid Pensions.

By Mr. VINCENT of Michigan: A bill (H. R. 14556) authorizing Lieut. Commander Harold B. Grow, United States Naval Reserves, to accept from the Spanish Government the decoration known as the Spanish Order of Military Merit and to accept from the Peruvian Government two decorations known as the Order of the Sol and the Peruvian Flying Cross; to the Committee on Foreign Affairs.

By Mr. WATRES: A bill (H. R. 14557) granting a pension to Mary Elizabeth O'Keefe; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: Resolution (H. Res. 312) to pay Elizabeth Robinson, widow of William Robinson, late an employee of the House, six months' compensation and $250 to defray the funeral expenses of said William Robinson; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7773. By Mr. ARNOLD: Petition from citizens of Carlyle, Ill., favoring the building of a dam across the Kaskaskia River in connection with the Mississippi flood-control project; to the Committee on Flood Control.

7774. Also, petition from ex-service men of Salem, Ill., favoring cash payment of adjusted-service certificates; to the Committee on Ways and Means.

7775. By Mr. BRUNNER: Resolution passed by the Retail Dry Goods Association of New York City, protesting against increase of postage rates; to the Committee on the Post Office and Post Roads.

7776. By Mr. COLE: Petition of E. E. Pinney, 503 Knollwood Drive, Cedar Rapids, Iowa, and 80 other residents of Linn County, in the fifth congressional district of Iowa, urging passage of House bill 7884, a bill for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

7777. By Mr. KORELL: Petition of Portland Realty Board, favoring the development of the Umatilla Rapids power and irrigation project on the Columbia River; to the Committee on Irrigation and Reclamation.

7778. By Mr. O'CONNELL: Petition of the Schumacher branch of McKesson-Gibson-Snow Co. (Inc.), of Brooklyn, N. Y., favoring the passage of the Capper-Kelly bill; to the Committee on Interstate and Foreign Commerce.

7779. Also, petition of the New York State Jewelers' Association, favoring the passage of the Capper-Kelly fair trade bill; to the Committee on Interstate and Foreign Commerce.

7780. By Mr. PATMAN: Petition of T. W. Hester and 51 other citizens and veterans, of Houston Tex., filed through the United Veterans' Aid Association (Inc.), urging the immediate payment of adjusted-service certificates; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES

FRIDAY, DECEMBER 5, 1930

The House met at 12 o'clock noon and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in Heaven, we wait in expectant silence. We trust that in the channels of our breasts are flowing the streams of gratitude. Again the window has opened through the settled cloud into the ultimate blue. We feel the rhythmic note of Thy abiding mercy. Our words falter for expression beneath the weight of their appeal. O God of the extending universe, pardon our failures and bridge our infirmities. In a world where strange fancies rise and fall, where vagaries are often passionate, do Thou ever hold us and whisper to us through Thy holy lips. Go with us all the way as we labor to deal justly, conquer wrong, and guard our country's honor. In the name of the Teacher of Nazareth. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGES FROM THE PRESIDENT

LAWS AND RESOLUTIONS PASSED BY THE EIGHTH PHILIPPINE LEGISLATURE

The SPEAKER laid before the House the following message from the President which was read, and, with the accompanying papers, referred to the Committee on Insular Affairs.

To the Congress of the United States:

As required by section 19 of the act of Congress approved August 29, 1916, entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands," I transmit herewith a set of the laws and resolutions passed by the Eighth Philippine Legislature during its second regular session, from July 16 to November 8, 1929.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

JUVENILE COURT OF THE DISTRICT OF COLUMBIA

The SPEAKER laid before the House a further message from the President, which was read, and, with the accompanying papers, referred to the Committee on the District of Columbia.

To the Congress of the United States:

I transmit herewith, for the information of the Congress, a communication from the judge of the juvenile court of the District of Columbia, together with a report covering the work of the juvenile court during the year ended June 30, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

ANNUAL REPORT OF THE ALASKA RAILROAD

The SPEAKER laid before the House a further message from the President, which was read, and, with the accompanying papers, referred to the Committee on the Territories.

To the Congress of the United States:

I transmit herewith for the information of the Congress the annual report of the Alaska Railroad for the fiscal year ended June 30, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

REPORT OF GOVERNOR GENERAL OF THE PHILIPPINE ISLANDS (H. DOC. NO. 665)

The SPEAKER laid before the House a further message from the President, which was read, and, with the accompanying papers, referred to the Committee on Insular Affairs and ordered printed.

To the Congress of the United States:

As required by section 21 of the act of Congress approved August 29, 1916, entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands," I transmit herewith, for the information of the Congress, the report of the Governor General of the Philippine Islands, including the reports of the heads of the departments of the Philippine government for the calendar year 1929.

I concur in the recommendation of the Secretary of War that this report be printed as a congressional document.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

SIXTEENTH ANNUAL REPORT OF NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

The SPEAKER laid before the House a further message from the President, which was read, and, with the accompanying papers, was referred to the Committees on Military Affairs and Naval Affairs and Interstate and Foreign Commerce and ordered printed.

To the Congress of the United States:

In compliance with the provisions of the act of March 3, 1915, establishing the National Advisory Committee for Aero-

nautics, I submit herewith the sixteenth annual report of the committee for the fiscal year ended June 30, 1930.

Attention is invited to the opening portion of the committee's report, dealing with the aeronautical situation generally, and also to Part V of the report, presenting a summary of progress in the technical development of aircraft. It is gratifying to note therein and in Chairman Ames's letter of transmittal the committee's views as to the factors that have contributed to and assure the further progress of aeronautics.

I concur with the committee's recommendations at the end of the report regarding the further development of aircraft and the need for continued prosecution of scientific research in aeronautics.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

ANNUAL REPORT OF GOVERNOR OF PORTO RICO (H. DOC. NO. 545)

The SPEAKER laid before the House a further message from the President, which was read, and, with the accompanying papers, referred to the Committee on Insular Affairs and ordered printed, with the appendixes.

To the Congress of the United States:

As required by section 12 of the act of Congress of March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes," I transmit herewith for the information of the Congress the Thirtieth Annual Report of the Governor of Porto Rico, including reports of the heads of the several departments of the government of Porto Rico and those of the auditor and the chief of the bureau of commerce and industry, for the fiscal year ended June 30, 1930.

I concur in the recommendation of the Secretary of War that this report, with the indicated parts of the appendixes, be printed as a congressional document.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

ANNUAL REPORT OF COMMISSION ON ERECTION OF MEMORIALS AND ENTOMBMENT OF BODIES IN ARLINGTON MEMORIAL AMPHITHEATER

The SPEAKER laid before the House a further message from the President, which was read, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

To the Congress of the United States:

In compliance with the requirements of the act of Congress of March 4, 1921, I transmit herewith the annual report of the Commission on the Erection of Memorials and Entombment of Bodies in the Arlington Memorial Amphitheater for the fiscal year ended June 30, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

FRANCHISES GRANTED BY PUBLIC-SERVICE COMMISSION OF PORTO RICO

The SPEAKER laid before the House a further message from the President, which was read, and, with the accompanying papers, was referred to the Committee on Insular Affairs:

To the Congress of the United States:

As required by section 38 of the act of Congress approved March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes," I transmit herewith certified copies of each of 11 franchises granted by the Public Service Commission of Porto Rico. The franchises are described in the accompanying letter from the Secretary of War transmitting them to me.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

REVISION OF CANAL ZONE LAWS

The SPEAKER laid before the House a further message from the President, which was read, and, with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce:

To the Congress of the United States:

In conformity with the provisions of the act of May 17, 1928 (45 Stat. 596), entitled "An act to revise and codify the laws of the Canal Zone," I transmit herewith a letter from the Secretary of War forwarding certain amendments suggested for consideration in connection with the proposed revision of the Canal Zone laws, which was printed in House Document No. 460, Seventy-first Congress, second session.

The changes recommended by the Secretary of War have my approval, and I recommend that they be given consideration and approval by the Congress.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

ANNUAL REPORT OF GOVERNOR OF VIRGIN ISLANDS

The SPEAKER laid before the House a further message from the President, which was read, and, together with the accompanying papers, was referred to the Committee on Insular Affairs:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the annual report of the Governor of the Virgin Islands for the fiscal year 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

STATEMENT WITH REFERENCE TO APPORTIONMENT UNDER THE FIFTEENTH DECENNIAL CENSUS OF POPULATION

The SPEAKER laid before the House a further message from the President, which was read, and, together with the accompanying papers, referred to the Committee on the Census and ordered printed.

To the Congress of the United States:

In compliance with the provisions of section 22 (a) of the act approved June 18, 1929, I transmit herewith a statement prepared by the Bureau of the Census, Department of Commerce, giving the whole number of persons in each State, exclusive of Indians not taxed, as ascertained under the Fifteenth Decennial Census of Population, and the number of Representatives to which each State would be entitled under an apportionment of the existing number of Representatives by the method known as the method of major fractions, which was the method used in the last preceding apportionment, and also by the method known as the method of equal proportions.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the statement be printed in the RECORD. It refers to the apportionment, and I think all Members will be interested in seeing it in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The statement is as follows:

Apportionment of 435 Representatives by the method of major fractions, which was used in the last preceding apportionment, and by the method of equal proportions, with total population of the several States, number of Indians not taxed, and population basis of apportionment

State	Population as enumerated Apr. 1, 1930	Indians not taxed	Population basis of apportionment	Apportionment of 435 Representatives by method of—	
				Major fractions used in last preceding apportionment	Equal proportions
Total	122,288,177	194,722	122,093,455	435	435
Alabama	2,646,248	6	2,646,242	9	9
Arizona	435,573	46,198	389,375	1	1
Arkansas	1,854,482	38	1,854,444	7	7
California	5,677,251	9,010	5,668,241	20	20
Colorado	1,035,791	942	1,034,849	4	4
Connecticut	1,606,903	6	1,606,897	6	6
Delaware	238,380		238,380	1	1
Florida	1,468,211	20	1,468,191	5	5
Georgia	2,908,506	60	2,908,446	10	10
Idaho	445,032	3,496	441,536	2	2
Illinois	7,630,654	266	7,630,388	27	27
Indiana	3,238,503	23	3,238,480	12	12
Iowa	2,470,939	519	2,470,420	9	9

Apportionment of 435 Representatives by the method of major fractions, which was used in the last preceding apportionment, and by the method of equal proportions, with total population of the several States, number of Indians not taxed, and population basis of apportionment—Continued

State	Population as enumerated Apr. 1, 1930	Indians not taxed	Population basis of apportionment	Apportionment of 435 Representatives by method of—	
				Major fractions used in last preceding apportionment	Equal proportions
Kansas	1,880,999	1,501	1,879,498	7	7
Kentucky	2,614,589	14	2,614,575	9	9
Louisiana	2,101,593		2,101,593	8	8
Maine	797,423	5	797,418	3	3
Maryland	1,631,526	4	1,631,522	6	6
Massachusetts	4,249,614	16	4,249,598	15	15
Michigan	4,842,325	273	4,842,052	17	17
Minnesota	2,563,953	12,370	2,551,583	9	9
Mississippi	2,009,821	1,667	2,008,154	7	7
Missouri	3,629,367	257	3,629,110	13	13
Montana	537,606	12,877	524,729	2	2
Nebraska	1,377,963	2,840	1,375,123	5	5
Nevada	91,058	4,668	86,390	1	1
New Hampshire	465,293	1	465,292	2	2
New Jersey	4,041,334	15	4,041,319	14	14
New Mexico	423,317	27,335	395,982	1	1
New York	12,588,066	99	12,587,967	45	45
North Carolina	3,170,276	3,002	3,167,274	11	11
North Dakota	680,845	7,505	673,340	2	2
Ohio	6,646,697	64	6,646,633	24	24
Oklahoma	2,396,040	13,818	2,382,222	9	9
Oregon	953,786	3,407	950,379	3	3
Pennsylvania	9,631,350	51	9,631,299	34	34
Rhode Island	687,497		687,497	2	2
South Carolina	1,738,765	5	1,738,760	6	6
South Dakota	692,849	19,844	673,005	2	2
Tennessee	2,616,556	59	2,616,497	9	9
Texas	5,824,715	114	5,824,601	21	21
Utah	507,847	2,106	505,741	2	2
Vermont	359,611		359,611	1	1
Virginia	2,421,851	22	2,421,829	9	9
Washington	1,563,396	10,973	1,552,423	6	6
West Virginia	1,729,205	6	1,729,199	6	6
Wisconsin	2,939,006	7,285	2,931,721	10	10
Wyoming	225,565	1,935	223,630	1	1

ANNUAL REPORT OF GOVERNOR OF PANAMA CANAL

The SPEAKER laid before the House a further message from the President, which was read and, with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the annual report of the Governor of the Panama Canal for the fiscal year ended June 30, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

ELEVENTH ANNUAL REPORT OF THE PERRY'S VICTORY MEMORIAL COMMISSION (H. DOC. NO. 663)

The SPEAKER laid before the House a further message from the President, which was read and, with the accompanying papers, referred to the Committee on the Library and ordered printed:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the Eleventh Annual Report of the Perry's Victory Memorial Commission for the year ended December 1, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

EIGHTY-FIRST ANNUAL REPORT OF THE BOARD OF DIRECTORS OF PANAMA RAILROAD CO.

The SPEAKER laid before the House a further message from the President, which was read and, with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the Eighty-first Annual Report of the board of directors of the Panama Railroad Co. for the fiscal year ended June 30, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

ANNUAL REPORT OF DIRECTOR OF PUBLIC BUILDINGS AND PUBLIC PARKS OF THE NATIONAL CAPITAL

The SPEAKER laid before the House a further message from the President, which was read and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the annual report of the Director of Public Buildings and Public Parks of the National Capital for the fiscal year ended June 30, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

REPORT OF UNITED STATES BUREAU OF EFFICIENCY

The SPEAKER laid before the House a further message from the President which was read, and with the accompanying papers, referred to the Committee on Expenditures in Executive Departments.

To the Congress of the United States:

As required by the act of March 4, 1915, and February 28, 1916, I transmit herewith the report of the United States Bureau of Efficiency for the period from November 1, 1929, to October 31, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *December 4, 1930.*

PENSIONS

Mr. NELSON of Wisconsin. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13518) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent for the present consideration of House bill 13518, and asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, this is a very lengthy bill and I understand efforts will be made to complete the appropriation bill now before the House to-day. Could not this bill lie over until Monday?

Mr. NELSON of Wisconsin. It could, but the session is short, and if we are going to get these private bills considered in the Senate it is necessary to get them through the House as soon as possible. I have consulted with the chairman of the Committee on Appropriations and he is agreeable.

Mr. LAGUARDIA. I assume the Clerk will read rapidly.

The SPEAKER. Is there objection?

Mr. SABATH. Mr. Speaker, reserving the right to object, what is the underlying reason for calling up this bill to-day, in view of the agreed program?

Mr. NELSON of Wisconsin. In order to get action on these private bills.

Mr. SABATH. This is a very long bill and it will take at least an hour.

Mr. NELSON of Wisconsin. No; it will take just a few minutes.

Mr. TILSON. This is the regular omnibus pension bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill.

This bill is a substitute for the following House bills referred to this committee:

H. R. 838. Orienia Millsaps.
H. R. 1345. Annie Bell.
H. R. 1346. Mary A. Toomey.
H. R. 1714. Olive B. Barnes.
H. R. 1900. Annie Duggan.
H. R. 2264. May E. McCoy.
H. R. 2276. Rosanna Monroe.
H. R. 2501. Mary A. Cole.
H. R. 3226. Robert T. McElhiney, alias Robert McElhaney.
H. R. 3602. Mary A. Shell.
H. R. 3750. Anna B. Hussey.
H. R. 3792. Sarah E. Lentz.
H. R. 3844. Clarinda Briggle.
H. R. 3995. Anna C. Mayer.
H. R. 4002. Julia W. Simpson.
H. R. 4121. Jennie Chesnut.
H. R. 4353. Blith McCollum, alias Belitha McCollum, alias William B. McCollum.
H. R. 4607. Judea Mercer.
H. R. 4749. Amanda Grayson.
H. R. 4784. Robert E. Scott.
H. R. 5236. Sarah E. Forsythe.

H. R. 5341. Minnie Bowers.
H. R. 5348. Mary C. Bacon.
H. R. 5372. Amy D. Taylor.
H. R. 5464. Eliza M. Ames.
H. R. 5741. Cordelia Claypoole.
H. R. 5832. Rosa Barnes.
H. R. 5897. Thomas J Wooldridge, alias Thomas J. Woldridge.
H. R. 6102. Caroline M. Kidd.
H. R. 6270. Jennie Miller.
H. R. 6280. Sarah Underwood.
H. R. 6281. Susana Short.
H. R. 6466. Mary K. Baxter.
H. R. 6495. Margaret Brown St. Clair.
H. R. 6540. Marie L. Trudeau.
H. R. 6821. Virginia E. Valentine.
H. R. 6926. Sarah P. Adkins.
H. R. 7106. Margaret Frances Harmon.
H. R. 7198. Christena Markham.
H. R. 7369. Virginia A. Washburn.
H. R. 7560. Georgia E. Frantz.
H. R. 7598. Cathera Mead.
H. R. 7655. Arinda Damon.
H. R. 7675. Mary J. Criswell.
H. R. 7680. Charilla M. Wade.
H. R. 8056. Mary J. Trapp.
H. R. 8069. Virgie Phillips.
H. R. 8403. Mary K. Baker.
H. R. 8608. Mary E. Marshall.
H. R. 8666. Dola Bronson.
H. R. 8675. Louesa H. Hubbard.
H. R. 8696. Elizabeth J. Camp.
H. R. 8744. Juliette Frisbie.
H. R. 8798. Anna M. McClelland.
H. R. 8800. Susan J. Wilson.
H. R. 8932. Sina M. McElroy.
H. R. 8948. Bridget E. Morgan.
H. R. 9018. Kathryn Ryan.
H. R. 9021. P. Della Hess.
H. R. 9087. Orilla Hommell.
H. R. 9094. Ellie A. Budd.
H. R. 9096. Catherine McAnally.
H. R. 9128. Sarah M. Ellis.
H. R. 9140. Ida M. Butler.
H. R. 9189. Mary E. Claypool.
H. R. 9196. Harriet Thomas.
H. R. 9200. Harriet Hagedorn.
H. R. 9202. Ida M. Wigent.
H. R. 9203. Rose A. Pettigrew.
H. R. 9210. Dora Horn.
H. R. 9218. Mary E. Devore.
H. R. 9219. Mina Wilson.
H. R. 9240. Ellen M. Gilchrist.
H. R. 9286. Minnie Harrison.
H. R. 9292. Harriet Hazlett Wonderlich.
H. R. 9294. Olive H. Miltenberger.
H. R. 9337. Mary L. Frey.
H. R. 9339. Mary M. Conner.
H. R. 9341. Maria J. Pastorius.
H. R. 9359. Elizabeth C. Hague.
H. R. 9381. Elizabeth Miller.
H. R. 9382. Delila E. Summers.
H. R. 9393. Sarah C. Eldridge.
H. R. 9399. Alice G. Phelps.
H. R. 9415. Mary A. McNeil.
H. R. 9418. Mathilda L. Sniggs.
H. R. 9427. Emma Blackwell.
H. R. 9430. Margaret J. Moore.
H. R. 9432. Sarah J. Green.
H. R. 9455. Lutrescie R. Lyons.
H. R. 9463. Lyda E. Case.
H. R. 9472. Martha C. Thomas.
H. R. 9473. Elizabeth Myers.
H. R. 9479. Olive J. Knowles.
H. R. 9506. Ann W. Ward.
H. R. 9509. Alice Barbour.
H. R. 9512. Reginah Neal.
H. R. 9513. Laura E. Dull.
H. R. 9516. Georgiana Everett.
H. R. 9527. Isabell Sampson.
H. R. 9541. Tillie McCrea.
H. R. 9571. Margaret A. Motz.
H. R. 9572. Annie Castner.
H. R. 9580. Hannah S. Hinman.
H. R. 9581. Mary J. McCommon.
H. R. 9582. Ellen J. Norris.
H. R. 9584. Sarah E. Arnold.
H. R. 9603. Mary E. Smith.
H. R. 9606. Nancy Hale.
H. R. 9613. Hannah Lemon.
H. R. 9618. Martha A. Epperly.
H. R. 9651. Mary A. Wills.
H. R. 9656. Charlotte M. Clemons.
H. R. 9668. Sarah Burris.
H. R. 9669. Martha E. Peacock.
H. R. 9700. Catherine Jones.
H. R. 9705. Alice R. Beach.
H. R. 9708. Martha Wilson.
H. R. 9728. Mary A. Anderson.
H. R. 9743. Mary M. Potts.
H. R. 9744. Willmine C. Codling.
H. R. 9748. Linnie Cooley.
H. R. 9750. Hattie G. Dyer.
H. R. 9783. Hilma S. Wright.
H. R. 9795. Annie E. Wallace.
H. R. 9812. Rebecca K. Welch.
H. R. 9814. Carrie W. Puffer.
H. R. 9815. Cyntha Logan.
H. R. 9818. Jane A. Geer.
H. R. 9827. Catherine E. Strayer.
H. R. 9828. Bell Barton.
H. R. 9830. Sallie Evans.
H. R. 9835. Martha E. Snell.
H. R. 9856. Amanda E. Lacy.
H. R. 9865. Nancy Metzker.
H. R. 9877. Margaret Crossett.
H. R. 9880. Jane Waters.
H. R. 9881. Alice Belknap.
H. R. 9883. Caroline Widmer.
H. R. 9926. Kate Teets.
H. R. 9927. Rebecca J. McCurdy.
H. R. 9971. Phoebe V. Johnson.
H. R. 9972. Arrista Smith.
H. R. 10006. Anna Maria Kramer.
H. R. 10018. Melissa H. Posten.
H. R. 10028. Mary L. Baker.
H. R. 10048. Mary E. Bernhard.
H. R. 10053. Laura F. Windsor.
H. R. 10062. Henrietta T. Fox.
H. R. 10084. Mary M. Stafford.
H. R. 10095. Sarah A. Elrod.
H. R. 10100. Sarah M. Metcalf.
H. R. 10109. Samantha C. Ackley.
H. R. 10137. Sarah J. Hartman.
H. R. 10139. Lillie L. White.
H. R. 10140. Mary E. Hays.
H. R. 10155. Barbara Norton.
H. R. 10162. Annie E. Daisey.
H. R. 10183. Esther A. May.
H. R. 10187. Mary A. Curry.
H. R. 10188. Lydia Fike.
H. R. 10192. Catherine Sleavin.
H. R. 10206. Mary E. Haas.
H. R. 10225. Elizabeth Bryant.
H. R. 10236. Sarah A. Noll.
H. R. 10242. Elvira Frazier.
H. R. 10243. Catharine C. Montgomery.
H. R. 10262. Mary C. Moses.
H. R. 10275. Mary C. Poppino.
H. R. 10276. Miranda J. Donahue.
H. R. 10277. Mary J. Jones.
H. R. 10281. Hellen A. Moore.
H. R. 10287. Surilla Kenworthy.
H. R. 10318. Margaret F. Sanderson.
H. R. 10319. Livonia Perkins.
H. R. 10322. Sarah C. Babcock.
H. R. 10332. Louisa E. Stoddard.
H. R. 10333. Leonora W. Morgan.
H. R. 10335. Emma J. Mahaffey.
H. R. 10336. Aleathia E. Strine.
H. R. 10338. Sarah F. Grime.
H. R. 10339. Virginia C. Montgomery.
H. R. 10352. Sarah J. McLain.
H. R. 10364. Isabel McAdoo.
H. R. 10407. Emma McComb.
H. R. 10412. Malinda Berry.
H. R. 10433. Mary Lee.
H. R. 10434. Mary E. Cunningham.
H. R. 10447. Alice E. Bush.
H. R. 10453. Harriet Roach.
H. R. 10460. Fannie McKinzie.
H. R. 10483. Sarah Horney.
H. R. 10489. Mallie E. Roberts.
H. R. 10497. Annie E. Box.
H. R. 10500. Mary E. Walker.
H. R. 10510. Alice P. George.
H. R. 10523. Virginia C. Smith.
H. R. 10552. Rose D. Peck.
H. R. 10565. Elizabeth Tressler.
H. R. 10567. Caroline Wolf.
H. R. 10589. Anna Kreutzer.
H. R. 10591. Minerva J. Menefee.
H. R. 10594. Caroline Schroer.
H. R. 10603. Velona L. Hewitt.
H. R. 10606. Anna Fryer.
H. R. 10607. Mary J. Long.
H. R. 10618. Catharine Heyl.
H. R. 10632. Dorothea Feldewerth.
H. R. 10640. Roxanna R. Granger.
H. R. 10641. Melissa E. Henderson.
H. R. 10642. Sarah Moore.
H. R. 10682. Sophia C. Miller.
H. R. 10683. Jennie Miller.
H. R. 10684. Elizabeth Barr.
H. R. 10704. Mary A. Melvin.
H. R. 10714. Susanah Kelly.
H. R. 10717. Mary Devine.
H. R. 10729. Mary Barrows.
H. R. 10730. Mary E. Rexroat.
H. R. 10751. Lizzie Green.
H. R. 10759. America E. Walton.
H. R. 10767. Emma R. Northrop.
H. R. 10785. Elizabeth S. Snider.
H. R. 10786. Martha E. Stewart.
H. R. 10789. Clarissa Rogers.
H. R. 10809. Mary J. Wilson.
H. R. 10812. Elizabeth B. Shaw.
H. R. 10832. Melissa A. Hazell.
H. R. 10835. Anna Bossard.
H. R. 10839. Anna Beakler.
H. R. 10847. Henrietta A. Fredericksen.
H. R. 10852. Sarah McPatterson.
H. R. 10862. Amanda Mellott.
H. R. 10866. Prudence Cook.
H. R. 10868. Nan Donaldson.
H. R. 10869. Lucy E. Findley.
H. R. 10872. Eliza A. Ash.
H. R. 10891. Mary C. Greene.
H. R. 10894. Isabella Young.
H. R. 10901. Lulu Insley.
H. R. 10904. Mary Ida Acton.
H. R. 10912. Laura Hysell.
H. R. 10921. Lydia Nickerson.
H. R. 10925. Margaret A. Bauder.
H. R. 10951. Eve M. Dibert.
H. R. 10982. Elisabeth Junk.
H. R. 10987. Ella B. Fuller.
H. R. 10990. Grace E. Grinsted.
H. R. 10991. Lillian M. Bell.
H. R. 10992. Martha Curry.
H. R. 10995. Mary E. Bowen.
H. R. 11003. Sarah Funk.
H. R. 11027. Sarah Holbrook.
H. R. 11039. Hannah M. Mounts.
H. R. 11062. Artenchia M. Watkins.
H. R. 11074. Ester Haws.
H. R. 11075. Sarah Brown.
H. R. 11108. Elisabeth E. Goddard.
H. R. 11109. Elizabeth Pockmire.
H. R. 11120. Ellen J. Pursel.
H. R. 11124. Nancy J. Perrin.
H. R. 11129. Elmina Crandall.
H. R. 11131. Sarah J. Zerner.
H. R. 11149. Sarah E. Sullivan.
H. R. 11158. Emily Soper.
H. R. 11159. Adelaide Knight.
H. R. 11174. Lizzie A. Thompson.
H. R. 11219. Letta A. Jones.
H. R. 11224. Mary S. Tillett.
H. R. 11227. Ophelia F. Lyons.
H. R. 11247. Dora Warner.
H. R. 11261. Emma P. Sharp.
H. R. 11288. Mary E. Shyrigh.
H. R. 11289. Sarah A. Cadwallader.
H. R. 11292. Hattie B. Neal.
H. R. 11296. Alice M. Eddleman.
H. R. 11298. Rachel L. James.
H. R. 11308. Elizabeth F. Harris.
H. R. 11312. Sarah J. Ott.
H. R. 11320 Margaret E. Blue.
H. R. 11346. Mildred C. Adel.
H. R. 11351. Martha A. Vanwinkle.
H. R. 11361. Amanda E. Blackrick.
H. R. 11375. Martha Williamson.
H. R. 11378. Lena O. Catlin.
H. R. 11384. Lewis Richard, jr.
H. R. 11388. Sarah C. Gordon.
H. R. 11391. Nancy M. Curtis.
H. R. 11396. Phebe M. Bothick.
H. R. 11417. Pariba Goshen.
H. R. 11422. Sarah E. Crawford.
H. R. 11423. Sarah Hurt.
H. R. 11442. Mary E. Martin.
H. R. 11446. Jennie R. Updike.
H. R. 11467. Augusta Jones.
H. R. 11472. Elvina Hope.
H. R. 11475. Maria Harrington.
H. R. 11476. Urilda Black.
H. R. 11478. Juanita Manzanares de Quintana.
H. R. 11500. Emma Graham.
H. R. 11504. Mary Norton.
H. R. 11505. Annie Sawyer.
H. R. 11506. Mary D. Ray.
H. R. 11507. Nancy J. Walter.
H. R. 11526. Edna Cowherd.
H. R. 11530. Rosetta Chase.
H. R. 11531. Mary J. Paul.
H. R. 11533. Maria Mosher.
H. R. 11538. Annie Tinsley.
H. R. 11543. Rosalie Chonyon.
H. R. 11556. Almira E. Van Benscoten.
H. R. 11568. Eliza R. Maginnis.
H. R. 11574. Mary A. Gray.
H. R. 11593. Lydia Wagner.
H. R. 11597. Cyntha E. Oliver.
H. R. 11609. Ann Lowmiller.
H. R. 11614. Tillie E. Shryock.
H. R. 11649. Pauline Carl.
H. R. 11650. Mary C. Watkins.
H. R. 11652. Margaret W. Bassett.
H. R. 11660. Lydia A. Shindel.
H. R. 11661. Annie Arnold.
H. R. 11662. Caroline Weigand.
H. R. 11666. Frances E. Shaffer.
H. R. 11670. Eliza M. Young.
H. R. 11673. Sarah Elizabeth Walter.
H. R. 11682. Frances M. Evans.
H. R. 11684. Ida Vosburgh Swart.
H. R. 11688. Lewis Crabtree.
H. R. 11692. Mame L. Willis.
H. R. 11706. Annie Hayden.
H. R. 11708. Mary E. Anderson.
H. R. 11710. Caroline M. Coller.
H. R. 11715. Malvina M. Hurley.
H. R. 11716. Alice V. Kirk.
H. R. 11730. Catherine A. Applegate.
H. R. 11735. Willumetta Powers.
H. R. 11737. E. Jennette Redding.
H. R. 11742. Caroline York.
H. R. 11744. William J. Vaughan.
H. R. 11761. Mary C. Calvin.
H. R. 11762. Susan Fisher.
H. R. 11765. Nancy M. Skelton.
H. R. 11770. Augusta Hendershot.
H. R. 11773. Mary E. Bullock.
H. R. 11776. Mary A. Mercer.
H. R. 11798. Anna E. Canfield.
H. R. 11803. Addie J. Bridges.
H. R. 11817. Annie J. Paty.
H. R. 11818. Ladocia L. Calhoun.
H. R. 11819. Elizabeth Delong.
H. R. 11823. Elizabeth J. Kemper.
H. R. 11828. Annie Grom.
H. R. 11829. Anna Webber.
H. R. 11837. Hattie Dersam.
H. R. 11841. Mary E. Martin.
H. R. 11848. Margaret E. Russell.
H. R. 11857. Catharine Johnson.
H. R. 11864. Agnes C. Ladley.
H. R. 11866. Eliza McGrew.
H. R. 11873. Sarah L. Cook.
H. R. 11880. Eliza M. Clemons.
H. R. 11888. Mary E. Herbert.
H. R. 11890. Elizabeth Clary.
H. R. 11891. Rachel J. Hartley.
H. R. 11898. Mary A. Elliott.
H. R. 11916. Mary P. Sanborn.
H. R. 11921. Nancy J. McSweeny.
H. R. 11922. Esther V. King.
H. R. 11925. Mary J. Bivenour.
H. R. 11927. Abigail A. Butler.
H. R. 11939. Anna M. Mitchell.
H. R. 11941. Mamie Partridge.

H. R. 11959. Sarah M. Moss.
H. R. 11960. Mary C. Small.
H. R. 11963. Ann Maria James.
H. R. 11987. Emma C. Johnson.
H. R. 11988. Arminda Abling.
H. R. 11989. Lottie J. Daniel.
H. R. 11991. Lucy A. Westbrook.
H. R. 11995. Mary E. Marshall.
H. R. 12001. Clara Layton.
H. R. 12006. Louise J. Bolen.
H. R. 12015. Malvina H. Perry.
H. R. 12024. Isaac Ramey, alias Isaac Ramy.
H. R. 12027. Belinda Kanzig.
H. R. 12039. Frances A. Gallagher.
H. R. 12040. Laura E. Long.
H. R. 12045. Sarah A. Buck.
H. R. 12051. Nancy J. Wood.
H. R. 12069. Elvira Long.
H. R. 12080. Lovenia H. Bryne.
H. R. 12082. Hannah C. Trump.
H. R. 12083. Margaret Helman.
H. R. 12085. Celestia Travelpiece.
H. R. 12087. Harriet E. Sims.
H. R. 12108. Lydia A. Grove.
H. R. 12109. Emily F. Frazey.
H. R. 12111. Sarah F. Williams.
H. R. 12113. William Thomas Dean.
H. R. 12115. Susan M. Linton.
H. R. 12116. Anderson Lane.
H. R. 12119. Elizabeth Cook.
H. R. 12122. Julia A. Kerns.
H. R. 12125. Eliza Elwell.
H. R. 12137. Isabelle Lansing.
H. R. 12138. Maria Briggs.
H. R. 12143. Lucinda Manis.
H. R. 12151. Rachel Harlan.
H. R. 12153. Mary Antle.
H. R. 12154. Nettie Pixley.
H. R. 12159. Sarah Isabella Winchell.
H. R. 12160. Elsie E. DeGraff.
H. R. 12161. Mary A. Cromie.
H. R. 12173. Annie Catharine Kauffman.
H. R. 12174. Sarah M. Houck.
H. R. 12185. Zachary G. Jamison, alias Z. G. Jamison.
H. R. 12191. Cyntha E. Patterson.
H. R. 12192. Mary Moreton.
H. R. 12195. Sarah E. Abbott.
H. R. 12198. Hannah F. Black.
H. R. 12216. Margaret C. Vitteto.
H. R. 12223. Jane Bronson.
H. R. 12240. Mary A. McLeod.
H. R. 12243. Emma C. Phillips.
H. R. 12245. Emily M. Kiser.
H. R. 12248. Barbara C. Bitner.
H. R. 12252. Marguerite Denny.
H. R. 12253. Mary H. Clintsman.
H. R. 12257. Anna M. Dielkes.
H. R. 12265. Matilda J. Turner.
H. R. 12270. Fianna G. Wickel.
H. R. 12271. Annie M. M. Spielman.
H. R. 12273. Jennie B. Kemper.
H. R. 12279. Ellen Scott.
H. R. 12280. Angeline Andrews.
H. R. 12293. Lucy E. Bryant.
H. R. 12295. Celina E. Hutton.
H. R. 12296. Elizabeth A. Glisan.
H. R. 12314. Addie E. Churchill.
H. R. 12315. Susan A. Wise.
H. R. 12319. Mary Z. Dawson.
H. R. 12320. Mary E. Green.
H. R. 12321. Elizabeth E. Fouke.
H. R. 12327. John Deaton.
H. R. 12329. Sallie Peters.
H. R. 12332. Elizabeth D. R. Prouty.
H. H. 12335. Sarah A. Lane.
H. R. 12364. Adalade P. Cousgns.
H. R. 12369. Margret A. Lohr.
H. R. 12373. Betty Chism.
H. R. 12377. Rufus A. Allison Gates.
H. R. 12389. Emma M. Johnson.
H. R. 12392. Caroline F. Pardoe.
H. R. 12400. Martha B. Balsley.
H. R. 12401. Louese Pearson.
H. R. 12417. Sadie E. Yantz.
H. R. 12420. Love Sims.
H. R. 12426. Lavinia B. Simmons.
H. R. 12434. Lizzie H. Horner.
H. R. 12455. Rachel Minear.
H. R. 12458. Mary J. Crichfield.
H. R. 12463. Margaret J. Triplett.
H. R. 12465. Catherine A. Stevens.
H. R. 12468. Hannah A. Martin.
H. R. 12473. Ardelia Pettry.
H. R. 12475. Mary A. Bell.
H. R. 12491. Mary A. Turner.
H. R. 12492. David W. Skinner.
H. R. 12495. Clara A. Mosier.
H. R. 12497. Martha A. Hill.
H. R. 12510. Mabel F. Clark.
H. R. 12511. Emma J. McAnderson.
H. R. 12514. Mary Carpenter.
H. R. 12516. Mary G. Haines.
H. R. 12517. Rhoda Williams.
H. R. 12518. Mary T. Hardy.
H. R. 12519. Elzina Griffin.
H. R. 12526. Elizabeth C. Benton.
H. R. 12532. Sadie B. Cowles.
H. R. 12545. Eliza Bunn.
H. R. 12547. Wilhelmina Heisner.
H. R. 12555. Julia Cavallier.
H. R. 12557. Amarilous Kelly.
H. R. 12561. Isaac N. Abner.
H. R. 12563. Mary J. Dottarar.
H. R. 12566. Belle Greenslate.
H. R. 12567. Manzie E. Langley.
H. R. 12580. Henrietta Johnson.
H. R. 12582. Fannie A. McFeeters.
H. R. 12589. Emma Raymond.
H. R. 12590. Alma E. Brown.
H. R. 12597. Eliza A. Gleason.
H. R. 12606. Margaret S. Rains.
H. R. 12607. Alice Kirkpatrick.
H. R. 12611. Rachel J. Pierce.
H. R. 12624. Martha McLeod.
H. R. 12625. Mary E. Weddle.
H. R. 12626. Lena E. Potter.
H. R. 12628. Agnes Snyder.
H. R. 12629. Ernestine W. Shetrone.
H. R. 12630. Philomena M. Wolf.
H. R. 12631. Sarah M. Ethridge.
H. R. 12638. Kate Fetter.
H. R. 12645. Rachel E. Zinn.
H. R. 12649. Carline F. Lehr.
H. R. 12654. Sarah Emaline Hickey.
H. R. 12655. Mary E. Bunch.
H. R. 12669. Elizabeth Mitchell.
H. R. 12674. Leonora Sloppy.
H. R. 12686. Vina Daniels.
H. R. 12687. Sarah M. Bailey.
H. R. 12691. Mary A. McKisic.
H. R. 12698. Amelia Good.
H. R. 12707. Emily Harte.
H. R. 12709. Elmira M. Francis.
H. R. 12710. Elvira Pauley.
H. R. 12711. Lucinda Mullen.
H. R. 12712. Ray A. Walters.
H. R. 12721. Bellemina Mahan.
H. R. 12722. Elizabeth S. Antill.
H. R. 12724. Clara E. Cram.
H. R. 12729. Lucinda Beal.
H. R. 12730. Celina Fralick.
H. R. 12732. Alice Kilburn.
H. R. 12733. Elizabeth Guyer.
H. R. 12736. Ella V. Rugg.
H. R. 12737. Nettie Champagne.
H. R. 12738. Adeline Kibby.
H. R. 12739. Mary E. Fleming.
H. R. 12745. Mary J. Jemison.
H. R. 12749. Caroline Wood.
H. R. 12751. Catharine D. Carrell.
H. R. 12756. Elizabeth Jett.
H. R. 12757. Nancy J. Pickelsimer.
H. R. 12768. Cora Reiley.
H. R. 12772. Mary Wagner.
H. R. 12773. Mollie Sheets.
H. R. 12775. Rose E. Harmon.
H. R. 12778. Rosetta Minor.
H. R. 12792. Agnes C. Gill.
H. R. 12793. Lavinia C. Preston.
H. R. 12796. Matilda Harer.
H. R. 12800. Martha J. Hannah.
H. R. 12812. Sarah E. Wallett.
H. R. 12828. Anna E. Church.
H. R. 12834. Jennette Skidmore.
H. R. 12846. Frances C. Grant.
H. R. 12847. Mary E. Tally.
H. R. 12849. Mary F. White.
H. R. 12851. Susanna List.
H. R. 12852. Frances E. Pike.
H. R. 12853. Bertha Ann Gay.
H. R. 12859. Mary A. Blake.
H. R. 12860. Sarah J. Davis.
H. R. 12861. James Baker.
H. R. 12864. Sarah C. Miller.
H. R. 12866. Nancy Blake.
H. R. 12878. Martha E. Aughinbaugh.
H. R. 12881. Viny Carey.
H. R. 12885. Mary E. Folsom.
H. R. 12886. Emma Huston.
H. R. 12887. Sarah C. Pile.
H. R. 12888. Mary J. Mimmy.
H. R. 12892. Betsy A. Waight.
H. R. 12893. Sarah E. Swan.
H. R. 12896. Katie J. Jeroimon.
H. R. 12905. Rachel F. Porter.
H. R. 12913. Sarah E. Farrell.
H. R. 12916. Sophia Saborg.
H. R. 12925. Jennie Miner.
H. R. 12930. Josepha R. Smith.
H. R. 12934. Rebecca Mitchell.
H. R. 12936. Elizabeth J. Hearin.
H. R. 12938. Jennie Apgar.
H. R. 12939. Lois C. Morse.
H. R. 12940. Kate Haslar.
H. R. 12943. Cathern A. Green.
H. R. 12950. Catherine Middleton.
H. R. 12951. Kate E. Main, known as Kate E. Addy.
H. R. 12953. Esther E. Smith.
H. R. 12954. Charity Isabell Beeson.
H. R. 12955. Hannah V. Cunningham.
H. R. 12970. Hannah L. Hamilton.
H. R. 12972. Sophia C. Schaeffer.
H. R. 12974. Margaret Gegel.
H. R. 12979. Mary M. Harbaugh.
H. R. 12980. Mary A. Matthews.
H. R. 12981. Rebecca Meckley.
H. R. 12983. Sarah J. White.
H. R. 12986. Mary E. Kelly.
H. R. 12987. Isabell C. Hunley.
H. R. 12988. Rebecca Armour.
H. R. 12989. Almira B. Evans.
H. R. 12999. Margaret J. Showalter.
H. R. 13000. Ann F. Clark.
H. R. 13012. Margaret Singleton.
H. R. 13021. Bridget Meenen.
H. R. 13027. Catherine Barr.
H. R. 13029. Lucina E. Huribut.
H. R. 13031. Elizabeth Thompson.
H. R. 13032. Martha J. Freeman.
H. R. 13033. James Festerman.
H. R. 13044. Mary E. Buchanan.
H. R. 13050. Isola Thompson.
H. R. 13057. Sarah E. Erisman.
H. R. 13068. Ellen P. Wilkins.
H. R. 13069. Frances M. Martin.
H. R. 13072. Margaret Viola Jackson.
H. R. 13077. Ida Goldthwait.
H. R. 13079. Mary Keith.
H. R. 13085. George Brill.
H. R. 13090. Samantha Adamson.
H. R. 13106. Annie Wambaugh.
H. R. 13112. Eliza Sharp.
H. R. 13118. Mattie Street.
H. R. 13124. LewElla McCorkhill.
H. R. 13125. Ama E. Hemenway.
H. R. 13126. Elizabeth J. Goldthwait.
H. R. 13127. Malinda Husband.
H. R. 13139. Luese Schneider.
H. R. 13141. Emily F. Severs.
H. R. 13144. Elizabeth B. Ray.
H. R. 13149. Maranda Fasold.
H. R. 13153. Mary E. Miller.
H. R. 13154. Laura L. McHaney.
H. R. 13159. Eliza A. Goodwin.
H. R. 13162. Margaret A. Mishler.
H. R. 13164. Adella E. Fackler.
H. R. 13166. Rosa A. Burnam.
H. R. 13171. Clementine Layton.
H. R. 13173. Josephine Holloway.
H. R. 13177. Matilda Brown.
H. R. 13178. Mary Ellen Powell.
H. R. 13184. Emma Stark Derr.
H. R. 13187. Sarah Ellen Cohn.
H. R. 13195. Mary A. Henriques.
H. R. 13196. Angeline Staples.
H. R. 13200. Phebe E. Pray.
H. R. 13204. Sarah A. Dunlap.
H. R. 13205. Ruth Miller.
H. R. 13206. Sallie Marple.
H. R. 13208. Jennie V. Myers.
H. R. 13210. Laura Harnois.
H. R. 13211. Reuben B. F. Arnold, alias Reuben Arnold, alias Ruben Arnold.
H. R. 13214. Alzana Isaacs.
H. R. 13215. Mary A. Harvey.
H. R. 13217. Arminto A. Schaub.
H. R. 13218. Rachel J. Atkinson.
H. R. 13231. Cliffie Baker.
H. R. 13234. Mary G. Vance.
H. R. 13240. Louisa Hale.
H. R. 13241. Annie L. Burnett.
H. R. 13246. Sarah E. McKenzie.
H. R. 13255. Sarah E. Burrows.
H. R. 13256. Ella Keen.
H. R. 13264. Anna H. Alexander.
H. R. 13277. Amanda E. Rohm.
H. R. 13279. Mary C. Wilson.
H. R. 13282. Frederica Carll.
H. R. 13284. Flora L. Prince.
H. R. 13285. Sarah M. Cameron.
H. R. 13288. Mary Dieddle.
H. R. 13289. Sarah A. Haynes.
H. R. 13304. Rebecca Jackson.
H. R. 13308. Lucina Bush.
H. R. 13310. Clara A. Pollard.
H. R. 13311. Mary E. Hoover.
H. R. 13313. Rachel Logsden.
H. R. 13434. Harriet J. Stevens.
H. R. 13435. Catherine Witzig.
H. R. 13436. Sarah Cossiboin.
H. R. 13437. Theresa Hanrahan.
H. R. 13438. Fannie McCardle.
H. R. 13439. Mary H. Bull.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. NELSON of Wisconsin, a motion to reconsider the vote by which the bill was passed was laid on the table.

SPEECH OF HON. HAROLD M'GUGIN

Mr. SPARKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a speech made by Harold McGugin over the radio station at Coffeeville, Kans., Mr. McGugin being the Congressman elect from the third district of Kansas, and the speech being upon the subject of corporation farming.

The SPEAKER. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD by printing a radio address delivered by the Member elect from the third district of Kansas. Is there objection?

There was no objection.

The speech is as follows:

CORPORATION FARMING

Corporation farming means that the individual farmer is to be driven from the farm lands of America. It means the end of that fine agricultural civilization which has meant so much to the builders of America. Corporation farming means that the individual farmer, rearing and educating his family, is to pass out of existence and to be superseded by a few poorly paid hired hands. These hired hands will only be a fraction of the number engaged in agriculture under the old-established system of individual ownership.

One farm corporation in Kansas makes this bold public statement:

"Large corporations whose sole business it will be to perform the operations of plowing, planting, cultivating, and harvesting will supersede the individual farmer."

This corporation is rapidly making good this threat against the continued existence of the Kansas farmer. This corporation had 5,000 acres in 1927. In January, 1930, it had 50,000 acres. Two hundred such corporations could raise all the wheat in Kansas. There were two farm corporations in Kansas in December, 1929; on March 1 of this year there were 6 and on September 1 there were 13. At the present rate of progress, a dozen farm corporations will own and control the wheat lands of Kansas within five years. This will mean that the wealth derived from the farms of Kansas will no longer be owned by farmers and citizens of Kansas but will be owned by stockholders in New York or elsewhere.

These farm corporations are selling their stock to the public and with the money received are freezing out the American farmer by taking brutal advantage of the present depressed conditions. One of these corporations plays the rôle of a Shylock with this cold-blooded public statement:

"We have the capital—the cash. We are simply taking advantage of the present conditions. We are buying land while the price is low, while the so-called depression is on."

This same corporation makes this brazen statement in defiance and contempt of humanity and civilization:

"Our overhead is reduced to absolute minimum, requiring only three months of the year to plow, disc, plant, and gather, while the average farmer must maintain his home and family 12 months during the year. Our plan is a substantial improvement over the old method."

No one can regard this plan as an improvement over the old plan, except that he worships a god of greed rather than the Christian God of civilization. No American patriot can accept this new plan as an improvement save one whose patriotism is measured by dividends for a few owners of corporation stock rather than one whose patriotism is measured by the welfare of the great body of American people. The American farmer, keeping his family the year round, giving his children scholastic and religious education, is not the overhead of agriculture—it is the overhead of civilization.

A farm corporation makes this public statement:

"We now own 17,280 acres of the finest lands in Kansas. It would require 53 farmers to till this land, each farmer averaging 320 acres. For maintenance of themselves and families these farmers would require a minimum living cost of $1,200 per year each, or $63,600.

"Our operator farms not less than 700 acres, and does this in 90 days, at a cost of $4 per day. We need only 25 operators to do the work of 53 farmers operating under the old method. Our yearly pay roll for these men is only $8,000. This means a new saving of $54,960 in labor made possible by our plan."

This is not a saving of $54,960; it is a robbery of American farm civilization of $54,960 per year, which should be used to maintain American farm families and to educate American children of the farm. This statement gives the true picture of the effect of corporation farming upon society. It discloses that 28 of every 53 farmers shall be driven from the farm lands of America to be roving gypsies and vagabonds upon the face of the earth, while the remaining 25 will be hired hands three months in the year and tramps the remaining nine months.

Unemployment is now the bane of American civilization. Corporation farming means that we add to the army of unemployment 28 of every 53 farmers for 12 months in the year and the remaining 25 of every 53 farmers to this same army of hunger for 9 months during the year. Corporation farming is an assault upon Christianity and civilization. The very corner stone of America, civilization, and Christianity is the home. Any line of business which employs men for only three months in the year is an enemy of the home. Such a business would not employ married men with family ties. It would want only single men who could with ease be floaters during the unemployed season of nine months each year.

Corporation farming is already going through the Wheat Belt of Kansas, destroying farm homes more effectively than could be done by a heartless invading army of vandals. Corporation farming reduces the tillers of the American soil to a lower level than the Mexican peon, a medieval serf, or a Russian peasant. Peons, serfs, and peasants at least had a home upon the land which they tilled. The millions of American farmers have been the ever-conservative and reliable faction of American society. Patriotism and social welfare alike demand that corporation farming must forever be prohibited in America.

The Tulsa World, in a recent editorial, said in part:

"Absentee landlordism is the real trouble in Porto Rico, according to Gov. Theodore Roosevelt and others in a position to know. They intimate that the American corporation ownership of the farm or sugar plantations makes the economic condition just what it was under many decades of Spanish rule. In the old days grandees, who lived somewhere else, wrung the last cent from the poor peons—and the American sugar corporations are doing the same thing now.

"Porto Rico has the highest death rate in the eastern part of the world and the tuberculosis infection is the highest known. Over one-third of the population is chronically ill mainly from preventative diseases or from ills produced by unemployment, malnutrition, insanity, surroundings, etc. Corporation farming is being fought off in Kansas and other places. The middle class hardly exists in Porto Rico and other corporation farming countries, and it is certain that the same thing will come to pass here if the system becomes well established. The small home owner and farmer has been the backbone of the Nation. When he goes out—then what?"

In a recent editorial in Harper's Magazine, which was reprinted in the Kansas City Star, I observed in part the following:

"The future of the American farmer is the most interesting subject I can think about. Will he disappear completely, or at any rate become a mere cog in the great food-raising machinery which some day may roll from one end of our great countryside to the other—machinery owned and operated for profit by a half dozen Henry Fords and using a race of skilled mechanics along with another race not so skilled and a locust cloud of bookkeepers?

"Will he have gone under to such an extent that he will be no longer Farmer Brown, of Libertyville, Ohio, but No. 2496, section 3, United States Farms (Inc.)? Or will he revive in some fashion which I can not imagine and restore to our civilization the figure that once was so picturesque to contemplate? I hope so, though no movement now on foot encourages me to believe it."

Do not confuse corporation farming with power farming. It is inevitable that power farming is going to increase the size of American farms and thereby decrease to an extent our farm population. The question is whether or not we are going to have power farming by the individual farmer or by the farm corporations. The individual can only increase his holdings from his earnings. The corporation increases its holdings from its sale of stock. Individual ownership of farms under power farming can never in the tenth degree acquire the large landed estates that corporations selling their stock will acquire. Large landed estates for the centuries have been the bane of civilization. American and English jurisprudence have for three centuries been discouraging and breaking down large landed estates. We have done so in America by providing that each child is an equal heir; therefore, with every generation estates have again been broken up into smaller tracts. By law we have provided against perpetuities in real-estate titles. The corporation owning farm lands will never die. It lives forever. Corporation ownership of farm land means the worst kind of perpetuities in land titles.

Corporation farming is a challenge to American civilization. The challenge can be met if we have the courage to meet it. The corporation is yet awhile a child of the State. No corporation can engage in the business of agriculture except that a State government gives to that corporation a charter authorizing it to engage in the business of agriculture. Corporation farming can not destroy the American civilization, except that the governments of the 48 different States may by solemn decree legislate and provide that corporations may engage in the business of farming, and thereby destroy the individual farmer. It is not a problem which the Federal Government can meet. It is a problem which the State governments must meet. The State governments must in the last analysis be wholly responsible for corporation ownership of farming or individual ownership of farming. There can not be corporation ownership of farming unless the States permit it. Corporation farming can not be prohibited unless the State governments prohibit it.

The State governments can further provide by law that corporations can not own real estate beyond the corporate limits of cities. Oklahoma has legislation along this line. Such legislation will prohibit the building up of large landed estates. Oklahoma by law permits a corporation to own farm real estate for a period of five years, after which time it must dispose of the real estate, else it escheats to the State. This is sufficient to protect farm-loan corporations that have been obliged to protect their loans.

Unless corporation farming is stopped all the national agitation for farm relief will have been in vain. Corporation farming needs no relief. Corporation farming, not bearing the expense of maintaining families, produces its wheat very cheaply. A corporation farming 50,000 acres in Kansas advertises that it raises an average of 17½ bushels an acre at a producing cost of $4.83 per acre, which is less than 28 cents a bushel. These corporations are breaking up thousands of acres of new land. They are the people who are increasing the acreage and thereby increasing the wheat surplus. They will continue to do so as long as the price of wheat will permit a profit over 28 cents a bushel. Corporation farming will solve the farm problem, but it will impoverish the individual American farmer and drive millions of them into the labor centers of America only to increase the present economic chaos.

If corporation farming is permitted, no individual farmer east of Wichita, Kans., will ever produce a bushel of wheat at a profit.

It will be impossible for Government to extend any aid to the individual farmer without extending aid to these organizations, which are destroying American civilization, and which need no aid.

Corporation dairying is at this time driving the individual dairymen of the South into bankruptcy. If corporation farming is permitted, there is no escape for the individual farmer of America.

The merging and monopolizing of all lines of business, industrial and commercial, have greatly destroyed the economic opportunities of the individual American citizen. Monopolization of industry, commercial business and banking is primarily responsible for the distress and chaos in which we find America to-day. There can be no monopolization except through a selfish abuse of corporation ownership. Corporation farming will mean inevitably that the production of the food supply of America will be monopolized. When that day comes, the American consuming public will be bled white. When farming is incorporated and monopolized, the last economic opportunity for the individual American will have vanished.

The State legislatures of the various States are about to go into session. It is the solemn obligation for the 1931 session of every State legislature to provide by law that no corporation shall be given a charter to permit it to engage in the business of agriculture, also to provide by law that no corporation shall own farm land except that the title be acquired for the payment of debt and that the ownership shall be for only a limited period of time.

As corporation farming decolonizes the rural district it will bring economic ruin to every agricultural town and community. The local banker, business man, professional man, and editor will all trail along with the vanishing farmer into bankruptcy and distress. The local newspaper is the sentry which should always give warning to the sleeping populace of an approaching foe. Every newspaper should immediately advise the people of the approaching vandal—corporation farming. If democracy in America means anything, an enlightened public will preserve its own existence. The newspaper alone can immediately enlighten the people. If we are to save ourselves from the peonage of corporation farming we must act at once. After these corporations are organized and hundreds of thousands of people have vested interests to the extent of millions of dollars in farm corporation stock it will then be too late to stop this scourge of American society.

This American civilization has largely been built upon the rock foundation of economic opportunity and economic independence for the individual citizen. When economic opportunity and independence for the individual in every avenue of business—industrial, commercial, banking, and agricultural—is monopolized, then the decay of a great civilization will not have only begun but will be beyond cure. To restore the economic independence and opportunity of the lone American citizen is something more than an economic program or campaign; it is a patriotic struggle worthy of all the heroism and fervent patriotism of loyalty to country.

PERMISSION TO ADDRESS THE HOUSE

Mr. SIROVICH. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for 10 minutes. Is there objection?

Mr. TILSON. Mr. Speaker, may I ask the gentleman whether his remarks relate to the bill that is to be considered to-day?

Mr. SIROVICH. Yes.

Mr. TILSON. Why can not the gentleman wait until we go into Committee of the Whole?

Mr. SIROVICH. I can not proceed then, because the bill will be considered under the 5-minute rule.

Mr. TILSON. But the gentleman can always ask to proceed for 10 minutes. As the gentleman's remarks relate to the bill which is to be taken up to-day it does not seem to me that we ought to violate the tentative agreement we made the other day to not grant leave to address the House when there are appropriation bills under consideration. The subject to which the gentleman wishes to address himself is a subject that comes up in the discussion of the bill to-day. If the gentleman wishes only 10 minutes it seems to me there will be no difficulty whatsoever in giving it to him.

Mr. LINTHICUM. It is an important matter and should be fully discussed.

Mr. TILSON. I agree with the gentleman. There ought to be no undue limitation of time in reference to this matter.

Mr. SIROVICH. It is a very important measure.

Mr. TILSON. Of course, it is, and it should be fully discussed; but it is coming up to-day in the consideration of this appropriation bill. Why should we grant leave to one gentleman to address the House on a subject that is coming up later? The orderly way is to wait until the matter comes up for consideration and then give it such time as is necessary. I am sure that the gentleman from New York, who always enlightens the House on any subject he discusses, will be given all the time he needs on this proposition.

Mr. SIROVICH. Very well.

GEN. WILLIAM MOULTRIE

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the life, character, and public services of Gen. William Moultrie, who was the hero at the Battle of Fort Sullivan on June 28, 1776, whereby the British Fleet was repulsed in Charleston Harbor, and to include the proceedings of the General William Moultrie Memorial Association, held in Charleston, S. C., on November 23, 1930, at which I was to be the principal speaker. I was prevented from attending, by illness, and Prof. W. T. Shaffer agreed to substitute for me. He delivered a brief, but eloquent, address on that occasion, and I ask permission to include it along with my own remarks.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to extend his own remarks in the RECORD and to insert certain proceedings relative to the memorial mentioned. Is there objection?

There was no objection.

Mr. McSWAIN. Mr. Speaker, any brave and honorable people who desire and seek a worthy posterity will honor and revere their heroic and noble ancestors. In that spirit was organized the Gen. William Moultrie Memorial Association at Charleston, S. C., on November 23, 1930. Exercises in honor of the two hundredth aniversary of Gen. William Moultrie were held in St. Phillip's Church, a very old and historic organization and building at Charleston, S. C. I had accepted an invitation during the spring of 1930 to deliver the memorial address on that occasion and had made considerable preparation by way of general reading. However, as the time for the meeting approached I became ill and was compelled to enter the hospital and, therefore, had to notify the committee in charge of my inability to participate in the exercises. It was a source of regret to me and one of sore disappointment.

The place of General Moultrie in history is firmly fixed, but it is highly proper that we of this generation and of succeeding generations should have every aid and stimulus to learn of his life and of his splendid patriotic services and to emulate his noble private character. It will be noted that General Moultrie was two years older than George Washington. He had imbibed a strong devotion for civil liberty and for political freedom, characteristics so prominent among the Scotch race from which he was descended. Undoubtedly the splendid victory for American arms on June 28, 1776, whereby the patriot forces intrenched behind palmetto logs on Sullivans Island repulsed the British fleet seeking to enter Charleston Harbor, and from that position to shell the city and to compel its surrender, was due in the largest measure to the military genius and to the inspiring leadership of General Moultrie. That victory was one of the decisive battles of the Revolutionary struggle. Charleston was one of the three largest cities in the Colonies. Boston, Charleston, and New York were the three principal ports of entry for all trade between the Colonies and other nations. If Charleston had been captured on June 28, 1776, after Boston had already been occupied by the British and as New York was soon thereafter to be occupied, then all hope of success for the arms of the Colonies might have been abandoned. But when it was manifest that untrained American farmers and mechanics could fight with cannon and rifle as well as professional soldiers, then the cause of independence was tremendously enhanced. It is by no means sure that the victories in Charleston Harbor had any direct causal connection with the Declaration of Independence six days later, but it is most pleasant to indulge the thought that during those six days the news could have reached Philadelphia by swift couriers, and could have given sufficient confidence to the members of the Continental Congress to justify them in taking that bold and brave step.

Thus the victory accomplished by the ability and inspiration of General Moultrie gave that initial impetus to the cause of independence so necessary and at such a critical

time. Though discouragement followed discouragement during the long and tedious years thereafter, yet the patriots could still hope for victory, since such signal victory had once been accomplished in that battle. The subsequent victories at Saratoga and at Trenton and the later victories at Cowpens and Kings Mountain offset the disastrous and calamitous defeats at Camden, Hobkirks Hill, Savannah, and Charleston and made it spiritually possible for the patriots still to persevere. Without this spirit the crowning and glorious culmination of Yorktown might never have come. In more than 100 other battles and skirmishes the patriot forces and partisan bands of South Carolina and North Carolina under such natural leaders as Francis Marion, Thomas Sumter, Andrew Pickens, Thomas Brandon, John Sevier, Isaac Shelby, Benjamin Cleveland, James Williams, the McDowells, Hambright, Winston, Lacey, Hill, and many others demonstrated their fitness to match trained British regulars and thus kept alive the resolution to continue the fight for independence.

REMARKS OF E. T. H. SHAFFER AT THE BICENTENNIAL MEMORIAL SERVICES HELD AT ST. PHILLIP'S CHURCH, CHARLESTON, S. C., IN HONOR OF GEN. WILLIAM MOULTRIE, WHO WAS BORN NOVEMBER 23, 1730

It is a privilege and an honor to recall to-night some incidents of the life of William Moultrie and to pay tribue to the supreme gifts to our country of this illustrious man whose birth in Charleston 200 years ago we meet to commemorate. We come not in a spirit of vainglory over victory, of pride in national achievement, but to consecrate ourselves and our children anew to the lofty principles that animated the soul of Moultrie and inspired his signal devotion to liberty.

The family of Moultrie had been prominent and distinguished in Scotland, the records show, since the middle of the fifteenth century. John Moultrie, the father of William, graduated from the University of Edinburgh and was a physician of note in his native land. But, like multitudes of his liberty-loving fellow Scots, restive under antique forms of church and state that throughout Europe hindered the ambition of the intellectually emancipated Europe at that time, he dreams of a world of fuller opportunity and, emigating to America, settles in Charleston prior to 1729.

The several children of this pioneer, true to the traditions of their clan, rose rapidly to positions of distinction in the Colonies. At the early age of 24 William became a member of the Commons House of the Assembly of South Carolina. Six years later he served as captain under Governor Lyttelton in his expedition against the Cherokee Indians. Although he had received both civil and military honors from the royal government, on the outbreak of the war for American independence, instantly embracing what he deemed the cause of right and justice, he offered his sword to his people rather than to his King. In June, 1775, he became a member of the First Provincial Congress of South Carolina, and this body, at the solicitation of John Rutledge, appointed him first colonel of the Second South Carolina Regiment. Ever zealous in the cause of his country, he devised a flag, September, 1775, blue, with a white crescent in the dexter corner, inscribed with the word "Liberty." This emblem he raised above Fort Johnson, boldly in view of the British ships, America's first battle flag.

We pass on to the supreme moment of his career, his defense of Fort Sullivan, rechristened by his valor and the blood of his devoted men Fort Moultrie, a battle that not only saved his native city from the enemy but that, as shown in the light of after events, marked a turning point in the struggle for the freedom of his native land.

To-day news flashes back and forth between continents with the rapidity of the lightning, and what transpires in America may be discussed and understood within a few hours in London. But in those far-off eighteenth century days that we are recalling communication was a tedious matter of weeks and months, and even then the methods of transmitting thought were but meager when contrasted with our day when through the magic of many inventions history in the very making is unrolled before our eyes. As tidings from America, in letters and by messenger, crossed the sea in sailing ships it was difficult for the King and his councilors to fully comprehend the depth of the discontent, the seriousness of the revolt of their oversea subjects. Concord and Lexington warned that there were men here who could oppose the King's regulars, but it was still hoped that by a supreme display of strength the incipient uprising could be awed into submission. Toward the close of the year that witnessed the outbreak of hostilities in New England a formidable fleet with an army of British regulars was dispatched to end the war in America. The great attack was launched against the southern colonies; the initial step was to be the capture of Charleston, whose broad harbor and ample accommodations for men and munitions of war rendered it an ideal base for prolonged and extensive campaigns. A deciding factor in the direction of this expedition was a belief in London that the long-favored crown colony of South Carolina was still largely loyal and that upon the capture of its capital city and restoration of the deposed royal governor multitudes would flock to the old colors.

Such confidence may have been well founded; Ramsey, writing with first-hand knowledge of sentiment in the colony just prior to the beginning of the war, observes: "South Carolina, happy in her connection with Britain, wished no change. Between her and the mother country there was no collision of interests, and there had never been serious complaint of either against the other. Carolina, prosperous and well satisfied with her political condition, did not covet independence. It was forced upon her as the only means of extrication from the grasp of tyranny exerted to enforce novel claims of the mother country, subversive of liberty and happiness." But the dangers lurking behind the new policies of the King were as yet apparent only to the few, to far-visioned leaders—Moultrie, Laurens, Gadsden, Drayton. The mass of the people, still prosperous, were contented with their lot and many of their men of mark and station continued loyal to the English King. With Charleston captured it is likely that the infant cause of freedom in South Carolina would have died in its cradle—a South once more become a loyal projection of England might have proved not only a convenient base but a useful ally in crushing out a revolt that at this period had gained its chief popular support in the more northern colonies.

Realizing that the reduction of Charleston was to be but a prelude to operations for the recovery of the entire South, an experienced officer, Maj. Gen. Charles Lee, was hurried to the spot with supreme command of the American forces in Virginia, both Carolinas, and Georgia. On the 1st day of June, 1776, the British armada, upward of 50 vessels, probably the mightiest sea force ever launched against American shores, appears off Charleston bar.

On the transports were 2,200 regulars commanded by that experienced soldier, Sir Henry Clinton; under him served Maj. Gen. Lord Cornwallis; in command of the fleet came Admiral, afterwards Sir Peter Parker, bringing with him Lord William Campbell to resume his rule as royal governor of South Carolina; the 11 fighting ships carry 270 cannons—aroused at last the lion is about to strike.

Viewing so many ships, such vast sea power, at the thought of the disciplined hosts on board the transports, their leaders bearing great names and distinguished in many wars, the heart of the English-born Charles Lee, high commander of the American forces, fails him and he is thrown into a panic. Moultrie, a mere Colonial colonel serving under him, in an uncompleted fort of palmetto logs with 25 small guns and a meager supply of ammunition, calmly proposes to engage the British fleet in battle. General Lee suggests the wisdom of his building a bridge to the mainland for the convenience of his retreat, but Moultrie, man of action, not of words, makes no reply. His thought is of holding the fort, not of seeking shelter on the mainland. Lee then withdraws a large portion of the force to Haddrells Point, now Mount Pleasant, in hope of delaying the British advance after Moultrie and his little garrison have been swept aside. Finally, peeved at what he doubtless considered the foolhardiness of Moultrie's inexperience, Lee sends orders to Colonel Nash, of North Carolina, to report to him on June 28 to supersede the bold South Carolinian. But fate willed otherwise. At gray dawn on the 28th of June, in happy recollection celebrated in after years by Charleston as "Carolina day," the top sails are loosed and soon the fleet moves in for the attack. As the shells from the heavy naval mortars begin to fall about the little fort and the tall ships of the line swing about to pour their successive broadsides, an excited officer rushing to the exposed platform where Moultrie stands exclaims:

"Sir, when those ships come to lay alongside your fort they will knock it to pieces in half an hour."

"Then," answers Moultrie, "we will lay behind the ruins and prevent the men from landing."

Another incident of the battle: The flag staff is shot down and the blue emblem of liberty lies prostrate on the white beach. Sergeant Jasper cries to the commander, "Colonel, don't let us fight without our colors."

"How can we help it?" is the reply, "The staff is gone." At the words Sergeant Jasper leaps over the ramparts, secures the fallen flag, ties it to a sponge staff, raises it upon the rampart facing the enemy, gives three cheers for liberty, and returns quietly to his post—and to immortality.

The battle that raged all day between the fleet and the fort need not be retold here in detail, sufficient to observe its effect upon the enemy and then attempt to eventuate its bearing on the course of the ensuing war. Soon after nightfall, at 9.30, the last shot was fired. Under cover of darkness the shattered, humbled fleet, leaving one vessel stranded, creeps silently back to its distant anchorage well beyond the range of Moultrie's guns. Charleston was saved and the long tradition of British sea invincibility broken. A palmetto fort repulses ships of British oak; the palmetto, emblematic of this victory, becomes the proud armorial tree of South Carolina.

General Lee, now filled with admiration at the heroic conduct of Moultrie and his men, in his report of the action to George Washington, declared, "The cool courage they displayed astonished and enraptured me; the noble fellows who were mortally wounded conjured their brethren never to abandon their standard of liberty," then, seeking a fitting measure for such valor, he must cite the days of ancient Rome: "They acted like the Romans of the third century."

One of the first measures of the newly formed Continental Congress was a recognition of the distinguished service of the hero of Fort Moultrie. "Sir," wrote John Hancock, President of that body, "I am extremely happy to have it in my power to transmit to you, by order of Congress, the thanks of the United States of

America for your patriotic and spirited exertions in behalf of liberty and your country. This success of our arms, attended with every circumstance that can add luster to the characters of those who conducted it, will forever render estimable your name with every friend of America, and posterity will be astonished when they read that on the 28th of June an inexperienced handful of men under your command repulsed with loss and disgrace a powerful fleet and army of veteran troops, headed by officers of rank and reputation. May you go on thus to merit and receive the gratitude of your country; and as a reward of your military service may your name be enrolled in the list of American worthies on whom posterity will bestow the most grateful and unceasing applause."

Such was the recognition by his contemporaries of the importance of Moultrie's victory, nor has this opinion been changed or modified with passing years. A New Englander of a later day echoes Hancock's praise. Henry Cabot Lodge says:

"It was a well-fought action and the honor of the day belongs to Moultrie, whose calm courage and excellent dispositions enabled him to hold the fort and beat off the enemy."

Writing in 1808, when the war could be viewed in retrospect, David Ramsey, whose appraisal of sentiment in South Carolina prior to the outbreak of the Revolution has been mentioned, writing of the effects of the Battle of Fort Moultrie observes:

"The friends of America triumphed. * * * Experience proved that America might effectively resist a British fleet and army. The diffident grew bold in their country's cause and looked forward to the completion of their wishes for liberty and independence."

With longer historical perspective McCrady declares: "This victory at Fort Moultrie, in its moral aspects, was as valuable as Bunker Hill, but it was far more so in the consequences which followed and the advantage it secured."

Some, while conceding the bravery of Moultrie and his men and the value of the action in saving Charleston, may question its effect upon the outcome of the war, because four years later Charleston was taken by another British force. The importance of the battle, in this wider aspect, must be sought in the value of the four years' respite that it gained for the cause of the Colonies. What would have been the effect had this city fallen in June, 1776, instead of in May, 1780?

In September, following the British repulse by Moultrie, New York was captured, the next fall witnessed George Washington at his zero hour, his men starving and facing winter at Valley Forge while the army of Howe enters Philadelphia. Had the sea gates of the South then been open with British troops pouring through them against the hard-pressed forces of the Americans, history might have been written differently.

But soon the British grand campaign to cut New England off from her sister colonies ends in disaster, their general and their army being captured. France, astonished at this signal success of colonial arms, espousing our cause, Lafayette lands, the symbol that America has found a friend. John Paul Jones, with his small ships and dauntless courage, creates an American Navy, and Englishmen, from their own shores, view with amazement American sea valor. The tide has turned.

Then, not to stamp out an incipient rebellion but in the desperate effort to bring back into subjection a people strengthened by the presence of a powerful ally and enthused by many victories, another force appears and Charleston is taken. But for the cause of England the success comes too late. The tradition of British invincibility, not only on sea but on land, has been weakened as bold knights of the forest, Marion, Sumter, Pickens, moving with the caution of foxes, strike with the rapidity of rattlesnakes. Hemmed in on every side, with the North and the South now in arms, Cornwallis hesitates at Yorktown, and the end comes.

Considering both its moral effects upon the people and also its direct bearing on military operations it is difficult to escape the conclusion that the victory at Fort Moultrie was a momentous and a deciding action of the war so that what praise there may be for the final event must go in large degree to the man who held the fort. To fully comprehend the spiritual values of this, as of all wars, one must ponder things deeper than even the establishment of a new nation. Political changes that follow wars are seldom the supreme results. These deep, recurring disasters of humanity would be too dear a price to pay for the making of new States or the shifting of boundaries. The War of the Revolution resulted from the "shopkeeper" policy of an English party in whose eyes the Colonies could never be but trading posts for the benefit of Great Britain. Many Englishmen on both sides of the water protested against so narrow a policy. Brethren in a common cause, Moultrie and Henry Laurens in the South, Hancock and Adams in the North, Burke and Pitt in England, became for the moment one in the party of the opposition.

But the King's advisers prove too powerful and too obstinate, and their doctrine of "little England" prevailed, obscuring the world brotherhood of freedom of which some even then had caught the first far vision. But because Englishmen in America stood true to their conventions and dared to die for freedom, liberty lived here, although defeated for the time in England. However, the loss of North America as a fruit of their policy opened the eyes of her ministers, and in the end liberalism directs the policies of the British Government itself. Thus the victory of Moultrie brought nearer not only the liberties of Americans but of Englishmen. The tight little island widens into the great free Empire of the Seven Seas, that in our day stands shoulder to shoulder with America on titanic battle fronts winning a world for freedom.

After his victory at Fort Moultrie the hero did not rest upon his arms, content with conspicuous laurels. In 1778 he repulsed a British force near Beaufort, the first action where British regulars were checked in an open field; the same spring he saved Charleston once more, this time from the army of General Prevost, thus "thrice meriting the mural crown."

General Moultrie was among the prisoners taken at the capitulation of Charleston in 1780. He was exchanged on the 19th of February, 1782. It is interesting to note that America exchanged her two most distinguished prisoners of war for two Charlestonians—General Burgoyne for General Moultrie and Lord Cornwallis for Henry Laurens. During his long captivity an effort was made to induce Moultrie to forsake the American cause and return to his British allegiance. In a letter from his old friend Lord Charles Montagu the suggestion was made, couched in the most affectionate and flattering language.

It was urged that, having done all humanly possible for what then appears a hopeless cause, he may, with honor, take the oath to the King, thereby insuring his family from suffering and his own old age from want. His response is one of deep indignation for an affront, not only to his personal integrity but to one who had been singled out as worthy of receiving the praise and thanks of his country: "When I entered this contest I did it with the most mature deliberation and with a determined resolution to risk my life and fortune in the cause. The hardships I have gone through I shall look back upon with the greatest pleasure and honor to myself; I shall continue to go on as I have begun, that my example may encourage the youths of America to stand forth in defense of their rights and liberties."

To the crafty suggestion that by accepting a trip to Jamaica he could avoid hearing any "unpleasant conversations" that might result from the proposed act, the reply reveals the lofty soul: "But, sir, you have forgot to tell me where to hide myself from myself. No; not the fee simple of that valuable island, Jamaica, should induce me to part with my integrity."

Released at last from the long captivity, worn by many campaigns, many hardships, he travels through the melancholy September forest, the dying year rendered more desolate by the ravages of war on every hand. On his way from the camp of Marion to that of Greene he pauses to visit his plantation, and his own account of his arrival reveals the patriot and warrior as the kindly master come home. "I owned about 200 slaves, not one of whom left me during the war, although they had great offers. On entering my place, as soon as they discovered that I was of the party, there was a great outcry, 'Massa come; Massa come'; and they came running from every part with great joy to see me. Every one came and took me by the hand, saying, 'God bless you, Massa; I'm glad to see you, Massa.' Then the old Africans joined in a song in their own language, Welcome Warrior Home."

Moultrie later served his State as governor for two terms, proving as wise and prudent in civil affairs as in the arts of war. Not unmindful of the needs of the youth of his city he served as first chairman of the board of trustees of the College of Charleston, faithful to his comrades in arms he became the first president of the Society of the Cincinnati in South Carolina. He died in 1805, his only possession in old age, the consciousness of duty well performed, Republics seldom rewarding even the most conspicuous service with the fee simple of valuable islands.

From the Revolution to the outbreak of the War Between the States "Carolina Day" was always celebrated in Charleston, keeping fresh memories of Fort Moultrie and its heroes. The broken custom was renewed on the centennial of the battle, 1876, which year also marked the redemption of the State from the unhappy aftermath of another war. The day following this celebration, Dawson, Charleston's talented and devoted editor, wrote:

"And we congratulate the whole country upon that vast stride made yesterday toward that goal of union and peace which good men and true, the Nation over, earnestly and constantly desire. When McLean, of New York, and Noyes and Wilder, of Massachusetts, can join with Trenholm and Bonham, of South Carolina, and Mercer, of Georgia, in the declaration that the bitterness of past years must be buried out of sight; when such loyal gentlement, always true to their principles and convictions, unite with Kershaw in a parade that a Hampton commands; when from Carolinians and New Yorkers and Bostonians swells the cry that this is our country and the country of our children as it was the country of our fathers, the moment of true and lasting reconciliation is at hand."

As this was being written the tumult and the shouting of a reunited America, celebrating "Carolina Day" in the streets of Charleston, still echoed. To those weary of war and distressed by civic wrong the return of the ancient celebration by those throngs marked the coming of a new deliverance and here and then occurred the real birth of a nation, visioned by William Moultrie a century before.

It is an honorable custom, old as civilization, common among all peoples, to commemorate with carved shaft and sculptured stone their illustrious dead. England raises the lion-guarded obelisk in memory of her great admiral, the soul of France gathers strength from the arch of triumph that records the devotion of her Emperor. To-day, many nations pay tribute to their unknown soldier, a proper gesture, yet let none neglect the known.

America, like these others, takes pride in her heroes and renders gratitude for their devotion, but this Nation being the ultimate wielding into one of many parts, many loyalties, it is needful that local custodians of the memory of the early patriot, through

their own devotion, bring to the wide Republic the story of the deserving son. The devoted band that founded America sprang from every section, none possessed monopoly of wisdom, of bravery, but because to the people of the South loyalty to principles for a time outweighed even the continuity of political bonds, a heritage come down from fathers whose passion for liberty begat this Nation, there followed sorrows and trials that obscured in the eyes of their own people the memories of earlier southern patriots.

Such sectional neglect brought national loss as America's hall of fame was denied memorials of the common historical heritage upon which our freedom rested. Now, with maturity, as a people, comes clearer perspective, and Americans everywhere awake to the fact that we have a past to be proud of; through this broader patriotism justice is accorded and the true tradition preserved for posterity.

Keeping fresh for succeeding generations those patriotisms, the lofty integrity, reverence for religion, and respect for law that animated the fathers of the Republic is a duty to our country and our civilization. Thrones and dynasties pass away as the rule of the people, visioned by the makers of America, spreads to the far corners of the earth. But the simple, happy agrarian democracy that our founders substituted for the despotic rule of princes also passes before a rising, restless industrial dawn, and machines threaten to unmake the men who made them. New prophets of an age of materialism would replace liberty with license and scrap religion because God can not be measured in terms of their machines. The ancient landmarks of our fathers are questioned. Liberty, misunderstood, becomes the worst of tyrannies, materialism run amuck would substitute the tomb of its dead leader rising from the red square for the sepulcher of the living God. Now, if ever, America, "hold up the glories of thy dead, tell how the elder children bled."

In the memoirs and letters of Moultrie one is impressed with the tremendous earnestness of the man, his clear vision transcends his own generation. He divines America long before the eyes of the multitude are opened. He stands secure among the immortals; our neglect can not tarnish nor our tribute enhance his glory. He rests to-day in a grave unknown and unmarked, but he sleeps content because in the soil of his country and the heart of his State.

But the deeds of the hero plant somewhere in unquarried stone the shaft that shall arise in the appointed time, deep in earth's bosom seeds of laurel that shall immortal bloom. Over the grave of Isaac Hayne, martyr of the Revolution, has recently been carved this line: "His monument the freedom of his native land." To the spirit of Moultrie this freedom would suffice, but America owes it to herself that his deeds, forming a glorious chapter in her history, be recorded in letters of brass, that a world may be reminded of his devotion and of the eternal verities for which he stood and upon which the Nation rests.

In the harbor of New York France has raised a statue as token of her admiration for American liberty; upon some island in Charleston's harbor let America raise a heroic statue of this William Moultrie, who held the fort that this liberty be established.

The city of Charleston, the State of South Carolina, may build many monuments to him, yet they can not fulfill their trust until they remind the Nation that the hero sleeps with no memorial save its freedom. In bringing the plea for a proper recognition of this patriot the members of the William Moultrie Memorial Association come not as a section, suppliant; they but accomplish a pious duty in reminding America of her obligation and her privilege.

SPEECH OF HON. LOUIS C. CRAMTON

Mr. BLAND. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by publishing the address made by the gentleman from Michigan [Mr. CRAMTON] at the one hundred and forty-ninth anniversary of the surrender at Yorktown.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The speech is as follows:

THE HISTORICAL SIGNIFICANCE OF YORKTOWN

An invitation to speak in this place on the one hundred and forty-ninth anniversary of the Yorktown victory, on the eve of the sesquicentennial, is an honor which to me carries with it a definite embarrassment, a definite conviction of insufficiency. It does not lie in me, however, to say "No" to Virginia, to whose people and press I am so deeply indebted for many evidences of consideration as generous as it has been kind, and invited participation in such an event is a patriotic duty I can not decline to perform within my powers.

We are upon precious, hallowed ground, the very place where America's heroic colonial period reached its consummation in the assurance that the "home of the brave" should be, indeed, the "land of the free." Here the dreary, discouraging, tragic days of revolution found their compensation in victory. Here the tattered, poorly paid, poorly equipped, strangely outfitted Continentals and colonial militia ceased to be rebels" and became patriots whose devotion and zeal became a world tradition. Here the military and civic leaders of America's young and weak Colonies proved their worth, and the generous aid of older and more powerful France, in men and ships so ably officered, won a lasting claim on the gratitude of lovers of freedom everywhere.

The surrender of the British army under Lord Cornwallis October 19, 1781, to Gen. George Washington, commanding the forces of America and France, brought the long military struggle of the Revolution to an actual close, with the full independence of the former Colonies to be formally evidenced in the provisional articles of November, 1782, and in the ratification of the formal treaty September 3, 1783.

Yorktown was the triumphant close of the Revolution, the climax of the military glory of Washington. Whenever Americans turn to Yorktown, their minds must dwell upon the heroic services, the devotion, the patriotism of Washington, Lincoln, Hamilton, Wayne, and Greene; of Jefferson and Nelson; upon the chivalric and effective aid of Lafayette and Von Steuben, of Rochambeau and De Grasse; upon the close of war and the dawning of peace.

Upon yonder shaft of stone, the monument which Congress so speedily planned and so leisurely provided, it is inscribed:

"To commemorate the victory by which the independence of the United States of America was achieved."

The commission of artists appointed to recommend the design for the monument reported that "this monument is intended to convey, in architectural language, the idea set forth in the dedicatory inscription, that by the victory at Yorktown the independence of the United States of America was achieved or brought to final accomplishment."

Congress in the act of June 7, 1880, provided for "the celebration of the centennial anniversary of the Battle of Yorktown on the 19th of October, 1881, as shall befit the historical significance of that event and the present greatness of the Nation."

So to-day we should ponder on the historical significance of Yorktown and, with realization of the present greatness of our Nation, give thought to the perpetuation of its glory.

As we stand now upon the very soil of the enemy surrender we may well take the broader view of the historical significance of Yorktown. Standing here, with our thoughts in those sunlit days of 1781, we should think not only of the Revolutionary days of military struggle but of the many long years of the colonial period. As Yorktown was the dawn of that American autonomy, under which in a century and a half our Nation has made unparalleled progress, even so it was the dropping of the curtain upon the colonial days, nearly two centuries of striving for self-government, those days of tragic, heroic, and sacrificing beginnings.

Standing at Yorktown in 1781 and looking back to Jamestown in 1607, we see the slow but sure laying of the foundations, the molding of the spirit of a nation, the shaping of a great purpose, the permanence of a noble dream. Turning, then, our faces to the years to follow Yorktown, we may well contemplate the century and a half of democracy in action, the building of a nation tremendously powerful, the forging of the real republic. So we are reconsecrated by contact with the simple heroism of the colonial days, inspired and enthused by the unexampled progress of a people under their own rule.

May 14, 1607, at Jamestown, only 20 miles from here, was established the first permanent settlement in the American Colonies. Their venturesome little craft, the *Discovery*, the *God-speed*, and the *Sarah Constant*, had brought the 120 brave spirits who began the building of a nation. When Yorktown came, 174 years later, there was a population of 3,000,000, thirteen colonies, a narrow fringe along more than a thousand miles of the ocean face of a great continent. In 1881, 50,000,000 people, 38 States, stretching across that continent and facing two oceans, celebrated the centenary. In 1931, 123,000,000 people, 48 States, with Territories and possessions stretching far into the realms of the setting sun as well as into the wastes at the very poles of the earth, will commemorate the sesquicentenary.

It is one of history's most dramatic coincidences that the beginning of America's colonial period at Jamestown and its triumphant close at Yorktown should be but a few miles apart, here in the tidewater lands of Virginia, in this "enchanted peninsula," hemmed in by the rivers, James and York.

When we contemplate the world glory of America to-day, the storms that have been weathered by our ship of state, we may well turn to Matthew, where we read:

"And the rain descended, and the floods came, and the winds blew, and beat upon that house; and it fell not—for it was founded upon a rock."

America is builded politically upon the rock of the spirit of a brave people in our colonial days. The undaunted spirit of the Colonials, their devotion to freedom, their readiness to sacrifice for the common good, their determination to build a new nation upon observance and protection of the basic rights of man—these made inevitable the Revolution, these made possible and certain the success of the democracy so established.

The bravery of the Colonials was to be expected. Such venturing across terrible seas in uncertain craft, to live in lands so distant and little known, was no enterprise to call weaklings. Their persistence in the face of appalling misfortunes, their willingness to die rather than bemean themselves, was to be expected for no class of men ever cherished more deeply the rights of men or yielded more completely devotion to God and His will.

Their bravery and their spirit of sacrifice, which have long challenged the admiration of the world, were essential characteristics of such men and women. These people for generations lived simple, heroic lives and kept their minds upon the great verities of life now and hereafter. They pondered of those things deeply and followed their thoughts through to conclusions with definiteness,

so that it was no doubt likewise to be expected, nevertheless we must always marvel at the wealth of capacity in intellectual and political leadership with which those scattered people in the Colonies were blessed.

Virginia produced in that period many leaders who richly deserve their undying fame—Washington, Jefferson, Mason, Wythe, Henry, and a glorious galaxy innumerable. Every colony was prolific in wise and sound leadership. No nation ever entered upon self-government through democracy after a more rigid and effective preparatory training, or under more sagacious leadership than did these United States.

Some measure of the truth of what I have said as to wealth of ability in this limited population may be had when I remind you of the array of brilliant minds that came to George Wythe at Williamsburg for the study of law. That list is long and notable—I only mention three—Jefferson, who wrote the Declaration of Independence; Marshall, who expounded the Constitution and gave it living force; and Monroe, author of the Monroe doctrine.

At Jamestown the trial by jury was in use from September 17, 1607, four months from the landing. The first legislative assembly came only 12 years from the settlement, while the first written constitution came in 1624. The denial of right to tax without representation was urged that same year, and in 1630 came the first revolt against authority across the seas. The American system of free public schools began early at Elizabeth City in 1635, only 28 years after the beginning of the colony.

The history of the Colonies is in each the history of strivings for government of a people by themselves, for a democracy among an educated citizenship, for a State rendering service to its people and paying reverence to God. Such is the rock upon which America is builded. If this great structure of democracy ever falls, it will not be the result of weakness in the foundation. It can only come from imperfection entering the superstructure as later generations build it higher.

A century and a half ago the world looking on said our experiment in democracy could not succeed; that the mass of people could not be trusted to govern themselves; that, as in the declining days of Rome, they would seek only largess from the Treasury, to receive from the State without willingness to serve the State; that mobocracy would come and then ruin. But after a century and a half of democracy in a Nation trained for it by those years of the colonial period, the world looking on is so impressed by the success of our great experiment that everywhere it has sought to imitate.

Democracies set up everywhere, on every continent, but too often their house has not been built upon the rock but upon the sand and it has fallen, "and great was the fall of it." Revolution in the greater part of South America, revolts of people against their own government; great China in interminable revolution against revolution; great Russia seeking democracy and finding only bolshevism; Italy, Spain, Jugo-Slavia, dreaming of democracy and allowing all the people's rights in government to be torn from them and withheld; scientific, educated Germany yearning again for absolutism; many a nation ruled by government, democracy in name but not in fact.

And as we look upon them, upon the frequent failure of democracy to function, we come to realize that democracy as a governmental machine is not automatic; that it is a highly complicated machine and can only be operated successfully by those who know how.

We are justified in feeling pride in the progress of this Nation under democracy. To-day the United States of America is industrially and financially, as a military power or in its contributions to the general progress of civilization, the peer of any nation in the world, a very leader in the world's advancement. It has the highest standard of living of any nation in the world and the benefits of that high standard are more widely diffused among its people than in any other land.

The Bureau of Foreign and Domestic Commerce, of the Department of Commerce, states that while we have only 6.3 per cent of the population of the world we consume 15 per cent of the wheat, 23 per cent of the sugar, 51 per cent of the coffee, 26 per cent of the cotton, 19 per cent of the wool, 72 per cent of the commercial silk, 66 per cent of the rubber, from 35 to 46 per cent of the pig iron, copper, lead, zinc, tin and coal, and 64 per cent of the petroleum; that we have 78 per cent of the registered automobiles and 60 per cent of the telephones. I fear we have 90 per cent of the radios and all of the jazz music. With only one-sixteenth of the world's population, the United States consumes between one-third and one-half of the world's commodities and services.

The rapid acceleration of our progress is realized when the Department of Commerce further states that from 1920 to 1928 and 1929, the latest figures available, while our population increased 16 per cent, our industrial production increased 55 per cent, the number of pupils in high schools per 1,000 of population increased 55 per cent, the savings and time deposits in banks increased 84 per cent, the per capita savings increased 61 per cent, the use of electrical household equipment, including washing machines, increased 275 per cent, and the life insurance per capita increased 114 per cent.

In such stupendous success, in such breath-taking progress, there is, of course, satisfaction, but there is likewise great danger. Enjoying greater privileges, more general comfort, vastly wider opportunities than any other people, as a people, have ever known, we are likely to take undue credit to ourselves, to give no thought to the future, as we have no appreciation for the past. We are likely to think that what is always will be, that it is not so very good at that, that all that should be expected of us is to take the situation as it is, look out for ourselves to get as much as we can, and complain that we have to shell the corn so bountifully provided for us.

In his noted lecture The Lost Arts, which Wendell Phillips delivered some 2,000 times a half century ago, he began by saying:

"The most objectionable feature of our national character—and that is self-conceit, an undue appreciation of ourselves, an exaggerated estimate of our achievements, of our inventions, of our contributions to popular comfort, and of our place in fact in the great procession of the ages. We seem to imagine that whether knowledge will die with us or not it certainly began with us. We have a pitying estimate, a tender pity, for the narrowness, ignorance, and darkness of the bygone ages. We seem to ourselves not only to monopolize but to have begun the era of light. In other words, we are all running over with a Fourth of July spirit of self-content."

Then he proceeded to tell of evidence remaining of arts possessed by bygone civilizations which we have not been able to duplicate.

Last year as I walked about the few clustered bricks which constitute all that remains of ancient Philippi in Macedonia, and realized the disappearance of the city of which Philip the Great was so proud was but emblematical of the disappearance of the power which was his and the glory which was Macedonia of old, I said to myself that power is not necessarily perpetual. Great powers that were, great civilizations that have been, are to-day but banks of sand in which we may dig, and finding mute remnants, may speculate upon the things that were.

Believing that our democratic form of government, built upon this rock, the training, experience, and capacity of colonial days is responsible for the great advances made by this Nation, and having abundant evidence that the machinery of democracy is not automatic, but requires careful attention and expert handling, I believe there is in America no more imperative need than that our people have a greater appreciation of their opportunities and privileges in this land, a greater realization of their responsibility for the perpetuation of our institutions and a greater willingness to sacrifice for the common good in the hum-drum days of peace as in stirring days of war.

We look, as I have suggested, at struggling or perishing democracies in South America, in Asia, in Europe, with a tender pity for their lack of capacity in self-government. May we not well turn our observing eyes upon many of our so-called great cities, where too often officials are proven venal, government largely futile, courts controlled, justice a farce, retribution an accident, crime and graft triumphant?

"The law can not be enforced" is a daily cry; not one law but many laws, almost, we might say, any law. Even the fundamental law of the Nation, written into the Constitution as ordained by the fathers, we are told by men high in industry, official station, in the professions, not only can not be enforced, but ought not to be enforced.

The great need of this great Nation to-day is to realize that democracy is not automatic, that to-day we are building to-morrow, as to-day was influenced by yesterday. We must realize that in a democracy law must be supreme; that when a people make their own laws if they will not obey those laws there will come a time when they willingly submit to a power that can enforce obedience.

Long ago William Penn wrote in his Frame of Government:

"Any government is free to the people under it, whatever be the form, when the laws rule and the people are a party to these laws, and more than this is tyranny, oligarchy, and confusion."

While Vice President, Calvin Coolidge said:

"Law reigns. It is the source of order, of freedom, of righteous authority, of organized society, and also of industrial success and prosperity. To disregard it is to perish; to observe it is to live, physically, mentally, morally, and spiritually."

Enjoying all that we do, our children having before them opportunities greater than open before any other children in the world, all of which comes to us in due time because of the toil and the sacrifice, the heroism, and the suffering of former generations, what right have we to ignore the future? How can we be unwilling to deny ourselves, to sacrifice, to strive, in order that we may hand on to the future America's wonderful institutions, safeguarded and preserved, with the opportunities which came to us from the past enlarged and their enjoyment more widely diffused? The man who is only willing to set out a tree in order that he may himself in due time enjoy its shade is of little use in a democracy. Rather is the need for the spirit of him who, appreciating the shade of trees which sheltered him as a boy and in his young manhood, is desirous of doing something for those who are to come after him, just as he received much from those who came before him.

This is the need. There is no way in which more can be done to meet this need than to direct the thought of the day toward the rugged and simple faith and patriotism of colonial days. It is because of this that the Nation, through its Congress, has ordered that here there be set aside these great historic places—Jamestown, Williamsburg, and Yorktown—as a national colonial monument perpetually to inspire Americans of all generations with patriotism, devotion, and willingness to sacrifice for the common weal.

The fortuitous circumstance of history which has placed geographically so close together the sites where began and closed the colonial period, and Williamsburg, the early capital, with the great-

est colonial restoration anywhere possible, makes it possible for America to set aside for this purpose an area which fittingly represents that period and possesses so much of basic historic interest as to be certain to perpetually interest and inspire all Americans. That action, authorized by the Congress, we must hope will soon eventuate in a proclamation of the boundaries of the monument. As the laying of the cornerstone of yonder monument gave permanent importance to the centenary celebration, the dedication of the Colonial National Monument, including Jamestown, Williamsburg, and Yorktown, should likewise feature the sesquicentenary celebration.

As the progress of America through storm and quiet, through the constantly changing problems brought to the fore year by year, fills us with pride, from Jamestown to Yorktown, from the founding of the Constitution to this very hour, so let us pray it may ever be, and that each generation may be worthy of its heritage and pass it on expanded and glorified to generations to come.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. McLEOD (at the request of Mr. CLANCY), indefinitely, on account of illness resulting from automobile accident.

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL

Mr. WOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 14246) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14246, with Mr. MICHENER in the chair.

The Clerk read the title of the bill.

The Clerk read as follows:

OFFICE OF THE SECRETARY

Salaries: Secretary of the Treasury, $15,000; Undersecretary of the Treasury, $10,000; three Assistant Secretaries of the Treasury and other personal services in the District of Columbia, $141,755; in all, $166,755: *Provided*, That in expending appropriations or portions of appropriations contained in this act for the payment of personal services in the District of Columbia in accordance with the classification act of 1923, as amended, with the exception of the Assistant Secretaries of the Treasury the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade, but not more often than once in any fiscal year, and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, or (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the classification act of 1923, as amended, and is specifically authorized by other law.

Mr. SIROVICH. Mr. Chairman, I move to strike out the last word and ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from New York moves to strike out the last word, and in connection therewith asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. SIROVICH. Mr. Chairman and members of the committee, all the world loves a fighter, particularly if he is fighting for liberty, for justice, for an ideal, or for a principle. This afternoon, Mr. Chairman, we are going to battle against a most dreadful and obnoxious practice that has aroused the public conscience of our Nation, and that is the principle of poisoning alcohol that is destroying the lives of thousands of innocent and unsuspecting American citizens and crippling and maiming mentally and physically hundreds of thousands of others. As sure as night follows day, this abhorrent principle is going to stop and must be stopped. I have therefore come from New York for the direct purpose of raising my voice to compel the Government to cease its policy of poisoning its citizens. We have in our midst to-day many new Members of the House who were not present when the last battle to prevent the Government of the United States poisoning its citizens took place. I would, therefore, like to recapitulate the fundamental reasons that prompted our Government to poison alcohol for industrial purposes.

There are three kinds of alcohol. The first is called medicinal alcohol. From time immemorial herbs, drugs, and chemicals have been used as agencies to restore health and alleviate pain. The only solution that these ingredients are soluble in is alcohol. When any individual, wet or dry, takes medicine, that person is drinking alcohol.

In every hospital in the United States, in every city and State institution, in every hospital under the jurisdiction of the United States Army and Navy, we are to-day using medicinal alcohol when we give medicines to human beings to allay their anguish and suffering and to assuage their pain. So much for medicinal alcohol.

The second kind of alcohol is beverage alcohol. Beverage alcohol has various groups and subdivisions. First, absolute alcohol, which contains 97 per cent pure alcohol. Whisky, gin, rum, dry cognac, and brandy, containing between 47 and 51 per cent alcohol. The light wines, the red wines, and the champagnes contain from 10 to 18 per cent alcohol. Porter, ale, and stout contain between 4 and 6½ per cent alcohol, and beer has from 1 to 3½ per cent alcohol.

This beverage alcohol is the medium which has satisfied the gustatory pleasures of the civilized nations and the peoples of the world.

The third kind of alcohol is called industrial alcohol. It is the alcohol that is used in every industry and manufacturing plant throughout the length and breadth of our country.

These, therefore, ladies and gentlemen, are the three types of alcohol in the use of our Nation—medicinal, beverage, and industrial alcohol.

Up to the year 1906 the Government of the United States placed a tax of $1.10 upon each gallon of alcohol, which went to the Treasury Department of our Nation. In 1906 the chambers of commerce of the United States and all the great manufacturing enterprises appealed to Congress to abolish the tax upon industrial alcohol because all continental nations had relieved their manufacturers from paying it.

So in order to be able to compete in the foreign markets Congress abolished the tax on industrial alcohol on June 1, 1906. That industrial alcohol, however, should not be diverted to compete against medicinal alcohol and beverage alcohol, which was paying a tax, Congress passed a mandatory law on June 1, 1906, compelling the Government of the United States to pour poison into industrial alcohol in order that it might not be diverted to other channels and compete with those that paid their taxes.

What were the names of these dreadful poisons that the Government of the United States used? They were poisons like carbolic acid, benzene, brucine, wood alcohol, sulphuric acid, nitric acid, bichloride of mercury, and countless other drugs. Since the people of the United States had all the beverage alcohol they desired from 1906 to 1920, such as beer, wines, and liquor, everything went along well.

When prohibition was placed upon our statute books in 1920 we no longer could use beverage alcohol, because that was prohibited and prevented by law. Medicinal alcohol was used for medical purposes. So that the only alcohol the public could obtain was the industrial alcohol, which was diverted from business enterprise. This denatured alcohol contained various poisons. Any individual that would partake of such liquor would be bound to suffer from some organic affection because of his indiscretion.

To get control of industrial alcohol, which was tax free, imaginary commercial organizations were founded. Men of the underworld went into the business of securing industrial alcohol.

Thousands and thousands of mushroom industries sprang up overnight for the purpose of using industrial alcohol, so that it might be diverted from industry to bootleg channels.

There is not an industry in this country, ladies and gentlemen, that would not die to-morrow if you deprived them of industrial alcohol. Industrial alcohol bears the same relationship to business that oxygen does to the human body. These honest industries using denatured alcohol prior to the advent of prohibition went on with their work. No complaint is made against them. But thieves, gangsters, unscrupulous highjackers, and corruptionists went into the industrial-alcohol operation. They were licensed by the Government. They secured permits to withdraw millions of gallons of poisoned alcohol. What was the consequence? In 1907, when poison was first placed in industrial alcohol, industry used 1,500,000 gallons. In 1921, when prohibition went into effect, industry used 28,000,000 gallons, and to-day, according to the report of the Prohibition Commissioner of the United States, over 100,000,000 gallons of poisoned industrial alcohol are being used each year throughout the country. What is the result? Bootleggers, thieves, and gangsters are to-day in industrial plants. They are diverting this alcohol for bootlegging purposes, which is poisoning the people of the United States.

Mr. Chairman, industrial alcohol travels through four roads. When it is first manufactured it is sent to the distillery. From the distillery they dispatch it to the second place—the bonded warehouse. From the bonded warehouse it migrates to the third station, called the denaturing plant. From the denaturing plant it goes to the fourth place, called the industrial plant.

In the distillery the United States Government protects the alcohol. In the bonded warehouse it is secure. In the denaturing plant it is safe. But the place where the industrial alcohol is diverted is between the denaturing plant and the industrial plant. Here the bootlegger plays his part in the drama of alcohol. What does he do? He diverts millions of gallons every year. He hires chemists to extract the poison from the industrial alcohol. Some of the chemists are good, others are bad and indifferent. Some of the chemists neutralize the poison, others boil and evaporate the poison. Unscrupulous gangsters just color the alcohol with aniline dyes, place the fictitious labels upon the bottles, and let the public poison themselves through drinking these concoctions.

In the city of New York one of the former prohibition administrators was Major Mills. He contends that over 15,000,000 gallons of industrial alcohol are diverted in New York. His organization under his supervision confiscated 500,000 gallons of alcohol. In this 500,000 gallons, gentlemen of the House, the chemists of the Government of our Nation found 99 per cent of it contained poison.

What do these poisons do? Take wood alcohol. Wood alcohol can not be extracted completely by any chemist when it is mixed with grain alcohol. If perchance a son or a daughter of any innocent person of the United States should take a tablespoonful of whisky containing wood alcohol it would within 12 to 24 hours affect his optic nerve. Within a day his optic nerve would begin to atrophy, and he would become permanently blind. In 90 per cent of all cases of wood-alcohol, optic-nerve disease, that blindness is incurable. It remains with the individual throughout life. Wood alcohol also causes the liver to undergo fatty degeneration, from which it ultimately becomes destroyed.

Take bichloride of mercury. When bichloride of mercury is taken into the human body it affects the kidneys. They secrete 40 ounces of urine a day. If an individual takes whisky poisoned with bichloride of mercury, his kidney function is impaired. The kidney secretion is diminished to 30, 20, and 10 ounces of urine a day, until it ceases working altogether, and the unfortunate victim dies from uremic poisoning. That is what bichloride of mercury does.

Take benzene. Benzene affects the lungs. When benzene is taken in liquor you develop bronchitis, asthma, and hemorrhage from the lungs.

Take hydrochloric acid, sulphuric acid, and carbolic acid. When an unsuspecting person drinks this concoction it corrodes the mucous membrane of the stomach and forms ulcerations in the first part of the intestine, called the duodenum, and gives rise to hemorrhages. It destroys the liver and cripples the heart. Death is a welcome relief to the tragic victim of poisoned alcohol.

Take benzene. Benzene affects the lungs. When benzene is taken into the human body through the medium of liquor it paralyzes the muscles of the body and gives rise to convulsions, until death terminates the life of the innocent boy or girl who may have partaken thereof.

It is this industrial alcohol poisoned by the Government that has sent thousands of our unfortunate American citizens to an early and unsuspected grave.

Shall we have our Government act as a Lucretia Borgia of medieval days, who poisoned all who came into intimate contact with her? Shall we in this twentieth century—this civilized twentieth century—turn back to medieval times and leave to posterity the infamous heritage of the Borgias? I, for one, am irrevocably opposed to the country I love committing murder.

Mr. Chairman, let those Members of the Congress of the United States who vote to poison alcohol and indirectly murder its unsuspecting citizens throughout the Nation realize that they are particeps criminis in killing innocent and indiscreet citizens every time they vote to denature alcohol with poison.

Mr. Chairman, environment often conquers heredity, while heredity frequently triumphs over environment. It is therefore our privilege, yes, our solemn duty, to protect the weak against the deleterious effects of bootleg poisoned alcohol when diverted into beverage channels. If we do not succeed to-day, we will in the future. The minority of to-day is the majority of to-morrow. In this the twentieth century of civilization poisoning alcohol is an aspersion upon the civilization of our time and a relic of barbarism. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SIROVICH. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from New York asks that his time be extended five minutes. Is there objection?

Mr. SPROUL of Illinois. I object.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word in order to get some information. I want to ask the chairman of the committee why it is that the salary is fixed for the Secretary and the Undersecretary and is not fixed for the three Assistant Secretaries? Those are in a lump sum.

Mr. WOOD. Those salaries are fixed by law in the classification act.

Mr. BLANTON. So is the salary of the Secretary and the Undersecretary fixed by law.

Mr. WOOD. The salary of the three Assistant Secretaries is fixed by law.

Mr. BLANTON. There will be no attempt to pay them a larger salary than is provided by law?

Mr. WOOD. No; it does not change the salary. You can strike out the $15,000 or the $10,000 and it would not make any difference. They could get no more than that. If you were to carry out the gentleman's idea we would have to state the salary of every official under the Government.

Mr. BLANTON. There will be no attempt to pay them more than the salary fixed by law?

Mr. WOOD. No.

The Clerk read as follows:

CONTINGENT EXPENSES, TREASURY DEPARTMENT

For miscellaneous and contingent expenses of the office of the Secretary and the bureaus and offices of the department, including operating expenses of the Treasury, Treasury Annex, Auditors' and Liberty Loan Buildings; newspaper clippings, financial journals, law books, and other books of reference; freight, expressage, telegraph and telephone service; purchase, exchange, maintenance, and repair of motor trucks and one passenger automobile for the Secretary of the Treasury, all to be used for offical purposes only; file holders and cases; fuel, oils, grease, and heating supplies and equipment; gas and electricity for lighting, heating, and power purposes, including materials, fixtures, and equipment therefor; purchase, exchange, and repair of typewriters and labor-saving machines and equipment and supplies

for same; floor coverings and repairs thereto; furniture and office equipment, including supplies therefor and repairs thereto; awnings, window shades, and fixtures; cleaning supplies and equipment; drafting equipment; ammonia for ice plant; flags; hand trucks, ladders, miscellaneous hardware; street-car fares not exceeding $500; thermometers; lavatory equipment and supplies; tools and sharpening same; laundry service; laboratory supplies and equipment, removal of rubbish, postage, and other absolutely necessary articles, supplies, and equipment not otherwise provided for, $205,000: *Provided*, That the appropriations for public debt service and Internal Revenue Service for the fiscal year 1932 are hereby made available for the payment of items otherwise properly chargeable to this appropriation, the provisions of section 6, act of August 23, 1912 (U. S. C., title 31, sec. 669), to the contrary notwithstanding.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I would like to inquire of the chairman of the committee what is the provision of law referred to in the section proposed to be lifted—"section 6, act of August 23, 1912, to the contrary notwithstanding"?

Mr. WOOD. It makes it possible for the two bureaus named here to get their contingent expenses out of their own appropriations instead of the general contingent fund for the department.

Mr. STAFFORD. That is as clear as mud to me. I have the act in my office, but when I read the bill last night I did not have it before me.

Mr. Chairman, I withdraw the pro forma amendment in view of the illuminating information by the chairman. [Laughter.]

The Clerk read as follows:

No part of any money appropriated by this or any other act shall be used during the fiscal year 1932 for the purchase of any standard typewriting machines, except bookkeeping and billing machines, at a price in excess of the following for models with carriages which will accommodate paper of the following widths, to wit: 10 inches (correspondence models), $70; 12 inches, $75; 14 inches, $77.50; 16 inches, $82.50; 18 inches, $87.50; 20 inches, $94; 22 inches, $95; 24 inches, $97.50; 26 inches, $103.50; 28 inches, $104; 30 inches, $105; 32 inches, $107.50; or, for standard typewriting machines distinctively quiet in operation, the maximum prices shall be as follows for models with carriages which will accommodate paper of the following widths, to wit: 10 inches, $87.50; 12 inches, $90.54; 14 inches, $93.34; 18 inches, $96.26: *Provided*, That standard typewriting machines distinctively quiet in operation purchased during such fiscal year by any such department, establishment, or municipal government shall only be purchased on the written order of the head thereof.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word to inquire if the fixing of the prices of the various types of typewriters will preclude open competition?

Mr. WOOD. They all sell at these agreed prices.

Mr. LAGUARDIA. So that there will be competition in the selection of the typewriters?

Mr. WOOD. Yes.

Mr. STAFFORD. Mr. Chairman, will the gentleman from New York yield?

Mr. LAGUARDIA. Yes.

Mr. STAFFORD. Can the chairman of the committee inform the House as to how generally typewriters are exchanged under the provisions of this paragraph?

Mr. WOOD. They are very generally exchanged. I think they consider the life of a typewriter to be about five years. They have to be 3 years old before they can exchange them at all.

Mr. STAFFORD. Is it the practice of the departments when a typewriter has become rather worn in its parts for the makers of the typewriter to take it back in exchange for a new one?

Mr. WOOD. They do that in some instances, but it is taken down to the repair shop and put in shape and then used again.

Mr. STAFFORD. The typewriter company does that?

Mr. WOOD. No; the Government repairs its own machines.

Mr. STAFFORD. If the Government repairs the worn-out parts of an old machine, when is the old machine turned back to the typewriter company for a new machine?

Mr. WOOD. Not until it becomes absolutely useless.

Mr. STAFFORD. When it is in that stage of dilapidation, then the typewriter companies are willing to take it back at these high prices in exchange for new ones?

Mr. WOOD. Oh, no. These are the prices at which they are furnished new to the Government. This is the maximum price for a new machine.

Mr. STAFFORD. How much is allowed by the typewriter companies for the old machines in exchange?

Mr. WOOD. It depends entirely upon the age. I do not remember what the schedule is, but in order to make these typewriters last as long as possible, they are taken to our own repair shop, and there they are repaired. Sometimes there is some little defect in the machine that is cured, and that makes the machine just as good as new again.

Mr. STAFFORD. That is satisfying. If the gentleman from New York will permit, I ask unanimous consent to withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

Mr. MEAD. Mr. Chairman, I offer the following amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. MEAD: Strike out on page 7, beginning in line 17, the proviso ending in line 21.

Mr. MEAD. Mr. Chairman, on page 7, lines 17 to 21, the proviso just read by the Clerk is inserted in connection with the purchase of typewriters commonly termed "noiseless typewriters." I move to strike that out because, in the first place, the proviso is inconsequential, and for the further reasons that there are already sufficient safeguards surrounding the purchase of all typewriters, as will be readily seen by reading pages 6, 7, and 8 of the bill, and there are further safeguards practiced in each department and bureau by established custom which necessarily limits the purchase of all material and supplies.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. MEAD. Yes; I yield.

Mr. BLANTON. This is merely to protect the Treasury, as I understand it. There is a difference in the cost of the two typewriters, about $50 a machine.

Mr. MEAD. Oh, no; the difference is only $17.50.

Mr. BLANTON. Is that all?

Mr. MEAD. Yes; that is all.

Mr. BLANTON. In the retail trade it is about $50.

Mr. MEAD. The gentleman is quite correct.

Mr. BLANTON. Unless this proviso is kept in the bill, it would probably put all of the other typewriters out of business, because they would be inclined to buy only the noiseless typewriters.

Mr. MEAD. This practice of permitting the purchase of noiseless typewriters has been in existence for some time. I believe the provision was inserted in the bill a year ago permitting such purchases. The gentleman will find on page 39 of the report of the bill a record of the number of noiseless typewriters that have been purchased. From July 1 to October 31, last, altogether in all departments and bureaus and commissions of the Government, only 252 noiseless typewriters have been purchased. The Government is given a very special price in the purchase of these typewriters, for the retail price is listed at $150 per typewriter while the Government pays only $87.50. Every Member of Congress ought to have one in his office, because of the increased efficiency in any office where the noiseless typewriter supplants the one which makes noise enough to disturb the office force. Yet, by reason of this provision, even though there are sufficient safeguards already in the law, one must go to the additional trouble of getting a special letter from the head of the department, bureau, or commission involved in order to secure one of these machines.

Under existing conditions, new typewriters are not placed in offices until the old one is 3 years old or rated nonserviceable and when an old typewriter is turned in a liberal allowance is given the Government by the company selling the new machine.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield?

Mr. MEAD. I shall be glad to.

Mr. LINTHICUM. Has the department the right at the present time to buy any typewriters without orders?

Mr. MEAD. No; there are already safeguards controlling the purchase of typewriters by the Government.

Mr. LINTHICUM. I thought there might be some roundabout way about the purchase of typewriters.

Mr. MEAD. No; there is not. As to this amendment, I am merely asking the chairman if in his judgment we have not already enough safeguards and if he will agree at the present time to withdraw this provision; if he will not, I shall be very glad to hear his suggestions on the subject.

Mr. STAFFORD. Does the gentleman contend that this provision affects the use of typewriters by Senators or Representatives?

Mr. MEAD. I think so.

Mr. STAFFORD. This refers only to the Treasury Department.

Mr. MEAD. The provision pertaining to noiseless typewriters affects every branch of the Government.

Mr. WOOD. Mr. Chairman, I will say, in opposition to the proposition of the gentleman from New York, that last year the committee increased the price limitation and made it possible for the noiseless typewriters to be purchased by the Government upon the statement that the manufacturers could not sell them at a profit at the price fixed for standard machines. We thereby allowed $17.50 more than the agreed price at which all other standard 10-inch machines are now sold to the Government. We did think at that time, and we think yet, that there ought to be some provision regarding the use of noiseless typewriters because of this excessive cost and placing them only in offices where they might be absolutely necessary. In order that that could be carried out, we made it mandatory that before one of these noiseless typewriters could be introduced to supplant one of the old type, some one in authority, familiar with the necessity, should give his assent to its being done. In the opinion of our committee, the adoption of this amendment to strike out this provision in the bill would make it open to everybody in the various bureaus to obtain these noiseless typewriters, whether they needed them or not. There may be some places where there might be necessity for them. We hope the gentleman's amendment will not prevail.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Distinctive paper for United States securities: For distinctive paper for United States currency, national-bank currency, and Federal reserve bank currency, not exceeding 2,000,000 pounds, including transportation of paper, traveling, mill, and other necessary expenses, and salaries of employees, and allowance, in lieu of expenses, of officer or officers detailed from the Treasury Department, not exceeding $50 per month each when actually on duty; in all, $920,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. I wish to inquire concerning the $10,000 recommended in the preceding item for the expense of radio advertisements for the dissemination of information in connection with public bond issues and refunding operations. How has that appropriation been utilized?

Mr. WOOD. In reply to the gentleman's inquiry, I will say that no portion of it was used this year, and only once has the appropriation of this money been used, and then it was necessary.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. LAGUARDIA. Mr. Chairman, are we to understand that in a matter of such public interest as a large bond issue for the information of the country the radio company should be compensated for circulating such a message?

Mr. STAFFORD. The radio is not an eleemosynary institution. I had to pay $10 a minute to speak over the radio two years ago and $8 a minute last fall.

Mr. Chairman, I withdraw the pro forma amendment. I have the information I desired.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF CUSTOMS

Collecting the revenue from customs: For collecting the revenue from customs, for the detection and prevention of frauds upon the customs revenue, and not to exceed $10,000 for the securing of evidence of violations of the customs laws, including expenses of transportation and transfer of customs receipts from points where there are no Government depositories, not to exceed $79,200 for allowances for living quarters, including heat, fuel, and light, as authorized by the act approved June 26, 1930 (46 Stat. 818), not to exceed $5,000 for the hire of motor-propelled passenger-carrying vehicles, and not to exceed $500 for subscriptions to newspapers, $23,983,600, of which such amount as may be necessary shall be available for the cost of seizure, storage, and disposition of any merchandise, vehicle and team, automobile, boat, air or water craft, or any other conveyance seized under the provisions of the customs laws, when the proceeds of sale are insufficient therefor or where there is no sale, and $476,870 shall be available for personal services in the District of Columbia, exclusive of 10 persons from the field force authorized to be detailed under section 525 of the tariff act of 1930: *Provided*, That not to exceed $10,000 of the total amount appropriated shall be available for advances to be made by disbursing officers when authorized by the Secretary of the Treasury, the provisions of section 3648 of the Revised Statutes (U. S. C., title 31, sec. 529) to the contrary notwithstanding.

Mr. DEMPSEY. Mr. Chairman, I move to strike out the last word.

Mr. BLANTON. Mr. Chairman, I make a point of order against the proviso.

Mr. LAGUARDIA. Mr. Chairman, I reserve a point of order.

Mr. BLANTON. Mr. Chairman, I make the point of order against the $10,000 proviso on page 12, lines 9 to 14, inclusive, that it is legislation on an appropriation bill, unauthorized by law. It seeks to change existing law.

The CHAIRMAN. The Chair has read the provision. Does the gentleman from Indiana desire to be heard?

Mr. WOOD. I hope the gentleman will reserve his point of order.

Mr. BLANTON. It is certainly legislation on an appropriation bill.

Mr. WOOD. I will admit that is true, but I wish to explain to the gentleman the necessity for carrying this item.

Mr. BLANTON. If the gentleman wishes to make an explanation, I will reserve the point of order.

Mr. WOOD. We have carried this item in every appropriation for years——

Mr. BLANTON. But it is a new departure and a new policy of the Government making advances.

Mr. WOOD. No; it is not.

Mr. BLANTON. And while it is only $10,000, yet it might be $10,000,000.

Mr. WOOD. But it has never been abused, and it is of great advantage to the Government in preventing smuggling. That is the purpose of it, and it pays for itself many times every year. This item has been carried before. It is true it is legislation.

Mr. BLANTON. I do not believe in making these advances. I know of no precedent for such policy.

Mr. WOOD. As I say, I agree with the gentleman that as a general policy I am opposed to it, but this is exceptional for the reason that we have to make these advances or else they can not have the effective work done that is done. As I say, in this item of smuggling it pays for itself many times every year.

Mr. LAGUARDIA. I am inclined to agree with the gentleman from Indiana, and I shall withdraw my reservation of the point of order.

Mr. BLANTON. Because it is establishing a new policy, Mr. Chairman, and that there will be no end to it, I insist on the point of order.

The CHAIRMAN. The gentleman from Texas makes a point of order against the latter part of the proviso, begin-

ning with line 9 on page 12. The proviso, by its language, so clearly changes existing law that there is nothing other for the Chair to do than sustain the point of order, and the Chair does sustain the point of order.

Mr. DEMPSEY. Mr. Chairman and members of the committee, I was unable to get here this morning in time for the reading of page 7 of the bill. While, for reasons which I will later explain, I am not going to make any motion in regard to what I am going to discuss, I do want to briefly discuss a provision upon that page.

The provision is at the last part of the paragraph which constitutes the greater part of page 7, and it reads as follows:

Provided, That standard typewriting machines distinctively quiet in operation purchased during such fiscal year by any such department, establishment, or municipal government shall only be purchased on the written order of the head thereof.

This refers to noiseless typewriters and makes it necessary for any department, when it wishes to purchase a single typewriter, to do it only upon the order of the head of the department. For instance, the Secretary of State, the Secretary of War, the Secretary of the Navy must make an order for the purchase of a single machine, the intention being to hold down the purchase of noiseless typewriters because the machines cost $17.50 more than the ordinary machine.

This provision was inserted by the Senate in the bill of last year. I shall not, therefore, move to strike out the provision, because ultimately the decision of the question will rest with the Senate, as it is its provision, and if anything is to be done it will be done in conference.

This provision compels the head of a great department to attend to a petty detail which should not be within his province or duties at all.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. DEMPSEY. I yield.

Mr. LAGUARDIA. Has it occurred to the gentleman that the real purpose is to get two or three more years' use out of the old-type typewriters that we now have? Eventually, of course, all offices will be provided with noiseless typewriters. It is simply to avoid a rush to junk all typewriters that are still serviceable, as I understand it.

Mr. DEMPSEY. In answer to the gentleman's suggestion I may say that we purchase about 10,000 typewriters a year, and the quantity of noiseless typewriters purchased is about 10 per cent. It is not making progress rapidly. It is not an excuse for discarding good typewriters, as the gentleman can see from the small percentage purchased.

In addition to the fact that the head of a department should not be burdened with such small, petty details as this, there is this to be said about the noiseless typewriter: It works very easily; it works more rapidly than the ordinary machine. Every operator will tell you that. It will pay for itself, for the small difference of $17.50, many, many times over in the life of the machine. So in the end it is really an advantage and a great economy.

Mr. STAFFORD. Will the gentleman yield?

Mr. DEMPSEY. I yield.

Mr. STAFFORD. Will the gentleman acquaint the House with the fact as to how many typewriting-machine companies manufacture this special noiseless typewriter?

Mr. DEMPSEY. I really do not know. I think there are two or three, but I do not know.

Mr. STAFFORD. Of course, there are many makes of typewriting machines in use in the departments.

Mr. DEMPSEY. Yes.

Mr. STAFFORD. If there are only one or two companies making the noiseless machines and there is a great demand for them, it would mean the elimination of the other style of typewriting machines.

Mr. DEMPSEY. I do not think it would have that effect, except that the noiseless machine, through its greater efficiency, through its greater speed and its greater ease of operation, will of necessity in the end supersede the other machines. It is in those respects that the noiseless machine excels the other machines; and those being the respects which test a machine, the noiseless machine will in the end probably supersede the other machines.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CLANCY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CLANCY: Page 11, line 25, after the word "newspapers," strike out $23,933,600 and insert $23,833,600.

Mr. CLANCY. Mr. Chairman, the purpose of this amendment is to cut by quite a considerable sum the appropriations for the Customs Bureau, particularly with regard to border-patrol enforcement.

The newspapers throughout the country, and particularly on the border, are carrying the astonishing news that the greatest scandal in the history of the Customs Bureau has broken. Two years ago 23 customs border agents were indicted and many of them were sent to prison, but now it is reported about half of the force of 150, according to the newspaper item which I hold in my hand, will probably be arrested in the near future. Of the 150 men on that force 60 have been fired since January 1 for dereliction of duty, aside from presumably 75 who will be arrested for customs graft.

Admiral Billard before the Appropriations Committee said that Canada had put an embargo on the exportation of liquor to the United States. The Michigan collector of customs, in connection with this scandal, said the embargo is efficient. Admiral Billard, chief of the Coast Guard, testified it is efficient. We all know that is true. We know that the Canadian prohibition agent is honest, and we know that the American prohibition agents are about 90 per cent dishonest, as was stated by the head of the Customs Bureau in a conference with the Canadian officials at Ottawa a few years ago.

I asked a high official of the Customs Bureau what they were going to do with the large customs patrol force on the Canadian border since the Canadian embargo is working satisfactorily. He said they were going to cut it down, and naturally it should be cut down, but now they have increased that force.

Ogden Mills, the Undersecretary of the Treasury, and Mr. Lowman, before the Appropriations Committee last year said that somewhere between 2 and 4 per cent of all the liquor consumed in the United States came over all four borders—the Canadian border, the Mexican border, and the Atlantic and Pacific borders. That was before the Canadian embargo. It is quite conceivable that less than one-half of 1 per cent of the liquor consumed in the United States now comes over the Canadian border. So the prohibition agents are not kept up there, at tremendous expense to the United States Government, necessarily to stop the importation of liquor into the United States but the actual condition has been to facilitate the importation of liquor into the United States, because all of these lads who have been arrested for graft have been facilitating the importation of liquor into the United States. They are highjackers; they are bootleggers; and they are breeders of crime.

Let me give you just one illustration. Two hundred and fifty cases of liquor were sent recently from Canada to the United States and apprehended at Grosse Pointe, just above Detroit, by the border patrol. What did they do? They sent out for the other 4 patrol squads, making 10 in all, prohibition agents, and they all sat down to drink the liquor. There were four prohibition agents hiding these cases under a dock, like a squirrel hides nuts. It happened the United States Government knew that that cargo was being sent across. So they sent out two Treasury agents and they found these 10 men drinking the liquor. They had stolen 250 cases of beer. What did the enforcement officers do?

They fired four of the agents. Then the newspapers got hold of it and said, "What about the 10?" The head enforcement agent said, "My men did not steal that liquor; they diverted it to their own use," and there the matter stands. If a private citizen stole 250 cases of beer he would get a long prison sentence.

The customs chief testified before the Appropriations Committee that the awards made to informers this year are running at the rate of $400,000 and he asked $50,000 additional over last year's appropriation. These gentlemen on the Appropriations Committee have been quite generous with regard to the needs in reference to prohibition enforcement. Admiral Billard insisted that there should be two Coast Guard stations established at two of the most dangerous points in the United States, one between Portland, Oreg., and San Francisco, and the other at Grand Island, Mich. He asked this in the name of humanity and commerce, but the committee denied it to him. However, the committee granted these additional funds for prohibition agents who are a menace to this country and who are now, as I say, on the Michigan border involved in scandal.

This appropriation can very well be cut down by the amount I have suggested, because the Customs Bureau promised, in view of the Canadian embargo, to cut down the number of men on that border.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. WOOD. Mr. Chairman, I wish to say, in opposition to the proposed amendment, that the gentleman's argument would seem to favor an increase rather than a decrease in this amount. The very fact they are reducing the number of guards on the Canadian side is all the more reason we should have more guards on this side. I know of no particular activity along the smuggling line with respect to goods going from the United States into Canada, but we all know there is very great activity on that side in smuggling goods into the United States, not only liquor but all kinds of contraband. It is for this reason that these increases have been granted.

You all know that where these agents of the United States Government used to be customs officers or prohibition officers, or this, that, or the other kind of officer, they have now all been consolidated so that each one of them is charged with all the responsibility that was formerly divided into three or four parts. So if there are any thieves up there or men who violate their oath of office or violate the trust which has been placed in them, it is the duty of the proper officer of the United States, when he finds that out to send them to the penitentiary. We may eventually get some good men there.

The remarks of the gentleman are also contradictory of the statement of the gentleman from Michigan made upon this floor many times that he wants to give every possible chance to see whether the prohibition law can be enforced or not. Now he wishes to weaken it for the very purpose of making it easier to break down in order that there may be more possibility of complaints against the continuance of the law.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. LAGUARDIA. I understand the Commissioner of Customs requested the Committee on Appropriations to allow increased pay for his guards. It is very difficult to get the right kind of men, such men as the gentleman himself has described, at the meager salaries we are now paying. Were these additional appropriations allowed the Customs Bureau and are they included in these figures?

Mr. WOOD. We did not allow any increases in salaries in the bill at all, neither for these gentlemen nor anyone else. We felt we should not make fowl out of one and fish out of the other.

Mr. LAGUARDIA. I understand that; but, as the gentleman has pointed out, this is a position of responsibility and great temptations, and unless the committee sees fit to pay these men decent, living wages, we are going to have the conditions just as described by the gentleman from Michigan [Mr. CLANCY].

Mr. CLANCY. Will the gentleman yield for a correction?

Mr. WOOD. Yes.

Mr. CLANCY. The gentleman has stated I have been in favor of prohibition-enforcement appropriations. That is not true. I have always voted against prohibition-enforcement appropriations, and a year ago in this House I made this statement:

> The more prohibition agents they sent to Detroit the worse conditions grew. To Detroiters many prohibition agents have been teachers of all sorts of crimes; among these are highjacking, racketeering, grafting, bribery, corruption, slaying of innocent citizens by gunman methods, drunken driving of automobiles, illegal seizure of motor boats and other water craft, invasion of the neutrality of Canada by wilfully sending armed patrols into Canadian waters, for which official apologies were made to Canada, and various other offenses.

Mr. WOOD. Then, I wish to apologize to the gentleman. We are now to understand he is entirely a free trader upon this proposition?

Mr. CLANCY. On the proposition of prohibition.

Mr. LAGUARDIA. And in favor of full reciprocity.

Mr. STAFFORD. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. STAFFORD. I think the House would be interested in an explanation of the item in line 6, page 12, where you virtually double the appropriation carried in the existing appropriation act of $243,370, which has been increased to $476,870, which amount may be available for personal services in the District of Columbia. What is the occasion for this inordinate increase for this attempted enforcement of a prohibition law which, in my opinion, is not enforceable?

Mr. WOOD. The increase is for the department here in Washington.

Mr. STAFFORD. Yes; you have almost doubled the appropriation, increasing it from $243,000 to $476,000, and I am asking, in all candor, for an explanation of the inordinate increase of over $200,000 for further attempted enforcement of an unenforceable law.

Mr. WOOD. It is not for that purpose. This increase is larger than it seems, for there was over $400,000 for this purpose due to funds in a deficiency bill. The gentleman would be amazed if he would read in the hearings we had last year as to the amount of goods that have been smuggled into this country, and the gentleman would also be surprised at the reduction in the amount of such smuggling caused by this increase.

Mr. STAFFORD. Can the gentleman distinguish as to the character of the smuggled goods?

Mr. WOOD. I may say further that this additional appropriation is largely on account of the new tariff act and the reorganization of the service. The provisions of the tariff act very largely necessitate this increase.

Mr. O'CONNELL. Will the gentleman yield for a question?

Mr. WOOD. Yes.

Mr. O'CONNELL. What assurance have we it will not be double this amount next year? It is getting higher all the time.

Mr. WOOD. Well, I suspect it is; and, of course, the necessities of the Government are getting greater all the time. Importations and smuggling are both increasing all the time.

Mr. O'CONNELL. I have a recommendation that would save all that money if it were adopted.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment striking out $600 from the figure carried in the amendment of the gentleman from Michigan [Mr. CLANCY], a pro forma amendment.

Mr. Chairman, I want to call to the attention of my colleagues the fact that the Customs Service should not be confused to any great extent with prohibition enforcement, because the greater part of the customs duties, as my friends from the ports well know, has little or nothing to do with prohibition enforcement.

What the Customs Bureau is now up against is inadequate salaries paid to inspectors and customs guards.

You have just heard a description of most deplorable conditions existing at the port of Detroit, and if you are going to have employees who have to do with the smuggling of merchandise of great value, constantly coming in contact with all sorts of temptations, the least you can do is to provide adequate living pay for such men.

The Commissioner of Customs came before the Appropriations Committee and asked for necessary increases. He is a part of this administration, and when he asked for these increases he certainly must have had the approval of the head of the Treasury Department.

I can not reconcile the attitude of the distinguished chairman of this committee standing up here and speaking for the integrity of the men and telling you that they are seeking to weed out the incompetent and dishonest employees and yet resisting giving the men charged with those important duties a living wage.

Now at this very time, when the United States is facing a crisis in the matter of employment, when we are officially stating that patriotism demands employers in industry to keep up the standard of wages, it comes with a poor grace indeed that the first request made on the first appropriation bill for a living wage for our employees charged with responsible duties is roughly brushed aside and ignored.

Mr. O'CONNELL. This service is one that demands the finest material, the best type of men.

Mr. LAGUARDIA. Certainly, and the gentleman knows that under the introduction of new means of transportation the crime of smuggling has increased, and we have to have efficient and honest men to prevent it. I can not understand the attitude of the distinguished chairman in attempting to keep down salaries and prevent promotions in the service.

Mr. SIROVICH. It is not a living wage that they want, but a saving wage.

Mr. LAGUARDIA. Yes; living up to the standard that we have bragged so much about, especially in the month of October.

Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. CLANCY].

The question was taken, and the amendment was rejected.

Mr. CLANCY. Mr. Chairman, I move to strike out the last two words. The chairman of the Appropriation Committee in trying to defend the increase for more efficient enforcement admitted that the enforcement at Detroit is rotten, as it is elsewhere on the Canadian border and the Mexican border.

Mr. LAGUARDIA. It is not rotten in New York—they may be underpaid, but it is not rotten.

Mr. CLANCY. The papers are carrying stories about liquor getting into Hoboken and New York City, but I am not referring to the dock customs force. I am referring to the border patrol and ocean coast guard.

Mr. LAGUARDIA. If all the angels in heaven were trying to stop the smuggling of liquor, they could not do it; as long as the American people want to drink it, they will get it.

Mr. CLANCY. I want to point out that there is an appropriation for the seizure of automobiles particularly and their storage in garages. Right there is involved a great injustice because the big automobile agents and companies who are honorable and high-minded sell automobiles on time with a small down payment to any citizen, man or woman, and if that person turns out to be a bootlegger the automobile can be seized even when only a small payment down has been made and the company loses the automobile. That is a great injustice. Auto agents and companies lose hundreds of thousands of dollars that way.

The Ford Motor Co. has a clause in their sales contracts that automobiles purchased shall not be used for the carriage of liquor.

Now the person purchasing the automobile may not be a bootlegger at the time, but the family may need money and he may afterwards decide to go into bootlegging. Or a man may be carrying a bottle home that was given to him, and his automobile is seized. That is a great injustice. That is one of the first prohibition injustices that is going to be corrected when this prohibition craze subsides.

Now, you may look with equanimity on the creation of additional prohibition agents if you will, but the people who live on the border fear this great menace. The rivers and lakes are used for recreation by hundreds of thousands, and these border-patrol boats run without lights at night. The situation was bad enough when Canada put on the embargo and stopped the exportation of liquor. Now, the fleet has been increased. They pass big and small boats within a few feet without lights and are dangerous. Many complaints have come from passenger and freight steamers on that account. They have to swerve out of their course to dodge these prohibition boats. The channels are narrow, and these prohibition boats are a menace to navigation. You can increase the funds and you can send the marines up there; you can send the marines up there, as one of the officials of the Anti-Saloon League wants to do, or send the Army and the Navy, but it will just increase the hatred of the American people at large for the group that is putting over these terroristic, persecutional features.

Of course it means a quicker death of this entire movement. We will see what the results are in 1932. You have had a foretaste of them in 1930. I prophesied before this House only a few months before election what was going to happen. Now it has happened. In the judicial appropriation bill you will probably be asked to give them two and a half million dollars for 500 more prohibition agents within the borders. The country will stand just so much of this and no more. In other countries such tactics breed revolution. There will be no bloody revolution in this country, but there will be a peaceful revolution achieved in the legislatures and in Congress by the ballot. That is what you are facing, and that is what some of you have faced already to your sorrow in the recent elections. I withdraw the pro forma amendment.

The Clerk read as follows:

BUREAU OF INTERNAL REVENUE

Collecting the internal revenue: For expenses of assessing and collecting the internal-revenue taxes, including the employment of a Commissioner of Internal Revenue at $10,000 per annum, a general counsel for the Bureau of Internal Revenue at $10,000 per annum, an assistant to the commissioner, a special deputy commissioner, three deputy commissioners, one stamp agent (to be reimbursed by the stamp manufacturers), and the necessary officers, collectors, deputy collectors, attorneys, experts, agents, accountants, inspectors, clerks, janitors, and messengers in the District of Columbia, the several collection districts, and the several divisions of internal-revenue agents, to be appointed as provided by law, telegraph and telephone service, rental of quarters outside the District of Columbia, postage, freight, express, necessary expenses incurred in making investigations in connection with the enrollment or disbarment of practitioners before the Treasury Department in internal-revenue matters, expenses of seizure and sale, and other necessary miscellaneous expenses, including stenographic reporting services, and the purchase of such supplies, equipment, furniture, mechanical devices, law books and books of reference, and such other articles as may be necessary for use in the District of Columbia, the several collection districts, and the several divisions of internal-revenue agents, $33,962,560, of which amount not to exceed $8,922,300 may be expended for personal services in the District of Columbia: *Provided*, That no part of this amount shall be used in defraying the expenses of any officer designated above, subpœnaed by the United States court to attend any trial before a United States court or preliminary examination before any United States commissioner, which expenses shall be paid from the appropriation for "Fees of witnesses, United States courts": *Provided further*, That not more than $100,000 of the total amount appropriated herein may be expended by the Commissioner of Internal Revenue for detecting and bringing to trial persons guilty of violating the internal revenue laws or conniving at the same, including payments for information and detection of such violation.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word for the purpose of asking why there is a limitation upon the amount that the Commissioner of Internal Revenue may spend for detecting and bringing to trial persons guilty of violating the internal revenue law. Just a few moments ago the distinguished chairman of the committee pointed out the duty of the Government to spend any amount for the proper detection of persons violating the law to the extent of a misdemeanor, but here we come to the most important function of the Government, which is the collection of taxes, we find a limitation of $100,000 placed upon the commissioner in the amount that he may expend for detecting and bringing to trial persons dodging the payment of their income tax.

Mr. WOOD. That is the amount that has been carried for this purpose for a number of years. They have never

as yet used anything beyond this amount, so what is the use of appropriating more than they will use?

Mr. LaGUARDIA. Perhaps if they did use it, as the gentleman suggested about smuggling a few moments ago, we might find ourselves with more money in the Treasury. Why not get after the tax dodgers?

Mr. WOOD. I do not have the administration of it. Whenever the administration uses more than this amount or has need for more, it will get it.

Mr. LaGUARDIA. Let the record show that it is not the intention of the House to limit the commissioner in the investigation of tax dodgers, and that if he intends to go after tax dodgers and spend this $100,000 he will get more money to continue his work if he needs it.

Mr. WOOD. Absolutely.

Mr. LaGUARDIA. Let it be so understood and so recorded.

Mr. O'CONNOR of New York. Mr. Chairman, I move to strike out the last two words of this provision for the Internal Revenue Department in order to call attention to a situation which I believe is gradually constituting a menace in the Nation. It is the use of the income tax law and investigations under the income tax law to pry into the private affairs of our citizens and to build up in this Nation something in the nature of a spy system and possibly develop Cæsarism in this country. We adopted the sixteenth amendment to the Constitution after a struggle against wealthy individuals and the big financial interests of the country. In speaking in opposition to the adoption of that amendment many of the best minds in the Congress of the United States called attention to a situation that might arise; that the income tax law might enable spying and prying into people's personal affairs. Those speakers had an instance in the history of our country when, in the heat of a great political campaign for the Presidency of the United States, the Democratic candidate, Samuel J. Tilden, was wrongfully indicted for violation of the income tax law. Men on the floor of this House at that time pointed out to this body that unless the law were restricted in some way to be used solely for its purpose of determining whether or not a man was rendering a true account of his income in his return to the Government we would defeat the very purpose of the act.

I believe in this country to-day there are sinister interests willing and anxious to destroy the income tax, which is the fairest, the soundest, and the most equitable system of taxation we have ever devised.

Let us see what has happened. Under the guise of investigating income-tax returns, men are summoned by United States district attorneys and are questioned in connection with their returns. Their bank accounts and their brokerage accounts are subpœnaed not before a grand jury but to the district attorney's office, where an underling delves into all of the private affairs of the citizen. If, for instance, there is a deposit of $5,000, or $20,000, or even $1,000,000, in the bank, which the man has unquestionably returned as income, that man is compelled under pressure to tell where he got the money. If his accounts show he has expended considerable items, he must disclose to whom the money was paid. It never was intended that the Government had any concern with where a man got his money if he filed a proper return. It never was meant to be any concern of the Government where he spent his money if he filed a proper return.

Furthermore, under the guise of investigating income-tax returns, district attorneys have followed up, at great expense to the Federal Government, crimes of which they or the United States courts had no jurisdiction. The income-tax returns have been used as a medium, not in one district but in many districts, and often for partisan political purposes, to disclose crimes against the State laws and with no connection with any violation of the income tax law. The information thus illegally obtained has been furnished to the prosecuting attorneys of the various counties.

I hold no brief for those who violate our laws, and I have no interest in them if they violate a law. If they are guilty, I hope they are properly punished; but what I do oppose, and what a vast number of our citizens oppose, is this system of spying into their private personal affairs under the guise and through the medium of their income-tax returns.

Instances have been reported in the press where men not yet even charged with crime had had the particulars of their income returns broadcast to the world through the offices of United States district attorneys. Those district attorneys have told the newspapers of the amount of income returned by such men. That outrageous violation of the income tax law could not happen without a like deliberate violation of the law in the Treasury Department.

I hope, ladies and gentlemen, when a new income tax law or amendments to the revenue act shall come before this House some safeguards will be incorporated to prevent this abuse. The present intolerable situation is surely just as objectionable to one party as it is to another. Unless it is remedied our whole income-tax system may be destroyed. [Applause.]

Mr. LaGUARDIA. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. LaGUARDIA. Mr. Chairman, I can not readily understand why my colleague from New York [Mr. O'CONNOR] becomes so excited because of the fact that a couple of grafters or racketeers in New York City have had their bank accounts examined. A public tax is a matter of public record. If a man owns real estate, the value of that real estate becomes a matter of public record; and for a time the Federal income tax was a matter of public record.

There was a time when the income-tax returns were public under our law. I personally believe they should be continued to be public records. The main source of income of our Government is the income tax, and the Government is naturally interested in knowing that every person subject to the tax pays his proper tax. No tax dodger should be permitted to escape. Why should undue sympathy be given to the tax dodger? A man with a legitimate business can have his income checked up without any prying into his personal affairs. But when you come to grafters and crooks, corrupted public officials, and crooked politicians the situation is indeed different. Where judgeships are sold and crooked municipal officials take graft from fixers and a system of corruption exists while local officials refuse to act, then I congratulate the Federal authorities who have the courage to go after these crooks. Perhaps that is what the gentleman from New York [Mr. O'CONNOR] had reference to. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Refunding taxes illegally or erroneously collected: For refunding taxes illegally or erroneously collected, as provided by law, including the payment of claims for the fiscal year 1932 and prior years, $26,000,000: *Provided*, That a report shall be made to Congress by internal-revenue districts and alphabetically arranged of all disbursements hereunder in excess of $500, as required by section 3 of the act of May 29, 1928 (U. S. C., Supp. III, title 26, sec. 149), including the names of all persons and corporations to whom such payments are made, together with the amount paid to each.

Mr. SABATH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. SABATH. Mr. Chairman, I notice in several newspapers the names of various corporations to which large refunds of taxes have been made. I started at that time to compile the amounts refunded, and found it amounts to more than a thousand million dollars. Amongst those to whom refunds are made were some corporations that are not generally known, as the gentleman from New York [Mr. LaGUARDIA] designates as grafters or racketeers; but it seems to me they come mighty close to qualifying under that classification.

I notice that millions of dollars have been refunded to the Standard Oil Co., other oil companies, and million-dollar corporations. This bill provides $26,000,000 for additional refunds. Will the chairman of the committee be kind

enough to tell us to whom this $26,000,000 will be refunded, and what evidence has been submitted on which these refunds are going to be donated or granted or allowed, and how much these gentlemen, who will receive these tremendous refunds, have contributed to the various political campaign funds? I know that the country and the membership of this House will be very much interested in obtaining that information. I myself have been unable to obtain the names of these persons or corporations for whom we are about to appropriate these refunds of $26,000,000.

Mr. WOOD. It is impossible for me to tell the names until the department has made the refunds. Before any of these refunds can be made in excess of $100,000 the matter is referred to the Joint Committee on Internal Revenue Taxation for examination. My experience has been, from the attempts that I have made in getting refunds for constituents of mine, that the persons who are asking for refunds have the burden of proof placed upon them all the time, and have the benefit of a reasonable doubt, as has been contended heretofore, and where taxes have been paid in erroneously a refund should be allowed.

Mr. SABATH. Have they been made known to the committee?

Mr. WOOD. There is a report of them submitted annually and sent to the Committee on Ways and Means. The Committee on Appropriations acts upon the recommendations that are made by the Treasury Department as to the amount of money estimated to be necessary to make these refunds for the next fiscal year.

Mr. SABATH. They have a lump sum, have they?

Mr. WOOD. Yes; they have a lump sum. We all have confidence in the Joint Committee on Internal Revenue Taxation.

Mr. SABATH. Is that list first submitted to the Committee on Appropriations before the refund is allowed?

Mr. WOOD. No. That would be impracticable, because this refunding is going on while the Congress is not in session.

But there is a provision that they shall pass the scrutiny of the joint committee to which I have referred. I do not know what better safeguard could be had. I wish to say that the appropriation in this bill has been reduced $104,000,000 under last year because we felt they could not use more than we have allowed. We have passed the peak, and the refunds that are to come after will be a great deal smaller. The larger ones were not paid for a long time because of the great care that was necessary to be exercised in inquiring into whether they should or should not be paid. Now, one of the great items of expense coming out of this fund is interest payments which arise under the old cases.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SABATH. Mr. Chairman, I ask for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. I do not, at all times, lay much stress upon statements made from time to time in the press, but within the last few months many statements have been carried in the press to the effect that the Secretary of the Treasury has been the beneficiary of these tremendous allowances or refunds. Now, would he, as Secretary of the Treasury, have a special influence over the body or over the board that makes the allowance to enable him to secure special benefits and special considerations for the large number of powerful corporations with which he is connected and which it is claimed he controls?

Mr. WOOD. I will say "no" to the gentleman from Illinois, and, to the credit of the Secretary of the Treasury, at no time, either in the testimony before our committee or anywhere else, has the Secretary ever spoken to a single person with reference to any refund in which he might be interested or asked for a single favor. There has been much criticism because of his interest, not as Secretary of the Treasury, but because of his own stock interest in these various corporations, and charges that he has been favored. The most searching scrutiny has been had with reference to every one of those cases, in order that there might be no possible criticism after the investigation was had and the refund made.

Mr. SABATH. I asked that because I believe that the Secretary is entitled to an expression from the chairman that many of these statements were not justified.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. KETCHAM. Mr. Chairman, I rise in opposition to the pro forma amendment.

At this point I rise for the purpose of asking a question of the chairman of the Committee on Appropriations. Does the gentleman have at hand the figures or any estimate, if the figures are not available, as to the comparative amount of extra internal-revenue collections that have been made as an offset to the emphasis that has been put upon the refunds that have been made?

Mr. WOOD. Yes. From 1917 down to this time the taxes that have been recovered by the Government from additional assessments, taxes that should have been paid, amount to about five and one-half billion dollars. The amount of refunds that have been made because of erroneous taxes that have been collected during all of that time is about one and one-quarter billion.

Mr. KETCHAM. Or a ratio of more than 4 to 1?

Mr. WOOD. Yes; a little more than 4 to 1.

Mr. KETCHAM. A ratio of about 4 to 1 in favor of the extra collections?

Mr. WOOD. That is right.

Mr. BYRNS. Mr. Chairman, I move to strike out the last two words.

When this matter was under consideration by the subcommittee it was stated that within the last four months—that is, the first four months of the present fiscal year—about $20,000,000 had been paid out in tax refunds, which, as you will see, was an average of about $5,000,000 a month. The Treasury Department therefore felt that with the very large balance on hand, $38,000,000 would be ample to provide for 1932, in so far as tax refunds were concerned.

It was my distinct recollection that it was stated to the subcommittee that all the large cases had been settled; that there were no large cases pending before the Treasury Department; that they were all settled and behind us. But I read in the newspaper yesterday that additional cases had been sent up to the committee to which the gentleman from Indiana [Mr. WOOD] has referred, involving $22,000,000, and that one of them, if I mistake not, involved a sum of over $16,000,000. I would consider that a pretty large case.

I thought perhaps I might be mistaken, so I have looked over the record, and I find that my memory is correct in that the statement was made to the subcommittee that all the large cases had been settled. But this case involving, as I say, over $16,000,000, and other cases involving something like $6,000,000 must be paid out of that balance.

The subcommittee acted upon the information that all the large cases had been settled, and that during the months of July, August, September, and October cases had been settled at the rate of $5,000,000 a month, and reduced the estimate of $38,000,000 to $26,000,000. In view of what I have stated, I wonder if the committee did not strike too deep in cutting the estimate that was submitted.

In other words, I have wondered whether the balance on hand plus the $26,000,000 provided in this bill is going to be sufficient to carry through the year 1932. Of course, I realize that if it is not, a deficiency can be had in December of the next regular session, but I felt it proper to call the attention of the House to the facts which I have stated at this time and to say that I doubt very much in view of what I saw in the paper yesterday that this sum will be sufficient to meet the demands upon the Treasury.

The Clerk read as follows:

BUREAU OF INDUSTRIAL ALCOHOL

Salaries and expenses: For expenses to administer the applicable provisions of the national prohibition act as amended and sup-

plemented (U. S. C., title 27) and internal revenue laws, pursuant to the act of March 3, 1927 (U. S. C., Supp. III, title 5, secs. 281–281e), and the act of May 27, 1930 (46 Stat., pp. 427–430), including the employment of executive officers, attorneys, inspectors, chemists, assistant chemists, supervisors, storekeeper-gaugers, clerks, messengers, and other necessary employees in the field and in the Bureau of Industrial Alcohol in the District of Columbia, to be appointed as authorized by law; the securing of evidence of violations of the acts; the cost of chemical analyses made by others than employees of the United States and expenses incident to such chemists testifying when necessary; the purchase of such supplies, equipment, mechanical devices, laboratory supplies, books, and such other expenditures as may be necessary in the several field offices; cost of acquisition and maintenance of automobiles delivered to the Secretary of the Treasury for use in administration of the law under his jurisdiction; hire, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary; and for rental of necessary quarters; in all, $4,814,420, of which amount not to exceed $370,580 may be expended for personal services in the District of Columbia: *Provided*, That not exceeding $10,000 may be expended for the collection and dissemination of information and appeal for law observance and law enforcement, including cost of printing, purchase of newspapers, and other necessary expenses in connection therewith: *Provided further*, That for purpose of concentration, upon the initiation of the commissioner of industrial alcohol and under regulations prescribed by him, distilled spirits may be removed from any internal-revenue bonded warehouse to any other such warehouse, and may be bottled in bond in any such warehouse before or after payment of the tax, and the commissioner shall prescribe the form and penal sum of bond covering distilled spirits in internal-revenue bonded warehouses and in transit between such warehouses.

Mr. LAGUARDIA. Mr. Chairman, I reserve a point of order.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph beginning in line 22, on page 18, and ending in line 1, on page 19, for the reason that it is legislation on an appropriation bill. If I had any confidence in this matter being carried out, and that this $10,000 would be properly expended for enforcement, I would be willing for the money to be expended; but when the head of this bureau permits 40,000,000 gallons of industrial alcohol to be diverted to the bootlegging industry I do not think he would properly expend this $10,000.

Mr. WOOD. Will the gentleman reserve his point of order for a moment?

Mr. BLANTON. I will reserve it, if the chairman desires to be heard on it.

Mr. LAGUARDIA. Mr. Chairman, to make it clear, I reserve a point of order against the section beginning in line 1, page 19, and ending in line 10, page 19. I make that reservation in addition to the point of order now being made by the gentleman from Texas.

Mr. WOOD. Mr. Chairman, I will say to the gentleman from Texas, and also the gentleman from New York, that both of the paragraphs which are now inserted in this bill were in the law when the prohibition amendment was enforced by the Treasury Department.

Mr. BLANTON. But it lost its life when that appropriation year ended.

Mr. WOOD. Possibly that is so; but it was the law then. These two items, the one objected to by the gentleman from Texas and the other objected to by the gentleman from New York, were in the prohibition appropriation before that bureau was transferred to the Department of Justice. If this law is to be enforced these two provisions are absolutely essential; and it occurs to me the gentleman from Texas and those who are in favor of the enforcement of this prohibition law should want these two provisions to remain in order that the prohibition law may be enforced.

Mr. BLANTON. Does the gentleman from Indiana think that the head of a bureau who would permit 40,000,000 gallons of industrial alcohol to be diverted into bootlegging channels would properly use $10,000 in enforcing the law?

Mr. WOOD. Of course, I do not know anything about that. Was that before or after the transfer?

Mr. BLANTON. I am taking the figures given by my distinguished colleague from New York, Doctor SIROVICH, who says he has statistics showing that 40,000,000 gallons have been diverted to bootlegging channels.

Mr. WOOD. Of course, I can not enter into all the manipulations of the bootlegger and the pretense of honesty under which he gets his stuff and then diverts it. That is not a part of my concern, but I am insisting that if this law is to be enforced it is necessary to have these provisions remain in this appropriation bill. It is necessary that the machinery needed for its enforcement shall be a part of this appropriation bill.

Mr. BLANTON. It is not the machinery necessary to enforce it. This is merely $10,000 given to the head of the bureau in order that he may give excuses as to why it is not being enforced.

Mr. WOOD. Of course, if the gentleman is disposed to take that view of it I am not responsible for that, but its purpose, as the gentleman well knows, is a laudable purpose and an honest purpose.

Mr. BLANTON. Oh, yes it is; and if the gentleman were sure it would be carried out and some good would come from it I would withdraw my point of order, but the gentleman knows we had to take the Bureau of Prohibition Enforcement away from the Treasury Department in order to have any hopes at all that the law would be enforced.

Mr. WOOD. Let us give the other department a chance and see what they will do.

Mr. LAGUARDIA. Mr. Chairman, I make the point of order in both instances.

The CHAIRMAN. The gentleman from Texas made a point of order which he is now discussing.

Mr. BLANTON. And I insist on it as to the first $10,000 proviso.

Mr. LAGUARDIA. Good. I thought the gentleman was weakening.

Mr. BLANTON. No; I do not weaken. I may do lots of things, but I never weaken.

The CHAIRMAN. Does the gentleman from Indiana insist upon the provision?

Mr. WOOD. No; there is no doubt but what it is subject to a point of order.

The CHAIRMAN. That being the case and the point of order having been made, the Chair sustains the point of order.

Mr. LAGUARDIA. Mr. Chairman, I now make a point of order against the second proviso.

Mr. WOOD. I will say the same with reference to that, but I am a little surprised to see the gentleman from Texas and the gentleman from New York joining hands across the bloody chasm, one being against enforcement and the other being for it.

The CHAIRMAN. The gentleman from Indiana concedes the point of order?

Mr. WOOD. Yes.

The CHAIRMAN. That being true, the point of order is sustained.

Mr. LINTHICUM. Mr. Chairman, I offer an amendment.

Mr. WOOD. Mr. Chairman, before the gentleman from Maryland commences his remarks—I presume there will be some argument upon this proposition and I would like to agree, if we can, upon the time to be used in a discussion of this paragraph and all amendments thereto.

Mr. LINTHICUM. I shall not want over 10 minutes.

Mr. BOYLAN. I have an amendment and would want five minutes.

Mr. SIROVICH. I want five minutes on an amendment.

Mr. CLANCY. I also have an amendment.

Mr. WOOD. It is perfectly patent we can not spend all the afternoon on this one item, and I would suggest that we have 15 minutes on the side.

Mr. LINTHICUM. I do not think that would be sufficient on our side. There are two gentlemen on this side who want five minutes and there are two gentlemen on the other side who have amendments.

Mr. SABATH. Why not just let the debate go on and see if we can not agree upon the time later?

Mr. WOOD. Unless we can agree upon some time, the debate may extend throughout the day on this paragraph.

Mr. LAGUARDIA. Can not the gentleman agree with respect to the amendment just offered in committee by the gentleman from Maryland, and then perhaps debate on the other amendments will take care of itself?

Mr. STAFFORD. Mr. Chairman, I ask for the regular order so that the amendment may be reported.

The CHAIRMAN. The regular order is demanded. The Clerk will report the amendment offered by the gentleman from Maryland [Mr. LINTHICUM].

The Clerk read as follows:

Amendment offered by Mr. LINTHICUM: Page 18, line 22, after the word "Columbia," insert the following:

"*Provided further*, That no money herein appropriated shall be used in the preparation or issue of any permit for the removal or use of any industrial alcohol known to be denatured by any deadly poisonous drug."

Mr. LINTHICUM. Mr. Chairman, it was distinctly understood before we began reading the bill under the 5-minute rule that we would be given sufficient time to discuss this question.

Mr. WOOD. We wish to do that, but we do not want to consume any more than sufficient time.

Mr. LINTHICUM. I have suggested 10 minutes for myself, but I do not think I shall take that long. There are a couple of gentlemen on this side who wish 5 minutes and I believe there are two gentlemen on that side who want 5 minutes, and altogether that means about 30 minutes on our side.

Mr. O'CONNELL. Is the discussion going on at this time coming out of the time of the gentleman from Maryland?

The CHAIRMAN. If the gentleman demands the regular order, then the Chair would recognize the gentleman from Maryland [Mr. LINTHICUM] for five minutes to discuss his amendment.

Mr. WOOD. I think we will save time if we now decide whether we can agree upon a limit of time. Upon the amendment offered by the gentleman from Maryland, can we not agree on 20 minutes on the side?

Mr. CULLEN. Mr. Chairman, here is the situation that exists with regard to this paragraph: We have three Members on this side who have amendments to offer, and then we have the amendment that has been offered by my colleague from Maryland. All the gentleman from Maryland needs is 5 minutes or 10 minutes, as I understand.

Mr. LINTHICUM. Not over 10 minutes, and I should say 5 minutes.

Mr. CULLEN. In the regular and orderly procedure the gentlemen who have amendments to offer can offer them and discuss them for 5 or 10 minutes, so that it is practically useless for us to decide now on any time to debate this question and meet the situation as it exists now as between one individual and another. I think we will probably save time by following the regular procedure.

Mr. WOOD. If the gentlemen on the other side will assure us they will not take more than 5 or 10 minutes on each amendment, I think that will be satisfactory.

Mr. SABATH. We do not intend to kill time on this side. We want to expedite matters and help the gentleman as much as we can.

Mr. CULLEN. But we want to discuss the question intelligently, and we want to have the regular amount of time in which to discuss it.

Mr. LINTHICUM. I may say to the chairman of the committee in charge of the bill that everyone on this side wants to finish consideration of the bill to-day and we shall certainly not take any more time than we have to.

The CHAIRMAN. The gentleman from Maryland is recognized for five minutes.

Mr. LINTHICUM. Mr. Chairman and gentlemen of the committee, the amendment which I have offered is the identical amendment which I offered two years ago.

It is not a question of prohibition, it is not a question of whether you believe in prohibition or not; it is a question of whether you believe that this great Government of ours, the greatest, as it has been designated, in the world, should resort to the poisoning of alcohol when it knows a large part of it will reach the drinking public.

We know that deadly poisons have been put into the industrial alcohol which has been issued by the Government. We know that at the present time the department or the Bureau of Prohibition is putting from 4 per cent to 10 per cent of wood alcohol in some 40,000,000 gallons of industrial alcohol.

It is not necessary for me to tell you what wood alcohol does to the human system. You all know that. The worst part of it is that its effect is cumulative. You take a little of it to-day and you take a little more to-morrow, and you follow that practice for a few days, and it is the amount that you take altogether that causes the great trouble. It brings on blindness; it brings on cirrhosis of the liver; it brings on many infirmities of the human system.

The question is whether you want to continue this or not. I have a number of circulars here, some of which have been sent to me by friends, and I want to show them to you.

Here is a warning issued by the Wisconsin State Board of Health, in which it warns people with respect to methanol, wood spirits, wood naphtha, commonly known as wood alcohol. It warns them not only with respect to drinking any of it, but it warns them with respect to inhaling any of the gases from the automobiles in which it is put to keep the automobiles from freezing.

Here is another one issued by the commissioner of health in Chicago, warning against it.

Here is an article written up as an industrial bulletin by Col. Charles R. Blunt, commissioner, warning against it.

Here is an editorial against it, and so on.

Throughout the United States the health departments are warning people not only about drinking wood alcohol but inhaling its fumes from automobiles or from any other sources.

There are other poisons used in denaturing this industrial alcohol, and we all know that this has caused innumerable deaths. We all know there have been thousands of deaths from alcohol poisoning and from alcohol itself.

I do not want to take up much time because I have already discussed this question fully before this committee and before the House.

But I do want you to answer the question to-day by your vote, not as a prohibitionist, not as a man who believes in the wet or the dry question, but I want you to answer the question whether you want our country to continue to poison alcohol which goes into the hands of those who drink it.

Moreover, as Doctor SIROVICH has told you, this alcohol is used for rubbing, which is absorbed and is disastrous to the human system. The question is, Do you want to continue to poison our people or do you want to discontinue it?

I had a talk with Doctor Doran, who told me that in a short time he thought he would be able to find some denaturant that would allow him to do away with the poison.

Now, this bill does not go into effect until next July. Why not stop the poisoning at the present time? Tell the people by your vote. [Applause.]

Mr. SIROVICH. Mr. Chairman, I would like to speak on this amendment.

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. SIROVICH. Mr. Chairman, ladies, and gentlemen, there are 68 drugs that the Government of the United States uses in its various formulas to poison denatured alcohol.

Let us review a few of the denatured formulas in use to-day. Completely denatured formula No. 1, for radiators, contains 10 per cent wood alcohol and 0.5 per cent kerosene. It is sold in tremendously large quantities all over the country and can be purchased in the open market, with little or no control. For the modern large bootlegger this formula is a joke. The process to recover it has been in the literature for years and is open to anyone who will look for it. One or two passages through a modern column after a simple chemical treatment will separate both the wood alcohol and kerosene and give a pure grade of ethyl alcohol entirely fit for human consumption. This is being done on a very large scale to-day, and most of the so-called imported whisky, "right from the boat," originates from such plants.

Now, while it has been said that chemically pure methanol is no more toxic than ethyl alcohol, there is no doubt that commercial methanol or methyl alcohol is a deadly poison. It causes atrophy of the optic nerve, ending in blindness, paralysis, and death. To make things worse, redistilled methanol, improperly called wood alcohol, Columbian spirits, and so forth, when purified for commercial purposes, has an odor and taste similar to ethyl alcohol; its boiling point is only a few degrees below that of ethyl alcohol, and there lies the danger; one can not tell, except by a delicate chemical test, whether or not wood alcohol is present in any liquor. The taste may be good, the odor may be excellent, and still there may be as much as 25 per cent methyl alcohol in it, which will escape detection through casual examination.

Of one formula, No. 5, there is sold 40,000,000 gallons a year, and of another one 18,000,000 gallons. There are some 4,000 who have a legal permit, men who are of questionable repute, with over 3,000,000 gallons. There are 61,000,000 gallons of industrial alcohol alone that are to-day being used in the distilleries of the bootleggers throughout the country, sending out poisons that are poisoning the boys and girls who would know better if they were older, and it is for that reason that I continue to fight until I can convince the people of the United States through this distinguished gathering of people that we can carry out the law and not nullify it, and still enforce it by putting in drugs that are nonpoisonous and nontoxic in their nature, drugs that can not be removed and can not be redistilled completely.

Completely denatured formula No. 5, option No. 1, an alcohol for radiators, contains 4 per cent methanol, 0.5 per cent kerosene, and in addition 0.75 per cent aldehol, an evil-smelling and bad-tasting product of oxidation of kerosene. The bootleggers refuse to "cook" this formula and the alcohol manufacturers are emitting loud wails because it does not sell. The bootleggers say that it is too hard to "clean," and there you are. As they have no objection to the methanol, why not take it out altogether and thereby remove the danger of ultimate poisoning to any possible ultimate consumer. I hold no brief for aldehol; there are plenty of nonpoisonous denaturants just as efficient; why not use them?

Specially denatured formula No. 3–A contains 5 per cent pure methyl alcohol and can be obtained on the pretense of manufacturing furniture polish, lacquers, shampoos, shellac, and so forth. It is easy to get on an approved permit. I have heard that this formula is being used straight for the compounding of liquor, merely after shaking it with a special grade of activated charcoal to remove its foreign odor. It is then made into whisky by adding water, oils, and color without further purification or redistillation. It contains 5 per cent methyl alcohol, equivalent to 2.5 per cent methanol, in the finished liquor. Such a percentage will not blind, paralyze, or kill outright, but I appeal to any physician in America to state what it will do to human economy and to the progeny of the future.

I have examined the urine of many patients that contained acetone, diacetic acid, and betaoxybutyric acid. These poisons cause the unfortunate individual to go into a state of coma and ultimate death. Only insulin, recently discovered by Doctor Banting, of the University of Toronto, injected into their tissues saves their lives. Yet the Government of the United States is putting acetone into this industrial alcohol to rub into the human body and poison the very pores which are instrumental in helping the kidneys to eliminate the poisons from the body.

Specially denatured formula No. 4 contains 0.02 per cent nicotine and some methylene blue to give it a color. It is issued for the manufacture of tobacco sprays. A filtration through decolorizing charcoal will remove all color but will leave the nicotine in the alcohol. It happens that the taste of the nicotine blends beautifully with the taste of liquor, imparting a special tang which, according to the connoisseurs, is not bad at all. Large quantities of this alcohol are diverted into the liquor channels each year.

There are still some people in these days of prohibition who insist in taking an alcohol rub after bathing. Until recently it was possible to secure a good grade of alcohol rub for the purpose. Unfortunately this alcohol was easily recovered and made into liquor, for lack of a better denaturant. Now, not only are people forbidden to use a strong alcohol for rubbing purposes but they must use specially denatured formula No. 23–A, which contains 10 per cent acetone. For rubbing mixtures this alcohol must be diluted with water so as to contain only 70 per cent alcohol. Now, acetone is not what can be called a skin food; in fact, it is considered in medical circles as decidedly toxic. Is not acetone one of the products of acidosis? Is not the presence of acetone in the blood and body secretions a sure sign of serious organic trouble? Is not the presence of acetone bodies in the system apparently responsible for diabetic coma? So why force the good people of the United States to rub their bodies with that stuff? Of course, we also know that some big interests have a large surplus of by-product acetone that they do not seem to be able to sell profitably; but the purpose of this discourse is not to cast any aspersions. Acetone can be removed by fractionation or distillation from ethyl alcohol. It is a slow process, but it can be done very nicely, so the formula is not so good after all. There are other denaturants which are much better for rubbing alcohol and which can not be removed; that is, not by the average cooker.

Specially denatured alcohol formula No. 40 contains brucine sulfate and isopropyl alcohol. It is used, or supposed to be used, in the manufacture of perfumes and toilet preparations. This formula is extensively recovered to-day, mostly by the small bootleggers, because the redistillation can be carried out in any kind of a still. The brucine sulfate, which is poisonous but not volatile, remains in the kettle while the isopropyl alcohol passes with the recovered ethyl alcohol. Isopropyl alcohol is not poisonous when pure, but it is not often pure and should not be added to a regular diet. It has little taste and can not be detected except by a complicated chemical test. The brucine sulfate, which belongs to the strychnine family, is toxic, although not as much as strychnine; it has a bitter taste, and for this reason formula No. 40 has been used for "spiking" near beer to raise its alcoholic content to 5 or more per cent. The bitter taste of this mixture fairly resembles the taste of hops, and the ultimate consumer seems to be satisfied. If he knew what he is drinking, and what effect brucine sulfate will eventually have on his nervous system, he would leave the poisonous concoction alone. Unfortunately, he does not know, no one knows, and since it can be safely assumed that the majority of people drink occasionally, it is a fact that this country is slowly but surely being poisoned, all because of foolish, poisoned alcohol laws unwisely applied.

The examples which have been cited above are the most flagrant. There are many other formulas which can be easily recovered, some containing poisonous ingredients and some perfectly harmless.

This brings my plea to the point where criticisms must stop and remedies be suggested. It is entirely possible to denature industrial alcohol without the use of toxic substances, and it is entirely possible to render the recovery of such denatured alcohol so difficult that the bootleggers will give up in disgust and seek some other way to make an easy living.

Since time is the most important thing to the alcohol illicit "cooker," the more time it takes to regenerate a certain grade of denatured alcohol, the more desirable the formula will be.

The cooker, large or small, dislikes running the alcohol more than twice through the still. He dislikes especially formula No. 5, which must be diluted before redistilling and thereby requires extra equipment and extra operating time. He does it, however, because he can purchase No. 5 in unlimited quantities on the open market. Other formulas are more closely controlled; permits are required for their purchase and only in strictly limited quantities.

Therefore, make the alcohol so difficult to regenerate that it will not pay to do it. Traces of essential oils will accomplish this purpose easily. One-tenth of 1 per cent of turpentine or pure lavender oil will absolutely ruin alcohol for the bootleggers. Lavender oil, oil of pine, camphor, borneol,

camphor oil, eucalyptus oil, pine tar, and so forth—all these denaturants will give most satisfactory results without poisoning anybody, and most of them are inexpensive.

Pine oil would be a fine denaturant for rubbing alcohol, also camphor or camphor oil. While it is true that some drunkards or topers will drink anything that will not cause instant death, I do believe that the most hardened rummy will stop at camphorated alcohol.

As to alcohol for the manufacture of fine perfumes and toilet preparations, more discrimination should be used in granting permits for specially denatured alcohol. Reputable concerns should be allowed to use pure ethyl alcohol to be denatured with their own approved materials in the presence of the prohibition agents. No honest firm will ever object to such a procedure, and it would benefit all concerned.

In regard to radiator alcohol, where a good odor is not necessary, certain ill-smelling or bad-tasting chemicals are recommended. There are a number of organic sulphides which would fill the purpose very nicely. Aldehol is apparently satisfactory. There may be others still more powerful, as ethyl sulphide, butyl sulphide, and amyl sulphide. The dosage is 1 ounce of these sulphides to 1,000 gallons of alcohol, and they could never be removed by distillation. The smell would last permanently, and they are not toxic.

Denaturing alcohol with poisonous materials is neither logical nor fair to the citizens of this country; it is not necessary, when more effective nonpoisonous denaturants can be used as well with much better results.

As long as the human race will have a taste for alcoholic beverages—and this takes us back to the first man, and will undoubtedly extend until the end of this world—people will drink occasionally. Some will drink by decided choice; some to be convivial; others merely to do like the rest of the crowd and be polite. It is well known that the great variety of alcoholic concoctions offered and consumed to-day is not fit for human consumption. The chemists know it. The bootleggers know it. The United States Government knows it, but the average citizen does not.

Why should they believe it, when they see the very men who should set the example of dry righteousness—judges, society leaders, merchants, great business men, and so forth—partake freely of the forbidden liquor? If it is good enough for the leaders, it should also be good for the common people—and why not?

The taste for alcohol may be unwise; the consumption of liquor may be bad for the health, and there is no doubt that it is when taken to excess, but a craving ingrained into the human race by thousands of years of heredity is pretty hard to suppress suddenly by process of law. What we need is education—not legislation. Atavism is stronger than any law, and occasional reversals to the natural tastes of our forefathers should not be punishable by death.

There are men to-day, many of them, who are being poisoned slowly but surely by gradual absorption of bootleg whisky. They may not feel the effect of the poison for years, but the day of reckoning will come some time, not only for them but for their children.

Wood alcohol, nicotine, brucine, and other cumulative poisons localize themselves in the brain, the nerves, the kidneys, the heart; they destroy the tissues, paralyze the most delicate nerves, and reduce below par the normal efficiency of the body. Children procreated by parents under the influence of such poisons are bound to be weaker and defective; their moral resistance will be weaker than that of the parents.

Let us hope that the Members of the Congress of the United States representing the sentiment of the people of our Nation will vote against the placing of denaturants in alcohol that are poisoning directly and indirectly thousands of our unfortunate and indiscreet citizens. And that Doctor Doran and his distinguished staff of chemists who are working with him will utilize and perfect such chemical agencies that will denature alcohol without poisoning its citizens and modify the present formulas for the benefit of American manufacturers and for the best interests of the people of the United States.

Thus we shall bring about a new era in the utilization of industrial alcohol for American business and enterprise that will cause confusion amongst bootleggers, alcohol racketeers, and highjackers, and compel them to go back into the quarries of life to earn an honest livelihood. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MENGES. Mr. Chairman, I rise in opposition to the amendment. The United States Government does not intend to poison anyone deliberately. That is not the intention at all. The thing that we have been endeavoring to do and that the chemists, the most noted chemists in the Nation, have been endeavoring to do is to discover a denaturant which will so denature alcohol that it can not be used as a beverage and yet will not affect its use in the industries for which it is intended. That has not yet been done. Now, then, my friends, the denaturant, the ideal denaturant, is one that will not interfere with the commercial use of alcohol in the industries in which it is used, and which can not be removed by physical or chemical treatment, and which will render the alcohol unfit as a beverage. That is the ideal denaturant. It has not been discovered. The gentleman from New York, Doctor SIROVICH, introduced several bills in the House sometime ago, and in them he enumerates denaturants which I think, according to his opinion, he believes will fill these requirements. The first bill was introduced on January 18, 1930.

Mr. SIROVICH. Oh, change that to the second one.

Mr. MENGES. My friend, I have not the time to yield.

Mr. SIROVICH. Will the gentleman yield for a question?

Mr. MENGES. I do not yield. The first denaturant that he enumerates is pyridine. What is that? It is bone oil, which is distilled from rotten bones, and they have to be pretty rotten before you can distill the stuff out of them. Then it is put into the alcohol as a denaturant. This alcohol is to be used in the manufacture of cosmetics, for example. How would you like to have your lady friends beautify themselves with an odoriferous stuff such as that? [Laughter.]

Mr. SIROVICH. But you do not have to use it for that.

Mr. MENGES. I have the floor. All right. It is used in the manufacture of artificial silk, and stockings are manufactured from artificial silk. Well, sometimes feet are not any too sweet smelling, anyway. That is the kind of stuff they want to put over on us for our stocking. The next one he has here is malachite. What is malachite? Malachite is a hydrocarbonate of copper, a mineral which occurs in nature. It is slightly soluble in alcohol. It has a green color. It is used as a denaturant of alcohol. This alcohol is used in the manufacture of cosmetics. How would you like to offer a cosmetic to a lady friend with which to paint herself green? [Laughter.] Then, too, it is used in the manufacture of hair restorers. Some fellows have stopped growing hair and they would like to start again. Suppose we start applying hair restorers in this House, and have the bald-headed fellows of this Congress traipsing around with green-painted heads? [Laughter.] Then he has another one, diethylphalate. That is a pretty big name, and perhaps I do not know what it is, but I think I do, and that is just as bad as the rest of them.

In the next bill he introduced he uses different kinds of material. This bill was introduced on January 22, four days after the first one. Let us see what kind of stuff he uses as a denaturant of the alcohol he is talking about so much. First, the essential oils; second, one-tenth of 1 per cent of turpentine.

Mr. SIROVICH. One-tenth of 1 per cent.

Mr. MENGES. Why, anybody can take that much turpentine without any ill effect. I know fellows who take that much every day. There is no trouble about that. That is not a denaturant. It can easily be removed. You all know that it can. Then he has oil of lavender.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MENGES. One-tenth of 1 per cent of turpentine, or pure lavendar oil, or oil of pine. We know what oil of pine is. Everybody who lives in the South knows what it is. It is the material which does not solidify in the distillation of resin. That is what it is. It is soluble in alcohol. But you can easily remove the alcohol from it. As I recall it, alcohol boils at 78.3° C. This oil of pine boils at from 200° to 220° C. (Sadler's Industrial Organic Chemistry, p. 129). In the removal of this substance distillation of the alcohol is the only thing necessary. The alcohol volatilizes at a much lower temperature than the oil and is removed from the oil of pine, and that is a mighty easy thing to do. I do not think it is safe for this Congress to adopt an amendment like this, which is written by a man who represents himself as knowing the denaturing business, when he offers stuff like this to denature alcohol. I do not think it is safe.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. MENGES. Yes.

Mr. DYER. Does the gentleman know what is the position of Doctor Doran, who is a high authority, on the question of wood alcohol in denaturing?

Mr. MENGES. I do not advocate its use. It is not used. The claim is made here that the alcohol that is used in the preparation of radiator alcohol is denatured with wood alcohol.

Mr. DYER. The gentleman understands, does he not, that this gentleman has opposed a substitute?

Mr. MENGES. He has a material now called aldehol, which is unobjectionable and which is a good denaturant for radiator purposes.

Mr. DYER. This proposition is intended to be adopted at the end of the next fiscal year. Does the gentleman think, from what he knows of the work of Doctor Doran, that that remedy will be found before that time and then there would be no necessity for using wood alcohol?

Mr. MENGES. I am inclined to think that is the case.

Mr. SIROVICH. Mr. Chairman, will the gentleman yield?

Mr. MENGES. Yes.

Mr. SIROVICH. Mr. MENGES contends that terpins, hydrocarbons, and essential oils can be removed from industrial alcohol. Let me quote from a letter which I received from one of the foremost authorities of our Nation, Roland L. Andreau, consulting and research chemical engineer for the great Du Pont interests and for Parke, Davis Co. He said:

> Most of the denaturants used by the Government at present are a joke. The bulk of the denatured alcohol sold to-day contains poisonous drugs which can be partly removed by the bootleggers. The worst part of it is that it is the deadly poison which remains in the recovered product. Methanol has no odor and no taste different from ethyl alcohol, but it causes paralysis of the optic nerve just the same. Brucine sulphate can be completely removed by distillation, but I have seen samples of beer "spiked" with brucine alcohol without previous redistillation. * * *
>
> Modern bootleggers are using 40-foot fractionation columns to recover radiator and other alcohols. Such a column will not remove a trace of terpene. I know, because I have designed and operated much taller columns during the war, when I was consulting chemist for the Du Pont Co., and made all the synthetic camphor used in this country when the importation of the natural product from Japan was cut off.
>
> We were redistilling several thousand gallons of alcohol every day that contained traces of isoborneol, and our apparatus were more efficient than any bootlegger outfit in use to-day; yet our distillate was always contaminated with terpenes and absolutely unfit for drinking purposes.
>
> If a 40-foot column can not separate a terpene, what of the small bootlegger who has no column at all, and there are 100 of these against 1 large outfit. They would be put out of business for good. I have explained these things in detail to the prohibition authorities; it is up to them to act.

So here is the ablest authority in the country who controverts what the gentleman from Pennsylvania says.

Mr. MENGES. I controvert his statement still. [Applause.] The chemists of the Treasury Department and the chemists of the State Department are just as capable of doing this work as any man who is engaged in the business of extracting the denaturant out of this alcohol and selling it. [Applause.]

Mr. SIROVICH. Mr. Chairman, will the gentleman yield for one more question?

Mr. MENGES. Yes.

Mr. SIROVICH. You made a statement before regarding pyrodine, malachite green, and other denaturing chemical materials.

Mr. MENGES. Yes.

Mr. SIROVICH. That is as unfair a statement as I have ever heard coming from anybody, because those chemicals enumerated in the bill, if applied to the industries, would never harm the industries.

Mr. MENGES. The gentleman is making a speech. I will answer his question.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. O'CONNOR of New York. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania may have one more minute.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MENGES. The gentleman from New York [Mr. SIROVICH] asked me a question. It is fair.

Mr. SIROVICH. Let me read it to you first.

Mr. MENGES. No. I stand by the statement I made. I made the statement that pyridine is bone oil; that it has a terrific odor; that it is never intended to be used in denaturing alcohol for industrial purposes, where odors are not wanted. I stated that malachite green is a salt of copper. It could easily be removed from the alcohol. I stand by that, and I defy anybody to controvert it. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. LaGUARDIA. Mr. Chairman, I ask for recognition on the pro forma amendment.

Mr. O'CONNOR of New York. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania may have one more minute.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. O'CONNOR]?

There was no objection.

Mr. O'CONNOR of New York. I want to clear up an impression that has been prevalent. Is it not a fact that the formulas which are now approved by the Government for use in denaturing alcohol are, in fact, poisonous and harmful to the human body?

Mr. MENGES. A few of them are; yes, sir.

Mr. O'CONNOR of New York. Would the gentleman say that most of them are?

Mr. MENGES. No; not most of them. There are 68 of them altogether.

Mr. O'CONNOR of New York. What proportion of those would be poisonous and deadly to human beings?

Mr. MENGES. I would say 10 per cent.

Mr. WOOD. Mr. Chairman, I move that all debate upon this amendment close in five minutes.

The CHAIRMAN. The gentleman from Indiana moves that all debate upon the amendment close in five minutes.

The motion was agreed to.

Mr. LaGUARDIA. Mr. Chairman, I ask for recognition.

The CHAIRMAN. The gentleman from New York [Mr. LaGUARDIA] is recognized for five minutes on the pro forma amendment.

Mr. LaGUARDIA. Mr. Chairman, the gentleman from Pennsylvania [Mr. MENGES] has made a very humorous statement. It would be humorous were it not for the fact that these very ingredients and the system that he is seeking to defend are costing human lives.

We were assured some four years ago that the department was making studies and research in order to avoid the use of deadly denaturants, and on that assurance many Members of the House went along with the department. Since then, however, there has been no improvement, and I state

now that the gentleman from Pennsylvania [Mr. MENGES] does not answer the question when he makes his humorous reference to cosmetics. He must know that there are formulas now in use that are not poisonous and not objectionable which are used for cosmetics. The amendment before the House refers only to deadly poisons used in denaturants. What the gentleman from New York [Mr. SIROVICH] is seeking is to use denaturants that are not deadly, in cases where deadly denaturants are now being used.

Mr. SIROVICH. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. SABATH. Mr. Speaker, I demand order.

The CHAIRMAN. Order has been demanded. The gentleman will proceed.

Mr. SIROVICH. Mr. Chairman, ladies, and gentlemen, the question of debate between Doctor MENGES and myself is, "Must alcohol used for industrial purposes be denatured with poisons to prevent public consumption?" Doctor MENGES says "yes." I say "no." I contend that we have enough drugs and chemicals that are not poisonous that can denature alcohol for industrial purposes efficiently, effectively, yes, permanently, far better than any poison that the Government directly uses to-day to indirectly murder some of its indiscreet and innocent citizens.

A denaturant to be acceptable to our Government must, I contend, comply with three distinct principles: First, it must give a warning by taste or odor of its presence. Second, it must be extremely difficult, if not impossible, to separate from the alcohol. And third, it must be of such nature that it will not interfere with industrial processes where alcohol is essential as a raw material, and to prevent its use as a beverage.

Have we such denaturants? In Collier's magazine on October 15, 1927, Major Mills, former prohibition administrator in New York, said:

> Investigation by the Prohibition Unit developed the suitability of certain complex oil compounds of an odorous and disagreeable nature, but of themselves nonpoisonous. These, when put in units of 100 gallons of ethyl alcohol, will not only remain with the alcohol under manipulative treatment but will so mar the concoction in which they may be employed that nobody can consume it unknowingly.

Dr. J. M. Doran, commissioner of industrial alcohol, on March 3, 1928, said:

> So far as prohibition is concerned, we consider oil compounds more effective as denaturants and less easy to remove. They are not considered toxic.

This shows, by two such noted authorities as Doctor Doran and Major Mills, that we have other drugs that can be used to denature alcohol that can not be removed and that will not poison those who use it.

My distinguished friend from Pennsylvania, Doctor MENGES, wants to know who uses pyridine to denature alcohol to-day. Let me tell him that Germany, France, and England do.

These great nations denature their alcohol, not with poisons, as the Government of the United States does. They use three drugs, pyridine, malachite green, and diethylphthalate. Germany uses pyridine. The very smell of this drug compels a person to throw away the alcohol as unfit for human consumption. Its odor is obnoxious and offensive to the sense of smell.

France and England use malachite green and diethylphthalate to denature their alcohol. Should any citizen accidentally drink alcohol denatured with malachite green or diethylphthalate, he will simply vomit up or eject from his stomach that alcohol. It never can harm any human being physically or mentally. These drugs are unpalatable and unpotable.

Our innocent and unsuspecting citizens would be safe if the Government of the United States would cease poisoning and denaturing its alcohol with all poisons that it now uses and instead use the drugs that England, Germany, and France utilize to denature their alcohol, and causes no discontent and dissatisfaction in these great nations of Europe.

It is true that these denaturants could be removed from alcohol by bootleggers, but the reason it is not done in England, France, and Germany is because they have beverage alcohol to take care of their gustatory joy. In America, however, if alcohol was denatured with essential oils, hydrocarbons, or turpines, no distillation could remove it, because it would require repeated manipulations, which would make it unprofitable for bootleggers to engage in.

Personally I am in favor of having each industry in the United States suggest to our Government the formula that is necessary for them to use to denature their own alcohol. Secondly, to industries that manufacture cologne and cosmetics, I would give pure alcohol with which to work and hold any industry legally responsible that would divert this pure alcohol into bootleg channels. For radiator alcohol, which consumes almost twenty-five to forty million gallons a year, I would eliminate wood alcohol from its midst because that is diverted into bootleg channels, which has caused more deaths and blindness and organic diseases than all the poisons that the Government uses in its formulas. In its stead I would use aldehol or essential oils, or hydrocarbons or pyridine that would make it impossible for any bootlegger to remove through distillation without the sense of smell giving immediate warning. The human stomach would revolt against its admission into the system without vomiting it up. I think it is eminently unfair for my distinguished colleague from Pennsylvania, Doctor MENGES, to have you believe that I would want the industries of our Nation to use malachite green, diethylphthalate, or pyridine in such industries that require no odor or coloring matter from its denaturant.

By removing these terrible poisons from the armamentarium of the Prohibition Department and substituting in its stead drugs that will denature alcohol permanently and effectively without poisoning its indiscreet citizens, America will have done justice to its industries and protect the life and health of its indiscreet citizens who in drinking alcohol might be guilty of a misdemeanor but should not be punishable by death. [Applause.]

The CHAIRMAN. The question is on the amendment.

The question was taken; and upon a division (demanded by Mr. LINTHICUM) there were—ayes 54 and noes 106.

So the amendment was rejected.

Mr. BOYLAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York [Mr. BOYLAN] offers an amendment, which the Clerk will report.

The Clerk read the amendment, as follows:

> Amendment offered by Mr. BOYLAN: On page 18, in line 12, after the word "such," strike out the word "supplies" and insert in lieu thereof the word "poisons."

Mr. BOYLAN. Mr. Chairman, ladies and gentlemen of the committee, of course this amendment would not have been necessary if the amendment offered by the gentleman from Maryland had prevailed, but inasmuch as that amendment was defeated I think we should not attempt to fool ourselves. Let us see exactly what we are incorporating in this appropriation bill. I have read the hearings very carefully and I have read the bill itself, but in no particular instance have I been able to find the word "poisons" used, and yet it is admitted here that poisons are being used and that the Government up to this time has been unable to find a denaturant that is not poisonous. So, inasmuch as you are going to be part and parcel in poisoning the people of the United States, let the bill say that that part of the appropriation is to be spent for the purchase of poisons to poison the citizens and inhabitants of our country. And a further classification should be made. Instead of putting the word "chemists" in the bill we should change the designation to that of "official executioners," because these chemists are official executioners, executing people through the use of their poisons. So, therefore, inasmuch as we admit that poisons are to be used, let the bill say that part of the appropriation is to be expended for the purchase of poisons and that we, the Congress of the United States, at least those voting for it, are part and parcel in the poisoning of our people, and that they also pay the salaries of the official executioners designated in the bill as chemists, to carry out this nefarious purpose. And, gentlemen, remember that by

your very vote on this bill you will make yourselves part of the instrumentality that will be the cause of many deaths throughout this land, until by the grace of Divine Providence an enlightened electorate will compel the repeal of and forever wipe from the statute books of our country this insidious legislation. [Applause.]

Mr. CLANCY. Mr. Chairman, several months ago when the bill to transfer the issuance of industrial-alcohol permits from the Treasury Department to the Justice Department was on the floor, I led the opposition to that bill and made several speeches against it. I gave the objections of some of the biggest industries in the United States and in the world, all of them honest and useful industries. They carried their protest to the President of the United States and to the Attorney General, and they said that they feared more persecution from the Justice Department than they received from the Treasury Department. If you will recall in that debate I gave the instance of the Henry Ford Hospital, asking for a little alcohol for a medical prescription for a man who was in great suffering and great agony, and that even under the present regulations they had to long distance Washington, they had to send telegrams and a personal representative to get enough alcohol for that prescription.

These great industries—the drug industry, the pharmaceutical industry, the automobile industry, the paint, oil, and varnish industries, and the toilet preparations industries—were assured that the Justice Department would treat them fairly. Congress adjourned in July. In August one of the first things that was proposed just before the primary was that the permit office in Detroit should be practically stripped and moved to Cincinnati. Now, these great industries, which lead the world and which are centered in Detroit, use far more alcohol than is used in Cincinnati. They use millions of gallons of alcohol. They are all honest and honorable.

I am referring to such industries as the great drug companies of Parke, Davis & Co., Frederick Stearns Co., and the Michigan Drug Co.; also the Ford Motor Co. and other automobile companies, and Berry Bros., the largest makers of varnishes in the world, and great paint companies, like the Acme Paint & White Lead Co. I immediately sent telegrams of protest to the President, the Attorney General, and the Treasury Department against taking away from them that utility and hampering their honest use of alcohol. I was assured from Washington just before the primary by Doctor Doran, of the Treasury Department, over his own signature, and by Carson Frailey, secretary of the American Drug Association, that the Detroit office would not be stripped because it would cause great delays in the issuance of this alcohol. Nevertheless, after the primary and after the election they did just that very thing.

Now, Mr. Chairman, Doctor Doran testified before the Appropriations Committee that the transfer from Treasury to Justice has cost an additional $455,000. Instead of this transfer being a matter of economy it has cost nearly half a million dollars extra. The argument was made that through the transfer of these offices, which formerly existed in the great alcohol-using centers, such as Detroit, economy was being achieved; but instead of that there is an increased expense of nearly a half million dollars. That kind of action is why the American Medical Association changed its attitude on prohibition, which it had formerly indorsed and which it now violently opposes. That is why some of these great millionaires and some of these industries which gave millions of dollars to put over the eighteenth amendment are now spending much money against it. They are doing it because it has been used as an instrument to persecute honest industry, honest American industry, which is having a life-and-death struggle in foreign and domestic commerce with the industries of other countries. The drug industry particularly is battling with Germany, France, Great Britain, and so forth, for the markets of the world, and they are being hampered by these insane restrictions. However, not a president of any one of those companies dares openly protest against the persecution. I have been asked not to give the names of protesters here because the prohibition people will persecute these men if they complain openly.

It was the definite understanding at the time that a part of the work of the prohibition division was transferred from the Treasury to the Justice Department that the permissive features of the act would continue to be handled here. It was somewhat of a jolt to learn that this activity had been taken away from Detroit and transferred to the smaller and, from an alcohol-consuming standpoint, less important city of Cincinnati.

The many large industries located in and near Detroit which necessarily use very large amounts of alcohol are inconvenienced and hampered in the proper conduct of their businesses due to the time lost unnecessarily in transmitting mail received here to Cincinnati and again from there to Washington. It is not conceivable that less than two days' time is lost each way, making a loss of at least four days that must occur in the case of every application, letter, or other inquiry that must go to Washington.

Because of the large number of alcohol-using industries in and near Detroit this city is the logical and proper location for the administrator's office. That must have been recognized early, else the Detroit office never would have been established.

The delay occasioned by the transmission of important papers from Detroit to Cincinnati and from there to Washington is a serious matter. Under existing rule, applications for permits are held for 10 days before they may be acted upon. Under the best of conditions it takes a long time to obtain a permit to use alcohol. An examination of a number of applications taken at random from our files shows an average time of 36 days between the date of application and the date the permit was received.

In many cases information has to be secured from the administrator's office. These questions are so involved that it is difficult to put the whole story in writing, whereas a complete understanding can be arrived at in a few minutes' conversation. A trip to Cincinnati is costly and time consuming and writing often unsatisfactory. The administrator's office should be returned to Detroit.

I now give letters and telegrams showing that the promises made, particularly before the primaries and election, were not kept.

DETROIT, MICH., *August 19, 1930.*

Dr. JAMES M. DORAN,
Prohibition Bureau, Treasury Department,
Washington, D. C.:

Detroit as center of drug industry is greatly excited and apprehensive over rumor that the Detroit industrial alcohol permit office is to be transferred to Cincinnati. Parke-Davis, largest drug firm in the world, and other large factories are protesting vigorously. Detroit Retail Druggists' Association protests. They are having enough trouble now getting legitimate alcohol permits without having to go to Cincinnati. Detroit is also center of other large, honest industries, such as automobile, paints, oils, varnish, and toilet preparations. They will also be handicapped in legitimate industry if transfer is made. Will you kindly telegraph me collect if there is any intention to deprive Detroit of its industrial alcohol permit office?

Congressman ROBERT H. CLANCY.

P. S.—I also sent practically the same telegram to Attorney General William D. Mitchell, President Herbert Hoover, and to Carson P. Frailey, secretary of the American Drug Manufacturers' Association.

WASHINGTON, D. C., *August 21, 1930.*

Hon. ROBERT H. CLANCY, M. C.,
Detroit, Mich.

DEAR MR. CLANCY: I have made arrangements whereby all withdrawal permits will continue to be handled directly in Detroit for the entire State of Michigan as heretofore. This will promptly take care of all current business. We are taking to headquarters office in Cincinnati only such material as is necessary to carry out the provisions of the reorganization act of July 1, 1930, which gives to the supervisory officer of the Department of Justice certain functions with respect to permissive administration.

I appreciate your statements with respect to importance of Detroit and State industries, and agree with you that their needs should be given prompt attention. I will keep in personal touch with the Detroit situation to the end that prompt and adequate service is available to professional and industrial interests.

Very sincerely yours,

J. M. DORAN,
Commissioner of Industrial Alcohol.

[Copy of letter received from Mr. Carson P. Frailey's secretary, American Drug Manufacturerr' Association, Albee Building, Washington, D. C., dated August 18, 1930]

Mr. HORACE W. BIGELOW,
General Attorney, Parke, Davis & Co., Detroit, Mich.

DEAR MR. BIGELOW: Immediately following our telephone conversation to-day I got Doctor Doran on the telephone and gave him your message.

He stated that all withdrawal permits will continue to be issued in Detroit the same as heretofore; that they are taking only that part of the office coming specifically under the Department of Justice to Cincinnati which, under the reorganization, they are compelled to do. Doctor Doran very particularly asked me to tell you that he would see that you got just as good service as ever in the Detroit office. I wired you at once as per copy herein inclosed.

Very truly yours,

C. R. SHERRICK,
Secretary to Mr. Carson P. Frailey.

WASHINGTON, D. C., *August 20, 1930.*

Congressman ROBERT H. CLANCY,
Detroit, Mich.:

Answering your telegram, Doctor Doran has assured us both Monday and to-day that our members will be given the same permit service as heretofore. Understand a force will be retained in Detroit to handle permit matters.

CARSON P. FRAILEY,
Secretary American Drug Manufacturers' Association.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. WOOD. Mr. Chairman, I move that all debate on this amendment do now close.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. CLANCY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CLANCY: On page 18, line 20, strike out "$4,814,420" and insert in lieu thereof "$4,358,911."

Mr. CLANCY. Mr. Chairman, the purpose of this amendment is to cut down this appropriation by the amount stated by Doctor Doran before the Committee on Appropriations as the increased cost of the transfer of alcohol permits from the Treasury to the Justice Department.

I have offered this amendment to get before the House and before the country the injustice which is being worked under this industrial alcohol permit system at present.

Industrial alcohol is one of the necessities of life. It happens that a few fanatics of this country—and this is not true in other countries of the world—say alcohol should not be used for any purpose, and if it is used the parties who use it must be punished. This is a temporary condition which is not going to continue in this country much longer.

I gave you the instance of the man who was in the Ford Hospital, suffering from a peculiar malady. He was in the greatest anguish and the only way to relieve him was with a medicinal prescription which involved the use of alcohol. I told you how a man had to go to the Treasury Department personally, after there had been long-distance telephone conversations and an exchange of telegrams, in order to get that much alcohol.

Now, these prohibitionists, when they put over the transfer, said, "We are just going to give you a few more big brothers to take care of your industrial alcohol permit business, and they will treat you in the same spirit as big brothers." This was false and has been proven to be false. After we adjourned in July, immediately they began to put through these restrictive measures. They stripped the office in a great American city using industrial alcohol in large quantities.

Is not the automobile business worth while? Is not the drug business and the medicinal business worth while? You would think so of the latter if you were taken sick. Are not paints worth while or oils or varnishes and even toilet preparations? They constitute an honest, legitimate industry and they employ millions of workingmen, and their products are necessities in our state of culture and civilization.

They got wind that this hardship was going to be put upon them and they brought the notice to me, and I protested to the President of the United States, to the Attorney General, and to Doctor Doran.

Let me say for Doctor Doran that I fully believe he is not a fanatic. He has been so long in association with these honest businesses that his heart bleeds for the persecutions which they have to suffer. He has been in protest against these terroristic and persecutional regulations and against this legislation. He said that the same system as heretofore would be continued in Detroit, and put that statement over his signature. The secretary of the association sent it to me in a wire and then in a letter, and I told these drug companies and these other companies that they need not fear any persecution.

I do not think Doctor Doran meant to falsify nor to deceive just before the primaries and elections, but certainly somebody deceived him at the Department of Justice, where many snoopers and the informers and the detectives are. By the way, in the Department of Justice bill next month you are going to be asked for another 104 snoopers and informers under this industrial alcohol permit system, and at the same time we say we are for economy.

They were stripping this Detroit permit office all the time, and this has caused delays of 30 days or more in getting necessary alcohol for necessary businesses dealing with products that we are selling in competition with other countries that do not have to suffer such hardships and restrictions.

The American people are angry about prohibition such as this, and I may say to you now that you should support this amendment as just one indication of the fact you do not approve this additional expense and this system.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. WOOD. Mr. Chairman, I move that all debate upon this amendment do now close.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. CLANCY].

The amendment was rejected.

Mr. SABATH. Mr. Chairman, I move to strike out the last word, and I do this only for the purpose of obtaining one minute's time to enlighten the House and the country as to the dangers in the use of these poisonous drugs in alcohol.

I ask unanimous consent that I may insert a statement from Prof. Reid Hunt, of the Harvard Medical School; statements from other recognized authorities on the subject; and also editorials.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The matter inserted is as follows:

[Reprinted from Industrial and Engineering Chemistry, vol. 17, No. 7, p. 763, July, 1925]

SYNTHETIC METHANOL IS POISONOUS

EDITOR OF INDUSTRIAL AND ENGINEERING CHEMISTRY:

I have performed a number of experiments upon animals with the German (synthetic) methanol which you sent me. The results were the same (qualitatively and quantitatively) as those obtained with pure methyl alcohol obtained from wood distillates. The synthetic methanol showed the same characteristic differences from ethyl alcohol: When the two alcohols were given in equal doses the animals receiving a single (large) dose of ethyl alcohol were more profoundly affected—showing a greater degree of incoordination and a greater depth of narcosis—than did those that had received the methanol. When, however, these doses were repeated a few times at 24-hour intervals the differences between the action of the two alcohols became very striking: The animals receiving the ethyl alcohol became less powerfully affected (tolerance), whereas those receiving the methanol became more deeply poisoned with each dose (cumulative action). Thus after the third or fourth administration of a comparatively large dose of methanol the animals passed into a state of coma, in which they died, whereas similar doses of ethyl alcohol had a progressively less effect and could apparently be continued indefinitely without obvious harm.

Although the lower animals can tolerate somewhat larger single doses of methyl than of ethyl alcohol, it is known that this is not true of man; the more highly developed nervous system of man is more seriously affected by methyl alcohol than is that of the lower

animals, and permanent blindness has often been reported from single, sometimes small, doses of methyl alcohol, whereas such results are unknown in the case of ethyl alcohol.

I did not perform experiments to determine the effect of the synthetic methanol upon the eyes of the lower animals. Such experiments seemed unnecessary, for it was shown years ago that it is the methyl alcohol in wood alcohol which causes the injuries to the eye, and since synthetic methanol is simply methyl alcohol and has the characteristic physiological action of the latter, there is no reason to suppose that it would spare the eye.

It can confidently be predicted that the use of the synthetic methanol as a beverage or as an adulterant will be followed by the same disastrous effects to life and vision as have characterized such uses of wood alcohol. Those who are circulating the report that the synthetic methanol is not poisonous are not only stating an untruth but are assuming a grave responsibility, for death or blindness will inevitably be the fate of a number of those who may be misled by such statements and attempt to use synthetic methanol as a beverage.

REID HUNT.

HARVARD MEDICAL SCHOOL,
Boston, Mass., June 8, 1925.

[From the Washington Post, Sunday, June 22, 1930]

DEADLY METHANOL

Between May 5 and June 13 Dr. Charles Norris, chief medical examiner of New York City, found that out of 37 deaths from acute alcoholism 30 were due to methanol. No ethyl or "pure grain" alcohol was discovered.

Doctor Doran, Prohibition Commissioner, recently called into conference officials of the Public Health Service, the Bureau of Standards, the Department of Labor, and the food and drug administration of the Department of Agriculture to consider means for meeting the situation that has arisen as a result of the widespread use of methanol. The Government has no power to regulate or control the manufacture and sale of wood alcohol, scientifically described as methyl alcohol, or synthetic methanol, which is practically wood alcohol under another name. First made in Germany, methanol within the last year has found its way into the American market in enormous quantities. Methanol is distilled from gases and can be more cheaply produced than the product of wood and sawdust distillation. Being without the odor of the latter, it is far more dangerous than wood alcohol, and its cheapness makes it attractive to bootleggers.

Doctor Doran's conference is understood to have decided to formulate a bill to be introduced in Congress, probably next December, which will place all alcoholic productions under Federal control. It is likely that the State legislatures, which have not yet considered the necessity for regulating the production and use of methanol and wood alcohol, will follow the lead of the Federal movement.

Synthetic methanol is used in the manufacture of paints, varnishes, antifreeze solutions, cosmetics, etc., and the problem before Congress will be how to keep methanol in industry and out of liquor.

[Reprinted from Washington Star, June 20, 1930]

METHANOL GUARD IS SOUGHT BY UNITED STATES—TASTELESS WOOD ALCOHOL SPREADS POISONING IN BOOTLEG MIXTURES

Alarmed by a widespread poisoning resulting from bootleg mixtures containing synthetic methanol, a kind of tasteless wood alcohol, over which the Federal Government has no control, a group of scientists from several branches of the Government started a fact-finding movement to-day with a view to determine the situation and what might be done to protect the public health.

While the conference was held in the office of Dr. James M. Doran, Prohibition Commissioner, Doctor Doran explained afterwards that it was not a prohibition question but a public-health question.

The conference called upon Dr. Hugh S. Cumming, Surgeon General of the United States Public Health Service, for a more extensive report than was available to-day.

"We want to reduce the hazards to the public health due to the use of this synthetic methanol," said Doctor Doran, "and at the present time we are laying the groundwork for a survey to get at all the facts possible. Several Government departments already have very helpful information, and we expect to go into the matter seriously to see what can be done."

[Reprinted from the Washington Post, Saturday, November 22, 1930]

DEADLY WOOD ALCOHOL

The menace of wood alcohol is attracting the attention of health authorities in all sections of the country at the season when the motorist is preparing his radiator against freezing weather. That this poison is as dangerous to human life when inhaled in the form of gaseous fumes or absorbed through the pores of the skin as it is when taken as a beverage seems to be recognized by health authorities everywhere. The latest warning is from the pen of Dr. Morris Fishbein, editor of the Journal of the American Medical Association, in an article in the Scientific American:

"If this substance (wood alcohol) is to be used as an antifreeze mixture in the coming winter, employees of garages who will inhale large amounts of it from overheated radiators are likely to suffer serious injury as a result.

Cases have already been reported in which women and children, who have used quick-drying shellac or varnishes made with methanol in closed rooms, have suffered harm as a result. In the great spray process used in automobile factories the spraying is done under hoods and employees wear masks so that they are protected against the hazards. As is usual in modern industries, the name of the product has been concealed by the bestowing of fanciful names and the average person does not recognize, under the fanciful title, the old, old hazardous wood alcohol.

The Wisconsin State Board of Health has issued a similar warning, in the form of a poster which has been distributed throughout that State, in which it is pointed out that "the toxic dose is not large and is easily reached even when the amount absorbed daily is too small to induce a noticeable initial toxic effect. Methyl alcohol boils at 150.8° F., a moderate engine temperature, and therefore vaporizes readily in automobile radiators."

The industrial alcohol division of the Treasury Department should be given control over the making and distribution of wood alcohol for the protection of the public.

[Reprinted from Evening Public Ledger, Philadelphia, Saturday, June 21, 1930]

ETHYL AND METHYL

An epidemic of wood-alcohol poisoning has broken out again in New York, finding most of its victims in the Bowery district, but spreading somewhat into other levels of society. These 30 or more cases are poisonings, of course, but it is inaccurate to blame them on what is usually called "poison liquor." This unsavory product of an illegal traffic is usually good alcohol or grain alcohol gone wrong. It may merely be raw liquor or it may be spoiled with denaturants which are not sufficiently removed to make the result safe for drinking.

But wood alcohol is a real poison and was just as deadly before prohibition as it is now. Thirty-eight persons died from drinking it in New York in 1919, a year before national prohibition. Wood-alcohol poisonings are on the record far back into history; they happen to-day in England and elsewhere where good alcohol is presumably plentiful.

Wood or methyl alcohol is cheap and common; we use it in automobile radiators and around the house in cleaning fluids, paints, insect sprays, and beauty lotions. If we drink even a few ounces of it, we die.

The wood-alcohol poisonings in New York are related to prohibition only to the extent that methyl alcohol is sometimes passed off as ethyl alcohol by bootleggers. It is a fearful thing to do and more basely criminal than any other variety of the illegal traffic. Those who sell the stuff are murderers and deserve a murderer's fate. To say that their victims are stupid to buy from them does not in the least excuse a traffic in poison, nor does the fact that most of the sufferers are poor people who must buy cheap stimulants or none at all.

These poisoners of the public must be apprehended and punished. It will be easier to do so if every death from wood alcohol is considered apart from the confusion of prohibition and its enforcement. There is considerable doubt whether ethyl alcohol is a poison and just what degree of moral turpitude is involved in supplying it to the thirsty customer. But there is no doubt whatever about methyl alcohol.

[From the Automotive Daily News, Saturday, August 2, 1930]

METHANOL

Recent developments in the production of wood alcohol seem likely to place this product on a commercial basis where it will compete with ethyl alcohol as an antifreeze agent. In this fact there lies a danger for dealers, service-station operators, and their employees.

Reports from reliable chemists indicate that wood alcohol or synthetic methanol are dangerous, not only when they are used as beverages but even when the fumes are inhaled or the liquids are permitted to come in frequent contact with the skin. In the case of a garage employee who fills the radiator with wood alcohol or methanol, the evaporation that takes place produces a cloud of steam which arises in the face of the attendant. The body absorbs a certain quantity of methanol through the lungs. Now, the effect of wood alcohol on the human system is cumulative—that is, the poison is retained instead of being cast out by the system, and, when a sufficient quantity has been absorbed, poisoning results.

The alcohol hitherto used for antifreeze is what is known as ethyl. This is simply grain alcohol denatured by Federal formula to make it unfit for beverage purposes. Even the denaturants do not make it deadly and it has none of the effect on the human system that wood alcohol has.

It would seem that dealers, service-station operators, garage men, and all others who are called upon to supply antifreeze solutions to motorists will have to exercise the utmost care in the alcohols used for this purpose.

[From Chicago's Health, August 19, 1930]

WOOD-ALCOHOL POISONING

A more abundant supply of wood alcohol is available as the result of improved methods of manufacture, and there will be a

greater use of this product in the future. If due care is not exercised in its labeling and use, dangerous poisonings will occur.

The history of methanol (methyl or wood alcohol) poisoning has conclusively demonstrated the following facts:

First. Wood alcohol or methanol is poisonous when swallowed, inhaled, or absorbed through the skin.

Second. While the toxic dose has not been accurately determined it is known that an exceedingly small amount of wood alcohol will produce poisonous symptoms in many individuals.

Third. It makes little or no difference whether methanol enters the body through the mouth, the lungs, or the skin.

Fourth. The toxicity is due to the methanol itself, and not to impurities. The purer it is, the greater is the danger.

Fifth. Synthetic and natural methanol, having the same chemical formula, have precisely the same effect on the human system.

Sixth. The number of cases of methanol poisoning has consistently fluctuated with the amount of methanol available to the general public.

Seventh. It may be confidently expected that an increased distribution of methanol for general solvent and antifreeze purposes will bring with it an increased amount of poisoning.

Eighth. The addition of pyridine bases to all methanol to be used as antifreeze mixtures will lessen the number of cases of wood-alcohol poisoning.

GREATER USE PREDICTED

Just now synthetic methanol is being widely advertised as a substitute for denatured alcohol in automobile radiators. Immense quantities will be placed in the hands of irresponsible employees; some of this will no doubt be diverted to beverage use. Storage and service garages will be filled with methanol fumes when large numbers of hot engines, surrounded by a methanol mixture, are brought in in the late afternoon. The filling-station attendant on a frosty morning will be treated to many whiffs of the vapor when he takes off the radiator cap; he will beyond doubt spill quantities on his hands and clothes, and possibly transfer a portion to his face. It will naturally be out of the question for him to knock off work and clean up. It is highly important for all physicians to be on the alert for this new danger, and be prepared to warn the victim before it is too late.

SYMPTOMS OF POISONING

In case of poisoning with wood alcohol there is a period of depression, weakness, and headache, nausea, excruciating pains in the epigastric region, dyspnea and cyanosis, delirium or stupor, from which the patient is aroused by pain and vomiting, cold sweats, subnormal temperature, dilated pupils not reacting to light. There may be convulsions just before death. Death usually occurs from a failure of respiration.

The symptom which aroused interest in the numerous cases occurring in 1904 was the blindness. Blindness has occurred in a large percentage of the severe cases; it is bilateral, and may set in in a few hours after taking the wood alcohol or it may be delayed for several days. The blindness is due to the atrophy of the optic nerve. The diagnosis is based upon the above symptoms and the presence of formates in the urine. Wood alcohol may be found unchanged in the urine.

The fatal dose varies with different individuals; one ounce has caused death. Death may be caused by inhaling the fumes. The fatal period may be from 1 hour to 36 hours.

It is known that poisoning is caused by several hours' exposure to a concentration of 0.2 per cent of methanol vapor in air. As little as 100 parts per million by volume in the air will in time produce symptoms of poisoning.

The theory that the toxicity of wood alcohol is due to impurities rather than to the alcohol itself was definitely disproven by the work of Reid Hunt in 1902, at that time in Johns Hopkins, now professor of pharmacology and toxicology at Harvard Medical School.

WARNING

Methyl or wood alcohol frequently sold under the following names: Methanol, wood spirit, wood naphtha, methyl hydroxide, methyl hydrate, columbian spirits, acetone alcohol, colonial spirits, standard wood spirits, greenwood spirits.

Exercise care in the use of this product as an antifreeze mixture or otherwise.

It is poisonous when swallowed, inhaled, or absorbed through the skin.

Authorities advise that it is a cumulative poison. Frequent repeated small doses induce blindness and larger doses, whether by stomach or lungs, may cause death.

The toxic dose is not large and is easily reached, even when amount absorbed daily is too small to induce a noticeable initial effect.

Methyl alcohol boils at 150.8° F., a moderate engine temperature, and therefore vaporizes readily in automobile radiators.

Garage employees and automobile owners should be particularly careful in the use of this product.

Containers should be labeled "Poison" and users instructed as to its hazards.

WISCONSIN STATE BOARD OF HEALTH.
INDUSTRIAL COMMISSION OF WISCONSIN.

OCTOBER, 1930.

The Clerk read as follows:

BUREAU OF NARCOTICS

Salaries and expenses: For expenses to enforce the act of December 17, 1914 (U. S. C., title 26, sec. 211), as amended by the revenue act of 1918 (U. S. C., title 26, secs. 691–708), the act approved February 9, 1909, as amended by the act of May 26, 1922 (U. S. C., title 21, secs. 171–184), known as the narcotic drugs import and export act, pursuant to the act of March 3, 1927, (U. S. C., Supp. III, title 5, secs. 281–281e), and the act of June 14, 1930 (46 Stat., pp. 585–587), including the employment of executive officers, attorneys, agents, inspectors, chemists, supervisors, clerks, messengers, and other necessary employees in the field and in the Bureau of Narcotics in the District of Columbia, to be appointed as authorized by law; the securing of evidence of violations of the acts; the costs of chemical analyses made by others than employees of the United States; the purchase of such supplies, equipment, mechanical devices, books, and such other expenditures as may be necessary in the several field offices; cost incurred by officers and employees of the Bureau of Narcotics in the seizure, storage, and disposition of property under the internal revenue laws when the same is disposed of under section 3460, Revised Statutes (U. S. C., title 26, sec. 1193); hire, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary; and for rental of necessary quarters; in all, $1,708,528, of which amount not to exceed $211,620 may be expended for personal services in the District of Columbia: *Provided*, That the Secretary of the Treasury may authorize the use, by narcotic agents, of motor vehicles confiscated under the provisions of the act of March 3, 1925 (U. S. C., title 27, sec. 43), as amended, and to pay the cost of acquisition, maintenance, repair, and operation thereof: *Provided further*, That not exceeding $10,000 may be expended for the collection and dissemination of information and appeal for law observance and law enforcement, including cost of printing, purchase of newspapers, and other necessary expenses in connection therewith: *Provided further*, That moneys expended from this appropriation for the purchase of narcotics and subsequently recovered shall be deposited in the Treasury to the credit of the appropriation for enforcement of the narcotic acts current at the time of the deposit.

Mr. BLANTON. Mr. Chairman, I make the point of order against the language beginning on line 18, page 20, to the end of line 23, at the end of the proviso, it being legislation unauthorized on an appropriation bill.

Mr. WOOD. Mr. Chairman, this is exactly like the point of order made to a preceding paragraph when prohibition was transferred to the Department of Justice. I concede that it is subject to a point of order.

The CHAIRMAN. The gentleman from Texas [Mr. BLANTON] makes the point of order against this provision and the gentleman from Indiana concedes the point of order. Therefore the Chair sustains the point of order.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Page 20, line 11, strike out the figures "$1,708,528" and insert in lieu thereof "$1,719,688."

Mr. LAGUARDIA. Mr. Chairman, this is the amount which was contained in the estimate of the Bureau of the Budget and requested by the Bureau of Narcotics. Since the organization of this bureau we have had some very satisfactory results. The bureau is headed by a most efficient commissioner who is building a real service of competent men. Only recently a source of importation of large quantities of narcotics was discovered in New York, and some 19 or 20 persons are now under indictment.

It is discouraging to men who do this work to find that they are hampered from completing a good lead for lack of funds. I ask unanimous consent that the Clerk may read a presentment by the grand jury for the southern district of New York to the Secretary of the Treasury, indicating that one of the most important cases discovered of unlawful importation of narcotics could not be fully completed by reason of lack of funds.

Mr. STAFFORD. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. STAFFORD. Is the gentleman aware that this is an increase of $47,268 over the current appropriation, and $11,160 under the Budget estimate?

Mr. LAGUARDIA. I understand that. The bureau is rendering splendid services and is fighting one of the greatest evils on earth.

Mr. STAFFORD. The Committee on Appropriations is following a consistent policy by declining to increase salaries

in all the bureaus. Why should we follow a different policy for the city of New York?

Mr. LAGUARDIA. I know that such policy is not going to be sustained, and if the gentleman will wait until we get to section 4, he will find that out.

The CHAIRMAN. Without objection, the Clerk will read the statement requested by the gentleman from New York.

The Clerk read as follows:

HON. ANDREW MELLON,
Secretary of the Treasury of the United States:

The Federal grand jury for the southern district of New York, November, 1930, term, morning session, respectfully states:

During the past two weeks it has heard the testimony of Narcotic Agent Arnold C. Lachenauer in 17 narcotic cases, and has returned indictments against 31 defendants comprising a narcotic ring which operated on a large scale in the city of New York.

The grand jury highly commends Narcotic Agent Arnold C. Lachenauer, who played the leading part in the making of these cases, for the courage, persistence, and intelligence which he displayed. It also commends Maj. Joseph A. Manning, narcotic agent in charge, for his able guidance of the investigations; and Assistant United States Attorney John A. Wilson, in charge of prosecution, for his competent presentation of the evidence. The grand jury hopes and recommends that the Government will substantially reward the efforts of Agent Lachenauer.

The grand jury has been advised by Maj. Joseph A. Manning that a shortage of Government funds available for expenditure in the making of narcotic cases made it necessary to terminate the work of Agent Lachenauer in this case before the maximum results had been achieved. This we regret, and we urge that every effort be made to secure appropriations which will make possible a more extensive and effective warfare against the narcotic evil.

Respectfully submitted.

LEO LEWINSON, *Foreman.*
WILLIAM R. SAMPLE, *Secretary.*

Mr. BLACK. Mr. Chairman, I would like to support this amendment.

The CHAIRMAN. The gentleman from New York [Mr. BLACK] is recognized for five minutes.

Mr. BLACK. Mr. Chairman and gentlemen of the committee, a great many Members of the House come from districts where you see little of the ravages of narcotic peddling. It has been a tremendous problem to us in New York for a great period of time. A grand jury devoted some months last year to the investigation of the entire situation, and on its report there was created a new bureau. I have personally talked with a great number of narcotic agents in New York. I think that most of these men are filled with enthusiasm in stamping out this evil. But the enemy is wealthy. There is not a better financed mob of racketeers in this country than those who peddle narcotics. There are none more subtle, more wily, none harder to confront than the men who are peddling narcotics.

The men representing the Government in this fight should have every financial help of the Congress. It is no easy work. Now and then they are able to get some small fry. These smaller peddlers, these lesser agents, are not as much afraid of the Government as they are afraid of the heads of the racket. The Government can send them to jail for a few years. The heads of the racket can have them killed immediately. Running down the narcotic evil presents a far greater difficulty than any other crime. The illicit use of narcotics is a great contributing force to the violence that we see all over the country to-day. Take the narcotics away from the criminals, and you will not have the banditry to one-fourth the extent that it exists to-day. The hired assassins are all doped before they go out to work. Deprive them of their dope and they will think twice before they will go into the highways to kill officers of the law and citizens. I believe this new Narcotic Bureau means business, that it is going into this fight with a purpose. It is the greatest fight that the Government has on its hands, and I believe that the Congress should get back of it and do all it can in the way of providing funds in order to end this evil. I believe the House at this time should accept the amendment offered by the gentleman from New York.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. CONNERY) there were—ayes 24, noes 66.

So the amendment was rejected.

The Clerk read as follows:

Additional vessels: For additional seaplanes and their equipment, including spare parts and accessories, to cost not to exceed $160,000; for additional patrol boats and their equipment, to be constructed or purchased in the discretion of the Secretary of the Treasury, $440,000; in all, $600,000, to remain available until expended.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read. What authority of law is there for providing these additional seaplanes and patrol boats for which a total appropriation of $600,000 is asked?

Mr. WOOD. There was general authority for this on the naval bill a number of years ago.

Mr. STAFFORD. I would like to have the gentleman cite the authority. In prior paragraphs for authorization of new vessels the authority is cited. Here you give them blanket authority to expend $600,000 for additional patrol boats and seaplanes. Where is the authority of law for that?

Mr. WOOD. I can find it for the gentleman if he wants. A number of years ago there was an authorization for the establishment of 10 naval air stations for the Coast Guard. It is under that authorization that this appropriation is made.

Mr. STAFFORD. Can the gentleman inform the committee the aggregate amount that has been expended for seaplanes and patrol boats for the enforcement of the eighteenth amendment under the Coast Guard?

Mr. WOOD. You can not tell exactly. They use these planes not only for the purpose of discovering people who are violating the eighteenth amendment but they also use them to discover smugglers.

Mr. STAFFORD. Does the gentleman know of one instance in the Government where any money was voted for the Coast Guard or its predecessor for seaplanes and patrol boats for smuggling purposes prior to the enactment of the Volstead Act?

Mr. WOOD. The fact of the matter is that we were not dealing in airplanes very much before that time.

Mr. STAFFORD. If I know anything about the Coast Guard Service, and I have seen the service operating on the river between the borders at Detroit and also at Atlantic City, these seaplanes are used primarily to prevent smuggling of wet goods.

Mr. WOOD. That may be true.

Mr. STAFFORD. How much has the Government appropriated for this purpose to the Coast Guard?

Mr. WOOD. I can tell the gentleman how much we have appropriated for the Coast Guard, but I can not tell him how much we have appropriated for the purpose of ferreting out those who are violating the eighteenth amendment, because these boats and seaplanes are not used solely for that purpose. They are used also for the purpose of discovering vessels in distress. If the gentleman will read the hearings, the testimony of Admiral Billard, he will find an excellent statement with reference to the various services they are used for. It is a mistaken idea to think that they are used solely for ferreting out violators of the eighteenth amendment.

Mr. STAFFORD. While I have the floor let me inquire about the next paragraph. What is the occasion for the appropriation of $2,300,000, a very large amount, for repairs to Coast Guard vessels and boats?

Mr. WOOD. We have been increasing this fleet. They have a very large fleet of hundreds of boats, and a great many of these vessels are getting old. Some of them are nearly obsolete. Admiral Billard at great length has given us a detail of the repairs and the amount that is going to be used for repairs.

Mr. STAFFORD. Mr. Chairman, with the statement made by the chairman that there is authority for these expenditures, I withdraw the reservation of the point of order.

The Clerk read as follows:

Total, Coast Guard, exclusive of commandant's office, $32,522,922.

Mr. O'CONNOR of New York. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. O'CONNOR of New York: Page 25, line 22, after the figures "$32,522,922," insert "No part of any money appropriated by this or any other act shall be used, directly or indirectly, to defray any cost or expense in enforcing or attempting to enforce the national prohibition act."

Mr. WOOD. Mr. Chairman, I make a point of order against that on the ground that it is legislation on an appropriation bill.

The CHAIRMAN. The gentleman from Indiana makes a point of order on the amendment.

Mr. BLANTON. Mr. Chairman, I wish to make a further point of order on that.

Mr. O'CONNOR of New York. Mr. Chairman, I do not think there is any necessity of arguing the point of order. It is a limitation on the use of the money. As to the words, "Any other act," I call attention to the fact that in this bill itself, at the top of page 7, it provides—

No part of the money appropriated by this or any other act shall be used during the fiscal year 1932 for the purchase of any standard typewriting machines—

And so forth.

Mr. LAGUARDIA. That is out of order.

Mr. O'CONNOR of New York. Well, if that language should be out of order, I will withdraw that part of my amendment referring to "any other act," and offer it without the words "or any other act."

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again read.

Mr. BLANTON. Mr. Chairman, I make a point of order that the amendment is not germane to this bill or to any paragraph in the bill, or to the particular paragraph to which it is offered.

Mr. O'CONNOR of New York. Mr. Chairman, the hearings demonstrate by the testimony of the Undersecretary of the Treasury that $16,000,000 of the total of $32,000,000 appropriated for the Coast Guard will be used to enforce the prohibition act.

Mr. BLANTON. But there is nothing in the bill referring to the prohibition act.

Mr. STAFFORD. There is no question, in my judgment, concerning the propriety of offering the amendment in a certain place. You have already read the paragraphs relating to the enforcement of the prohibition act or the work of the Coast Guard Service. Here is the appropriate place, if this omnibus amendment is going to be considered at all. So far as the question of germaneness is concerned, that question must be eliminated for the time being.

As to a limitation, it has been held innumerable times that we can refuse to appropriate any money for any purpose. Congress has that right. The decisions of chairmen who have lately presided over this Chamber have been to the effect that such an amendment is in the nature of a limitation.

Mr. O'CONNOR of New York. I call attention also to the language on page 21, line 17. It refers to the "authorized work" of the Coast Guard. Later there is a reference to the seizure of vessels. Of course that authority comes under their work in the enforcement of the prohibition laws and the seizure of vessels thereunder. The fact that the enforcement of the prohibition law is not mentioned or referred to in the text of the bill is, to my mind, trivial and not sufficient to sustain the point of order.

The CHAIRMAN. The amendment offered by the gentleman from New York provides—

That no part of any money authorized by this act shall be directly or indirectly used to defray any cost or expense in enforcing or attempting to enforce the national prohibition act.

And the amendment is offered at the end of the section providing appropriations for the Coast Guard. This proposed amendment attempts to limit all appropriations carried in the entire bill the purpose of which are to enforce the national prohibition act. The amendment is offered to the section making appropriation for the Coast Guard only. In the opinion of the Chair, the amendment is not germane at this place, and the point of order is sustained.

Mr. O'CONNOR of New York. My amendment follows the item for the Coast Guard, and it is made a part of the paragraph containing the total amount appropriated for the Coast Guard.

The CHAIRMAN. If the Chair was offering the amendment, he would offer it as a new section at the end of the bill or eliminate the part referring to appropriations other than those providing for the Coast Guard.

Mr. O'CONNOR of New York. Then, Mr. Chairman, I shall amend my amendment by saying "appropriation for the Coast Guard."

The CHAIRMAN. The gentleman offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR of New York: On page 25, line 22, after the figures "$32,522,922," insert "No part of any money appropriated in this act for the Coast Guard shall be used directly or indirectly to defray any cost or expense in enforcing or attempting to enforce the national prohibition act."

The CHAIRMAN. The gentleman from New York is recognized on his amendment.

Mr. O'CONNOR of New York. Mr. Chairman, ladies and gentlemen of the committee, I realize the futility of passing my amendment at this particular session of Congress. I, for one, have consistently for four or five years refused to vote for any appropriation to enforce the prohibition law, and I can stand up and defend myself against any accusation of being a nullifier. I have no compunctions about it. I still believe my position to be entirely consistent with my oath of office.

I believe the time is not far off, however, when there will be 218 Members elected to this House who are opposed to prohibition. I believe, as shown by the referenda in at least six States in the last election and as shown by the course of events in the last several years, that the people of this country, by at least 3 to 1, do not want the prohibition law enforced, as they do not want many other laws enforced which are still on our statute books and are not enforced. I believe no one in public life need hide his head when he conscientiously states he will not appropriate one penny to enforce a law that in the first instance is not enforceable, causing such an appropriation to be a waste of public funds, and which in the second instance the people of his country do not want enforced.

I am proud, and I have been for years, of the position I have taken on this question. My reply to anybody who utters the old bromide, "Well, it is the law, and while it is the law it should be enforced," that such a slogan is "claptrap," whether it is uttered by a Democrat or a Republican, a constable, or a President. No one of them can mean it in their hearts, because if they were to carry such a position to a logical conclusion every man in this body and nearly every person in this country would become an informer. If I or you saw a man committing a burglary, it would make no difference who he was—he might be a friend—we would inform on him. We sincerely want that law enforced. But if we see, as we do every day, a man—a friend—transporting or buying or giving away or dispensing, or even manufacturing liquor, we will not inform on him. The "driest" man in the House would not become such an informer. Therefore, ladies and gentlemen, you do not sincerely want the prohibition law enforced. The people of this country do not want that law enforced as they want other laws of the Nation enforced. Let us be frank about it.

Nullifiers? Why, some of the best-known laws in this country have been nullified and the people have not held their heads in shame at their action. Nor do I to-day. We will solve the prohibition question, and soon. In my humble opinion we will not have to wait for the cumbersome mechanics of repealing the eighteenth amendment. As soon as the tidal wave of popular opinion opposed to prohibition shall reach the top, this Government will refuse to waste

the people's money in an idle gesture trying to enforce the law.

Mr. CLANCY. Mr. Chairman, I move to strike out the last word.

I wish to call attention to a few items with reference to the Coast Guard, which I realize can not be changed in this House, but which I hope will be changed in the Senate.

The committee resisted the very earnest and emphatic demands of the head of the Coast Guard, Admiral Billard, that two life-saving stations be placed at strategic points for the sake of humanity and for the sake of commerce, and the committee refused to give the amounts requested. One was at Grand Island, Mich., where men, women, and children are lost, where great boats go down, where life-saving crews have to travel 70 miles, which they can not very well do in the terrific storms which occur there. More traffic, probably, passes that point than passes through the Panama Canal or probably through the Suez and Panama Canals combined.

The head of the Coast Guard asked for that station in the interest of humanity and commerce. He begged for a station on the Pacific Coast at Port Orford, Oreg., which is midway between Portland, Oreg., and San Francisco, and where a great many ships go down. At that point the life-saving crews have to travel 200 miles in a particularly tempestuous ocean. But in this same Coast Guard appropriation bill they give $10,000 additional to these Coast Guard men, a good many of whom are crooks, for their recreation, for their amusement, for their comfort, for their contentment, and for their health. What was that $10,000 increase for? The boys are not amused with the moving pictures which they have now. They must have the new, up-to-date sound moving pictures, and that is the extra cost. Their recreation item is boosted from $30,000 to $40,000.

Those are the same lads that turned machine guns on three young fellows who had surrendered on the Massachusetts coast and riddled them with bullets. Those are some of the lads that steal cargoes of liquor and sell them to whoever they can. Those are some of the lads who take graft and persecute those who will not pay them graft. The Coast Guard at one time was an ancient, honorable service in the United States, and it occupied a place of honor in the great patriotic Bunker Hill parade in Boston each year. But prohibition has tainted them and the people of Boston are so incensed to-day against this crooked Coast Guard that they have driven them out of that parade, and there would be a riot if they attempted to march in the parade. Not only that, the people of Boston demolished the Coast Guard recruiting station in Boston. We have the same opinion of them in Detroit, and others have the same opinion of them wherever they are working on prohibition enforcement.

The committee refused $143,000 for two life-saving stations to save millions of dollars of ships, save probably hundreds of millions of dollars of cargo, and save precious lives, but here is an item of $440,000 for new ships, patrol boats. After Canada closed the border to their liquor exports, at Detroit alone, the Coast Guard sent 120 men and several boats, which are useless, because there is a modicum of liquor caught, and they are used as agencies for carrying liquor. I know that is true. Prohibition boats carry liquor there. They solicit cargoes, and they are put there to corrupt our people, and now the prohibitionists want $440,000 more for Coast Guard boats and for men. Those extra men and extra boats can all be transferred off the Great Lakes to any other place.

On the Great Lakes navigation is closed four months of the year by the ice. Why not transfer them? You say there is no money for humanity, no money for the women and children who are going down in an icy sea, no money for these two stations, but unlimited funds for prohibition.

That is what the people of the United States are angry about. That is what they are rebelling about. Millions for the persecution of American citizens but very little for the development of life saving or for humanity or for the protection of commerce.

I hope the Senate will correct this bill and, in particular, insert the items for the Grand Island and Port Orford life-saving stations.

I am certain that my colleague from Michigan [Mr. BOHN] would fight hard for this Grand Island station if he were here. He is attending the funeral of his father. He did fight hard for the past year for this station. Grand Island is near Munising, Mich., in his congressional district.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. BLANTON. Mr. Chairman, I rise in opposition to the amendment of the gentleman from New York. With all the fuss that is being made in the newspapers and from time to time on the floor of the House, there can not be mustered in this House, in my judgment, as many as 75 votes against the prohibition law. [Applause.]

Mr. CULLEN. Will the gentleman yield?

Mr. BLANTON. Certainly.

Mr. CULLEN. Of course, the gentleman will admit that in the next Congress we may have 175 votes.

Mr. BLANTON. No; that will not be the situation. In the next Congress, with all the fuss the wets will make there and with all the turnover, I want to suggest to my friend now that he will not be able, with the help of the gentleman from Maryland [Mr. LINTHICUM], who is the leader of the wets here, and all of the wet gentlemen from New York, to muster as many as 100 votes to in any way change that law. [Applause.]

Mr. CULLEN. Will the gentleman yield again?

Mr. BLANTON. Certainly.

Mr. CULLEN. There will be other States which will join with New York.

Mr. BLANTON. Oh, yes. There is always lots of fuss about repealing and changing, and lots of noise about it, but when the time to vote comes you will find that the men from the various States of this country are going to back the people of the United States who stand for this law. [Applause.]

It took years to pass this amendment. It was not the result of the war. It took 50 years for the sane people of the country to pass the eighteenth amendment and put it in the Constitution of the United States, and it is going to take 50 years more for it to be taken out of the Constitution.

Mr. CULLEN. I doubt it.

Mr. BLANTON. That is the only way to get rid of it. You have got to take it out of the Constitution. You have got to first pass a repealing amendment, both in the House and in the Senate, by a two-thirds vote of both Houses; then you have got to submit it to the legislatures of the States and it must be ratified by at least three-fourths of the States of this Nation; and you are not going to get it done in 50 years. That is the reason my wet friends here are continually asking Congress to stop appropriating money. Why, that is nullification, pure and simple, I will state to my friend from Maryland [Mr. LINTHICUM], who is always on his feet with reference to this wet question.

Mr. LINTHICUM. I want to ask the gentleman what will become of prohibition enforcement and the Volstead Act if we stop appropriating money for it.

Mr. BLANTON. We are not going to quit appropriating. This Congress is going to obey the will of the people. I want to remind my friend from New York of a distinguished Senator from that State, who, not so very long ago, lost his seat in the United States Senate by reason of the votes of the dry people of New York City along with the dry people of New York State. There are plenty of dry votes in the State of New York.

Mr. STAFFORD. Will the gentleman from Texas yield?

Mr. BLANTON. Certainly I will yield to the gentleman from Milwaukee.

Mr. STAFFORD. Has the gentleman read the returns in the recent election from Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and other States?

Mr. SABATH. And Illinois.

Mr. STAFFORD. And Illinois and Wisconsin.

Mr. BLANTON. Those States have always been wet; they have always been wet, but they are not the only States

in the universe. They form a very small part of the United States.

Mr. STRONG of Kansas. A very small part.

Mr. BLANTON. A very small part. When the membership of this House and the membership of the Senate from the other 42 or 43 States of this Union rise and register their vote—not merely their own sentiment but the sentiment of the people back home—you are going to find you have got to remove this amendment in the orderly way of amending the Constitution—by the slow process of 50 years, if you ever remove it at all. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired. The question is on the amendment offered by the gentleman from New York.

Mr. CRAMTON. Mr. Chairman, I ask for a division.

Mr. STAFFORD. Mr. Chairman, may we have the amendment again reported?

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection.

The Clerk again reported the amendment.

The question was taken; and on a division (demanded by Mr. CRAMTON) there were—ayes 22, noes 108.

So the amendment was rejected.

Mr. SABATH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SABATH: Page 25, line 22, strike out "$32,522,922" and insert in lieu thereof "$20,522,922."

Mr. SABATH. Mr. Chairman, some years ago, when the prohibitionists, under the leadership of such gentlemen as the gentleman from Texas, forced the Coast Guard into the enforcement of the impossible prohibition law, I then stated on this floor, not only that the Coast Guard but the entire Navy and Army of the United States could not enforce this unwise and destructive prohibition monster. In this I have been justified. I had also stated that I feared that the placing of this burden upon the Coast Guard would destroy the efficiency of that one-time splendid organization. Only a few days ago we have all seen reports in all the newspapers of the United States that over 100 Coast Guard young men had been indicted or were about to be indicted in the city of Detroit for graft and conspiracy. Nor can we well overlook the Buffalo outrage. It is indeed sad, and I know you all deplore that fact. I am under the impression that the sooner we relieve the Coast Guard of this unpleasant duty the better will it be for that service.

Mr. Chairman, it was for that reason I offered the amendment, which would reduce the appropriation by $12,000,000 and still leave a sum large enough for that service.

Now, as to the gentleman from Texas [Mr. BLANTON], who preceded me, the gentleman states it will require 50 years to repeal the eighteenth amendment and that nothing can be done without a repeal of said amendment. Let me say to the gentleman that the old maxim that no one is so blind as he who refuses to see is very applicable to him, since the Congress has jurisdiction to amend the Volstead Act and give America wholesome, unpoisoned beer, which the American people demand, as demonstrated by the recent elections; and that, without waiting for the repeal of the eighteenth amendment, this can be done as soon as a majority of the Members of this House will vote for such an amendment; and this will not require 50 years, 10 years, or even 5 years. The last election has demonstrated that the people are aroused. They demand a modification. They demand a change. Yes; they demand a repeal of the eighteenth amendment. I realize this will require some time, but it will not take long to modify the Volstead Act and bring relief to the Nation, eliminate crime due to prohibition, and bring about a condition of law and order in our country. And I am satisfied that if same could be brought about now—which change, I well realize, is impossible in this Congress—the tremendous unemployment existing to-day in our Nation would be materially reduced, and this to replace the so-called "everlasting prosperity" that had been promised the people if they would but adopt the prohibition law.

Mr. BLACK. Mr. Chairman, I ask recognition in support of the amendment.

Mr. Chairman and gentlemen of the committee, I was in Texas about two years ago, and I think Texas is as wet as any other part of the Union; in fact, from my own observations, I believe those new irrigation ditches they have in Texas were all needled.

I do not like to see the gentleman from Texas [Mr. BLANTON] assuming the leadership of the dry cause. I like the gentleman from Texas, I like to see him here, and there is something fairly ominous about the leadership of the dry cause in this House, and I hope the gentleman will change his mind about taking on the burden.

I recall that in some of the naval appropriation bills when we were appropriating for new construction we added a proviso that in the event of further naval disarmament the President could stop new construction. Now, in view of the fact we have the Wickersham Commission somewhere in the country—and we are going to send out an expeditionary force soon to find it—investigating this question, and that it might, if it observes the facts, report on a liberal basis, and that therefore we might have modification, then this huge appropriation for the Coast Guard will not be necessary. So I really think that the Appropriations Committee, in view of what was done with respect to naval appropriations, giving the President permission to cut down such appropriations in case of a successful limitation of armament conference, should put in a provision here to the effect that in case the Wickersham Commission reports in favor of modification then only part of this sum shall be used.

I can see why the gentlemen from the Middle West support this appropriation. This is, to a certain extent, a tariff bill keeping from this country the grain that comes from over the seas in liquid form. It is only fair that now and then the dry American farmer should be allowed to sell some of his grain to the bootleggers, and I can well see that the high-tariff principle applies to this proposition.

Now, on the Wickersham Commission I observed the vote on the poisoned-alcohol amendment. You gentlemen have a fine inspiration in not learning anything from elections. The President of the United States has refused to learn anything from the last election. If there was one criticism of the President that largely obtained, it was that he was unwilling to do anything. He believed in delay, linger, and wait. He believed in stalling, and the first thing he did after the election was to prevent the Wickersham Commission from making a report to this Congress.

It is my idea of the situation that in the last election the wet point of view was largely successful; that the people of the Nation expected immediate action on this question; yet instead of that they have had to defer their hopes, because of the routine of the Constitution, until December, 1931. Now, if I were controlling the wet group in this House, I would start a filibuster against these appropriation bills and force a special session on the wet and dry question, force the President to take some action, force Mr. Wickersham and his commission to come from hiding and make a report to the Congress. We have given them a large appropriation expecting an enlightening report and this ought to be done.

I may say to the wets of this House that it is no use going along getting test votes in the Committee of the Whole. I think the public expects us to fight, expects us to fight the drys by every proper parliamentary method, and the most available one now is to filibuster on these appropriation bills and force a special session on the President, in which could be brought up the full wet and dry question, so that men elected to Congress at the last election, pledged to the wet cause, can have something to say immediately about the government of this country.

The CHAIRMAN. The time of the gentleman from New York has expired.

The amendment was rejected.

Mr. BRIGGS. Mr. Chairman, I move to strike out the last word.

I would like to ask the chairman of the committee whether there is included in this Coast Guard appropriation provision for the restoration of the Saluria Coast Guard station on the coast of Texas. It is my understanding it is included, but I would like to have that opinion confirmed.

Mr. WOOD. Yes; it is included.

Mr. BRIGGS. That is embodied in one of the lump-sum appropriations carried under this paragraph?

Mr. WOOD. Yes.

Mr. BRIGGS. And the item amounts to about $40,000?

Mr. WOOD. That is my recollection.

The pro forma amendment was withdrawn.

The Clerk read as follows:

OFFICE OF SUPERVISING ARCHITECT

PUBLIC BUILDINGS, CONSTRUCTION AND RENT

For the acquisition of sites or of additional land, commencement, continuation, or completion of construction in connection with any or all projects authorized under the provisions of sections 3 and 5 of the public buildings act, approved May 25, 1926 (U. S. C., Supp. III, title 40, secs. 343, 345), and the acts amendatory thereof, approved February 24, 1928 (U. S. C., Supp. III, title 40, sec. 345), and March 31, 1930 (46 Stat. 136, 137), within the respective limits of cost fixed for such projects, $60,000,000.

Mr. BYRNS. Mr. Chairman, I move to strike out the last word. Mr. Chairman, on Wednesday I made some remarks relating to the message of the President and his request for $150,000,000 for the purpose of taking care of unemployment by speeding up the construction of public works.

My remarks referred to the construction of public buildings and the length of time it takes to complete public buildings. I did that in order to show that any appropriation that might be made for the purpose of speeding up work on public buildings would not accomplish anything within the six months prescribed by the President.

My remarks have been construed by some as a possible criticism of the Supervising Architect and those in charge and control of the construction of the buildings. I feel in justice to them and in justice to myself that I should say that I did not intend to make any such criticism, and I have no such criticism to make.

As a matter of fact, I think the Supervising Architect's force is doing a splendid work and speeding up as fast as it is possible to do, taking into consideration the number of public buildings that are to be constructed.

Now, to show that fact I want to read from the hearings a statement by Mr. Martin, of the Supervising Architect's office, in answer to a question on the speeding up of the work on public buildings. It is as follows:

Mr. MARTIN. Yes, sir. I can best answer that by telling you that at the present time there are just 12 authorized projects where title has been acquired and on which the drawings have not been started. Of those 12 projects, there are at least 4 that we do not have specific authorization for the building; in other words, in prior authorizations we have acquired the land to get ready to build. So I should say there are less than eight projects ready for the Supervising Architect's Office now where title is vested and we are clear to go ahead.

Mr. THATCHER. How long would it take you to get out those plans so that the work can go ahead?

Mr. MARTIN. It depends, of course, on the size of the job. The Supervising Architect's Office is really organized to absorb at the rate of about 12 to 15 projects a month. We turn them out that fast and we can pick them up that fast. The time it takes for actual sketches, and preliminary drawings, working drawings, writing of specifications, advertising for bids, ranges from four to six months.

That is at the rate of one in two and a half days or two days, as a matter of fact. I make this statement simply to say that in my remarks the other day I did not intend a criticism of the Supervising Architect's Office for any undue delay in the construction of public buildings. The force in the Supervising Architect's Office is doing all it can to hurry the construction of public buildings, but it is impossible to expect any relief within six months or a year under any emergency appropriation that might be made for public buildings. Besides, as the hearings show, the department now has all the funds it can use between now and next December.

I did say something about the delay that had occurred in the selection of two sites in my own State of Tennessee. I did not intend any criticism of those who selected the sites, because I realize, as we all do, that these gentlemen, the Assistant Secretary of the Treasury and the Fourth Assistant Postmaster General have a tremendous job on their hands when it comes to selecting hundreds of sites for the purpose of putting up public buildings. It is a great responsibility, and these gentlemen visit many of these places for the purpose of selecting out of 8 or 10 sites that may be offered in a city the one that should be accepted by the Government.

My criticism—and the only criticism I have to make here of any delay in the construction of public buildings—is the fact that the Department of Justice takes on the average four months to examine a title. There is not a gentleman in this House who if he bought a piece of real estate and employed a lawyer to examine the title would put up with that sort of a thing for one moment. He would expect the title to be examined and passed upon within a day or two or a week at the outside. That is a delay which occurs and which I think is entirely unjustifiable. As a matter of fact, some legislation ought to be passed which would authorize the Government to accept guaranteed certificates of title.

Mr. COCHRAN of Missouri. Mr. Chairman, in connection with what the gentleman from Tennessee has said I would like to give some information to the Members of this House whose districts have been awarded a public building where that public building has not been constructed.

The day before yesterday the chairmen of the Judiciary Committees of the Senate and the House introduced a companion bill which extends to the Government in the entire country the same rights that now exist in the District of Columbia. That is, when a site has been selected and no agreement can be reached as to price, the Government may go into the Federal court and place in escrow an amount of money stipulated by the judge, and can then immediately take over the property. If the committees of the two Houses will report the bill and pass it immediately, I know of numerous places where buildings will be started at once. Outstanding among these is my own city of St. Louis. Your Appropriation Committee very kindly gave us an appropriation with which to buy a site for a Federal building about four years ago.

After a year's delay I saw the President of the United States because a site had not been selected. The following day he took the matter up with the Secretary of the Treasury and the Postmaster General and the site was selected immediately, but to this day the Government has not been able to secure the property. Only a few days ago the case was laid over to the March term of court. If this bill becomes a law the Government can go into court in the city of St. Louis, turn the money over to the judge, and the department here is ready to appoint an architect and go ahead with the construction of the building, which is in a city where over 50,000 people are out of employment. The same thing applies to our new post office in St. Louis. The money is in the Treasury, but they can not agree upon the price of the property for the site. I understand there are 100 such cases in the Department of Justice to-day, and if the Members will get behind the bills and have them reported and passed, then their buildings can go on immediately.

I hope that the Judiciary Committee of the House at its first meeting will make a favorable report on the bill. It has the approval of the Department of Justice.

The Clerk read as follows:

Mechanical equipment: For installation and repair of mechanical equipment in all completed and occupied public buildings under the control of the Treasury Department, including heating, hoisting, plumbing, gas piping, ventilating, vacuum cleaning, and refrigerating apparatus, electric-light plants, meters, interior pneumatic-tube and intercommunicating telephone systems, conduit, wiring, call-bell and signal systems, and for maintenance and repair of tower clocks; for installation and repair of mechanical equipment, for any of the foregoing items, in buildings not reserved by vendors on sites under the control of the Treasury Department acquired for public buildings or the enlargements of public buildings, the total expenditures on this account for the current fiscal year not to exceed 10 per cent

of the annual rentals of such buildings: *Provided*, That of the sum herein appropriated, not exceeding $125,000 may be used for the installation and repair of mechanical equipment in marine hospitals, the national leprosarium, and quarantine stations (including Marcus Hook), and not exceeding $38,000 for the Treasury, Treasury Annex, Liberty Loan, and Auditor's Buildings, in the District of Columbia, but not including the generating plant and its maintenance in the Auditor's Building, and not exceeding $10,000 for the maintenance, changes in, and repairs of pneumatic-tube system between the appraisers' warehouse and the new customhouse in Bowling Green, Borough of Manhattan, in the city of New York, including repairs to the street pavement and subsurface necessary, incident to, or resulting from, such maintenance, changes, or repairs: *Provided further*, That this sum shall not be available for the payment of personal services except for work done by contract, or for temporary job labor under exigency not exceeding at one time the sum of $100 at any one building, $700,000.

Mr. BLANTON. Mr. Chairman, I reserve the point of order on the paragraph in order to ask the Chairman what authority of law there is for the language beginning in line 3, page 41, down to line 17, page 41. That seems to be legislation unauthorized.

Mr. WOOD. It is a part of the public buildings act, and it simply segregates the amount that may be expended on these various public buildings.

Mr. BLANTON. Have all of those items enumerated been provided for by law?

Mr. WOOD. Yes.

Mr. BLANTON. How about the pneumatic tube?

Mr. WOOD. That is provided for by law years ago.

Mr. BLANTON. And there is law for all of these items?

Mr. WOOD. Yes.

Mr. BLANTON. I withdraw the reservation of the point of order.

The Clerk read as follows:

Furniture and repairs of furniture: For furniture, carpets, and repairs of same, for completed and occupied public buildings under the control of the Treasury Department, exclusive of marine hospitals, quarantine stations, mints, branch mints, and assay offices, and for gas and electric lighting fixtures and repairs of same for completed and occupied public buildings under the control of the Treasury Department, including marine hospitals and quarantine stations, but exclusive of mints, branch mints, and assay offices, and for furniture and carpets for public buildings and extension of public buildings in course of construction which are to remain under the custody and control of the Treasury Department, exclusive of marine hospitals, quarantine stations, mints, branch mints, and assay offices, and buildings constructed for other executive departments or establishments of the Government, $1,150,000: *Provided*, That the foregoing appropriation shall not be used for personal services except for work done under contract or for temporary job labor under exigency and not exceeding at one time the sum of $100 at any one building: *Provided further*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether it corresponds with the present regulation plan for furniture or not.

Mr. COLLINS. Mr. Chairman, I move to strike out the last word. In this bill are two items for furniture. One is an item of $430,000 for furniture for old buildings and the other is an item of $447,000 for furniture for new buildings, making a total of $883,000. Is the gentleman willing to accept an amendment providing that the wooden furniture shall be made out of native American woods?

Mr. WOOD. The fact of the matter is that a great amount of this furniture is not to be made out of wood at all. It will be made out of steel.

Mr. COLLINS. But if any of it is made out of wood, it ought to be made out of American woods?

Mr. WOOD. I think the greater portion of it is.

Mr. COLLINS. It is not so in the War Department appropriation bill, and I shall endeavor to put an amendment in that appropriation bill providing that all woods used in furniture for officers' quarters and for offices shall be made out of American woods and not out of African or Honduran mahogany, as is done generally by the War Department.

Mr. LAGUARDIA. And where are you going to get your mahogany?

Mr. COLLINS. We do not have to use mahogany. We have oak, maple, gum, birch, and a number of other American woods that can have applied to them a mahogany stain and it is impossible for anyone to tell the difference between those woods and mahogany.

Mr. WOOD. I think that, for the most part, American wood will be used.

Mr. COLLINS. If that is the case, then the gentleman should have no objection to such an amendment.

Mr. WOOD. But there may be some exceptional pieces that there is good reason for using foreign wood in. The matter has not been inquired into and I do not want to submit to something that I might regret afterwards.

Mr. LAGUARDIA. As a matter of fact, is not most modern furniture now made of metal?

Mr. COLLINS. No.

Mr. STAFFORD. Oh, I take issue with the gentleman. I am somewhat interested in that line of business. The modern equipment for office furnishings, for desks, and even chairs, is of metal construction. Wood is being displaced.

Mr. COLLINS. The gentleman, I am sure, is mistaken. However, I have no objection to the use of metal, but I do think that the wooden furniture should be made out of native American woods, and that is all that I wish and that is all that my amendment provides.

Mr. WOOD. In the absence of any hearings on this, I can not consent to an amendment of that character.

Mr. COLLINS. Then, Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. COLLINS: Page 46, line 18, after the period, strike out the period and insert: "*Provided further*, That no appropriation contained in this act shall be available for the purchase of furniture made of wood of foreign growth."

The CHAIRMAN. The question is on the amendment.

Mr. COLLINS. Mr. Chairman, my amendment provides that if the furniture is to be made of wood, it will be made out of native American wood. That is all.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Mississippi.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. COLLINS. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is asked for.

The committee divided; and there were—ayes 23, noes 84.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

When specifically approved by the Postmaster General, transfers may be made between the appropriations or allocations of appropriations in this title under the respective jurisdiction of any bureau, office, institution, or service, in order to meet increases in compensation resulting from the reallocation by the Personnel Classification Board of positions under any such organization unit. Any such transfers shall be reported to Congress in the annual Budget.

Mr. BLANTON. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Texas reserves a point of order on the paragraph.

Mr. BLANTON. I would like for the chairman to tell us what is the necessity of this paragraph, beginning on line 15 and extending to line 22 on page 49?

Mr. WOOD. This is to enable them to make transfers from one appropriation to another when occasion arises.

Mr. STAFFORD. The purpose of this provision apparently is to let the departments have no restriction whatever on the appropriations carried in the bill. There is no law for it; but this has been running along since the Committee on Appropriations under the Budget got control of all the appropriations. In other words, they can transfer appropriations intended for one purpose to another purpose.

Mr. WOOD. This is simply a matter of administration.

Mr. BLANTON. Does the chairman think it will save money instead of losing money?

Mr. WOOD. Yes.

Mr. STAFFORD. For many years heretofore the departments have been restricted to the amounts carried in the appropriation bills. Now they are only limited by the total. They can spend the money ad libitum, irrespective of the specific amounts carried in the paragraphs.

Mr. BLANTON. So long as the gentleman from Indiana [Mr. WOOD] is watching, I will withdraw the point of order.

I agree with the gentleman from Wisconsin [Mr. STAFFORD], but as long as the gentleman from Indiana is watching, the Treasury is safe, so I will withdraw my reservation.

The CHAIRMAN. Without objection, the reservation will be withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The Postmaster General is hereby authorized to pay a cash reward for any invention, suggestion, or series of suggestions for an improvement or economy in device, design, or process applicable to the Postal Service submitted by one or more employees of the Post Office Department or the Postal Service which shall be adopted for use and will clearly effect a material economy or increase efficiency, and for that purpose the sum of $1,500 is hereby appropriated: *Provided*, That the sums so paid to employees in accordance with this act shall be in addition to their usual compensation: *Provided further*, That the total amount paid under the provisions of this act shall not exceed $1,000 in any month or for any one invention or suggestion: *Provided further*, That no employee shall be paid a reward under this act until he has properly executed an agreement to the effect that the use by the United States of the invention, suggestion, or series of suggestions made by him shall not form the basis of a further claim of any nature upon the United States by him, his heirs, or assigns: *Provided further*, That this appropriation shall be available for no other purpose.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. I should like to inquire why there should be such a general increase in the appropriation for salaries in the offices of the First, Second, Third, and Fourth Assistant Postmasters General and in the office of the Solicitor for the Post Office Department. While the committee is practicing economy, why should there be such increases in the salaries of the personnel here in Washington?

The office of the First Assistant Postmaster General for the coming year is to receive $535,000, whereas the current appropriation is $526,860. The office of the Second Assistant Postmaster General is to receive $444,820, whereas for the current year $409,180 is appropriated. The office of the Third Assistant Postmaster General is to receive $775,890, whereas the current year they are receiving $752,010. The office of the Fourth Assistant Postmaster General is given $369,150, whereas in the current year it receives $314,270. And the office of the Solicitor for the Post Office Department is to receive $68,320 instead of $67,540 under the current law.

Mr. WOOD. This is covered by the transfer of men to extraordinary duties on account of the foreign mails. Most of the increase is on account of the passage of the Brookhart and Welch Acts.

Mr. STAFFORD. Is the Senator from Iowa responsible for these increases?

Mr. LaGUARDIA. They approve of the idea that the people in these positions should be getting a living wage. A man who is trying to support a family on $1,200 or $1,400 or $1,600 is not getting a living wage or a living salary.

Mr. STAFFORD. I have reference to those getting from $2,400 and as high as $4,000. I agree with the sentiment expressed by the gentleman from New York.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CONTINGENT EXPENSES, POST OFFICE DEPARTMENT

For stationery and blank books, index and guide cards, folders, and binding devices, including purchase of free penalty envelopes, $20,000.

Mr. OLIVER of New York. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. OLIVER of New York. Mr. Chairman, I wish to call the attention of the House to the very strange tactics of the Postmaster General with reference to unemployment in America. He seems to stand out in a different attitude from the general attitude of the Government and the attitude of city councils and other municipal authorities and State governments. He refuses to fill any vacancies in jobs made vacant by death or disability or resignation. I understand that there are in his department over 5,000 vacancies. In the city of New York there are over 600 such vacancies in the postal service. He calls substitutes to his office under pain of dismissal, and yet he gives them but two hours' work a day. They are in a bear trap. These men are not receiving a living wage. As a matter of fact, they are receiving a starvation wage. The Postmaster General is a part of the administration which has created a commission to relieve unemployment. If Col. Arthur Woods wants to get 5,000 men work immediately, all he needs to do is to call up the Postmaster General and get jobs for 5,000 men. There are 5,000 vacancies now in the Post Office Department.

Every Cabinet officer is flying around the country asking private business to give work to the unemployed—every Cabinet officer except the Postmaster General. He is exempt. He stands in an independent position. He will not give the jobs he now has vacant. He is balancing his books. What he gains for the Government will be written in losses on the books of charity.

We in New York are giving to charity splendidly. One million dollars has been appropriated out of the city treasury to make jobs for men, and we are now going to give charity to the postal employees for the winter, when the Postmaster General should give them jobs. What a travesty this is on the great movement in America to give work to the unemployed!

I have been asked by every association of postal employees to protest against this brutality and this inhuman, this cruel policy of the Postmaster General. It can not be vindicated under the present situation. The old G. O. P. must take off its high hat and frock coat and put on an apron and stand and dish out soup. It can not go along with the old pride of prosperity any more. But when the Postmaster General defies every branch of that humane movement in this country he does something that can not be approved by the Congress of the United States or by private business enterprises of our great country.

Why do we ask business to give employment, to give men jobs, to do something that is not needed in their business but for the sake of charity? Yet we turn around and in our own postal department we find that they are not even filling vacancies for which Congress has appropriated money. I say to the Congress that that policy is a policy that is resented not only by the rank and file of the postal employees but by every private business of the country. Private business of the country wants to see an example in leadership. They want to see the Government itself do the thing that the Government asks private business to do; but the Government, instead of showing humane and kindly and merciful leadership in this tragic hour, when thousands are pounding the streets praying for jobs and praying for bread and standing at hospital doors asking even for the garbage that is left over, as we see it in New York, I say that when the Postmaster General refuses to appoint to vacancies caused by death, dismissal, or resignation he is doing a cruel, a brutal, and an indefensible thing. [Applause.]

The Clerk read as follows:

For rent, light, and fuel for first, second, and third class post offices, $18,500,000: *Provided, however*, That no part of this appropriation shall be available for the payment of any rents or other expenses to the Commercial Station Post Office (Inc.), its agents, attorneys, representatives, or assigns, for use of premises known as Commercial Station, at Third and Sibley Streets, St. Paul, Minn.

Mr. GLOVER. Mr. Chairman, I move to strike out the last word.

I do this, Mr. Chairman, for the purpose of calling the attention of the House to the message of the President of the United States, calling our attention to the fact that we are having such great waste in paying out money for rentals for post offices.

In this one item there is appropriated $18,500,000, and several others have just been passed which include rentals,

and I assume that the rentals which are now being paid would amount to more than $20,000,000 a year.

The President of the United States called our attention to that so that we might remedy it, and I trust that the party in power now will initiate a plan whereby we can speedily and at once put into motion a building program that will give post offices where they are needed in the United States. There are a great many that are needed now, where excessive rents are being paid, even in my State. I can refer you to places where the rentals that are being paid for three years would buy the property.

The United States Government can get money now at a less rate of interest than it has ever been able to get it for since I can remember—as low as 2 per cent—and we should initiate a building program for building these post offices throughout the entire United States and stop this expensive waste of paying rentals of this kind. Only a few years of such rentals would supply post offices at practically every place they are needed.

Not only that, but if we had the buildings that are needed now the increased efficiency which we would bring about would increase the postal revenue so that every dollar would come back to the Government. If the Government owned these buildings there would be efficiency and we would save this waste of $20,000,000 or $25,000,000 a year, which is now the cost of renting postal facilities, and we would get the efficiency we ought to have.

Much has been said about relieving the distressful labor conditions which now exist in the country. If a plan of this kind were put into effect you would get dollar for dollar for everything put out and scatter it to all parts of the United States. I hope the party now in power will see fit to initiate a plan which will carry out the President's recommendations, and if that party does not do it I hope that if we are permitted on this side to organize the next House we will initiate a plan to carry out the recommendations of the President.

Mr. GREEN. Will the gentleman yield?

Mr. GLOVER. Yes.

Mr. GREEN. It would not be scattered throughout the country unless the plan provided for the allotment of buildings to the various districts rather than permitting one or two officials to erect all of the buildings in big cities.

Mr. GLOVER. That is exactly what I want to remedy. I want a plan initiated that will carry these benefits to every nook and corner of the United States where they properly belong.

Mr. SABATH. Mr. Chairman, three years ago, and again last year, I called the Chairman's attention to the tremendous sums we are appropriating for the leasing and purchasing of property. I have called attention to some of them. I was endeavoring to obtain information then. I have been unable to obtain the information that I was seeking from the department or from the Chairman.

In view of the statements that have been made on this floor by the gentleman from Minnesota and myself the Senate has acted and has appointed a committee to investigate these tremendously high rentals which the Post Office Department has been paying for various post offices. Since that time I have secured a great deal of information, and I ask unanimous consent that I may extend my remarks and embody in my remarks some of the statements and information I have received in regard to these overpayments for leases and for the purchase of sites.

Due to the tremendous demands upon my time I have been unable to compile the information that I have, and will therefore be obliged to ask for additional time to enable me to make a proper compilation of the various rentals of buildings for the post offices which I consider excessive and exorbitant.

The Clerk read as follows:

SEC. 3. Expenditures from appropriations made herein for the maintenance, upkeep, and repair, exclusive of garage rent, pay of operator, fuel and lubricants, on any one passenger-carrying vehicle used by the Treasury or Post Office Department shall not exceed one-third of the market price of a new vehicle of the same make or class and in any case more than $500.

Mr. McCORMACK of Massachusetts. Mr. Chairman, I move to strike out the last word. In view of the fact that the next section will undoubtedly be contested in its passage and an amendment offered to take that section out of the bill, and that there undoubtedly will be considerable debate on that motion, I want to take this opportunity of briefly expressing my views in relation to the provisions of section 4. If an amendment is offered, which I expect will be done by the gentleman from New York [Mr. LAGUARDIA], it is my intention to support the same, and I hope and trust the Members of the Committee of the Whole will adopt the motion when made and strike out the provisions of section 4, or any similar provisions if a motion to substitute is made by the chairman of the Committee on Appropriations.

As I understand it, the President recommended that certain salary inequities and injustices be corrected in a communication recently sent to the Congress. That communication was referred to the House Committee on Appropriations. This year it involved an expenditure of a little more than $4,000,000, and to cover a 3-year period involved a total increased expenditure to correct the salary injustices of about $14,400,000. That recommendation was made by the President of the United States. That recommendation was made to the Congress of the United States, but the House Committee on Appropriations has failed to accept the recommendation made by the President. In addition to failing to accept the recommendation of the President the committee has heaped insult upon injury by adding to the present appropriation bill section 4, which amounts to a prohibition against any salary increases being made during the coming fiscal year.

It is with reference to section 4 that I particularly address the membership of this committee. It is unfair. It is wrong. It is improper. It is directly contrary to the recommendations made by the President himself. The President recommended affirmative relief, but in addition to failing to recognize or adopt the recommendations of the President the committee goes farther and puts a negative provision in the bill which prohibits consideration by any department head of any increase in salary during the coming fiscal year. If one should die or if there should be a resignation, under section 4 it is reasonable to presume that a department head could not promote within the department any employee who occupied a lower salary grade.

I certainly trust, Mr. Chairman, that when such an amendment is offered the membership of the committee will adopt the amendment and send this bill to the other branch without this prohibition being included therein. I also hope that when the bill reaches the other body that distinguished body will see fit to accept the recommendation made by the President, which I consider to be constructive, helpful, and made in justice to the many thousands of Federal employees who are receiving lower salaries than the Congress of the United States intended when they passed salary acts in bygone Congresses. In any event, I sincerely trust that section 4 will be eliminated from the bill under consideration. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

The Clerk read as follows:

SEC. 4. No appropriation available during the fiscal year 1932 shall be used during such fiscal year to increase the compensation of any position within the grade to which such position has been allocated under the classification act of 1923, as amended, nor to increase the compensation of any position in the field service the pay of which is adjustable to correspond so far as may be practicable to the rates established by such acts as amended for the departmental service in the District of Columbia.

Mr. LAGUARDIA. Mr. Chairman, I make a point of order against the section.

The CHAIRMAN. The gentleman will state his point of order.

Mr. LAGUARDIA. The section to which I made the point of order is section 4 of the bill. Its provisions are applicable not only to the appropriations contained in the bill now before the committee, which provide appropriations for the Post Office Department and the Treasury Department, but is

applicable to all appropriations available during the fiscal year 1932 and limits the salaries in every department of the Government in bills which are yet to come before the House. Clearly no such power is given to the Committee on Appropriations, and the language goes way beyond the scope of the most extreme ruling on the amendments seeking to place a limitation on appropriations.

Mr. BLANTON. Will the gentleman yield?

Mr. LaGUARDIA. Certainly.

Mr. BLANTON. Is it in order under the Holman rule?

Mr. LaGUARDIA. That has no application here at all.

Mr. BLANTON. Why not?

Mr. LaGUARDIA. The gentleman himself made a point of order against the amendment offered by the gentleman from New York [Mr. O'Connor] when he sought to restrict the appropriations exactly in point to the matter now before us.

Mr. BLANTON. I thought possibly the purpose of this amendment brought it within the Holman rule.

Mr. LaGUARDIA. Mr. Chairman, there is no ruling in the precedents with respect to limitations on appropriations that holds that an attempt to legislate in language as broad as the language contained in section 4 is in order. The House might as well stop legislating if the Committee on Appropriations can come in and by a proviso in an appropriation bill reach out and prevent the operation of a law not involved in the bill under consideration and applicable to all appropriations not only in the bill before the House, but applicable to appropriations heretofore made or which may be made hereafter.

I submit it would be most dangerous to hold a provision such as this in order under the decisions on limiting appropriations. I press my point of order.

Mr. WOOD. Mr. Chairman, I wish to say to the Chair and to the committee that I expect the position taken by the gentleman from New York is correct. Our only reason for offering the amendment in this form is simply to save time and to expedite business. It is the purpose of the Committee on Appropriations to take the same action with respect to all the bills that we have taken with respect to this one, and in order that we might not have this situation to contend with each time, we thought we would settle it on this bill for all the bills.

Mr. LaGUARDIA. The reverse is true if we beat you this time.

Mr. WOOD. That is true. Then beat the whole business this time.

Mr. LaGUARDIA. We will take them one at a time.

Mr. WOOD. And I may say to the Chairman that if the gentleman insists upon his point of order, we have an amendment with reference to this bill that will be in order.

Mr. LaGUARDIA. I shall insist upon my point of order, and then we will fight the other amendment on its merits, after we find out what is in it.

The CHAIRMAN. The Chair finds that a similar question was before the Committee of the Whole on June 4, 1924 (Cannon's Precedents, sec. 8663), and on that occasion William J. Graham, of Illinois, Chairman, decided, in substance this:

> A limitation may be attached only to the money of the appropriation under consideration and may not be made applicable to moneys appropriated or to be appropriated in other acts.

The Chair concurs in the decision made by Chairman Graham in that instance, and thinks the ruling is applicable in this case. The Chair sustains the point of order.

Mr. WOOD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

> Amendment offered by Mr. Wood: Page 67, after line 15, insert a new section, as follows:
>
> "Sec. 4. No appropriation in this act for the fiscal year 1932 shall be used during such fiscal year to increase the compensation of any position within the grade to which such position has been allocated under the classification act of 1923, as amended, nor to increase the compensation of any position in the field service, the pay of which is adjustable to correspond so far as may be practicable to the rates established by such act as amended for the departmental service in the District of Columbia."

Mr. LaGUARDIA and Mr. WOOD rose.

Mr. LaGUARDIA. Mr. Chairman, I ask recognition in opposition to the amendment.

The CHAIRMAN. Is the gentleman from Indiana seeking recognition?

Mr. WOOD. No; I will seek recognition, if necessary, after a while.

Mr. LaGUARDIA. Mr. Chairman, I think the gentleman from Indiana has the burden of proof and had better reserve his time.

Gentlemen, this is the most costly amendment that was ever offered by the Committee on Appropriations because it will simply stifle every department of the Government. It will create inefficiency and indifference, which are always costly either in Government or in private business. It takes every spark of hope from every employee in the Federal service. It takes every incentive to better work and more efficient service away from every Government servant on the pay roll. The only hope of promotion under existing law is that caused by vacancies from time to time, and employees are promoted to a higher step within a grade. The clerks or other employees are moved up one step at a time with an increase, in all likelihood, of $60 or $120 a year.

I can readily understand that the great Committee on Appropriations dealing with $300,000,000, $400,000,000 for flood relief and $300,000,000 for the Navy thinks that the $5 increase is so insignificant that it makes no difference to the employee. But let me tell you that a $5 a month increase to a family is something they look forward to, and this $5 a month may result in just a little bit less worry and anxiety to the mother who is trying to make both ends meet.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. LaGUARDIA. I yield.

Mr. MOORE of Virginia. I agree with the gentleman, and I want to ask him if he has any information as to the minimum salary that will be affected by this amendment if adopted? My understanding is that there are some very small salaries, and this amendment would prevent any increase.

Mr. LaGUARDIA. It is so broad as to apply to every grade. It will be the low grades that will be affected, as that is always the case. I submit, as suggested by the gentleman from Massachusetts a few moments ago, that we are placing ourselves in a ridiculous attitude when we on the first appropriation bill adopt a policy against the increase of salaries for the entire year. Oh, the Government says to industry, "Hold the line; don't discharge your employees; keep up your rate of pay, keep up your wages." How can they do anything like that when we adopt this policy? I am sure the Committee on Appropriations is not reflecting the sentiment of this House, and I want to appeal to my colleagues, do not be fooled by the cry "Stand by your committee." Stand by the loyal employees of the Government; stand by the family of the employee who is trying to make both ends meet, looking forward to an increase of $60 a year. Let us not be so contemptible, let us not be so mean as to write into this appropriation bill a provision preventing for a whole year every employee in the departments of the hope of going forward. If there is one incentive, whether under the Government work or in industry, it is that of going ahead, it is that of promotion. I submit, gentlemen, that this is a matter for the House to decide; it is the responsibility of every Member of the House.

Do not be carried away by the cry, "Stand by the Committee on Appropriations." They are only a part of the House, they are not infallible. Unless we vote this down at this time it is going to come back to us on every appropriation bill this session. The hope of promotion is just as necessary as the salary itself. We can not expect efficient services if there is to be no chance of promotion. This is not economy, it is most unwise and costly administration. The cost of living has not gone down. The United States Government does not expect to go out of business. We must

keep our employees efficient and to keep them efficient we must keep them happy. [Applause.]

Mr. BOYLAN. Mr. Chairman, I rise in opposition to the amendment. If section 4 had not been stricken out on a point of order, on behalf of the delegation from the State of New York, I had an amendment to strike it out.

Now that the section has been stricken out and an amendment has been proposed by the chairman of the Committee on Appropriations, I trust that that amendment will not prevail.

I regret exceedingly to have to differ with the able chairman of the Committee on Appropriations, but this is a mighty poor time to deny relief to the employees of the Government in this small increase in salary.

It really puts us in a ridiculous position. We passed this legislation only a year ago. The gentleman from California [Mr. WELCH] worked mighty hard in perfecting it, especially so as to reach the low-salaried employees. Now when the proposed allocation has been made for the employees of this slight increase, you are going to dash every hope that he has.

Perhaps this small increase was designed to send the children to school to get a little better education. Perhaps it might have been predicated on a desire to do away with the old car and get a little better one.

Perhaps it might have been based on a hope to get a new fur coat for the Missus; perhaps it might be expected to use it for a suit of clothes or a little better clothing for the children. Are we going here now to destroy the opportunity, at least for this year, of carrying out these laudable purposes? I do not see anybody amongst the membership of the House volunteering to take a reduction in his salary on account of hard times. I have not heard of anyone around this chamber starting a movement to cut 10 per cent of our salaries for the current year, to be used for charitable purposes. If we are going to deny something that is manifestly due to the employees, why not practice the same thing on ourselves. We can stand it better than the fellow getting $1,800, or $1,500, or $2,000, or $2,500. How many men are there sitting here now who are willing to stand up and say that they will take a cut, a reduction in their salary for the present year of 10 per cent, to be devoted to charity in the District of Columbia, or in any other part of the United States? I would like to have those gentlemen willing to do that stand up and be counted. Let us be fair and reasonable. These amounts may be small in themselves, but they mean an awful lot to these people. As a matter of fact, since I came to Washington I have never been able to understand how the Government could keep the splendid employees it has on the meager salaries they receive, and I have often thought that many of the employees working for the salaries they receive here and elsewhere, should be subjected to a psychopathic examination to find why they accept such small and meager remuneration for their efforts.

In all fairness, inasmuch as nobody has responded to my appeal for a vote to accept a reduction of our salaries for this year, let us not reduce these poor employees, because the increase is really just and is due them; and if you deny it to them it is just the same as if you put your hand in their pocket and took it out. I trust that the amendment offered by the gentleman from Indiana will be rejected.

Mr. WOOD. Mr. Chairman, I ask unanimous consent that all debate upon this amendment close in five minutes.

The CHAIRMAN. Is there objection?

Mr. LEHLBACH. Mr. Chairman, reserving the right to object, will the gentleman make that 10 minutes and give me 5?

Mr. WOOD. Yes. I modify my request to that extent, Mr. Chairman.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that all debate upon this amendment be closed in 10 minutes. Is there objection?

There was no objection.

Mr. LEHLBACH. Mr. Chairman, along about 1920 the question of the inequalities of compensation for like work in the various departments and in the various offices in the same department was so forcibly brought to the attention of Congress that a joint commission was appointed which in that year made a report. After three years of agitation the classification act of 1923 became a law which divided the civil services of the United States into broad services, like the clerical, the scientific, the administrative, the custodial, and so forth, and erected in each broad service a number of grades in accordance with the difficulty and importance of the work in each grade, and fixed a certain range of salary rates for such grade. For example, a clerical grade might spread over $1,200, $1,260, $1,320, $1,380, and possibly up to $1,440. The act provided that new entrants, when allocated to a position within a grade, should start in at the lowest salary and that with meritorious work and satisfactory ratings they should from time to time, in the discretion of the head of the department, step from one salary rate to the other, until, if they remained long enough, and their work was satisfactory enough, they would receive the highest rate in that grade. In the Postal Service we have these steps automatically annually. In the civil service generally it is at the discretion of the head of the department.

About three years ago there was a demand, and in response thereto Congress passed the Welch Act, increasing the salary or pay in the grades of these services, and the increases were generally applicable in the clerical and subprofessional and in some instances in the professional services. They did not touch the field. The field has never been actually classified. By the field I mean every employee of the Government who is not working physically and actually in the District of Columbia.

The Committee on Appropriations since the classification act had gone into effect has placed a rider upon appropriation bills, and there was no objection to that, that the average salary in a unit should not exceed the average of the various salary rates within the grade. In other words, if the salaries range from $1,200 to $1,400, the average salary of the aggregate of the clerks within that grade could not exceed $1,300. Some would be at the average and as many must be below as above.

The administration found that in very many of the bureaus and divisions and services of the departments the average salary under the classification act was away below the average of the rates that had been fixed for those grades in which the employees were allocated; and in order to carry out the intent of Congress when it passed the classification act in 1923 and when it amended it under the Welsh Act in 1927 and the Brookhart Act of 1930, estimates were submitted, approved by the Budget, and with the approval of the President submitted here. They did not meet with the approval of the Committee on Appropriations, and that committee eliminated the estimate and inserted section 4, which was unprecedented. I do not know of a time in the history of this Government or in the history of any State or municipal government where the administration was so divested of discretion in dealing with personnel problems. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. WOOD. Mr. Chairman and members of the committee, this amendment will not reduce the salary of a single employee of the Government anywhere, so that all this talk about reducing the salaries is unfounded. The fact is that the committee, in taking the position it has assumed, has considered the economic condition of the country and concluded that we should not increase these salaries in the amount of $4,264,000, as suggested, at a time when 4,000,000 men and women are out of employment, without a day's work.

Under these conditions, we do not think we should provide an increase of compensation to the employees of the United States. They are better paid now than at any time in the history of the country. There is no occasion for an increase in their wages such as there was when previous increases were granted. We have increased the salaries of Government employees more than $25,000,000 in two years. What employees outside of the Government have had their salaries increased in the same proportion anywhere?

I am proud to say that the labor leaders in this country, when this disaster spread over the country, agreed that they would not ask for an increase of wages, and they have kept the faith. That is to their credit. Now, in the face of that, why should Members of Congress come here and voluntarily vote for an increase of $4,250,000 to the Government employees when there is such suffering throughout the land?

We have increased these governmental salaries, as I say, time and time again, since 1920, the date that the gentleman from New Jersey [Mr. LEHLBACH] has spoken of, and those increases were based on the fact that they were necessary on account of the increased cost of living. Then, according to the logic of the matter, when the cost of living has fallen, we might begin to lower these salaries.

But have you ever heard of wages or salaries being lowered when once fixed? Not once, and you never will hear of such a thing. In the last two years the cost of living has gone down, and yet we are asked to increase these salaries. There is no disposition on the part of this committee to deny the right to men to amend and remove these inequalities; but not now. These people are not suffering, while people outside are suffering. Therefore I think this is not the time for Congress to do this, in view of the prevailing conditions.

In my district I have some of the greatest manufacturing industries in the country. How do they meet the situation? They have agreed to give their employees two or three days' work a week. No such action has been taken by the United States Government. Every one of its employees is occupying full time, and every one is receiving full wage at the hands of the best paymaster in the world. The city of Washington to-day is in a better condition than any city of its size in the world, because of the fact that the pay roll comes regularly and in full and in payment for full time.

But, gentlemen, it is an easy matter for us to lend ourselves to these appeals that are coming from the organized employees of Uncle Sam here. But there are many millions of people who have not immediate representation here. There are 120,000,000 people in this country who are making sacrifices by reason of this unprecedented economic condition. Are we to be blamed, then, in setting an example under such conditions by declining to raise the compensation of those now employed by the Federal Government? [Applause.]

Mr. LAGUARDIA. Mr. Chairman, as I understand it, the original provision went out on a point of order, and this is an amendment offered by the gentleman from Indiana [Mr. WOOD]?

The CHAIRMAN. Yes. The gentleman from Indiana offered the amendment which is now pending.

Mr. O'CONNELL. Mr. Chairman, may we have it read again?

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again read.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. WOOD. Mr. Chairman, I call for a division.

The CHAIRMAN. A division is called for.

The committee divided; and there were—ayes 139, noes 90.

So the amendment was agreed to.

Mr. WOOD. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MICHENER, Chairman of the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 14246) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes, reported that that committee had directed him to report the bill to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. WOOD. Mr. Speaker, I move the previous question on the bill and the amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. LAGUARDIA. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from New York asks for the yeas and nays. All in favor of taking the vote by the yeas and nays will rise and stand until counted. [After counting.] Thirty-five Members have arisen, not a sufficient number.

So the yeas and nays were refused.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The question was taken; and the bill was ordered to be engrossed, read a third time, and was read the third time.

Mr. LINTHICUM. Mr. Speaker, I have a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. LINTHICUM. I am.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. LINTHICUM moves to recommit the bill to the Committee on Appropriations with instructions to forthwith report the same back to the House with the following amendment:

Add to the end of the bill the following as a new section:

"That no money herein appropriated shall be used in the preparation or issue of any permit for the removal or use of any industrial alcohol known to be denatured by any deadly poisonous drug."

The SPEAKER. The question is on the motion to recommit.

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. LINTHICUM. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Maryland asks that this vote be taken by yeas and nays. All in favor thereof will rise and remain standing until counted. [After counting.] Thirty-six Members have arisen—not a sufficient number.

The yeas and nays were refused.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. WOOD, a motion to reconsider the vote by which the bill was passed was laid on the table.

FEDERAL TAXATION

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing some remarks that I made before the American Mining Congress.

The SPEAKER. The gentleman from Oregon asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. HAWLEY. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following speech by me before the American Mining Congress at the Mayflower Hotel on December 4, 1930:

The Joint Committee on Internal Revenue Taxation was created by section 1203 of the revenue act of 1926, to consist of five members of the Committee on Finance of the Senate and five members of the Committee on Ways and Means of the House of Representatives, chosen by the Finance Committee and Ways and Means Committee, respectively.

The duties of the joint committee are defined as follows:

(1) To investigate the operation and effects of the Federal system of internal-revenue taxes.

(2) To investigate the administration of such taxes by the Bureau of Internal Revenue or any executive department, establishment, or agency charged with their administration.

(3) To make such other investigations in respect of such system of taxes as the joint committee may deem necessary.

(4) To investigate measures and methods for the simplification of such taxes, particularly the income tax.

(5) And to publish from time to time, for public examination and analysis, proposed measures and methods for the simplification of such taxes.

(6) It has authority to investigate income-tax returns and to be furnished with information as to the administration of the internal revenue laws.

(7) It has authority to hold hearings whenever and wherever it may deem advisable; to require, by subpœnas or otherwise, the attendance of witnesses, the production of books, papers, and documents; to administer oaths; and to take testimony.

(8) It can employ expert, clerical, stenographic, and other services.

The first deficiency act, 1927, included the following language: "*Provided*, That no part of this appropriation shall be available for paying any claim allowed in excess of $75,000 until after the expiration of 60 days from the date upon which a report giving the name of the person to whom the refund is to be made, the amount of the refund, and a summary of the facts and the decision of the Commissioner of Internal Revenue is submitted to the Joint Committee on Internal Revenue Taxation."

This was made permanent law in section 710 of the revenue act of 1928, in the following language:

"SEC. 710. Refunds and credits to be referred to joint committee. No refund or credit of any income, war-profits, excess-profits, estate, or gift tax in excess of $75,000 shall be made after the enactment of this act until after the expiration of 30 days from the date upon which a report giving the name of the person to whom the refund or credit is to be made, the amount of such refund or credit, and a summary of the facts and the decision of the Commissioner of Internal Revenue is submitted to the Joint Committee on Internal Revenue Taxation. A report to Congress shall be made annually by such committee of such refunds and credits, including the names of all persons and corporations to whom amounts are credited or payments are made, together with the amounts credited or paid to each."

The Congress recognized that the Committees on Finance and on Ways and Means, burdened with legislation covering a wide field, including many subjects other than tax legislation, were unable to give internal-revenue legislation the continual and exhaustive study and investigation which such technical and complicated laws required. A working knowledge of tax legislation includes constant observation, not only of the regulations made by the Treasury Department but also of the continual application of the regulations to the tens of thousands of varying cases decided under them; of the rulings of the United States Board of Tax Appeals; and of the decisions of the Federal courts, which are the final determinations of the meaning of the law.

In many respects our tax laws are a growth rather than a well-digested and properly balanced code of laws. Our income tax laws are comparatively new in our system and have not yet assumed a final form. Experience furnishes the information that will enable Congress to enact enduring legislation, and experience is interpreted by investigations. Tax legislation is not per se partisan legislation. The principal purpose, then, in establishing the joint committee was to form a nonpartisan body which could devote itself entirely to internal-revenue matters.

Reference to section 1203 of the revenue act of 1926 already mentioned will show that the main function of the committee is research work. This research work can be classified into three parts: First, investigations of the operation and effect of the internal revenue laws; second, investigations as to the administration of such laws by executive departments; and third, investigations of means and methods for improving or simplifying the internal revenue laws. The law authorizes the committee to employ the necessary experts to carry on the work, and also provides that the results of their researches may be published for the benefit of Congress and the public.

The staff employed by the committee is able and experienced and is under the competent direction of Mr. L. H. Parker.

The revenue act of 1926 cited above directed the Treasury to report to the committee and defer payment thereof for a period of 30 days all refunds in excess of $75,000. While no power of approval or disapproval is vested in the committee, this added function has operated to keep the committee and its staff continuously informed on the controversial matters in connection with the interpretation of the revenue acts.

Judge William R. Green, of the United States Court of Claims, and former chairman of the Ways and Means Committee, was the first chairman of the joint committee. On his recommendation, the committee instructed its staff to prepare reports on some nineteen subjects. Out of this number, 11 have been reported on to the committee and 10 published in either complete or summary form. As a result of some of these reports, changes were made in the 1928 act, and in other cases changes were shown to be inadvisable. The subjects covered by the 11 completed reports are as follows:

1. Depletion of mines.
2. Depletion of oil and gas wells.
3. Capital gains and losses.
4. Earned income.
5. Installment sales.
6. Depreciation.
7. Evasion of surtaxes by incorporation.
8. Consolidated returns.
9. Interest provisions.
10. Board of Tax Appeals.
11. Statute of Limitations.

The remaining eight subjects, included in the original list approved, are still under investigation and are as follows:

1. Inventories.
2. The surtax.
3. Credits allowed individuals.
4. Publication of statistics.
5. Closing old tax returns.
6. Loss of revenue through gifts and trusts.
7. Foreign corporations.
8. Valuation methods.

Since this original list of subjects was selected for research, the following additional reports have been approved and reported on to the committee by its staff.

1. Federal taxation of life-insurance companies.
2. Federal taxation of mutual insurance companies other than life.
3. Revised report on earned income.
4. Supplemental report on capital gains and losses.

There is now in process of preparation the following additional reports not already mentioned:

1. Federal and State death taxes.
2. Incidence of the corporation tax.
3. Tax-exempt corporations.
4. Double taxation.
5. Taxation of corporate reorganizations.

Besides these reports on technical subjects, the committee also makes an annual report in connection with its examination of all current refunds of over $75,000.

In addition to the above investigations covering the field of the operation and effect of our internal revenue laws and their administration, the committee has also made two advances in the direction of simplification; first, by advocating the change in arrangement of the income tax act made effective by the revenue act of 1928; and, second, by preparing a codification of internal revenue laws which contains all the permanent law on this subject.

The preparation of this codification has been a long and painstaking task, but the document is now in the hands of the printer and will soon be available for distribution. The codification, while making no change in the substantive law, rearranges the provisions in one volume, omitting all obsolete, repealed, or temporary provisions. It is hoped that this codification can be submitted to Congress with the cooperation of the Committee on the Revision of the Laws and can be enacted into absolute law. It will be recalled that our present United States Code is only prima facie evidence of the law. If our hopes are realized, we will have a complete statement of all our internal revenue laws in one title of the United States Code, and this will furnish an excellent basis for all future amendments and simplification programs.

The members of the American Mining Congress are, of course, now especially interested in the hearing before the joint committee to be held on December 9. This hearing was decided on by the committee last July, although it represented a departure from their usual custom to leave public hearings to the Committees on Finance and on Ways and Means. In this case, however, the subject of depletion, on which a hearing was requested by representatives of the mining industry, is such a technical subject as seems worthy of special discussion. Also, the committee has before it the preliminary report of its staff, which indicates that the equity of our present system is doubtful, and recommends the study of methods which give some promise of securing a better distribution of depletion with greater simplicity.

The attitude of the joint committee on this subject, or, for that matter, any other that it considers, is that it wants the facts. It desires to hear the views of those who have given the subject careful thought, no matter how divergent these views may be. Out of discussion which is conducted on a high plane, with due regard to the varying interests represented, there will often come light. I feel sure the committee will not recommend a change of doubtful propriety nor refuse to change a system which can plainly be improved. It must, of course, be kept in mind that the committee can not merely have the interests of the mining industry at heart, but that it must also protect the Government revenue and ascertain that the mining industry is neither too favorably nor too unfavorably treated with respect to the treatment accorded other industries.

Following the hearing the existing law relative to mining depletion will be given further intensive study.

As in the case of any inquiry on any important matter, the published results are only the part deemed valuable out of a vast amount of material examined. A large field may produce a large amount of straw but a comparatively small yield of grain. In attaining a sound conclusion it is as important to discard the erroneous as to preserve the valuable. All good legislation results from an accurate determination of the facts and the derivation of sound conclusions therefrom. What part of the returns from the products of industry and labor or from services shall be taken for the support of government is a serious problem. The distribution of taxes among taxpayers involves many difficult and intricate considerations, outstanding among which are equitable distribution, certainty of incidence, and ability to pay. It is

sometimes said that owing to the mutability of things human and the infinite variety of business, fairness in taxation can not be attained. If it should be impossible to enact legislation which will operate without any inequalities, nevertheless it is incumbent on legislators to approximate as nearly thereto as may be possible in the light of experience and by the aid of full information expertly assembled and scientifically considered.

The Joint Committee on Internal Revenue Taxation intends by the expert and detailed investigation of difficult problems in taxation to find their proper solution. Since its members are also members of the taxing committees of the Congress the information collected and the conclusions reached will be immediately available for the use of these committees.

I do not subscribe to the theory of the old-time French chancellor that taxation is "the art of getting the most feathers from the goose with the least squawking."

Taxation is the taking from the taxpayers the smallest amount that will suffice to carry on the Government for the public good, based on equitable distribution, certainty in incidence and ability to pay.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BEEDY for three days on account of urgent business.

To Mr. GASQUE (at the request of Mr. MCSWAIN), on account of death in his family.

To Mr. WALKER, for an indefinite period, on account of important business.

Mr. VESTAL. Mr. Speaker, at the request of my colleague [Mr. CARTER of Wyoming], I ask for an indefinite leave of absence for him, on account of illness in his family.

The SPEAKER. Without objection, the leave will be granted.

There was no objection.

ADJOURNMENT OVER

Mr. TILSON. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet next Monday.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that when the House adjourns to-day it adjourn to meet next Monday. Is there objection?

There was no objection.

ORDER OF BUSINESS

Mr. TILSON. Mr. Speaker, it is expected that on Monday next the Interior Department appropriation bill will be taken up for consideration.

Mr. GARNER. May I ask the gentleman a question in connection with next week's business?

Mr. TILSON. Yes.

Mr. GARNER. Are there any prospects or has the gentleman any definite idea as to when we may expect a report, if at all, from the conference on Muscle Shoals?

Mr. TILSON. I do not know as to that. They have not formally reported to the House, as the gentleman knows.

Mr. GARNER. I am asking the gentleman if he has any knowledge or any suggestion as to when we may possibly get a report from that committee, either a disagreement or an agreement.

Mr. TILSON. I have no definite information which will enable me to inform the gentleman definitely as to that matter.

Mr. WOOD. I wish to say to the gentleman from Texas that in the event there is a favorable report upon the bill appropriating $150,000,000 to meet the present emergency and we can get it ready before taking up the Interior Department appropriation bill I think we should do it.

Mr. TILSON. The bill is not ready, but when it is ready I assume there will be no objection to taking it up ahead of the Interior Department appropriation bill.

Mr. GARNER. That is on the assumption, of course, that there are going to be hearings before your committee and a record made as to exactly what you intend to do?

Mr. WOOD. Yes. We had a hearing this morning and will have one all day to-morrow.

Mr. CRAMTON. Starting at 9.30.

Mr. GARNER. I know you had a hearing to-day and will have one to-morrow, and I assume your record will show just what you intend to do with the $150,000,000.

Mr. WOOD. As nearly as it is humanly possible.

Mr. LAGUARDIA. Before the bill is brought before the House, will it be possible to have copies of the hearings in order to avoid a great deal of misapprehension and misunderstanding, perhaps?

Mr. WOOD. We are having them printed as fast as they are held, and we will endeavor to have the full record in print by the time the hearings are finished.

Mr. STAFFORD. I would like to inquire of the chairman of the Appropriations Committee as to whether the Interior Department appropriation bill is ready to report.

Mr. WOOD. It is.

Mr. STAFFORD. Why can not the bill be reported so that Members may have an opportunity to examine its provisions?

Mr. CRAMTON. Mr. Speaker, the subcommittee will report the bill to the full committee Monday morning. There was some thought of a meeting of the full committee to-morrow, but because of the hearing before the deficiency committee on the employment-emergency measure, it is, of course, not possible to have a meeting of the full committee to-morrow on the Interior bill; but it will be acted on by the full committee and reported Monday, I am sure.

Mr. TILSON. The hearings before the gentleman's subcommittee will be ready?

Mr. CRAMTON. They will be ready; yes.

Mr. STAFFORD. There is a growing practice here on the part of the Committee on Appropriations to introduce an appropriations bill on the day when it is to be taken up, and such a practice is one to be condemned and severely criticized.

Mr. CRAMTON. I will say, Mr. Speaker, there will be no action on any item of that bill at any time Monday, but the hearings will be ready and also the report. The gentlemen will have until Tuesday to examine them before there is any action whatever; and in addition to this there will be preliminary statements in general debate in which we will hope to outline the principal features of the bill.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. CHINDBLOM. I have seen a copy of the hearings. Are they available for general distribution?

Mr. CRAMTON. They have not been made available yet. I think there are some for the press, but I do not know that copies are sufficient for distribution to the House.

Mr. GREEN. Will there be any general debate on the emergency appropriation bill?

Mr. TILSON. There probably will be.

ADJOURNMENT

Mr. WOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 45 minutes p. m.) the House, in accordance with its previous order, adjourned until Monday, December 8, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Saturday, December 6, and Monday, December 8, 1930, as reported to the floor leader by the clerks of the several committees:

SATURDAY, DECEMBER 6, 1930

COMMITTEE ON APPROPRIATIONS

(9.30 a. m.)

Deficiency subcommittee to consider the appropriation for construction work.

(10.30 a. m.)

State, Justice, Commerce, and Labor Departments appropriation bill.

Agricultural Department appropriation bill.

(1.30 p. m.)

War Department appropriation bill.

MONDAY, DECEMBER 8, 1930

COMMITTEE ON EDUCATION

(10 a. m.)

To extend the provisions of certain laws relating to vocational education and civilian rehabilitation to Porto Rico. (H. R. 12901.)

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

672. A letter from the chairman of the Federal Farm Board, transmitting the first annual report of the Federal Farm Board, covering operations during the year ending June 30, 1930 (H. Doc. No. 661); to the Committee on Agriculture and ordered to be printed.

673. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on preliminary examination of Rough River, Ky., with a view to the control of its floods (H. Doc. No. 662); to the Committee on Flood Control and ordered to be printed, with illustrations.

674. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to an item for the Treasury Department in the Budget for the fiscal year 1932 (H. Doc. No. 667); to the Committee on Appropriations and ordered to be printed.

675. A letter from the chairman of the National Advisory Committee for Aeronautics, transmitting copy of the sixteenth annual report of the National Advisory Committee for Aeronautics for the fiscal year 1930; to the Committees on Military Affairs, Naval Affairs, and Interstate and Foreign Commerce.

676. A letter from the Architect of the Capitol, transmitting the annual report of the office of the Architect of the Capitol for the fiscal year ended June 30, 1930; to the Committee on Public Buildings and Grounds.

677. A letter from the Comptroller General of the United States, transmitting recommendation for the enactment of legislation for the standardization of existing "outstanding liabilities" accounts, and of the negotiable period of Federal checks and warrants; to the Committee on Expenditures in the Executive Departments.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 14525) granting an increase of pension to Carl Enevoldsen, and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BACHMANN: A bill (H. R. 14558) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near New Martinsville, W. Va.; to the Committee on Interstate and Foreign Commerce.

By Mr. DAVILA: A bill (H. R. 14559) to amend the organic act of Porto Rico, approved March 2, 1917; to the Committee on Insular Affairs.

Also, a bill (H. R. 14560) to amend the organic act of Porto Rico, approved March 2, 1917; to the Committee on Insular Affairs.

By Mr. HALL of Mississippi: A bill (H. R. 14561) to authorize the erection of an addition to Veterans' Bureau hospital at Gulfport, in the State of Mississippi, and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. HULL of Tennessee: A bill (H. R. 14562) to authorize the erection of a Veterans' Bureau hospital in middle Tennessee, and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. McSWAIN: A bill (H. R. 14563) to cash World War adjusted-compensation certificates; to the Committee on Ways and Means.

By Mr. MANSFIELD: A bill (H. R. 14564) to provide for the early completion of the works of improvement on the adopted and authorized river and harbor projects, including the connecting channels of the Great Lakes, and to authorize the issuance of bonds therefor; to the Committee on Ways and Means.

By Mr. REECE: A bill (H. R. 14565) to provide for the payment to certain veterans of the face value of their adjusted-compensation certificates; to the Committee on Ways and Means.

By Mr. CORNING: A bill (H. R. 14566) authorizing the conveyance by quitclaim deed of the portion of the abandoned Erie Canal within the Watervliet Arsenal Reservation to the city of Watervliet, N. Y.; to the Committee on Military Affairs.

By Mr. ALMON: A bill (H. R. 14567) to provide for the immediate payment to veterans of the present value of their adjusted-service certificates; to the Committee on Ways and Means.

Also, a bill (H. R. 14568) to provide for advancing to drought-stricken States funds for highway construction; to the Committee on Roads.

By Mr. ASWELL: A bill (H. R. 14569) to authorize the erection of an addition to Veterans' Bureau hospital at Alexandria, in the State of Louisiana, and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. DOUGLAS of Arizona: A bill (H. R. 14570) to create a military cross and a military medal; to the Committee on Military Affairs.

By Mr. FULLER: A bill (H. R. 14571) to authorize the erection of a Veterans' Bureau hospital in northwestern part of the State of Arkansas and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. HOOPER: A bill (H. R. 14572) to authorize the erection of an addition to the Veterans' Bureau Hospital Plant No. 100 at Camp Custer, Mich., and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. HILL of Alabama: A bill (H. R. 14573) authorizing the attendance of the Army Band at the Confederate veterans' reunion to be held at Montgomery, Ala.; to the Committee on Military Affairs.

By Mr. IGOE: A bill (H. R. 14574) to authorize an appropriation of not to exceed $2,000,000 to round out the construction program at the Edward Hines, Jr., Hospital, Hines, Ill., and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. LEAVITT (departmental request): A bill (H. R. 14575) to amend the act of June 2, 1924, providing for a final disposition of the affairs of the Eastern Band of Cherokee Indians in North Carolina; to the Committee on Indian Affairs.

By Mr. McSWAIN: A bill (H. R. 14576) providing for the purchase of a suitable site and the erection of a public building at Woodruff, S. C.; to the Committee on Public Buildings and Grounds.

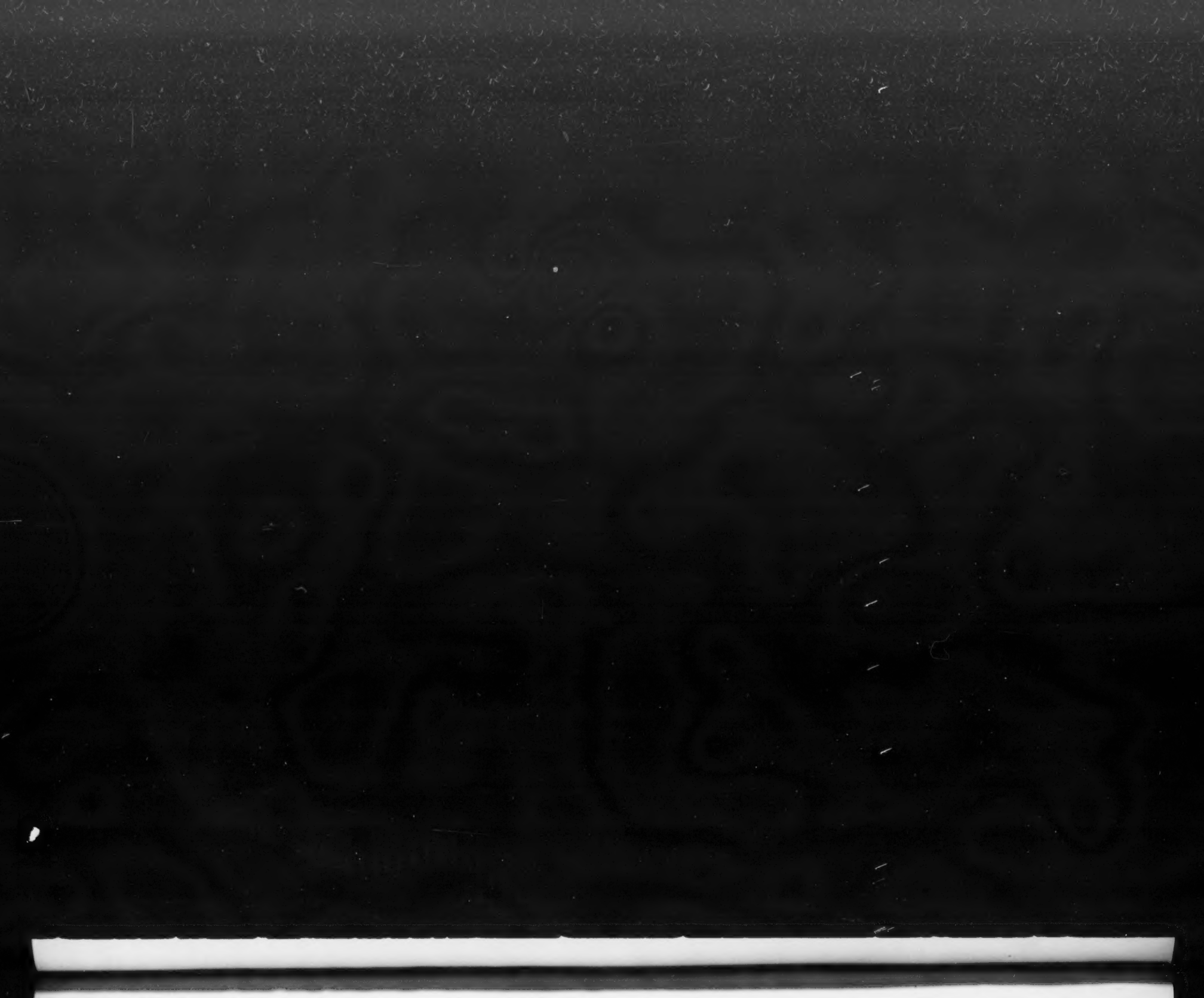
Also, a bill (H. R. 14577) providing for the purchase of a suitable site and the erection of a public building at Greer, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14578) providing for the purchase of a suitable site and the erection of a public building at Inman, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14579) providing for the purchase of a suitable site and the erection of a public building at Jonesville, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14580) providing for the purchase of a suitable site and the erection of a public building at Fountain Inn, S. C.; to the Committee on Public Buildings and Grounds.

By Mr. LANKFORD of Virginia: A bill (H. R. 14581) to authorize the Secretary of the Navy to proceed with the construction of certain public works; to the Committee on Naval Affairs.



By Mr. OLIVER of New York: A bill (H. R. 14582) to provide a judicial method of trying charges against postal employees; to the Committee on the Post Office and Post Roads.

By Mr. WHITE: A bill (H. R. 14583) to remove certain limitations placed upon the authority granted by sections 301 and 302 of the merchant marine act, 1928; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 14584) to clarify the laws relating to loans by the United States Shipping Board from its construction loan fund; to the Committee on the Merchant Marine and Fisheries.

By Mrs. ROGERS: A bill (H. R. 14585) to authorize an appropriation for construction of certain buildings at Camp Devens, Mass.; to the Committee on Military Affairs.

By Mr. McLEOD: A bill (H. R. 14586) providing for an appropriation toward the alteration and repair of the buildings of Eastern Dispensary and Casualty Hospital; to the Committee on the District of Columbia.

By Mr. SABATH: A bill (H. R. 14587) for the erection of a public building at Chicago, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. ARNOLD: Joint resolution (H. J. Res. 419) declaring Armistice Day to be a legal holiday; to the Committee on the Judiciary.

By Mr. LANKFORD of Georgia: Joint resolution (H. J. Res. 420) for the relief of farmers in the drought and/or storm stricken areas of the United States; to the Committee on Agriculture.

By Mr. ALMON: Joint resolution (H. J. Res. 421) for the relief of farmers in the drought and/or storm stricken areas of the United States; to the Committee on Agriculture.

By Mr. HALL of Illinois: Joint resolution (H. J. Res. 422) to authorize personal quarters, an elevator, and kitchen equipment at Veterans' Bureau Hospital No. 53, Dwight, Ill.; to the Committee on World War Veterans' Legislation.

By Mr. LANKFORD of Georgia: Joint resolution (H. J. Res. 423) for the relief of farmers in financially stricken areas of the United States; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACHMANN: A bill (H. R. 14588) granting an increase of pension to Alice A. Grimes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14589) for the relief of Charles P. McDonald; to the Committee on Military Affairs.

By Mr. BLOOM: A bill (H. R. 14590) granting a pension to Hattie Cox; to the Committee on Pensions.

By Mr. CLARKE of New York: A bill (H. R. 14591) for the relief of Joseph Mossew; to the Committee on Claims.

By Mr. CROWTHER: A bill (H. R. 14592) granting a pension to Cora Cath; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14593) granting a pension to Marie Ludwig; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14594) granting an increase of pension to Hannah M. Hamilton; to the Committee on Invalid Pensions.

By Mr. CULKIN: A bill (H. R. 14595) granting an increase of pension to Lydia L. Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14596) granting an increase of pension to Elizabeth Garnsey; to the Committee on Invalid Pensions.

By Mr. DALLINGER: A bill (H. R. 14597) for the relief of Domenico Conte; to the Committee on Claims.

Also, a bill (H. R. 14598) for the relief of John White; to the Committee on Military Affairs.

By Mr. DAVIS: A bill (H. R. 14599) granting an increase of pension to Fannie McClellan; to the Committee on Pensions.

By Mr. DUNBAR: A bill (H. R. 14600) granting a pension to Earl R. La Master; to the Committee on Pensions.

Also, a bill (H. R. 14601) granting a pension to Ida M. Varble; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14602) granting a pension to James L. White; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 14603) granting a pension to Thornton Bailey; to the Committee on Invalid Pensions.

By Mr. FULMER: A bill (H. R. 14604) granting a pension to Maggie R. Cooper; to the Committee on Pensions.

Also, a bill (H. R. 14605) granting a pension to Samuel R. Preston, jr.; to the Committee on Pensions.

Also, a bill (H. R. 14606) granting a pension to Harry L. Gibson; to the Committee on Pensions.

By Mr. HOGG of West Virginia: A bill (H. R. 14607) granting an increase of pension to Chloe T. Hutchinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14608) granting back pay to Charles Adkins, on account of pension allowance heretofore made; to the Committee on Pensions.

By Mr. HUDSON: A bill (H. R. 14609) for the relief of Myrus Scofield; to the Committee on Military Affairs.

By Mr. IGOE: A bill (H. R. 14610) for the relief of John Patrick Geary; to the Committee on Naval Affairs.

By Mr. IRWIN: A bill (H. R. 14611) granting an increase of pension to Caroline Dommert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14612) granting an increase of pension to Mariah Ragland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14613) granting an increase of pension to Sarah J. Scott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14614) granting an increase of pension to Leah Coigny; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14615) granting an increase of pension to Eliza J. Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14616) granting an increase of pension to Lucy E. Russell; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Indiana: A bill (H. R. 14617) granting a pension to May Sterling; to the Committee on Invalid Pensions.

By Mr. JOHNSTON of Missouri: A bill (H. R. 14618) granting an increase of pension to Linda M. Miller; to the Committee on Invalid Pensions.

By Mr. LUDLOW: A bill (H. R. 14619) granting an increase of pension to Clara L. Waggoner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14620) granting an increase of pension to Sarah Maria Ryan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14621) granting a pension to Mary E. Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14622) granting an increase of pension to Louisa V. Osbon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14623) granting a pension to Sarah E. Lane; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14624) granting an increase of pension to Eulise Hubbard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14625) granting an increase of pension to Mary S. Greenamire; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14626) granting an increase of pension to Minnie Crum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14627) granting an increase of pension to Frances A. Bruce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14628) granting a pension to Barbary Ellen Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14629) granting an increase of pension to Iantha Bohall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14630) granting an increase of pension to Augusta M. Stratford; to the Committee on Invalid Pensions.

By Mr. MAGRADY: A bill (H. R. 14631) granting a pension to Albert Dietz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14632) granting an increase of pension to Christiana Rodarmel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14633) granting an increase of pension to Margaret E. Seydell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14634) granting an increase of pension to Caroline Stiver; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14635) granting an increase of pension to Elizabeth Price; to the Committee on Invalid Pensions.

By Mr. McCORMACK of Massachusetts: A bill (H. R. 14636) for the relief of George B. Cummins; to the Committee on Military Affairs.

By Mr. McSWAIN: A bill (H. R. 14637) granting a pension to David Wilbern Strickland; to the Committee on Pensions.

Also, a bill (H. R. 14638) for the relief of W. W. McGaliard; to the Committee on Claims.

By Mr. MERRITT: A bill (H. R. 14639) for the relief of Harold I. June; to the Committee on Naval Affairs.

By Mr. MOUSER: A bill (H. R. 14640) granting an increase of pension to Lydia Bacon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14641) granting an increase of pension to Lulu Rarey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14642) granting an increase of pension to Elizabeth Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14643) granting an increase of pension to Cecilia A. Cook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14644) granting a pension to Harrison Sprague; to the Committee on Pensions.

Also, a bill (H. R. 14645) granting a pension to James E. Walker; to the Committee on Pensions.

Also, a bill (H. R. 14646) granting an increase of pension to Marietta McClain; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14647) granting an increase of pension to Emma J. Finkle; to the Committee on Invalid Pensions.

By Mr. NOLAN: A bill (H. R. 14648) for the relief of Vincent J. Conrad; to the Committee on Claims.

Also, a bill (H. R. 14649) for the relief of Maj. Richard K. Smith; to the Committee on Military Affairs.

By Mr. O'CONNOR of Oklahoma: A bill (H. R. 14650) granting a pension to Lena Edna Pollock; to the Committee on Pensions.

Also, a bill (H. R. 14651) granting a pension to Anna Boone Largent; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14652) granting an increase of pension to Sarah G. Burgess; to the Committee on Invalid Pensions.

By Mr. RICH: A bill (H. R. 14653) granting an increase of pension to Margaret C. Huff; to the Committee on Invalid Pensions.

By Mr. ROBINSON: A bill (H. R. 14654) granting an increase of pension to Delia Southerland; to the Committee on Invalid Pensions.

By Mr. SLOAN: A bill (H. R. 14655) granting an increase of pension to Harriett Donovan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14656) granting an increase of pension to Roy Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14657) granting a pension to Archer C. Townsend; to the Committee on Pensions.

Also, a bill (H. R. 14658) granting an increase of pension to Julia Gabriel; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 14659) for the relief of A. W. Duckett & Co. (Inc.); to the Committee on Claims.

By Mr. STONE: A bill (H. R. 14660) for the relief of John Hamilton; to the Committee on Military Affairs.

Also, a bill (H. R. 14661) granting a pension to James A. Hyden; to the Committee on Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 14662) granting an increase of pension to Mary A. Work; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 14663) for the relief of Anna Johnson; to the Committee on Claims.

Also, a bill (H. R. 14664) for the relief of Dan T. Greening; to the Committee on Claims.

By Mr. SWANSON: A bill (H. R. 14665) granting an increase of pension to Hildia P. Hiatt; to the Committee on Invalid Pensions.

By Mr. SWING: A bill (H. R. 14666) for the relief of John Gustav Baisch; to the Committee on Naval Affairs.

By Mr. THURSTON: A bill (H. R. 14667) granting a pension to Mary Wilcox; to the Committee on Invalid Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 14668) granting an increase of pension to Nancy Wood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14669) granting an increase of pension to Ludwig Zugner; to the Committee on Pensions.

By Mr. TINKHAM: A bill (H. R. 14670) granting an increase of pension to Clementine Biewald; to the Committee on Invalid Pensions.

By Mr. TREADWAY: A bill (H. R. 14671) for the relief of Adam Bischoff; to the Committee on Military Affairs.

By Mr. TURPIN: A bill (H. R. 14672) for the relief of Lewis A. McDermott, deceased; to the Committee on Naval Affairs.

By Mr. VINCENT of Michigan: A bill (H. R. 14673) granting a pension to John Louis Nuendorf; to the Committee on Pensions.

By Mr. WATRES: A bill (H. R. 14674) granting an increase of pension to Mary A. Radney; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7781. By Mr. BARBOUR: Letter of the Milk Producers' Association of Central California, of Modesto, Calif., containing a resolution indorsing the Federal Farm Board; to the Committee on Agriculture.

7782. By Mr. CANNON: Petition of veterans of the World War residing at Middletown, Mo., favoring legislation providing for immediate payment of World War adjusted-service compensation certificates; to the Committee on Ways and Means.

7783. By Mr. CULLEN: Petition of the Second Oregon Volunteer Infantry Association, urging the Congress to enact suitable laws which will provide for the conscription of all wealth, labor, and property, as well as man power of the Nation, for the service of the Government should America ever again become engaged in war; to the Committee on the Judiciary.

7784. By Mr. EATON of Colorado: Resolution of the executive committee of the Colorado Mining Association, the governing board of the Colorado Chapter of the American Mining Congress, and the directors of the Colorado Metal Mining Fund, that they are opposed to the publication of geological reports, topographical maps, or scientific studies conducted by either the United States Geological Survey or United States Bureau of Mines on a cooperative agreement; that the publication and distribution of such work is distinctly a Government duty, and that the States should not be required to share in this expense; that the publishing and distribution of such information should be conducted by the Government at its own expense for the greatest benefit to the people; to the Committee on Appropriations.

7785. Also, resolution of the executive committee of the Colorado Mining Association, the governing board of the Colorado Chapter of the American Mining Congress, and the directors of the Colorado Metal Mining Fund, that the Congress of the United States be urged to make sufficient appropriations to the Geological Survey and the Bureau of Mines so that the valuable work of their scientists can be made available to the people promptly and in convenient form for the broadest use; that such appropriation be sufficiently flexible so that increases could be made in the editorial staff where necessary and these papers not be held up on account of insufficient editorial and mechanical help; to the Committee on Appropriations.

7786. By Mr. GARBER of Oklahoma: Petition of National Association of Letter Carriers of Oklahoma, in regard to Kendall shorter work week bill, H. R. 6603; to the Committee on the Post Office and Post Roads.

7787. Also, petition of James F. Smith Post, American Legion, Muskogee, Okla., in regard to immediate payment adjusted-compensation certificates to World War veterans; to the Committee on Ways and Means.

7788. Also, petition of Oklahoma Department, Daughters of Union Veterans of the Civil War, in opposition to pro-

posed legislation to change name of Civil War to War of the States; to the Committee on Military Affairs.

7789. Also, petition of Second Oregon Volunteer Infantry Association, in behalf of conscription of wealth, labor, property, and man power for national defense in time of war; to the Committee on Military Affairs.

7790. By Mr. KIEFNER: Petition of Veterans of the World War and members of Medford McClanahan Post, No. 248, of the American Legion, at Fredericktown, Madison County, Mo., asking for the payment in lump sum the soldiers' bonus authorized under the adjusted compensation law; to the Committee on World War Veterans' Legislation.

7791. By Mr. LINTHICUM: Petition of C. Wilson Wood, Baltimore, Md., advocating continuance of Center Market; to the Committee on the District of Columbia.

7792. Also, petition of Christian Science committee on publication, Baltimore, Md., urging favorable action on the Vestal copyright bill, H. R. 12549; to the Committee on Patents.

7793. Also, petition of Waldo Newcomer, chairman Maryland State drought-relief committee, of Baltimore Trust Co., Baltimore; T. B. Symons, director agriculture and home economics, University of Maryland, College Park, Md., advocating passage of House Joint Resolution 403; to the Committee on Agriculture.

7794. Also, petition of Henry E. Corner, chairman public affairs committee, Young Women's Christian Association, Baltimore, Md., urging passage of the Wagner bills for mitigation of unemployment; to the Committee on Labor.

7795. By Mr. O'CONNELL: Petition of the New York Academy of Medicine, New York City, opposing the passage of House bill 7884; to the Committee on the District of Columbia.

7796. By Mr. O'CONNOR of New York: Resolutions of the New York Academy of Medicine, in opposition to House bill 7884; to the Committee on the District of Columbia.

7797. By Mr. PATMAN: Petition of D. F. McLaurine and 351 other World War veterans of the United States veterans' hospital, at Legion, Tex., urging the immediate payment of adjusted-service certificates; to the Committee on Ways and Means.

7798. Also, petition of J. C. Brazelton and 120 other veterans and citizens of Akron, Ohio, urging the immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7799. Also, petition of Sigge Malmgren and 174 other citizens and veterans of the State of Massachusetts, urging the immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7800. Also, petition of Pearl Kiefer and 182 other citizens and veterans in the State of Montana, urging the immediate payment of adjusted-service certificates; to the Committee on Ways and Means.

7801. Also, petition of O. B. Muldowney and 104 other veterans and citizens of Hot Springs, S. Dak., and Andrew Cochran, together with 65 other veterans from Castle Point, N. Y., urging the immediate payment of adjusted-service certificates; to the Committee on Ways and Means.

7802. Also, petition of William Robinson and 25 other World War veterans in support of House bill 3493, providing for the immediate payment of adjusted-service certificates; to the Committee on Ways and Means.

7803. Also, petition of H. H. McDonald and 70 other veterans and citizens of Savannah, Ga., urging the immediate payment of adjusted-service certificates as soon as Congress can make it possible; to the Committee on Ways and Means.

7804. Also, petition of Gert West and 137 other veterans of Dayton, Ohio, urging the immediate payment of adjusted-service certificates; to the Committee on Ways and Means.

7805. Also, petition of Charles H. Jones and 142 other World War veterans of the United States Veterans' Bureau clinical center at Mount Alto, urging the passage of legislation to immediately pay adjusted-service certificates in cash as a means of relief of unemployment and to offset the present period of depression; to the Committee on Ways and Means.

7806. Also, petition of W. A. Oswalt and 519 other veterans and citizens of the State of Ohio, urging immediate payment of adjusted-service certificates; to the Committee on Ways and Means.

7807. Also, petition of Claude J. Decker and 15 other veterans and citizens of Worcester, Mass., urging the immediate payment of adjusted-service certificates; to the Committee on Ways and Means.

7808. By Mr. STONE: Petitions signed by citizens of Sulphur, Okla., indorsing the Putnam bill, which provides for the immediate payment in full of the World War veterans' adjusted compensation; to the Committee on Ways and Means.

7809. By Mr. SWANSON: Petition of Forrest B. Krauss and 25 others, favoring payment of adjusted compensation at this time; to the Committee on Ways and Means.

SENATE

MONDAY, DECEMBER 8, 1930

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O God, our refuge and strength, whose compassions fail not and whose mercy reacheth into the world's end, keep us, we beseech Thee, under the protection of Thy good providence, that by Thy mighty aid we may be defended in all dangers and adversities whensoever they oppress us.

Pardon what we have been, sanctify what we are, order what we shall be, that without let or hindrance we may serve Thee in our generation by contending fearlessly for the right against all evil and oppression, making reverent use of our freedom to the maintenance of justice among men and nations and to the glory of Thy holy name. Through Jesus Christ our Lord. Amen.

SAM G. BRATTON, a Senator from the State of New Mexico, and JESSE H. METCALF, a Senator from the State of Rhode Island, appeared in their seats to-day.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of the proceedings of Thursday last, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 13518. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 14246. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H. R. 4050. An act donating trophy gun to F. D. Hubbel Relief Corps, No. 103, of Hillsboro, Ill.;

H. R. 7996. An act to change the name of Iowa Circle in the city of Washington to Logan Circle;

H. R. 10093. An act for the relief of Emmett Brooks;

H. R. 10341. An act to amend section 335 of the Criminal Code;

H. R. 12742. An act to amend the act entitled "An act to adjust the compensation of certain employees in the Customs Service," approved May 29, 1928;

H. R. 13035. An act to extend the times for commencing and completing the construction of a bridge across the Grand Calumet River at East Chicago, Ind.; and

H. J. Res. 333. Joint resolution to authorize an appropriation of $10,000 for the expenses of participation by the United States in the Ninth International Dairy Congress, Copenhagen, Denmark, 1931.

REPORT OF THE ARCHITECT OF THE CAPITOL (S. DOC. NO. 227)

The VICE PRESIDENT laid before the Senate the annual report of the Architect of the Capitol for the fiscal year ended June 30, 1930, which was referred to the Committee on Public Buildings and Grounds and ordered to be printed.

REPORT OF SURGEON GENERAL OF THE PUBLIC HEALTH SERVICE

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, the report of the Surgeon General of the Public Health Service for the fiscal year ended June 30, 1930, which was referred to the Committee on Finance.

PARKER-GILA VALLEY PROJECT, ARIZONA

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, reporting, pursuant to law, on the result of studies and investigations of the Parker-Gila Valley project for the State of Arizona, which was referred to the Committee on Appropriations.

CASPER-ALCOVA IRRIGATION PROJECT, WYOMING

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, submitting, pursuant to law, an engineering report and a land classification and economic report on the Casper-Alcova irrigation project, Wyoming, which, with the accompanying reports, was referred to the Committee on Irrigation and Reclamation.

REPORT OF MIGRATORY BIRD CONSERVATION COMMISSION

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of Agriculture, chairman of the Migratory Bird Conservation Commission, transmitting, pursuant to law, a report of the Migratory Bird Conservation Commission for the fiscal year ended June 30, 1930, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry.

REPORT OF THE FEDERAL FARM BOARD

The VICE PRESIDENT laid before the Senate a communication from the chairman of the Federal Farm Board, transmitting, pursuant to law, the first annual report of the board, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry.

"OUTSTANDING LIABILITIES" ACCOUNTS

The VICE PRESIDENT laid before the Senate a communication from the Comptroller General of the United States, transmitting, pursuant to law, his recommendation for the enactment of legislation for the standardization of existing "outstanding liabilities" accounts, and of the negotiable period of Federal checks and warrants, which, with the accompanying report, was referred to the Committee on Banking and Currency.

CREDENTIALS

The VICE PRESIDENT laid before the Senate the credentials of MARCUS A. COOLIDGE, chosen a Senator from the State of Massachusetts for the term commencing March 4, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of WILLIAM J. HARRIS, chosen a Senator from the State of Georgia for the term commencing March 4, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of JAMES HAMILTON LEWIS, chosen a Senator from the State of Illinois for the term commencing March 4, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of HUEY P. LONG, chosen a Senator from the State of Louisiana for the term commencing March 4, 1931, which were read and ordered to be placed on file.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate resolutions adopted by the Ministerial Alliance and its allied societies at Joplin, Mo., favoring the adhesion by the United States to the World Court protocol, which were referred to the Committee on Foreign Relations.

Mr. JONES presented petitions of Renton Aerie, of Renton; Goldendale Aerie, of Goldendale; Tenino Aerie, of Tenino; Snohomish Aerie, of Snohomish; Roslyn Aerie, of Roslyn; and Buckley Aerie, of Buckley, all of the Fraternal Order of Eagles in the State of Washington, praying for the passage of legislation creating a Federal industrial commission, which were referred to the Committee on Education and Labor.

Mr. SHIPSTEAD presented a resolution adopted by the mayor and council of the city of Stillwater, Minn., indorsing Senator SHIPSTEAD'S proposal relating to the improvement and financing of waterways, which was referred to the Committee on Commerce.

MATURITY OF VETERANS' ADJUSTED-SERVICE COMPENSATION CERTIFICATES

Mr. VANDENBERG. Mr. President, in the nature of a petition I present certain correspondence with the Secretary of the Treasury respecting the problem of anticipating the maturity of veterans' adjusted-compensation certificates. At my request the President asked the Treasury to study this problem in all its related considerations. On Saturday the Secretary presented his conclusions in the form of a letter addressed to me. It goes without saying that the Congress must give every consideration to these views. The Secretary's conclusions are adverse to the project. But I have asked him to reopen his studies in the light of certain specific suggestions which I have taken the liberty of respectfully submitting to his attention. I am convinced of the great justice and the great utility in this proposal if it can be reduced to a basis of practical advantage shorn of collateral consequences, which might do more harm than good. I ask that the Secretary's letter to me and my reply may be printed in full in the RECORD. In addition I ask that this correspondence may be referred to the Finance Committee for its independent study, even though any such legislation, having to do with raising revenue, must originate under the Constitution in the House. My own views are so completely traversed in my own letter to the Secretary that it is needless at the moment for me to state them to the Senate. I continue to believe in the possibility and the paramount desirability of meeting this situation in a fashion which I have shown can be free of any increase in current tax burdens.

There being no objection, the correspondence was referred to the Finance Committee and ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE TREASURY,
Washington, December 4, 1930.

MY DEAR SENATOR: The President has referred to me your letter of November 24 in which you suggest that we give serious study to the proposal that veterans' adjusted-service certificates be paid at face value this year rather than at maturity.

In order to insure complete understanding of the problems involved in proposals to redeem outstanding adjusted-service certificates, it will be well to review briefly the principles underlying the issuance of these certificates. It will be recalled that in passing the adjusted compensation act the Congress, after extensive consideration, determined in favor of adjusted compensation to veterans in the form of 20-year endowment policies rather than the immediate payment of cash. Under this act the net basic amount due to each veteran, plus an additional credit of 25 per cent to compensate for deferring the payment for 20 years, was used to determine in each case the amount of 20-year endowment insurance that could be purchased on the date the certificate was issued, if the combined amount were applied as a single net premium, in accordance with accepted actuarial principles and on the basis of the American Experience Table of Mortality, with interest at 4 per cent per annum, compounded annually. Adjusted-service certificates, which are in effect 20-year endowment policies with face or maturity values determined as above indicated, were distributed to the veterans.

On December 1, 1930, the face value of the certificates outstanding aggregated $3,409,304,122. To retire these certificates at face value in 1931 rather than at maturity in so far as the veteran is concerned will represent the distribution of about $1,640,000,000 more than the actual present value, which is about $1,770,000,000. It has nowhere been suggested that the adjusted-service compensation allowed is inadequate, and I know of no justification for approximately doubling in effect the distribution provided for in the adjusted service compensation act by the device of payment 15 years in advance of maturity, particularly when such a proposal involves an enormous additional burden

on the taxpayers of the United States. Moreover, I am very definitely of the opinion that the United States Government can not successfully sell three and a half billion dollars of bonds for this purpose at this time.

The present value of the certificates which will mature from 1945 to 1948 is approximately $1,770,000,000. There is some argument in favor of giving to the veterans the option to cash their adjusted-service certificates at the present time on a present-value basis, but in order to reach a conclusion as to its soundness and advisability the proposal should be considered from three standpoints: First, whether it would constitute a real benefit to the veteran; second, assuming that a large proportion of the veterans avail themselves of the privilege accorded them, whether the distribution of this vast sum in cash would aid in the alleviation of the present business depression; and, third, whether the Treasury could borrow the necessary funds at the present time without serious interference with the public-debt operations.

As to the first consideration, I seriously question whether the payment of adjusted-service certificates at their present value, as stated above, would constitute a real benefit to the veterans. As a group, these men doubtless represent an approximate cross-section of our male population. In view of this fact and of their present age and the period of years which has already afforded opportunity for adjustment to peace-time pursuits, they would not seem to be a class which, as such, is in particular need. Furthermore, the retirement at present of outstanding adjusted-service certificates would automatically defeat the purpose which, after careful and extended deliberation, these certificates were devised to serve. Compensation was made in this form and not in a lump-cash payment in order that the veteran might be given an investment the value of which would increase from year to year and be available for distribution at a time when, presumably, it would be helpful. I do not believe that the Government would be justified in inviting these men to relinquish their compensation certificates which are, by intention, equivalent to insurance policies. It is possible for the veterans now to borrow on their certificates when temporary emergency needs make this procedure necessary, and the records show that many have taken advantage of this privilege.

As to the second consideration, the effect on economic conditions, the Government would have to finance the payments by the sale of securities in the open market, and it is clear that, in so far as the retirements would place cash in the hands of the beneficiaries and result in the current spending of that cash, the net effect of the operation would be to divert savings into purchases for consumption. Obviously not all veterans would take advantage of the privilege of cashing their certificates. Moreover, this number would include many who have borrowed on their certificates; in such cases the proposed payments would be, in part, absorbed in the liquidation of the loans. In any event it is clear that retirement of outstanding certificates would result in the addition of a very large sum to the volume of funds currently available for commodity purchases and would probably have the direct effect of stimulating buying and thus moving goods into consumption. This would unquestionably have a stimulating effect on business, but it would be temporary stimulation of an artificial character and could hardly be expected to have such lasting qualities as would bring about a permanent recovery.

But we must also consider the other side of the picture. The additional funds are to be obtained by borrowing. An issue of bonds for this purpose would draw money out of the bond market and make funds less available for other issues. Business recovery is, in some degree at least, dependent on a good market for new securities to supply the needs of various business enterprises. To the extent that funds seeking investment are diverted to the purchase of Government bonds to be issued for this special purpose, to that extent is the capital market depleted of funds otherwise available for industrial and other employment. Moreover, even if the general economic effect would be beneficial—and I do not believe that it would—are we justified in attempting to achieve such a result at the expense of the veterans? Is it any more sound or equitable to invite them to cash in their endowment-insurance policies and to spend the proceeds for current expenses than to invite other policyholders throughout the country to forego the benefits of future protection and to make a similar sacrifice in the hope of giving a temporary stimulus to business? Business must look to other means of recovery than the dissipation of savings.

Finally, we come to the third consideration, as to whether the borrowing of the vast sum needed can be effected without interference with public-debt operations and without greatly increased interest costs on the public debt. My opinion is that it can not. In March, 1931, the Treasury is faced with public maturities in excess of $1,100,000,000, calling for a large refunding operation. While the market for Government securities is at present good, we can not take it for granted that it has a capacity to take an indefinite amount of these securities. It will be a sufficient task to float an issue or issues already planned without an additional one, and putting in additional issues will undoubtedly result in a higher cost of credit to the Government. Moreover, the day is not distant when many billions of dollars of bonds bearing a 4¼ per cent interest rate become callable. A large increase in the public debt at this time, whether in the form of short-term paper or even long-term bonds, must necessarily adversely affect the extremely important refunding operations that must be undertaken.

It seems, therefore, that the proposal to pay off the adjusted-service certificates at this time would be against the best interests of the veterans, unjustified as a matter of broad economic policy and seriously detrimental to the public-debt operations of the Government.

Sincerely yours,

A. W. MELLON,
Secretary of the Treasury.

Hon. ARTHUR H. VANDENBERG,
United States Senate.

DECEMBER 6, 1930.

Hon. ANDREW W. MELLON,
Secretary of the Treasury,
Washington, D. C.

MY DEAR MR. SECRETARY: I thank you for your letter reporting in detail upon my request to the President for a complete study of the proposal to anticipate the maturities of adjusted service compensation certificates. It was my hope, in making the request, that some way might be found to deal with this situation on a basis which could deserve your approval. Your letter is a sustained argument against the general proposition, and I freely concede the great importance of every adverse consideration which you urge. But I do not read it as foreclosure of further consideration of any suggestion which may seem, at least partially, to void your objections. Therefore I take the liberty of inviting your judgment to the following observations.

You are, of course, entirely correct in your statement that the original intent of the adjusted compensation act was a deliberate choice of endowment insurance rather than cash as the form of adjustment. The national policy of the American Legion has sustained this discrimination, although numerous of its individual posts and other veteran organizations are now urgently petitioning otherwise. A change upon this score is a question in public policy. Many in and out of the ranks of service men favor it. For example, the city council of Detroit has unanimously petitioned Congress for such a change. The question upon which your judgment is sought is a different question at the moment, namely, assuming that it be desirable to change, is there any basis upon which the anticipation of these maturities can be handled, in whole or in part, with the consent of your department respecting fiscal phases?

The Treasury necessarily is concerned with a balanced Budget and the maintenance of a sound fiscal base. It would be suicide to embark upon any expedient which could do more harm in a large sense than it does good in a restricted sense. I entirely respect the Treasury's responsibilities and its view upon this score. We dare not be lured into basic error by the exigencies of the moment. On the other hand, of course, we dare not be academic in the face of a stark reality. It was "reality" and not "desire," for example, which moved us to cancel a large portion of our foreign war debts.

The facts, as I see them, are: (1) Thousands of veterans are in dire distress; they have hypothecated their compensation certificates to the limit and at higher interest rates than ought to attach to such transactions and are in prospect of losing their equity; they feel justly entitled to the same "emergency consideration" from their Government that they gave to their Government in 1917 and 1918; and (2) in abstract economic theory, there could be no greater economic stimulant in the mass than the release of perhaps $1,000 apiece in the hands of some 3,000,000 persons in every State in the Union. Your letter acknowledges some measure of this utility.

Meanwhile, there are other facts, in the nature of obstacles, to which your survey appropriately refers. I do not minimize these obstacles. There could be no advantage or wisdom in ignoring them. The practical question is whether there is a rational route around them. To that end may I respectfully invite a further study of the problem on this theory, namely, that each compensation certificate shall be exchanged for a 3 per cent United States Government bond in the hands of the veterans themselves? This would make the compensation immediately negotiable practically at par and without the slightest difficulty for any veteran. It would decentralize the process of liquidation and avoid the necessity of vast, new machinery for the marketing of new Government securities.

May I respectfully suggest the following considerations as worthy of study in relation to such a program:

(1) It would not increase the current carrying charge upon these obligations. The current annual tax contribution to the accumulating compensation fund is $112,000,000. The annual interest charge upon $2,800,000,000 (the difference between the present fund and the face of the certificates) would be $84,000,000. In other words, the current carrying charge would be substantially reduced.

(2) The annual contribution to the sinking fund now required by law would not have to be increased beyond its existing progression. This annual contribution is larger this year on a net debt of $16,000,000,000 than it was 12 years ago on a net debt of $26,000,000,000. By law it grows larger every year. Obviously, it suffices for a debt of $19,000,000,000.

(3) Therefore the net result, assuming the continuances of the existing sinking fund law, would be the extension for a few years beyond 1949 of the date when the whole national debt will be canceled. That would be the sole actual effect in dollars and cents. This is not intended to gloss over the notorious fact that such a settlement would substantially increase the ultimate total

cost of settling the adjusted service compensation. It simply suggests that the spread of this cost would be sufficiently broad so that it might not be burdensome and raises the question whether this ultimate increase in cost is not wholly warranted by the profound advantages to be gained by maturing these certificates now instead of 1945.

(4) The seeming increase in the national debt is more apparent than real. These certificates are at present a part of the debt. The debt consists of $16,000,000,000 in bonds due at various maturities, plus $3,500,000,000 in certificates due in 1945. This suggestion merely changes the form of this latter portion of the debt, makes it interest bearing, and transfers from creditors who do not want to hold it to other creditors who do.

This general outline is incomplete in many details. Undoubtedly if practical at all it invites many refinements. I submit it with no pride of authorship. It is only one more sincere effort to probe all the possibilities in this great, far-reaching adventure in behalf of creditors who have a peculiar and particular right to enjoy every possible helpful consideration at the hands of their Government.

We are all unitedly striving to meet a difficult situation, and your department is carrying a large share of this burden. I would be the last to complicate that burden in a fashion either futile or fatal. But I am unwilling to consider this adjusted-compensation phase closed until every possible useful and helpful recourse has been dismissed with finality. It involves a great need and a great utility. Some program should be devised to meet it in whole or in part. I believe in its justification and utility. May I solicit further comment from you in response to these suggestions? I am sure we all would welcome a program which might proceed without your objection. In conclusion, may I add that such a program, at its minimum, should relieve these veterans from the necessity of paying 6 per cent interest upon their loans upon their certificates when the Government finances other loans to other groups at much lower rates of interest?

Respectfully yours,

A. H. VANDENBERG.

TARIFF ON RAW COPPER

Mr. ASHURST. Mr. President, for the junior Senator from Arizona [Mr. HAYDEN] and myself, I present a petition signed by Mr. H. S. Hillman and 2,460 other citizens of Cochise County, Ariz., asking for a tariff on raw copper admitted into the United States. I ask that the body of the petition and the first name be printed in the RECORD.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

Hon. HENRY ASHURST,
United States Senate, Washington, D. C.

DEAR SIR: We, the undersigned miners and employees of the mines and smelters at Bisbee and Douglas and business men of this district, earnestly petition you to exert all possible effort to obtain a tariff on copper, which we believe is justified by the facts:

Production of copper in the United States in 1929 strikes almost an exact balance with the United States copper consumption of that year.

We are not exporters of copper except upon account of the vast amount of copper that comes in from South America and other foreign countries free from duty for refining and sale.

The Standard Statistics, of New York, says on August 18: "The drastic decline of nearly 50 per cent in production in the United States this year has not been duplicated by the other producing sections of the world."

This is working decidedly to our disadvantage and to the advantage of the laboring man in South America and other foreign countries.

Mr. Gordon R. Campbell, president of the Calumet & Arizona Mining Co., in a recent statement said: "The development of immense deposits of copper in South America, Africa, and Canada and free importation and sale of copper produced from these mines is undoubtedly placing the position of the whole copper-mining industry of the United States in a very precarious position, and the necessity for a tariff on copper to protect American mines and miners against foreign invasion is becoming more apparent every day. The American copper miner is no more able to compete against cheap foreign labor and low taxation than is the labor in the manufacturing districts in the East."

Conditions in Bisbee and other mining camps in Arizona (as well as in the other copper mining districts of the country) have never been in as bad shape before as they are at the present time, although we have been subject to periodical lay-offs and wage reductions for the past 20 years. We believe a copper tariff would do much to eliminate this condition.

We sincerely hope you will give the subject of our petition careful consideration.

Most respectfully submitted.

H. S. HILLMAN, *Lowell, Ariz.*

Mr. ASHURST. I also ask, in this connection, that there be printed a letter from the chairman of the Tariff Commission, who makes a comment respecting the proposed duty on copper.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES TARIFF COMMISSION,
Washington, December 5, 1930.

Hon. HENRY F. ASHURST,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Receipt is acknowledged of your letter of December 1, transmitting a petition signed by a number of citizens of Arizona urging a tariff on copper, presumably raw copper, now admitted free of duty.

Paragraph (g) of section 336 of the tariff act of 1930 specifically provides "Nothing in this section shall be construed to authorize a transfer of an article from the dutiable list to the free list or from the free list to the dutiable list * * *."

Under these circumstances the Tariff Commission is powerless to assist the petitioners in this matter. Inasmuch as tariff legislation must by law originate in the House of Representatives, perhaps you will wish to inform the signers of that fact, and we accordingly return the petition to you herewith.

Very truly yours,

HENRY P. FLETCHER,
Chairman.

RELIEF OF WORLD WAR VETERANS

Mr. ASHURST. Mr. President, I ask to have printed in the RECORD correspondence between the Director of the Veterans' Bureau and myself with regard to ex-service men receiving statutory awards for arrested tuberculosis.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

NOVEMBER 25, 1930.

Col. GEORGE E. IJAMS,
Director United States Veterans' Bureau.

DEAR COLONEL IJAMS: When H. R. 12175 was pending in the Senate of the Sixty-ninth Congress I offered the following amendment, which amendment was adopted by the Senate and which became a part of Public, No. 448, and for the lack of a better description has come to be known as the Ashurst amendment, to wit:

"That any ex-service person shown to have had a tuberculosis disease of a compensable degree, who, in the judgment of the director, has reached a condition of complete arrest of his disease, shall receive compensation of not less than $50 per month: *Provided, however*, That nothing in this provision shall deny a beneficiary the right to receive a temporary total rating for six months after discharge from a one year's period of hospitalization: *Provided further*, That no payments under this provision shall be retroactive and the payments hereunder shall commence from the date of the passage of this act or the date the disease reaches a condition of arrest, whichever be the later date."

Will you please inform me as to the number of ex-service men now receiving compensation under the provisions of my amendment; and also please further advise me as to the gross sum of money (compensation) which to date has been paid to ex-service men under and by virtue of this Ashurst amendment?

Sincerely yours,

HENRY F. ASHURST,
United States Senator.

UNITED STATES VETERANS' BUREAU,
Washington, December 4, 1930.

Hon. HENRY F. ASHURST,
United States Senate, Washington, D. C.

MY DEAR SENATOR ASHURST: This will acknowledge receipt of your letter of November 25, 1930, requesting information as to the number of ex-service men now receiving statutory awards for arrested tuberculosis and the cost of this amendment to date.

Statutory awards of $50 are being paid to 42,331 veterans for tuberculosis which has reached a condition of complete arrest and to date the cost of this amendment is approximately $78,800,000 over and above the compensation which would have been paid under the rate in effect prior to this amendment.

Very truly yours,

GEORGE E. IJAMS, *Director.*

ROADS ON INDIAN RESERVATIONS

Mr. ASHURST. Mr. President, I ask that there be printed in the RECORD correspondence between the Indian Bureau and myself relative to the appropriation "Roads, Indian reservations, 1929–30."

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

NOVEMBER 24, 1930.

Hon. CHARLES J. RHOADS,
Commissioner of Indian Affairs.

DEAR MR. COMMISSIONER: During the Seventieth Congress I secured the enactment of the following law:

"[PUBLIC—NO. 520—70TH CONGRESS]
"(S. 1145, by Mr. ASHURST)

"An act to authorize an appropriation for roads on Indian reservations

"*Be it enacted, etc.*, That appropriations are hereby authorized out of any money in the Treasury not otherwise appropriated for material, equipment, supervision, and engineering, and the employ-

ment of Indian labor in the survey, improvement, construction, and maintenance of Indian reservation roads not eligible to Government aid under the Federal highway act and for which no other appropriation is available, under such rules and regulations as may be prescribed by the Secretary of the Interior.

"Approved, May 26, 1928."

Will you please supply me with information as to the allocation of the sums of money expended, available, or proposed to be expended on the various Indian reservations for road purposes under the provisions of this act?

Respectfully yours,

HENRY F. ASHURST,
United States Senator.

UNITED STATES DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, December 6, 1930.

Hon. HENRY F. ASHURST,
United States Senate.

MY DEAR SENATOR: Pursuant to your request of November 23, we attach hereto a statement showing expenditures from the appropriation "Roads, Indian reservations, 1929-30," and allotments of the 1931 appropriation, which we hope will answer your purpose.

Sincerely yours,

C. J. RHOADS, *Commissioner.*

Roads, Indian reservations

Agency or school	1929-30 Expended	1931 Allotted
ARIZONA		
Colorado River	$4,822.52	$1,000.00
Havasupai	2,000.00	2,000.00
Hopi	5,008.00	25,500.00
Kayenta Sanatorium		500.00
Leupp	8,000.00	3,000.00
Pima	5,000.00	
Phoenix	2,286.02	1,500.00
San Carlos		2,000.00
Selis	5,000.00	1,000.00
Southern Navajo	10,952.48	25,000.00
Theodore Roosevelt		1,000.00
Western Navajo	6,783.67	2,000.00
	49,852.69	64,500.00
CALIFORNIA		
Fort Bidwell	1,996.78	
Fort Yuma	1,999.91	
Hoopa Valley	489.34	1,000.00
Mission	910.00	1,000.00
Sacramento		500.00
	5,396.03	2,500.00
COLORADO		
Consolidated Ute	1,000.00	5,000.00
IDAHO		
Coeur d'Alene		500.00
Fort Hall	4,579.55	500.00
	4,579.55	1,000.00
IOWA		
Sac and Fox		1,000.00
KANSAS		
Haskell	1,325.43	
MONTANA		
Blackfeet	4,000.00	2,000.00
Crow	3,883.19	
Flathead	4,000.00	
Fort Belknap	4,000.00	3,000.00
Fort Peck		2,500.00
Rocky Boy	3,500.00	3,000.00
Tongue River	6,498.70	6,000.00
	25,981.89	16,500.00
NEBRASKA		
Winnebago	2,500.00	
NEVADA		
Carson	1,142.64	
Walker River	1,963.19	12,500.00
Western Shoshone	2,500.00	2,300.00
	5,605.83	14,800.00
NEW MEXICO		
Eastern Navajo	2,994.23	1,500.00
Jicarilla	7,700.73	3,000.00
Mescalero	4,138.68	3,000.00
Northern Navajo	5,000.00	3,000.00
Northern Pueblos	4,110.64	3,000.00
Southern Pueblos	4,992.65	3,000.00
Zuni	6,921.00	7,500.00
	35,857.93	24,000.00

Roads, Indian reservations—Continued

Agency or school	1929-30 Expended	1931 Allotted
NORTH CAROLINA		
Cherokee	$1,992.62	$1,000.00
NORTH DAKOTA		
Fort Berthold	2,000.00	2,000.00
Standing Rock	3,949.61	5,000.00
Turtle Mountain	52,935.06	46,450.00
	58,884.67	53,450.00
OKLAHOMA		
Cheyenne and Arapaho	978.14	
Chilocco	990.95	
Choctaw-Chickasaw	875.75	
Five Tribes		4,000.00
	2,844.84	4,000.00
OREGON		
Warm Springs	5,000.00	4,000.00
SOUTH DAKOTA		
Cheyenne River	2,928.41	1,000.00
Crow Creek	2,990.49	1,500.00
Pine Ridge	3,906.50	5,000.00
Rosebud	3,968.03	2,000.00
Yankton	2,000.00	500.00
	15,892.43	10,000.00
UTAH		
Paiute	1,907.03	500.00
Uintah and Ouray	3,485.33	
	5,392.36	500.00
WASHINGTON		
Colville	4,998.78	4,000.00
Neah Bay	6,920.23	10,000.00
Taholah	342.50	
Tulalip	4,968.93	14,000.00
Yakima	5,000.00	
	22,250.44	28,000.00
WYOMING		
Shoshone	4,857.27	2,000.00
Total	249,313.98	232,350.00
Balance	786.02	17,750.00
Appropriation	250,000.00	250,000.00

REPORTS OF NOMINATIONS

As in executive session,

Mr. FLETCHER, from the Committee on Military Affairs, reported favorably the nominations of sundry officers in the Army.

Mr. HEBERT, from the Committee on the Judiciary, reported favorably the nomination of Thomas J. Kennamer, of Alabama, to be United States marshal, northern district of Alabama.

Mr. HASTINGS, from the Committee on the Judiciary, reported favorably the nomination of James C. McGregor, of Pennsylvania, to be United States marshal, western district of Pennsylvania.

REPORTS OF COMMITTEES

Mr. McNARY, from the Committee on Agriculture and Forestry, to which was referred the joint resolution (S. J. Res. 211) for the relief of farmers in the drought and/or storm stricken areas of the United States, reported it with an amendment and submitted a report (No. 1165) thereon.

Mr. FLETCHER, from the Committee on Military Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 634. An act for the relief of Louis Vauthier and Francis Dohs (Rept. No. 1166);

H. R. 1081. An act for the relief of Martin G. Schenck, alias Martin G. Schanck (Rept. No. 1167); and

H. R. 1594. An act for the relief of John W. Leich, alias John Leach (Rept. No. 1168).

Mr. CUTTING, from the Committee on Military Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 3692. An act for the relief of George Press (Rept. No. 1169); and

H. R. 7302. An act for the relief of Jeremiah F. Mahoney (Rept. No. 1170).

Mr. CARAWAY, from the Committee on the Judiciary, to which was referred the bill (S. 5061) to authorize the National Society United States Daughters of 1812 to make annual report to the Smithsonian Institution, reported it with amendments and submitted a report (No. 1171) thereon.

MODERNIZATION OF BATTLESHIPS

Mr. SWANSON. From the Committee on Naval Affairs I report back favorably without amendment the bill (S. 4750) to authorize alterations and repairs to certain naval vessels, and I submit a report (No. 1164) thereon.

This is pursuant to the policy heretofore adopted of modernizing our battleships so as to carry out the terms of the London naval treaty. It is simply an authorization. An appropriation must be made, and it must be made very soon or else thousands of people in the various navy yards will be discharged and add to the unemployment situation. Therefore I ask unanimous consent for the immediate consideration of the bill.

The VICE PRESIDENT. Let it be reported for the information of the Senate.

The bill was read, considered by unanimous consent, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That for the purpose of modernizing the U. S. S. *New Mexico*, *Mississippi*, and *Idaho* alterations and repairs to such vessels are hereby authorized at a total cost not to exceed the sum of $30,000,000, in all. The alterations to the capital ships herein authorized shall be subject to the limitations prescribed in the treaty limiting naval armaments, ratified August 17, 1923.

Mr. McKELLAR subsequently said: Mr. President, I have before me a bill (S. 4750) to authorize alterations and repairs to certain naval vessels, reading as follows:

Be it enacted, etc., That for the purpose of modernizing the U. S. S. *New Mexico*, *Mississippi*, and *Idaho*, alterations and repairs to such vessels are hereby authorized at a total cost not to exceed the sum of $30,000,000, in all. The alterations to the capital ships herein authorized shall be subject to the limitations prescribed in the treaty limiting naval armaments ratified August 17, 1923.

The question I desire to ask is, Did that bill pass the Senate this morning?

The PRESIDING OFFICER (Mr. FESS in the chair). It passed this morning.

Mr. McKELLAR. It passed without controversy and without argument and without protest from any Senator, as I understand.

The PRESIDING OFFICER. It passed unanimously.

Mr. McKELLAR. And it has now gone to the President?

The PRESIDING OFFICER. No; it has not yet gone to the House.

Mr. McKELLAR. When the House appropriated, I believe, $30,000,000 for aid to the farmers in the drought-stricken region the President objected to that amount as excessive. I am just wondering what our President is going to say about altering three old battleships at an expense of $30,000,000.

Mr. KING. Mr. President, I desire to enter a motion to recall the measure just referred to and move its reconsideration.

The PRESIDING OFFICER. The motion will be entered.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON:

A bill (S. 5091) to authorize the erection of an addition to Veterans' Bureau hospital at Livermore, in the State of California, and to authorize the appropriation therefor;

A bill (S. 5092) to authorize the erection of a Veterans' Bureau hospital in the inland part of the State of California, and to authorize the appropriation therefor; and

A bill (S. 5093) to authorize the erection of a Veterans' Bureau hospital in the southern part of the State of California, and to authorize the appropriation therefor; to the Committee on Finance.

By Mr. McNARY:

A bill (S. 5094) to amend section 307 of the tariff act of 1930; to the Committee on Finance.

A bill (S. 5095) granting an increase of pension to James Blankenship (with accompanying papers); and

A bill (S. 5096) granting an increase of pension to Mary C. Galbraith (with accompanying papers); to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 5097) to authorize the Secretary of the Navy to proceed with certain public works at the United States Naval Air Station, Pensacola, Fla.; to the Committee on Naval Affairs.

A bill (S. 5098) extending to May 24, 1931, the provisions of the act of May 24, 1928, entitled "An act making eligible for retirement, under certain conditions, officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability in line of duty while in the service of the United States during the World War"; to the Committee on Military Affairs.

A bill (S. 5099) authorizing Pensacola Bridge Corporation (a Florida corporation), its successors and assigns, to construct, maintain, and operate a bridge across Santa Rosa Sound, in the State of Florida, at or near Grassy Point in Santa Rosa County, Fla., and repealing the act approved May 26, 1928, as amended February 19, 1930, authorizing construction of a bridge across Santa Rosa Sound (with accompanying papers); to the Committee on Commerce.

By Mr. SHEPPARD:

A bill (S. 5101) for the relief of J. W. Harrison; to the Committee on Military Affairs.

By Mr. CAREY:

A bill (S. 5102) to authorize the erection of a United States Veterans' Bureau hospital at or near Thermopolis, Wyo.; to the Committee on Finance.

By Mr. COPELAND:

A bill (S. 5103) granting a pension to James J. Freeman; to the Committee on Pensions.

A bill (S. 5104) to provide for cooperation with the several States and Territories in the care, treatment, education, vocational guidance and placement, and physical rehabilitation of crippled children, and for other purposes; to the Committee on Education and Labor.

By Mr. NYE:

A bill (S. 5105) for the relief of certain settlers and claimants within the limits of the grant of land to the Atlantic & Pacific Railroad Co. in the State of New Mexico, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. SMITH:

A bill (S. 5106) to provide for advances by Federal land banks to certain borrowers from such banks, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. BLAINE:

A bill (S. 5107) to extend the times for commencing and completing the construction of the bridge across the Mississippi River at or near Prairie du Chien, Wis.; to the Committee on Commerce.

A bill (S. 5108) authorizing and directing the Comptroller General to prescribe a standard Government form of bill of lading, and for other purposes; to the Committee on Interstate Commerce.

By Mr. FRAZIER:

A bill (S. 5109) to liquidate and refinance agricultural indebtedness, and to encourage and promote agriculture, commerce, and industry, by establishing an efficient credit system, through which the unjust and unequal burdens placed upon agriculture during the period of price fixing and deflation may be lightened by providing for the liquidation and refinancing of farm mortgages and farm indebtedness at a reduced rate of interest through the Federal farm loan system, the Federal reserve banking system, and the postal savings depository system, and creating a board

of agriculture to supervise the same; to the Committee on Agriculture and Forestry.

(By request.) A bill (S. 5110) to amend the act of June 4, 1924, providing for a final disposition of the affairs of the Eastern Band of Cherokee Indians in North Carolina; and

(By request.) A bill (S. 5111) to extend the restrictive period against alienation, lease, mortgage, or other encumbrance of any interest of restricted heirs of members of the Five Civilized Tribes, and for other purposes; to the Committee on Indian Affairs.

By Mr. KEAN:

A bill (S. 5112) to transfer certain functions relating to the retirement of employees in the civil service to the Civil Service Commission; to the Committee on Civil Service.

By Mr. VANDENBERG:

A bill (S. 5113) to authorize the erection of an addition to the Veterans' Bureau Hospital Plant No. 100 at Camp Custer, Mich., and to authorize the appropriation therefor; to the Committee on Finance.

By Mr. SWANSON:

A bill (S. 5114) to legalize bridges across the Staunton River at Brookneal, route No. 18, Campbell County, and at Clover, Halifax County, route No. 12, State of Virginia (with accompanying papers); to the Committee on Commerce.

A bill (S. 5115) to authorize the Secretary of the Navy to proceed with the construction of certain public works; to the Committee on Naval Affairs.

By Mr. TYDINGS:

A bill (S. 5116) for the relief of the E. J. Codd Co. of Baltimore City (Inc.); and

A bill (S. 5117) for the relief of W. Stanley Gorsuch (with accompanying papers); to the Committee on Claims.

By Mr. JONES:

A bill (S. 5118) to amend section 15 of the World War veterans' act of 1924; to the Committee on Finance.

A bill (S. 5119) to amend section 23 of the merchant marine act, 1920; to the Committee on Commerce.

A bill (S. 5120) to reimburse William S. Lewis for his traveling expenses as counsel for the Spokane Indians; to the Committee on Indian Affairs.

A bill (S. 5121) granting a pension to Olive M. Stonerook (with accompanying papers); to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 5122) to authorize an appropriation for the alteration and repair of the buildings of Eastern Dispensary and Casualty Hospital, in the District of Columbia; to the Committee on the District of Columbia.

A bill (S. 5123) granting a pension to William G. Hill (with accompanying papers);

A bill (S. 5124) granting an increase of pension to Mary Emory (with accompanying papers);

A bill (S. 5125) granting an increase of pension to Rebecca S. Kerlee (with accompanying papers);

A bill (S. 5126) granting an increase of pension to Hannah F. Mundell (with accompanying papers); and

A bill (S. 5127) granting an increase of pension to Catharine Vernum (with accompanying papers); to the Committee on Pensions.

By Mr. DILL:

A bill (S. 5128) granting a pension to Charles B. Goddard; to the Committee on Pensions;

A bill (S. 5129) for the relief of Joseph E. Goddard;

A bill (S. 5130) for the relief of Robert B. Early;

A bill (S. 5131) for the relief of Edward H. Scott;

A bill (S. 5132) for the relief of Lewis Kenney;

A bill (S. 5133) for the relief of Herman Wulff;

A bill (S. 5134) for the relief of Walter Gray;

A bill (S. 5135) for the relief of John Gorse; and

A bill (S. 5136) authorizing the appointment and retirement as a major, United States Army, of Harold L. Coffin; to the Committee on Military Affairs.

By Mr. BINGHAM:

A bill (S. 5137) granting permission to Harold I. June to transfer to the retired list of the United States Navy; to the Committee on Naval Affairs.

A bill (S. 5138) to amend the organic act of Porto Rico, approved March 2, 1917; and

A bill (S. 5139) to extend the provisions of certain laws relating to vocational education and civilian rehabilitation to Porto Rico; to the Committee on Territories and Insular Affairs.

By Mr. STECK:

A bill (S. 5140) to authorize the erection of a Veterans' Bureau hospital in the State of Iowa and to authorize the appropriation therefor; to the Committee on Finance.

A bill (S. 5141) for the relief of Clarence R. Killion; to the Committee on Military Affairs.

A bill (S. 5142) granting a pension to George A. Worrall;

A bill (S. 5143) granting an increase of pension to George P. Hamilton; and

A bill (S. 5144) granting an increase of pension to William H. Tullis; to the Committee on Pensions.

By Mr. SHIPSTEAD:

A bill (S. 5145) to authorize the erection of a convalescent hospital on the military reservation at Fort Snelling, in the State of Minnesota, and to authorize the appropriation therefor; to the Committee on Finance.

By Mr. METCALF:

A bill (S. 5146) granting an increase of pension to Jane A. Johnson (with accompanying papers);

A bill (S. 5147) granting a pension to Mary W. Ferrin (with accompanying papers);

A bill (S. 5148) granting an increase of pension to Annie Baxter (with accompanying papers);

A bill (S. 5149) granting a pension to Catherine M. Allen (with accompanying papers);

A bill (S. 5150) granting an increase of pension to Annie S. Sweetland (with accompanying papers);

A bill (S. 5151) granting an increase of pension to Almira M. Stone (with accompanying papers);

A bill (S. 5152) granting an increase of pension to Emma Steere (with accompanying papers);

A bill (S. 5153) granting an increase of pension to Sarah A. Maxwell (with accompanying papers);

A bill (S. 5154) granting an increase of pension to Mary E. Mann (with accompanying papers);

A bill (S. 5155) granting an increase of pension to Eliza A. McCausland (with accompanying papers); and

A bill (S. 5156) granting an increase of pension to Lucie B. White (with accompanying papers); to the Committee on Pensions.

By Mr. ROBINSON of Indiana:

A bill (S. 5157) granting a pension to Chester A. Green (with accompanying papers);

A bill (S. 5158) granting a pension to Sarah Robertson;

A bill (S. 5159) granting an increase of pension to Charles W. Runyan (with accompanying papers);

A bill (S. 5160) granting an increase of pension to Martha L. Shepperd (with accompanying papers); and

A bill (S. 5161) granting an increase of pension to Mary E. Moncrief (with accompanying papers); to the Committee on Pensions.

By Mr. HEFLIN:

A bill (S. 5162) to encourage home building and home owning, and for other purposes; to the Commitee on Agriculture and Forestry.

A bill (S. 5163) relative to the construction of post-office buildings; to the Committee on Post Offices and Post Roads.

By Mr. MOSES:

A bill (S. 5164) granting an increase of pension to Louisa A. Cleveland (with accompanying papers); to the Committee on Pensions.

By Mr. THOMAS of Oklahoma:

A bill (S. 5165) granting a pension to Clyde B. Trimble (with accompanying papers); to the Committee on Pensions.

By Mr. STEIWER:

A bill (S. 5166) to authorize the erection of a new administration building at United States Veterans' Bureau Hospital No. 77, Portland, Oreg.; to the Committee on Finance.

A bill (S. 5167) for the relief of Carrol Samuel Bertelson; to the Committee on Naval Affairs.

A bill (S. 5168) granting a pension to Christiana L. Todd (with accompanying papers);

A bill (S. 5169) granting a pension to Truman B. Gosnell (with accompanying papers); and

A bill (S. 5170) granting a pension to John L. Hammack (with accompanying papers); to the Committee on Pensions.

By Mr. NORRIS:

A bill (S. 5171) granting a pension to Mary Simpkins; to the Committee on Pensions.

Mr. ODDIE. I introduce a bill for the construction of a reservoir in the Little Truckee River, and so forth, and ask that it be referred to the Committee on Irrigation and Reclamation.

This bill is a substitute for the bill I introduced last year for the same purpose with slight changes. The present bill is the result of a long study and a compromise agreement between the various conflicting interests on the river, the lack of which agreement has heretofore prevented the legislation being favorably acted on.

By Mr. ODDIE:

A bill (S. 5172) for the construction of a reservoir in the Little Truckee River, Calif., and for such dams and other improvements as may be necessary to impound the waters of Webber, Independence, and Donner Lakes, and for the further development of the water resources of the Truckee River; to the Committee on Irrigation and Reclamation.

By Mr. HARRIS:

A bill (S. 5173) to authorize full settlement for professional services rendered to an officer of the United States Army; to the Committee on Military Affairs.

A bill (S. 5174) granting a pension to Simmins G. Blount; and

A bill (S. 5175) granting an increase of pension to James A. Walker; to the Committee on Pensions.

By Mr. SHIPSTEAD:

A joint resolution (S. J. Res. 218) to authorize the use of the Mayo Clinic as a diagnostic center; to the Committee on Finance.

HOME BUILDING AND HOME OWNING

Mr. HEFLIN. Mr. President, this morning I introduced a bill to encourage the farmers in my State by the creation of hundreds of thousands of small farms. I ask unanimous consent that the bill be printed in the RECORD, together with a statement I have made upon it.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

S. 5162

A bill to encourage home building and home owning, and for other purposes

Be it enacted, etc., That in order to encourage home building and home owning in the United States and in order to render assistance to the distressed farming industry of the United States the Federal Farm Loan Board is hereby authorized and directed to grant loans in the sum of $3,000 to farmers who in good faith will purchase 60 acres or less of land and build a home thereon for himself and family. The loan herein provided for shall be secured by a lien upon the property and shall be granted for a period of 25 years at an interest rate of 5 per cent.

SENATOR HEFLIN'S STATEMENT

The passage of my bill would result in a little while in creating hundreds of thousands of small farms and in establishing on them industrious home-owning and home-loving farmers.

The agricultural industry, which is in sore distress to-day, is the corner stone of all other industries, and the Government can use a portion of its money to no better advantage than in encouraging and aiding young farmers to buy and own a home and farm.

The Government has recently loaned a hundred million dollars to American shipbuilders, and I think it can well afford to loan some of its millions to rebuild agriculture and bring into being a large number of small farm-owning farmers in the United States.

The building of the farmhouses provided for in my bill would give employment to labor and the funds loaned by the Government would put more money into circulation and contribute in that way to a return of prosperity.

ERECTION OF POST-OFFICE BUILDINGS

Mr. HEFLIN. Mr. President, this morning I introduced a bill relating to the erection of post-office buildings in the United States, and I ask unanimous consent that the bill be printed, together with a statement regarding the construction of such buildings in various communities of the country.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

S. 5163

A bill relative to the construction of post-office buildings

Be it enacted, etc., That whenever the postal receipts of any post office in the United States shall reach the amount of $4,000 per annum, said office shall be eligible for an adequate post-office building to be provided through an appropriation by Congress.

SENATOR HEFLIN'S STATEMENT

The construction of these post-office buildings would give labor employment and in the long run save money to the Government in rents.

RELIEF OF UNEMPLOYMENT—A 5-DAY WEEK

By Mr. WALSH of Massachusetts:

A bill (S. 5100) to provide a 5-day week for Government employees during the economic emergency; to the Committee on Civil Service.

Mr. WALSH of Massachusetts. Mr. President, I desire to address the Senate in explanation of the bill which I have just introduced and to express briefly some views I have with respect to the manner in which the Government can aid in extending relief to lessen the present unemployment emergency.

The VICE PRESIDENT. The Senator from Massachusetts asks unanimous consent to address the Senate. Is there objection? The Chair hears none, and the Senator from Massachusetts will proceed.

Mr. WALSH of Massachusetts. We are all in accord that the paramount business confronting the Congress is to formulate and effectuate a constructive program for dealing with the greatest peace-time emergency which the present generation has known, an economic depression world-wide in its scope and carrying in its wake the most widespread and serious unemployment which our country has experienced in half a century.

The time is past when we can minimize the seriousness of the situation. We should no longer be deluded by the gross underestimates of existing unemployment sedulously circulated by some in high places in the Government. We should no longer heed the recurring claims that three or six months' time will see a restoration to normal conditions and a return of prosperity.

We have been told that there is little which the Federal Government can do to aid, other than to call on private industry to put its shoulder to the wheel and to pray and hope for the best. In terms of Federal aid to relieve the distress the President has asked Congress to authorize a seed and feed loan of insignificant amount for the farmers and to enlarge the appropriations for existing public works that building projects may be speeded and that road-building programs may be augmented. That is all very well as far as it goes, but it is but a drop in the proverbial bucket in the light of existing conditions.

The President insists that the amount of public works which can be started at once is limited to such projects as are already authorized and for which the plans are fully matured. In a word, the President offers as relief a deficiency appropriation bill to advance the public works which were authorized by the Congress when no emergency was thought of or under consideration.

Mr. BARKLEY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Kentucky?

Mr. WALSH of Massachusetts. I do.

Mr. BARKLEY. In view of the fact that the Government itself has its own set-up of architects who are supposed to prepare plans for public works, and in view of the fact that the public works are all more or less standardized, is the Senator able to give any reason why the public works already authorized should not have been under way long before now in order to relieve unemployment?

Mr. WALSH of Massachusetts. I am unable to give any explanation to the Senator. I will state to the Senator

that from all sides I hear very general complaint of the delay in the preparing of plans and the letting of contracts for public buildings which have been authorized. In my own city of Boston the post-office building was demolished more than a year ago. The Government has been under heavy expense in maintaining temporary quarters for several months. Yet no contract for the construction of the new post-office building has yet been made, though the money has been available for more than a year. I think similar situations exist in various parts of the country.

Mr. COPELAND. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from New York?

Mr. WALSH of Massachusetts. I yield.

Mr. COPELAND. May I ask the Senator whether he is impressed by the statements we see in the newspapers about the fear of a deficit?

Mr. WALSH of Massachusetts. I am going to discuss that a little later.

Mr. COPELAND. May I just say that it does seem to me that this is a time when Congress should give consideration to every proper measure which has in it the hope of relief of the situation, and then, so far as the Treasury is concerned, there will have to be plans to take care of any deficit.

Mr. WALSH of Massachusetts. I agree with the Senator.

Mr. COPELAND. But that ought not to be an argument against relieving the situation.

Mr. WALSH of Massachusetts. At a later time I shall have something to say upon the President's recommendations in the way of relief.

But, Mr. President, whether the administration's program be large or small, it obviously reaches only to the assistance of unemployed laborers, mechanics, and artisans, and is of infinitesimal help in furnishing employment for the so-called white-collar worker, who has been as hard hit as his fellow worker in overalls.

Admittedly the primary objective of all unemployment aids, whether they be public or private, Federal or State, is to create jobs for men and women out of work. Charity is all very well, soup kitchens and bread lines and free beds have their place as stop-gap remedies. But what the unemployed want and need is not a dole but the chance to earn a day's pay. There can be no disagreement on that proposition. What little the administration proposed has been freely proclaimed as for the primary purpose of providing more jobs.

The President has called on all private employers not only to maintain their existing pay rolls but also to find places for more workers wherever possible. Private business in many instances has responded to this call, and faced with declining production has shortened hours without lowering wages and in a few instances is blazing the trail for a 5-day week.

As recently as last Saturday night in a radio address Secretary of Commerce Lamont expressed that idea. He said:

> Employers have recognized the justice of spreading out work opportunities among as many workers as possible.

He stated that there was "striking evidence" of this in the business world. He referred to the principle of "rotation of work," and added:

> I can not emphasize too strongly the desirability of some such system of staggering employment. An even wider adoption of such measures offers the best opportunity for prompt alleviation of our present problems.

With such sentiments we are all in hearty sympathy, but how absurd it is to contend that there is nothing which the administration and Congress can do in that direction except to preach to private business. The Federal Government is a large employer of labor. It has a magnificent opportunity to put into practice this doctrine of spreading out work opportunities to as many workers as possible, and as well to set a fine example to the private employer.

By putting the Government service in the present emergency on a 5-day-week basis, without any reduction in existing rates of pay, it will create many more jobs at a time when jobs are so sorely needed. Such a step will create thousands of vacancies for postal clerks and carriers, for clerks and stenographers, for the white-collar worker, as well as for the laborer in the navy yard and other far-flung and diversified ramifications of the Federal service.

This is a time for prompt action for heroic measures, for deeds, not words. To bring immediately to the consideration of Congress this 5-day-week plan for the Federal service, I have prepared and am introducing to-day a bill for this purpose. This measure has the further merit of brevity and simplicity.

My bill provides for the immediate inauguration in every branch of the service of a 5-day-week schedule, without loss of pay. It is to continue in effect for the ensuing 12 months with authority in the President in his discretion to continue it for at least another year without further action by Congress.

In order to cut red tape and get down to business, my bill provides for the suspension of civil-service requirements in filling the vacancies that will be immediately created if the plan shall be put into effect. Preference, however, must be given to qualified persons who are now out of work and have dependents to support.

I am confident that this proposal will commend itself to the country and am hopeful that the Republican leaders in Congress may be willing to accept it and that the President will agree to it. In the present emergency political considerations and political differences ought to be submerged when we are dealing with the question of existence for the jobless.

Mr. CARAWAY. Mr. President, will the Senator yield to me?

Mr. WALSH of Massachusetts. I gladly yield to the Senator from Arkansas.

Mr. CARAWAY. The bill which the Senator has introduced would furnish employment to how many people? Has he any estimate as to that?

Mr. WALSH of Massachusetts. I am sorry to say that I have not; but it will furnish employment to many thousands. I am endeavoring to get information along that line and will make every effort to obtain such an estimate. It might mean employment to between 50,000 and 100,000.

Mr. President, it is true that such an undertaking will measurably increase the operating expenses of the Government. I anticipate that this objection will be raised against the plan. I can conceive of no other objection. It is hypocritical to talk about relief to the unemployed and at the same time argue against any increase in taxes. No war was ever won without liberal expenditures of public money and increases in taxes. The war against disease, suffering, poverty, and privation, which are the accompaniments of unemployment, can only be mitigated and suppressed by actual war-time financial sacrifices on the part of the prosperous and wealthy elements of our population through increased taxes.

An increase in the Budget for the purpose of providing more jobs is by far the lesser of two evils. The greater evil will be for our country to find herself in a position similar to that in which England has found herself, forced to resort to unemployment doles from the public treasury supported by public taxation. We shall certainly be face to face with that necessity unless heroic measures are taken. Private charity can not for long sustain 5,000,000 idle men and women and their dependents. Let the unemployed of the country know that those who talk against an increase in the taxes of the well-to-do income-tax payers of this country have little sympathy with the unemployment problem.

What war was ever won without heavy expenditures and increased tax burdens? Is not actual war comparable with unemployment, with its poverty, misery, suffering, starvation, death, and broken-hearted mothers and disheartened fathers? Yes, unemployment is war, and the unemployment problem needs a commander in chief just as much as the problems of actual war. It needs a leader to set forth definitely a policy and to inspire zeal and enthusiasm in the effort to find a solution of the problem just

as much as a leader is needed in time of war. That leader ought to be the President of the United States.

I repeat, it is folly, it is absurd, it is hypocritical to talk about doing anything for the relief of unemployment in this country unless we understand and appreciate that such relief will necessitate increased expenditures on the part of the Government and increased income taxes upon the rich. A constituent of mine expressed the feeling that is in the minds of millions of Americans when he wrote not so long ago and said: "You men in Washington had better understand that the rich got their money from the toilers and workers and those toilers and workers do not propose to starve." Anyone who does not recognize that that sentiment is widespread throughout this country has not his ear to the ground. If we are going to solve this problem we must spend money, large sums of money. It will require the expenditure of public money to conquer this devastating peace-time war just as it takes money to conquer war brought to our gates by foreign foes.

Mr. President, I am disturbed because of the absence in high places of political sympathy for and real appreciation of this problem, of the attempt grudgingly to admit the facts and then talking in the same breath in which reference is made to relief about no increase in taxes. What would happen if the States and municipalities during the past year refused to increase taxes to give relief? I protest this attitude in the name of millions of people who look to their Federal Government in this hour of distress for aid and relief, which can only come in the way of increased tax burdens. Those who have big incomes, $20,000, $50,000, $100,000, aye $1,000,000 a year have got to meet the expenses of this emergency. Just as we increased taxes upon those who got rich on excessive profits—and there are profiteers still in the country, notwithstanding the fact that millions of people are looking for bread and for shelter—so we should provide the tax increases to raise the necessary funds to take care of those who are suffering.

Mr. CARAWAY. Mr. President——

Mr. WALSH of Massachusetts. I yield to the Senator from Arkansas.

Mr. CARAWAY. The Senator has answered the question I started to ask. A great many of the people who are out of employment are men who gave their time to their country's defense when other men were piling up their fortunes which are so sacred that they must not now be touched.

Mr. WALSH of Massachusetts. The Senator is absolutely correct. I do not hesitate to go on record, and I know the Senator from Arkansas does not, as calling upon the men with great fortunes to submit to increased taxes in order to meet this emergency.

Mr. CARAWAY. Both of us voted to call upon the toilers and workers for their time and their lives, if necessary, in order to defend their country.

Mr. WALSH of Massachusetts. Certainly, and I do not propose to abandon them in their misfortune and distress.

Private charity can not for long sustain 5,000,000 idle men and women and the possible 16,000,000 men and women, that some estimate, are on part-time employment.

Mr. President, increased taxes are to be avoided, if possible, but not at all costs. There are worse misfortunes than heavy taxes, and one infinitely worse misfortune from both the social and the economic standpoints is the specter of starvation and misery and idleness and unrest which now looms on our horizon.

I criticized the President's message for what I conceive to be the inadequacy of the program which he laid before Congress for governmental action for the aid of the unemployed. In reply to this criticism it was asserted that there was nothing that Congress could do other than to accelerate the existing public undertakings, to avoid interference with private business, and the practice of rigid economy.

I submit that the immediate inauguration of a 5-day-week schedule throughout the Government service will be a major help that is entirely within our power to extend, that is entirely expedient, and is no more than we are preaching to the private employer. In war days, when there was not food enough to go around, we had a food administrator and rationed food. Now, when there is not enough work to go around, we should ration jobs.

There is another step which the Federal Government can take in the present crisis, which will be of material aid, and which is no more than fair and just. That is to assume at least part of the burden now being borne by the States and municipalities in caring for the unemployed and the aged and infirm. In many States and in thousands of communities, particularly in the industrial centers and in the large cities, the costs of caring for their idle and their poor have doubled and trebled in the past 12 months. This is throwing increased financial burdens leading to increased local taxes upon those communities hardest hit by the depression.

The poor city landowner and the man on the farm, their little homes being all they possess, will have to bear this increased burden of taxation unless the Federal Government, out of its Treasury, shall reimburse in part the municipalities and the States.

I propose that the Federal Government shall bear part of that increase and distribute the burden evenly upon the entire Nation. I have already introduced a bill authorizing the appropriation of $100,000,000 to create a fund out of which the Treasury shall reimburse the States on a monthly payment 50-50 basis for their own increased expenditures for relief work. In principle this is analagous to the Federal aid for road building, to Federal contribution for State maternity aid, and similar measures repeatedly approved by Congress and the Executive.

If Congress will put through the 5-day-week plan, and will direct the Treasury to take over part of the financial burden of State and local relief measures, then, indeed, it may be said that we are truly offering the country and our citizens real assistance. But, if we limit our efforts to a few more post-office buildings, a few million dollars in further loans to farmers already swamped with notes and mortgages, we shall have conspicuously failed in our plain duty in the present critical hour.

Mr. President, let me summarize.

Mr. DILL. Mr. President——

Mr. WALSH of Massachusetts. I will gladly yield to the Senator from Washington in a moment. There are three things we can do and we should do, in my judgment, and I want my constituents and my fellow countrymen to know what I favor and intend to urge as part of the program of the Government to meet the present emergency. Let those who want to sit idly by and try to minimize this condition, and grudgingly admit a part of the facts in connection with the unemployment conditions, take the responsibility for that kind of service.

First, we can speed up and undertake the development of every project in this country that it is possible to commence work upon, and that will be necessary for the advancement and progress of the country in the next few years. In a measure, the President has made that recommendation. I think it is limited and narrow. I want the country to know the facts. All that the President has recommended to Congress is the passage of a deficiency appropriation bill to take care of public works planned and voted for by the Congress when there was no emergency. If that is real and adequate relief to the unemployed in an emergency like this, I must confess that I fail to agree with the President's conception of relief.

What is the second thing? Men have to be fed, women have to be fed, children have to be fed. The local communities in this country have had this burden placed upon them. In some parts of this country approaching 10 per cent of the population are being fed to-day. What is the Federal Government going to do about that? Fold its arms and say, "We can not help you"? I purpose that we give Federal help by appropriating money sufficient to go 50–50 with every municipality and every State on the additional relief expenditures that they have made and must continue to make.

I want a record made in the Senate of where the Members of this body stand on this proposition, and I want it very shortly.

The third proposition is the one that I now propose—to help relieve the unemployment situation by the Government setting an example to private employers. Indeed, private employers already have set the example to the Government. I have in mind one large manufacturing concern in the Middle West which put its employees on a 5-day week for the sole purpose of increasing the number of persons it could employ. Therefore I propose, as the third program that means something real, placing the Federal civil employees upon a 5-day basis and filling that gap with the unemployed men and women.

Mr. President, unemployment usually has meant a few mine workers and a few mill operatives loafing during a temporary depression. This present unemployment runs into every avenue of life. The stenographer, the bookkeeper, the telephone operator, the small business man, the traveling salesman, the clerk of every type, the executive, every branch of industry has felt and is suffering under the terrible economic plague that exists in the country to-day. Therefore, if we can establish a 5-day plan for the civil employees of this Government, thousands of men and women can be immediately put to work, relieving the number of unemployed, and setting an example—not merely calling business concerns together and asking them to do what the Government itself is not willing to do, but setting an example of what can be done that is practical, that is useful, that is beneficial.

I submit, as one of the minority, to my colleagues here and to those on the other side who desire to place above politics and party subserviency the relief of the unemployed, this program which represents something helpful.

I yield to the Senator from Washington.

Mr. DILL. Mr. President, I want to say, first, that I agree with the suggestions being made by the Senator; but I have been impressed with his proposal that if necessary we would increase taxes, especially on the big incomes and the big profits of individuals and corporations. I want to ask him, though, whether such action by the Congress may not affect the stock market by lowering the selling prices of stocks, and whether that is not a failure on his part to cooperate with the administration, which has been so tender toward the stock market?

Mr. WALSH of Massachusetts. I fully appreciate what the Senator has in mind by that question. It seems to me that the most casual observer of the situation here in Washington must be convinced that the first thought of many of those in high position is a tender care of the heavy taxpayers of this country. That is foremost with too many; that concern is above starvation and poverty and unemployment and suffering; and that attitude, my friends upon the other side of the Chamber, was one of the reasons why millions of men and women flocked to the polls last November, not to elect Democrats, but to protest, to denounce, to condemn an administration that had been indifferent, to put it mildly, to the greatest problem we have witnessed in 50 years of peace time in this country.

The election in November was a repudiation of the administration, not because we had hard times but largely because of a feeling that there was not in the White House a zealous, earnest leader, who though he personally might sympathize with conditions yet he was either unable or unwilling to propose means of aiding the victims of this problem. That is why, on the day the President's message was read, universal sentiments of protest, yes, even of disgust on the other side of the Chamber were secretly expressed at the disappointment you felt that your leader had failed, even after the mandate of the election, to respond to the call of the people for something actual, for some constructive effort, for real leadership.

Let me read an editorial that expresses my sentiments upon this subject. It is from the December 6 issue of America:

FREE SOUP AND UNEMPLOYMENT

We would not say one word to hinder the multiplication of bread lines and soup kitchens in our large and wealthy cities. When men are hungry and children are starving, emergency methods are necessary.

But emergency methods are not a cure.

They are simply the best treatment that can be obtained at the moment. The ambulance surgeon's patches do not complete the treatment needed by the victim picked up in the streets.

Throughout the country various schemes have been devised to lessen the evils from which millions are suffering. We have special matinees, prize fights, golf tournaments, and football games; all for charity. Then there are the apple venders at the street corners, and other hucksters and collectors. All these devices are necessary, no doubt.

But can we find nothing better? Are we going to stop the treatment after the ambulance surgeon has taken a few hurried stitches?

The unemployed do not want gratuities. They want jobs.

They are not asking for soup, but for a chance to work for their bread.

We meet the demand by bidding them stand in line for a blue ticket.

That, possibly, is the best we can do for them. But, considering that this is the wealthiest country in the world, what we give is indeed a beggarly pittance.

So much for the millions of the unemployed. What of the wage earners?

Many are living in daily fear of dismissal. A few large employers have announced that no workers will be laid off. That is a policy of charity—and of good sense—that deserves the sincere flattery of imitation.

What is sorely needed, however, is a country-wide policy which will prevent these regularly recurring periods of unemployment and depression. They are not caused by unknown, natural forces, working blindly, but by human agents—

And I submit that we ought to find out what those human agents are and seek to control and restrict them—

fundamentally, every social and economic problem is a human and therefore a moral problem.

That is why not one can be satisfactorily resolved except on the principles of justice and charity. As long as the world is ruled by a secular philosophy, men will be exploited for gain in the shops, and little children will go hungry.

The bread line is not the answer.

Free soup will cure no social evil.

* * * * * * *

Mr. President, I want to close with a single word to my Democratic colleagues.

We are no longer a minority party in this country. The last election placed upon us a responsibility of leadership. Mr. Hoover has failed to present an adequate program. His message is an abdication of leadership so far as this economic problem is concerned. I submit that it is our business, if we want the confidence of this country, to stop further general criticism, bring on our own program, stand together for it, announce to the country that it is our program, have a roll call, let the opposition reject it if they choose, but let us go on record. Let our fellow countrymen know what we would do if we had the power.

With that in mind, I have proposed these two possible remedies. Others may have suggestions of perhaps even more helpful character; but let us at least put the administration on record as to what it intends to do. Let us respond to the call of November by outlining some sort of legislative program that will indicate that we do not propose to serve here and allow this problem to go without any serious effort to find a solution for it and to give relief.

I ask unanimous consent to have annexed to my remarks a copy of the bill and some data relating to the subject I have been discussing and some previous views expressed by me.

The PRESIDING OFFICER (Mr. PESS in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

A bill to provide for a 5-day week for Government employees during the economic emergency

Be it enacted, etc., That any period of five days shall constitute a week's work throughout the year (without reduction of pay or earnings and without increase of daily working hours) for all civil employees of the Federal Government employed on a per diem or per annum basis.

SEC. 2. Additional appointments shall immediately be made to the Government service in order to maintain the same degree of efficiency therein as existed prior to the enactment of this act, and, to expedite such appointments, the President, if he deems it necessary, is authorized to suspend the civil service laws for a period of six months. In making the appointments, preference shall be given to qualified persons who are unemployed.

SEC. 3. This act shall take effect 20 days after its enactment and shall remain in effect for a period of one year. The President is

authorized to extend such period for an additional year if in his opinion such an extension would be in the public interest.

SEC. 4. There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

[From the CONGRESSIONAL RECORD of Wednesday, December 3, 1930]

PARTIAL REFUNDS TO STATES FOR RELIEF EXPENDITURES

Mr. WALSH of Massachusetts. I introduce a bill, the title of which is "A bill to reimburse the States and their political subdivisions for certain relief expenditures," which I ask may be appropriately referred and printed in the RECORD.

This bill provides for the authorization of an appropriation of $100,000,000 in order that the National Government may share with the several States and their political subdivisions the increased expenditures necessitated to relieve suffering, poverty, and distress resulting from unemployment, part-time employment, and general business depression throughout the Nation. Briefly, the bill provides that 50 per cent of all funds expended in excess of the expenditures made in 1929 by the several States and municipalities during the years 1930 and 1931 shall be paid out of the Treasury of the United States. In a word, this bill would require the National Government to pay one-half of all increases in the next two years in certain relief expenditures in the several States.

My proposal would not only permit the States and their subdivisions to be more liberal in extending relief, but particularly in industrial centers would lessen the additional tax burdens upon them necessitated by the rapid increase in local expenditures for the prevention of poverty and its concomitant deprivations.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill (S. 5043) to reimburse the States and their political subdivisions for certain relief expenditures was read twice by its title, referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

"*Be it enacted, etc.*, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $100,000,000, to be immediately available and to remain available until expended, for the relief of the several States and political subdivisions thereof, as a reimbursement or contribution in aid from the United States, induced by the extraordinary conditions of necessity and emergency resulting from the serious financial burden of caring for distressed persons residing in such States and political subdivisions.

"SEC. 2. Any State desiring to participate in the benefits of this act shall certify to the Secretary of the Treasury the total amounts expended each month during 1929, 1930, and 1931, for the purpose of relieving the unemployed, including the aged and sick, by such State and its political subdivisions.

"SEC. 3. The Secretary of the Treasury shall distribute the sum herein appropriated on a monthly basis, allotting to each State which certifies an expenditure for any one month of 1930 and 1931 of a greater sum than such State and all its political subdivisions expended for the same month in 1929, an amount equal to 50 per cent of the amount of the average of the monthly expenditures of such State for 1929. The first payment hereunder shall include the sums payable for each month from January 1, 1930, to the date of the approval of this act.

"SEC. 4. The proper authorities of each State shall distribute monthly on a pro rata basis any sums received under authority of this act to the State and each political subdivision thereof whose expenditures for relief purposes were included in the certified statement of expenditures to the Secretary of the Treasury."

SPEECH OF THE HON. DAVID I. WALSH BEFORE THE AMERICAN FEDERATION OF LABOR CONVENTION, OCTOBER 17, 1930

GREEN PRESENTS WALSH

The Senator was introduced to the assemblage by William E. Green, president of the American Federation of Labor.

Mr. WALSH. Mr. President, representatives of the American Federation of Labor, it gratifies me beyond expression to receive such a hearty commendation of my public service from the one man in the United States of America who has a right to speak in the name of the working people of our country. To know that I have merited by my humble efforts in the public service the appreciation of the men and women of your great organization is not only gratifying but it is inspiring. If I have ever entertained any ambition about what verdict should be rendered upon my public service it was the ambition that the common man and woman in America should find in my service a sympathy and a devotion for the promotion of their welfare.

I want to express my appreciation of the assistance, cooperation, and aid which have come to me in the performance of my public duties in Washington from the able and conscientious leaders of your organization, Mr. Green, from Mr. Morrison, from your executive officers. I want to express my commendation and to say to you that many of the things which have been done for the welfare of the working people have been due to their efforts in behalf of labor.

CHAMPIONS OF WORKERS

You are the representatives of a great body of men and women, not merely those who are enrolled in the membership of your organization but the millions outside whose lives are necessarily devoted to toil, endless toil. They have a right to have organized effort put forward in behalf of their welfare in shaping the destinies of our country. Nearly every other interest in this country is so well organized and so ably financed that the best legal talent and the power of presentation to every avenue of publicity is open to them; but the millions of working men and women have a right to look to you and do look to you for the championing of those policies and principles which will prevent further usurpation of their inalienable rights.

And how little they ask of our Government. Sometimes I think that the only cry that comes up from the millions of men and women who toil and who are far away from place where policies of government are shaped is, "Leave us alone, don't exploit us, don't rob us, don't deprive us of our inalienable rights." Sometimes I think the greatest fight we can make in America is to prevent legislation against their interests and to their disadvantage.

My thought is to urge upon you the importance of organization. No better illustration of the necessity of organized effort is apparent than an examination of the long, steady, constant, never-ending fight of labor for a living wage, for reasonable conditions of employment, for a reasonable share in the equal opportunities of life. It has been through organized effort that success and progress has been made, and as a friend of your movement I would urge you, the leaders in these causes, to go back to your people more determined than ever to impress upon them that this is an age of mass production, and unless labor is mass producing in its organization it can not keep pace with the progress that labor should continue to make in America.

UNEMPLOYMENT PROBLEM

There are many problems that I would like to discuss with you to-day that I think are of particular importance at this hour. Undoubtedly you have given them very serious consideration yourselves, but there are two questions that I particularly want to speak about. First is the question of unemployment. You will pardon me if I am personal. Mr. Green and Mr. Morrison will confirm what I have said. I have talked for more than four years in the United States Senate about the problem of unemployment. In every session of the Congress I have called attention to the growing importance of this problem. I saw its beginning years ago in my State when the depression in the textile industry commenced. It is not merely a depression of the present year; it has been a depression for at least four years, if not longer.

My criticism of the Government is not so much that it has not found a solution; my criticism of the Government is that it has been indifferent, to put it moderately, if not positively unwilling, to recognize facts. There can be no relief nor remedy for any cause unless the facts are first known and admitted.

Two things I have exacted during this long discussion, and again and again called for it from those in positions of responsibility. It was, first, an open, honest, candid statement of what the conditions were and in what direction we were moving in the way of unemployment relief; and, secondly, an expression of sympathy. It is the least a public official can do. My criticism is that those we ought to expect sympathy from, those from whom we ought to expect an honest expression as to the actual conditions, have not given it. There has been a constant attempt to minimize them and brush them aside. I think that is a more serious indictment than that nothing has been done to change conditions.

ANSWER TO QUESTION

How can the unemployment problem be solved? There is only one man in American life who can solve the unemployment problem. It can not be solved in the middle of unemployment, suddenly and quickly. Our country in time of war emergency gives unlimited powers and unlimited qualities of leadership and direction to the man who is charged with the destinies of our country. In war he can appeal to the Congress for almost any conceivable power and receive it. There is always a time when men forget partisanship when emergencies arise in our country. Just as we look to the Commander in Chief to direct and lead us and tell us what he wants in time of war, so we seek for that same leadership and that same zeal in a domestic emergency that is just as bad as war—unemployment.

My friends, I am speaking frankly, and I am not speaking personally. I am trying to discuss and present this question in a broad and large aspect and tell you what I think of the manner of solving this problem, regardless of party and regardless of person.

Unemployment! What is worse? What are the awful consequences of unemployment if not want, disease, famine, poverty? Poverty, yes; debilitation, yes; disease, yes; and there is in addition, undernourished children, suffering from cold, suffering from want of food, fathers disheartened and discouraged, mothers whose hearts are breaking. Is there anything worse in America than the war of unemployment that strikes at the very foundation of love and hope and cheer in the human breast? Have we an emergency? Isn't there some place in our Government where one voice must speak, where there must be behind that voice the power and heartfelt desire to remedy the pestilence against which we seek a remedy? Only through the statesmanship and the leadership of the one man in this country who is intrusted with the responsibility to protect us in the hour of emergency can we get relief.

PREVENTION POLICY

When there is no sympathy there, when there is an attempt to say it can not last, that it is exaggerated, when that condition exists there can be no planning, there can be no developing of a statesmanlike policy that will seek to remedy this situation. My friends, the time to remedy the problem of unemployment is not in the midst of unemployment but it is a proper time to concentrate attention upon the disastrous consequences of the policy

of unemployment, it is a happy time to call public men's attention to the problem and ask for a remedy, but unemployment should be a policy of prevention. Just as our Government is spending millions of dollars and exerting all its efforts and strength to prevent disease, to prevent the breaking down of the public health, as the Government is spending millions of dollars to protect us in the time of war, I ask the Government to spend money and effort to protect us from unemployment in times of peace.

There is a subject that is almost inexhaustible. It is affiliated with the unemployment problem, and I think your organization ought to take very serious notice of it. It has been given a great deal of attention and thought by me ever since the World War. I refer to the awful economic evil consequent from the capitalization and the recapitalization of industry and the refederation of wealth in this country. Let me use a homely expression: The man who picks your pockets is a criminal despised and guilty of a serious, punishable offense; and yet, my friends, you know there has gone on in this country since the World War a system of exploiting industry, of consolidating industry, of federating capital, not for the purpose of helping industry except in very rare instances but for the chief and sole purpose of permitting conscienceless bankers of this country to fill those industries with watered stock and destroy their usefulness to labor and their usefulness to society.

FEDERATING WEALTH

If time permitted, I could cite to you illustration after illustration of the extent to which industry has been stilettoed through the cruel and conscienceless manipulation of banking industries whose sole purpose was to sell stock and securities that gave them a tremendous profit and that so loaded down the capital of the industries that they were sure to perish as soon as the stocks were disposed of to the innocent public. The man or group of men who federate wealth or capital, who consolidate industry and inflate it beyond honest values is even worse than the pickpocket because he uses the seal of our Government to protect him. He uses the special laws of Congress and of the States exempting him from personal responsibility because of the corporate powers that are given in the charter incorporating him.

I recall particularly now an aged lady coming to my office not long ago and handing me two certificates. She asked me for their value and asked how she could realize any money upon them. I told her as soon as I looked at the certificates, "Madam, why did you spend money in buying these worthless certificates? How much did they cost you?" She said they cost her $2,000, that she and her husband had drawn from the bank every dollar they possessed. She said, "The agent told me they were good and would pay 6 per cent interest. We were only getting 4 per cent." I said, "Why didn't you ask somebody for advice?" She said she had asked for advice, that she had gone to the statehouse and asked if there was such a corporation in existence and she was told there was. Then, she added, "I never thought my Government would use its seal and its corporate right to deceive and rob the poor."

That is the great crime of worthless inflation of capital. Do you realize the injury it does? If there is $15,000,000 invested in an industry, $5,000,000 of which have been put in as watered stock and only $10,000,000 of honestly invested money, what is the harm? First of all, that industry must proceed to do business upon the basis of earning a dividend of $15,000,000, $5,000,000 of which is watered and dishonest. Secondly, the public must be charged a price for those products that would permit a return, not upon $10,000,000 of investment, but upon $15,000,000. And, finally and lastly, the working man and woman must have a wage, and here is where the robbery really comes in, based upon, first, the earning of a dividend, not upon ten million, but upon ten million plus five million of dishonest securities. And labor is pushed down and wages of working men are measured upon their capacity to earn a dividend on something that is unsound and insecure.

CURSE OF WATERED STOCK

To my mind there has been more money extracted from the pockets of the American people through inflated capital than through all the robberies, defalcations, and all the embezzlements since the foundation of our country. That is a strong statement, and the saddest part of it is that these promoters never look to a bad industry, but to a broken-down industry. They know they could not sell the securities of an industry that hasn't a good trade name, and their devilish work has gone on among the very best industries of this country. I could name industries in this, my own Commonwealth, that have been destroyed because of the consolidations and reconsolidations that have taken place. I have in mind one that has gone through five in the last 10 years, and every time more watered stock was put in. All over the land there are smokeless chimneys and men and women walking the streets, and the chief reason is because these industries have been the toy and the plaything of unscrupulous bankers who have enriched themselves and unloaded the securities on the public.

Again I call upon the Government to prevent exploiting and robbery of the working men and women and the consumers of American products by putting a strict regulation upon the federation and refederation of the capital of corporations.

I have said enough. You have been most generous, and I ought to apologize for proceeding as long as I have, but I want to call your attention to the fact that there are some problems of vital concern that we in public life are thinking about and that we need your support and cooperation to find a solution for.

SENATE CONTRIBUTES

May I be permitted to speak in these closing hours of your convention for that army of United States Senators who joined together in the last session of the Congress to give to labor a verdict greater than it has ever before received in the United States? May I bring, in their name, their congratulations upon the achievement that has been accomplished for labor by forever and forever destroying the validity of the yellow-dog contract in America? It was a long, hard fight, as Mr. Green has said. It was a test of the political philosophy, it was a test of the kind of heartbeats that a public man has in his breast; and I am proud of the United States Senate, and proud of the fact that when that question came, with all the influences at work, the United States Senate stood solidly by a safe majority, small but safe, for the opportunities of the working men and women to enjoy one of the chief blessings of the flag—economic freedom as well as civic freedom. Yes, I rejoice that the Senate has made that contribution to your cause.

Let me say in closing that there is a great deal of public criticism of the Senate. Unfortunately, some of it is justified. Sometimes we talk too long, and we talk extraneously and we talk on subjects that ought not be discussed in the Senate. Some one visiting the Chamber of Deputies in France, a stranger, turned to his companion, a Frenchman, and said, "Why this loose talk, why this inattention to what is going on?" The Frenchman said, in his witty way, "Oh, don't mind this, it's the manners of democracy." In an autocratic-controlled government there isn't any loose talk; in fact, there is no talk at all.

The manners of democracy necessitate occasionally unworthy men getting into public office who indulge in loose talk, extraneous talk, and the discussion of things not apropos to the subject under consideration. But I want to say this again, the United States Senate, with all its limitations, is the only open legislative forum in all the world to-day. It is the one place where one man with courage who has a grievance or who sees a wrong in his Government can stand upon his feet and defy the Presiding Officer and defy every Senator to prevent him from presenting the facts as he sees them.

SENATE IS FREE BODY

The Senate is a free body, no party machine dominates it. To-day more than ever it is the liberal force in America, to-day more than ever it has taken its side with the causes of the common people against the few who seek to exploit them and to use government for their own selfish and personal ends. Yes, the United States Senate is the last point of protection for all those who seek to use the Government for selfish ends and selfish purposes.

I am proud to note the progress that the Senate has made in its open and frank championing of the causes that are near and dear to your hearts, and I go back from seeing you here assembled grappling with the great problems that affect so much happiness and prosperity and well-being of millions of human beings—I go back to the Senate more determined than ever to carry on the fight which you are so bravely waging for the common man and woman of America.

(The entire audience arose and remained standing for some time, enthusiastically applauding the Senator.)

[From the American Federation of Labor Official Information and Publicity Service, released for publication Thursday, December 4, 1930]

Unemployment has increased since October, according to reports from trade-unions in 24 cities received by William Green, president of the American Federation of Labor. In a statement to-day he said:

"Unemployment is already as high as in the worst month last winter. More union members were out of work in the first three weeks of November than in October and the percentage rose from 21 per cent unemployed in October to 22 per cent in November. Part time is also increasing. In October 15 per cent of our membership were working part time and in November 18 per cent.

"An increase in unemployment from October to November is normal, and the change this year has been about the same as usual. But so many were already out of work in October this fall that any increase is cause for concern. This year we enter the winter months with an unemployment crisis already on our hands. We should take this November increase as warning that relief measures must be speeded and the utmost possible done to hasten the work of relief and prevention already begun. Unemployment increased as much as usual in November. If it continues to increase at the usual rate, we shall have 50 per cent more out of work by February than we have.

"Our figures show that even now 40 per cent of our union membership are forced to lower standards of living because their incomes are reduced by unemployment and part-time work. This represents also a huge loss in buying power, which might be stimulating production and helping business forward. Any concern which lost 40 per cent of its customers would consider the problem grave indeed. Yet this is just what is happening on a wide scale the country over. These losses keep us in depression and delay business recovery.

"Unemployment increased in November in building trades, metal trades, printing, clothing industries, manufacturing, and service industries. Only two groups showed appreciable bettering of conditions, theaters and railroads. In theaters more were

back at work with the opening of the fall seasons and on railroads 19 per cent of those out of work in October were back at their jobs in November. The figures follow:

	November, 1930[1]	October, 1930	November, 1929
All trades	22	21	12
Building trades	41	38	23
Metal trades	25	21	8
Printing trades	8	7	4
All other trades	15	13	9

[1] Preliminary.

"Our report for cities shows that increasing unemployment was general in November throughout the country. Twenty of our 24 reporting cities had more out of work than in October, and in 9 cities the increase in the number out of work was more than 20 per cent.

"Unemployment is highest in the following cities, according to reports from trade-unions: New York, Buffalo, Los Angeles, Birmingham, Philadelphia, Detroit, Chicago, and Denver. In the building trades unemployment is particularly severe in the following: Birmingham, Detroit, Paterson, Chicago, Atlanta, Cleveland, Philadelphia, and St. Louis. In each of these latter more than 40 per cent of the building-trades men are out of work, and in the first six over 50 per cent are unemployed.

"We estimate that in the United States as a whole 4,500,000 wage earners were without work in October, and in November our preliminary estimate shows 4,860,000 unemployed. These figures do not include farm laborers or office workers. While it is not possible to determine exactly the number out of work, we believe that this estimate gives a close picture of the situation. We have assembled all available statistical information on employment from such authoritative sources as the Departments of Labor and Commerce, the Interstate Commerce Commission, and have used these as well as our own reports from trade-unions in making the estimate."

[From the Monthly Review of industrial and financial conditions in the New England district by Frederic H. Curtiss, chairman and Federal reserve agent Federal Reserve Bank of Boston, Boston, Mass., December 1, 1930]

THE SITUATION

Statistical evidence in October continued to reflect a subnormal condition of industrial activity in New England, and the general level during each of the months beginning with July and extending through October was distinctly lower than in any of the first six months of the current year, when allowances had been made for the customary seasonal changes. In this district there have been brighter spots, such as the fact that savings deposits in 62 mutual savings banks on October 31 were about 4 per cent larger than at the end of October last year, whereas a year ago these deposits were actually declining. Several Boston department stores this year have done a volume of business in a single day which was larger than any other single day in their histories. On the other hand, employment in manufacturing industries in New England in October, according to the United States Department of Labor, was 18.9 per cent less than in the corresponding month a year ago, and pay rolls in this district were 28.1 per cent less. Production of boots and shoes in New England during October was considerably less than in September or in October a year ago, and during the first 10 months of this year was about 14 per cent less than in the corresponding period in 1929. Between September and October there was little change in New England textile activity, a slight reduction in seasonally adjusted raw wool consumption offsetting minor improvement in cotton consumption and silk machinery activity. The Massachusetts Department of Labor and Industries reported a decline of 7.9 per cent in employment in October from September in woolen and worsted mills, while for cotton goods establishments an increase of 4.2 per cent took place. Total value of new building contracts awarded in this district in October was about 25 per cent less than in October, 1929, and declined by about 15 per cent from September. New England freight car loadings in October continued to reflect the curtailed condition of industry and commerce, in that approximately 22 per cent fewer car loadings were reported than in the corresponding period last year. The number of commercial failures in October in this district was 177, as compared with 211 a year ago, but total liabilities in this month exceeded those of a year ago by 33.6 per cent. Sales of New England department stores in October were 9.3 per cent less than in October, 1929, and for the first 10 months were 4 per cent under the volume in the corresponding period last year. Preliminary reports indicate that Boston department store sales in the first three weeks of November were about 4 per cent ahead of the similar period in November, 1929. Money rates in Boston have remained easy since the middle of the year, contrary to customary seasonal movements. * * *

FIBRE AND FABRIC,
Cambridge, Mass., December 4, 1930.

Hon. DAVID I. WALSH,
Washington, D. C.

MY DEAR SIR: I have been watching your career in the Senate ever since you got there. You have had my genuine admiration because you have worked closer to the average citizen than perhaps any other Senator of to-day.

Your understanding of the plight of the unemployed has been very clear; but have you also realized fully that in addition to the three or four millions of unemployed there are 13,000,000 to 16,000,000 workers only employed part time, and that while their plight is not so serious as the totally unemployed yet is serious enough to cause many families to lose their homes, etc., because they are not earning sufficiently to keep payments up? I see this sad thing all around me here.

I have set down hurriedly in the inclosed pages a side light on the situation that may or may not contain anything new. I give it for what it may be worth from my side of the fence.

To attempt to paint the whole picture as I see it after five years of study it would take too long to write out and you probably would not have time to read it. But if I have contributed in the inclosed the least mite to a clarification of the way to either dissolve the present depression or prevent future ones I shall be happy.

Very truly yours,

J. N. PARADIS.

STATEMENT OF J. N. PARADIS

If all industry in the United States were placed under one management and that management did not have the authority to approximate production to consumption, such a management, under modern machine conditions, would soon find itself in the same position that industry finds itself to-day—too much production and not enough sales to meet the overproduction.

Such a management could not help having a large surplus of manufactured goods made ahead of sales. It would in time have to either stop producing altogether for a while or else run part time until the overproduction had been fairly well absorbed by current consumption.

The above is a good illustration of what industry is facing at the present time. Because of persistent overproduction by industry our major industries, in particular, have not been able in the past five or six years to operate more than 60 to 75 per cent of a full running year, and still they have been overproducing.

Gather your statistics together and you will discover that labor has been steadily out of work the percentage of the persistent overproduction, which has meant that labor has been losing in earning capacity from 25 to 40 per cent of the full-running year.

Is it any wonder then that labor has become such a serious underconsumer? Is it any wonder that this persistent overproduction, besides throwing more than 3,000,000 workers entirely out of work, is keeping in addition from 13,000,000 to 16,000,000 on part-time work; that is, they can be employed but 60 to 75 per cent of the full-running year?

No wonder some of our blacksmith economists shout that it is underconsumption that is to blame for the depression and not overproduction, which they claim does not exist except in the abstract. But, after all, it is underconsumption born of overproduction, let economists say what they will, that has brought about these hard times.

Now, good business is founded on an equalizing of the factors of the law of supply and demand. If we have a greater demand than a supply, we have abnormally good times. The business of the World War is a good example of that. When this country went into that war it issued in bonds $20,000,000,000, which was at that time half the productive capacity of the United States. The expenditure of this immense sum created such a sudden demand for goods that in a short time there was a shortage. The result was that there developed competition to get the goods, and this in turn developed a competition for labor to get the goods out on time. Because of this competition to obtain the goods the manufacturer got his price and the manufacturer was able at the same time to pay the worker substantial wages, and, best of all, the worker was fully employed. It made the worker a full consumer and this spread of his spending reached over all the country, with the result that all industry was prosperous, abnormally prosperous. And why? Because there was most of the time during the war a certain amount of shortage of manufactured goods.

If we have normal production and a normal demand, we have a normal business; but just so soon as we have a persistently greater production than demand we begin to have hard times. There are no two ways about that. It is a fact.

Since it is overproduction, no matter how induced, that brings about a depression, then why can't we get together in industry and bring about a slight underproduction or enough artificial underproduction until the overproduction that is either threatening or is actually creating a depression has been dissolved?

The trouble seems to be that when business is good American industry gets enthusiastic, too much so, and soon begins to overproduce without regard to the equalizing factors of the law of supply and demand, and that is why we have periodical depressions, which I believe could be avoided in almost every instance if some simple way was found to approximate production to current consumption for industry because industry can never do it alone, as every depression has proved so far.

Why not take a leaf out of the book of our forefathers about that. When they first settled New England the two principal industries needed were the saw mill and the grist mill.

When there was little or no business for the sawmill or the grist mill they were closed down and the owners went to farming until business got good again. By this simple obedience to the law of supply and demand our forefathers never knew the meaning of overproduction as we know it to-day.

Of course, in this age of ramified and more or less interrelated industrial activities we can not close down our industries and go back to farming, but when industry is overproducing enough to bring on a depression (of which we always have fair warning) it seems to me that the common-sense thing for industry to do is to cut down production to more nearly approximate consumption right at the beginning. I am of the conviction that if this were done we would not have any of these long-drawn out depressions and the full misery that they bring not only to the worker but to the individual units of industry.

For five or six years now industry has been trying individually and in a straggling, collective way to approximate production to consumption and has not been succeeding very well. This has been true of every depression.

But if some simple universal remedy could be found whereby industry could be assisted to approximate production to consumption at the first sign of serious overproduction a remedy that would disturb only temporarily the functioning of industry as it runs, it seems to me that industry would not object to its application, particularly since the application of such a remedy would be temporary and not permanent.

I do not blame industry to refuse to listen to a change of labor laws by the Federal Government in interference with State rights. Each State should continue to have the right to make any labor laws that it wishes, to make the legal shift any length of the day that it wishes. It is for this reason that I do not believe that a national 48-hour law would help prevent depressions—not when overproduction is back of most of them. Depressions are periodical, while a change in labor laws is permanent.

Since depressions are periodical, I am of the opinion that the kind of assistance that industry needs (to prevent it from overproducing and thus create a depression) is of the emergency kind, and that alone.

Now, when we have calamities of national importance, such as serious floods, droughts, earthquakes, Congress has the power to pass emergency measures to take care of them to the extent of their seriousness, but, strange as it may seem, Congress has no power to help in the greatest crisis of them all, a depression that is felt in every corner and nook of the country so serioualy that millions of people are out of work and many millions more unable to earn fully.

Surely in a supposed enlightened age this is a sad commentary upon the ability of mankind to protect itself against its own misery making.

Now it seems to me that a simple answer to this problem would be to delegate to Congress the power (when a depression threatens) to cause industry to cut down on production by naming the hours of machine operation that any part of industry effected should operate until the overproduction has been dissolved.

True, this means the creation of an artificial underproduction; but isn't an artificial underproduction created by an emergency measure a hundred times better than the present hard times? I am satisfied that if Congress had had this power five years ago that the present depression could never have occurred, because by the creation of underproduction at that time it would have prevented the serious overproduction that has been persistently with us since then.

Such assistance would only disturb industry temporarily, and I can't see where industry would seriously object so long as it knew that its main object was to keep business running normally.

Of course, I am fully aware that Congress could never have this power to assist industry in times of threatened depression until another amendment was added to the Constitution, but it seems to me that it would be a hundred times better to add such an amendment than such a senseless one as that of prohibition.

Just because assistance of this kind to industry has never been given is no reason for saying that it would not work out right or be of any value. In business to-day research is coming along fast. But research work requires a hundred and one experiments before the right combination is attained.

Why not apply the same research to legislation in the same sense? With so many I dare say useless or conflicting laws on the statute books of States in particular, I have been of opinion for a long time that the best way to handle this law business for the people is to allow each one to function for two years, and then at the end of two years have their continuance or discontinuance decided by the people themselves by placing them on the ballot for the voters to decide one way or the other.

If the prohibition act had been subject to such a departure, it would long ago have been repealed by enough States to throw it off the Federal Constitution.

I am led to give these comments from my side of the fence because I keenly feel for my fellow men in this great depression from which all around me millions are suffering miserably, and there is no reason why they should.

I believe that many men have brought forth many intelligent ideas on how to end this depression, but because none has ever been tried before we seem to have no Moses who has the courage to try something new.

When Napoleon was told he could not cross the Alps with his soldiers in the dead of winter, he did it. And when asked what he expected to gain by it replied "Nothing." He wanted to prove that what some said could not be done could be.

Again, if George Washington had said "What's the use?" this would not be a free country.

In conclusion I have not gone into details with reference to what I have fully studied about this depression, because it would take too much space; suffice it to say that I have no patience with the hundred and one homemade remedies that are being applied to minimize the effects of the depression. When all of these remedies have run their course we will have the same funeral all over again, because the cause of the depression or depressions has not been tapped at all—persistent overproduction.

P. S.—For your own information and for purpose of identification, I am a former chairman of the Progressive Party of Massachusetts. I retired from politics long ago and am now spending my time trying to bring up as nice a family as a man ever had, but find it extremely difficult in these hard times. I would like to see the time when future generations would never know the meaning of hard times. I think that this country has men intelligent enough to find the means to prevent them, but they must be men courageous enough to go against the old order of things. The trouble to-day, as I view it, is that we have been allowing the productive powers of modern machinery to run wild without knowing where it has been leading us. We need all the modern and labor-saving machinery that we can get. I believe in that fully, but what we have yet to learn is how to harness this new force to the benefit of industry and labor.

We hear much of the cry that modern machinery is throwing men out of work that can not find work in other industries because the same process of labor elimination is going on in all of them. I can not subscribe to that theory with reference to machinery that manufactures goods. I think you will find, if you look into it carefully, that all that modern machinery is doing is to keep men out of work to the extent of the persistent overproduction and nothing else. Of course, there is machinery that does eliminate labor, but that machinery, as you must know, is the type that renders an engineering service, like the steam shovel. But such machinery is a distinct advance, since it does eliminate human drudgery.

As proof that modern machinery is not replacing labor that can't find a job in other industries, I can say to you that more people are employed in the textile industry than there ever were—not on the machines so much but in other departments of the mill where there were no jobs before modern machinery and modern merchandizing came into being.

I realize that this is all a vast subject. I have spent five years on my side of the fence studying the whole thing, but my conclusions are so unusual that for me to publish them fully would result in my being entirely misunderstood, so I am keeping quiet, but it is hard to do so when you hear so great a murmuring of discontent that borders on the desperate.

The VICE PRESIDENT. The bill will be referred to the Committee on Civil Service.

Mr. COPELAND. Mr. President, I should like to say a word about the address just made by the Senator from Massachusetts [Mr. WALSH].

I was much impressed and deeply moved by what he said.

I have the feeling that the Senate, for some reason or other, is not taking the serious view of the unemployment problem it should take. I may be wrong in that; I hope I am.

There is no doubt in my mind that the issue of the last campaign was the issue of unemployment. The economic depression facing the country, and every section of the country, was the real issue.

I was much distressed yesterday to learn from the commissioner of police of New York City that a survey made last week in my city, a house-to-house canvass made by the patrolmen, resulted in the discovery of more than 50,000 families absolutely without any means of support, with no income, with no member employed. I am not speaking about 50,000 persons, because the survey was undertaken to discover what effect the economic depression is having upon the family life of New York. More than 50,000 families, to say nothing of tens of thousands of individuals in that city who have no families, are without any means of support.

Mr. President, it is right that the Senator from Massachusetts should attempt to attract the attention of the Senate to this situation. I have been much distressed at what I have read in the papers about the anxiety of certain officials that there may come a program of expenditure of money which may cause a deficit in the Treasury.

When a rich man is appealed to in behalf of a charity, or a hospital, to endow a hospital bed, or to subscribe to Liberty bonds to carry on a war he does not look at his bank account to see whether or not he can subscribe. He knows that in one way or another he will find the money to meet the subscription. Here we are facing a terrible ecohomic and social situation, and for fear there may be a deficit at the end of the year, for fear that it may be necessary to

increase taxes, there is hesitation on the part of certain individuals to vote money which may properly be used for the completion of projects or in the directions suggested by the Senator from Massachusetts.

Mr. WALSH of Massachusetts. Mr. President——

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from New York yield to the Senator from Massachusetts?

Mr. COPELAND. I yield.

Mr. WALSH of Massachusetts. Does the Senator know any other way of helping a person who is starving except to donate money out of one's own income?

Mr. COPELAND. There can be no other way. Because a man is fortunate enough to have an income which places him beyond the dread of hunger or the possibility of being dispossessed is no reason why he should not give liberally for the relief of those who are less fortunately situated.

Mr. President, there was no hesitation on the part of the Treasury and the Federal Reserve Board to preserve the financial status and to help those who were gambling in securities. There was no hesitation on the part of the Treasury to maintain the financial level as it should be. I have no objection to that. But when it comes to the question of whether the Treasury shall give money in order that the distress of American citizens may be relieved, that is a different question with the Treasury.

I recall very well in 1924, when we had before us the proposal to pay our veterans in cash, that the Secretary of the Treasury pleaded against that proposal the probability that if we did pay a cash bonus the income tax could not be reduced. I myself was nearly driven off the floor of a convention in New York which I visited for saying that we might do both—pay the bonus in cash and also lower the tax; but they yelled, "No bonus." That has been the attitude of many selfish persons in this country, that has been the attitude of the Treasury, and that is the attitude of the Treasury in this particular emergency, I fear.

Mr. CARAWAY. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Arkansas?

Mr. COPELAND. I yield.

Mr. CARAWAY. I interrupt the Senator at this point because, among others, I have introduced a bill to pay the adjusted compensation in cash. That would give almost the widest possible distribution for relief. The Secretary of the Treasury is against it on two grounds—that it would be unwise to do it because veterans might get cash who do not need it now, and, next, because it would increase the taxes. He has the same view now that he entertained then. We were asked to remit, and I know that we did remit, large sums that were due us from other nations because it was said it would produce a better trade relation and business would be better. We gave away four or five billion dollars for that purpose. That was entirely proper, because it would help trade. We gave $160,000,000 in the last Congress to provide gambling in Wall Street. That was proper too. But now, to give a man who has no job a little substantial assistance is a different matter. I notice in the morning papers that 25,000 or 30,000 war veterans in the Senator's State of New York are without employment and without means, and are asking relief.

Mr. COPELAND. I read with great interest the letter written by the junior Senator from Michigan [Mr. VANDENBERG] to the Secretary of the Treasury and the reply of the Secretary. I think there was a hint in the reply that it would be just as unwise to have payment of those bonuses in cash as it would be for the man now holding an insurance policy to cash in on the insurance. I contend that is an entirely different thing. When a man takes out insurance he does it voluntarily. He goes to an insurance company and finds out about a policy. He voluntarily accepts the conditions and the policy is written. But we did not give the veterans of the country any choice. They saw tens and hundreds of thousands of citizens in the United States prospering out of profiteering during the war. We sent our boys over to France and paid them a mere pittance, and when they came back we did not give them any choice. We did not say, "Boys, will you have insurance in settlement of the amount we owe you?" No; we said, "You can not have this money," and we gave them a graveyard insurance.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. COPELAND. I will yield in just a moment. I dare say there are thousands of veterans who would not cash in on their certificates even if they had the opportunity, but my contention is that if any veteran needs the money which he believes he has earned and that the Government owes him, and if he wants that money now he ought to have it. Therefore I am in sympathy with what undoubtedly the Senator from Michigan had in mind in the writing of his letter to the Secretary of the Treasury.

But I will have no sympathy from the Secretary of the Treasury because the payment of these bounties in cash might interfere with the orderly administration of the Treasury Department; it might not be possible to do this, that, or the other thing which the Secretary of the Treasury has had in mind for a long time. But if we had a war there would not be any hesitation; we would vote billions as we did in the last war.

The war against disease and the war against hunger and the war against unemployment is a war just as important to deal with wisely as any other kind of war. We ought not to give consideration at this moment to what the effect may be upon the Treasury or the orderly administration of the Treasury. That is a matter with which we must deal when we come to it. I am not advising the throwing away of money, of course. I want every project which comes here to be studied on its merits, but whatever we can do properly in the relief of distress should be done, and it should be done at once.

I yield now to the Senator from Kentucky.

Mr. BARKLEY. I am very much interested in what the Senator from New York is saying about his proposal to authorize the payment of the bonus certificates in cash. I was very much interested in the correspondence between the Senator from Michigan [Mr. VANDENBERG] and the Secretary of the Treasury, because I have had a bill pending in the Committee on Finance for more than a year where it has thus far received no consideration. That bill provides for the payment in cash of the bonus certificates on the part of the ex-service men.

I would like to ask the Senator from New York what his reaction is to the suggestion that the payment of these obligations, which are now I think admitted by everybody to be obligations on the part of the Government growing out of the war, might entail in the way of expense on the part of the National Treasury as compared to the overpayment of other war debts by several million dollars more than the requirements made necessary and which the Secretary of the Treasury has frequently boasted of having been able to make.

In other words, if this is an obligation on the part of the National Government to the soldiers, what right has the Secretary of the Treasury to object to the payment of that obligation even before it is due under the terms of the law, when for the last 10 years he has been overpaying everybody else who had a claim against the Government, and more rapidly than the law requires, and then boasting of the fact? Of course, payment of this debt would reduce the amount we owe the ex-service men. In other words, would we not be justified in keeping the payment of public debts generally within the limits of the law as provided by Congress if, in order to do so, we had to pay the face value of the certificates which have been issued by the Government to the ex-service men?

Mr. COPELAND. I am much interested in what the Senator is saying. I have long felt, and frequently said on the floor of the Senate, that when the Secretary of the Treasury takes money which is raised by taxation presumably for the operation of the Government and applies it to the reduction of the public debt it is little short of legalized larceny. That is not the purpose for which the money was raised.

Mr. BARKLEY. If the Senator will yield further, I recall that every time we have had a tax reduction bill before Congress, and we on this side of the Chamber have urged a greater reduction, the Secretary of the Treasury has opposed the greater reduction on the ground that it would interfere with his program of debt reduction, although his program contemplated a greater debt reduction and more rapid debt reduction than the law itself contemplated. I think I am well within the truth when I suggest that if the overpayment of the public debt in the last 10 years were calculated, it would amount to enough to pay the veterans in full at a conservative estimate.

Mr. COPELAND. I think the Senator is right. How much better and how much more decent it would have been to pay these men—not to make a gift to them, because we owe them this money. It would have been far more decent, in my opinion, to have paid the men or to pay them now, as the Senator has suggested, than to use the money in the further reduction of the national debt. By the orderly process of the application of the sinking fund the national debt will be paid in 25 years. We have billions owing to us from Europe and the majority of the Senate believe that under no circumstances should those debts be canceled. What position are we going to be in 12 or 15 years from now if the plans of the Secretary of the Treasury are carried out? We will be shamed by the nations of Europe after we have paid off our own debt. Therefore, as a matter of policy, in addition to being a matter of morals, as suggested by the Senator from Kentucky, we should pay these soldiers what we owe them.

Mr. BARKLEY. In other words, according to the position taken by the Secretary of the Treasury, the public debt as a result of the World War will have been discharged in 15 years, or 5 years before we will discharge our public debt to the American soldiers who went out to make it possible to win the war.

Mr. COPELAND. The Senator is entirely right.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Utah?

Mr. COPELAND. I yield.

Mr. KING. I would like to ask the Senator if he does not approve of a policy in private life, and I think it should be paralleled in our public activities, of a man who has obligations paying them at the earliest possible moment, consistent, of course, with the going on of his business, and thus emancipating himself from the payment of interest? If it is good business policy, as it is, to be free from the yoke of servitude of debts funded, I think it would be good policy for the administration and for our Government to discharge as soon as possible the debts which were incurred during the war. That was the view of Congress, particularly if there was prosperity and the revenues derived from the Government were as large as they were, in very great part coming from the large interests of the United States growing out of income tax and corporate tax. Speaking for myself I was very much in favor of the Government paying its debts as soon as it could. I think that would be a crown of glory rather than something to be criticized.

Mr. COPELAND. I have no objection to the payment of the public debt just as soon as possible; but the manly thing, the fair thing, the honest thing to do, is to say to the taxpayers of the country, "This amount of your tax will be used for the liquidation of the public debt." But that has not been done. We have had a Budget given us and we have raised money and have had a surplus on the theory that we needed that money to run the Government. We were not fair and square and honest with the taxpayers of America when we took the money which they gave us on the theory that we needed it for the operation of the Government, and then turned around and used it for another purpose, even so laudable a purpose as the reduction of our national debt.

Mr. President, I never heard Nicholas Murray Butler accused of being a radical or a socialist or anything except a conservative. Doctor Butler in his convocation speech to the students of Columbia University the other day sounded a warning that if the present economic depression and the problem of unemployment—those two problems—shall not be solved there will be danger of a social revolution in the United States. Yet we find it more important at this hour to eat luncheon than we do to give consideration to this great emergency pressing upon the American people and actually threatening our institutions.

I was much interested in the proposal of the Senator from Oklahoma [Mr. THOMAS] to provide for the creation of a special committee to give immediate consideration to this particular question. In the nature of things, the splendid measure presented this morning by the Senator from Massachusetts [Mr. WALSH], and other similar measures, will go to the various committees of the Senate and be left on the table for day after day and week after week. This will happen when this very moment is the time when relief of distress should be afforded.

Ten thousand men and women are selling apples on the street corners of the city of New York to eke out a meager existence. Every effort at relief is being made in my city and my State, and I am glad to say that we can solve our own problem if necessary. But for the good of the country there should be put in operation some such plan as that proposed by the Senator from Massachusetts.

I wish to thank him and compliment him that he has stood up here this morning and so ably given us a picture of the dire distress which is found in every community in this great, wide land.

Mr. WALSH of Massachusetts. Mr. President, will the Senator from New York yield to me?

Mr. COPELAND. I yield to the Senator from Massachusetts.

Mr. WALSH of Massachusetts. If there is any semblance of truth in what Nicholas Murray Butler says, namely, that there may be a social revolution if some remedy shall not be found for this problem, is it not the attitude of the wealth of this country, as evidenced by their spokesmen in the Government, that of saying, "Let it come on; we are ready for it"? Is not that their attitude?

Mr. COPELAND. I want to say, in reply to my friend from Massachusetts, that I do not believe the President voices the sentiment of the wealth of this country. I believe that our citizens generally, regardless of wealth or poverty want this situation relieved, want this depression overcome. The President did not rise to his opportunity or obligation, in my humble opinion—and I say that with all deference to his high office. He did not offer us that leadership which the country needs at this time in order to take us out of the terrible situation in which we find ourselves.

Mr. WALSH of Massachusetts. Mr. President——

Mr. COPELAND. I yield further to the Senator from Massachusetts.

Mr. WALSH of Massachusetts. Of course, there is no personal feeling on the part of the Senator from New York or of any other Senator toward the President in this matter.

Mr. COPELAND. Not the slightest.

Mr. WALSH of Massachusetts. It is a problem that is far beyond personalities as affecting individuals and political parties. It is a human problem that comes to us from the sufferings, the groanings, the hardships, the poverty, and the misery of millions of human beings, our own fellow countrymen. I am sure the Senator from New York recognizes the fact that this is a time of all times when public men ought to speak their real sentiments and let the people in distress know who are sympathizing with them, who are trying to find a solution of their problem, and who in public life are against them, while at the same time pretending to be with them.

Mr. COPELAND. I fully agree with the Senator from Massachusetts. He knows that when one reads about distress, when one reads about some terrible operation that has been performed, when one reads about some great calamity, there can not be the same impression upon the mind as when with his own eyes he sees what is going on.

The Senator from Massachusetts comes from the great city of Boston. Those of us who live in the cities have had brought home to us perhaps more forcibly than it has been brought home to others what poverty means. When I think about the thousands of families in my city living 12 in 3 rooms, 4 sleeping in the kitchen every night, and without anything to eat, except the sidewalks of New York, I can not help feeling as I do. If the President were to walk down Sixth Avenue in New York at this very moment and see a queue of unemployed in front of every employment bureau on that great avenue, there being hundreds of such bureaus, and were to see the thousands and tens of thousands of men and women seeking work—not seeking charity; they want work—if the President could see those things, and if those who have any question in their minds about the importance of relieving this economic distress, could see with their own eyes what we have seen, I am sure there would be a different attitude. There must be found and speedily found by the Congress such means of relief as we may properly give.

I think the Senator from Massachusetts has outlined a plan of great value, and that it ought to be considered by some group here. If the plan of the Senator from Oklahoma were to be accepted, there would be a committee with just one job, not the job of maintaining a Navy or an Army or the District of Columbia or to solve the problems of the merchant marine, but a committee given over to the one problem of what we are going to do to help our brothers and sisters who are now hungry and cold and many of whom will die before the winter is over unless we shall afford relief.

I sympathize fully with the Senator from Massachusetts, and I observed his deep emotion as he spoke. The problem confronting us must be solved by somebody and solved immediately, or the dire prediction made by Doctor Butler and by other conservatives will be realized.

When there is a gathering of men protesting against unemployment that does not mean they are reds; it does not mean they are bolsheviks; it means that they are hungry men who have families in hovels somewhere who are without the means of getting food and heat.

Ah, Mr. President, I hope that out of the appeal of the Senator from Massachusetts will come some definite action to indicate that we believe the purpose of government is not only the protection of property but that the purpose of government is to serve humanity. That is what we should show the people of the United States, that we have humane sentiments and that when an emergency of this sort arises we are going to meet it and deal with it wisely and expeditiously.

Mr. WALSH of Massachusetts. Mr. President, I wish to thank the Senator from New York and to say to him that, though we may not succeed here in putting across any program of relief, we will at least let the country know who is responsible and who is unsympathetic in the condition which confronts the Nation, for I propose to have a roll call upon these measures; I propose to let the men and women of this country know where indifference is, and where failure to respond to leadership exists. If the verdict of the election of last November continues to go unheeded, at least some of us have our voices, and can continue to raise them here in protest from now until the 4th of March.

Amplifying what the Senator has said about distress, let me call attention to conditions I have observed in my own State. The people with little homes which they themselves own have gone to the tax collectors and said, "We can not pay the taxes; put us out if you will; we have no money; we can not sell our property; we have no jobs." That is the situation, not of tenants but of people who have title to real property but who are in dire distress.

I can not find words—as I am sure the Senator from New York can not—to picture the awful condition existing and the tremendous extent of distress and suffering and poverty to-day in this, the richest Nation in the world. If we stood here for hours reading from the letters that have come to us, reciting the appeals that have been made, we could not begin to give a picture of the awful conditions in this country, and never have they been worse.

In the days of the World War the incomes which our people received were ample, and though there were sacrifices upon the battle line, there were none at the fireside of the American people. To-day, however, suffering, misery, starvation, and death are in the homes of millions of American people, and we sit here idly, scarcely expressing interest in this great problem. It reminds one of what happened in Rome. Rome burned while the public officials were fiddling.

I thank the Senator from New York for joining in my protest and in my effort to send word to the country at least what some of us think should be done. In my opinion, every Senator on this side of the Chamber ought now to let the country know where we stand as Democrats, what our position is, and that we intend to do something; that we have read the lesson of the returns of the last election.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Oklahoma?

Mr. COPELAND. I yield.

Mr. THOMAS of Oklahoma. Mr. President, the Senator from New York has had occasion to refer to a resolution submitted by me which is now upon the table. Since that resolution was discussed a day or two ago, I have seen fit to propose an amendment to it, which I desire to call to the attention of the Senator from New York. Objection was made to the resolution that it gave exclusive jurisdiction to the proposed special committee, and an attempt was made to lead the Senate to believe that it was mandatory that relief bills should be referred to the proposed special committee.

I am suggesting an amendment to the resolution so as to provide that such emergency and relief legislation may be referred to the proposed special committee as, in his wisdom, the Chair may see proper to refer to it. Second, I propose to add a proviso to the resolution, as follows:

Provided, That such committee shall have power to act as a steering committee on such emergency and special-relief legislation.

The resolution is now upon the table, and I suggest to the Senator that at the earliest possible moment I shall call for the consideration of the resolution in regular order.

Mr. WAGNER. Mr. President, will the Senator yield to me for a question at that point?

Mr. THOMAS of Oklahoma. I yield, with the consent of the Senator from New York.

Mr. COPELAND. I yield to my colleague.

Mr. WAGNER. I wish to ask the Senator whether his resolution would result in the sending again to the special committee which he proposes to create for consideration bills which have already been reported and are now in the course of passage? I have in mind, for instance, a bill which I introduced and which is now before a conference committee and another which is on the calendar of the House of Representatives.

Mr. THOMAS of Oklahoma. Mr. President, I think I am safe in saying that no particular legislation that is not exactly mandatory will be passed by the Senate until the question of relief is given due consideration. While we realize that the appropriation bills must pass finally, yet the appropriation bills can take their regular place, and no one will be inconvenienced or embarrassed thereby, but the millions of unemployed, who are now hungry and cold, can not very well wait. If they do, serious consequences may come therefrom. I wish to serve notice that at the earliest possible moment I shall call the resolution from the table for a record vote.

Mr. WAGNER. Mr. President, I did not get an answer to the question I propounded to the Senator as to whether the passage of his resolution would result in the recommitting of bills that have already been reported by committees and are on their way to final passage.

Mr. THOMAS of Oklahoma. As the resolution now reads, this committee will only have jurisdiction of such bills as may be referred to it. It will not have any sort of exclusive jurisdiction, but only of such bills as may be referred to it; and that takes into consideration the bills that may be hereafter introduced and such bills as the President of the Senate may refer to it, either on his own motion or upon the request of the author of the bill. In other words, I do not desire to disturb the status of any pending piece of legislation.

The second provision is to the effect that this committee will be a sort of a steering committee to canvass the entire situation, to canvass the entire list of bills that may be introduced, and then to make recommendation to the Senate which of these bills should come up, and when they should come up. Of course, in the last analysis the Senate must act upon the recommendation made by the committee. It is only with the purpose of getting these relief bills up before the Senate for consideration at an early date that I am now undertaking to be of some service to the people of the country who need assistance at this particular moment.

Mr. COPELAND. I am very much obliged to the Senator from Oklahoma. I have felt from the time he introduced his resolution that there was much merit in the plan. It makes some one committee definitely responsible for the consideration of these projects.

Just another word. Let me say to my friend from Massachusetts [Mr. WALSH] that I shall join him and follow his leadership in any plan which has in it the hope of relief of the present situation. I wish we had a full Senate. I should like to say one thing—that any Member of this body who believes that another issue of any sort was responsible for the overthrow of the Republicans in the last election, or the overthrow of any Democrat who failed to measure up to the responsibilities involved, is mistaken. It was due to the failure of the candidates to appreciate that unemployment and economic distress were the things of first consequence. You can not have hunger and cold and have anything else than opposition to government.

Mr. President, I should like to issue a challenge to the other side of the Chamber. Any man over there who sometimes sits in one of the seats now vacant who believes that he can shed responsibility and evade responsibility at this time is very much mistaken. The eyes of the American people are upon the Congress, and upon the Senate, and upon every individual Member of the Senate. There must be effective legislation this year, or there will be a social flood, and then Heaven only knows what may be the consequence.

Mr. President, I have no enthusiasm for the pending resolution; but, having reserved the right to object, I will withdraw my objection and let it take its course.

Mr. DILL. Mr. President, I have been deeply interested in the discussion here to-day, primarily because it indicates a sentiment in this body that proposes that the Congress shall look after the most pressing need of the country, namely, unemployment and economic distress.

I want to indorse the arguments that have been made here, that it is not nearly so important that we protect from increased taxes those who are collecting great incomes and great profits in this country as it is that we shall help by legislative enactment and legislative appropriations the literally millions of our people who to-day are without work and who are in distress and in need of money for food and clothing and shelter. We should be more concerned about them and less fearful of the rise and fall of stocks and bonds on the stock exchange.

I, for one, am anxious to join with any and all Senators who believe in that policy and that doctrine. I hope this sentiment may take concrete form here at an early date, and that the American people may know that some of us here, at least, have an understanding of what the great crying need of America is to-day; namely, some kind of help for the masses who are at the bottom of society and who are helpless in an economic way.

I do not care to discuss this matter at length now, but I desired to give expression to my views to that extent.

AMENDMENT TO TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL

Mr ODDIE submitted an amendment proposing to appropriate $6,540 for compensation of officers and employees of the assay office at Carson City, Nev., and for incidental and contingent expenses, etc., which was referred to the Committee on Appropriations and ordered to be printed.

WELFARE OF MOTHERS AND INFANTS

Mr. TYDINGS submitted an amendment intended to be proposed by him to the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes, which was ordered to lie on the table and to be printed, as follows:

On page 2, line 3, strike out all after the word "census" and the colon down to and including line 23, on page 7.

COST OF PRODUCTION OF SHOE LACINGS

Mr. HEBERT submitted the following resolution (S. Res. 357), which was considered by unanimous consent and agreed to:

Resolved, That Senate Resolution 308, Seventy-first Congress, second session, agreed to June 30, 1930, directing the Tariff Commission to investigate, for the purposes of section 336 of the tariff act of 1930, the costs of production of the shoe lacings specified in paragraph 912 of such act, is hereby rescinded.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 41) creating a joint committee to make a study of impeachment procedure in Congress was referred to the Committee on the Judiciary.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated below:

H. R. 13518. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee on Pensions.

H. R. 14246. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes; to the Committee on Appropriations.

ENFORCEMENT OF ANTITRUST LAW

Mr. McKELLAR. Mr. President, I offer a resolution, and, as it is not very long, I ask unanimous consent that it may be read by the clerk at the desk for the information of the Senate.

The PRESIDING OFFICER. The clerk will read.

The Chief Clerk read the resolution (S. Res. 358), as follows:

Whereas the President of the United States in his message to the Congress on December 2, 1930, among other things recommended as follows: "I recommend that the Congress institute an inquiry into some aspects of the economic working of these laws," meaning the antitrust laws; and

Whereas the President again said in this same message, "I therefore suggest that an inquiry be directed especially to the effect of the workings of the antitrust laws in these particular fields to determine if these evils can be remedied without sacrifice of the fundamental purpose of these laws"; and

Whereas the conditions of depression and unemployment in the United States are generally believed to be in a considerable measure due to the combinations, mergers, chain organizations, interlocking directorates, holding companies, price or cost fixing associations, financial foundation associations, and uniform controls of business, banking, manufacturing, and commercial corporations of almost every kind and description; and

Whereas it is desirable not only to carry out the President's recommendations but to have an investigation of the operation and enforcement of the antitrust laws generally; and

Whereas it is the opinion of many that very numerous organizations, price or cost fixing associations, combinations, mergers, chain organizations, interlocking directorates, holding companies, financial foundation associations, and uniform controls are in violation of the Sherman antitrust laws and the Clayton antitrust laws: Now, therefore, be it

Resolved, That the Committee on the Judiciary of the Senate or any duly appointed subcommittee thereof is hereby authorized and directed to hold hearings and to investigate and report to the Senate at the earliest practicable moment—

First. Whether or not the "interpretation of the antitrust laws by the courts, the changes in business, especially in the economic effects upon these enterprises closely related to the use of the natural resources of the country" require a change in said antitrust laws.

Second. Whether or not the Sherman antitrust laws and the Clayton antitrust laws, and any other antitrust law on the Federal statute books are being violated, and if they are being violated to what extent is the Department of Justice prosecuting the same; whether or not they are prosecuting some violators and not prosecuting other violators; whether they are compromising or adjusting and making terms with some violators by consent court decrees, opinions, or otherwise; and if some violators are not being prosecuted by the department why the same are not being prosecuted.

Third. Whether or not in any cases brought by the Government against alleged trusts, orders, or decrees have been agreed upon by the Department of Justice permitting such illegal combinations to continue when claimed to be used only for the purpose of creating credit protection; and the committee will return as full a list of such cases as possible and report all information concerning such cases in which said laws have been modified by consent decrees if such has been done.

Fourth. Whether or not the Department of Justice has rendered any opinion, written or verbal, expressed or implied, to any illegal price or cost fixing association, gentlemen's-agreement association, credit-protection association, or any other organization having similar purposes; that the proposed acts of such associations would or would not constitute a violation of the antitrust laws and the committee will report all the pertinent facts relative thereto.

Fifth. Whether or not there is now in existence any understanding or agreement between said associations or any of them and the Department of Justice relative to the enforcement by the said department, or partial enforcement by the said Department of Justice of the antitrust laws of the United States.

Sixth. Whether or not the existence of any such combinations, mergers, chain organizations, interlocking directorates, price or cost fixing associations, financial foundation associations, holding companies, chain banks, or uniform controls or combinations, if any such are found, have interfered with or are now interfering with or stifling free competition or are bringing about monopoly.

Seventh. The committee, after making such investigation and reporting its findings of fact and its conclusions, will make such recommendations as it may deem fit and proper looking to the repeal, in whole or in part, of said antitrust laws as recommended by the President or the retention of such laws or the strengthening of such laws, and especially as to the strict enforcement of such laws.

For the purpose of this resolution the said committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings in Washington or elsewhere in the United States, to sit and act at such times and places either while Congress is in session or at any recess thereof, to employ expert counsel, to employ other experts and clerical, stenographic, or other assistance; to require by subpœna or otherwise the attendance of such witnesses and the production of books, papers, and documents as the committee may deem necessary, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable, to the end that the fullest investigation, report, and recommendations may be had.

The cost of stenographic services in reporting such hearings shall not be in excess of 25 cents per hundred words, the cost of expert counsel shall not be in excess of $25,000, and the cost of the entire inquiry shall not exceed the sum of $50,000, and shall be paid from the contingent fund of the Senate upon vouchers reported by the chairman.

The PRESIDING OFFICER. The resolution will be referred to the Committee on the Judiciary.

EDWARD C. DUNLAP

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 328) for the relief of Edward C. Dunlap, which was, on page 1, line 11, after the word "amended," to insert "from and after the enactment hereof."

Mr. WATERMAN. Mr. President, I move that the Senate concur in the amendment made by the House to the bill.

Mr. DILL. Just a moment, Mr. President. What is the request?

The PRESIDING OFFICER. The motion of the Senator from Colorado is that the Senate concur in an amendment by the House to the bill, which the clerk will read.

The Chief Clerk read as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission be, and it is hereby, authorized and directed to extend to Edward C. Dunlap, on account of injuries sustained on January 25, 1909, while employed by the Reclamation Service in the construction of the Gunnison Tunnel, the provisions of an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, without regard to the time of the filing of his claim for such benefits.

The PRESIDING OFFICER. The House has amended the bill, on page 1, line 11, by adding after the word "amended" the words "from and after the enactment hereof."

The question is on agreeing to the motion of the Senator from Colorado that the Senate concur in the amendment.

The motion was agreed to.

RADICALISM AND THE CONSTITUTION

Mr. GOFF. Mr. President, I ask unanimous consent to have inserted in the RECORD an address by the attorney general of West Virginia, Hon. Howard B. Lee, delivered before the West Virginia Bar Association at Bluefield, W. Va., on the subject of "Radicalism and the Constitution."

I have read this address with great pleasure and studied it with undivided care. It is very instructive. It is most comprehensive. It is extremely analytical, and exceedingly eloquent. It is a most outstanding address in every respect.

The VICE PRESIDENT. Without objection, it is so ordered.

The address is as follows:

Mr. President and members of the West Virginia Bar Association, I purpose to speak to you to-day upon a constitutional controversy that at intervals during the past century and a quarter has threatened the existence of our form of government, namely, the disputed authority exercised by the Supreme Court of the United States to determine the constitutional validity of acts of Congress.

In an article apearing in the American Bar Association Journal for July, 1925, the Hon. John W. Davis said: "The Constitution has but two enemies, whether foreign or domestic, who are in the least to be feared. The first is ignorance—ignorance of its contents, ignorance of its meaning, ignorance of the great truths on which it is founded and the great things that have been done in its name. And the second is indifference—the sort of indifference which leads many people * * * to ignore both the rights and duties of citizenship."

All lawyers recognize the correctness of this statement. Their profession requires of them a more intimate knowledge of the Constitution than is possessed by any other class of our citizenship. This being true, it follows that there is a corresponding obligation upon members of the legal profession to jealously guard this basic law against every untoward attempt, from whatever source, either to destroy it directly, or to emasculate it by deleterious amendments.

The authority vested in the Supreme Court to determine the constitutionality of acts of Congress is the keystone of the arch which not only preserves our priceless guaranties of personal and political freedom but supports the whole fabric of our Government. It is for this reason, probably, that for a century and a quarter there has beat upon that tribunal a tempest whose fury at times has threatened the very existence of the Republic. In the last few months the senatorial attacks upon the court have been no less violent than those of past years. In the debate on the confirmation of Judge Parker it was boldly asserted by the radicals in the Senate that the appointee, and even the court itself, were but mere incidents in their scheme to place upon the court not our profoundest lawyers and greatest patriots, but partisans who happen to have the same so-called modern views as those held by Senators BROOKHART, NORRIS, NYE, and similar radicals in that body.

Moreover, it is the stated purpose of these radicals not to stop until they have amended our Constitution so as to conform to their so-called modern ideas. In the debate on the confirmation of Chief Justice Hughes there was voiced on the floor of the Senate such crass ignorance of the Constitution and its history and such gross indifference to its personal and political guaranties of freedom as to challenge the attention of the American people and invoke the resentment of every American lawyer.

Among the radical views there presented we find on page 3647 of the RECORD, the following remarks by Senator BROOKHART:

"I say that the action of the Congress in passing and the President in signing a bill ought to be final as to its constitutionality. It is a mockery and a false pretense to say that Congress will not follow its own Constitution as intelligently and as faithfully as any court * * *. It will now be my intention, * * * to offer and to press an amendment to the Constitution * * * taking away from the Supreme Court this power to set aside legislative enactments. It was assumed by the court * * * and unless the court * * * is willing to recede from this extreme position * * * we can and must meet it by a constitutional amendment * * * and I stand ready to offer that amendment. I stand ready to take it to the country in every State of the Union. * * * The Constitution * * * should be construed by representatives of the people. * * *."

We readily concede the right of every citizen or group of citizens, however radical, to strive peaceably to effect any change in our organic law which they desire. But they must support their views by candid argument and not by mere declamation. On the other hand, those who oppose such changes must answer by sound, cogent reasoning and not by denunciation.

The Constitution is the "sheet anchor of our liberty," and as said by James Madison, "The people who are the authors of this blessing must also be its guardians. Their eyes must be ever ready to mark, their voice to pronounce, and their arms to repel

or repair aggressions on the authority of their Constitution." The Brookhart proposal strikes at the very foundation of our constitutional structure, and if carried out would speedily undermine all rights reserved to the States and every vestige of individual and personal liberty preserved to us by the Constitution. Therefore when such un-American theories and socialistic vagaries not only pass unchallenged in the Senate of the United States but receive a measure of approbation in that body, it is time for the people to give serious thought as to whether they may safely exchange the personal and political guaranties vouchsafed to them by the Constitution for the doubtful assurance of an uncertain congressional majority.

In 1776, in the first bill of rights written in this country, the people of Virginia said that "no free government or the blessings of liberty can be preserved to any people but by * * * frequent recurrence to fundamental principles." The same year, in their bill of rights, the people of Pennsylvania said that "a frequent recurrence to fundamental principles * * * is absolutely necessary to preserve the blessings of liberty and keep a government free." This aphorism has been carried into our own and many other State constitutions. By it is meant that there are certain set rules in government which must be observed and followed if men are to be and remain free. In this country such rules are embodied in our Federal Constitution and bill of rights. They represent the climax of centuries of struggle of the common man to protect himself from the tyranny of either the monarch or the mob. And at this time, when it seems that many citizens and even Members of Congress have forgotten the "blessings of liberty" vouchsafed to us by that instrument and are being swept into a maelstrom of political discontent, a recurrence to such fundamentals is of supreme importance.

Our Constitution is a written instrument and as such its meaning does not change. What it meant at the time of its adoption it means now. Those things which were within its grants of power, as those grants were understood when made, are still within them; and those things not within them remain still excluded. To fully comprehend the purpose of the Constitution, including the authority which the Supreme Court may exercise over acts of Congress, we must resort to a study of its history; and likewise give some attention to the constitutions of the original States, from which sources the Federal Constitution was largely drawn.

Ours was the first among the nations to have a constitution. That instrument and the Supreme Court therein created were each wholly American conceptions. The purpose of such a tribunal was not only to escape from the English system of an omnipotent Parliament, unrestrained by any court, but also to set a watch over the constitutional guaranties of both the people and the States, so as to more effectually preserve them from either Executive or congressional usurpation. Under this system our Nation has not only surpassed the dreams of its founders but it is to-day the oldest and most stable Government in the world. Our citizens have long enjoyed and now enjoy a degree of personal liberty unequaled in any other country and unparalleled in any other age. Any attempt, therefore, either to alter or to impair this fundamental law is of vital concern to every citizen, and must never be undertaken at the instance of either the demagogue or the mob.

From the beginning our Supreme Court has exercised the authority to determine the constitutional validity of acts of Congress. Unhampered even by the slightest knowledge of the history of the Constitution and unmindful of its personal and political guaranties of freedom, these radicals now seek to deprive the court of this authority and to elevate Congress to a place of supreme, autocratic power. They assert: (1) That the court usurped this authority in Marbury *v.* Madison, decided in 1803, and since that time has continued its wrongful exercise; (2) that Congress has never conferred such power upon the court; and (3) that the Constitution contains no such grant of power, and if its framers had intended to confer such authority upon the court they would have expressly so stated in that instrument.

From May 24 to September 17, 1787, 55 delegates, from 12 States, sat in Philadelphia and drafted our Constitution. The powers intended to be conferred upon the Supreme Court and all other questions were exhaustively debated. And after the submission of their work to the States for ratification these subjects were again widely discussed through the press, in debates, in letters, and in the Federalist, by Hamilton, Madison, and Jay. What was intended by the framers of the Constitution respecting the power of the Supreme Court in this respect may be readily determined by even a casual examination of these sources.

The record shows that 51 of these delegates agreed that there should be a Supreme Court clothed with authority to determine whether acts of the Congress violated the fundamental law. And when a subcommittee presented to the convention a completed draft of the Constitution these same 51 delegates conceded that the Supreme Court therein created was invested with such authority. On this point 4 delegates at the time withheld their assent, but later 2 of these changed their views. In the course of the convention debates Luther Martin, of Maryland, said: "As to the constitutionality of laws, that point will come before the judges in their proper official character." Later in a letter to the Maryland Legislature, Martin said: "The judges will determine whether laws of the States or of Congress and acts of the President and other officers are or are not violative of the Constitution." John Rutledge, of South Carolina, said: "The judges of every court—State, inferior Federal, and Supreme—must uphold the supremacy of the Federal Constitution, whether against acts of Congress or against State laws which may be held to infringe it." James Madison affirmed: "A law violating the Constitution established by the people themselves would be considered by the judges as null and void." And two years later, in a letter to Governor Johnston, of North Carolina, Madison further stated: "The exposition of the Constitution must continue until its meaning on all points shall have been settled by judicial precedent." Elbridge Gerry, of Massachusetts, said: "Judges' exposition of the laws involves the power of deciding on their constitutionality." Moreover, during the struggle over the ratification of the Constitution, in answer to its opponents, Hamilton wrote the Federalist No. 78, the greatest exposition of the powers of the Supreme Court that has ever been written. In it he stated and answered the identical issue now raised by Senator BROOKHART. "Limitations to the legislative authority," said he, "can be preserved, in practice, in no other way than through the medium of courts of justice, whose duty it must be to declare all acts contrary to the manifest tenor of the Constitution void."

The First Congress convened on March 30, 1789. Ten of its 18 Senators and 8 Members of the House had been members of the convention which drafted the Constitution. Five Senators and 26 Members of the House had been members of State conventions which ratified it. These Members of Congress had heard the Constitution debated clause by clause by the men who made it. They knew what was intended by its every word; and they all conceded that the Supreme Court possessed such power. Moreover, the existence of such authority in the court was likewise asserted by the Members of every Congress from the first to the fifth, inclusive, and also by the leaders of both the Federalist and Anti-Federalist Parties prior to 1802.

Therefore, if the framers of the Constitution, the people who adopted it, the first Congresses, and the early party leaders all conceded that the Supreme Court was invested with such power, how then may its present exercize by that tribunal be said to be a usurpation of authority? However, the wisdom of the political geniuses who founded this Republic means nothing to our present-day radicals. They seem unable to comprehend that some way, somehow, every present is born of the experiences of the past; and, therefore, to them the past teaches no lessons.

In the First Congress occurred the first and second great constitutional debates in Congress. The first debate involved the authority of the President to remove, without the consent of the Senate, an officer who had been appointed "with the advice and consent" of that body. The question was not settled, but all the constitutional giants who engaged in that debate concurred in the view that the decision must ultimately rest with the Supreme Court. One hundred and thirty-seven years later, in Myers *v.* United States (272 U. S. 52), the court held that the President possessed such authority. The majority opinion by Chief Justice Taft holding unconstitutional an act of 1876, which provided that a postmaster could only be removed "with the advice and consent of the Senate," will always rank among the great constitutional decisions of the court, and is a complete vindication of both Andrew Jackson, who was censured by a Senate resolution, and Andrew Johnson, who narrowly escaped removal, because of the exercise of such Executive power.

The second debate involved the constitutionality of the act of Congress chartering the Bank of the United States. In that debate the leaders of both the Federalist and the Anti-Federalist Parties unanimously agreed that the final authority to determine its constitutionality was invested in the Supreme Court. And when the court, in McCulloch against Maryland, decided in 1819, finally upheld the constitutionality of the act the criticism directed at that tribunal was not for taking jurisdiction but because it failed to hold the act unconstitutional.

Three years after the adoption of the Constitution, in Hylton *v.* United States (3 Dallas 171), the Supreme Court for the first time took jurisdiction of a case involving the constitutionality of an act of Congress. It held the act to be constitutional, and it is significant that neither the framers of the Constitution nor Members of Congress then charged the court with usurping authority. Nine years later, 1803, in Marbury *v.* Madison (1 Cranch. 152), the court for the first time held an act of Congress unconstitutional. History shows that at the time of this decision 39 out of the 55 members of the Constitutional Convention were still alive. If the court in that case had usurped a power not given or intended to be given by the Constitution, surely some one of these survivors would have protested. Yet history records no such protest; and the only objection raised by Congress to the decision was to the doctrine therein enounced that a mandamus might lie against a member of the Cabinet.

Our Federal Constitution was drawn largely from the early State constitutions, and in each of the original States its supreme court freely exercised the power to hold State laws violative of their respective State constitutions, and that, too, without any specific constitutional provision authorizing such action. In all the States the judicial authority to determine that whenever there was an evident opposition, the laws ought to give way to the Constitution was a power which had been found to be the necessary accompaniment of the effective existence of State constitutions. Again, all our State governments are modeled after the Federal Government, with their executive, legislative, and judicial branches; and in every State its supreme court now exercises the authority to pass upon the constitutionality of acts of their respective State legislatures. Therefore the constitutions of the several States, and the decisions of their courts with respect thereto, are as much a part of the great code of constitutional law as is the Constitution of the United States.

Moreover, in so far as the court's authority relates to its appellate jurisdiction to State courts, the First Congress in 1789, by enacting the judiciary act, expressly conferred upon that tribunal the power to determine the constitutionality of acts of Congress. The twenty-fifth section of such act, which was passed without any dissent and is still the law, specifically grants to the Supreme Court the authority to "reverse or affirm" any decision of a State court wherein an act of Congress has been held unconstitutional. The power thus vested in the Supreme Court to "affirm" a State court that has held an act of Congress unconstitutional necessarily confers upon it the authority to hold acts of Congress unconstitutional.

Mr. BROOKHART and his coradicals further assert that if the framers of the Constitution had intended to confer upon the court the power to determine the constitutionality of acts of Congress they would have expressly so stated in that instrument. But why should they have singled out and mentioned this specific authority when they made no provision for the exercise of any other power by the court? To say that the Supreme Court does not possess such power because such authority is not specifically granted in the Constitution is to say that the court does not possess any judicial power. For the Constitution does not specifically grant to the court the power to enter judgment, to issue execution, to enjoin, to commit for contempt, or to do any of the things which the court performs as a judicial body. If the lack of express grant of one power implies that the court does not possess that power, then the lack of express grant of any powers must also imply that the court does not possess any powers. A ridiculous conclusion.

This unwarranted radical contention arises from a confusion of the terms "jurisdiction" and "judicial power," as contemplated by the Constitution; and there is a wide distinction between them. Jurisdiction is the subject matter over and to which the judicial power extends, while judicial power comprehends the functions that may be exercised by a court after it has once obtained jurisdiction. While the Constitution limits the extent of the jurisdiction of Federal courts, it nowhere limits or attempts to define their judicial power. Article 3 of the Constitution confers this judicial power upon the court in this language: "The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish." This judicial power is neither restricted nor defined. It extends to all cases, in law and equity, arising under the Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority, and comprehends all the powers which courts at common law in the States possessed and exercised at the time of the adoption of the Constitution, which included the power to hold State statutes unconstitutional.

The Constitution divides our Government into three separate branches, but they are not entirely independent of each other. Each branch, it is true, has limited powers in itself, but each branch also has a curb or check on the operations of the other. The powers given to Congress by the Constitution are not general, but limited. Therefore, a check against it must exist somewhere. Where, then, may such check be found, if not in the Supreme Court? In 1830, Daniel Webster, speaking in the Senate on this identical question, said: "The people erected this Government. They gave it a Constitution in which they enumerated the powers they bestowed upon it. All others were reserved to the States or the people. * * * No definition can be so clear as to avoid the possibility of doubt; no limitation so precise as to exclude all uncertainty. Who, then, shall construe this grant of the people? * * * To whom lies the last appeal? This, the Constitution itself decides by declaring that 'the judicial power shall extend to all cases arising under the Constitution and laws of the United States.' These two provisions cover the whole ground. They are, in truth, the keystone of the arch. With these, it is a Constitution; without them, it is a Confederacy."

Senator BROOKHART'S radical proposal is less dangerous because it is not new, nor is he its originator. The first assault against this authority of the court occurred in 1802 during the debate on the bill to repeal the Federalist circuit court act. The Federalist leaders in Congress contended that that provision of the bill which deprived the newly appointed Federalist judges of their positions was unconstitutional, and that the Supreme Court would so hold. In reply the Republicans asserted, for the first time, that "Congress has the exclusive power to interpret the Constitution * * * and the judge who dares to question this authority of Congress will be hurled from his seat."

Three years later—1805—congressional opposition to the court became even more violent. The astounding doctrine was asserted that a judicial decision holding an act of Congress unconstitutional would support impeachment and removal. Beyond doubt, it was the intention of Congress to crush the court, even to the extent of the removal of the judges. But to the everlasting credit of that tribunal, it did not cower or bend the knee. Judge Chase was impeached. The Senate, sitting as a High Court of Impeachment, adopted the extraordinary theory that impeachment was not a criminal proceeding, but only a method of removal, the ground for which need not be either a crime or misdemeanor; that impeachment is simply a means of keeping the court in harmony with the congressional will.

Chase was acquitted. But Congress did not give up the fight. John Randolph introduced a resolution to amend the Constitution so as to provide that "the judges of the Supreme Court and all other courts of the United States shall be removed from office by the President on joint address of both Houses of Congress requesting the same."

In 1807 a resolution was introduced in the Senate and favorably reported by the Judiciary Committee to amend the Constitution so as to abolish the constitutional power of the court to issue writs of habeas corpus. And the same year Senator Sanford, of New York, introduced a resolution for a constitutional amendment providing for a term of six years for Federal judges, and for their removal by the President, on the request of two-thirds of each House of Congress.

In 1821 Senator Richard M. Johnson, of Kentucky, introduced a resolution providing for a constitutional amendment which would give to the Senate appellate jurisdiction in all cases involving acts of Congress. The following year Senator Martin Van Buren declared that the only "effective way of safeguarding the rights of Congress and the liberties of the people is to make Federal judges elective, and for a short term." The same year Congress was violently agitated over a proposed bill to require each judge to deliver a separate opinion in every case, so that they might be held responsible by Congress for their individual views. The object of the plan, as stated by its proponents, was to enable Congress to formally denounce the judicial conclusions with which it disagreed, and if the judges failed to adopt the conclusions reached by Congress, impeachment and removal would follow.

Congressional opposition to the Supreme Court continued with varying degrees of intensity throughout the intervening years and culminated in 1912 with ex-President Roosevelt heading the Progressive Party, with one plank of his platform declaring for the recall of judicial decisions. This was followed in 1923 by Senator BORAH introducing a bill in Congress to require the concurrence of seven of the nine judges before an act of Congress could be held repugnant to the Constitution. One year later, 1924, the late Senator La Follette, as the presidential candidate of the Progressive Party, demanded a constitutional amendment to provide that when the Supreme Court has held an act of Congress unconstitutional, and Congress subsequently repasses such act by a two-thirds majority, it shall thereafter be held to be constitutional and forever free from attack.

To-day Senator BROOKHART and his fellow radicals in the Senate, in order to override the Supreme Court, do not want even to take the trouble to pass a bill twice. They have gone back to the early position and demand a constitutional amendment that will invest Congress with the exclusive power to pass on the constitutionality of its own measures.

If the Constitution had contained this provision when submitted to the people for ratification, its rejection would have been inevitable. The States would have been unwilling then, and they should be unwilling now, to surrender to the exclusive guardianship of Congress not only the powers reserved to them by the Constitution, but even their very right to exist as separate governmental entities. For under such a plan State lines could be altered or States destroyed at the congressional will.

Our Constitution has met every legitimate need and accomplished every purpose for which it was designed. Wisdom decrees, therefore, that we abstain from change until the actual existence or threatened approach of danger is clearly and satisfactorily demonstrated. Moreover, before any amendment is adopted, three things should clearly appear, namely, (1) that there is a present necessity for the proposed amendment, (2) that such an amendment will remove an existing evil, and (3) that it will not in itself produce a greater evil than that which it seeks to cure. Senator BROOKHART'S proposal must stand or fall by this test.

No national danger impends from the exercise of the constitutional powers vested in our Supreme Court. Therefore, such an amendment is unnecessary. The Constitution itself makes ample provision for affecting any desired reform without destroying the basic principles of the Government. An adverse decision by the Supreme Court is only a temporary bar; can only delay the result, and delay is not an evil. It produces a more careful consideration, and if such proposed change is really desirable, its chances for success are only strengthened by such delay. If it is not desirable, it is all the more reason why Congress should not have the power to enact it.

These critics of the court assume that a large part of its activities have been directed toward holding acts of Congress unconstitutional, and, therefore, such a restrictive amendment is necessary. But the astounding truth is that in the 141 years since the adoption of the Constitution only 55 acts of Congress and 1 joint resolution have been held unconstitutional. Only 2 such cases occurred prior to the Civil War, while 53 have been decided since that time, the last being Nichols v. Coolidge, 274 U. S. 531, decided in 1927, which held a clause of the revenue act unconstitutional. However, this increase has been due largely to the vast increase in congressional legislation on matters that concerned only the States. Of these 55 decisions, only 11 have ever received serious criticism. The remaining 44 are not only universally recognized to-day as correct but as vitally important in preserving the rights of both individuals and the States against encroachments by the Federal Government.

Of the 11 decisions so criticized, at least 6 are no longer of any consequence. The doctrine of the Dred Scott case was effaced by the Civil War; the Legal Tender case was reversed by the court; the Income Tax case was cured by the sixteenth amendment; the holding in the First Employers' Liability Law case was cured by Congress passing a properly worded act; the doctrine enounced in the Workmen's Compensation in Admiralty case may

be similarly cured at any time; and the Monongahela Navigation case is now recognized as clearly right.

The five cases which are still criticized are Adair *v.* United States, 208 U. S. 161, 1908, known as the Adair case, which held invalid one section of an act of Congress making it a misdemeanor for a railroad company to discharge an employee for belonging to a labor union; Hammer *v.* Dagenhart, 247 U. S. 251, 1912, known as the First Child Labor Law case; Eisner *v.* Macomber, 252 U. S. 189, 1930, known as the Stock Dividend case; Bailey *v.* Drexel Furniture Co., 259 U. S. 20, 1922, known as the Second Child Labor Law case; and Adkins *v.* Children's Hospital, 261 U. S. 525, 1923, known as the District of Columbia Minimum Wage Law case. Whether any of these decisions are erroneous is an open question. But assuming all five to be so, it affords no ground for demanding a complete revolutionary change in our form of government. The Supreme Court is a human institution, and, therefore, it is not infallible. It may have made mistakes in the past, and it may err in the future. But if power is to be taken away because of mistakes in the past or the possibility of error in the future, little authority will remain in any branch of the Government. As said by President Coolidge in 1924: "It is not necessary to prove that the Supreme Court never made a mistake; but if this power is to be taken away from it, it is necessary to prove that those who are to exercise it would be likely to make fewer mistakes."

The stock argument of the court's opponents is that too many of its decisions are arrived at by a 5-to-4 vote. Hence the proposal of Senator BORAH to require the concurrence of 7 of the 9 judges before an act of Congress may be held unconstitutional. Again, they are not sustained by the facts. Of the 55 cases wherein acts of Congress have been held unconstitutional, 23 were unanimous, 7 in which only one judge dissented, 12 in which only two judges dissented, 5 in which three judges dissented, and only 8 in which the vote was 5 to 4. Of the five decisions which are criticized to-day, only two, the First Child Labor Law case and the Stock Dividend case, were decided by a 5-to-4 vote. The Adair case, of which organized labor still complains, was decided by a 6-to-2 vote; the Second Child Labor Law case, 8 to 1; and the District of Columbia Minimum Wage Law case, 5 to 3.

That these critics of the court are insincere is clearly demonstrated by their attitude in two cases; namely, the Northern Securities Case, 1904, and the Adair Case, 1908. In the former an act of Congress was held constitutional and a great capitalist holding company was dissolved by a 5-to-4 decision, while the latter was decided by a vote of 7 to 2. These critics found no fault with a decision which went their way by a 5-to-4 vote, nor were they satisfied when they lost one by a vote of 7 to 2, exactly the number prescribed by the Borah plan. It is not the vote on the court of which the loser complains, but the adverse decision itself to which he objects.

The difference between the Borah proposal and the Brookhart plan is that under the former Congress would dictate to the court how the rights of parties litigating before it should be decided, while the latter would prevent the court from deciding the case at all. Of the two the Borah proposal is the less dangerous, but it is wholly at variance with the fundamental principles upon which this Government was founded; namely, that the will of the majority shall govern. Its effect would be that if three judges out of nine believe an act of Congress constitutional, the case shall be decided according to the view held by the minority of the court, and not according to the view held by the majority. To illustrate: Suppose a case were appealed to the Supreme Court from an inferior Federal court wherein the latter had held an act of Congress constitutional. Under the Borah plan the lower court would be affirmed if three judges agreed with it, although six judges favored reversing it. On the other hand, suppose the lower court had held the act unconstitutional and six judges on the Supreme Court agreed with it, but three judges took a contrary view, the case would be reversed by the vote of only three judges. Again, suppose such appeal was from the unanimous judgment of our own State supreme court wherein an act of Congress had been held unconstitutional. Six of the nine judges of the United States Supreme Court likewise believed the law invalid and that the judgment of the State court should be affirmed. Yet, under such a plan, the judgment of 5 judges on our State court and 6 on the Supreme Court of the United States, 11 in all, would be outweighed by the judgment of 3 members of the latter court, and the case would be reversed.

There are grave doubts whether Congress possesses the power to enact such legislation. But if it does and chooses to exercise it, the confidence of the American people in their courts will disappear. Moreover, I doubt if any self-respecting American State would submit to the indignity of having its highest judicial decrees and judgments reversed by three out of nine judges of the Supreme Court of the United States.

The two outstanding political geniuses of our formative period were Jefferson and Hamilton. Their lucid thought and intense purpose are still the most powerful political forces in the modern world. On this point they were in hearty accord. The former said: "The first principle of republicanism is that the law of the majority is the fundamental law of every society of individuals of equal rights; to consider the will of the society enounced by the majority of a single vote, as sacred as if unanimous is the first of all lessons of importance * * *." In the Federalist, the latter said: "To give a minority a negative upon the majority, which is always the case where more than a majority is requisite to a decision is, in its tendency, to subject the sense of the greater number to that of the lesser."

What would have been the effect upon our national life if the Supreme Court, in its early history, had been deprived of its power to square acts of Congress with the Constitution is problematical. The Nation probably would have survived, but it would have ceased to be a Republic.

The three coordinate branches of the Government—executive, legislative, and judicial—would have ceased to exist and in their place Congress would have stood alone, one gigantic, threatening edifice—the court of last resort, the repository of all power. But what could have happened under such a plan is certain. Freed from the intervening power of the Supreme Court, Congress, in its discretion, could have abolished our republican form of government; altered or abolished any or all of the constitutional powers of the President and the Supreme Court; altered or destroyed any or all of the reserved powers of the States; deprived citizens of any or all of the rights guaranteed them by the Bill of Rights; legislated out of existence our right of religious liberty; established a religious test as a qualification for public office; abridged the freedom of speech and press; abolished trial by jury and the right of habeas corpus; required excessive bail in a criminal case and compelled a person to be a witness against himself; passed a bill of attainder of an ex post facto law; and declared any act it chose to be treason. In short, Congress would have had the right to disregard whatever the Constitution now commands or forbids.

Moreover, what could have occurred in our early history under such a plan can happen now under the proposed Brookhart amendment. Under our present system the Constitution is supreme and binding upon both Congress and the court, but under such an amendment the Constitution will cease to be the "supreme law of the land," and acts of Congress and such parts of the Constitution as may conform thereto will become supreme. In short, the Constitution will become a house of cards and the sovereignty of America will have passed from the people to Congress. In 1802, in a great debate in the Senate on this very question, Gouverneur Morris, of New York, said:

"The moment the Legislature of the Union declares itself to be supreme it becomes so, * * *. The sovereignty of America will no longer reside in the people but in Congress, and the Constitution will become whatever Congress may choose to make it."

Again, under such a plan Congress may repeal or alter any amendment to the Constitution. The provision requiring the submission of a proposed amendment to the people of the several States for ratification or rejection would become a dead letter, for Congress may then pass any act admittedly unauthorized by the Constitution, and its mere passage will make it constitutional.

But there is still a more serious objection to the Brookhart plan. If the Supreme Court were thus deprived of the power to pass upon the constitutionality of acts of Congress, such power would still remain in the supreme courts of the several States in all cases coming before them which involved a Federal statute, and such decisions would be final. Thus we might have the Constitution meaning one thing in one State and something else in another State, depending on whether acts of Congress were upheld or annulled by State supreme courts. Hence a Federal statute would be subject to the construction of 49 different courts of last resort—48 by the States and another by the Supreme Court of the United States. Such a condition would ultimately destroy all uniformity of obligation and result in such political and business chaos as would inevitably destroy the Republic itself.

To sum up: Under such an amendment no State in this Union and no man, woman, or child in this country would have a single right of any kind or character which Congress would be obliged to respect or which Congress might not abolish by simply passing a statute. The individual citizen would possess only such rights as Congress might choose to grant him, and the lives, liberty, and property of the minority would be subject to the caprice of a majority in a centralized congressional autocracy.

To these potential dangers the radicals make two answers. They assert: (1) That if such an amendment were adopted, Congress would never enact such unconstitutional legislation; and (2) that if acts of Congress are to be declared unconstitutional, such power should be exercised by the representatives of the people in Congress.

It is no answer to say that Congress would never exercise such power. Such assertion is not sustained by history. No less than fourteen times has Congress, or one of its branches, violated the provision of the Bill of Rights, and as many times has the Supreme Court saved the individual from congressional usurpation of power. For example: Congress has attempted to try men twice for the same offense. It has attempted to take private property for public use without compensation. It has attempted to pass an ex post facto law. It has attempted to impose a religious qualification for public office. It has attempted to imprison a man without a trial by jury. It has attempted to compel a man to be a witness against himself in a criminal case. All which were in violation of express provisions of the Constitution. What Congress has once done, it may well try to do again. Under our present plan no branch of the Government, nor the three branches combined, can deprive the people of their constitutional rights. Why then should the people, by the adoption of such an amendment, surrender the guaranties vouchsafed to them by the Constitution and trust wholly to the doubtful generosity of a temporary, and possibly temperamental, congressional majority.

We readily concede, even under such an amendment, that in ordinary times Congress would endeavor to abide by the limitations fixed by the Constitution. But it is against the usurpation of power in extraordinary times that we must guard—times when public feeling has been passionately aroused for or against some particular object, or class, or section of the country. History warns us that the decision of legislative bodies are often influenced by considerations of temporary expediency and partisan advantage. A party in power has not infrequently denied to the minority that very liberty which it so ardently championed when itself was in the minority. We are no exception to this general rule. A Congress may be swayed by political, sectional, or class appeal; it may be influenced one day by the power of vested interests and on another day by the passing whim of popular passion; and its acts are always likely to be influenced by their probable effect on party success or personal chances of reelection. It is in such emergencies that a Supreme Court, uninfluenced by hope, undisturbed by fear, guided only by its conscience, and with power to enforce the guaranties afforded by the Bill of Rights, is essential both to the safety of the Republic and the liberty of its citizens.

This is not a lack of confidence in Congress. It is safeguarding our liberty. The powerful words of Jefferson on this subject are applicable to-day. He said, "It would be a dangerous delusion if our confidence in the men of our choice should silence our fears for the safety of our rights. * * * Our Constitution has accordingly fixed the limits to which, and no further, our confidence will go. In questions of power, then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution."

The Senator from Iowa assumes much when he says that Congress will follow "its own" Constitution. Whence comes this assumption of proprietorship in the Constitution? That instrument was created by the people before Congress had an existence. They declared it to be the supreme law of the land. By it they created Congress, the Supreme Court, and the Executive; prescribed the duties of each, and, for their own protection, fixed certain limitations upon the powers of each. Therefore, since Congress and the court were each created by the people and each represents the people, why should this power to pass on the constitutionality of acts of Congress be lodged with Congress rather than with the court where the people fixed it? The Senator's insidious assumption of congressional proprietorship in the Constitution is in itself alarming. It is indicative of that class of demagogic political activity which denounces as tyrannical the authority exercised by others, but when it is itself intrusted with power speedily assumes the rôle of tyrant. Whenever we concede the Constitution to the property of Congress rather than the people, there remains but a short step to a political dictatorship.

Are we unduly concerned over the foibles of Mr. BROOKHART? Were he alone, I would say yes. But he is at present the official spokesman of a vast number of people whose hearts are untouched by the "mystic chords of memory" which link us with a noble and heroic past. Their faith in the Constitution has become weakened. They distrust its wise restraints. They assert that the living should not be "cribbed, cabined, and confined" by an old parchment written by men dead these hundred years. Hence, we have organized parties and responsible leaders of thought who are willing to tear down in a day what has required centuries of struggle to erect. Such persons, it is true, are a small minority, but because of the indifference and apathy of the majority, our Constitution is in graver danger to-day than at any time in our history. Such danger lies not in a direct attack upon it as a whole, but in its gradual erosion by successive amendments that are foreign to its nature and destructive of its purpose.

Our Constitution can never suffer because of inherent defects, but it may become impotent for lack of appreciation of its virtues. It is founded in and maintained by the sovereignty of the people. It comes to us sealed with the test of nearly a century and a half of successful operation. It is itself the Government and is in itself the Union of these States. Its purpose is not only to save the people from their enemies, but also to save them from their own unadvised action and uninstructed will. Thus it perpetuates the sovereignty from which it sprang. It is not wholly a scheme of government. It is also a guaranty of the eternal verities of liberty and justice to this and future generations. The Supreme Court is the guardian of our individual rights as defined by the Constitution, and despite the demagogic attacks that have been made upon it, that great tribunal remains unshaken in public esteem, more firmly entrenched in the public confidence than ever before, because the people have found that it is a sanctuary wherein there is a limit to oppression, a refuge where truth is stronger than popularity, and right superior to gain. It is, therefore, our solemn duty not only to enjoy the blessings vouchsafed to us under our Constitution, but to hand it down to posterity without derogation. Then and then only may we truly say:

"Thy sun has risen and shall not set
Upon thy day divine.
Ages, and unborn ages yet,
America, are thine."

"RECOGNIZE SOVIET RUSSIA!"

Mr. BORAH. Mr. President, I ask to have printed in the RECORD an editorial of the 7th instant from the Brooklyn Eagle entitled "Recognize Soviet Russia!" What we want are markets for our goods and thus create markets for our labor.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Brooklyn (N. Y.) Eagle of December 7, 1930]

RECOGNIZE SOVIET RUSSIA

Every day it becomes clearer that the United States needs a foreign policy more in keeping with the realities of the international situation. If world-wide economic and political conditions are to be improved there must be better understanding between nations.

John Bassett Moore and Owen D. Young have, within the past few days, suggested that the United States should take the lead in a movement to restore confidence and stability. One of the foremost problems facing the world is that presented by Soviet Russia.

For more than 12 years this country has refused recognition to the Soviet Government in Moscow. The time has come for our State Department to reconsider this policy.

Russia is one of the great nations. Traditionally the peoples of the United States and Russia have been friendly. This friendship existed when Russia was ruled by a Czar. It should not cease to exist because a radical minority now rules in Moscow. A recementing of that friendship, at least to the extent of resuming diplomatic and trade relations, would make for world peace and stability.

How to bring this about is a problem for statesmanship and diplomacy. Far more difficult problems have been solved by the exercise of common sense and good will. The first step is to recognize the need and the larger purpose that would be served by a changed policy in relation to Russia.

Recognition need not imply that in the past Russia has been right or that the United States has been wrong. It should not imply sympathy for communism or condone violence. Recognition should not be extended merely to build up trade, and the United States should not sacrifice its dignity or resume relations on unfair terms dictated by the soviet régime.

But to help in warding off more serious economic, political, and social disturbances here and abroad; to aid in restoring sanity and good will in the intercourse of nations, and as an earnest of our desire for peaceful progress instead of international chaos, this Government should seriously consider the restoration of friendly relations between Russia and the United States.

SMUGGLING ALIENS AS "SEAMEN"

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Washington Post of Tuesday, December 2, 1930, entitled "Smuggling Aliens as 'Seamen.'"

The PRESIDING OFFICER (Mr. FESS in the chair). Is there objection?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SMUGGLING ALIENS AS "SEAMEN"

The merchant marine acts are being used to defeat the immigration law. Since the close of the World War merchant vessels on coming to the United States have carried more men than provided for by minimum manning regulations of the several nations. On leaving the United States they have done so with the minimum number or less, thus leaving in the United States a number of aliens masquerading as "seamen," conservatively estimated to be between 50,000 and 60,000 a year. The official figures are much smaller than the estimate. Investigation by the Labor Department has proved that official figures, which are obtained from masters reporting the number of desertions to the immigration authorities, are smaller than the number reported to the consuls of the several nations.

Chinese "sailors" coming in violation of law are paying up to $1,100 per person to get into the United States. Immigrants, most of whom could not obtain a visa, are paying from $200 to $400 for their passage as "seamen."

This racket has continued since the World War. Senate bill 202, to provide for the deportation of alien seamen unlawfully in the United States, has been before Congress since 1924. This bill passed the Senate in the Sixty-ninth Congress, but failed in the House. In the Seventieth Congress it was reported from the Senate Committee on Immigration and Naturalization, but so late in the session that the objection to unanimous consent made by Senator BINGAM, of Connecticut, prevented the passage of the bill. In the Seventy-first Congress it passed the Senate by unanimous consent in the temporary absence of Senator BINGHAM, who, on returning to the Senate, offered a motion to reconsider. This motion to reconsider has not been disposed of. The bill should be taken up and disposed of at once, in order that the House committee and the House may have an opportunity to act upon it.

With the existing condition of unemployment there is certainly no reason why the bill should not be passed. It would close a side door through which immigrants are smuggled into the United States, thus swelling the number of unemployed.

DROUGHT RELIEF IN ALABAMA

Mr. HEFLIN. Mr. President, I am in full sympathy with the suggestions that have been made by the Senators who

have discussed this unemployment question. A serious situation exists in the drought-afflicted areas of the United States. The Senator from Oregon [Mr. McNARY] has just reported to the Senate to-day a bill on that subject which was unanimously agreed upon last Saturday by the Committee on Agriculture and Forestry. I had the pleasure of making the motion in the committee to report this bill to the Senate with the recommendation that it be passed by the Senate.

I can not stress too much the importance of the early passage of this measure. I hope that on to-morrow we shall be able to get this relief bill up and continue its consideration until it shall have passed the Senate before the adjournment in the afternoon.

It is a serious situation, Mr. President, when American men and women in large numbers are compelled to call upon their Government for the actual necessities of life. We have that situation to-day. The situation that confronts us in this country to-day is a most serious and distressing one. Not only are people suffering in the large cities, but out in the drought-afflicted areas in several States the people who used to be able to get along when hard times came, because they had something to eat, are differently situated now. Then, if cotton was selling at a low price, they could get along somehow, because they had food upon which to live. But this year, however, cotton is selling for from $30 to $35 a bale below the cost of production and the people of whom I speak in the drought-afflicted area in Alabama have neither cotton or food. There is real distress and on a large scale in Alabama. It covers more than four-fifths of the counties in the State. The same distressing situation exists in several other States.

Action upon some of the other measures to which we shall have to give consideration at this session can be deferred for a time; but we ought to act, and act now, upon these measures that carry relief for suffering men and women in our States. Men and women who are suffering to-day for the actual necessities of life are entitled to have us act speedily upon a measure so vitally important to them. And, Mr. President, I trust that all the other Senators will feel as I do about this measure and that we will be able to pass it through the Senate to-morrow.

DEPORTATION OF ALIENS

The PRESIDING OFFICER laid before the Senate a resolution coming over from the previous day, the resolution (S. Res. 355) submitted by Mr. HAYDEN on the 4th instant, requesting information relative to undesirable aliens in the United States.

Mr. HAYDEN. Mr. President, I ask that the resolution be considered at this time.

Mr. JONES. Let it be read.

The PRESIDING OFFICER. The resolution will be read.

The Chief Clerk read the resolution, as follows:

Resolved, That the Secretary of Labor be, and is hereby, requested to furnish to the Senate the following information:

First, the estimated number of aliens who have unlawfully entered and are now in the United States.

Second, approximately what number of such aliens are subject to deportation under existing laws.

Third, what additional appropriations of money are necessary to accomplish the prompt deportation of such aliens.

Fourth, what changes should be made in existing laws to facilitate the deportation of undesirable aliens.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

Mr. KING. Mr. President, I desire to ask the Senator from Arizona to explain the necessity of this resolution.

Mr. HAYDEN. Mr. President, it may be proper for me to make a very brief statement as to why I introduced this resolution.

I have heard various estimates made of the number of aliens unlawfully in the United States, extending as high as a million. I have seen a statement in writing that there are in this country at least 300,000 aliens who came into the United States in violation of law since the passage of the immigration act of 1924. I know of no better place to inquire how many aliens are unlawfully in the United States than the Department of Labor, which administers the immigration laws.

My understanding is that there is a statute of limitations, and that an alien, although unlawfully within the United States, who evades arrest and remains here for five years, may not be deported. Therefore, the number actually deportable is less than the number who are unlawfully here to day.

The third question in the resolution is, What additional appropriations of money are necessary to deport the aliens now in the United States who are deportable?

I am satisfied that the Congress has not been appropriating enough money for that purpose. In the past year about 16,000 aliens were deported; the year before, some 12,000. If we could do nothing more than double the number, the effect would be that many aliens who are now in the United States holding jobs would be removed from the country, and the jobs thus vacated would be available to American citizens. If any such alien is not employed, he probably is a burden upon our American charities. Therefore it is desirable to get these aliens out of the country. The only way to accomplish that result is to supply to the Immigration Service the necessary funds for their deportation.

The last inquiry in the resolution is to ask for the recommendations of the Secretary of Labor with respect to what changes should be made in existing law in order to facilitate the deportation of undesirable aliens. We are, I hope, soon to have a new Secretary of Labor. I trust that the nomination of Mr. Doak may be confirmed by the Senate without further delay. This resolution will go to him as the new head of the department. I am sure that Congress will be interested in having the benefit of his views upon this subject, which is of such importance to American labor. We have the several recommendations made in the last annual report of the then Secretary of Labor, Mr. DAVIS, who now is a Member of the Senate and who has stated to me that he favors the passage of this resolution. It is, however, entirely proper to ask the new Secretary for an expression of his opinion as to what new legislation is needed to facilitate the deportation of undesirable aliens.

I ask for the passage of the resolution.

Mr. WALSH of Massachusetts. Mr. President, I am in sympathy with the resolution offered by the Senator; but it is unbelievable that there should be in this country a large number of aliens who have entered illegally. Has the Senator any information that any officials of our Government have asked for appropriations for the purpose of deporting aliens that have not been granted in the past?

Mr. HAYDEN. As far as I know, the Budget estimates have been allowed by Congress.

Mr. WALSH of Massachusetts. So, then, we are in the situation that officials of this Government for years have been allowing aliens to enter and remain illegally in this country without ever coming to Congress to ask for more employees and more money to put them out? Is that the situation?

Mr. HAYDEN. It seems to me that the time is very appropriate to make these inquiries of the Secretary of Labor, in view of the general unemployment in the United States.

Mr. WALSH of Massachusetts. I am thinking about the past. I want to know what department of this Government has allowed aliens to come in here in large numbers illegally, and to remain here, and has made no effort to put them out, and asked for no funds to employ inspectors to eject them from this country. Has the Senator any evidence of that?

Mr. HAYDEN. The Senator's question is rather broad. There is a department of the Government charged with the duty of preventing aliens from entering the United States except in a lawful manner, and charged with the duty of deporting aliens unlawfully in the United States. That department of the Government has not had the facilities, either in men or money, properly to exercise its functions.

Mr. WALSH of Massachusetts. The Senator is either indicting that department or indicting the Congress. If that department asked for money and we refused to give it, we

are to blame. If they have not asked for money, if they have not told us of the conditions, then those men are responsible for neglect of public duty in allowing these aliens to come illegally into this country.

Mr. HAYDEN. The responsibility may be a joint one. The Department of Labor has asked for money, requested it of the Budget, and undoubtedly it has been denied the full amount by the Budget. The Budget requests, and nothing more, have been presented to Congress. Congress has sometimes allowed increases above the Budget estimates. Congress, if I am not mistaken, did force upon the administration the first appropriation of $1,000,000 to establish a border patrol in 1926 to keep aliens out of the country. Congress, I am sure, would always have been willing to grant any sum of money asked by the administration for the deportation of aliens.

Mr. WALSH of Massachusetts. The resolution indicates neglect, serious neglect; and I want to fasten it on somebody. I want the people of this country, who do not like to have such laws generally violated, to know who is responsible.

Mr. HAYDEN. We may be better able to fix the responsibility by having the Secretary of Labor furnish to the Senate the information asked for in this resolution.

Mr. WALSH of Massachusetts. I have no objection, of course, to the Senator's resolution; but I think the resolution suggests that there has been neglect, and serious neglect, in the department.

Mr. KING. Mr. President, in view of the questions submitted by the Senator from Massachusetts, I would like to say that an examination of the evidence will disclose, I think, that a great many people have come into the United States who had no purpose whatever to evade the law. They came for the purpose of becoming American citizens, men and women of character and courage and ability, but in many instances there was, perhaps, a technical violation of some regulation, under which they might be placed in the category of being among those who had entered into the United States illegally.

I have in mind a case where a man came into the United States, and five or six years after he had been here he was arrested for deportation. The only ground upon which the authorities based their charge that he ought to be deported was that he had forgotten the name of the vessel upon which he came. He could not give that information. It took weeks and weeks to get the information as to the vessel on which he came.

There are hundreds of cases where there have been slight violations or infractions of technical regulations of the department which placed those who came into the United States in the category of being illegal entrants into the United States.

I think the department has been very vigilant; indeed, I have sometimes felt they have been too vigilant, and my attention has been challenged repeatedly to the cases of persons whom the department was seeking to deport who should not have been deported because they were not mala fide entrants into the United States but came in in good faith.

It is true, however, that in various parts of the United States there are considerable numbers of people who came into the United States illegally. I have a bill now, which I hope to bring to the attention of the Senate within the next few days, which will prevent the coming into the United States of a large number of persons who are ineligible to citizenship and will result in the deportation of a large number who have illegally entered the United States.

Generally speaking, I think the Department of Labor has been efficient and has tried to enforce the law and to prevent people coming into the United States who, under the law, were not eligible to enter.

Mr. WALSH of Massachusetts. Does the Senator think that many aliens have entered illegally?

Mr. KING. Of course, the term "many" is relative. I think there has been a considerable number. That is just as indefinite as the word "many."

Mr. WALSH of Massachusetts. I was desirous of getting the Senator's view.

Mr. KING. I think there has been a considerable number who have entered the United States illegally.

Mr. WALSH of Massachusetts. I imagine more over the Mexican border and the Canadian border than from seaports.

Mr. KING. When the Senator speaks of the Mexican border, does he mean Mexicans or people who have come from Cuba or from Europe to Mexico, and then used Mexico as the door for entering the United States?

Mr. WALSH of Massachusetts. Of course, people who come from Mexico have a right to come in.

Mr. KING. My information is that there has been a considerable number.

Mr. WALSH of Massachusetts. The illegal aliens have come over via Mexico and Canada.

Mr. KING. Yes. Some have entered through the port of New York, perhaps, and other ports; but the number who have come illegally I do not think is as great as is so frequently stated. That is my opinion. I am a member of the Committee on Immigration, and I have tried to ascertain the facts.

Mr. WALSH of Massachusetts. I wanted the Senator's opinion, because I knew he was on that committee and had given this subject a good deal of study. I am inclined to agree with the Senator that there are not as many as are claimed; but I think the resolution should be adopted.

Mr. KING. My idea is that a number of persons have been admitted to the United States who are communists, and who, under the law, would not be eligible to enter the United States. However, when we come to inquire into the political or economic views of individuals who otherwise seem to be qualified, for the purpose of determining whether they ought to be admitted, that is a difficult thing. We do know that a number of persons who are aliens are in the United States who are communists and are doing what they can to sabotage our industries, to create unrest, and, in many instances, to disrupt our economic and industrial if not our political system.

The VICE PRESIDENT. The question is on agreeing to the resolution offered by the junior Senator from Arizona [Mr. HAYDEN].

The resolution was agreed to.

RELIEF OF UNEMPLOYMENT

Mr. THOMAS of Oklahoma. Mr. President, I offer a Senate resolution and ask that the same be read for the information of the Senate.

The VICE PRESIDENT. The clerk will read.

The CHIEF CLERK. The Senator from Oklahoma offers the following resolution (S. Res. 359):

Resolved, That the Federal Reserve Board be directed to advise the Senate what steps it has taken or proposes to take to meet the existing depression and consequent unemployment and low prices.

Mr. THOMAS of Oklahoma. I ask that the resolution may lie on the table.

The VICE PRESIDENT. The resolution will go over under the rule.

DOMESTIC STEEL PENS AND FOREIGN STEEL PENS

Mr. WAGNER submitted the following resolution (S. Res. 360), which was considered by unanimous consent and agreed to:

Resolved, That the United States Tariff Commission is hereby directed to investigate, for the purposes of section 336 of the tariff act of 1930, the differences in the cost of production between domestic steel pens and foreign steel pens.

EMPLOYMENT OF TELEPHONE OPERATOR

Mr. WATSON submitted the following resolution (S. Res. 361), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Sergeant at Arms hereby is authorized and directed to employ a telephone operator, to be paid at the rate of $1,560 per annum out of the contingent fund of the Senate, until the end of the present Congress.

THE CALENDAR

The VICE PRESIDENT. The calendar, under Rule VIII, is in order.

Mr. McNARY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	McGill	Smith
Barkley	Frazier	McKellar	Smoot
Bingham	George	McMaster	Steck
Black	Gillett	McNary	Stelwer
Blaine	Glass	Metcalf	Stephens
Blease	Goff	Morrow	Swanson
Borah	Goldsborough	Moses	Thomas, Idaho
Bratton	Greene	Norbeck	Thomas, Okla.
Brock	Hale	Norris	Townsend
Brookhart	Harris	Nye	Trammell
Broussard	Harrison	Oddie	Tydings
Capper	Hastings	Overman	Vandenberg
Caraway	Hatfield	Patterson	Wagner
Carey	Hayden	Phipps	Walcott
Connally	Hebert	Pine	Walsh, Mass.
Copeland	Heflin	Ransdell	Walsh, Mont.
Couzens	Howell	Robinson, Ark.	Waterman
Cutting	Johnson	Robinson, Ind.	Watson
Dale	Jones	Schall.	Wheeler
Davis	Kean	Sheppard	Williamson
Deneen	Kendrick	Shipstead	
Dill	King	Shortridge	
Fess	La Follette	Simmons	

Mr. FESS. The junior Senator from New Hampshire [Mr. KEYES] is absent on account of illness in his family. I ask that this announcement may stand for the day.

Mr. SHEPPARD. I wish to announce that the junior Senator from Ohio [Mr. BULKLEY] is necessarily detained from the Senate on business in his home State.

The VICE PRESIDENT. Eighty-nine Senators have answered to their names. A quorum is present.

MUSCLE SHOALS

Mr. BLACK. Mr. President, I desire to call the attention of Senators to the report which is on their desks in a letter from the Secretary of War. This letter is here in response to a Senate resolution.

Some of the Senators will recall that in the closing days of the last session of Congress some of the municipalities around Muscle Shoals were seeking to obtain power from that plant. I made the statement on the floor at that time that much power was going to waste, and that the Secretary of War, or the War Department, had declined to sell that power to municipalities. A resolution was passed calling upon the Secretary of War to give his reasons to the Senate why that power had not been sold to municipalities.

Due to the fact that there appears in this letter for the first time during a long period of years a new reason advanced which is totally in conflict with all the reasons which have heretofore been given, either in writing or in person, I desire to call the attention of the Senate to this letter. It is important by reason of the fact that if this letter from the Secretary of War correctly states the facts, there might possibly be in the minds of some a justification for the failure to sell power to municipalities. But there can be no justification under the reasons which have been given before this time.

I wish to call the attention of the Senate first to the fact that the resolution was passed in this body on June 28, 1930. A reply could have been made the next day.

The VICE PRESIDENT. The Senator will suspend while the Chair lays before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. A bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

The VICE PRESIDENT. The Senator from Alabama will proceed.

Mr. BLACK. The Congress remained in session until July 3, the resolution having been passed June 28. No reply came to this body as to the reason why power had not been sold to municipalities at Muscle Shoals. The Senate was then called in extraordinary session and remained in session until July 21, one month and three days after the passage of the Senate resolution.

No reply came to this body during that period of time. At that time I had a telegram from the Secretary of War stating that the reason why no power had been sold at the town of Muscle Shoals was on account of the fact that the sale would conflict with the existing agreement between the Government and the Alabama Power Co. I also have in my posession a letter from the Secretary of War dated January 8, 1930, which has in it these words:

> It is believed that this duty has been performed by making annual agreements with the Alabama Power Co. for the exclusive right to purchase power from Wilson Dam.

I then called attention to the fact that under the figures given me by the War Department approximately one-eighth of the power only had been utilized by the power company and that therefore a large percentage of the power was going to waste. The Secretary of War had also written me another letter in which an additional reason was given why power was not sold to the town of Muscle Shoals. I invite particular attention in the Senate to this reason in order that it may be compared with the reason which is given now, months and months after the Senate resolution was passed. The Secretary of War said:

> The request of the city of Muscle Shoals to purchase power from Wilson Dam was denied because the amount required was not sufficient to compensate for the cost of additional equipment, the tying up of generating and distribution facilities, and the additional cost of operation and maintenance. The plant is not designed to serve a large number of retail customers, and it was therefore not considered to be to the interest of the Government to accept the offer of the city of Muscle Shoals.

I now invite the attention of the Senate to the reason given in a letter now on Senators' desks, wherein it is stated:

> Consequently, a condition may arise under which the company would be entitled to the entire energy output of the Wilson Dam plant. As a matter of fact, that condition has existed during a considerable portion of the past summer.

In other words, the Secretary of War says now in response to the Senate resolution that under the existing contract with the Alabama Power Co. it is possible for that company to demand all of the power at the low-water season of the Tennessee River, and calls attention to the fact that during the summer months which have just passed the power company did take all the power. That is entirely different from the reasons heretofore given.

In addition to that fact I invite attention to a map which was sent to me by the Secretary of War before the resolution was passed. It shows the amount of power which could be generated at Muscle Shoals, and shows by curves the greatest amount which had ever been used by the Alabama Power Co. Never before last summer, months after the Senate resolution was passed, had it ever been discovered that the Alabama Power Co. could under any circumstances use all the power at Muscle Shoals. That reason had never been assigned. As a matter of fact, if the resolution had been answered when the Senate was in session it could not have been stated that the Alabama Power Co. had ever used all of that power. But after the resolution was passed and before the Secretary of War answered there developed for the first time the argument as to why power should not be sold to municipalities. In other words, the statement now comes to the Senate that this past summer, after the Senate published to the world the fact that Muscle Shoals power was going to waste while municipalities wanted it, the Alabama Power Co. buys all the power at Muscle Shoals for a very short period of time. If the Senate resoluton has done nothing else, it has at least caused the Government for the first time in its history to sell all the power that was generated at Muscle Shoals.

I did not want to comment on this at length, except to call the attention of the Senate to the fact that heretofore the Secretary of War has said the power was not sold to the municipalities because the equipment was not so arranged that it could be done; but now it is said that last summer, long after the resolution could have been answered to the Senate, the Alabama Power Co. took all the power covering a very short period of time, and therefore it would not be practical to sell power to municipalities.

Mr. CARAWAY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Alabama yield to the Senator from Arkansas?

Mr. BLACK. I do.

Mr. CARAWAY. Is that the reason offered now why there was no power sold to near-by municipalities?

Mr. BLACK. Yes. The reason now offered is that last summer, which was months after we had passed the resolution calling for a reply, the water got so low that the Alabama Power Co. bought all the power we had there. The water had been low before. I have a map containing the curves showing how low it has been in preceding years.

Mr. CARAWAY. Is that now the answer which is expected to stand in lieu of those given heretofore?

Mr. BLACK. On which one they expect to stand I do not know. This is the last answer.

Mr. CARAWAY. And that is now before us?

Mr. BLACK. The one now given the Senate is the one I just read.

Mr. CARAWAY. That is, that the Alabama Power Co. takes all the power?

Mr. BLACK. It took it all for a short period of time during the summer months of this year.

Mr. CARAWAY. Does it take it all now?

Mr. BLACK. Oh, no.

Mr. CARAWAY. Then, what is the reason now given why it does not sell to the municipality?

Mr. BLACK. The department says that in order to sell to a municipality the municipality must be able to get power 12 months in the year, and that since during a few weeks' time the Alabama Power Co. this year took all the available power they would not have been able to sell any to the municipalities during that time.

Mr. CARAWAY. Does that mean that for each year as long as this situation shall continue the Alabama Power Co. may have at the lowest period of production all the power?

Mr. BLACK. If it wants it.

Mr. CARAWAY. And the rest of it shall go to waste for 9 or 10 months in the year?

Mr. BLACK. So long as it is not disposed of and they continue to sell the power under the terms now existing.

May I call the attention of the Senator from Arkansas to this reason which was given me in a letter?—

The request of the city of Muscle Shoals to purchase power from Wilson Dam was denied because the amount required was not sufficient to compensate for the cost of additional equipment, the tying up of generating and distribution facilities, and the additional cost of operation and maintenance.

Mr. CARAWAY. I recall that answer, but did not the municipality offer to supply the equipment?

Mr. BLACK. Oh, yes. I stated that the municipality would pay for the additional equipment. Since that time this letter has come to us, within the last two or three days, giving as the reason the fact that it is possible under the contract for the power company to buy all the power, and to prove this is possible they say the power company did buy all of it during the summer months of this year after this resolution was passed.

Mr. CARAWAY. I hope the Senator will ask for another answer, because I suppose we will get a different one and we would then have a good collection of answers and reasons.

Mr. BLACK. These are very interesting, and I simply desired to call them to the attention of the Senate.

Mr. CARAWAY. I hope the Senator will have them placed in the CONGRESSIONAL RECORD in parallel columns so we may read them all at the same sitting.

Mr. BLACK. I shall do so. I ask permission that there may be printed in the CONGRESSIONAL RECORD in parallel columns following my remarks the statement of the Secretary of War in his letter to me, the statement from the telegram of the Secretary of War to the mayor and aldermen of the town of Muscle Shoals, and the statement from the Secretary of War in his letter dated November 21, 1930, to which I have referred.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statements referred to are as follows:

EXCERPT FROM LETTER TO SENATOR BLACK SIGNED PATRICK J. HURLEY, SECRETARY OF WAR, DATED JANUARY 8, 1930

The request of the city of Muscle Shoals to purchase power from Wilson Dam was denied because the amount required was not sufficient to compensate for the cost of additional equipment, the tying up of generating and distribution facilities, and the additional cost of operation and maintenance. The plant is not designed to serve a large number of retail customers, and it was therefore not considered to be to the interest of the Government to accept the offer of the city of Muscle Shoals.

TELEGRAM DATED JUNE 26, 1930, TO MAYOR AND ALDERMEN, TOWN OF MUSCLE SHOALS, ALA., FROM HURLEY, SECRETARY OF WAR

This department considers it the best interest of the Government to continue present agreement with Alabama Power Co. and not to establish policy of retailing small amounts of power both on account of operating difficulties and conflict with existing agreement.

EXCERPT FROM WAR DEPARTMENT LETTER TO VICE PRESIDENT, DATED NOVEMBER 21, 1930

Consequently a condition may arise under which the company would be entitled to the entire energy output of the Wilson Dam plant. As a matter of fact, that condition has existed during a considerable portion of the past summer. Under these circumstances the Government could not properly or safely contract with others for the sale of any part of that output so far as primary power is concerned.

Mr. McKELLAR. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Tennessee?

Mr. BLACK. I yield.

Mr. McKELLAR. How much of the actual or potential output of this plant was sold to the Alabama Power Co. this year?

Mr. BLACK. I have not the figures for this year up to this time, but heretofore it has ranged from one-eighth to one-fifth. According to information given me for the first six months of this year it was about one-fifth.

Mr. McKELLAR. In other words, under the policy of the present administration, and indeed of the preceding administration, this great power at Muscle Shoals is simply going to waste and not doing anybody any good except the Alabama Power Co. Is not that true?

Mr. BLACK. The Senator is absolutely correct.

UNEMPLOYMENT—PAYMENT OF ADJUSTED COMPENSATION

Mr. CARAWAY. Mr. President, there was discussed to-day by the senior Senator from New York [Mr. COPELAND] and others the wisdom of paying to the ex-service men their adjusted-compensation certificates. Some days ago I introduced a bill looking to that result. To my mind, it is the ideal way to relieve a situation which confronts the country to-day. It would give the most widespread relief. It is the payment of an obligation that must be met. It is doing now what the Government ought to have done when the legislation was enacted and what many of us insisted should then be done. We took the position then that the Government had no right to say to the people to whom it admitted it was indebted that it would not pay until such a date as it saw proper, putting off for nearly a quarter of a century the payment of an obligation which it admitted it owed.

I hope the Congress will now proceed to act despite the letter of the Secretary of the Treasury, who we knew, of course, to be against the proposition. If 90 per cent of the holders of the adjusted compensation were to apply for immediate cash liquidation, should the bill pass, it would require somewhere in the neighborhood of $2,000,000,000 to meet these payments.

The Government on Saturday last floated a loan of $150,000,000 for 6 months at 1¾ per cent, and a loan of $250,000,000 for 12 months at 1⅞ per cent; so that if the Government should be compelled to borrow every dollar necessary to pay the adjusted compensation certificates it would cost us less than $40,000,000 a year in interest

charges—not quite 25 per cent as much as the Government this year refunded to big corporations in the form of taxes which it collected but which, it is alleged, it was not entitled to keep.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Tennessee?

Mr. CARAWAY. Yes.

Mr. McKELLAR. If the Senator will permit a suggestion, the great body of those taxes were paid 12 years ago, in the years 1917 and 1918, by war corporations which were then making enormous profits. Now, 12 years after those taxes were paid, the Secretary of the Treasury is secretly—not openly and after hearing, but secretly—returning these vast sums to those corporations that were known during the World War as "war profiteers."

Mr. CARAWAY. And every dollar of which was passed on to their customers because those corporations necessarily set up their budgets, in which taxes were included, and were made a basis for computing what their prices should be in order to return a profit. So 12 years ago the consuming public paid the corporations, and now they collect from the Government in addition thereto.

The annual interest on the amount which it is proposed to pay to the ex-soldiers would be only one-fourth of what the Government last year gave to the stock speculators in order to stabilize gambling in Wall Street, every dollar of which, it was conceded, had been collected from their customers. They were not, however, required to pass it back to the people who paid it to them, but kept it as a bonus given to them by the Government because they had been unfortunate in stock speculation. That cost $160,000,000, while it would cost only $40,000,000 a year or less than $40,000,000 a year in interest to pay the obligations that the Government owes to the most deserving class of its citizens, for it is a debt it owes to men whose services it commandeered, whose time it took, and whose opportunities were taken from them. There were 4,500,000 American boys who were asked to lay aside their ambitions, their aspirations, their dreams, and their hopes and put on their country's uniform, 2,000,000 of whom were sent 4,000 miles beyond the sea, where from battle wounds or disease more than 100,000 of them died. They were not asked if they wanted to go; they were given no chance to select the branch of the service in which they should serve; their time was taken. They have not been complaining about it; they do not complain. They came back, and it was such an obvious injustice that had been done them—wages at home had risen and risen and risen until common laborers were paid $7, $8, and $10 a day, and the soldiers were paid a dollar a day for 24 hours a day service, with perils not compensated for at all—that Congress then said they ought to have their pay adjusted on the basis of $1 a day. It was agreed upon as a debt of honor, but after it was agreed upon then the Secretary of the Treasury wanted the time of payment to be deferred for almost a quarter of a century, so that there might first be repaid dollar for dollar the Government's obligations to people who had loaned money to the Government at a high interest charge; and after that had been done and the Government owed nobody else, then the Government would pay the soldiers.

Now, with this great disaster confronting them, it is asked that the Government pay them now. At least they are as much entitled to share in the payment of an obligation as are the men in Wall Street who hold Government bonds; but we are told that it would be unwise, because it would entail such an expense, on the one hand, and, in the next place, the veteran himself does not know what is good for him, that he will not have reached the years of discretion until his back is bent with age. It is an insult to answer that the veteran now is not able to determine whether it would be wise for him to have his two or three hundred dollars, that it would be better for him now, when he is walking the streets, looking for a job and begging for bread, to have it withheld to meet what his necessities may be in 1945.

Mr. SMITH. What is the total amount involved?

Mr. CARAWAY. There is due them something over two and a half billion dollars. That is the situation. I have stated the rate at which the Government can borrow money. Most of the veterans have borrowed money on their certificates and they are paying 6 per cent, while the Government could take those certificates up for less than 2 per cent. If for no other reason than a pure sense of gratitude, and therefore perhaps a charity, inasmuch as the Government can borrow its money for less than 2 per cent, while the veterans are glad to pay 6 per cent, it seems to me the Government might make the exchange of its credit for the credit of the veterans and pay them now. It is not, however, a question of charity. It is an acknowledged debt under a solemn decree of the Congress, approved by the President, which declared that this Government owes them the money; but the Government is compelling them, against their will and against their interest, to extend to it credit for more than two and a half billion dollars for nearly a quarter of a century.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. CARAWAY. I yield.

Mr. McKELLAR. I call the Senator's attention to the fact that the Secretary of the Treasury was opposed in the first instance to a bonus of any kind.

Mr. CARAWAY. Of course, he was.

Mr. McKELLAR. In addition to that, when he was confronted with the bonus, then he only wanted the kind and got the kind which could be postponed until 1945; and during all this time the same Secretary of the Treasury, who could not find money with which to pay this honest debt to the soldiers, has returned to the war profiteers—I say to the war profiteers; I mean principally to the war profiteers—more than $2,000,000,000 which would have been ample to have paid the soldiers every dollar the Government owed them.

Mr. CARAWAY. Absolutely. Not only were they paid but in the eagerness of some one to get the money into the hands of a speculative profiteering group they were paid before the provisions of law demanded it, and at the same time the Government refused to pay the veterans, although the obligation to them was recognized as due and payable 10 years ago. I wanted, Mr. President, to call attention to these facts.

As to the Secretary of the Treasury, I have no criticism to offer of him. Nobody has ever been mistaken about him. Whatever else may be said about the Secretary of the Treasury, he has deceived nobody. He never was for anybody except the rich. He never had any sympathy with any class except those who had more money than they could use. He never pretended to be a humanitarian; he never professed to be for the great mass of the people. He was appointed to office by the President knowing where his sympathies lay, and he has lived up to his reputation in every respect. No rich man ever asked for a governmental favor at his hands that he could bestow that he declined to grant, and no poor man ever asked without being denied.

Mr. McKELLAR. But, Mr. President, notwithstanding all that, the Senator will admit, will he not, that under the financial leadership of this man, who is often by his friends said to be the greatest Secretary of the Treasury since Alexander Hamilton, this country is in the most deplorable financial condition that it has ever been in in its history?

Mr. CARAWAY. Yes; and I wish the Senator from Tennessee would do me the favor of having printed in parallel columns the extract from the Republican campaign book of 1928 in which the people of the United States were asked to vote for Hoover and secure four years more of prosperity and the declaration of Mr. Hoover in 1930 that the administration has nothing to do with prosperity. I would like to see the two statements side by side. Will the Senator do that?

Mr. McKELLAR. I have no objection to its being done.

WELFARE OF MOTHERS AND INFANTS

The Senate resumed the consideration of the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

Mr. JONES. I ask that the bill may be read.

The PRESIDING OFFICER. The clerk will read the bill.

The legislative clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum of $1,000,000 per annum for enabling the State agencies of health in cooperation with the Children's Bureau of the Department of Labor to promote the health and welfare of mothers and infants. Subject to the provisions of this act, the appropriation herein authorized shall be apportioned among the States as follows: $15,000 to each State and the balance among the States in the proportion which their population bears to the total population of the United States according to the last preceding United States census: *Provided*, That no payment shall be made in any year to any State until an equal sum has been made available by the State for the maintenance of the services provided for in this act.

So much of the amount apportioned to any State for any fiscal year as remains unpaid to such State at the close thereof shall be available for expenditures in that State until the close of the succeeding fiscal year.

SEC. 2. There is hereby created a board of maternity and infant hygiene, which shall consist of the Chief of the Children's Bureau, the Surgeon General of the United States Public Health Service, and the United States Commissioner of Education, hereafter designated in this act as the board, and which shall perform the duties provided for in this act.

The Children's Bureau of the Department of Labor shall be charged with the administration of this act, except as herein otherwise provided, and the Chief of the Children's Bureau shall be the executive officer. It shall be the duty of the Children's Bureau to make or cause to be made such studies, investigations, and reports as will promote the efficient administration of this act.

SEC. 3. In order to secure the benefits of the appropriation authorized in section 1 of this act a State must have accepted the provisions of the act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921, and shall not have repealed its acceptance of said act, or shall through the legislative authority thereof accept the provisions of this act.

SEC. 4. So much, not to exceed 5 per cent, of the appropriation authorized for any fiscal year under section 1 of this act, as the Children's Bureau may estimate to be necessary for administering the provisions of this act, as herein provided, shall be deducted for that purpose, to be available until expended.

SEC. 5. Out of the amounts authorized under section 4 of this act the Children's Bureau is authorized to employ such assistants, clerks, and other persons in the District of Columbia and elsewhere, to be taken from the eligible lists of the Civil Service Commission, and to purchase such supplies, material, equipment, office fixtures, and apparatus, and to incur such travel and other expense as it may deem necessary for carrying out the purposes of this act.

SEC. 6. Within 60 days after any appropriation authorized by this act has been made, and at the beginning of each fiscal year thereafter, the Children's Bureau shall make the apportionment herein provided for and shall certify to the Secretary of the Treasury the amount estimated by the bureau to be necessary for administering the provisions of this act, and shall certify to the Secretary of the Treasury and to the treasurers of the various States the amount which has been apportioned to each State for the fiscal year for which such appropriation has been made.

SEC. 7. The State health agency of any State desiring to secure the benefits of the appropriations authorized by this act for the promotion of the health of mothers and children shall submit to the Children's Bureau detailed plans for carrying out the provisions of this act within such State, which plans shall be subject to the approval of the board: *Provided*, That the plans of the States under this act shall provide that no official, or agent, or representative in carrying out the provisions of this act shall enter any home or take charge of any child over the objection of the parents, or either of them, or the person standing in loco parentis or having custody of such child. If these plans shall be in conformity with the provisions of this act and reasonably appropriate and adequate to carry out its purposes, they shall be approved by the board and due notice of such approval shall be sent to the State agency by the Chief of the Children's Bureau.

SEC. 8. No official, agent, or representative of the Children's Bureau shall by virtue of this act have any right to enter any home over the objection of the owner thereof, or to take charge of any child over the objection of their parents, or either of them, or of the person standing in loco parentis or having custody of such child. Nothing in this act shall be construed as limiting the power of a parent or guardian or person standing in loco parentis to determine what treatment or correction shall be provided for a child or the agency or agencies to be employed for such purpose.

SEC. 9. Within 60 days after any appropriation authorized by this act has been made, and as often thereafter while such appropriation remains unexpended as changed conditions may warrant, the Children's Bureau shall ascertain the amounts available in the several States cooperating with the Children's Bureau as provided by this act and shall certify to the Secretary of the Treasury the amount to which each State is entitled under the provisions of this act. Such certificate shall state (1) that the State has, through its legislative authority, accepted the provisions of this act, or that the State has otherwise qualified to secure the benefits of the appropriation as provided in section 3 hereof; (2) the fact that the health agency of the State has submitted to the Children's Bureau detailed plans for carrying out the provisions of this act, and that such plans have been approved by the board; (3) the amount to which the State is entitled under the provisions of this act. Such certificate, when in conformity with the provisions hereof, shall, until revoked as provided in section 10 hereof, be sufficient authority to the Secretary of the Treasury to make payment to the State in accordance therewith.

SEC. 10. Each State health agency cooperating with the Children's Bureau under this act shall make such reports concerning its operation and expenditures as shall be prescribed or requested by the bureau. The Children's Bureau may, with the approval of the board, and shall, upon request of a majority of the board, withhold any further certificate provided for in section 9 hereof whenever it shall be determined as to any State that the agency thereof has not properly expended the money paid to it or the moneys herein required to be made available by such State for the purposes and in accordance with the provisions of this act. Such certificate may be withheld until such time or upon such conditions as the Children's Bureau, with the approval of the board, may determine; when so withheld the State agency may appeal to the President of the United States, who may either affirm or reverse the action of the bureau with such directions as he shall consider proper: *Provided*, That before any such certificate shall be withheld from any State, the chairman of the board shall give notice in writing to the authority designated to represent the State, stating specifically wherein said State has failed to comply with the provisions of this act.

SEC. 11. No portion of any moneys apportioned under this act for the benefit of the States shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings or equipment, or for the purchase or rental of any buildings or lands, nor shall any such money or moneys required to be made available by any State for the purposes and in accordance with the provisions of this act, be used for the payment of any maternity or infancy pension, stipend, or gratuity.

SEC. 12. The Children's Bureau shall perform the duties assigned to it by this act under the supervision of the Secretary of Labor, and he shall include in his annual report to Congress a full account of the administration of this act and expenditures of the moneys herein authorized.

SEC. 13. This act shall be construed as intending to secure to the various States control of the administration of this act within their respective States, subject only to the provisions and purposes of this act.

SEC. 14. The Territories of Alaska, Hawaii, and Porto Rico and the District of Columbia shall be entitled to share the benefits of this act upon the same terms and conditions as any of the several States: *Provided*, That in the case of the District of Columbia acceptance of the terms of the act by the District Commissioners shall entitle the District to share in the benefits of the act.

During the reading of the bill—

Mr. TYDINGS. Mr. President, I should like to inquire from the chairman of the committee whether an association known as the Sentinels of the Republic had an opportunity to be heard in opposition to this bill? I received a telegram this morning from some of the members of that association living in Baltimore, and, as I read the telegram, it conveyed the impression that they had asked for a hearing and had been denied a hearing in opposition to the bill.

Mr. JONES. Mr. President, I do not remember ever hearing about an organization called the Sentinels of the Republic; but, of course, I do not doubt the existence of it. I never had any request—at least, I have no recollection of any request—from an organization of that kind, nor from anybody opposing the bill. Of course, this bill was reported almost a year ago, and it lay before the committee for some little time before it was acted upon by the committee. They had, I am sure, ample opportunity to ask for a hearing, and I am satisfied that if they had submitted to the Commerce Committee a request for a hearing, they would have had it.

Mr. TYDINGS. Mr. President, I thank the Senator from Washington for his explanation; but this bill has been a measure of great controversy in Congress ever since it was first introduced a number of years ago. It is one of those measures which compel the States to run their affairs in accordance with the edict of the Federal Government. In other words, a sum of money is appropriated, for instance, to Maryland or New Jersey or Utah, but we do not get that sum of money unless the State matches it out of its own treasury; and then the Federal Government says not only how the part of the appropriation which comes from the Federal Congress is to be spent, but how the part of the appropriation which comes from the State treasury is to be spent as well.

Mr. JONES. Mr. President, I will suggest to the Senator that I should like to have the bill read through connectedly.

Mr. TYDINGS. I did not want to interrupt the reading of the bill, but I thought everybody was conversant with it and that I would save time by the course that was taken. I have a number of amendments to offer.

Mr. JONES. I thought I would make a brief statement regarding the bill; but I am perfectly willing for the Senator to make his speech first, so far as that is concerned. I should like to have the bill read, however.

The PRESIDING OFFICER. The clerk will continue the reading of the bill.

The legislative clerk resumed and concluded the reading of the bill.

Mr. JONES. Mr. President, if the Senator from Maryland would prefer to go on with his remarks, I am perfectly willing.

Mr. TYDINGS. As I understand, the Senator from Washington wishes to address himself to the bill, and I would just as soon wait until after the Senator has spoken as to proceed now.

Mr. JONES. I feel exactly the same way about it.

Mr. President, I agree with the Senator from Maryland that every Senator probably knows all about this bill and probably has his mind made up with reference to it, and that talk in regard to it will only take time. I am not going to take very much time; but I think it well to make a brief statement in regard to the measure.

First, I desire to read an extract from the message of the President at the last session of Congress.

In his message of December, 1929, to the second session of the Seventy-first Congress the President said:

> I recommend to the Congress that the purpose of the Sheppard-Towner Act should be continued through the Children's Bureau for a limited period of years; and that the Congress should consider the desirability of confining the use of Federal funds by the States to the building up of such county or other local units, and that such outlay should be positively coordinated with the funds expended through the United States Public Health Service directed to other phases of the same county or other local unit organization. All funds appropriated should, of course, be applied through the States, so that the public-health program of the county or local unit will be efficiently coordinated with that of the whole State.

And in his message to Congress at this session the President said:

> I urge further consideration by the Congress of the recommendations I made a year ago looking to the development through temporary Federal aid of adequate State and local services for the health of children and the further stamping out of communicable disease, particularly in the rural sections. The advance of scientific discovery, methods, and social thought imposes a new vision in these matters. The drain upon the Federal Treasury is comparatively small. The results both economic and moral are of the utmost importance.

Mr. President, so far as I can learn, prior to 1921 only one State in the Union had provided any special organization or division of State government to give special consideration to the health of mothers and the preservation of child life. In 1921, under the lead of the able and humane Senator from Texas [Mr. SHEPPARD], the Sheppard-Towner bill was passed through the Senate, passed through the House, and became a law. That act provided for the appropriation of a million dollars a year for five years to aid the States in this class of work. Five thousand dollars was donated outright to each State and then the balance of the money was prorated, to be met with a similar amount by each State. At the end of the five years the act was continued for two years, expiring, I think, some time in 1929.

Under the operation of that act, by reason of its influence, all the States except, I think, three had accepted its terms and had proceeded to carry out the provisions of the act, and had made provision for a State organization, so that this work was carried on very extensively. After the act expired, and after the expiration of the 2-year renewal period, the work slowed up very materially.

As I understand it, 25 of the States have been expending and are expending an amount equal to the local contribution and to the national contribution under the Sheppard-Towner Act. About 20 of the States, however, have appropriated very little more, if any, than their proportionate part, and in some instances less. Some six or seven of the States now are doing nothing along this line. This would indicate the importance of encouragement upon the part of the Federal Government in order that this important work should be carried on, that it should not be allowed to drop.

Everybody appreciates, of course, the value of human life. We can not measure it, we can not put the women and children of this country in a category with any class of property we have. Yet Congress has never hesitated to appropriate large sums of money to protect various classes of animal life, to protect them from disease, and to eradicate disease. If we would do that for what we term this inferior life, it seems to me we should not hesitate to make even liberal appropriations for the preservation of the most precious life we have in this country.

With the diminution of women's lives and children's lives, of course, the race must deteriorate and eventually go out of existence. It seems to me that the highest task to which we can put any of our money is the preservation of human life, and especially the lives of our women and our children. That is really the purpose of this bill.

It has been suggested that this is a matter which should be left entirely to the States, that it is an infringement upon the rights of the States for Congress to seek to pass this legislation.

Mr. President, it is rather late in the day for us to raise a question of that character. As I said a moment ago, we have been appropriating for various activities in the various States vast sums of money, for all kinds of work which really and technically probably should be done by the States themselves. It is no new thing for the Federal Government to aid the States and to require contributions upon the part of the States. We have made appropriations of various kinds for operations in the various States, conditioned upon the States appropriating like sums of money.

We have provided for the eradication of tuberculosis in animals. Why should not the States be required to do that? My recollection is that we have not even required contributions upon the part of the States in connection with that work, but we have appropriated millions of dollars to accomplish that purpose. That refers to tuberculosis in various animals in which the farmers are interested. Those animals, as I said a while ago, can not be compared in preciousness or in value with our women and our children.

We have appropriated for hog-cholera investigations. Why should not those investigations be conducted by the States? Yet we have recognized the importance of it and the need of it, and there has not been any hesitation upon the part of Congress to appropriate hundreds of thousands of dollars for that purpose.

In connection with the Forestry Service, we have cooperative work where we have required cooperation, but work which technically probably should be done solely by the localities. We have appropriated millions of dollars for that purpose. I could go on and enumerate many other classes of activities in the various States which should be handled, technically probably, by the States.

It was recognized that the National Government had an interest in all these various matters, and that that interest justified some appropriation upon the part of the National Government. Yet the National Government could not have an interest in any of those things, or in all those things, comparable with its interest in the preservation of the lives of its women and its children, and if any appropriation was ever justified, in my judgment, it is an appropriation along the lines of this bill.

As I said a while ago, practically all the States joined in this work after the passage of the act in 1921. There were two or three States which did not. However, they got some benefit from it, because their representatives visited the various conventions held by those who were interested in the

act and those who had given special consideration to it and to the problems arising under it. They got the benefit of the discussions, of course, and nobody took advantage of it, and very properly so.

I want to call attention to the mortality conditions in this country as compared with those in other countries. I have before me a table prepared by the Children's Bureau giving the infant-mortality rates for the United States and certain foreign countries from 1915 to 1928, showing the deaths of infants under 1 year of age per 1,000 births.

In Austria in 1921 there were 154, while in the United States there were 86.

In Chile in 1921 there were 273, in the United States 86.

In England and Wales there were 80, while in the United States there were 86.

In the Irish Free State there were 78, while in the United States there were 86.

In New Zealand there were 51, while in the United States there were 86.

In Northern Ireland there were 94, while in the United States there were 86.

In Switzerland there were 84, in the United States 86.

This condition, under the operation of the act, has been alleviated to a very great extent. In 1928, for instance, instead of 86 the deaths in this country were 69 per thousand births.

As I said a while ago, the value of those lives can not be measured. This diminution in the mortality rate among the infants of the country more than justified the passage of the act and the expenditure of the comparatively small sum of money we appropriated.

Mr. President, the results fully justified what we did. The interest that was awakened in the States, to which I think I called attention a moment ago, has diminished considerably again, strange to say. There are six or seven States which apparently have dropped the work entirely. There are about seven or eight others which are appropriating about the sum of money they appropriated while the United States was contributing its part. There are 6 or 7 which have appropriated a little bit more than their part of the contribution, while 25, or a little over half of the States, appropriate to continue the work an amount of money practically equivalent to their former contribution and that of the Federal Government. But the dimunition of the interest in this great work by some of the States, and so many of them as has been mentioned, I think fully justifies further action along these lines.

The bill which is now before the Senate differs somewhat, though very little, from the Sheppard-Towner Act. That act provided for the donation of $5,000 to each State without any reservation or requirement of a similar allotment by the State. That is dropped in this bill. Fifteen thousand dollars is contributed to each State on the condition that each State shall put up $15,000. That assures $30,000 for the work in every State which enters into the arrangement. It leaves the balance of the million dollars to be allotted among the various States proportioned to their population.

This measure extends the benefits to Porto Rico, to Alaska, and to the District of Columbia. That was not provided for in the previous act. The States which accepted the terms of the previous act are considered, and will be considered, as accepting this act until they expressly repeal their participation in the work.

Those are substantially the differences between the Sheppard-Towner Act and the proposed act.

The Sheppard-Towner Act, as I have said, brought about the good results to which we have referred. It was renewed for two years. It has been contended that assurances were given that no further request would come in for its continuance. As I stated the other day, I expressly reserved the right to myself to take such steps as I thought were wise and proper and justified in the future.

I think I might refer to one feature of this bill which is different from the Sheppard-Towner Act, and possibly is hardly in accord with the President's message. As I said a while ago, this bill was reported favorably April 9, 1930, not quite a year ago. The President in his message intimates that work of this kind should be provided for for a limited period; in other words, contain a provision similar to that in the original act. No limit is fixed in this bill. The law would remain on the statute books as long as Congress allowed it to. Of course, Congress could repeal the act at any time it thought it should do so. Possibly upon giving a year's notice it would be justified in doing so.

If there should be serious objection to the measure without any specific limitation in it, I frankly say that I would have no serious objection to limiting the act to a 5-year period; but I see no necessity for that. I would rather have it go on and encourage the States to continue this splendid work without any specific limitation in the bill as we enact it. If it is deemed advisable in future, if it is thought the time has come when the cooperation of the National Government with the States in this important work should cease, it would require very little effort to fix the time when it should cease. I think it is wiser in connection with this important work to enact the legislation in this form so that the people of the country may be assured that this splendid work may go on.

Mr. President, as I said, every Senator is thoroughly familiar with the object and purpose of the bill so I am not going to take further time in discussing the measure, at least at this time. I have several resolutions that I ask permission to put in the RECORD in connection with my remarks, if that may be done at this point.

The PRESIDING OFFICER (Mr. JOHNSON in the chair). Without objection, it is so ordered.

The resolutions are as follows:

Resolution adopted by the State and provincial health officers, June 1, 1929, Washington, D. C.

With reference to the Jones-Cooper bill, the following resolution is submitted:

"Whereas the parliamentary situation in the present Congress is endangering the passage of the Jones-Cooper bill to continue the operation of the division of maternal and child health in the Children's Bureau, Department of Labor; and

"Whereas this measure was approved in principle by the Committee on Interstate and Foreign Commerce in the Sixty-eighth Congress and has met the approval of the legislatures of 45 of the 48 States; and

"Whereas failure to consider this bill at the present special session of Congress will create a hiatus in the administration of this important public-health program, particularly in the rural districts: Therefore be it

"*Resolved*, That this conference approve the Jones-Cooper bill and memorialize the President and Congress to make it effective at the earliest possible moment."

LAUGHINGHOUSE, *Chairman*.
M. NICOLL, JR.

Resolution on maternity and infancy adopted by the General Federation of Women's Clubs at their convention in Denver, 1930

Because of the widespread interest in the following resolution, which was unanimously adopted, it is given in full:

"Whereas the General Federation of Women's Clubs is in accord with the belief that there is a definite need for the further systematic development of public-health work in the United States and

"Whereas it is our belief that the development of official local health organizations through which child hygiene and other health activities can be most economically and effectively conducted is a proper function of Federal and State Governments; and

"Whereas it appears consistent with good administration that there should be cooperation between Federal health agencies, the United States Children's Bureau, and the United States Public Health Service in their respective fields, and official State and local health agencies toward this end; and

"Whereas there is a most pressing need for additional Federal cooperation and support, including financial assistance, in the further development of efficient State and local health service, their assistance having for its primary object the stimulation of a larger sense of local responsibility for public-health work: Therefore be it

"*Resolved*, That the General Federation of Women's Clubs indorse these principles, as well as the work of the United States Public Health Service, other Federal health agencies, and the United States Children's Bureau, for the further development and strengthening of State, local, and county health activities and the work for maternal and infant hygiene."

Resolution presented at annual meeting of Children's Welfare Federation, February 20, 1929

Whereas the Sheppard-Towner Act expires by limitation June 30, 1929, after six years of successful operation; and

Whereas the work for mothers and children, made posible by the subsidies which that act provided, will cease unless Congress, by further legislation, continues the aid; and

Whereas the 74 organizations assembled at the annual meeting of the Children's Welfare Federation believe that the Federal Government's policy of stimulating child welfare work throughout the States by means of subsidies should be continued: Now, therefore, be it

Resolved, That these organizations indorse, and they hereby do indorse, the proposed Federal legislation required for a continuation of a child welfare extension service similar to that provided for under the Sheppard-Towner Act; be it further

Resolved, That a copy of these resolution be sent by the secretary to Senators and Congressmen actively interested in this proposed legislation, and particularly to the New York Senators and the New York City Congressmen.

JOINT STATEMENT ISSUED BY THE 12 NATIONAL ORGANIZATIONS

WASHINGTON, D. C., *June 11, 1930.*

We, the representatives of 12 national women's organizations interested in children, education, health, homes, living standards, and community welfare, have come to you for assistance and advice in securing action on a subject to which we are giving our combined support.

For more than 10 years we have actively worked for and supported a program for the promotion of maternity and infancy hygiene by the Federal Government through the Children's Bureau in the Department of Labor.

At the present time, in spite of widespread support of this program both among the women's organizations throughout the country and in the Senate itself, we are seriously concerned to learn that the bill (S. 255, introduced by Senator JONES) to continue the purposes of the Sheppard-Towner Act under the Children's Bureau, which is on the preferred calendar of the Senate, scheduled for consideration before adjournment, will probably not be brought up.

The work of the Children's Bureau in the administration of the Sheppard-Towner Act has received the approval of social workers, health officers, physicians, and other technical experts, as well as interested laymen throughout the country. This approval is recorded in scientific surveys and in testimony given at congressional hearings. In fact, the evidence in favor of renewal of the program has been overwhelming, both from the point of view of popular interest and on the basis of technical appraisals of the work done. For this reason we are unanimous in urging that immediate provision be made to renew this work in the Children's Bureau, so that the Federal program for the welfare of mothers and children can continue without further interruption.

This tested plan with its tried machinery in the Children's Bureau, as embodied in the Jones bill, S. 255, can be continued without delay if authorized by Congress.

We urge that you give your full support to this program, which is the most admirable contribution of this country to the cause of healthful motherhood and childhood.

American Association of University Women, Mrs. Glenn Levin Swiggett; American Federation of Teachers, Selma Borchardt; American Home Economics Association, Lita Bane; American Nurses Association, Clara Noyes; Council of Women for Home Missions, Florence E. Quinlan; National Board, Young Women's Christian Association, Mrs. John H. Finley; National Congress of Parents and Teachers, E. E. Watkins; National Consumers' League, Florence Kelley; National Council of Jewish Women, Mrs. Sydney M. Cone; National League of Women Voters, Mrs. Roscoe Anderson; National Women's Trade Union League of America, Rose Schneiderman; Service Star Legion, Mrs. Robert K. Noble.

Resolution adopted by the convention of the National League of Women Voters, May 3, 1930, regarding maternal and child hygiene

Whereas the National League of Women Voters has since 1921 considered the promotion, through legislation, of the movement for maternal and child hygiene one of its primary responsibilities; and

Whereas the act for the promotion of the welfare and hygiene of maternity and infancy, during the seven years of its wise and sound administration under the Children's Bureau, immeasurably quickened the progress of this movement, through the aid and stimulus it gave to the States in scientific information and intelligent service; and

Whereas the need for a continuing program of education on a nation-wide scale in this field has become increasingly apparent; and

Whereas there are at present various bills before the Congress providing for the resumption of the maternal and child hygiene program: Therefore be it

Resolved, That the National League of Women Voters express to the President of the United States its appreciation of the statement in his annual message to the Congress, "I recommend to the Congress that the purpose of the Sheppard-Towner Act should be continued through the Children's Bureau for a limited period of years"; and be it further

Resolved, That the National League of Women Voters urges the passage of adequate and immediate legislation for the promotion of maternal and child hygiene with the provision for continued cooperation between the health and educational agencies of the Federal Government and for the administration of the act by the United States Children's Bureau.

NATIONAL CONGRESS OF PARENTS AND TEACHERS,
Washington, D. C.

[Excerpts from a letter of February 27, 1930]

"The national congress, through the action taken by the delegates attending its annual conventions, and through the action of its State branches at their State conventions, supported the bill passed in 1921 known as the Sheppard-Towner Act, and the extension of its authorized appropriation in 1927. It also furthered, through its State branches, the acceptance of the act by the legislatures of many States and has cooperated with the directors of maternity and infancy work in the various States, particularly in their preschool health programs. S. 255 has the support of the national congress and many other organizations.

"Permit me to say that the Children's Bureau has for seven years administered the act for the promotion of the welfare and hygiene of maternity and infancy, with results which are well known to us all. The original act was passed, and it was agreed that the Children's Bureau, which was created to deal with the problems of childhood as a whole, was the proper agency to administer it. The National Congress of Parents and Teachers supported that theory in Congress, and is of the opinion that the past seven years have demonstrated the wisdom of the decision.

"There is urgent need for a continued program of Federal and State cooperation in maternity and infancy work."

Cordially yours,

MRS. S. M. N. MARRS,
President National Council of Parents and Teachers.

NATIONAL WOMEN'S TRADE UNION LEAGUE OF AMERICA,
Washington, D. C.

[Excerpt from letter of June 11, 1930]

The National Women's Trade Union League of America takes this opportunity of urging your support of a Federal program for infancy and maternity welfare administered by the Children's Bureau of the United States Department of Labor.

We represent the organized industrial women of the United States and hold the indorsement of the American Federation of Labor.

Realizing that the health of mothers and children is of fundamental importance, especially to the workers of the country—and to our Nation as a whole—we have, since its inauguration, indorsed and supported the program made possible by the Sheppard-Towner Act and ably administered by the Children's Bureau.

This indorsement has been given at our successive national conventions and in turn has become the program of our local leagues.

During the past winter our membership has shown a more than ordinary concern in securing the passage of adequate legislation to continue this program.

Encouraged by your indorsement in your annual message to the Seventy-first Congress of the program of maternity and infancy hygiene, to be administered by the Children's Bureau, we had high hopes that at this session a renewal of this important legislation would be provided for. The session of Congress is nearly over and the bill (S. 255) presented by Senator JONES, in spite of its favorable position on the Preferred Calendar, has not yet been considered.

We feel sure that the principles of this bill have your support, and we hope that action may be taken to continue the Federal work for maternity and infancy hygiene, according to the method that has been successfully tried out by the Children's Bureau.

ROSE SCHNEIDERMAN,
President National Women's Trade Union League of America.

Mr. TYDINGS. I suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from Maryland suggests the absence of a quorum. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Barkley	Cutting	Kendrick	Schall
Bingham	Davis	McGill	Sheppard
Black	Frazier	McKellar	Shipstead
Blaine	George	McNary	Swanson
Blease	Goff	Metcalf	Townsend
Bratton	Goldsborough	Morrow	Trammell
Brock	Hale	Moses	Tydings
Brookhart	Harris	Norbeck	Vandenberg
Broussard	Hatfield	Norris	Wagner
Capper	Hayden	Nye	Walcott
Caraway	Heflin	Oddie	Walsh, Mont.
Carey	Howell	Overman	Watson
Connally	Johnson	Phipps	Williamson
Copeland	Jones	Robinson, Ark.	
Cousens	Kean	Robinson, Ind.	

The VICE PRESIDENT. Fifty-eight Senators have answered to their names. A quorum is present.

Mr. PHIPPS. Mr. President, my remarks to-day on the pending measure will be concise and brief. Later on, if occasion shall appear to require, they may be extended at greater length.

I find myself in general accord with the Senator from Maryland [Mr. TYDINGS], with one principal exception, however; that is, his prediction that this measure will be passed regardless. I do not share that feeling. I do not believe the bill is entitled to pass, and I will say further that if the amendments which the Senator from Maryland states he will offer should be agreed to, then there will be no possibility of the bill ever passing, because the purpose of this bill is to centralize control right here in Washington.

The bill which was passed on November 21, 1921, was supposed to provide for activities which would be educational. It was argued that if the authorities of the different States of the Union could be shown the necessity for instruction and training in matters of so-called child welfare, and in aid and assistance of expectant mothers, the States would then take up those duties through their own boards or organizations, and that it would be no longer necessary for the Federal Government to take any part. After extended hearings on the original bill in the House, it was agreed that the term of this educational period, or so-called experiment, should be five years, at the end of which time the Federal Government would not need to have anything further to do with the control of this question.

The bill passed and the act was put into operation, and before the end of the 5-year period many of the States had agreed to its provisions and were taking down their pro rata share of the money. The act provided $5,000 per annum for each State, regardless of any regulation, and apportioned the remaining million dollars among the States in proportion to their population. Five States of the Union never accepted the measure.

Notwithstanding the fact that five years was expected to be the provisional period, additional time was asked for, and in 1926, in the Sixty-ninth Congress, a bill was brought forward which passed the House and was referred to the Committee on Education and Labor of the Senate. The previous bill had been handled by the same committee. That, as I said, was supposed to be an educational measure.

In 1926 I happened to be chairman of the Committee on Education and Labor. We did not find necessity for holding hearings because additional hearings had been handled by the House committee, and we had the advantage of those hearings. The committee did, however, give very careful attention and consideration to the proposal for an extension of time, carrying on at the same rate of $1,240,000 a year. After several meetings of the committee, as I recall it, and discussion, the Senate committee, disagreeing with the House, proposed one year's extension of time only, and that for the purpose of allowing the Federal authorities who had had charge of the administration of the act to wind up their affairs and to give the States an opportunity for another year to come in under the provisions of the act if they so desired.

The bill was reported to the Senate with that amendment. It was debated here at length. It came up on three different occasions before we reached a final vote, and before the final vote was taken those who were opposed to any extension, and those who favored the 1-year term only, were given to understand that in all good faith those who desired the 2-year extension, if we gave them that additional period, would never again ask to have the bill reinstated, or ask for similar legislation. That understanding was very definite. My own recollection is in accord with that of several Senators who have spoken to me since the pending bill was brought up.

At the expiration of the two years, which was granted as an extension, an effort was made, although not a very strong effort, to renew the legislation. That was not done. On April 18, 1929, the bill now before the Senate, Senate bill 255, was introduced and referred to the Committee on Commerce. Why it was so referred I leave to Senators to judge for themselves. I myself do not know why that reference should have been made. At that time I was not the chairman of the Committee on Education and Labor, but even had the introduction of that bill come to my attention, I think I should have asked for a different reference, instead of allowing it to go to the Committee on Commerce.

That bill was held in the Committee on Commerce until April 9, 1930, almost one year, before it was reported out, but in the meantime no hearings whatever had been held. Why that delay I think perhaps is a matter which could readily be explained by the proponents of the measure; but it seems strange to me that the bill should have rested in the committee for a period of practically one year without a hearing, and then be reported favorably to this body.

It is true that a report from the Department of Labor was asked for promptly, because on May 31, 1929, the Department of Labor made a favorable report on the bill. I am informed that hearings were requested by more than one organization, but for some reason or other their requests were not complied with.

It has been suggested at various times that a measure of this nature should be administered by the Public Health Service rather than by the Department of Labor, and I think there is very good ground for that belief. It seems to me that this is a medical matter, and that the Public Health Service should certainly be in a better position to carry on the activities than could any employees of the Department of Labor.

Mr. GOFF. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from West Virginia?

Mr. PHIPPS. I yield for a question.

Mr. GOFF. Did the Senator say that this bill was reported out of the Committee on Commerce without any hearings whatsoever?

Mr. PHIPPS. There were no hearings, as far as I can find. The Senator will find that House hearings are referred to, and the report that was made by the Committee on Education and Labor when the previous bill was reported out in 1926 is repeated verbatim in the report which accompanies the pending bill.

Mr. GOFF. The report justifying the reporting out of this bill was based more upon the arguments of the previous committees than on any additional testimony that was taken?

Mr. PHIPPS. Of course, not being a member of the Committee on Commerce and not having attended their meetings, I was not in position to hear the discussion which may have occurred in the committee room.

I find upon inquiry that the former act was administered through the Children's Bureau, in the Department of Labor, by one director who was a physician and child specialist, 6 physicians on full-time basis, 6 physicians on part-time basis, 1 consulting Public Health nurse, and 3 clerks. In the year 1929 their annual salaries amounted to $37,321 and during the same fiscal year they expended $24,596 in traveling. The work was wound up by a small additional appropriation which almost equaled the unexpended balance which was left on hand June 30, 1929.

Mr. President, from the report of the Senate Committee on Education and Labor in the Sixty-ninth Congress, to which I referred a moment or two ago and which is included in the report on the pending bill, I want to quote the following language:

> Your committee's amendment is to strike out the words "for the period of seven years," appearing in lines 8 and 9 of the bill, and to insert in lieu thereof the words "for the period of six years," and to amend the title accordingly. It will be noted that this amendment would authorize such appropriations for Federal maternity aid for only one additional year, instead of two, as proposed by the House.

The five States which had not accepted the measure, and to which I referred a short time ago, were Connecticut, Illinois, Kansas, Maine, and Massachusetts. If my recol-

lection serves me correctly, Massachusetts took a case into court to determine the legality of the act.

Mr. President, the bill now before us and the former bill has been objected to by the American Medical Association and by other organizations as well. I do not care at this time to repeat the language which was placed in the RECORD at the time of the discussion in December, 1926, and January, 1927. The American Medical Association printed in their bulletin of November, 1930, an article strongly opposing the proposed rejuvenation of the Sheppard-Towner Act. In their edition of April, 1930, they also printed an article strongly in opposition to the so-called Jones-Cooper bill, which is a rejuvenation of the Sheppard-Towner Act. In their bulletin of March, 1930, appeared a lengthy article along similar lines. I invite attention to their resolution appearing on page 1113 of the CONGRESSIONAL RECORD of January 5, 1927, first session of the Sixty-ninth Congress, the resolving clause of which reads as follows:

Resolved, That the American Medical Association disapprove the Sheppard-Towner Act as a type of undesirable legislation which should be discouraged.

In a telegram addressed to me as chairman of the Committee on Education and Labor under date of December 13, 1926, they reaffirmed their position, stating:

The American Medical Association, with a membership of more than 90,000 physicians, protest against any extension of the Sheppard-Towner Act. To get Federal bonus a State must appropriate money. To appropriate money State taxes must be increased or funds withdrawn from other State activities. The act therefore invites a limitation of State sanitary activities in fields except that named in act. No evidence has yet been produced to show that act has prevented sickness or death or that it has increased total appropriations for sanitary purposes over what would have been normally appropriated.

Mr. GOFF. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from West Virginia?

Mr. PHIPPS. I yield.

Mr. GOFF. Does the report from which the Senator is reading disclose the reasons why the physicians opposed the reporting favorably of the bill?

Mr. PHIPPS. Perhaps it would have been better if I had their resolution in full. I will now do so. These resolutions were passed by the American Medical Association with respect to the Sheppard-Towner Act on May 23, 1922:

Whereas the Sheppard-Towner law is a product of political expediency and is not in the interest of the public welfare; and

Whereas the Sheppard-Towner law is an imported socialistic scheme unsuited to our form of government; and

Whereas the Sheppard-Towner law unjustly and inequitably taxes the people of some of the States for the benefit of the people of other States for purposes which are lawful charges only for the people of the said other States; and

Whereas the Sheppard-Towner law does not become operative in the various States until the States themselves have passed enabling legislation: Therefore be it

Resolved, That the American Medical Association disapprove the Sheppard-Towner Act as a type of undesirable legislation which should be discouraged. (36.)

That was printed in the RECORD in my address on January 5, 1927. In the course of the debate which followed, I notice that the then Senator from Ohio, Mr. Willis, who was strongly in favor of the extension of the time under the Sheppard-Towner Act, was insistent upon getting into the RECORD a quotation from the President's message submitting his Budget. That, of course, was President Coolidge. Finally it was admitted, and the clerk read as follows:

MATERNITY AND INFANCY

No estimate is submitted for carrying on the work under the maternity and infancy act, approved November 23, 1921, inasmuch as the authorization of appropriations for this purpose was fulfilled with the appropriation for 1927. A bill is now pending before the Congress extending the provisions of that act to the fiscal years 1928 and 1929. If and when that measure becomes law, I propose sending to the Congress a supplemental estimate for an appropriation to make its provisions effective. I am in favor of the proposed legislation extending the period of operation of this law with the understanding and hope that the administration of the funds to be provided would be with a view to the gradual withdrawal of the Federal Government from this field, leaving to the States, who have been paid by Federal funds and schooled under Federal supervision, the privilege and duty of maintaining this important work without aid or interference from the Federal Government.

Mr. President, with the passage of the extension act, the law was continued in operation during the fiscal years 1928–29. None of the five States which had held out accepted the provisions of the bill during that time. At the end of the fiscal year 1929 several of the States which had been appropriating doubled their appropriations so as to continue the full activities which had been carried on within their own appropriations, but some of them did not go to that extent.

The Federal guidance of operations has now been discontinued for over a year. I do not believe any evil has resulted from that discontinuance. I feel that the States have had full opportunity to realize the advisability of having some instruction, some means of conveying to their citizens important information which they should have, some provisions for the care of expectant mothers; but all of that work in the States should be and I believe as a rule is conducted by physicians. It seems to me that we are getting into unnecessary trouble if we rejuvenate the Sheppard-Towner Act. While I do not care to proceed with my remarks at further length this afternoon, I hope that the question will be debated fully until all Senators fully understand what is involved in the question.

Mr. SHEPPARD. Mr. President, on June 30, 1929, the maternity and infancy act, generally known as the Sheppard-Towner Act, expired. It was first placed in the Federal statutes on November 23, 1921, and was to continue until June 30, 1927.

When the last-named date arrived nearly all the States were cooperating with the National Government in carrying out the purposes of the measure and there was a widespread demand for its renewal.

A bill renewing the measure for three years passed the House by a sweeping majority, and a motion to take it up in the Senate showed a similar sentiment in its behalf in this body. Then a few determined and able Senators instituted a filibuster which blocked action for months.

Having charge of the bill on the Senate floor, recognizing the strangle hold which this little group of filibusterers had on the situation under the Senate rule allowing unlimited debate, realizing the end of Congress was near, I offered on behalf of myself and as many of the friends of the measure as I could get in touch with to agree not to endeavor to renew the existing act at the time of expiration, if it should be permitted to continue two years longer.

The Senator from Washington [Mr. JONES], however, one of the most prominent advocates of maternity and infancy legislation, stated on the floor of the Senate before final action was taken that he was in no way a party to this understanding. My offer was accepted and the act was continued for two years—that is, until June 30, 1929—when it ceased to operate.

When the two years ended I made no effort to renew the act. It went out of existence, and thus I carried out my part of the agreement. I consider that my obligation under the agreement terminated when the two years elapsed without any endeavor on my part to continue the legislation.

I do not consider that I am obligated under that agreement not to support the new effort to revive the legislation now being made through the bill by the Senator from Washington, which was favorably reported by the Senate Commerce Committee nearly a year after the death of the old legislation.

The work under the maternity and infancy act during the seven years of its operation was based on programs developed by State health agencies and approved for Federal monetary aid by a committee composed of the Chief of the Children's Bureau at Washington and other Federal officials. The State agency had the right to appeal to the President in the event the Federal committee held that the State's program did not come within the scope of the act.

The activities carried on by the State health agencies with Federal aid under this law included instruction of individuals as to maternity and infancy care through health conferences conducted by physicians and nurses under State auspices, through permanent health centers conducted under local auspices and financed in part by local funds, through

home visits to mothers by public-health nurses, through demonstrations in the home on infant and maternal care.

These activities also embraced instruction of groups through lectures, motion pictures, slides, charts, and exhibits, through school classes in infant care for girls, classes in infant and prenatal care for mothers and for teachers planning to include maternity and infancy instruction in class work, through schools for midwives—through graduate courses for nurses in maternity and infancy work given by State or regional conferences and institutes—through graduate courses for physicians in conjunction with State or county medical societies.

A third phase of State work under this act consisted of instruction through distribution of literature prepared by the State or the Federal Government on maternal and infant care and hygiene, child care and management, and similar subjects.

The maternity and infancy measure was pending for several months before its first enactment in November, 1921. During this time several States established maternity and child-hygiene bureaus or divisions for purposes of cooperation under the act. By the end of the fiscal year of 1921, 34 such State agencies were in existence. Thirteen more were created in 1922, and in 1925 a division was established in Hawaii after the extension of the act to that Territory. When the act expired on June 30, 1929, maternity and infancy divisions had been established and were operating in all of the States except Vermont and the act was also operating in Hawaii. While Vermont did not set up a separate bureau or division, it accepted the Federal funds, its work being under the immediate direction of the State health officer. Undoubtedly the act had influenced the establishment of mother and infant welfare work throughout the entire Nation when it ended in 1929.

Not only the creation of new maternity and infancy State agencies but expansion of existing ones resulted from the acceptance of the Federal funds by cooperating States. Even in the few States which at various times did not accept the Federal funds larger appropriations and greater activities followed the example and inspiration of the act.

One of the great objectives under the act was the encouragement of locally supported agencies. There were established throughout the country from 1924 to 1929, inclusive, 2,294 permanent child-health centers, 311 permanent prenatal centers, 373 permanent combined prenatal and child-health centers wholly or partly supported by local funds. During the operation of the act 161 counties and 13 communities took charge of maternity and infancy work which had been initiated by State or Federal maternity and infancy funds. A nurse working alone in a county and aided by maternity and infancy funds to the extent of her work in this respect, became the starting point in a number of instances for what developed into a full-time county health department.

During the life of the act there was a decrease in infant mortality rates for the registration area in 1929 when compared with the same area under registration in 1921, and a decline in maternal mortality rates in certain areas in 1929 when contrasted with the same areas in 1921.

The distinguished Senator from Pennsylvania [Mr. DAVIS], the former Secretary of Labor, kept in constant and sympathetic touch with this work and can reinforce what I have said this afternoon as to the figures given.

The general mortality rate for all ages in the death-registration area increased slightly in 1928, but the infant-mortality rate decreased. The infant-mortality rate amounted to 69 per thousand live births in the birth-registration area of 1928, while in 1921 it amounted to 76 per thousand. This rate for urban areas was 78 in 1921 and 69 in 1928; for rural sections, 74 in 1921 and 69 in 1928; a new low rate, 65, having been established for 1927.

Undoubtedly the maternity and infancy act is entitled to a substantial share of credit for the fact that if the same infant-mortality rates had prevailed during the seven years of the act which had marked the year 1921, over 60,000 more infants would have died in their first year.

It is true that the infant death rate was higher in 1928 than in 1927, but this was due to an outbreak of influenza in the latter part of 1928 which assumed the proportions of an epidemic before the year closed, and to an increased prevalence of measles and meningitis.

It is true that the mortality rate of 68 deaths connected with maternity for every 10,000 live births for the birth-registration area of 1921, consisting of 27 States and the District of Columbia, increased to 69 for the birth-registration area of 1928, consisting of 45 States and the District of Columbia. This is explained by the fact that new States were added to the registration area with higher maternal mortality rates than the whole previous area, notably States with large colored populations, whose rates in this respect were abnormally large.

Where the maternity and infancy work was applied continuously for most of the years during which the act was effective there was a reduction in the death rate of mothers. This work was especially effective in rural districts, where attention from physicians has been increasingly difficult to secure. The rural maternal mortality rate for the registration area of 1921, an area comprising 27 States, was 59 per 10,000 live births. In 1928 the rate was 56.3 for the same territory, a substantial and gratifying reduction.

Maladies to which expectant motherhood is specially liable—fevers, infections, convulsions—showed a downward trend while the act was in operation. This relief to motherhood from some of its dangers and agonies justifies the act a thousandfold, makes every dollar expended in such a cause sacred to the last degree, and calls in terms that can not be denied for the renewal of the measure.

Since the act terminated there has been a falling off in funds available for this work in a large majority of the States. About 15 States have continued their efforts by increasing appropriations so as to cover the loss of Federal aid.

The most serious effect of the premature cessation of the act has been a lack of interest due to the retirement of the Nation from this fundamental field of human endeavor. The cooperation of the Nation supplied something more than the funds involved—a stimulus which the concentrated interest of the American people as a whole could alone furnish.

The Senator from Maryland [Mr. TYDINGS], soon running out of arguments against this bill, drifted into an attack on prohibition. I should like to say to him that, despite all his objections, the American people are evidently well pleased with national prohibition, because at the last national elections they returned an overwhelming "dry" majority both to the Senate and to the House of Representatives.

Thomas Jefferson, in his first inaugural address as President of the United States, included the diffusion of information among the essential principles of our Government. Yet the Senator from Maryland talks of fundamental departures from the spirit and the ancient theory of American Government, departures illustrated, he says, by this bill, which is essentially a bill for the diffusion of needed and valuable information.

The maternity and infancy act is an information service of the highest benefit and significance. Thousands of mothers die from the perils of maternity in this country every year. One hundred thousand infants perish from lack of proper care within the first month of existence in this country every year. This is three times the entire number of the battle deaths among our soldiers during the entire time of our participation in the World War. The vast majority of these deaths among mothers and infants are from causes that may be overcome by timely and suitable knowledge.

To cooperate with the States in distributing this timely and suitable knowledge is the purpose of the maternity and infancy bill which at the special request of President Hoover and of millions of American women is again before us.

The Federal Government is expending millions on millions of dollars for information services relating to the health of cattle and hogs, to diseases of plants and animals.

In our intense and mad materialism we are placing cattle above mothers, and hogs above children, children—

They are idols of hearts and of households,
They are angels of God in disguise;
His sunlight still sleeps in their tresses,
His glory still shines in their eyes.

The mother and the child comprise the foundations of our civilization. On their well-being rests the progress and happiness of mankind. When the first mother gave the first life from her own the first home began. When her first kiss pressed the little lips of the new-born being fresh from God the home became the echo and the mirror of a celestial realm. From that far hour until this the spot most sacred in any age or zone has been the home.

Let those who will acclaim the pomp of war, the trumpet's cry, the cannon's call, the lightning of uplifted swords, the sullen thunder of the barrage, the tragic glory of the charge. As for me, above all these I place the courage and the sacrifice of motherhood, which does not take but gives a life.

EXECUTIVE SESSION

Mr. McNARY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

REPORTS OF COMMITTEES

The VICE PRESIDENT. There are no messages from the President. Reports of committees are in order.

Mr. BINGHAM. From the Committee on Territories and Insular Affairs, for the calendar, I report favorably the nomination of Judge George Charles Butte, of Texas, to be vice governor of the Philippine Islands.

Mr. McNARY. From the Committee on Post Offices and Post Roads, in behalf of the chairman of that committee, the Senator from Colorado [Mr. PHIPPS], I report sundry nominations of postmasters for the calendar.

The VICE PRESIDENT. The nominations will be placed on the calendar.

If there be no further reports from committees, the calendar is in order.

SECRETARY OF LABOR

The legislative clerk announced the nomination of William N. Doak to be Secretary of Labor, vice JAMES J. DAVIS, resigned.

Mr. BLEASE. Mr. President, in view of the position taken by the heads of certain labor organizations against the appointment of Mr. Doak as Secretary of Labor, I desire to have inserted in the RECORD as part of my remarks the data I send to the desk, consisting of newspaper clippings, a telegram, and four letters from the heads of organized labor associations. See letters of Wharton and Robertson which state, "Senator BLEASE was recorded as not voting on the important question involving the joint resolution introduced by Senator COUZENS, and so forth." To prove the falsity of this statement see CONGRESSIONAL RECORD, May 21, 1930, as set out in telegram of John D. Long, secretary. I was in Columbia, S. C., that day attending the convention of the Democratic Party of my State, and paired with my friend, Senator GOFF, of West Virginia. See also letters of Knight and Manion.

My reason for inserting these articles in the RECORD is to show that the leaders of organized labor and the International Paper & Power Co. working together have been active in politics and to show the manner in which they exercise whatever power they may have.

Organized labor at its last national convention passed resolutions in favor of the repeal or amending of the Volstead Act and in favor of wine and beer, which every man knows will lead back to the old days and is only the opening wedge to reinstate King Alcohol.

Can it be possible that the American Federation of Labor leaders and the Power Trust head officials are endeavoring to put the liquor issue prominently to the front in the 1932 campaign, and behind this smoke screen hide the Power Trust activities and keep a direct fight from being made against it as an issue in that campaign?

In a speech that I delivered at the county fair at Bishopville, S. C., on November 24, 1927, which was later printed in the CONGRESSIONAL RECORD of December 13, 1927, I had the following to say:

I want to warn you people of my own State to watch and be on guard as to the water-power trusts and the hydroelectric-power trusts that are to-day being insidiously formed in your own State for the purpose of controlling its politics. Its hand can be easily seen, yet it is attempting to be disguised, and the same power here is attempting to control our people that is attempting to run the United States Government.

To just what extent time has justified my prediction I am satisfied to let the record speak for itself.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[From the Columbia Record, Wednesday, November 12, 1930]

ORGANIZED LABOR CAME OUT ON TOP IN RECENT CONGRESSIONAL ELECTIONS

WASHINGTON, November 12.—Along with the Democrats and the wets organized labor and the candidates it indorsed came out on top of the heap in the congressional elections.

Senators and Representatives whom the labor organizations considered inimical to them were driven out in large numbers during the nominating primaries, while labor's friends were nominated and retained. The same tendency continued in the election.

Among outstanding defeats of candidates who had formal labor support were those of Senator MCMASTER in South Dakota, Senator ROBSION in Kentucky, and former Senator GERRY, of Rhode Island. All had been supported on the strength of their senatorial records, but the defeat of MCMASTER and ROBSION appears to have been attributable to the Democratic landslide, and labor leaders believe their successors are likely to prove as acceptable as the incumbents. None had been among labor's foremost champions. On the other hand, labor spokesmen point to the election of nearly a score senatorial candidates who had labor support and to the retirement or primary or election defeat of as many who could be depended upon to have little sympathy for legislation which labor supports.

Labor supplied the extra push which has terminated the senatorial career of Henry J. Allen, of Kansas, President Hoover's close friend and senatorial adviser, who will be succeeded by a Democrat named GEORGE J. MCGILL. Allen fathered the famous Kansas industrial court, which labor hated and bitterly fought. Another of labor's pet hates was ex-Senator William M. Butler, who lost to MARCUS A. COOLIDGE in Massachusetts.

The American Federation of Labor makes no general list of its indorsed candidates, leaving indorsements to State federations and locals; but the executives of the 21 standard railway organizations unanimously called for the election of 19 senatorial candidates—9 Republicans and 10 Democrats.

At the top of the list stood Senator GEORGE W. NORRIS, of Nebraska, who as chairman of the Senate Judiciary Committee has been helpful and sympathetic to such labor-sponsored measures as the anti-injunction legislation as well as to other progressive and humanitarian measures. NORRIS defeated his Democratic opponent, former Senator Hitchcock, by a large majority.

The others who won out were Senator SHEPPARD in Texas, Senator BORAH in Idaho, Edward P. Costigan in Colorado, Senator COUZENS in Michigan, Secretary of Labor DAVIS in Pennsylvania, Gov. Huey P. Long in Louisiana, Senator MCNARY in Oregon, Senator WALSH in Montana, Senator CAPPER in Kansas, former Senator M. M. Neely in West Virginia, Congressman CORDELL HULL in Tennessee, former Congressman James F. Byrnes in South Carolina (who with labor support defeated Senator BLEASE in the primary), Senator BRATTON in New Mexico, and Senator HARRIS in Georgia (whom labor aided in his primary fight).

The more important of the successful labor indorsers happens to be dry—NORRIS, BORAH, Costigan, WALSH, HULL, and Neely. In fact, only 3 or 4 of the whole 19 were wet. In no case, however, did the dry records of these candidates have anything to do with their indorsements.

In the next Congress labor will especially be looking to its friends—assuming that no important action is taken in the coming short session of the present Congress—to lead fights for the passage of anti-injunction legislation and effective measures to combat unemployment. In the last session the only major achievement claimed by the American Federation of Labor was the defeat of Judge John J. Parker's nomination to the Supreme Court, and the federation's executive council reported at the recent annual convention that the attitude of the Seventy-first Congress had been "antagonistic."

PENDLETON, S. C., *August 17, 1930.*

Hon. COLE L. BLEASE,
The Jefferson Hotel, Columbia, S. C.:

Couzens Senate Joint Resolution No. 161, to suspend authority of Interstate Commerce Commission to approve consolidations of railway properties passed Senate May 21 this year by vote 46 to 27. Senator FESS announced general pair for you with Senator GOFF on page 9293 of the RECORD when vote was taken.

JOHN D. LONG, *Secretary.*

[Affiliated with American Federation of Labor. International Association of Machinists. Founded in the city of Atlanta, Ga., May 5, 1888. International headquarters, Machinists Building, Ninth Street and Mount Vernon Place NW. A. O. Wharton, international president. Office of president, Washington, D. C., August 14, 1930]

Subject: Re indorsement J. F. Byrnes, South Carolina.

All Members of the International Association of Machinists, State of South Carolina.

DEAR SIRS AND BROTHERS: The Railway Labor Executives' Association, comprised of the chief executives of the different railway labor organizations, in session at Cleveland on July 24 and 25, took action providing for the indorsement of James F. Byrnes, former Congressman from the second district of South Carolina, in his campaign for the Democratic nomination as United States Senator from your State.

The present incumbent is COLE. L. BLEASE, who in campaigning for the United States Senate, six years ago, claimed to be the friend of the workers. In fact, he had the indorsement of our association at that time. Since then, however, Senator BLEASE has gone over to the big interests, with the result that his labor record is bad. He voted for the confirmation of Judge John J. Parker as a member of the United States Supreme Court recently. In thus voting Senator BLEASE indicated he was in favor of the appointment to the United States Supreme Court of a judge who apparently was ever willing to place property rights above human rights in matters brought before him for judicial consideration. Senator BLEASE was recorded as not voting on the important question involving the joint resolution introduced by Senator COUZENS, in connection with the consolidation of railroads, which resolution contemplated protecting the interests of the railroad employees and the general public.

On the other hand, Mr. Byrnes established a very favorable labor record while representing his district as Congressman, and hence the action of the chief executives in giving him their indorsement.

Our South Carolina members are urged to join with the other good citizens of the State in taking advantage of this opportunity to defeat a reactionary and send to the United States Senate a representative who is in sympathy with the masses of the people. With the proper degree of cooperation it is felt that Mr. Byrnes can be nominated for this high office in the August 26 primary election.

Fraternally yours,

A. O. WHARTON,
International President.

BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN,
Cleveland, Ohio, August 9, 1930.

To All Members Brotherhood of Locomotive Firemen and Enginemen residing in South Carolina.

SIRS AND BROTHERS: The Railway Labor Executives Association, comprised of the chief executives of the different railway labor organizations, in session at Cleveland on July 24 and 25, took action providing for the indorsement of James F. Byrnes, former Congressman from the second district of South Carolina, in his campaign for the Democratic nomination as United States Senator from your State.

The present incumbent is COLE. L. BLEASE, who in compaigning for the United States Senate six years ago claimed to be the friend of the worker. In fact, he had the indorsement of our brotherhood at that time. Since then, however, Senator BLEASE has gone over to the big interests, with the result that his labor record is bad. He voted for the confirmation of Judge John J. Parker as a member of the United States Supreme Court recently. In thus voting Senator BLEASE indicated that he was in favor of the appointment to the United States Supreme Court of a judge who apparently was ever willing to place property rights above human rights in matters brought before him for judicial consideration. Senator BLEASE was recorded as not voting on the important question involving the joint resolution introduced by Senator COUZENS in connection with the consolidation of railroads, which resolution contemplated protecting the interests of the railroad employees and the general public.

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Fraternally yours,

D. B. ROBERTSON.

[The Order of Railroad Telegraphers, E. J. Manion, president]

ST. LOUIS, MO., *August 16, 1930.*

To All Members in South Carolina:

On August 26 a primary to select a candidate for United States Senator will be held in your State, and the incomparably best candidate to vote for is James F. Byrnes.

As a former Congressman from the third district, James F. Byrnes made a record for service to the common people and labor that caused the chief executives of the standard railway labor organizations to indorse him for United States Senator.

Mr. Byrnes has shown his fealty to you and your interests; he is a man you can tie to, and his record proves him worthy of your support.

The present United States Senator from your State voted for Judge Parker, who enjoined men from "violating" a yellow-dog contract, which contract makes slaves out of white men, and on several other occasions the present Senator has shown himself as more favorable to the interests of trusts and monopolies than to your interests.

James F. Byrnes, however, has been your friend in the past, and will continue along that line. May I therefore request and urge that you do everything you possibly can to secure the nomination of your friend, James F. Byrnes?

Work and vote for him yourself and get your relatives, friends, neighbors, and acquaintances to also vote for him, and thus send to the Senate of the United States a Senator who will serve you and not big moneyed interests.

Yours fraternally,

E. J. MANION.

This was handed me by one of your friends who states that he is firmly of the belief that the signer of this letter is a Catholic. I am sending you this to show how desperate they are fighting you.

Sincerely yours,

——— ———.

We have looked up the author of this letter in Who's Who in America and find that he is a Catholic.

——— ———.

[Martin F. Ryan, general president, 400 Carmen's Building, Kansas City, Mo. Home address, 4010 Harrison Street, Kansas City, Mo. Brotherhood of Railway Carmen of America, affiliated with the American Federation of Labor. Office of F. H. Knight, assistant general president, 402 Carmen's Building]

KANSAS CITY, MO., *September 5, 1930.*

Officers and Members, Brotherhood of Railway Carmen of America, State of North Carolina.

BROTHERS, GREETING: Your general president, Brother Ryan, with the chief executives of the other 20 standard railway labor organizations, met in Cleveland, Ohio, July 23, for giving consideration to the political situation, South Carolina being among States considered.

The record of your present Senator, Colonel BLEASE, was checked and found to be very bad in so far as the working people are concerned. His opponent in the run-off primary to be held September 9 is James F. Byrnes, whose record as a Congressman has been very favorable, indeed, and in comparing the records of the two men certainly no workingman could conscientiously cast his vote for Colonel BLEASE when he had an opportunity to vote such a friend as James F. Byrnes.

This letter, therefore, is to call your attention to the fact that your organization, along with all other railroad organizations, strongly indorses Mr. Byrnes and urges you to give favorable consideration to going to the polls next Tuesday and casting a vote in accordance with the best judgment of the trades-union movement of this country.

Thanking you for giving this careful and favorable consideration and complying with the request as contained herein, I am,

Sincerely and fraternally,

F. H. KNIGHT,
Assistant General President.

[From the Anderson Independent, Anderson, S. C., September 7, 1930]

BYRNES WAS REARED CATHOLIC, BUT JOINED EPISCOPAL CHURCH—CANDIDATE FOR UNITED STATES SENATE CLARIFIES RELIGIOUS ISSUE—DISCUSSES OTHER ISSUES OF CAMPAIGN DURING FOUR SPEECHES HERE

The religious affiliations of James F. Byrnes, candidate for the United States Senate in opposition to Senator COLE. L. BLEASE, which he says have been injected into the campaign since the first primary and which have assumed definite proportions, were clarified in two speeches he made here yesterday. Rumors that Mr. Byrnes was a member of the Catholic Church were emphatically denied by Mr. Byrnes in his speech made at th ecourthouse yesterday afternoon.

"I have been a member of the Episcopal Church for more than 20 years," Mr. Byrnes stated, "and although I do not feel that the question of religion is near so important as other vital issues at stake in this campaign I make the statement to clarify some reports that have gained currency."

He did not state that he had ever been a member of the Catholic Church in his address at the courthouse. However, at Orr Mill, speaking last night, Mr. Byrnes, in reply to a question asked by one of the members of a large audience there, stated that he was once an altar boy in the Catholic Church and performed such duties in his early teens.

"Later," Mr. Byrnes added in reply to the question, "I became convinced that my convictions were wrong, and I changed over to the Episcopal Church, where I have since that time been a member."

[From the Herald and News, Newberry, S. C., August 14, 1930]

BYRNES'S LAW FIRM IN PAPER SQUABBLE

In Martindale's American Law Directory of 1930, a well-recognized medium for information about lawyers and a volume in which many lawyers advertise, the following appears:

"Nichols, Wyche & Byrnes, general practice, all courts. Attorneys for Merchants & Farmers Bank, Charleston & Western Carolina Railroad, Employers Liability Assurance Corporation, General Accident Insurance Co., Aetna Casualty & Surety Co., Duke Power Co., Spartanburg County, Tucapau Mills, Jackson Mills, etc. Division counsel Piedmont & Northern Railway and Southern Public Utilities Co."

The information contained herein was read by Senator COLE. L. BLEASE at the senatorial campaign meeting held in Spartanburg on August 7, 1930.

Martindale's American Law Directory can be found in at least one lawyer's office in almost every courthouse town in South Carolina.

Since the appearance of the above advertisement Messrs. Nichols, Wyche & Byrnes have appeared in the courts of this State as attorneys for the Record Publishing Co., of Columbia, S. C., and the Spartanburg Herald-Journal Co., of Spartanburg, with reference to matters pertaining to the purchase and sale of these two newspapers to Harold Hall and William LaVarre, with money advanced to Hall and LaVarre by the International Paper & Power Co. For further information see the case of Piedmont Press Association v. Record Publishing Co. (156 S. C. Rep. p. 431 (advance sheet of July 12, 1930) and 152 S. E. Rep. p. 721), and the case of Spartanburg Herald-Journal Co. v. William J. LaVarre et al. (156 S. C. Rep. p. 96 (advance sheet of July 12, 1930), 152 S. E. Rep. p. 728). The law books referred to will be found in a number of law offices in any city or town in the State.

[From the Anderson Independent, Friday morning, September 5, 1930]

JUST A COWARD

One reading the Columbia State gets the impression that its editor knows everything about everything. He certainly has an encyclopedic mind. He discusses an infinite variety of subjects. And no matter what the subject he discusses, his discussion is always ex cathedra. It's fine to know you know so much and to know you know it authoritatively.

It is to be hoped, however, the State's knowledge of the myriad other subjects it discusses is at least a little more accurate than its knowledge of politics, about which it knows a little less than nothing. In this paragraph "politics" is used in the practical sense.

The State is supremely ignorant of how to help those it favors and hurt those it opposes.

BLEASE owed his first election as governor in 1910 more to the way the State fought him than to any other factor, except his own exertions. There is probably no man in South Carolina whom the State would rather see defeated as a candidate than BLEASE. But the very ardor of its animosity to BLEASE defeats its purpose in fighting him. It has never learned by its failures. It keeps on trying to butt down a brick wall with its head. The wall does not show as much wear as the head.

However, it is at it again. Despite their proven failure, it employs the same old tactics against BLEASE and tries them also against Olin Johnston, a new beneficiary of its disfavor.

The State has pulled many silly, childishly silly, stunts in politics but none sillier than the alleged interview it featured at the top of the fourth and fifth columns of its front page Tuesday morning.

According to that alleged interview, cotton-mill bosses have always opposed and fought BLEASE heretofore but are voting and pulling for him this year but are fighting Johnston because of his alleged radical views.

That alleged interview might be worth the paper it is printed on if the name of the person interviewed were given. Instead, that person is referred to as "the 'unofficial observer' of a score of major political battles." It is dollars to the holes in doughnuts that that "unofficial observer" is on the State's pay roll. A semblance of respect might attach to that alleged interview if a responsible name were attached to it. In the absence of such a name that alleged interview must be regarded as the cheapest of cheap political tricks.

Its purpose is too obvious. The fine Italian—or Cuban—hand is too obvious in it. If cotton-mill operatives could be tricked or fooled into believing BLEASE has so changed that cotton-mill executives now favor him, enough cotton-mill operatives might vote for Byrnes, or not vote at all, to defeat BLEASE in the second race. The State must hold the sense of cotton-mill operatives very cheaply or it would realize that they know Byrnes is a member of a legal firm specializing in service of corporations and cotton-mill executives as well as all other corporation heads could not be driven away from support of a corporation-lawyer candidate. If that be the State's only hope of beating BLEASE, it is worse than faint.

The State, like other dailies which stand more or less in with the highway ring, was stunned by the support Johnston received in the first primary in counties in which there are no cotton mills. To prevent an increase of the big vote Johnston received from other than cotton-mill workers it tries to create the impression that he is radical, without citing evidence of its charge. That is not fair fighting.

The two stories do not gee. They do not fit each other. They do not dovetail. A little thing like that does not bother the ponderous intellect that purveys and presides over the State's platitudes. The best proof that the whole alleged interview is just a political fabrication is the fact that anybody with sense enough to grease a gimlet has sense enough to know that if cotton-mill executives are supporting BLEASE they would not be fighting Johnston.

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,
July 15, 1930.

JOHN D. LONG,
Secretary to Senator Cole. L. Blease, Pendleton, S. C.

DEAR MR. LONG: Your letter of July 10, addressed to Mr. Robertson, which letter is herewith inclosed, has been referred to me for attention, as Mr. Robertson is out of the city.

We have quite a mass of material on the Parker nomination. I have looked through all of it with considerable care and find none of the indorsements mentioned in your letter. It is possible that such indorsements may be included in the files of the Department of Justice. Their files were sent to this committee during the consideration of the nomination, in accordance with the usual custom, and then returned to the department. (Perhaps I should state that we have never been able to locate part of the files sent here by the Department of Justice, so some of the Parker papers appear to be lost.)

Hoping that this information may be of use to you, I remain,

Yours very truly,

WM. L. IRVIN, *Assistant Clerk.*

DEPARTMENT OF JUSTICE,
Washington, D. C., July 24, 1930.

JOHN D. LONG, Esq.,
Secretary to Senator Blease, Pendleton, S. C.

DEAR MR. LONG: On behalf of the Attorney General, I acknowledge your letter of July 18, 1930, with inclosures, respecting certain indorsements filed in favor of Hon. John J. Parker, of North Carolina, for appointment as Associate Justice of the Supreme Court of the United States.

With respect to your specific inquiry, I have to advise that the department files do not seem to contain indorsements from the Spartanburg (S. C.) and Anderson (S. C.) Bar Associations. There is a letter from Hon. JAMES F. BYRNES, under date of March 20, 1930, which indorses Judge Parker for the appointment.

Very truly yours,

CHARLES P. SISSON,
Assistant Attorney General.

[From the Anderson Independent, Thursday, September 4, 1930]

MONEY IS FLOWING FREELY IN CAMPAIGN—NEW SYSTEM REQUIRES THAT BOX BE CARRIED SUCCESSFULLY BEFORE PAID WORKER RECEIVES FULL PAYMENT FOR SERVICES

COLUMBIA, September 3.—Money has taken an important part in the present campaign, and back of the financial arrangements by which "expenses of workers" and cash for use directly and indirectly in vote buying there has been some ingenius mind at work.

Political history of the State shows that when money was used in behalf of any candidate it has usually been distributed to important "key men" in the 46 counties of the State, and these men in turn did the political logrolling. And received in advance all the remuneration that the job warranted.

This year there has been a different arrangement. A ward or precinct leader when contacted is paid a sort of retainer's fee, and if he was successful in carrying the box the right way then the balance would be handed to him for his efforts. This is calculated to make the results more beneficial to the interests putting up the money, and it is flowing freely in this campaign. For instance, a worker might be paid $25 to work, with the understanding that if the box was carried for his man he would receive an additional $25.

This is new tactics in the distribution of political money and is effective. The only objection raised, however, is the fact that so many people will take money from any candidate and then vote just as they please.

During the last few days various citizens of the State have come here and received the working funds. A large sum is to be sent in the Piedmont section, and some prominent men of various professions and stations in life are handling it. In one town there are two offices on Main Street where the political money is reported to await the last-minute workers.

It is estimated that $250,000 will be used in an effort to defeat BLEASE and Johnston.

SOUTH CAROLINA DEMOCRATIC PARTY 1930–1932

Mrs. L. H. Jennings (1928–1932), national committeewoman, Columbia, S. C.

John G. Richards (1928–1932), national committeeman, Columbia, S. C.

[From the Washington Herald editorial page, November 19, 1928]

HOW THE POWER TRUST HIDES BEHIND SKIRTS OF A WOMAN

"A woman is always sure-fire publicity if she makes a decent photograph and can be induced to say what we want her to say."

Such is the principle of the country-wide propaganda organization of the Power Trust, as expressed by its Missouri State director, J. B. Sheridan, in a letter discovered by an investigator of the Federal Trade Commission.

Herewith we reproduce a sample of how the power propagandists hide behind women's skirts.

This letter was written by A. Wolman to S. E. Boney, director of the North and South Carolina public-utility information committee. He testified before the Federal Trade Commission that it is his practice to write "news" stories boosting his electric-light companies or discrediting public ownerships, and then to have these articles signed by prominent men or women.

Boney then sends these articles to newspaper editors who—so he told the Federal Trade Commission—publish them, thinking they are actually written by the persons whose names they bear instead of being written by the propaganda bureau.

Mrs. Maria Croft Jennings, president of the South Carolina Federation of Women's Clubs, writes in the letter here reproduced:

BISHOPVILLE, S. C., *December 28.*

MY DEAR MR. BONEY: Of course you know that the article that you wrote and the one which you so kindly allowed me to sign as my own has seemed to make quite a "hit."

I appreciate the copies that you sent me and am enjoying the delightful publicity caused by various papers copying the article, though I feel like quite an impostor. If you are ever in Bishopville again, call and see me.

Cordially yours,

MARIA CROFT JENNINGS.

Is it done only in Missouri and South Carolina? Oh, no. Within the last week the Federal Trade Commission has shown how they hide behind women in Washington.

Mrs. Clare Ketchum Tripp, of Seattle, director of the Washington Industries Education Bureau, appears as the author of a pamphlet on electricity distributed throughout schools in the State of Washington. The pamphlet teaches that privately owned utilities never make profits on "watered" stock, and that the public loses by setting up city-owned plants.

Questioned before the Federal Trade Commission, Mrs. Tripp admitted that her bureau received $200 a month from Washington and Oregon public utilities.

She admitted that "the major part" of the pamphlet bearing her name had been written by Norwood W. Brockett, publicity director of the Puget Sound Power & Light Co.

She further testified that her bureau had paid $150 to Mrs. Josephine Corliss Preston, State superintendent of education of Washington, for examining monographs on power and other subjects before they were circulated in the schools.

"A woman is always sure-fire publicity if she makes a decent photograph and can be induced to say what we want her to say."

[From the Columbia Record]

AS TO SENATOR BLEASE

"Old, sick, or beaten" is the way the appearance of Senator BLEASE at the campaign meeting in Columbia Friday evening was described. Possibly all three are true, but most probably the last. It was the first time in his political history that he was unable to hold his audience, and that any number left while he was speaking.

His friends, many of them, apparently, have forsaken him, and some of them, at least, have turned strongly against him, notably Governor Richards, who, for some years, was his warm supporter. Many of the mill workers are said to be against him, and union labor is positively against him. But this is not a new thing, for as far back as 1911 the City Federation of Trades was passing resolutions condemning him for vetoing the bill providing for the employment of mill inspectors in this State.

A new generation of cotton-mill employees has come on since Senator BLEASE first began to whoop up the boys. Either they are better informed or they are following new leaders. At any rate they do not seem to be following Senator BLEASE now, and it is predicted that the voters will show this in the next primaries.

[From the Columbia Record, Monday, November 17, 1930]

JIMMIE BYRNES AGAIN

During the last State Democratic primary the friends of James F. Byrnes, then candidate for nomination for the United States Senate, constantly referred to his enviable record of 16 years in Congress, and what an effective Senator he would make. The Columbia Record was among this number, and it said what it believed, but confession is made that it did not know fully what a hold now Senator-elect Byrnes had in Washington. Several things have come to light since to cause congratulations upon the replacement in the United States Senate.

(NOTE.—C. O. Hearon, editor of the Spartanburg Herald, a newspaper that bitterly opposed Senator BLEASE in favor of James F. Byrnes in the 1930 campaign, was reappointed a member of the State highway commission by Governor Richards during the present year. The Herald is owned by the International Paper & Power Co., represented by Byrnes, and Hearon opposed the election of Richards as governor in 1924. Senator BLEASE was largely instrumental in the election of Richards that year.)

[From the Anderson Independent, Friday morning, September 5, 1930]

CROWD HOWLS DOWN CONSTABLE ASHLEY AT BLEASE MEETING HERE—ATTEMPTED TO REPLY TO SENATOR BLEASE'S CHARGE THAT MEN ON STATE'S PAY ROLL ARE FOLLOWING MEETINGS—"MONEY IS HERE," SAYS BLEASE

Senator COLE. L. BLEASE, speaking here last night, declared that "men on the State's pay roll, paid out of the taxpayers' money in the State treasury," are following up his meetings and attempting to defeat him for reelection to the United States Senate through "the use of lies, and they are professional liars."

"If you mean me," interrupted Joe M. H. Ashley, State constable from Gov. John G. Richards's office, who was standing several feet from the platform, "I want time to reply to Governor BLEASE."

"You have my permission to speak," shot back the junior Senator, "if the people of this audience want to hear such a thing as you talk," and the crowd cheered.

"A man over here says you must have been hit, or you wouldn't have hollered," added Senator BLEASE after the cheering subsided.

Constable Ashley made no further attempt to interrupt Senator BLEASE, but at the conclusion of his speech pushed his way through the crowd and mounted the platform. "I want to tell you something," he began, but the crowd whooped and yelled, automobile horns started blowing, and no audible comment of the State constable could be heard by those gathered to hear Senator BLEASE.

For several minutes the constable stood on the platform and made repeated efforts to speak. Each time the crowd continued to jeer and boo him, and a chorus of automobile horns added to the din that made it impossible for him to be heard. Finally, amid cheers of "Get down," and "hurrah for Coley," Constable Ashley stepped down.

During his address Senator BLEASE reviewed his record from the time he entered the legislature from Newberry County until today, pointing out his efforts in behalf of the laboring people of the State. He was frequently interrupted by applause.

MONEY PLENTIFUL

"They are pouring out money to try to defeat me," said Senator BLEASE. "They have it right here in Anderson," he continued, pointing uptown. "I know all about it. I know who went down to make the arrangements for the money. I know who went after it half drunk and came back full drunk," he shouted, and the crowd burst into spontaneous and prolonged cheering.

"My advice to you," he added, "is to take their money—all you can get of it—and then vote for COLE. L. BLEASE."

Senator BLEASE referred to efforts that had been made to discredit him because he had voted for the confirmation of Judge Parker. He stated that the negro Congressman, OSCAR DE PRIEST, had come over into the Senate Chamber to intimidate the Republicans with the negro vote against confirming Judge Parker, and he added emphatically that if the time ever comes for him to chose between a seat in the United States Senate and being dominated by a negro organization, he would vacate his seat.

CAMPAIGN LIES

Touching on the numerous campaign lies in circulation, Mr. BLEASE referred to the rumor that Olin D. Johnston had attempted to telephone him a few days ago and the report that "I hung up the phone in his face." That story was characterized by the Senator as a misrepresentation.

Senator BLEASE assured his audience that he had no reason to betray the working people, who had always been his friends, adding that he could go no higher than the office which he now held. "The only way we can have a man south of the Potomac River for President is to nominate a Democratic Vice President when a Republican is elected President, and then trust to the Lord."

RICHARDS SILENT ON ASHLEY AFFAIR

COLUMBIA, September 4.—When Gov. John G. Richards was to-night advised that one of his State constables, Joe M. H. Ashley, had attempted to take the stump in Anderson and deliver a speech against Senator COLE. L. BLEASE, a candidate for reelection, the executive declined to make any statement on the subject.

There is much speculation over what course of action the governor will take. It is unofficially stated that Richards, who was elected through his alliance with Senator BLEASE, is now bitterly opposing the junior Senator and is quoted as saying that his greatest ambition is "to beat COLE. BLEASE." Whether this will have any bearing on his attitude in considering the Anderson incident, which was an unusual one, is not known.

[From the Anderson Independent, Sunday morning, September 7, 1930]

RICHARDS WANTS BLACKWOOD AND BYRNES ELECTED—RICHARDS ADVISES WOMAN IN TELEPHONE CONVERSATION—WOMAN ASKS HIS ADVICE—HE ADVISED BLACKWOOD AND BYRNES

COLUMBIA, September 6.—In a telephone conversation with a woman this morning Governor Richards advised her to vote for Blackwood and Byrnes for governor and Senator, respectively.

The woman in asking his excellency's advice stated she had voted for him four years ago and would like to have his opinion on how to vote this election.

"Vote for Blackwood by all means," said the governor, with no little emphasis, "and, furthermore, vote for Byrnes against COLE. L. BLEASE for the United States Senate."

The woman thanked the governor, but as if not quite sure she had heard correctly, asked him to repeat his statement.

"Vote for Johnston for governor and Byrnes for the Senate," he told her. However, he quickly corrected this slip of the tongue and reiterated his choice of "Blackwood for governor."

[From the Columbia Record, Monday, September 15, 1930]

BYRNES GETS ALL

LIBERTY HILL, S. C., September 15.—James F. Byrnes, who defeated COLE. L. BLEASE in Tuesday's primary for the United States Senate, received all the votes cast at Libery Hill, Kershaw County. Byrnes received 70 and BLEASE nothing.

Ibra C. Blackwood received 68 of the votes for governor to 2 for Olin D. Johnston, whom he led by 998 votes in the State.

Liberty Hill is the home of Governor Richards, and the governor openly supported Byrnes and Blackwood in the second primary and advised his friends to vote against BLEASE and Johnston.

[From the State, Columbia, S. C., Wednesday morning, November 26, 1930]

MAYOR ATTACKS RECORD EDITOR—OWENS REPLIES TO RECENT EXPRESSION—AT COUNCIL MEETING—MATTER COMES UP WHILE ASSOCIATED CHARITIES REQUEST IS BEFORE BODY

In a speech delivered at city council meeting yesterday Mayor L. B. Owens denied charges made in an editorial in the Record Sunday that he had solicited the county delegation to pass the recent laws governing city elections and also charged that the International Paper & Power Co., owners of the Record and three other newspapers, is now "dabbling in both local and State politics." The mayor also attacked Fitz Hugh McMaster, editor of the Record.

The attack of the mayor came unheralded. A motion to pay half of the deficit of the Associated Charities had been made after a brief discussion, and Mayor Owens began by saying that as citizens of Columbia paid 85 per cent of all county taxes, the rate of taxation, 33 mills for the city and 50 mills for the county, should be reversed.

From the question of taxation the mayor shifted to the election law and declared that he had nothing to do with the passage of the regulation which permits citizens to vote without registration certificates. He referred to an editorial in the Record Sunday in which it was said that the law had been passed "by the delegation in the legislature at the solicitation of the present mayor and others."

Mayor Owens said that he did not care whether the delegation changed the law or how many safeguards they put around it. Kenneth R. Kreps, a member of the county delegation and present at the meeting, was asked by the mayor if he had any knowledge of his having requested the delegation to change the law. Mr. Kreps answered in the negative. Then the mayor said that the same information could be secured by the asking from any other member of the delegation. He then charged that the editorial in the Record was libelous.

From the editorial the mayor centered his attack on the editor, Mr. McMaster, and the International Paper & Power Co., owners. "The International Paper & Power Co. is now dabbling in both local and State politics," he said. "Everyone knows that the power trusts are trying to sap the State. But they will have a fight on their hands. In my feeble way I am going to keep a watch on this international company."

Almost as a parenthetical expression, Mayor Owens said he had understood that Mr. McMaster had said that he would not work for a newspaper which is controlled by a power interest. "They must be paying him a big salary for him to write some things," he said.

Mr. BLEASE. The following news item appeared in the Daily Mail of September 17, 1930:

DESTROY BALLOTS, WITHDRAW GUARD

CHARLESTON, September 17.—Recount of the Charleston County vote in the second primary became an impossibility yesterday.

The ballots, guarded since last Thursday, when Olin D. Johnston, defeated candidate for governor, gave notice of appeal to the State Democratic executive committee for a recount of the ballots cast in Charleston, were yesterday destroyed.

Upon the unanimous refusal of the State committee to grant Mr. Johnston's petition, John H. Graham, chairman of the Charleston County Democratic executive committee, notified W. N. Breuer, secretary, and instructed him to unlock the room in which the ballots were stored in the Hibernian Hall and release the guards.

Mr. Breuer and W. B. Minott, treasurer, pursuant to these instructions, destroyed the 13,374 ballots and turned the club rolls, polling lists, returns, and managers' oaths over to the clerk of court and stored the empty boxes in the fireproof building to gather dust until the next election.

The Charleston County committee, when it met last Thursday to convass the election returns officially, turned down a petition presented in Mr. Johnston's behalf for a recount. Mr. Johnston then decided to appeal to the State committee, and the ballots were accordingly kept under lock and key in a room in the Hibernian Hall, and policemen and representatives of Mr. Johnston were placed on guard.

Charleston's vote was the deciding factor both in the race for governor and United States Senator. With the Charleston Byrnes majority, COLE. L. BLEASE would have continued to be Senator from South Carolina, and certainly Ibra C. Blackwood would have fared ill in the gubernatorial contest had it not been for the overwhelming majority given him in Charleston County. In fact, he won the race by something more than 900 votes. Charleston County gave him 10,636 to Johnston's 2,656.

	Blease	Byrnes
Total vote, 45 counties	113,104	119,649
Charleston County vote	3,160	10,106
Total	116,264	129,755

[From the Anderson Independent and Tribune, Anderson, S. C., Thursday morning, September 18, 1930]

CHARLESTON BURNS BALLOTS PROMPTLY—IMMEDIATELY AFTER STATE COMMITTEE MEETING ALL BALLOTS WERE BURNED, FORESTALLING ANY LEGAL STEPS CONSIDERED FOR RECOUNT OF BLACKWOOD-JOHNSTON VOTE

COLUMBIA, September 17.—There will be no recount of the Charleston County second primary vote, it was learned to-day, for immediately following the meeting of the State Democratic executive committee here the ballots were removed from the boxes and burned.

The burning of the Charleston ballots, it was regarded here to-day, is the concluding chapter to the stormy second primary in South Carolina this year, being so timed that any attempt by friends of Olin D. Johnston, who was defeated by 969 votes and who was seeking a recount at his expense to institute court proceedings would have been fruitless.

It is not definitely known if Johnston's supporters intended to start a legal battle over the election or if Johnston himself would have consented to such plans. However, in the time that would have elapsed before a restraining order could have been secured, the Charleston ballots were removed from the boxes and burned, and in so far as Charleston County is concerned, the matter is ended.

This vote burning was regarded as unusual, in view of the fact that the contest centered about Charleston. No steps to destroy ballots in other counties of the State were taken.

The Charleston Democratic executive committee had previously refused Johnston a recount, although he offered to bear the expense incident thereto. The State committee, by an overwhelming majority, but without a record or unanimous vote, declared I. C. Blackwood duly nominated after giving perfunctory consideration to affidavits before it from Charleston in which it was charged that votes were incorrectly called against Johnston and "dummy" ballots used.

Mr. BLEASE. The following editorial appeared in the same paper:

[From the Anderson Independent, Thursday morning, September 18, 1930]

CHARLESTON HAS A VOTE BURNING

While the purity of Charleston must always be held above reproach, that city of unique political combinations and machinery this week gave South Carolina something to think about. The historical old town held a vote burning—an unusual incident. As a matter of fact, it is the only county in the State to hold such ceremonies, for the other 45, including Anderson, have not disturbed the ballots.

Immediately following the decision of the State Democratic executive committee in Columbia Tuesday that a recount would be denied Olin D. Johnston, and before his friends could possibly have secured a court order or have instituted proceedings from a legal standpoint had that been their desire, the wire was touched to Charleston and the Democracy of that grand old city did its stuff.

All of the ballot boxes were emptied and the votes burned. It was a glorious occasion, one that will go down in political history of this State.

With the ballots burned, Johnston's friends can not press the question further. All the evidence is destroyed. There was no announced intention to carry the fight to court, but the swiftness of Charleston in burning her ballots will cause many people to wonder if some legal action should not have been taken.

It is apparent that Johnston will have to appeal his case to the court of public opinion in the next election. Then, if indestructible ballots can be secured for Charleston, a system of lie detectors installed, and the State militia called out to keep the boxes from being stolen, the will of the people may prevail.

When Charleston refused to allow a recount of the primary vote at the expense of Johnston the people were amazed. The speedy action taken to destroy the ballots will leave a smudge of suspicion that will live for many years to come. Comes to mind the verbal exchange between Mayor Tom Stoney, of Charleston, and Olin D. Johnston, at the State committee meeting. Said the report:

"We're as straight as you are!" shouted Stoney at the gubernatorial candidate.

"Prove it by giving me a recount in Charleston," shot back Johnston.

Why did Charleston burn its ballots?

[From the State, Columbia, S. C., Thursday morning, October 23, 1930]

DEMOCRATIC LEADERS FLAY PRACTICES IN PRIMARIES—COMMITTEE OF 15, MEETING IN COLUMBIA, URGES RULES REVISION AFTER IRREGULARITIES ARE CHARGED TO STATE

A large portion of the South Carolina Democrats was described to the committee of 15 from the State executive committee, meeting here at noon yesterday, to consider changes in the primary laws, as feeling that it did not have a square deal in the last election.

The cause of the feeling, the speakers said, was found in the inadequacy of the primary regulations and the lack of enforcement by precinct managers. The meeting was held in the State library.

It was suggested by Claud N. Sapp, the State chairman, that all statutes dealing with the primary be revoked by the legislature, leaving the matter of the party elections and control entirely in the hands of the party. He declared that the laws should not have any more to say about who can belong to the Democratic Party than the laws would stipulate membership in the Ku-Klux Klan, the Masons, or service clubs.

After two hours of discussion on irregularities and worn-out methods of handling the primaries, the committee of 15 voted to leave with Chairman Sapp and a subcommittee of five power to propose to the State legislature changes in the primary laws and to the State executive committee changes in the party regulations.

Chairman Sapp announced that he would appoint the committee later.

DECRY WARD PRACTICES

Most of the violations of laws and regulations was described as centered in the larger cities of the State, Columbia being mentioned most frequently. It was declared that in the large city wards it is impossible for managers to check on the voters because of inadequate precautions thrown about the enrollment machinery.

Present at the meeting were: E. B. McSweeney, of Allendale; Edgar A. Brown, of Barnwell; Niels Christensen, of Beaufort; J. Roy Jones, of Charleston; T. H. Stukes, of Manning; J. L. Mims, of Edgefield; C. J. Gasque, of Florence; Wilton H. Earle, of Greenville; Julian A. Wolfe, of Orangeburg; John K. Hamblin, of Union; and Dr. I. J. Campbell, of Clover.

Speaking at invitation from the committee to cite examples of the difficulties in handling big-city voting were T. B. Pearce and C. S. Henry, chairman and secretary of the Richland County Democratic executive committee, and R. B. Sloan, executvie committeeman from ward 1, Columbia, one of the largest precincts in the State. D. A. G. Ouzts, of Greenwood, also spoke.

Predicting that the time is coming when the Democrats in South Carolina will not be so preponderantly in power, Chairman Sapp urged that safeguards be thrown about the party to assure its supremacy.

ENROLLMENT HIT

Enrollment irregularities, the committeemen agreed, were the chief causes of complaint in the primary. The enrollment books at present, except in Charleston County, are placed unguarded in stores, barber shops, automobile garages, and other places where one person can write the names of many others on the books illegally. The law requires personal enrollment.

Various suggestions were offered to remedy the situation—a central place of enrollment for the larger cities, a clerk to supervise the enrollment in the various precincts, a strict rule of keeping the books in the enrollment places instead of taking them from house to house, but the means receiving the largest support was the poll tax.

Speakers claimed that voters in the primary should be made to present a poll-tax receipt when they enroll, thereby assuring, they said, enrollment of only those residents of the community and preventing "importation" of voters.

The poll-tax plan in addition received support because it would bring revenue. The cost of the primaries is increasing rapidly, the committeemen were informed, and at times get out of hand of the party's financial ability.

The looseness and vagueness of the absentee voters' law and regulation came in for attack.

"A large number of people in South Carolina do not feel like they got a square deal in the last election," Mr. Pearce declared.

"LOT OF LOOSE TALK

"There has been a lot of loose talk about the primary and in a great many instances justifiably loose talk."

To this charge Mr. Henry added that some "real old Pennsylvania politics" was injected into the campaign in the city (Columbia) and later the same tactics in the county campaign.

Mr. BLEASE. The vote in Richland County, of which the city of Columbia is the county seat and the capital of the State, was:

	Blease	Byrnes
Richland County	6,699	7,373
City of Columbia	3,259	5,137

Mr. BLEASE subsequently said: Mr. President I ask to have printed in the RECORD an editorial from the Anderson (S. C.) Independent of January 4, 1931.

There was no objection.

[From the Anderson (S. C.) Independent, January 4, 1931]

WE WONDER WHY?

Why did Governor Richards veto the appropriation of $25,000 by the 1930 general assembly for a power-rate investigation in South Carolina?

Senator Brown, of Barnwell, has stated that such a genuine fact-seeking investigation as is desired by the consumers' association would result in the saving of millions of dollars to the people of South Carolina. The senator also speaks of the "inequitable and unfair power rates now in effect in this State."

Shortly after application of the royal axe to the item we learn about a special committee, composed of Senator Brown, Messrs. John T. Stevens, and C. E. Jones, calling at the offices of the railroad commission and stating in "unqualified and unambiguous language" that while his excellency had vetoed the item of $25,000 for the investigation of power rates, that they had since conferred with the governor, and he had assured them that he would provide the necessary funds from his contingent fund to carry on the work.

But Governor Richards had advised the commission that the reason for vetoing this particular item was in order to keep the appropriation bill within a set limit which he had fixed, and as Chairman McAdams has well pointed out, how could it reasonably be assumed that, after vetoing an item, the governor would in turn pay a like amount from the contingent fund, when such amount would necessarily have to be appropriated out of the taxes levied against the people for general purposes, whereas the appropriation item which he vetoed anticipated its payment by the utilities?

To sum up the case: The railroad commission as a body recommended an investigation of the power interests. The general assembly made the necessary appropriation. Thanks to the veto of Governor Richards, the commission has no fund with which to make an investigation, and it can not proceed or progress until provided with means. In consequence, the people of South Carolina are mulcted with "inequitable and unfair power rates" and stand to lose "millions of dollars."

Mr. HEFLIN. I move that the nomination be confirmed.

The VICE PRESIDENT. The question is on the motion of the Senator from Alabama.

The motion was agreed to.

The VICE PRESIDENT. The nomination is confirmed, and the President will be notified.

CUSTOMS SERVICE

The legislative clerk announced the nomination of Elwyn T. Clark to be collector of customs, district No. 6, Bridgeport, Conn., vice Harvey P. Bissell, deceased.

The VICE PRESIDENT. Without objection, the nomination will be confirmed, and the President notified.

POSTMASTERS

Mr. McNARY. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc, and the President will be notified.

ADJOURNMENT

Mr. McNARY. As in legislative session, I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 33 minutes p. m.) the Senate, as in legislative session, adjourned until to-morrow, Tuesday, December 9, 1930, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 8, 1930

SECRETARY OF LABOR

William N. Doak to be Secretary of Labor.

COLLECTOR OF CUSTOMS

Elwyn T. Clark to be collector of customs, district No. 6, Bridgeport, Conn.

POSTMASTERS

ALABAMA

George W. Hall, Calhoun.
James R. Beall, Coffeeville.

Sister Mary Stephen, Holy Trinity.
Edith J. Ray, Munford.
Ethel M. Fowler, Theodore.

ALASKA

Josephine C. Spickett, Juneau.
Lillian H. White, Kodiak.

ARIZONA

William P. Shrodt, Ashfork.

COLORADO

George F. Wilson, Phippsburg.
Fred M. Marsh, Wellington.

CONNECTICUT

James W. Gilson, Hartford.
Frank E. Collins, Rockfall.
Inez J. Standish, Somersville.

IDAHO

Berkeley R. Sellers, Gibbs.

KENTUCKY

Luther S. Safriet, Gatliff.
Phoebe Howard, Salyersville.
Lisle B. Hanna, Shelbyville.
Russell M. Tewell, Walton.

MICHIGAN

Roy Kanouse, Ashton.
George P. Siagkris, Base Line.
Harry L. Hansen, Big Bay.
Thomas B. Townsend, Grand Ledge.
Hans Kunow, Greenbush.
George A. McNicol, Hillman.
Harry J. Skinner, McMillan.
Claude W. Till, Mears.
Bessie Dunbar, Potterville.
Merle E. Houghtby, Spring Arbor.

MISSISSIPPI

Jefferson D. Fogg, Hernando.
George H. Flowers, Kilmichael.
Benjamin C. Feitler, Philipp.
Herbert G. Laudon, Waveland.
Ida M. Turnage, Zama.

NEVADA

Vincent J. Ruse, Goldfield.

NEW HAMPSHIRE

Lena F. Carr, Bradford.
Carroll N. Young, West Stewartstown.

NEW YORK

Frank P. Redfield, Adams.
M. Romiett Masten, Athens.
Fred A. Shoemaker, Averill Park.
Caroline K. Lenz, Cheektowaga.
Ogden L. Harding, Chenango Bridge.
Ella E. Lewis, Clarkson.
Arthur N. Pero, Esperance.
Avery H. Wilcox, Gasport.
Mary E. Redman, Hamlin.
Robert A. Montague, Henderson.
Joseph N. Atwater, King Ferry.
Edward L. Merritt, Kingston.
Wayne G. Vary, Lima.
Arnol G. H. Bryan, Loudonville.
Emery Jenkins, Margaretville.
Frank C. Percival, Mount Upton.
George C. Smith, Pine Hill.
Minnie F. Anderson, Randolph.

TEXAS

Austin Davis, Cushing.
James Flanagan, Mabank.
Ruel D. Dunn, Plano.
Mamie Dyer, Tolar.

HOUSE OF REPRESENTATIVES

MONDAY, DECEMBER 8, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Lord and our God, we thank Thee that this door of prayer is open and that we may enter. In Thy daily providence we behold the tokens of the divine presence and power. We are carried along on the divine currents, though we understand them not. Help us to possess our souls with constancy, high aim, and with valiant endeavor. Attune our lives to some sweet melody so that the harmony of our characters may be more and more complete and the music of the future full and rich. We praise Thee, O God, that the peaceful splendor of the earth and sky, the opportunities and the incitements offered in this old world, testify that Thou dost still rule in mildness and mercy. Keep our outlook clear, purge our vision, and purify our hearts, and may the sessions of this Congress have solemn meanings. Through Christ our Savior. Amen.

The Journal of the proceedings of Friday, December 5, was read and approved.

INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. CRAMTON, from the Committee on Appropriations, by direction of that committee, reported the bill (H. R. 14675, Rept. No. 2073) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes, which was read by title and referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR of Colorado reserved all points of order.

Mr. CRAMTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes. Pending that motion I want to state that if that motion prevails and we go into the Committee of the Whole it is not intended to read more than the first paragraph of the bill under the 5-minute rule to-day. So that the actual consideration of the bill for amendment is not to be taken up to-day.

I am wondering as to the division of time for general debate. Requests on this side are very limited and I understand requests on the other side for time are also limited. My suggestion is, and I will ask unanimous consent, that the time for general debate on the bill be divided one half to be controlled by the gentleman from Colorado [Mr. TAYLOR] and the other half by myself, and that we run along for the present without fixing any limit of time.

Mr. TAYLOR of Colorado. That will be satisfactory to us.

The SPEAKER. The gentleman from Michigan moves that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the Department of Interior appropriation bill; and pending that asks unanimous consent that the time be equally divided, one half to be controlled by the gentleman from Colorado [Mr. TAYLOR] and the other half by himself. Is there objection?

Mr. LAGUARDIA. Reserving the right to object, will the gentleman couple with that a request that the bill will not be read to-day for amendments?

Mr. CRAMTON. I have already stated that.

Mr. LAGUARDIA. May I ask the gentleman if the emergency bill is expected to come up to-morrow; and if so, I suppose it would displace this?

Mr. TILSON. The Appropriations Committee has been in session this morning, and I have not yet heard whether the emergency bill has been reported.

Mr. CRAMTON. If the gentleman from Connecticut will permit, let me say that the emergency bill to which the gentleman from New York refers was finally acted upon by

the subcommittee on deficiencies late Saturday afternoon, too late for it to have the hearings upon the bill in shape to present to the full committee to-day. There is to be a meeting of the Appropriations Committee to-morrow morning, if the hearings are ready, to consider the bill and report it. I think I may properly say that it is intended immediately after to report it before the House for consideration.

I may further say, the subcommittee having been unanimous in its action regarding the bill as an emergency measure, it is our hope that necessity for debate may not long delay its passage.

Mr. LAGUARDIA. Will the hearings be available to Members to-day?

Mr. CRAMTON. I doubt if they are yet printed. The bill would have been taken up in full committee this morning if the hearings had been available.

Mr. BANKHEAD. May I ask the gentleman from Michigan if this bill will be reported in the form of a deficiency bill?

Mr. CRAMTON. Substantially; but it may not be called that.

Mr. BANKHEAD. Will the provisions in it be authorized by law, so that it will be privileged?

Mr. CRAMTON. Yes; they are all items authorized by law.

Mr. LINTHICUM. Will the gentleman state how much the bill carries?

Mr. CRAMTON. One hundred and ten million dollars. There is no harm in my stating that, as it has been given out to the press by consent of the subcommittee.

The bill carries $110,000,000 for river and harbor work, for flood control, and for the construction of roads, either under the Federal highway program, in the national parks, or the national forests.

Mr. LAGUARDIA. On projects heretofore authorized?

Mr. CRAMTON. All of them have been authorized by law.

Mr. LINTHICUM. Does the gentleman remember how much is carried for rivers and harbors?

Mr. CRAMTON. My recollection is $22,500,000.

Mr. LINTHICUM. That is the part that I am interested in.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent in response to these questions to insert in the RECORD the brief statement given out yesterday by Mr. WOOD, the Chairman of the Committee on Appropriations.

The SPEAKER. The gentleman from Michigan asks unanimous consent to extend his remarks by printing the statement given out by the gentleman from Indiana [Mr. WOOD]. Is there objection?

There was no objection.

STATEMENT BY MR. WOOD

A subcommittee of the House Committee on Appropriations in charge of appropriation for deficiency matters, having had under consideration for several days the emergency bill authorizing the expenditure of $150,000,000 for the purpose of expediting work on such Government projects as will furnish immediate employment, have unanimously agreed that there should be appropriated for the purpose above named $110,000,000, to be allocated as follows:

To Federal-aid highways, $80,000,000; rivers and harbors, $22,500,000; flood control, $3,000,000; roads in national forests, $3,000,000; roads and trails in national parks, $1,500,000, making a total of $110,000,000.

The appropriation for Federal-aid roads of $80,000,000 constitutes an advance of that amount to be allocated to the various States to meet the provisions of the Federal highway act as to State funds required on Federal-aid projects. The sums advanced are to be reimbursed to the Government over a period of five years, commencing in 1933, by making deductions from regular apportionments made from future authorizations for carrying out that act.

The subcommittee will also recommend that the bill contain an interchangeable clause between the appropriation, so that in the event more or less money can advantageously be used on one of these allocations than another there will be latitude for some discretion in administration so as to furnish a maximum of employment within the total fund.

In the opinion of the subcommittee the other items making up the $150,000,000 are all more or less involved in the regular appropriations for the various activities suggested in the estimates from the Budget for 1932 and can better be taken up and considered in the regular appropriation bills, or the first deficiency bill, which will become a law early in the session, with the idea in view that all of such items as are found to be necessary for some useful governmental purpose and will assist in giving employment can be appropriated for and made immediately available. In the opinion of the subcommittee this is the most practical manner in which to determine this situation.

The appropriation recommended by the subcommittee and constituting the $110,000,000 are nation-wide in their scope and will furnish employment to some considerable degree throughout the entire country.

This bill will be reported by the subcommittee to the whole committee on Tuesday next, at which time the hearings and reports will be printed and available.

The subcommittee is of the opinion that there will be no serious objection from any quarter to the immediate consideration of this measure, and hopes it will become a law within a very short time.

Mr. TUCKER. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. TUCKER. I understand from the gentleman from Michigan [Mr. CRAMTON] that if this emergency bill comes in in the morning the Interior bill will yield to it?

Mr. CRAMTON. That is the expectation, and it is my hope that the desire of he House to speed that emergency bill will be so great that they will not long delay either that bill or the Interior Department bill.

Mr. TILSON. And may I express the hope that the general debate will take place to-day on the Interior appropriation bill rather than upon the emergency bill to-morrow.

Mr. GARNER. Mr. Speaker, I desire to ask some questions of the gentleman from Connecticut [Mr. TILSON]. So far as we on this side of the House have been able to ascertain, the Interior appropriation bill and the so-called emergency building program bill will be all that will be considered this week.

Mr. TILSON. Up until Wednesday. Calendar Wednesday business will be in order on Wednesday.

Mr. GARNER. I want to go a little farther with the gentleman. There is what is known as the emergency farm appropriation. I wonder if the gentleman expects to consider that this week.

Mr. TILSON. I do not know whether it will be ready or not. If so, it should be considered. That is the reason I did not go farther than Wednesday night in making the arrangements for this week. I did not wish to mislead anybody.

Mr. SNELL. Has it been reported out of the committee yet?

Mr. GARNER. I am informed by the gentleman from Louisiana [Mr. ASWELL], the ranking Democrat on the committee, that the bill is ready for report at the present time. I do not see any reason why these emergency matters should not be considered at the earliest possible moment, even to the exclusion of appropriation bills. The Interior bill will take all day in general debate, and I have no criticism of that. It does seem to me that if you have the so-called emergency bill ready by to-morrow, you could very well displace the Interior appropriation bill and take up that bill and complete it at the earliest moment. And if the farm relief bill is ready at that time, then take that up and complete it. I think that these emergency bills should come up even prior to the appropriation bills, because they must be acted on. While making this statement, let me direct the gentleman's attention once more to the Muscle Shoals proposition, and I again ask the gentleman if he has any knowledge as to when the House will be permitted to vote on that bill, if at all.

Mr. TILSON. Does the gentleman wish me to answer both questions at once? I am in entire accord with the gentleman in regard to the consideration of the emergency bills, and for that reason have left the remainder of this week's program open. As soon as these emergency bills are reported I shall make every effort to have them immediately considered.

So far as the Muscle Shoals proposition is concerned, that is in conference, and until some action is taken by the conference committee there is nothing that I can do about it.

Mr. GARNER. Mr. Speaker, I see the gentleman from New York [Mr. SNELL], the chairman of the Rules Committee, is present. The gentleman from Connecticut [Mr. TILSON] has declared his helplessness so far as Muscle Shoals is concerned. I assume from his statement last week and his statement to-day that he does not undertake to direct or influence the conference committee. Therefore, we have no idea when, if at all, there will be any report from that committee. Let me propose an inquiry to the gentleman from New York [Mr. SNELL]. It was reported in the newspapers that the gentleman from New York had said that he proposed to give the House an opportunity to consider the Muscle Shoals question at this session, and the newspapers also reported that the Speaker of the House of Representatives had declared himself likewise; and, if I am not mistaken, they reported the majority leader [Mr. TILSON] as standing pat on the proposition. I can get no information from him, either this week or last week. I would like to know from the gentleman from New York [Mr. SNELL] whether there is any doubt that the House will have an opportunity to consider the Muscle Shoals question at this session.

Mr. SNELL. Is the gentleman going to ask me that question every morning?

Mr. GARNER. I may do it until the gentleman answers it. I think the gentleman ought to be willing to tell the House what he intends to do.

Mr. SNELL. I have not changed my mind on the matter. The gentleman did not expect to get it the first day of the session, did he?

Mr. GARNER. No; but I thought we would get it some time before the holidays.

Mr. SNELL. I do not know whether we will get it out before the holidays or not. As far as I am concerned, I said publicly, and I say to the gentleman now, and I will say the same to him every morning if he desires to ask me the question, that I would like to have a vote on the Muscle Shoals question. I would like to get the proposition settled, and I shall do as much to help settle it as he will. [Applause.]

Mr. GARNER. I wanted to know what was on the gentleman's mind.

Mr. SNELL. The gentleman can find what is on my mind every day, if he will only ask me.

The SPEAKER. The question is on the motion of the gentleman from Michigan that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Interior Department appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the Interior Department appropriation bill, with Mr. CHINDBLOM in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14675, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. CRAMTON. Mr. Chairman, I yield myself one hour.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks, and in doing so to include certain statements by others and other pertinent matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAMTON. Mr. Chairman and ladies and gentlemen of the committee, it is my fortune this morning for the tenth time to present to the House the annual appropriation bill for the Department of the Interior. I trust I may be pardoned in doing so if I repeat the statement which I made in opening the hearings on the bill. It is somewhat historical or retrospective.

December 12, 1921, as chairman of the subcommittee in charge of the Interior Department appropriation bill for the fiscal year 1923, I opened the hearings on that bill, the first appropriation bill in the history of the Government exclusively for the Department of the Interior. Prior to that time the needs of that department were scattered in various appropriation bills, coming from various committees, as was the case with the other departments, the needs of the Interior Department having been cared for in the sundry civil appropriation bill, the legislative, executive, and judicial, the Indian, and the pension. The 1923 bill was for the first time a bill exclusively for the Interior Department and carrying all the appropriations for that department.

That plan, inaugurated at that time by the late Martin B. Madden, at that time chairman of the Appropriations Committee, whose wise leadership will long continue to influence the administration of the business affairs of our Government, gives to the subcommittee in charge of a department bill the opportunity to study the administration of affairs in that department as a whole, to study the problems in its charge, and to cooperate helpfully in the formulation and execution of its policies. My opportunity to study the problems of one department in the field and across the committee hearing table, continuing thus for 10 years has been unique, and I have found the experience very interesting. The problems of the Interior Department are so largely of a constructive character and so largely influence the future development of our Nation and its resources that it is a privilege to share their study.

It is not too much to say that this committee has contributed many suggestions, and at times effective aid in the solution of those problems. Its recommendations have at times provoked lively controversy in the House, the Senate, or in the country. I am proud to be able to say, however, that, almost without exception, its recommendations have been approved by the House and accepted by the Senate. As I have made my preliminary study of the pending estimates, I have been highly gratified to find that in the field the policies we have suggested have been so generally accepted and desired and important cooperation has resulted.

That first Interior bill subcommittee included besides myself Hon. J. A. Elston, whose dramatic death occurred three days later; Hon. BURTON L. FRENCH, still a member of the subcommittee; Hon. Charles D. Carter, since deceased; and Hon. James F. Byrnes, soon to enter the Senate from his State.

Beginning with the 1924 bill Hon. Frank Murphy has served as a member succeeding Mr. Elston. Beginning with the 1925 bill Hon. Edward T. Taylor has served, succeeding Mr. Byrnes. Beginning with the 1929, bill Hon. WILLIAM W. HASTINGS has served, succeeding Mr. Carter. There have, therefore, been only eight serving on this subcommittee at any time in the 10 years.

I have been very fortunate in having associated with me in the work upon this bill such able, experienced, and conscientious men, and to their advice and assistance, their generous cooperation, and patient forbearance I owe any success that has seemed to be mine in this chairmanship, and as this, the tenth, is to be my last, I desire to publicly acknowledge that cooperation and support. Every action taken by this subcommittee has been unanimous, and cordially supported by us all.

I am proud of the work done by this committee in these many years and appreciative of the cooperation of my colleagues. I am also appreciative of the cooperation we have had in that time from the various bureaus and services in the department.

And I may further say what, I am sure, every chairman in charge of a bill in the Committee on Appropriations would reiterate, that we are all greatly indebted for the

guidance and help and cooperation that we have had at all times from the clerk of the committee, Mr. Marcellus Sheild. There is no man in the whole organization of the Government who understands the business of the United States as well as he does. [Applause.]

I will insert in my remarks a tabulation that will show the annual appropriations under the Department of the Interior, including deficiencies, for the fiscal years 1916 to 1931, and also the appropriations recommended by the committee in the bill before you.

Annual appropriations under the Department of the Interior, including deficiencies, fiscal years 1916–1931

[Exclusive of permanent and indefinite appropriations]

	Indian tribal funds	Indian reimbursable appropriations	All other Indian appropriations	Army and Navy pensions	Civil-service retirement fund	Reclamation	All other Interior Department appropriations	Total
1932 (reported)	$3,275,963.98	$2,664,241.00	[5] $21,759,255.75	[6]	[6]	[6] $24,146,000.00	$21,630,800.00	[6] $72,627,435.71
1931	3,231,032.04	2,309,741.00	18,961,238.74	$212,500,000.00	$20,850,000.00	[7] 19,721,000.00	23,707,044.00	301,370,055.78
1930	4,728,829.60	1,991,261.00	16,818,613.81	221,000,000.00	20,500,000.00	8,353,003.00	19,855,847.52	293,247,549.93
1929	3,991,202.74	2,485,720.00	13,481,997.11	229,000,000.00	19,950,000.00	14,149,400.00	17,041,967.55	300,130,287.40
1928	2,535,955.00	5,452,125.00	11,044,361.00	[1] 267,000,000.00		11,903,800.00	15,851,541.34	313,787,782.34
1927 [2]	2,414,808.00	2,412,500.00	10,525,869.31	193,000,000.00		7,556,000.00	14,121,908.75	230,023,086.06
1926 [3]	2,135,010.00	1,589,178.00	13,723,681.55	197,000,000.00		12,349,000.00	[3] 20,924,109.00	[3] 247,720,978.55
1925	2,612,700.00	1,556,106.08	9,656,420.00	222,590,000.00		11,106,289.00	19,215,518.00	266,737,033.08
1924	2,406,600.00	2,179,850.00	9,466,854.00	253,003,000.00		12,250,000.00	21,598,594.00	300,896,838.00
1923	2,483,573.00	1,041,466.00	9,383,720.00	268,000,000.00		15,075,000.00	22,710,520.00	318,694,279.00
1922	2,716,921.00	1,249,005.00	8,724,170.00	265,000,000.00		20,266,000.00	20,160,758.00	318,116,854.00
1921	1,415,165.00	1,450,830.00	9,268,513.00	279,000,000.00		8,463,000.00	21,972,532.00	321,570,040.00
1920	1,531,817.00	2,173,833.00	9,160,629.00	215,000,000.00		7,300,000.00	24,071,669.00	259,237,948.00
1919	1,750,000.00	2,133,583.00	8,982,753.00	223,000,000.00		9,497,080.00	20,365,644.00	265,729,060.00
1918	1,291,117.00	2,029,500.00	9,818,295.00	183,000,000.00		8,227,000.00	28,396,245.00	232,762,157.00
1917	1,263,250.00	1,921,986.00	9,045,658.00	163,000,000.00		8,884,000.00	18,275,465.00	202,390,359.00
1916	665,000.00	518,740.00	9,253,162.00	164,000,000.00		13,530,000.00	15,120,077.00	203,086,979.00

[1] Includes deficiency for 1927, which was paid from 1928 appropriations.
[2] Does not include appropriations for the Patent Office and the Bureau of Mines, which have been transferred to the Department of Commerce.
[3] Includes $4,773,160 appropriated for the Patent Office and the Bureau of Mines transferred to the Department of Commerce July 1, 1925.
[4] Estimates for 1932 for the Pension Bureau and civil-service retirement fund will be contained in the independent offices bill owing to the transfer of these items to the Veterans' Administration.
[5] Includes $1,218,000 for medical relief of and education of natives in Alaska, heretofore appropriated for under the office of education.
[6] Includes $10,660,000 for the Boulder Dam project, not from the reclamation fund.
[7] Includes $15,000,000 for the Boulder Dam project, not from the reclamation fund.

This bill embraces all the annual appropriations for the various branches of the Government service under the jurisdiction of the Interior Department, the estimates for such annual appropriations totaling $69,392,711.73.

In addition to the regular annual appropriations the estimated permanent and indefinite appropriations for the fiscal year 1932 aggregate $15,952,500, making the total of the estimates for the Interior Department for the fiscal year 1932, $85,345,211.73.

The permanent annual appropriations are those which occur automatically each year without annual action by Congress, having been created specifically by Congress in previous years and continuing as such until modified or discontinued.

The total regular annual appropriations for the Interior Department for the fiscal year 1931, including $11,467,600 in the second deficiency act, 1930, amounted to $62,911,623.74.

The amount recommended to be appropriated in this bill is $68,552,006.73, which is $5,640,382.99 more than the 1931 appropriations and $840,705 less than the Budget estimates for 1932.

I may say that the increase for 1932 compared with 1931, amounting to $5,640,000, is chiefly accounted for by the increased appropriation for the construction of the Boulder Canyon project. For the current year, through a deficiency item, there was appropriated $10,660,000 to commence the construction of that great project, which is to cost something like $150,000,000, to be completed in seven or eight years. The current bill carries $15,000,000 for the continuation of that work. In a general way that increase of $5,000,000 accounts for the increase in the current bill.

In my discussion of the bill I have in mind to discuss somewhat the general policies that obtained in the making up of the bill rather than attempt to discuss all the great multitude of items in the bill.

NO SALARY INCREASES

The bill carries in section 3 the same language with reference to increases of salary as the House adopted in its consideration of the Treasury and Post Office appropriation bill. It reads as follows:

SEC. 3. No appropriation in this act for the fiscal year 1932 shall be used during such fiscal year to increase the compensation of any position within the grade to which such position has been allocated under the classification act of 1923, as amended, nor to increase the compensation of any position in the field service, the pay of which is adjustable to correspond so far as may be practicable to the rates established by such act as amended for the departmental service in the District of Columbia.

INDIAN AFFAIRS

The Bureau of Indian Affairs, with an appropriation of nearly $25,000,000, bulks very largely in the total expenditures under this bill, and if you care to examine our hearings, you will find that the consideration of its needs bulks very largely in those hearings. The hearings at pages 702 and following give an itemization of the expenditures the last fiscal year in considerable detail.

INDIAN POPULATION

There are in the United States something like 340,000 Indians. Of that number, some 212,000 are wards of the Government, and hence our concern here in the matter of appropriations in the main is with those who are wards of the Government. I think, though it is not always true, sometimes there are Indians who by reason of this periodical haste of uplifters to remove the Indians from this "bureaucratic domination" and to give them control of their own property have had their restrictions removed, and having been given that free right to sell their property and lands, within a very brief period they have availed themselves of that privilege, sold their lands, and have become dependent on the communities in which they live or on the State or Nation. There are occasionally counties—I have in mind one in North Dakota, where I studied the situation a few years ago—where, with a total population of 10,000, the county was really bankrupt. They had been spending from $10,000 to $15,000 or $20,000 a year for the relief of Indians; Indians who were no longer restricted in their rights; Indians who had been given the same right to care for their property or to alienate it as any white man; Indians who had the right to vote and legally had been placed in the same position as any whites in those counties.

You can readily understand what a terrific burden it would be on any county, with a total population of 10,000, and with very limited taxable sources, to spend ten or fifteen or twenty thousand dollars in the relief of such Indians, and, while we must be careful about any wholesale policy of providing for nonrestricted Indians, as we do for restricted Indians, it has also seemed to me very proper that when we have hospital facilities in such a county, we might well cooperate by at least receiving in such hospital already established, and at no great additional expense, Indians who were entirely dependent and in need of aid.

There are only 212,000 Indians who are wards of the Government. Of those 212,000, quite a percentage have property of their own. Quite a percentage have an income

that will, in whole or in part, provide for their own support. Of that number, of course, as you go down the scale, the less the amount of property they own, the less money they have for their own support, the larger in the class. But this 212,000 includes some who have enough money for their own support, and others who have enough land, if they would only avail themselves of their opportunity and till their acres and work to take care of their own support; and others whose money is sufficient only in part.

FEDERAL EXPENDITURES FOR THE INDIANS

Now, with that picture as to numbers, let me call your attention to the fact that this bill carries for Indians in the United States something over $23,000,000, to be exact $23,205,496.73, for Indians of the United States. There is in addition $1,218,000 for the natives of Alaska.

Mr. LINTHICUM. Will the gentleman yield? I do not want to interrupt the gentleman if it will interfere.

Mr. CRAMTON. I do not mind a question directed to the matter I am discussing.

Mr. LINTHICUM. Is there any offset for this amount of $23,000,000 or $25,000,000 which we spend? Do we get some income from the properties?

Mr. CRAMTON. We do not get any income from their properties, strictly speaking. The amount I mentioned is an expenditure from the Federal Treasury. In addition to that, the bill authorizes something like $3,275,000 additional of Indian funds for their benefit. Of this $23,000,000 for the Indians of the United States, approximately $20,000,000 is a gratuity, an outright expenditure which never comes back to the Treasury. There are in addition to that included in the $23,000,000, $2,664,241 of what we call reimbursable appropriations. Those are appropriations made from the Treasury for the benefit of the Indians and by the terms of the appropriation act are to be reimbursed at some more or less indefinite time by the Indians to the Treasury.

These reimbursible items are of two classes. Those that will be reimbursed and those that never will be. There was a time when in the Indian appropriation bills it was the custom to try to ease an item through the House, get its passage by putting in the word "reimbursible," even when everybody was very sure it never would be reimbursed. Two or three years ago our committee established a policy absolutely against that, so that in this bill, all of that $2,664,241 we hope, more or less strongly, will be reimbursed. Some of it we are sure will be reimbursed. Some of it, in the mutations of time, probably will not be.

So that the expenditures from the Treasury that are never coming back are above $20,000,000.

The following tabulation shows the very rapid increase in these appropriations for Indians in the United States, and not including Alaska, during the time I have had to do with this bill:

	Reimbursable appropriations	Gratuity appropriations	Total Indian appropriations
1923	$1,041,466.00	$9,383,720.00	$10,425,186.00
1924	2,179,850.00	9,458,854.00	11,638,704.00
1925	1,556,108.08	9,656,420.00	11,212,528.08
1926	1,589,178.00	13,723,681.55	15,312,859.55
1927	2,412,500.00	10,525,869.31	12,938,369.31
1928	5,452,125.00	11,044,361.00	16,496,486.00
1929	2,485,720.00	13,481,997.11	15,967,717.11
1930	1,991,291.00	16,818,613.81	18,809,874.81
1931	2,309,441.00	20,053,989.74	22,363,430.74
1932 (estimated)	2,664,241.00	20,541,255.73	23,205,496.73

The following table gives a comparison of the division of the regular and deficiency appropriations for 1930 and 1931 and the estimates for 1932:

	Appropriations, 1930	Appropriations, 1931	Estimates, 1932
General purposes	$2,010,195.40	$2,329,708.74	$2,232,975.73
Industrial assistance	1,305,000.00	1,624,000.00	1,785,500.00
Irrigation and water development	1,299,954.41	1,445,441.00	2,207,341.00
Education	9,173,500.00	10,365,250.00	11,180,775.00
Conservation of health	3,115,100.00	3,411,000.00	4,064,680.00
Support of Indians	1,594,560.00	1,768,560.00	1,839,620.00
Miscellaneous	288,520.00	327,020.00	305,020.00
Total	18,794,829.81	21,270,979.74	23,615,911.73

INDIAN APPROPRIATIONS DOUBLED IN 10 YEARS

I have, perhaps, had about as much newspaper abuse as any Member of this House, originating with discredited propagandists who could not dictate to me, growing out of the charge that I have been unfair to the Indians, which may seem surprising to you in view of the fact that the first year I was chairman of this subcommittee the total appropriations for the Indian Service were $10,425,186, as against about $23,000,000 for the Indians in this bill that is now before the House.

Now, at the risk of being further assailed as an enemy of the Indians I want to direct the thought of the House to the proposition that with something less than 200,000 Indians dependent upon the Government of the United States in any degree, it seems to me we have about reached the limit we ought to contemplate as to Federal funds for the aid of the Indians, keeping in mind the Treasury of the United States has so many demands upon it that not every proposal that has appeal can be accepted.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. LAGUARDIA. How many Indians are there?

Mr. CRAMTON. There are, as I remember, about 212,000 wards, but of that number there are a number who have funds to take care of themselves.

There are those who are promising you from time to time the immediate settlement of the Indian problem. There are those who would give you the impression that in all the past years we have done nothing as far as the Government is concerned; that we are just starting, but it is not going to take long to finish the job. But I say to you we have done much, marked progress has been made, the job must be continued, and the end of the job is not yet in sight.

THE INDIAN PROBLEM

The Indian problem is a complicated problem. I have sometimes said, "There is not one Indian problem; there are 200,000 Indian problems."

Any of you who have children in your families have discovered long ago that each one is a problem, and that there is enough difference between the children of the same parents so that each child is different from the others and his problem is different from the other problems.

So it is with the Indians. No two Indians are identical. The method of treatment for one does not succeed with another. Especially is this true and more readily will it be appreciated when I remind you that these Indians are divided into a great number of tribes, scattered though a great empire of country, chiefly in the western United States. There is no more difference between a Scotchman and a Slav, between a German and an Italian than there is between a Navajo and a Flathead or between a Pima and a Sioux, and still the idealists in the East class them all as Indians. They think it is only one problem and that we ought to be able to lay down one rule of administration that would solve these 200,000 problems and fix now a date when the job would be done.

The Pima, never a warrior, but an agriculturalist and irrigationist, a thousand years ago or more. The Sioux, a warrior, and even during these days, 30 or 40 years after their last battle at Wounded Knee, with broad acres about them, disinclined to till the soil and provide for their families as they well might. The Navajos, with thousands of acres of arid or semiarid lands, tending their flocks and following the water from month to month through the season, a tribe for whom we have done perhaps the least of any of the tribes, or certainly among the least, they never were the recipients of rations, but they are showing as much promise as any tribe in their development and advancement. The Flatheads, living in the northern climes, with no thought of herds or of agriculture, not in a class with the Sioux as warriors but possessed of great forests and power opportunities and opportunities for agriculture, if they would only see fit to embrace the opportunities they have.

The problem, then, is not one problem but many problems. But the problem is further complicated by the fact that in the mind of the average American—say of one

hundred million of our population—the Indian is a figure of romance. They do not see the Indian as he is. They do not know the Indian as he is. He is a creature of their imagination from all their reading of literature and from the pictures the idealists have painted.

Some resent the idea of changing the Indian. There have been definite movements engineered by those who profit from the Indian as he is, writers and artists who find, for instance, the Pueblo of to-day, or the Navajo of to-day, or the Sioux of to-day, in their Indian garb offering fit and interesting subjects for the brush of the painter or for the pen of the writer, and they have urged that this picture be not disturbed.

To my mind, the Indian of America can no more expect to live as his grandfather lived than I can expect to live as did my grandfather, who migrated into wild Michigan, carrying with him his bride in an ox wagon. Times change, and without wearying you with a discussion of this problem, let me venture the expression of my opinion that the solution of the Indian problem—these many Indian problems—lies in the same direction as does the solution of the problem in your family for each of your children. You want to prepare those children to take their places in America as citizens of this Nation, prepared to render their proper service in the work of the future. Such is the Indian problem, that he shall in time to come be fit to render his part as an Indian citizen, but nevertheless as an American citizen, bearing his responsibility and caring for himself rather than being the subject of governmental care.

ORGANIZATIONS FOR THE INDIAN

The difficulty in working that out is that there are about 100,000,000 people who never saw an Indian and they have only their idealistic ideas. So from time to time there come along organizers, lobbyists, and secretaries who make themselves jobs by organizing associations to protect these Indians. They go to these 100,000,000 people who do not know the Indian, but who universally are actuated by a desire to see that the Indian has all that is coming to him, and they raise funds and they build organizations. I am not speaking of all organizations. I am speaking of the undesirable class. In time they get to the point where, if they admit the Government of the United States is doing what it ought to do for the Indian, they have admitted themselves out of a job, and this undesirable class is never going to admit that. Hence, whatever the Government does, however wise its administration and however generous its expenditures, there will be complaint from such that the Government is still abusing the Indians.

There are other organizations that render an excellent service and our committee's door has always been open to them and we have cooperated with them.

I will refer now to such an organization. At times I have referred to certain organizations in this House in an uncomplimentary way. There is, at the present time, a work participated in by the General Federation of Women's Clubs, who, having a membership in every State where there are Indians, as well as in other States, are in a position to and are rendering a very helpful service, not apparently with any desire of projecting themselves into the limelight or holding a job, but from a sincere desire to help the Indians. They have valuable contacts in the field, in fact have some clubs with entirely Indian membership. For several years, under the chairmanship of Mrs. Joseph Lindon Smith, of New York, we have had confidence in their integrity and their fairness and the sanity of their purposes, and have many valuable suggestions from them. Mrs. Smith spends a great deal of her time in the field visiting reservations and in contact with the officials here in Washington.

Serving also on that committee is Mrs. Weigel, of Colorado, who has been appointed by the governor of that State, Indian commissioner for the State.

THE GRAFT OF OLD NO LONGER PRESENT

There was a time when the Indian Service in the field was honeycombed with graft; men in those days, remote from the telegraph, remote from the railroad, and with limited control from Washington, exploited the funds of the Government. But that day is passed. There is a surprising minimum of dishonest dealings in the Indian Service in the field, when you remember how widespread are its activities. To my attention have come in 10 years almost no cases of that dishonesty. From time to time there will be cases where an official of the service does not render most efficient service. But what can you expect in such a far-flung service as this? I am sure of this, that with the increases in salaries that have been made there is a marked increase in the capacity of the personnel; but in saying that I do not want to appear to reflect on many of the old-timers whom you, Judge EVANS, have known and other men here have known, who have rendered honest service and efficient service far beyond any salaries that were paid.

INDIANS IN THE INDIAN SERVICE

Mr. LAGUARDIA. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. LAGUARDIA. Has the bureau ever tried the plan of using as agents Indians who have gone through school; and if so, how does that work out?

Mr. CRAMTON. The gentleman will find that we have touched on that in our hearings. Generally speaking, the Indian Service tries to give preference to Indians for employment. Just at the moment I only think of one Indian superintendent, and that is an Indian who happens to have the name of Burns, upon the Red Lake Chippewa Reservation. In the hearings we developed the situation as to their right to use Indians under the civil service. Of course, most of the personnel in the higher places comes under the civil service, and they have the right, if there is an Indian on the eligible list, to give that Indian preference for the position even if he is not one of the three highest. Our committee in its hearings went as far as it could, and we met with a very responsive attitude on the part of the bureau. However high the position, if there is an Indian who is qualified he is to be given the preference.

Mr. LAGUARDIA. Does the employment of Indians work out well?

Mr. CRAMTON. There are a large number of them in the Indian Service. They are employed as teachers in the schools, as nurses, and as disciplinarians in many important positions. They are as a rule making good, some in marked degree. With the passage of time and the increase in educational facilities there will be an increased number in the higher positions.

WHERE INCREASES ARE CHIEFLY SPENT

Mr. LINTHICUM. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. LINTHICUM. I want to say to the gentleman that I certainly have enjoyed his talk about these Indians. The question which occurred to me is: What causes this remarkable increase from $10,000,000 in 1921 or 1922 to $23,000,000 at the present time?

Mr. CRAMTON. That increase has not been, I may say, in any degree in the strictly administrative side. It has been in expenditures for benefit of the Indians and mainly under one of three heads. First, industrial assistance, the buying of lands and the development of water supplies, and the reimbursable items under which an Indian may borrow money with which to buy seeds, tools, sheep, goats, or cows, and repays the loan in five years. That is one reimbursable item that is reimbursed. Secondly, for education, which is over half of this appropriation now, and, thirdly, for health.

There has been a very marked increase in the latter appropriation each year brought about by reason of the fact that there have been a number of new hospitals erected, and, of course, as each new hospital is erected that increases the cost of maintenance. And I may say that within that 10 years just about marks the time when the Indian, generally speaking, has become generally willing to trust himself to the white man's doctor instead of relying entirely upon his medicine men.

Mr. MORTON D. HULL. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. MORTON D. HULL. Are these Indians who are in the service in the capacity of teachers and otherwise of full blood, or Indians with white blood?

Mr. CRAMTON. Both. I have seen many a full blood who rendered splended service.

HIGHER EDUCATION FOR INDIANS

Mr. HOUSTON of Hawaii. Is any provision made for giving the Indians higher education so as to train them for doctors?

Mr. CRAMTON. I do not know that we are in any hurry this afternoon, so I imagine I may as well answer each question as it is asked, as I may not reach it later. Generally speaking, the effort is for the fundamentals of education. Naturally, that is the most widespread now, but gradually the schools are being pushed up until many of them are in the tenth grade and occasionally we find one in the twelfth grade.

The opportunities to go beyond that are these: I am one that believes that the States in which these Indians live have a responsibility equal to that of the Federal Government, and they have a very selfish interest in the development of these Indians, because a State that has 100,000 Indians in it, the future development of that State in part is wrapped up with those Indians. So the States have a responsibility and, sometimes, they meet that responsibility very well. For instance, at Riverside, Calif., there is a Federal boarding school for Indians and those Indians come from several different States. The people of Riverside have a junior college as well as a high school and they are so broadgauged—I was told this several years ago and I suppose it continues—that any child maintained at that Indian boarding school, even though he may have come from Nevada or New Mexico, he is admitted to the high school or the junior college in Riverside without any payment of tuition. He can live there at Riverside and attend the junior college.

The number necessarily will be limited, but there is that opportunity. The same thing is true in North Dakota at Wahpeton, where we have a boarding school and the State has an industrial college across the road, and there they not only waive tuition but furnish the books and everything. So an Indian boy who is attending Wahpeton school can live there and go across the road and get his education from the State.

In the deficiency bill last year was first carried an item which is repeated in this bill. This is the first time it has been in the regular bill.

That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe.

This first came to our attention last year when the gentleman from Wisconsin [Mr. SCHNEIDER] had certain Menominees express a desire to do something like this. The Menominees as a tribe have several million dollars. This was industrial assistance along a little different line, so we have extended it to Treasury appropriations as well. Mrs. Joseph Lindon Smith, chairman of the Indian welfare committee of the General Federation of Women's Clubs, urged the need of this also. For the current year, by reason of such an item, the hearings will show that two Indians are attending institutions, I think one to study nursing and one to study agriculture.

Mr. HOUSTON of Hawaii. I framed the question particularly because the gentleman made some reference to the fact that Indians were submitting to the treatment of outside doctors rather than their own tribal medicine men. It is a psychological fact that the Indians and most aborigines are suspicious, I believe, of doctors, and it would be of advantage to the Government in reservations to have Indians trained to become regular doctors, it would seem.

Mr. CRAMTON. Yes.

Mr. ARENTZ. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. ARENTZ. While we are on the question of higher education, a great many people in the United States have the idea that an Indian who graduated from Carlisle had a higher education.

Mr. CRAMTON. Yes.

Mr. ARENTZ. And the question is often asked, "Why is it these men who graduated from Carlisle were not doctors or lawyers?" As a matter of fact, a man who graduated from Carlisle merely received a high-school education. That is the fact, although a great many people do not appreciate it. So we have now only two Indians that are going to college, according to the gentleman's statement.

Mr. CRAMTON. Two that I know of who are going to college under this language. There are some studying under this provision urged by the gentleman from Montana [Mr. LEAVITT]:

That not to exceed $10,000 of the amount herein appropriated shall be available for educating Indian youth in stock raising at the United States Range Livestock Experiment Station at Miles City, Mont.

Mr. ARENTZ. And there are very few Indians who get beyond high school?

Mr. CRAMTON. Yes.

WORLD WAR SERVICE OF INDIANS

Mr. FINLEY. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. FINLEY. In the World War has the gentleman any information as to how many Indians were enlisted in the service?

Mr. CRAMTON. I can not answer the gentleman's question exactly, but as I have gone about the West I have been impressed by the wonderful service rendered by the Indians in the World War, and once I did start an effort to get a tabulation of the information which the gentleman has asked, but I have not been able to get it. I think I can say that in the number in the service and in the number of fatalities, I presume the Indian population contributed in excess to the general average.

Mr. REED of New York. That statement is true.

INDUSTRIAL PROGRESS

Mr. CRAMTON. Now I have said that the appropriation is chiefly used for industrial assistance, for education, and for health. I have said something about the way in which the money is expended for industrial assistance. Sometimes you look at it from one side of the picture and it seems hopeless to ever expect an Indian to be an agriculturist. And yet, on the other hand, sometimes when you look at the other side of the picture it is highly encouraging.

I remember in Oklahoma a few years ago I was with Mr. Bunting, and we went about to the lands of the Indians under his care—Kiowas and Comanches, as I recollect—and I was greatly interested by their zeal in using their money in building homes. If time permitted I would like to amplify that. It was very encouraging.

EDUCATION OF INDIANS

Now I have discussed education somewhat. I would call to your attention generally the policy with reference to the education of Indian children.

The first thought prevailed for several years and is emphasized now, that the Indian children are best educated in the public schools along with white children. That is done where it is feasible.

There are at the present time a total of 25,500 children for whom we are paying tuition in local public schools.

The fairness of that appears from the fact that the Indians pay no tax on their property and in many cases it would be financially impossible for them to be cared for in the public schools except without paying tuition.

There are many other children in the public schools for whom no tuition is paid where it is not possible to put them in public schools for the reason that there may be no school accessible or that they may not be in a condition so that they could go to public school. The next thing is the day school on an Indian reservation maintained by the Govern-

ment. Then where it is not possible for them to go to public school there is a boarding school on the Indian reservation.

Then comes the nonreservation boarding school to gather up the children from all reservations—schools better equipped, and they offer more facilities for the education of the children.

So altogether there are in the United States 79,534 children of school age under the jurisdiction of the bureau and 68,220 attending school under Federal or State supervision.

The total expenditure from the Treasury for education is $11,726,000, which is an increase of $537,060 above the current year. This amount maintains 12,420 children in nonreservation boarding schools specifically appropriated for at a total cost of $5,500,000; 8,250 children in reservation boarding schools; 3,900 children in boarding schools conducted by other agencies than the Federal Government; 875 children in special institutions for defectives; 4,000 children in day schools maintained by the Federal Government and 25,500 children for whom tuition in local public schools is paid by the Federal Government, a total of 54,945 children; 4,000 children in Alaska in day schools and 500 children in Alaska in boarding schools, a total of 4,500 children. There are in the United States 79,534 children of school age under the jurisdiction of the Bureau of Indian Affairs, of whom 68,220 attend school under Federal or State supervision. In Alaska there are 7,500 children, of whom 4,500 have school facilities.

Sixty-eight thousand out of seventy-nine thousand is a good percentage when you consider the remote places in which many of them live.

INDIAN HEALTH

Now as to the conservation of health the bill carries $4,494,000, which is an increase of $814,239 above the appropriation for the current year, and $109,800 above the Budget estimate.

This allowance for health has been practically increasing as it has become more and more possible to induce the Indian to submit to the use of health facilities.

Each year for several years a number of hospitals and sanitoria have been built, and, of course, each year as more hospitals and sanitoria have been built, the next year there is an increased appropriation for maintenance, with the increased bed capacity. This year we meet that increased need and then provide for the construction of three new hospitals. Two of them have 100 beds each. These are sanitoria for tuberculosis, one at Albuquerque for the Pueblos, of whom, as I recall, there are some 11,000 within reaching distance, and 100 beds for the Sioux in the tubercular sanitarium at Pierre. There is also a new hospital on the Southern Ute Reservation at Ignacio, to serve both the boarding school there and the Indians on that reservation, as well as some Navajos within reaching distance.

The three great disease problems that confront the Indian are trachoma, tuberculosis, and venereal disease. This committee several years ago went above the Budget estimate and gave the first sum to enable them in an organized way to fight the spread of trachoma, an eye disease, and that work has been continued and is under way. There have been constant increases in the appropriation to care for the tubercular. Each hospital that we have put up when we built a new hospital we have insisted shall be sufficient to meet the needs at the time of its building, and that need has generally been held to include special wards for the tubercular, special wards for the treatment of venereal disease, and special wards for obstetrical cases. There is no more strictly worth-while service that can be rendered on any Indian reservation than to provide an obstetrical ward in an Indian hospital.

CLINICAL SURVEY

Our committee has been so interested in attacking this problem of disease among the Indians in a fundamental way that we have inserted in this bill this new item:

For a clinical survey of tuberculosis, trachoma, and venereal and other disease conditions among Indians, $75,000: *Provided*, That in conducting such survey the cooperation of such State and other organizations engaged in similar work shall be enlisted wherever practicable and where services of physicians, nurses, or other persons are donated their travel and other expenses may be paid from this appropriation.

Such clinical studies have been made heretofore. Understand, a clinical study means that in each case the individual Indian is before the doctor and is examined as to whether he has a disease; and if so, to get some idea as to the progress of that disease. States have been appropriating money. As I recall, Oregon, Wisconsin, Montana, Minnesota have all made appropriations for such study, and they asked the Federal Government to cooperate in the way indicated by paying traveling expenses of their personnel, but the bureau have not been able to meet fully all such invitations. The committee proposes that we not only meet such requests from any State interested but that we have one or two units of our own proceeding with that study and that it be continued for several years until practically complete.

Mr. STAFFORD. Has the committee considered in that connection the feasibility of utilizing the Public Health Service for this work?

Mr. CRAMTON. It would not be feasible. Of course it will be in cooperation with the Public Health Service, as I have said, the head of the Indian health service being from the Public Health Service. If we were to set this up under the Public Health Service we would have to give them the money, and it is better in this bill to have it under the Indian Service. The result of such a survey means to give us definite information as to the health needs of the Indians. When these reports come in I hope they will include all the facts, and in that case it will be demonstrated that not all of the disease encountered can be met solely by Government appropriations. For instance, I have in mind one State, but as there are Members from that State present I shall not mention the name of the State.

But there is an Indian reservation in that State, and in the counties adjacent to that reservation law enforcement is a thing of the past. Houses of ill fame, places of the most disreputable character, flourish in white communities adjacent to that Indian reservation. However, much money we spend for the treatment of venereal disease on that reservation, or however many years we continue the expenditure, as long as the white communities adjacent to that Indian reservation do not realize their responsibility to enforce the law and protect these Indians likewise, our money will be thrown away.

So I stated to the Commissioner of Indian Affairs when he was before the committee, that not only this study should be made but we hope the report resulting from such clinical survey on any reservation would not only state what the disease conditions were which they found there but would state something of the surrounding conditions. And that when condition was found, as I have referred to in a certain State, the first step would be to secure the cooperation of the officials of that State, and if that effort did not succeed, the Indian Service would owe it to the country to tell the country exactly what the conditions are which they have encountered in that State and the lack of cooperation, in the hope that possibly knowledge of the country being focused upon that situation, local officers might be willing to live up to their responsibility as well as urge the Federal Government to perform its responsibility.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. LaGUARDIA. Is that not analogous, very much, to a military camp, and has not the Indian Service the same authority as a military camp, to send out their patrol to protect the Indians?

Mr. CRAMTON. No. I think they have no authority. They certainly have no authority over anyone but the Indians, and it is certainly not feasible to chaperon the Indians every time they go out.

Mr. LaGUARDIA. I think that is true as to military authority.

Mr. CRAMTON. I think they could hardly do that.

Mr. STAFFORD. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. STAFFORD. As I understand the picture, the reservation is not in the same State as where these vile conditions pertain?

Mr. CRAMTON. Oh, yes.

Mr. STAFFORD. In the same State?

Mr. CRAMTON. Absolutely.

Mr. STAFFORD. I got the impression that it was just across the border.

Mr. CRAMTON. It happens to be one of the States where we hear most about what the Federal Government ought to do.

Mr. STAFFORD. Has the committee considered in that connection the advisability of making appropriations for this character of service contingent upon conditions being removed from the environs of the reservations?

Mr. CRAMTON. I will say that that State is one of the States which, in health matters, as far as State administration goes, cooperates very well.

The CHAIRMAN. The gentleman has consumed one hour.

Mr. TILSON. Mr. Chairman, I ask unanimous consent that the gentleman may conclude his remarks, subject to the order made in the House upon going into committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut that the gentleman from Michigan may continue his remarks and conclude the same, subject to the order made in the House with reference to the division of time?

There was no objection.

Mr. CRAMTON. To make clear my answer to the gentleman from Wisconsin, it happens that in the State I speak of, the health authorities are very fine about cooperating in the health of the Indians, but the trouble comes from the local authorities adjacent to the Indian reservation. These surveys will make a study when that reservation is reached. Manifestly, in one year we can not reach them all anyway, and we hope it will continue for several years. This will only get the foundation facts on which other things can be built.

Mr. STAFFORD. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. STAFFORD. My thought was that we might place a limitation on the appropriation for the reservation, which would compel the local municipal authorities to do their duty in wiping out the vile conditions.

Mr. CRAMTON. I think that eventually will come. I think not in that way, perhaps, but through a definite statement by the Indian Service—a public statement of the difficulties they encounter. I think first there should be preliminary negotiations.

Mr. SWICK. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. SWICK. Since the Indians have accepted the medical service of the white doctors, has there been any appreciable decrease in their death rate?

Mr. CRAMTON. Reliable statistics have been very difficult to obtain, but I am certain of this, that so greatly have the health facilities increased in the last 10 years, and so greatly has the willingness of the Indian to avail himself of those facilities increased that there must be a material betterment of their health. Of course, they have not all yet come to the point where they will pass up the medicine man for the doctor, but there is a great tendency in that direction and an improvement of conditions. I think that now we are getting to the point where we are getting actual statistics, whereas before they had some much-heralded guesses given the country.

Naturally the health of the Indians is the primary object in view, money in appropriations will not alone solve the problem. Such surrounding conditions as I have mentioned that increase the prevalence of venereal disease must be improved. And the Indian must learn to do his part. This is especially true in tuberculosis. As long as the Indian has his idea of the way to live, and lives under conditions that make him more susceptible to tuberculosis, we can not do much with them. As to trachoma, we have made marked advances. I was told of one community in one State where the Indians are now found free from trachoma and there is a prevalence of it among the whites. We will have to start a campaign pretty soon to insist upon whites cleaning up their trachoma for fear the Indians will catch it. On the other hand, an Indian reservation in which the destructive diseases are largely prevalent is a danger center for the white population of the State as well.

ROADS ON INDIAN RESERVATIONS

We have increased the item for building roads which has been carried at $250,000. The bill proposes making it $500,000 for the current year. There is general legislation supporting it, the idea being not to necessarily create a great system of roads, but to give relief to the Indians through employment, and at the same time secure roads for their benefit. In part it is similar to the employment problem that is discussed now generally as to the Nation. Two hundred and fifty thousand dollars a year scattered among many reservations, some of them as large as a State, is not a large amount, and with the present condition of the country, an increase to $500,000 is desirable. In the expenditure of this only Indians can be employed as labor except for supervision and engineering.

This road-construction program is not to be confused with much-discussed road-building programs upon the public lands to tie in with important highways. The Oddie-Colton bill has opened the way for such projects even across Indian reservations. Under the item I have mentioned in this bill the primary purpose is to serve the Indians rather than surrounding areas or communities.

NATIVES IN ALASKA

For a number of years the efforts of the Federal Government in behalf of the natives of Alaska through education and medical relief have been conducted by the Office of Education. That bureau has no other administrative functions, and it was urged before our committee that it be relieved of this unrelated responsibility.

At page 582 of the hearings Doctor Cooper, Commissioner of Education, quotes from his 1930 report the general principles governing the reorganization of the Office of Education, saying in part:

> That the administrative responsibilities gradually accruing to the commissioner and his staff over a period of some 40 years, and arising in particular from the education and medical relief of natives in Alaska, should be transferred to other officials as rapidly as possible.

It was the belief of the committee that this work is closely akin to the general work of the bureau and that the best interests of the Government and the natives alike would be served by transferring the work to that bureau.

The act of January 27, 1905 (U. S. C., title 48, sec. 169), provides:

> The education of Eskimos and Indians in Alaska shall remain under the direction and control of the Secretary of the Interior, and schools for and among the Eskimos and Indians of Alaska shall be provided for by an annual appropriation, and the Eskimos and Indian children of Alaska shall have the same right to be admitted to any Indian boarding school as the Indian children in the States or Territories of the United States.

It will be noted that the law does not place this responsibility upon the Office of Education but upon the Secretary of the Interior. Hence, in the pending bill your committee have included, under the Bureau of Indian Affairs, an appropriation for education of the natives of Alaska in the following language:

> Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction through the Bureau of Indian Affairs, to provide for support and education of the Eskimos, Aleuts, Indians, and other natives of Alaska. * * *

The opinion of Dr. Ray Lyman Wilbur, the Secretary of the Interior, with reference to this change being sought, he wrote as follows, approving the proposal:

> I have been advised by Mr. Burlew of the proposal of your committee to transfer the appropriation for the educational and medical work of the office of education in Alaska to the Office of Indian Affairs, and wish you to know that this transfer would meet with my unqualified approval. As you may know, Commissioner Cooper and I have both been interested in reducing the administrative work of the office of education to a minimum. Consequently, I

am pleased to indorse the proposal to transfer the administrative function of handling the natives of Alaska to the Indian Office, where I believe it will merge logically and practically with the work now being performed there. There would be many advantages, and I believe the organization of the Indian Office will lend itself effectively to the consolidation from the start. The Public Health Service is now cooperating with that bureau, and the plan of organization of the various functions such as health, education, industries, employment, and finance, should enable us to exercise more effective supervision of the work in Alaska than is possible under the present arrangement.

Therein he very forcibly justifies the proposed transfer. Doctor Wilbur further says:

You may be assured that the favorable action of your committee on this proposal will receive my full cooperation and support.

I feel sure that approval of this change by Congress will mean better administration, more systematic consideration of the problems of the Alaska natives, and at the same time will result in a more nearly ideal organization in the Office of Education.

BUREAU OF RECLAMATION

The total which this bill carries from the reclamation fund is $6,971,000. There are no new projects inaugurated in the new appropriations in this bill. In addition to the new appropriations shown in the bill, there are reappropriations amounting to $3,656,000, as shown in the following letter and table:

UNITED STATES DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
December 8, 1930.

Hon. LOUIS C. CRAMTON,
House of Representatives.

MY DEAR MR. CRAMTON: In response to your telephone request I am inclosing herewith statement of the estimated unexpended balances of prior years' appropriations to be continued available during the fiscal year 1932.

The estimates are based on the best information that we have at present regarding expenditures under the appropriations, e. g., under the Yakima project, $1,375,000 is stated as the unexpended balance for the Cle Elum Reservoir. Should construction work begin in the near future this unexpended balance will probably be decreased somewhat. The same is true for the Kennewick Highlands unit of the Yakima project. The unexpended balance is shown as $640,000. It is probable that some of this appropriation will be expended if we are successful in negotiating a contract during the present fiscal year with the Kennewick irrigation district.

I trust that the information given is what you desire.

Very truly yours,

ELWOOD MEAD, *Commissioner.*

Statement of estimated unexpended balances of prior years' appropriations to be continued available during the fiscal year 1932

Project or item	Fiscal year from which amount is to be continued available			
	1928	1930	1931	Total
Examination and inspection of projects			$20,000	$20,000
Operation and maintenance of reserved works			50,000	50,000
Boise project, Idaho		$30,000	280,000	310,000
Minidoka project, Idaho			300,000	300,000
Sun River project, Montana			100,000	100,000
Rio Grande project, New Mexico-Texas			28,000	28,000
Baker project, Oregon			250,000	250,000
Klamath project, Oregon-California			4,000	4,000
Salt Lake Basin project, Utah:				
First division			25,000	25,000
Second division			300,000	300,000
Yakima project, Washington:				
Cle Elum storage			1,375,000	1,375,000
Kittitas division			100,000	100,000
Kennewick Highlands unit			640,000	640,000
Riverton project, Wyoming			30,000	30,000
Shoshone project, Wyoming			22,000	22,000
Secondary projects			75,000	75,000
Refunds of construction charges	$27,000			27,000
Total	27,000	30,000	3,599,000	3,656,000

PROGRESS OF FEDERAL RECLAMATION

An interesting picture of the progress of Federal reclamation was presented in the hearings by the Commissioner of Reclamation, Doctor Mead (p. 147):

In general, conditions on the projects have been excellent. The area irrigated in 1929 with water from Government works was 2,716,130 acres, an increase of 41,030 acres over that of 1928. The area cropped was 2,705,240 acres, an increase of 23,970 acres. The total value of crops was $161,179,880, an increase of $17,606,810. This is 80 per cent of the total construction expenditure on works which provide water.

There are on the Federal projects 30,970 irrigated farms, with a population of 157,088; 214 cities and towns, with a population of 473,073; 686 schools; 713 churches; and 130 banks, with deposits of $145,386,400, and 245,181 project and nonproject depositors.

* * * * * * *

Payments of construction charges during the fiscal year 1930 amounted to $3,231,522.07, cash and credits, a decrease of $1,156,281 compared with the previous year. Payments of operation and maintenance charges amounted to $1,651,096.76, cash and credits, a decrease of $269,403.81. Miscellaneous collections—water rentals, power and light, etc.—increased from $1,289,849 in 1929 to $1,416,295 in 1930.

The per cent of payments of total construction charges due decreased from 96.9 per cent on June 30, 1929, to 96 per cent on June 30, 1930, a delinquency of only 4 per cent. This increase in delinquency is due mainly to the Salt River project being delinquent in the payment of the 1929 installment in excess of $600,009, and the failure of the Uncompahgre project to meet its obligations for the past two years. The repayments on all other projects with the exception of the King Hill project in Idaho and the Umatilla project in Oregon show a good condition.

The per cent of payments of total operation and maintenance charges due increased from 97.9 per cent on June 30, 1929, to 98.1 per cent on June 30, 1930, a delinquency of 1.9 per cent.

Taking the accounts as a whole the results are very gratifying, and the marked improvement indicates that the general readjustment of the financial relations between the Government and the water users as embodied in new or supplemental contracts are such that irrigation charges are generally being paid.

* * * * * * *

The amount expended for construction during the fiscal year 1930 was $8,611,400, compared with $7,898,300 the previous year. It is estimated that $6,000,000 will be expended for construction in 1931, and estimates of appropriations for 1932 contemplates a construction expenditure of about the same amount.

During the year three important dams were completed; namely, Gibson storage dam on the Sun River project, Montana; Easton diversion dam on the Kittitas division of the Yakima project, Washington; and Harper diversion dam on the Vale project, Oregon.

Taking the three dams as a whole, the actual cost was about 14 per cent less than the estimated cost.

Three large dams were under construction: Owyhee Dam on the Owyhee project, Oregon-Idaho; Echo Dam on the Salt Lake Basin project, Utah; and Deadwood Dam on the Payette division of the Boise project, Idaho.

The Owyhee Dam is being constructed by the General Construction Co. at an estimated cost of $6,000,000. Contract was awarded in June, 1928, and the dam is about 42 per cent completed.

Contract for the construction of Echo Dam was awarded to the A. Guthrie Co. in November, 1927, for completion in April, 1930. The dam is 98.5 per cent completed.

Deadwood Dam is being constructed under a contract awarded to the Utah Construction Co. in July, 1929. Good progress is being made and the dam is about 90 per cent completed.

The financial statement presented by Doctor Mead (p. 153; Hearings) shows that about $190,000,000 has been spent in construction of projects, of which about $41,000,000 had become due prior to June 30, and of that amount 96 per cent has been paid and nearly $150,000,000 is not now due.

IMPORTANCE OF BUSINESS POLICY

The repayment of that $150,000,000 to the reclamation fund is of paramount importance to the West. The reclamation fund draws its money in part from certain proceeds from sale and leasing of the public lands. Those proceeds are not what they were a few years ago, because of the slump in oil. The fund also receives these repayments of money advanced from the fund for construction or for operation and maintenance. The fund was established as a revolving fund for the development of the public-land States. It can benefit those States and the Nation in proportion as it does revolve. At first the money advanced was to be repaid in 10 years, then the law said 20 years. Now repayment is required in 40 years, and some projects have contracts under which they pay each year 5 per cent of the gross crop returns, and that has been estimated to give them from 75 to even 150 years to pay back the original construction cost in some cases. We have no right to mortgage unborn generations in that fashion, and I am happy no new contracts are being made on the 5 per cent basis. But the general rule now of 40 years—that means that if the payments are made the fund only revolves once in 40 years, once in a generation. That is too slow. That is slower than it might well revolve. That is unfair to the undeveloped projects of the West; it is unfair to the West and to the Nation.

But those who are living under constructed works in many cases develop constant effort to securing further extensions. Many in Congress lend a ready ear to such appeals from constituents. One bill now pending provides for extension of 40 years on all projects. That is to say, even if 90 per cent of the construction project has now been repaid, we are asked to grant 40 years' time for the repayment of the balance.

I have in the past 10 years given much time and effort to resisting such proposals, to combatting those in the West who would treat the reclamation fund as a Christmas tree rather than as sacred fund devoted to the future of the West. I believe in this has been my greatest service to the West.

Discussing the economic and political obstacles encountered by him in the administration of the reclamation act, Doctor Mead said to us (p. 157, Hearings) things which are well worth the thoughtful consideration of Congress:

> The basis of Federal reclamation is that it is a business activity. The Government advances money to build reclamation works, which the settlers under those works agree to repay under the terms of a contract which they sign. The obligation is as binding in theory as that to repay money to the Federal land banks by its borrowers. That is the theory; the fact is that many water users do not regard these contracts as serious obligations. They expect and demand the aid of their Senators and Congressmen to help them escape payment. The result is that reclamation is a warring combination of politics and business, and as a result the most difficult task in administering the reclamation act is the collection of the money due from water users under their contracts with the Government.
>
> The desire and the effort to write off part of this debt are as persistent as the effort to secure money to build new works or improve old ones. If the burdens imposed on settlers under Government projects are too heavy to be borne, if reclamation does not create opportunities which ordinary farmers can meet, but instead involves them in obligations which can not be kept, then reclamation as a national policy needs revision. But when it comes to considering a new project, reclamation is presented in an entirely different light. Then there are nothing but arguments and assurances that the cost of the proposed works can and will be met. The result is that when works are built and the movement for moratoriums or reduction of payments is inaugurated, it is difficult to determine whether such movement is based on economic distress or an effort to use political influence to destroy the reclamation policy as a business enterprise.
>
> In any event, one of the important activities of the bureau is to help maintain morale, increase earning power on farms, and combat the arguments and efforts to scale down or write off debts. How important this is was shown in a report of the bureau several years ago, when it was disclosed that two-thirds of the time of the Washington office was occupied with controversies over water payments. That condition has greatly improved in recent years, but during the period embraced in this report nine projects sought either moratoriums on payments, extensions of the payment period, or wiping off a part of the project debt. Agricultural depression explains part of this, but political influences also operate. Since reclamation is a reproductive activity, one of those where repayments of money expended are required, while so many other nearly related activities of the Government are made a charge on the Federal Treasury and no repayment required, it is not surprising that there are on every project some who believe that the cost of reclamation works should be borne by the Government.
>
> Those who know the sentiment of the East regarding reclamation know that any such policy is impossible and that an attempt to enforce it would mean a prompt end of new development. Furthermore, the rate of new development is dependent on the maintenance of these contracts and securing the income which they provide. As it is, the income is not sufficient to carry on construction most economically or rapidly enough to meet the desires of projects where works are not completed and where additional water supply is urgently required. It is insufficient to complete the 10-year program in 10 years, and because all is not being done that those desiring development believe should be done, there is impatience and criticism of the bureau because more money can not be provided or more rapid progress made.

I feel that Doctor Mead paid a real compliment to our subcommittee when he said, in our hearings:

> This committee has been the main bulwark of the integrity of the reclamation projects.

We have certainly endeavored to support him in his efforts to put reclamation on a business basis.

Those interested in this problem will read with profit his general discussion of the Federal reclamation as a national policy, at page 290 of the hearings.

THE TRUE FRIENDS OF THE WEST

I say I believe in resisting these constant demands for extensions and for charging off obligations. I have not been an enemy but a friend of the West.

The great trouble with the reclamation fund, by reason of those constant demands for extension of time and the wiping off of charges, is that the reclamation fund either has diminished by failure to repay or has become frozen.

A revolving fund is only of service in proportion as it revolves, and if the money is not repaid, or if it is only repaid after three or four generations it has largely ceased to revolve and has become frozen.

As to any Member who has introduced such a 40-year extension bill, I dare say in the same State represented by any such Member there would be a number of projects waiting, knocking at the door for a chance to get some money from the reclamation fund for their development.

But in order to favor one project that has had the luck to be in first at the trough and get its development first, the time when the other projects in the State could have similar aid is postponed 40 years longer.

As a matter of fact, the man who urges such a policy constantly and continuously is just standing in the way of the interests of his own section.

It does not matter to Michigan, so far as our direct interest is concerned, whether they ever repay to the reclamation fund. If nothing is ever repaid there is not so much spent; there is not going to be so much competition on the part of the West with our farming products in Michigan.

But I have always looked at those things in a broader way, and I think what is to the interest of New Mexico or Colorado is to the interest of Michigan.

And as I have gone through the estimates for the Bureau of Reclamation and Doctor Mead's statements with reference to them, and I have come to project after project where he has made an encouraging report of the present conditions, I have thought back to the controversies we have had in the past and statements made that things could not be done which this committee insisted be done, and they were done, and everybody is getting along fine, and I feel repaid.

SUCCESS COMES WITH FAITH IN THEMSELVES

That is true in relation to such a project as the Deaver, and the Belle Fourche, and also the Yellowstone project—project after project, where through the course of the years upon just insisting on a business administration the thing has worked out, and the reclamation fund has been benefited, and the project also.

As Doctor Mead says:

> Prosperity has come to those projects through maintaining the integrity of the contract rather than giving way to a claim for a write-off.

There are projects in the West that we have visited, where their sole thought and the capacity of their leadership throughout the year was devoted not to the upbuilding of the project, but to getting something out of the Treasury of the United States, or getting some concessions.

Now, through the insistence of the Department of the Interior and of this committee, the people on a good many projects have gotten their thought off from that and are now turning their thought and their capacity for leadership into the channel of developing what they have and handling it as a business proposition, and they are succeeding. There has been a good deal of energy wasted on these relief measures, and they would have made a success of every reclamation project in the West if the same energy had been devoted to proper development ideas.

No community has ever developed to amount to anything except by reason of the confidence of its people in their own community and in its possibilities. When the people of a community center all their thought on the impossibility of their paying off their debt and advertise that belief on every occasion to the people of the United States, how can they expect to draw to them the kind of settlers that are necessary for their development?

On the other hand, if they will give their thought to the possibilities that they have and believe in the future of their project, and tell the country that they have a project that is successful and will succeed, then they bring in settlers and they do succeed. As Doctor Mead says:

That is what happened at Belle Fourche, and that was all that was needed. They had reached the point of dejection and discouragement, where they did not believe they could do anything, and were not willing to do anything. But when we got them to talking about a sugar factory, and other things of that sort, in the language of the North Western Railroad, it became a garden. It was entirely a matter of mental attitude.

THE RECLAMATION FUND

The following statement shows the actual funds available for the fiscal years 1928, 1929, 1930, and the estimated funds available for the fiscal years 1931 and 1932:

Estimated funds available, fiscal years 1931–32

Reclamation fund	Actual fiscal year 1928	Actual fiscal year 1929	Actual fiscal year 1930	Estimated fiscal year 1931	Estimated fiscal year 1932
Accretions to the fund:					
Sales of public lands	$683,055	$947,237	$690,568	$800,000	$650,000
Mineral leasing act	2,454,169	1,852,785	2,315,519	2,200,000	2,200,000
Potassium royalties and rentals	5,553	12,518	15,612	15,000	15,000
Federal power licenses	10,565	17,290	151	200,000	35,000
Subtotal	3,153,342	2,829,740	3,021,836	3,065,000	2,900,000
Repayments:					
Construction charge collections	3,149,151	4,297,118	2,070,747	5,000,000	3,200,000
Operation and maintenance charge collections	1,897,489	1,734,732	1,526,630	1,300,000	1,400,000
Miscellaneous collections	1,103,348	1,289,848	1,416,295	1,400,000	1,500,000
Subtotal	6,149,988	7,321,698	5,013,672	7,900,000	6,100,000
Total accretions and repayments	9,303,330	9,851,438	8,035,508	10,965,000	9,000,000
Balance in fund at beginning of fiscal year	9,492,384	9,208,248	7,887,967	5,035,000	4,500,000
Total available during fiscal year	18,795,714	19,059,686	16,923,475	16,000,000	13,500,000
Disbursements	8,587,467	10,171,719	10,888,132	10,500,000	10,500,000
Repayment of loan to fund	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Total expenditures	9,587,467	11,171,719	11,888,132	11,500,000	11,500,000
Balance on hand, end of fiscal year	9,208,248	7,887,967	5,035,343	4,500,000	2,000,000

THE OWYHEE PROJECT

The largest work of construction under way is the Owyhee project of Oregon and Idaho, where the bill carries $3,000,000. This was authorized in 1926, and construction began in October, 1927. There has heretofore been appropriated for this project $8,315,000. The total cost is estimated to be $18,000,000, and its completion is planned in 1936.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. LAGUARDIA. How many acres will that reclaim?

Mr. CRAMTON. It is a considerable acreage. A portion of the water, however, is to go to established irrigation projects and give them a supplemental water supply, or substitute a gravity supply for expensive pumping. Part of it is for new acreage. There is about 70,000 acres of new lands, 41,000 acres for pumping districts, and 13,000 under the supplemental Owyhee ditch.

CLEAN-UP FOR DEAD TIMBER IN JACKSON LAKE RESERVOIR

In the bill there is an item under the Minidoka project of Idaho, $50,000, and under the Grand Teton appropriation of the National Park Service another $50,000 to provide for the cleaning up of a great acreage of dead timber in the Jackson Lake Reservoir in Wyoming. As we have said in the report:

This is an important step to rectify the damage that was done when the Jackson Lake Reservoir was built as part of the Minidoka project. Jackson Lake lies at the foot of the majestic Teton Mountains, among the most beautiful and spectacular mountains in the world, and the magnificent spectacle afforded by that dramatic mountain range is seriously detracted from by this dead timber in Jackson Lake. In 1929 Congress created the Grand Teton National Park, which includes the mountain range, some fine forests, and several small unspoiled lakes. Jackson Lake was not included in the park, but it is inevitable that it will be placed in the park and that the Grand Teton and Yellowstone Parks will be connected. The cleaning up of the lake is an essential step in restoring Jackson Lake and bringing back as nearly as possible the full natural beauty of the Tetons as seen across Jackson Lake from the main road connecting Yellowstone and Grand Teton Parks.

Mr. TILSON. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. TILSON. Will the gentleman comment upon the difficulty of removing that dead timber? I think it is generally known that timber that is kept in water all the time does not decay, or at least it decays very, very slowly. What are the chances of getting out the timber that is submerged in the water?

Mr. CRAMTON. Well, a study has been made. It is the belief of the Reclamation Service—and we made a preliminary appropriation of $5,000 a few years ago, of which they have spent about $4,700, so that they have had some experience in it—their estimate now is that $100,000 will accomplish the purpose. That serves several purposes. It is of some value to the reclamation project, because when these tree trunks and branches float, if they do float, they will come down and encounter the gates and render damage to the gates of the dam. More than that, if they do not float—and many of them will not—they will go down into the lake. This region is not all a national park just now, but it will be. Private interests very generously are buying a great acreage at a cost of one or two million dollars in the hope that this will all become one park and make a game refuge; and it will have a very deleterious effect on fishing for those who visit this park, by getting their lines snagged on these old logs, and so forth.

A few years ago we gave them $5,000 to be charged to this irrigation project but, to make the story very brief, that has not proven possible. The Reclamation Service suggested their willingness to undertake one-half the cost if the Park Service would undertake half the cost, and that proposition we have accepted in the bill now before you.

Mr. STAFFORD. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. STAFFORD. I have difficulty in appreciating the reason why the trees were not removed before the land was flooded.

Mr. CRAMTON. Oh, because the people who built the reservoir were not concerned about anything except storing water, and it would have cost a little money to have cut them down, but that was years ago.

Mr. STAFFORD. Well, the timber is worthless now?

Mr. CRAMTON. Oh, yes.

Mr. STAFFORD. I suppose then there was not much value to that timber, being removed from transportation facilities as it was?

Mr. CRAMTON. My thought is that the timber did not have any value at that time.

Mr. TILSON. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. TILSON. It is extremely difficult to move the timber now that it is submerged in the water?

Mr. CRAMTON. Oh, very difficult.

Mr. TILSON. And it is a very expensive thing to remove it after it is thoroughly waterlogged.

Mr. CRAMTON. But it is a fact that it can be done with this appropriation, so we have carried it, part in this bureau and part in the Park Service.

AGRICULTURAL COMPETITION

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. MOORE of Virginia. Has the gentleman finished discussing the reclamation provisions in the bill?

Mr. CRAMTON. Not entirely.

Mr. MOORE of Virginia. Will the gentleman state whether there are any bills pending which propose projects for further reclamation projects, and will the gentleman state his view as to whether the policy in that direction should be continued, in the light of agricultural conditions in the country, and, also I may say, the state of the Treasury?

Mr. CRAMTON. There are various projects proposed, but those are not before our committee. There is marked hostility in certain sections to any development of new lands in the West under irrigation, because of the competition

that it is feared such expansion would bring against existing agricultural acreage.

Personally I do not subscribe to that theory, generally speaking. My observation is that the lands in the West that are brought under irrigation, in order to be productive of enough money to justify irrigation, must resort to crops that do not generally come in competition with agriculture on this side of the Mississippi River for instance.

In the Imperial Valley for instance, they have developed the iceberg-lettuce industry to a very large degree, supplying a need that no other section could supply.

Furthermore, I am a believer that intelligent selfishness pays a nation as it does an individual. I am a believer that the development of those States in the West is beneficial to my State. My State produces many automobiles, the best automobiles, and, as I have gone about these projects in the West, I have been impressed with the number of Michigan automobiles in use. Of course, as we build up the automobile industry in Detroit we are increasing the market for farm products in my district. So that generally speaking, I do not subscribe to that doctrine. It does seem, however, that all conditions considered, there is no great occasion for embarking on any large pretentious new projects, and that is the policy which the Reclamation Service is following—that is, going ahead with the projects that are commenced, but not inaugurating new ones.

Mr. MOORE of Virginia. I have been rather interested in that matter by observing, as I have motored in many sections of the country, how much land recently in cultivation has been abandoned of late or is being abandoned. I find that is the case in certain parts of the South and the East.

People are leaving the farms; they are discontinuing farm operations on lands that have been profitably used heretofore, and now we are still going along, if this policy of reclamation and irrigation is to be maintained, in developing new areas and encouraging further production.

Mr. TAYLOR of Colorado. Will the gentleman yield for a suggestion?

Mr. CRAMTON. Yes.

Mr. TAYLOR of Colorado. I want to call the attention of the gentleman from Virginia to the fact that the hearings will show, as I recall, that there is something less than one-half of 1 per cent—and my impression is that it is very much less than one-half of 1 per cent—of the agricultural products of the United States produced by all of the irrigation and reclamation projects put together, and that they do largely populate 15 of the Western States or help us do so.

Mr. COLTON. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. COLTON. Is it not also true that it is the general policy now of the Reclamation Service to undertake only those projects which furnish supplemental water rights and that there is no attempt now to bring under cultivation virgin lands, but that it is rather the policy to furnish supplemental instead of absolutely new water rights?

Mr. CRAMTON. I am not absolutely sure that I would go 100 per cent with the gentleman on that.

Mr. COLTON. As virgin lands become incident to a project they may be reclaimed, but generally that is the policy.

REHABILITATION OF EXISTING PRIVATE PROJECTS

Mr. CRAMTON. I think I will call to your attention, by virtue of the discussion that has been brought up by the gentleman from Virginia, the item of $550,000 for the Bitter Root project in Montana. That is in accordance with the law we passed in the last session, at which time there was quite a controversy about it.

It was largely opposed by those who subscribe to the theory suggested by the gentleman from Virginia. I supported it at that time, and I believe that this Bitter Root item is the kind of an item that those who oppose reclamation as a policy generally might find it very wise to support. These expenditures are from the reclamation fund, and so long as there are millions set aside in that fund for the development of the West these gentlemen from the West are going to be alert enough and influential enough to see that they are spent in some way. The Bitter Root project was a private project. It is fully settled, but it had gotten into financial difficulties; it had a debt more than they could pay out on and it needed some rehabilitation. They were up to the limit of what they could owe, so that this legislation—which is made effective in this appropriation bill—authorized us to loan to them not more than three-fourths of their total indebtedness, it being conditioned that the other fourth must be wiped off the slate before we would make the advance. That is being done.

Then we are spending $50,000 in this bill, or a total of $250,000 in several years, to provide for the needed works. But the rehabilitation of that project does not increase the acreage that is to be under agricultural development and we do not acquire a problem of the settlement of lands because the lands are settled; but we do take a project that was in despair; we do take a community that was facing disaster and ruin and we do salvage it and make it a happy, prosperous American community. I think that is a wise use of the reclamation fund, and at the present time a particularly timely one.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. LAGUARDIA. The gentleman believes, though, that as a matter of policy, especially when we have the so-called surpluses of acreage now under cultivation, that it is wise to follow the policy of providing for no new projects in the immediate future.

Mr. CRAMTON. I think that this is not an auspicious time to inaugurate new projects and the Interior Department has been following that policy.

Mr. EVANS of Montana. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. EVANS of Montana. May I not say with reference to this Bitter Root project, that some men may conceive that it is a broken-down private concern, but let me remind you that the disaster came about by reason of a flood that carried away the main canal, or some considerable portion of it. It is one of the best projects in America; it is settled and they have their roads, their bridges, and their schoolhouses.

Mr. CRAMTON. This appropriation was quite imperative in order to rehabilitate the project.

Mr. EVANS of Montana. As I have said, this project has its roads, its schools, and it is settled. It is only a question of some people stepping aside and letting the Government go in and rehabilitate the project at a lesser cost.

Mr. CRAMTON. I appreciate the gentleman's statement and it gives a very good picture of this project.

THE BOULDER CANYON PROJECT

Under the Bureau of Reclamation is being carried on the Boulder Canyon project. There was appropriated in the deficiency bill last June $10,660,000 to begin construction, and the Budget has recommended $17,000,000 to carry on that work. The committee has recommended $15,000,000. That cut of $2,000,000 is with the consent of the Reclamation Service. When the estimate of $17,000,000 was presented it was intended to expedite the construction more than was first intended in order to afford greater employment in this time when relief for unemployment is needed.

Mr. DE PRIEST. Will the gentleman yield?

Mr. CRAMTON. If I may complete this statement first; otherwise I might not get to it.

This $17,000,000, plus the $10,660,000, was intended to advance the project to the stage of building the dam. These appropriations were intended to take care of all the preliminary work, the establishing of the town, the building of the camp, the boring of the four great tunnels through the mountain that are to carry the Colorado River while the dam is being built, the building of a power plant, and the construction of a railroad that would connect the dam site with the Union Pacific.

The $2,000,000 cut results from the fact that since the estimates were prepared it has been found that where the Government intended to build the railroad to connect with the Union Pacific, the Union Pacific have now agreed to build that line themselves, or the greater part of it. Hence we do not need to appropriate for that. The same situation is true as to the power to be used in the construction of the dam. A contract has been made with a power concern that they will bring in power and we will not have to build that plant.

So that the committee recommendation is really in harmony with the department's desires and the Budget estimate, and does carry the project up to the actual building of the dam, and the next appropriation that comes before you will, no doubt, be to begin construction of the dam.

I now yield to the gentleman from Illinois.

Mr. DE PRIEST. I was just wondering whether in the Boulder Dam proposition there has been any provision made to remove the timber. The lake, I understand, will be about 8 miles wide and 60 miles long when the project is finished.

Mr. CRAMTON. All of that, and possibly more.

Mr. DE PRIEST. And will undoubtedly flood some timber lands.

Mr. CRAMTON. I think there will probably be very little, if any, timber in that region. I would not say there would not be any. Certainly, however, the timber should be removed, but it is my recollection there is no timber there to speak of.

BOULDER CANYON PROJECT AND IRRIGATION

Mr. CULKIN. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. CULKIN. Will the gentleman tell me, please, how many reclaimed acres are to be produced by this Boulder Dam construction?

Mr. CRAMTON. Before I answer that, may I supplement my reply to the gentleman from Illinois [Mr. DE PRIEST] by further saying that the Interior Department is so interested in utilizing whatever scenic value or recreation value may follow the construction of this great reservoir that they have withdrawn all that public land, and practically the whole reservoir site is public land. They have withdrawn it so that private individuals can not acquire it, and I am sure that in doing this the department would give proper attention to the removal of timber.

Now, as to the question of the gentleman from New York [Mr. CULKIN] as to the acreage, the Boulder Dam project was not primarily a reclamation project.

The Boulder Dam project in the main had three purposes: Flood control, and this was the emergency end that made the project secure favorable support here, and then there was the question of water supply——

Mr. CULKIN. I will say to the gentleman I voted against it in its initial stages. I have always been for flood control.

Mr. CRAMTON. Well, I voted for it. I hope that does not condemn it in either case.

The three purposes are flood prevention, water supply, and irrigation, with power development a very important incidental, it being expected through power development to pay for the project.

The irrigation comes in in connection with the all-American canal and southern California, and as yet there is no construction under way with reference to any irrigation projects. The only thing the bill carries that has anything to do with the reclamation of land for irrigation under the Boulder Dam project is a small item of $25,000, or a little more, for certain investigations and studies to be made in connection with the so-called all-American canal.

Now, how many acres will be made available some time in the future by reason of water stored at Boulder Dam, I have not in mind at the present time.

Mr. CULKIN. The number of acres is rather ambitious, is it not?

Mr. CRAMTON. It would permit a considerable acreage, but I do not have that in mind, and the immediate program does not carry anything for the construction of the irrigation end of the project. There is about $25,000 in the bill for studies leading up to the all-American canal.

Mr. CULKIN. But there is no appropriation so far for reclamation in connection with the Boulder Dam?

Mr. CRAMTON. Not yet, no; and the committee have been rather reluctant and would not be very enthusiastic about such an appropriation.

Mr. CULKIN. I would like to ask the gentleman if it is not the fact that with the arable land in America and what is now actually under irrigation that we have built 25 years ahead of our present population?

Mr. CRAMTON. Well, possibly the gentleman from New York would be better authority on that than I would be.

Mr. CULKIN. I have seen that statement made by excellent authority.

Mr. CRAMTON. I have seen that statement, but I am not prepared to give it as my statement.

Mr. CULKIN. One more question, if I may go back somewhat, the gentleman stated that iceberg lettuce did not come in competition with any other lettuce.

Mr. CRAMTON. Yes.

Mr. CULKIN. Of course, the gentleman will concede it comes in competition with itself. I mean when the market is glutted with the product the prices fall.

Mr. CRAMTON. At the time I visited the Imperial Valley some five or six years ago, I think in March, they were just completing their season, and I have forgotten how many hundreds of carloads they had shipped to Detroit and New York and other points. I do not believe there is any large production of lettuce of any description in Michigan or New York or in the East generally at that time of year.

Mr. CULKIN. Well, in New York during the summer there is such production. Of course it is not the iceberg but the Boston type of lettuce. May I say to the gentleman that that is richer in vitamines than the iceberg lettuce.

Mr. CRAMTON. Well, it ought to be, with that name.

Mr. CULKIN. And the iceberg lettuce from this reclaimed land comes into the market at the same time the New York State lettuce comes into the market.

Mr. CRAMTON. In February? Their great production is in February.

Mr. CULKIN. That is true of the summer months—this iceberg lettuce goes into the New York market.

Mr. CRAMTON. At the time I was there they had completed their season of iceberg lettuce and were setting out the acreage to cantaloupes.

Mr. CULKIN. It comes into the market in large lots at the same time as Boston lettuce. And both groups are threatened with bankruptcy.

Mr. CRAMTON. I think the gentleman from New York can present that better than I can to the House.

Mr. CULKIN. I wanted to correct the statement that iceberg lettuce had no competition.

Mr. CRAMTON. And I still do not realize that any February production of lettuce was sufficient to interfere with the industry east.

Mr. CULKIN. It does do so through the summer.

Mr. CRAMTON. That is contrary to my information, and as I say when I was there in February the acreage that they had been using to produce iceberg lettuce was being replanted to cantaloupes.

Mr. DUNBAR. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. DUNBAR. The gentleman stated that there was no appropriation for reclamation purposes in the Imperial Valley.

Mr. CRAMTON. No; I said there was nothing in the bill for extension of reclamation of land in the Imperial Valley, or in any other place under the Boulder Dam project, except $25,000 or $30,000 for study in connection with the all-American canal.

Mr. DUNBAR. Does not that amount to the statement that there is nothing in the bill to provide for reclamation in the Imperial Valley?

Mr. CRAMTON. There might be some other project—there was another project, but I stated just what I meant to say.

Mr. DUNBAR. The whole object of the Boulder Dam bill—the difference between $15,000,000 and $165,000,000 was for the purpose ultimately of reclamation.

Mr. CRAMTON. I do not understand that to be the case, but I will yield time to the gentleman later if he wants to develop that statement.

Mr. DUNBAR. Is it not a fact that by building the dam in another locality at a cost of $15,000,000 the Government could have prevented the flood in the Imperial Valley and those States through which the Colorado River runs?

Mr. CRAMTON. I have not understood that to be the case. But, be that as it may, it is quite immaterial, for the water has gone over the dam, so to speak—Congress has authorized the Boulder Dam project, and it is now under way to construction. I again repeat my statement, that there is no money in this bill for the building of an irrigation project—outside of the ultimate use of the dam itself, which, of course, is admitted—other than $25,000 for study leading up to the all-American canal.

Mr. DUNBAR. There is, if the Boulder Dam project had for its purpose reclamation other than flood control. I was only trying to reconcile the gentleman's statement.

Mr. CRAMTON. My statement did not need to be reconciled. The gentleman from New York wanted to know what there was with reference to irrigation work, and I answered that, and I will repeat it if necessary.

Mr. DUNBAR. The only information we have received of this project from Congress is that this is a great reclamation project.

Mr. CRAMTON. When the time comes unless Congress sees fit to appropriate for the necessary canal with laterals and irrigation system, there will be no land reclaimed.

GEOLOGICAL SURVEY—TOPOGRAPHIC MAPPING AND STREAM GAGING

Now I want to call the attention of the House particularly to three items under the Geological Survey which I will treat together: Appropriations of $780,000 for topographical survey; $711,000 for gaging streams and water supply; and $403,000 for printing and binding, engraving and printing geologic and topographic maps, and so forth.

For some time the States have been cooperating with the Federal Government in the work of carrying forward the topographic survey in the United States. Part of that work is exclusively Federal, covering national parks, national forests, and so forth. Part has a large State or local interest, so that the States have been bearing half the cost. We propose in this bill that when the States bear half the cost of mapping, they will also pay half the cost of engraving.

Under stream gaging we have a similar item, to the effect that the State cooperation shall cover half the cost of printing the resulting papers. As many Members know, for some time there has been a very undesirable situation. I think I should first state that the bill attempts to carry the full amount necessary to meet the State cooperation either for topographic mapping or water-supply investigations.

There has been great complaint made throughout the country that it would be five or six years after the surveys before there would be publication of the resulting maps or papers. The amounts in this bill, together with the requirement for cooperation, lead our committee to believe that before the close of 1932 the maps and papers will be reasonably current with the completed topographic mapping and the stream gaging. I think that will answer questions asked by correspondents of Members.

For some time the Army has been carrying on some of this stream-gaging work. I quote the acting chief of the Geological Survey:

A total of 604 stations have been established and operated by the Geological Survey under transferred War Department funds; the Army engineers have installed and operated 116 other stations. This work has been done under an authorization act approved in January, 1927. In accordance with their original plan, the Army engineers propose to cease support of these 720 stations as of September 30, 1931, and recommend that thereafter they be maintained by the Geological Survey, except 66 stations recommended for abandonment. The annual operating expenses of the remaining 654 stations is about $250,000, and therefore the cost for the period from October 1, 1931, to June 30, 1932, would be about $190,000.

He further says (hearings, p. 373):

After very careful consideration of these 654 stations on the basis that you prescribe, the Geological Survey is convinced that 534 of them can properly be considered as of the type now maintained in cooperation with States and municipalities, but that 120 of them have wholly or almost wholly a Federal interest so that they would not have been established or maintained on a cooperative basis. The nature of stations thus recommended for the "Federal" classification may be illustrated by the following examples: Stations at or below the "fall line" of coastal rivers and of value largely or wholly in connection with problems of navigation, and stations within navigable parts of the Mississippi and Columbia Rivers and their tributaries.

* * * * * * *

Correspondingly, the cost of the 534 stations indicated as of "cooperative" type would be about $145,000 ($190,000 minus $45,000) for the nine months' period. On the 50-50 basis half of that amount, or about $72,500, would be the Federal share for maintenance of these stations from October 1, 1931, to June 30, 1932, if all of them are to be continued. Prediction can not be made at this time as to the number of these stations for which cooperation can be secured, but it seems certain that a number of them would have to be abandoned because the States will be unable or unwilling to contribute money for their support. In this connection the following point must be emphasized: The survey justifications included a statement that "the largest estimates that can now be made indicate that cooperating agents, State and municipal, may offer $585,900" in 1932, of which, as shown in the tables, $485,900 would be for surface waterwork, $90,000 for ground water, and $10,000 for quality of water. Those figures represent our best present estimates for the total amounts of State and municipal offerings, and therefore must include any sums which can be obtained from the cooperating agencies for 50-50 support of stations heretofore maintained at the expense of Army funds.

* * * * * * *

If the Congress decides to set the amount of the appropriation at $720,000, in accordance with the above figures, under the conditions outlined the amount to be indicated as "available only for such cooperation with States or municipalities" can be set at $552,000. If there is a reduction in the amount of the appropriation, there should be a corresponding reduction in the amount limited to cooperation.

The work which the Geological Survey has been carrying on is in part by this cooperation with the States. The work carried on by the Army was all paid for by the Government, so that in accepting this transfer to the Survey it has been the desire of the committee to place these former Army stations on the same basis as other stations. The item in the bill is in accordance with the recommendation of the Survey.

NATIONAL PARK SERVICE

I desire to discuss in a general way the increases in the appropriations for the National Park Service. For several of the parks items have been included for the construction of power development, plants for sewage disposal or water supply, or for camp-ground facilities, where there is the most urgent need for them.

In the 10 years I have had the chairmanship of the Interior bill I have taken much interest in the problems of the National Park Service. The colorful, lovable personality of Stephen T. Mather, the first director, did much to stimulate that interest. Belief that proper use and suitable preservation of these areas of outstanding historic, scenic, or scientific interest will mean much in the future of the Nation has always grown upon me as I have visited them and studied them. An added interest has come from the fact that we were privileged to be upon the scene in the days of laying of foundations, in the formulation of fundamental policies in a great service destined to serve America for centuries, and even now attracting the thought of every nation.

This committee has cooperated to the fullest extent within its powers in the development of those policies, in the solving of those problems, and always has had the most generous support from this House.

NATIONAL-PARK PROBLEMS

The elimination of those many fake private mining claims and of toll trails from the Grand Canyon; the various phases of the Hetch Hetchy controversy in Yosemite; the establishment definitely as a national policy that national parks

shall be nationally owned with marked progress in elimination of private holdings; the grant by the State of needed jurisdiction over Rocky Mountain National Park; the development of that great scenic region in southern Utah and northern Arizona with its Zion, its Bryce, and the North Rim; the expansion of Lafayette to become Acadia; the establishment of the Great Smoky, the Shenandoah, the Mammoth Cave, the Everglades, to provide suitable representation for the East; the establishment of historical shrines of preeminent interest to Americans at Wakefield, the Colonial Monument, and at Saratoga; the development of fire prevention and insect control; the development of campground facilities, sanitation, and water supply; the building of safe but wonderfully scenic roads and interesting trails—all these national-park problems have interested our committee and in the 10 years we have sought to aid in accomplishing these things.

TEN YEARS OF PROGRESS

The 1923 bill for national parks carried about a million and a half; this bill carries nine and a half millions of dollars.

The act of August 25, 1916, establishing the National Park Service, thus prescribed its duties:

The service thus established shall promote and regulate the use of the Federal area known as national parks, monuments, and reservations hereinafter specified by such means and measures as conform to the fundamental purpose of the said parks, monuments, and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

When the 1923 bill was under consideration the Park Service reported 1,171,796 visitors to the national parks and monuments the preceding season. This year they reported 3,246,656.

In November, 1921, the Park Service boasted they returned to the Treasury the preceding fiscal year "almost $400,000," and now that last year was the "first million-dollar revenue year," though automobile fees have been so greatly reduced.

SUMMARY OF APPROPRIATIONS AND REVENUES

The following tables give a summary of appropriations for the national parks and monuments, including the revenues received for the fiscal years 1923 to 1931, inclusive, and the source of the revenues received during the 1930 fiscal year:

Year and department	Appropriations	Revenues
1923	$1,446,520.00	$513,706.36
1924	1,692,601.60	663,886.32
1925	3,027,657.00	670,920.98
1926	3,258,409.00	826,454.17
1927	3,951,183.57	[1] 703,849.60
1928	4,889,686.00	808,255.81
1929	4,754,015.00	849,272.95
1930	7,813,817.18	1,015,740.56
1931	9,009,135.00	

[1] Automobile license fees reduced Feb. 20, 1926

Revenues fiscal year 1930

	Sale of service	Rents and royalties	Permits, privileges, and licenses	Total
Carlsbad Caverns			$136,209.00	$136,241.78
Crater Lake			38,013.10	38,023.70
General Grant			3,754.28	3,868.28
Glacier	$64.85	$871.75	20,383.54	22,146.16
Grand Canyon		567.91	55,113.18	55,684.46
Hawaii		475.00	1,025.00	1,532.52
Grand Teton			70.00	70.00
Hot Springs		300.00	6,327.25	47,931.33
Lassen Volcanic		88.55	1.00	3,089.55
Mesa Verde			4,754.50	4,870.62
Mount McKinley			213.18	213.18
Mount Rainier	3,218.18	720.83	37,526.00	41,530.31
Rocky Mountain		16.86	4,176.92	4,471.24
Sequoia	819.92	10.00	22,308.44	33,934.54
Wind Cave		484.01	16,231.00	16,715.01
Yellowstone	460.85	20.00	307,256.37	317,238.17
Yosemite	18,421.41	9,785.10	171,727.25	280,355.45
Zion		203.01	7,521.00	7,724.01
National monuments		37.00	63.00	100.00
Washington office, National Park Service				.25
	22,985.22	13,480.02	$81,472.01	1,015,740.56

The number of automobiles by years entering the national parks has increased from 197,105 in 1922 to 779,277 the past season.

PRESENT-DAY NEEDS

As Director Albright says (hearings, p. 393):

Improvement and extension of free public automobile camp grounds must keep pace with the increasing number of visitors who use the facilities provided in these areas. Adequate sanitation is of great importance in protecting the health and general welfare of the visitors whom the Government invites to its national reservations. It is incumbent upon the National Park Service to prevent the pollution of streams that wholesome water may be available for the visitors and that the sources of water supply for communities outside the park confines do not become contaminated.

Adequate protective forces are necessary in order to protect the natural features of the parks in accordance with the provisions contained in the organic act establishing the National Park Service, and as provided in the individual park acts. Likewise compelling is the protection of the visitors who come to the parks in annually increasing numbers.

Because of our judgment that sanitation, water supply, camp facilities, are of emergency importance, this bill, as others have in the past, carries many items to increase such facilities. Also because we are convinced ownership of public utilities, such as power lines, should, in these areas, be in the Government, this bill carries several items to meet urgent needs in that field.

PURCHASE OF PRIVATELY OWNED LANDS

The bill carries, for the purchase of privately owned lands, an appropriation of $1,000,000. There is a very large amount of privately owned land in the various national parks, constituting in each case a problem and menace to the Government policy. In the current year $1,750,000 has been expended. The great bulk of that has been devoted to the Yosemite Park, where 13,000 acres of the finest timber in California was saved from timbering operations under way, half the expense being borne by Mr. John D. Rockefeller, jr., who put up $1,700,000 to match the amount put up by the Government.

It will be interesting to put into the RECORD at this point letter of May 26, 1930, from Mr. Rockefeller to the Secretary of the Interior, inclosing his check for $1,709,237.88, with the very deserved tribute which he pays therein to the administration of the national-park system. Of course, the very liberal contributions he has made from time to time for the uses of the Park Service in their work add much of force to the tribute his letter carries:

26 BROADWAY,
New York, May 26, 1930.

MY DEAR MR. SECRETARY: Your letter of May 23 has been received. I inclose herewith cashier's check to your order for $1,709,237.88, on the understanding that this contribution will enable the Government to purchase the proposed tract, some 11,000 acres, of sugar-pine timberland and add it to the Yosemite National Park.

May I take advantage of this opportunity to tell you how highly I esteem the administration of the national-park system. I have been in most of the national parks, and have found that those in charge of them are active and conscientious in serving the interests of the public and making the beauties of the parks available.

With best regards, I am, very truly,
JOHN D. ROCKEFELLER, Jr.

Hon. RAY LYMAN WILBUR,
Department of the Interior, Washington, D. C.

This most important purchase did not bring to a close the private land situation in Yosemite. Director Albright says:

This purchase, therefore, brought into perpetual Government ownership the finest remaining stands of timber in the area and reduced the total area of private holdings in the park to 5,034 acres.

While the finest stands of timber have been brought under the ownership and permanent control of the Government, there are additional stands of sugar-pine timber in private ownership and it is hoped by all friends of these majestic forests that they may still be saved.

He later said:

Mr. ALBRIGHT. The string of private holdings along the Tioga Road in Yosemite that Mr. Mather always discussed is now of importance—White Wolf and Harden Lake, where the road which the city of San Francisco is required to build joins the Tioga Road. Then there are McSwain Meadows and the Powers Estate at Tenaya Lake.

Mr. CRAMTON. When the roads are completed those holdings will rise several times in value.

Mr. ALBRIGHT. No question about it. They are most strategic holdings in the park. Lake Tenaya is the only big body of water accessible to the roads in the park, and is mainly in private holdings. Then there is the Big Meadows property which is athwart the Big Oak Flat Road. We are holding off on construction and will not undertake that for a couple of years yet. In fact, we hardly dare think of it, because of what it will do to the Big Meadows. Los Angeles real-estate promoters have attempted to get into the park and put in a subdivision. There are four properties on Lake Tenaya, and then there is the Cascade property across which the public travels more than any other. This is on the floor of the valley, below El Capitan, and is an old mining claim.

In the hearings Director Albright further emphasizes the urgent situation as to private lands in Zion, Glacier, Rocky Mountain, and other parks.

Since the hearings action of the Union Pacific in offering half of the cost of acquiring lands to be purchased in Zion makes imperative some appropriation for this purpose. The imperative need makes it very essential, in my judgment, that a substantial appropriation be made so that all offers of cooperation can be met and this important work go forward. Such an item is carried in the bill and I express the hope it may be approved by the House and be followed annually by necessary appropriations until the national parks are truly national.

HETCH HETCHY

On several occasions I have presented to the House at some length the Hetch Hetchy situation in Yosemite, involving the grant to the city of San Francisco of the right to construct a reservoir in that national park. My complaint against San Francisco in this matter was threefold:

First. The city was interfering with park management by posting of notices and press publicity to keep the public out of a large portion of the park.

Second. The city was not building the roads and trails required by the Raker Act.

Third. The city was and is selling its power, developed from Hetch Hetchy, to a corporation for resale in violation of provision of the act forbidding such sale and providing for forfeiture of the grant in such case.

As to the first point, my protest promptly cured the situation.

As to the second, there has been a gradual and rather leisurely movement toward agreement upon a satisfactory program.

As to the third, at my suggestion the matter was finally referred by the Secretary of the Interior to the Attorney General for an opinion. In the meantime, at a recent election a bond issue proposed by the city to enable it to acquire the existing power-distributing systems resulted in an adverse vote.

In the past few days responsible officials of San Francisco have been in conference with the Secretary of the Interior, seeking a basis for future action. By courtesy of the Secretary of the Interior I was privileged to sit in that conference. The following statement issued by the Secretary of the Interior to-day outlines the basis arrived at:

Senator JOHNSON, Senator SHORTRIDGE, and Congressmen ENGLEBRIGHT and WELCH to-day presented to the Secretary of the Interior, with their indorsement, a program of the city of San Francisco for compliance with the Raker Act under which in 1913 the city was granted use of lands in Yosemite National Park for a water reservoir. The dam and power house were built and the aqueduct to San Francisco is 72 per cent completed, having cost to date over $70,000,000.

The program of the city relates especially to two requirements of the Raker Act—one imposing on the city the obligation to build roads and trails in this area to connect with the balance of Yosemite National Park. The city and the National Park Service have agreed on a schedule of construction which involves the expenditure of $1,500,000 within the next six years, and provides for all roads and trails required by the Raker Act. Furthermore, the city has agreed to convey to the Government certain lands it still owns in Yosemite National Park and in an extension of the park which was recently authorized. The second point relates to the disposition of power generated by the city. Original plans called for the use of all this incidental hydroelectric power for pumping the aqueduct water over the mountain areas intervening between the Hetch Hetchy Valley in the Yosemite and the city of San Francisco. Changes in plan provided a gravity route leaving this power available for other disposition.

The Raker Act imposed restrictions against the sale of this power by the city to other than municipalities, municipal water districts, and irrigation districts. Inasmuch as the dam and power plant were necessarily completed some years in advance of the completion of the aqueduct and establishment by the city of its own electric distribution system, the city entered into a temporary agency agreement with the Pacific Gas & Electric Co., whereby this electricity is transmitted from the city's power plant in Hetch Hetchy to its citizens in San Francisco by the company as agent for the city. The company has accordingly collected and paid over to the city approximately $2,000,000 each year. This amount under the charter of San Francisco must be applied exclusively to payment on the aqueduct bonds, totaling in excess of $70,000,000. The validity of this contract has been questioned by some who have urged that the $70,000,000 investment of the city, which is within about three years of completion, should be forfeited on the ground that this agency contract was a technical violation of the Raker Act.

Senators Johnson and Shortridge and Congressmen Englebright and Welch, together with City Engineer O'Shaughnessy, City Attorney O'Toole, and Supervisors Colman, McSheehy, and Hayden, a committee with power from the board, unanimously requested that the department take no action to require the cancellation of this contract pending completion of the city's program for acquisition of its own distribution system. This program looks to a 4-year period within which the aqueduct will be completed, the water delivered into San Francisco, and a nonpartisan, nonpolitical commission set up to dispose of the Hetch Hetchy water and power, somewhat along the lines of the Los Angeles Bureaus of Water and Power. Fourteen hundred men are now at work on a 28-mile tunnel, progressing at the rate of about a mile a month.

The California delegation was given to understand by the Secretary that action of the department in the future would depend upon the diligence and good faith with which this program is carried out.

I agree fully with the Secretary of the Interior that action of the department in the future should "depend upon the diligence and good faith with which this program is carried out."

Congress meant what it said in the Raker Act and what it said is law. No gross waste should be required of the city. No impossibility should be required, but compliance with the act is essential, and the city should with all due diligence and perfect good faith progress to that end.

A DEFINITE PROGRAM FOR HOWARD UNIVERSITY

Howard University, which was established by General Howard for the negroes of the South, immediately following the war, is a privately managed institution, for which appropriations for its development, maintenance, and expansion are now authorized by law, a law which I first drafted and introduced. Since the passage of legislation authorizing such development, our committee has given special attention to the working out of a definite program of development, rather than such hit-and-miss affair as was formerly the case.

The appropriations here carried enable us, in a material degree, to contribute to such program. Definitely, it is not the thought that Howard University should become a Federal institution, solely supported by Federal funds. Our thought has been through increased appropriations for its development, to secure an increase of interest likewise on the part of philanthropic foundations, such as the Rosenwald Fund, and the General Education Board, the Rockefeller Foundation, and so forth. We have been assured by those in charge of such activities that the greater the interest of the Government the greater the interest they would take; that our increases of appropriations would be matched by increased effort on their part, and that has been the case. For instance, a very large additional acreage for the institution has been purchased through private philanthropies in recent months.

Mr. DE PRIEST. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. DE PRIEST. I wish to take this opportunity to express my personal appreciation of the part played by Mr. CRAMTON for the benefit of Howard University. I visited Howard University yesterday, and I find the consensus of opinion to be that Mr. CRAMTON has been one of the greatest friends the institution has ever had, and I personally want to thank him for it. [Applause.]

Mr. CRAMTON. It is very kind of the gentleman to make such a statement.

Soon after this legislation passed to which I have referred, Mr. Rosenwald called upon me, brought in by our colleague from Illinois [Mr. HULL], to express his interest in that legislation. So the ideas which were forming in my mind at that time I had an opportunity to present to him and to get his reaction. It is easy to understand that my continued interest in the project and my confidence in my views was, of course, increased by finding that he corroborated my point of view entirely, it being remembered that Mr. Julius Rosenwald has established the Rosenwald Fund with a contribution, as I recall, of $22,000,000, which has carried on the work of building schoolhouses for negroes, particularly in the South. It is my understanding that recently the five thousandth school has been completed, and hence their interest in this problem is a very deep one and their contact has made his judgment of great value.

Last January I received the following letter from Mr. Edwin R. Embree, president of the Julius Rosenwald Fund, with the attached copy of a letter from Mr. Rosenwald:

JULIUS ROSENWALD FUND,
Chicago, January 2, 1930.

Hon. LOUIS C. CRAMTON,
Lapeer, Mich.

DEAR MR. CRAMTON: You may be interested in the inclosed copy of a letter that Mr. Rosenwald has just sent to Secretary Wilbur. All of us who have been interested in Howard University are very much gratified at the support you are giving to this institution in the House.

I think foundations and individuals will continue and increase their gifts to Howard if they can be assured of continued and increasing support from Congress. The financing of this university seems to me a happy example of joint contributions from Government and private sources. The results of this support in the work of the university I feel confident will justify the interest of all of us.

It was a great pleasure to meet you at the time of the conference in Washington concerning Howard last spring. I hope our paths may cross frequently as time goes on and I wish for you a very happy and prosperous New Year.

Very truly yours,

EDWIN R. EMBREE.

JULIUS ROSENWALD FUND,
December 26, 1929.

Hon. RAY LYMAN WILBUR,
Washington, D. C.

DEAR MR. SECRETARY: For some years I have been interested in the work of Howard University. Under the leadership of its new president, Mordecai Johnson, it seems to me to have greater possibilities than ever before. The really distinguished work of the biologist, E. E. Just, probably would not have been possible to a negro anywhere else in America. And Howard's record in training physicians and other professional leaders of the race is one of which we may all be proud.

In its financing, this institution represents a happy combination of support from the Federal Government, and from private citizens. Foundations and individuals, I believe, will continue to make increasingly large contributions to it, as long as they can be assured that the Federal Government will continue and increase its support. I have been much gratified at the great interest which Congressman CRAMTON, of the committee in charge of recommendations, has taken in Howard University. The intelligent and enthusiastic support of such a man means a great deal to such an institution.

Recommendations for appropriations, I understand, originate with the Department of the Interior. For this and other reasons, interest of the Secretary of this department and his associates means much to the progress of the university. President Johnson has told me of the great help which you and your department are giving him in his plans, and in his efforts for increased support. I want to assure you that this cooperation is greatly appreciated by those of us who believe that Howard University is one of the very important institutions of this country.

Please accept my personal greetings at this holiday season, and my congratulations on the splendid work you are doing in Washington in connection with so many great movements.

Very truly yours,

JULIUS ROSENWALD.

Since then the problem has been studied intensively by the authorities in the Office of Education in the Department of the Interior and by the president of the university and others. A comprehensive program of expansion for the university has been worked out which appeals strongly to our committee. Very recently I brought that program and that attitude of our committee to the attention of Mr. Embree, who has just written me:

Your stand gives the finest evidence of courage and imagination. I was most favorably impressed by President Johnson's statements as recorded in the reports of the plans and programs of Howard. It seems to me that he has a fine grasp of the situation and that he is engaging in real strategy in his plans for the future. No enterprise with which we have been associated has given the officers of this fund so much satisfaction as the recent and prospective progress of Howard University.

From another authority I have this:

The program will play a very large and important part in the education of the negro in this country. That, of course, is striking at the fundamental roots of one of the most important problems we have.

THE NEGRO PROBLEM AND HOWARD UNIVERSITY

It is, in brief, our thought that the negro problem is one of the great problems of the Nation, with something over 10,000,000 negroes in the country. Again, like the Indian problem, it is not a single problem. It is a complicated problem with many angles. It has seemed to me that no race will ever rise very high without leadership of their own. They may very well be aided by other races, but unless they develop leadership of their own they are not going to rise high. I have that fundamental confidence in education that I believe education can contribute to the development of the Negro race in America just as it develops any other race of people. Even if 9 out of 10 who graduate from Howard University prove to be failures, which is not the case, or if they fail to make the best use of their opportunities, very much the same thing could be said of our classmen in our universities and schools. Education is a fundamental need, and a great opportunity lies here to develop a national institution for this race. The Nation has not contributed to or aided in the education of the negro in the same degree it has the white man through land-grant colleges, and all of this program for Howard University will not equalize the national contribution financially as between the races.

But we have the opportunity here to develop an institution which in time will represent the intellectual leadership of the race, and with the quickened interest in education for the negro in the South, it has become a necessity that such an institution should be. Not only can it provide the teachers, doctors, and nurses, and all of those other intellectual leaders of a people, but it will of itself afford a market for the best talent in the Negro race. Such a man as Doctor Just, who is now at Howard, and who is one of the world's greatest authorities on biology, might have found it difficult to secure a suitable opportunity to carry forward his work in many of our State universities or prominent institutions. Dr. Mordecai Johnson, the president of Howard, himself finds here opportunity for his career that is in itself an achievement for his race. I only mention these things to show that Howard University, carried on in the proper way as a real university, will afford a market for the best negro brains in the country, and the fact that there is such a market encourages a race and a people, and gives them opportunity to show their capacity.

NEEDS OF HOWARD

This institution now has something over 2,000 students, but the institution is almost pitiable in its lack of facilities, its lack of equipment, and its lack of personnel for teaching, its lack of library facilities, and many other things. But this proposed program contemplates a well-equipped institution at the end of 10 years, sufficient to accommodate 4,000 students.

In a letter to Doctor Johnson, October 17, I said:

We have been planning for a definite program of construction, faculty development, and equipment to properly provide at the end of a 10-year period for a student body of 4,000. This problem has appealed to me as one of the most important of anything that has come before me in my committee work. The purpose has been, in short, to make the Howard University at the end of the 10-year period a well-equipped, well-planned institution, with a sufficient and capable faculty. Such an institution would thenceforth inevitably constitute the educational leadership of the Negro race in the United States, and thereby play a great part in the solution of the negro problem in the future.

Along with this program and following it the thought is that there will be raised an endowment fund, so that ultimately the Federal Government's contribution will be less than at the present time.

This program has the full approval of the board of trustees of Howard, of the Commissioner of Education, and of the Secretary of the Interior.

UNITED STATES DEPARTMENT OF THE INTERIOR,
OFFICE OF EDUCATION,
Washington, November 20, 1930.

Hon. LOUIS C. CRAMTON,
Appropriations Committee,
House of Representatives, Washington, D. C.

DEAR MR. CRAMTON: It was with my consent that Doctor John submitted to you a plan which he and Doctor Johnson, of the Howard University, have worked out governing the relationships between the United States Government and the institution including the financial support to be given by Congress.

It seems to me that this follows very closely the program which has been in operation for more than 60 years governing our relationships to the land-grant colleges which are supported in every State for white students and in many of the States for students of the Negro race. In the District of Columbia the white students have had the opportunity to go to the University of Maryland, but negro students have been denied privileges extended to them in other parts of the country.

I understand that you want my formal approval of the plan and therefore give it with the statement above.

Cordially yours,

W. JOHN COOPER, *Commissioner.*

THE SECRETARY OF THE INTERIOR,
Washington, November 20, 1930.

MY DEAR MR. CRAMTON: May I call your attention to the financial program of Howard University, placed in my hands by President Johnson. In general, this would put this institution on a basis similar to that now recognized for the land-grant colleges. Until some other policy is developed for the relationship of the Federal Government to education, it seems reasonable to work forward from this basis. The program suggested aims to set Howard University free under its own endowment after a certain period of years. The present plan is to give established support, gradually diminishing in amount, from the Federal Government.

May I commend to you this program in the hope that you will find a way to incorporate it in the appropriations upon which the subcommittee of which you are chairman are now working.

Sincerely yours,

RAY LYMAN WILBUR.

Hon. LOUIS C. CRAMTON,
House of Representatives.

A NATIONAL INSTITUTION

The following information as to attendance and its distribution among States and countries will demonstrate the truly national character of the institution, as national as the problem. Also the distribution among the several departments will be of special interest.

Geographical distribution, 1929–30

[Net total in college]

States and countries	Liberal arts	Education	Applied science	Music	Religion	Law	Medicine	Dentistry	Pharmacy	Graduate division	Total
Alabama	17	16	3	4	....	2	11	1	4	3	61
Arkansas	16	8	2	....	....	1	5	1	1	1	35
California	2	2	....	1	....	....	....	....	....	....	5
Colorado	....	1	....	....	....	....	....	....	....	....	1
Connecticut	5	2	....	....	....	....	1	1	....	....	9
Delaware	4	7	....	....	....	....	....	....	....	....	11
District of Columbia	139	386	30	11	13	4	21	6	2	27	639
Florida	23	18	....	....	1	2	5	1	1	....	51
Georgia	37	28	1	2	1	7	13	6	2	7	104
Illinois	5	9	1	2	....	1	1	....	2	....	21
Indiana	8	6	1	....	....	....	....	....	....	....	15
Iowa	....	1	....	1	....	....	....	....	....	....	2
Kansas	4	4	....	....	....	3	2	....	....	....	13
Kentucky	23	12	1	1	1	2	1	....	1	....	42
Louisiana	13	7	3	1	....	3	4	....	1	1	33
Maryland	27	45	4	4	2	1	9	2	5	....	99
Massachusetts	4	10	1	2	....	....	3	....	1	1	22
Michigan	4	....	....	....	....	....	1	....	....	....	5
Minnesota	1	....	....	....	....	....	....	....	....	....	1
Mississippi	24	11	2	3	....	2	5	1	....	1	49
Missouri	13	12	3	2	....	1	3	....	1	....	35
Montana	....	1	....	....	....	....	....	....	....	....	1
Nebraska	2	1	....	....	....	....	1	....	1	....	5
North Carolina	80	52	4	7	4	9	15	11	4	1	187
New Jersey	31	28	1	2	....	....	14	4	1	3	84
New York	29	20	4	2	1	....	6	4	2	....	68
Ohio	13	15	1	....	....	1	7	4	....	1	42
Oklahoma	6	11	....	1	....	1	1	....	....	....	20
Pennsylvania	63	53	3	5	2	2	17	2	3	2	152
Rhode Island	8	1	....	....	....	....	....	1	....	....	10
South Carolina	25	24	3	1	2	4	16	3	5	2	85
South Dakota	....	....	....	....	....	....	1	....	....	....	1
Tennessee	9	14	1	....	....	2	2	3	....	....	31
Texas	27	7	3	1	3	....	6	2	2	1	52
Virginia	101	90	15	7	3	10	20	10	14	1	271
Vermont	....	1	....	1	....	....	....	....	....	....	2
West Virginia	7	5	2	3	....	1	....	....	....	....	18
Wyoming	2	....	....	....	....	....	....	....	....	....	2
FOREIGN COUNTRIES											
Africa	4	1	....	....	....	....	2	....	....	....	7
Bahama Islands	1	....	....	....	....	....	....	....	....	....	1
Bermuda	2	....	....	....	....	....	2	....	....	....	4
British Guiana	11	....	....	....	....	....	5	1	....	....	17
British West Indies	49	7	1	....	....	3	35	8	1	....	104
Canada	3	1	....	....	....	....	....	....	....	....	1
Central America	....	....	....	....	....	....	1	....	....	....	4
Costa Rico	1	....	....	....	....	....	....	....	....	....	1
Dominican Republic	....	....	....	....	....	....	1	....	....	....	1
Dutch Guiana	....	....	....	....	....	....	....	1	....	....	1
Haiti	1	1	....	....	....	....	....	....	....	....	2
Japan	1	....	....	....	....	....	....	1	....	....	2
Mexico	1	....	....	....	....	....	....	....	....	....	1
Panama	1	....	....	....	....	....	....	....	....	....	1
Porto Rico	4	1	....	....	....	....	1	....	....	....	6
Russia	....	....	....	....	....	....	1	....	....	....	1
South America	....	....	....	....	....	....	2	....	....	....	2
Virgin Islands	1	....	....	....	....	....	....	....	....	....	1
Total	852	919	90	64	33	62	241	74	54	52	2,441

NOTE.—This chart does not include special students.

General numerical summary of students

Divisions	Year 1929-30				Graduates	Unclassified	Men	Women	Division totals	Net totals	Subdivisions	Grand totals
	1	2	3	4								
The colleges:												
Liberal arts	404	179	134	115	....	20	662	190	852	....	79	....
Education	379	186	203	141	....	10	206	713	919	....	154	....
Applied science	51	21	11	7	....	....	48	42	90	....	8	....
Music	24	15	9	11	....	5	14	50	64	....	10	....
Graduate division	....	....	....	....	52	....	31	21	52	....	2	....
College, enrollment of	858	401	357	274	52	35	961	1,016	1,977	1,977	253	2,230
Professional schools:												
Theological college	10	6	6	5	....	1	26	2	28	....	....	....
Religion (resident)	....	....	....	....	....	....	....	....	....	33	....	....
Graduate college	2	3	....	....	....	....	4	1	5	....	....	....
Day class	20	14	....	....	....	....	32	2	34	....	....	....
Law school	....	....	....	....	....	....	....	....	....	62	....	....
Afternoon evening class	1	7	20	....	....	....	25	3	28	....	....	....
Medicine, college of—												
Medical college	58	57	58	68	....	....	234	7	241	....	....	....
Dental college	26	13	18	17	....	....	71	3	74	....	....	....
Pharmaceutical college	23	13	18	....	....	....	44	10	54	....	....	....
College of medicine enrollment	107	83	94	85	....	....	349	20	369	369	....	....
Total professional schools	140	113	120	90	....	1	436	28	464	....	....	464
Total college and professional	998	514	477	364	52	36	1,397	1,044	2,441	....	....	....

General numerical summary of students—Continued

Divisions	Year 1929-1930				Graduates	Unclassified	Men	Women	Division totals	Net totals	Subduplications	Grand totals
	1	2	3	4								
Special students in:												
Law							5	1	6			
Music							7	15	22			
Religion (correspondent)							149	1	150			
Total special students							161	17	178	178		178
Net total										2,619		
Duplication, subtracted											253	
Grand total												2,872
Evening academic class (included)							105	333	438	438	14	452
Summer session (included)							123	360	475	475		475

Graduates June 6, 1930

College of liberal arts	85
College of education	93
College of applied science	7
School of music	4
School of medicine:	
College of medicine	64
College of dentistry	16
College of pharmacy	13
School of law	21
School of religion	7
Graduate division	15
Total	325

NEED FOR NEW LIBRARY BUILDING

I will not take the time to discuss the one item here that was not recommended by the Budget, namely, an amount to begin the construction of a general library building, further than to observe that the library facilities, which admittedly are of the utmost importance in any school or university, are absolutely inadequate at Howard University, and it was our thought that although the item was not recommended by the Budget, we would include it because it is admittedly a necessary item, urgently recommended by the authorities of the school and by the authorities of the department.

Because of the present need for employment we are going to bring in to-morrow a bill for $110,000,000 to provide relief for unemployment through work on rivers and harbors, on flood control, and in the building of roads. In a very large degree that program of employment reaches the ordinary day laborer. The man of skill, the carpenter, and the mason do not benefit to the same degree by that sort of legislation.

I may say that our committee intends to follow the bill which comes before you to-morrow, in the consideration of the deficiency bill, with other items presented by the Budget for the relief of unemployment. But our committee, in handling this item for Howard, thought that since here was a building that was needed that a good time to build it would be now, when it would provide employment for a class of people who need employment. While Washington is prosperous—and it is the only city in the Nation that does not suffer from the economic reverses of the country—we believe it a good time to go on with the erection of this building. People all over the Nation have read about Washington's construction program, they have naturally come here to get jobs, and many are unemployed. To relieve that unemployment this further building will afford some further relief.

Mr. BOWMAN. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. BOWMAN. Will the gentleman inform the House whether Howard University is the only university for negro students which receives Federal aid?

Mr. CRAMTON. It is the only university which receives a direct Federal appropriation of this kind; in fact—and Mr. DE PRIEST will correct me if I am wrong—I think there is no other negro institution of the scope of Howard University in the country. There are some very good schools building up, but none of them have the wide curriculum that constitutes a real university, as I understand it.

Mr. O'CONNOR of Oklahoma. Will the gentleman yield further?

Mr. CRAMTON. Yes.

Mr. O'CONNOR of Oklahoma. Is that a record to be proud of when we think that our ancestors went to Africa and brought the ancestors of these negro citizens to this country and enslaved them, and when they were given their freedom they were turned out without a penny, without any education, and without any training to meet and cope with conditions or find their place in a white civilization. Does not the gentleman think that the great thing the Negro race needs is more and better education so that they can have professional training, with their own doctors and their own nurses and their own educators, in order that they may achieve the best civilization that the negro can achieve in this country?

Mr. CRAMTON. We can at least do this very definite thing now proposed by the committee and support this wise program.

In closing my talk, that has gone on longer than I anticipated in my presentation of this bill, I would like to make this statement:

GIVING LIFE TO AN APPROPRIATION BILL

The handling of an appropriation bill can be a very cut-and-dried affair and very uninteresting. Our subcommittee have sought for all these years to make it somewhat more than that. We have sought to see the problems that were involved in the bill, and we have sought in our handling of the bill to cooperate with the administrative authorities so as to aid in the solution of these problems; and one of the big problems that seemed to me to be involved in the bill was this general negro problem, in which the question of education is of prime importance. Hence we have done what we could to help work that out and in this case do what we could to make a real contribution to the field of negro education.

I want to thank the House for their kind consideration. [Applause.]

The CHAIRMAN. The gentleman from Michigan has occupied 1 hour and 55 minutes.

Mr. TAYLOR of Colorado. Mr. Chairman, I yield myself such time as I may desire to occupy.

The CHAIRMAN. The gentleman from Colorado [Mr. TAYLOR] is recognized for not to exceed one hour.

Mr. TAYLOR of Colorado. Mr. Chairman and members of the committee, as the ranking minority member on this Interior Department Appropriations Committee that our friend Mr. CRAMTON has so splendidly conducted as chairman for the last 10 years, I want to make a brief reference to his service. His retirement—we hope only temporary—will be a very great loss to this House and Congress and the entire country. Personally, I think this subcommittee has the hardest and most trying and complicated task of any one of the 10 subcommittees. It has a greater variety of activities and touches the human side of governmental affairs more than any of them. I have been on the Appropriations Committee for 10 years, but I have only been on this subcommittee 6 years. The work of this committee is a fascinating inspiration.

As you all know, Mr. CRAMTON is one of the most thoroughly equipped, nationally minded, and hardest workers that this House has had during his long service. [Applause.] From my 22 years' service on this floor I have never known a more efficient or effective worker. He is not only a hard and conscientious worker but his work has always been broadgaged, not sectional, but really national.

I feel that if it had not been for the fact that he has looked upon his service as a Congressman from a national standpoint, and from a standpoint of building up our entire country; from the standpoint of rendering his best possible service in making more efficient these great bureaus that come under the jurisdiction of his committee, that this House might not have sustained the loss that this House sustains by his retirement. Instead of spending his vacations in idleness or at home building up his political fences, he has spent many months nearly every year investigating the problems of the national parks, in personally learning the conditions and needs of our 200 tribes of Indians and the Indian schools and reservations, and in studying the complaints and appeals from the Government irrigation and reclamation projects, and public-land matters, Government surveys, and hundreds of western matters, so that he could personally know and intelligently handle these matters before Congress. I know, because I have been with him on some of that work. I know it involves hard work besides the expenditure of considerable of our own money. I do not believe any committee of Congress has ever given all those western activities anything like the personal attention that this committee has, and, most of all, that work has been done by Mr. CRAMTON.

I feel his services here will go down in history with many great achievements; but three or four will stand out in bold relief. One is the wonderful help he has given toward educating, improving the health, and upbuilding and preserving the Indian race.

During the past 10 years that he has been chairman of this committee he has done more than any man I know of toward preventing the Indian from becoming extinct. He has devoted a world of hard work and most painstaking research to learning what their problems are and trying to take such constructive steps and render such practical help as is necessary to help the red man to help himself. He has vastly reduced the waste, inefficiency, and other evils of the Indian Service. His untiring work and the enormous appropriations he has secured for the better and more universal education and improvement of the health of the Indians should make every Indian in the United States and Alaska feel everlastingly grateful to him.

Our national parks are the great playgrounds of our country. If we are ever going to bring about throughout our Nation a universal sentiment of "seeing America first" it will be largely by reason of the development of our national parks. They are becoming marvelous attractions to not only the American people but to the people of the world, and the people of the world are more and more going there by the millions and millions every year.

There was no popular movement of that kind just a few years ago. Next to Stephen R. Mather I think he is entitled to more credit than any other one individual for the rapid and marvelous development of our national parks, that are the admiration of the world. I do not mean to minimize the earnest and hard work of the other members of this subcommittee. They are all good workers, but he has been the leading factor in bringing about the expenditure of many millions of dollars on the scenic roads and in the development of the parks in every way. That work of this committee has brought about this great migration to the West every summer to visit these parks. Besides being of inestimable value as great healthful and recreational resorts these parks have become a great Americanization institution. There you rub elbows with the people of every State in the Union and every nation of the world. No one can spend two months visiting our national parks without being benefited in health and charmed by the experience and also being ever thereafter a broader-minded and more patriotic American citizen.

Furthermore, there are many other things for which the gentleman from Michigan will be long remembered; many great acts of real statesmanship, including the great park that is provided for on the Potomac River adjoining this Capital City and his handling of the fiscal affairs of the District of Columbia.

All of our constituents should feel grateful to him for bringing about the first great step toward a fair, just, and equitable apportionment of the expenditures of the Federal money within the District of Columbia and partially terminating forever a most infamous outrage upon the taxpayers of every State in the Union.

Every negro in the United States should feel grateful to the chairman of this committee for his long years of persistant and very able and effective work in behalf of Howard University in the District of Columbia and in being largely instrumental in putting it on a practical and working basis where it is going to be the greatest university for the colored people in the world. No human being can estimate the future value of that university to the Negro race and to the world. I have often said to my constituents in western Colorado that Mr. CRAMTON was worth a million dollars a year to our Government. Whether or not that statement was exaggerated, I know that this Interior Department subcommittee under his constant and very active leadership has saved to the taxpayers of our country a great many millions of dollars.

On behalf of all the Western 15 States of this Union I say to the House with profound sorrow that when the gentleman from Michigan retires from this Chamber the West will lose one of the greatest friends we have ever had. He has rendered 18 years of great and loyal service to the American people, and I know the other 34 members of our Appropriation Committee, and I believe all the other 400 Members of this House sincerely hope that his congressional career will only be temporarily interrupted. [Applause.]

I now yield 10 minutes to the gentleman from Oklahoma [Mr. HASTINGS].

Mr. HASTINGS. Mr. Chairman, it is not my purpose at the present time to discuss in detail the various items contained in this bill. That has already been done by the very able and efficient chairman of the subcommittee. The report outlines in detail the various items in the bill, showing the increases and decreases, and your attention is invited to the fact that there are 1,226 pages of the hearings which exhaustively explain every item in the bill.

I want to supplement the statement that has been made by the gentleman from Colorado [Mr. TAYLOR] that every member of the subcommittee deeply regrets the retirement of the chairman of the subcommittee [Mr. CRAMTON] from the committee and from the Congress.

During my service of some 14 years in the House I know of no man who has devoted unselfishly more of his time to the public service than has the gentleman from Michigan. I voice the sentiment of not only every member of the subcommittee but of all members of the full committee when I say there is no man on the committee who has a more intimate knowledge of every detail of this bill than has the gentleman from Michigan [Mr. CRAMTON]. He has not only devoted his time during sessions of Congress but when the Congress was not in session he has visited practically every project that is appropriated for in this bill. He brings to the service of the committee not only the information that is developed from the heads of the various bureaus but a wealth of personal information that he has gained from an inspection of practically every project appropriated for in this bill. We on the committee have learned to lean on him very heavily. We have not only found in him a tireless worker, a man of splendid judgment, of fine intellect, but one who has a comprehensive grasp of every detail.

Every bureau that is appropriated for in this bill is indebted to the chairman of this subcommittee for the results of the splendid public service he has so faithfully rendered. [Applause.]

The hearings corroborate the statement that he compels the heads of every bureau to justify every item that is re-

quested and he also compels the bureau to account for the expenditure of every dollar in the bill for the current year. His retirement from the House is a distinct loss to the committee, to the Congress, and to the Nation.

Mr. Chairman, as its name implies, this bill appropriates for all of the activities that come under the supervision of the Secretary of the Interior. The amount recommended to be appropriated in this bill is $68,552,006.73.

This amount is $840,705 less than the Budget estimates for 1932, and is $5,640,382.99 more than was carried in the 1931 appropriation bill.

This bill recommends $779,600 for the Secretary's office.

It carries $2,237,300 for the General Land Office.

The bill recommends for the Reclamation Service, payable from the reclamation fund, $22,071,000, which is an increase, compared with the 1931 appropriation, of $2,350,000.

The amount recommended in the bill for the Geological Survey is $3,132,740.

For the National Park Service the bill recommends $9,498,250.

For the Bureau of Education the sum of $510,000 is recommended, which is an increase of $76,120 over the amount carried in the 1931 appropriation.

The government in the Territories of Alaska and Hawaii is provided for in the sum of $1,242,100, a decrease of $72,700 over that appropriated for the current year.

For St. Elizabeths Hospital the bill carries $2,779,020, and for the Columbia Institution for the Deaf, $125,000.

The bill recommends an appropriation of $1,560,000 for Howard University, and $193,500 for Freedmen's Hospital.

For the Bureau of Indian Affairs there is recommended an appropriation in this bill of $24,423,496.73, which is an increase of $2,060,065.99 over the amount appropriated for the current year.

I want to trespass upon the time of the House very briefly to discuss the Indian question.

I had never heard that there was any criticism directed against the chairman of this subcommittee [Mr. CRAMTON] because of his attitude toward the Indian question.

Permit me to say that he has rendered the Indians a distinct service and I know of no man who has been more helpful to them or who has been more sympathetic in the consideration of appropriations recommended for their benefit.

Every dormitory and every hospital built throughout the country for the benefit of the Indians will stand as a monument to his generous and sympathetic consideration.

Every time the bill making appropriations for the Indians comes up for consideration in the House the question is asked, what is the necessity for the various increases in the items for the benefit of the Indians?

A few years ago we dealt with Indians by tribes, but Congress has changed its policy toward them; their lands are being allotted and their funds individualized, and therefore instead of dealing with approximately 193 Indian tribes collectively, we are supervising approximately 340,000 Indians scattered, for the most part, throughout the Western States.

Let us remember that when Columbus discovered America the Indian claimed the possessory right to the entire continental United States and, in fact, the entire Western Hemisphere. When the first English settlement was founded at Jamestown in 1607, it was upon an island on the north bank of the James River, consisting of approximately 1,900 acres, cut off by a slough, which formed a protection against the Indians who lived in that immediate vicinity. They were gradually pressed back by the various waves of civilization. When the War Department was created by the act of Congress of August 7, 1789, the Indians were placed under the supervision of that department. A Bureau of Indian Affairs was organized in that department on March 11, 1824. On July 9, 1832, the office of Commissioner of Indian Affairs was created. When the Department of the Interior was created by the act of March 3, 1849, the Bureau of Indian Affairs was transferred from the War Department to the Interior Department.

From the foundation of our Government we began to make treaties with the Indians, and in each treaty the area over which they claimed the possessory right was materially diminished. Our Government continued the policy of making treaties with the Indians until discontinued by the act of March 3, 1871, when it was declared that thereafter no further treaties would be entered into with the Indians. For the next 25 years we made agreements with them. Most of these agreements were induced by coercive measures. Agreements had the same binding force as treaties, as the Supreme Court of the United States has repeatedly held that a treaty has no more binding force than an act of Congress and can be repealed by an act of Congress. During the past 25 years instead of making agreements with the Indians the policy has been changed and Congress legislates for them by direct enactment.

By these various means, first by treaty, then by agreements, and later by acts of Congress, the Indians of the United States, some 193 tribes or bands, speaking 58 different dialects, have had their possessions greatly reduced. For the most part their lands have been allotted, and the public generally thought that this was a final solution of the Indian question.

It is not my purpose to discuss the Indian question at length, but let me say that we hope to accomplish the matter of civilizing the Indians gradually and to prepare them for productive citizenship, emphasizing some three or four governmental activities.

First, we are trying to stress industrial education, and this bill carries for educational purposes for the Indians, exclusive of tribal funds, $11,726,000, or an increase of $537,060 over the appropriation for the current year, and, in addition, authorizes the expenditure of $881,000 out of tribal funds, and these appropriations are expended upon reservation and nonreservation boarding schools, Indian day schools, contract and mission schools, and through the payment of tuition for the attendance of Indians in the various public schools throughout the Western States.

The report indicates that there are 12,420 children in nonreservation boarding schools, 8,250 children in reservation boarding schools, 3,900 children in boarding schools conducted by other agencies than the Federal Government, 875 children in special institutions for defectives, 4,000 children in day schools maintained by the Federal Government, and 25,500 children for whom tuition is paid in the local public schools.

The report states that there are 79,534 children of school age, and that of this number 68,220 attend school either under Federal or State supervision.

This would leave 11,314 Indian children of school age who are not attending school. Some of these children, with some degree of Indian blood, attend school in cities and towns where no tuition is paid from Federal appropriations, and, perhaps, therefore are not accounted for.

Let me say to the Congress and to the Indian Bureau and the country that my fears are that when a survey, now in process of being made, is completed that it will disclose that a large percentage of the full-blood Indian children of school age are among the 11,314 children eligible to attend school but who are not actually in school.

You ask why? In the first place the parents are for the most part non-English speaking and are not inclined to compel their children to enter the public schools, and in the second place the parents are in destitute circumstances and the children are, in many cases, undernourished. The children have insufficient clothes to permit them to attend the public schools. In many cases they have no lunch to take with them and they have no money with which to buy books.

I want to state again that the attendance of full-blood children upon day schools throughout the country has been a disappointment. It is a splendid theory to state the great advantages to the Indian children coming in contact with the white children, and carrying the effects of that contact back to their homes, but that presupposes the Indian children actually attend the public schools.

I want to urge upon the education division of the Indian Bureau the making of a detailed survey with a view of determining not so much as to how many Indian children are in the public schools, but how many full-blood Indian children are attending the public schools, and just how many full-blood children do not attend the public schools.

In my judgment, the Indian day schools on the western reservations are a success, but it must be remembered that in those schools the attendance is almost exclusively Indian, and their books are furnished to them free of charge and hot lunches are provided. I have in mind, however, those communities in which there are only a few full-blood Indian children, and where no books are furnished, and where no lunches are provided, and where it is impracticable to do this.

In my judgment the only solution in such cases is to provide boarding schools.

I attended the Indian primary schools and the tribal boarding schools and have devoted much of my life to a study of the Indian question.

We have approximately 193 Indian tribes in this country. Legislation as to each tribe differs in some respects, and, therefore, the government or supervision of each tribe by the Indian Bureau is to some extent different. I think that the boarding schools must be maintained for a number of years, and an effort should be made to induce the full-blood Indian children in the communities where they do not reside in sufficient numbers to maintain schools, to enter boarding schools and to give them an industrial education so as to make them productive citizens of the Nation.

It is frequently urged that this is an obligation of the State. The Constitution reserved the right to legislate for the Indians, and Congress has legislated for the Indians since the foundation of the Government, and it has always been recognized as a national obligation. Their tribal lands are tax exempt and their lands, when allotted, are restricted and usually exempt from taxation. The States therefore feel that if the lands allotted to the Indians are to be exempt from taxation, if they are not going to contribute to the support of the schools, the building of roads, and to the expense of the county and State governments, due to legislative enactments by Congress, that the Congress of the United States should appropriate back to the States money in lieu of taxes not collected from tax-exempt Indian lands. For these reasons no State of the Union has adequately cared for its Indian population. There is no exception. I do not want to particularize, but I invite attention to the condition of the Seminole Indians in Florida, the Choctaw Indians in Mississippi, and the Alabama Indians in Texas.

When the committee visited the Seminole Indians who live around the Everglades in Florida, a few years ago, they were perhaps the most primitive Indians in the United States. There was not a missionary among them, and no schools were maintained for their benefit. We found only two Seminole Indians—a boy and a girl—who had attracted the attention of the white people and had been induced to enter school, but so far as our investigation went no other Seminole Indian children attended school.

Mr. HOUSTON of Hawaii. Are they in the same situation as these other Indians to whom you have referred?

Mr. HASTINGS. These Indians were not in as impoverished a condition then as they are now. At that time the Florida Indians made a living by hunting and fishing and they were permitted to kill plume birds and to sell the plumes, but since that time State restrictive legislation has been enacted in Florida to prevent this. Much of the land over which they hunted has been allotted, so it will be seen that their means of livelihood, with which they were familiar, has been changed.

What is true of the Indians in Florida is true in practically every other State of the Union. The lands of the Indians have been restricted; they have been allotted in my State of Oklahoma; they do not have a wide area over which to hunt and there are no available streams in which to fish. I do not mean to criticize the legislation. Most of it is to be commended, but some of the Indians in my district are in very destitute circumstances.

Mr. HOUSTON of Hawaii. Is that in consequence of violation of treaty rights?

Mr. HASTINGS. No; those Indians are now citizens of the United States. Their lands were allotted, and each State has a right to enact its own game laws and that has been done. I am only inviting attention to the fact that the Indians are not familiar with other means of making a living, and when restricted in this they do not readily turn to another.

Now, with reference to the Indians in my own State. A few years ago each Indian owned a larger allotment of land. From time to time, either through legislation or by action of the Secretary of the Interior, he has been permitted to dispose of a part of his holdings. Their surplus lands have in a large measure been disposed of. This is also true of inherited lands. They are gone. For a time he made his living by cutting and hauling the timber off his land, and from some of this timber he cut railroad ties. He has been doing this for a number of years, so that he does not have much left to live off any longer.

Mr. STAFFORD. Will the gentleman yield?

Mr. HASTINGS. I yield.

Mr. STAFFORD. Can the gentleman give a general estimate as to the amount of land that is still retained in the original allotted lands, by the Indians or their descendants?

Mr. HASTINGS. I do not have accurate figures at the present time.

Mr. STAFFORD. I mean among the Five Civilized Tribes or any one of them?

Mr. HASTINGS. Beginning in 1902 there were 101,518 enrolled members of the Five Civilized Tribes for allotment purposes, and their lands were allotted to them. Congress, by the act of May 27, 1908, removed the restrictions from a part of these lands and from time to time the Secretary of the Interior has under the law removed restrictions from individual Indians. A great many of those originally enrolled have died and their lands have been sold. I do not have accurate figures as to the number of original allottees still living, but a survey is now being made by the Indian Bureau and accurate figures ought to be available within the next few months.

Mr. GLOVER. What is the disposition of the Indians now with reference to agriculture? Is the Indian interested in agriculture or is he not?

Mr. HASTINGS. The gentleman from Arkansas must understand that the word "Indian" includes allottees from the full blood to one two hundred and fifty-sixth degree Indian blood, and he must also remember that there is a vast difference between the 193 Indian tribes in the country. As to the members of the Five Civilized Tribes they have been agriculturalists for 100 years. Some, of course, cultivate small tracts, and others cultivate a much larger acreage. The Indians in New Mexico have been interested in agriculture and irrigation for 500 years or more, so that when this inquiry is made we must specify whether we mean a full-blood Indian or one of a lesser degree of Indian blood.

Mr. GLOVER. My inquiry was as to those of full Indian blood.

Mr. HASTINGS. The full-blood Indians of Oklahoma are all cultivating some land and they are making progress. However, as I was about to say a moment ago, they are in destitute circumstances. Some relief is granted in this bill. The chairman has indicated that he will propose an amendment increasing the amount which may be expended for the relief of Indians throughout the United States and that he will make this immediately available. The Indians in my State should have help during the coming winter months, and I sincerely trust that some of the money appropriated in a lump sum for general support and administration will be made immediately available for relief purposes, and the chairman informs me that when that item is reached in the bill it is his purpose to amend it to that effect.

Just a word in conclusion. I have emphasized one method of assisting the Indians, and that is through industrial edu-

cation. We are attempting to give the Indians industrial education and assistance and are making every effort to teach him how to farm and to follow other pursuits, so as to make him self-sustaining. We are encouraging him to raise stock. We are assisting him in the marketing of his farm products. But we must not press him over a precipice before he is prepared. That would be disastrous to him. We should gradually but firmly aid him in every possible way through industrial education, through farming, and other methods, as provided in this bill, and direct him into a path that will lead to progress and will ultimately place him in a position that will make him assume the full responsibilities of citizenship and make him a productive citizen of his community, State, and Nation. [Applause.]

Mr. TAYLOR of Colorado. Mr. Chairman, I yield 15 minutes to the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM. Mr. Chairman, ladies and gentlemen of the committee, as a member of the Appropriations Committee I find myself in a somewhat uncomfortable position by not being in accord with a majority of my committee on at least one item included in this bill. That item is the one providing for an appropriation of $400,000 to be made immediately available to begin the construction of a new library for Howard University, the ultimate cost of which is to be $800,000 and which was submitted to but refused by the Budget.

In order to have the record straight, and especially to have my own position understood, I want to recall briefly the policy adopted by the Committee on Appropriations at the beginning of this session with reference to appropriations.

You will recall that when the Treasury and Post Office appropriation bill was under consideration our committee recommended to the House that an item of something more than a million dollars, which had the approval of the President and the Budget, should be stricken out of that bill. That item was to afford relief by equalizing the salaries of certain groups of Government employees. The Appropriation Committee recommended to the House and the House adopted the recommendation, that in view of the economic depression and the state of the Treasury, these increases in salaries should not be voted to Government employees at this time.

For just a moment, in passing, let us examine the merits or demerits of that recommendation of our committee.

In the first place let us recall that since the adoption of the classification act in 1923 there has grown up this system of inequality in pay among Government employees. Under that system we go to one department and find an employee doing a certain class of work and getting a certain rate of pay, and we go into another branch of the service and find the same class of work being done at a different rate of pay. We find certain employees getting periodical raises and other grades held stationary.

In 1928 the Welch bill was enacted, the purpose of that legislation being to cure some of these defects. It may be recalled by some of you ladies and gentlemen that at that time I was a member of the Civil Service Committee, and I think one of a little handful in the House who voted against the Welch bill, because I did not believe it would equalize the pay or remedy the defects that it attempted to cure. But the bill was passed, and as a result of the passage of that bill, appropriations were made by Congress to carry out and put into effect the increase authorized.

Then we passed the Brookhart bill, which provided automatic step-ups for those who had not received a raise under the Welch bill. Appropriations were made in response to that bill. So that during this very fiscal year in which we are now operating many Government employees have received increases in their salaries as a result of the Welch and the Brookhart bills.

Now, we knew all of that. We also knew that this group of something like a half million employees was the only group of workers—I was about to say in America, but I might say in the world—who had not directly felt the touch of the present economic depression. They had not lost one single day from their regular employment. Their annual leave and their sick leave had come regularly and automatically. Not only that, but they had automatically benefited by a reduction of something like 25 or 30 per cent in the cost of living. Now, those were the conditions that were understood. On the other side of the picture we knew that our Nation was facing a great financial and economic crisis; that back in your State and in my State hundreds of thousands of men and women were idle, not a day's work to be done; mortgages being foreclosed on their homes and many of them hungry. We knew that in a number of the States of the Union our agricultural population was prostrate because of the drought and that not only would the Federal Government be called upon to make large appropriations to relieve that situation but that the various State governments and State agencies would be called upon to provide liberally if people were not to have suffering and want during this winter.

So with that picture, ladies and gentlemen, and believing—and I hope we may continue to believe—that the great army of Federal employees are patriotic men and women, and willing to postpone temporarily their claims in an emergency of this kind, we believed it not to be unreasonable to ask them to defer for a year, if you please, the large appropriations necessary to make those increases in their salaries. I voted, ladies and gentlemen of the committee, with my Appropriations Committee on that policy. Not only did I vote with them but I came over when it was considered and stood up with them. And I say to you frankly it was not an easy thing to do, because I have championed, since being a Member of this House, the rights of the Government clerks and the employees of the Government, and championed the idea that the Government ought to be a liberal employer, pay a living scale, and set a good example. Yet I believe the Government is justified in withholding this increase in pay in view of the state of the Treasury in the present situation.

Now we have at last come to the point. That is the policy which the Appropriations Committee has adopted and it has been approved by the House. We now come to the Interior Department appropriation bill, and in it we find an item of $400,000 to begin construction on a library for Howard University, the total cost of which shall not exceed $800,000, an item, ladies and gentlemen of the committee, which was submitted to the Budget and refused.

Now, some one suggests that it is ludicrous to say that Congress ought to be consistent. I do not think so. How are you going to justify, how can the Appropriations Committee justify, and how can the Congress justify, saying to the Government clerks that though we recognize the fact that we owe this money to them in salary adjustments, though the Bureau of the Budget and the President have said it ought to be paid, yet because we are facing a deficit in our Treasury and because of the large appropriations we must make in this crisis we are going to withhold it? How can we say that to this group of Government employees and then turn around, ladies and gentlemen of the committee, to a private educational institution, which is not a Government agency but which is the benficiary of large Government appropriations, and embark on a large and extensive building program?

Mr. SNELL. Will the gentleman yield?

Mr. WOODRUM. Yes.

Mr. SNELL. The gentleman is a member of the Appropriations Committee?

Mr. WOODRUM. I am.

Mr. SNELL. There seems to be some misunderstanding as to just exactly what the Wood amendment means. I am frank to say I do not understand it myself. I supposed that by adopting the Wood amendment it was simply meant that we would not increase salaries any more this year. Does it go further than that?

Mr. WOODRUM. I do not think so.

Mr. SNELL. I thought the gentleman said he was against increasing salaries this year, but he wanted to take care of these employees according to the Budget recommendation.

Mr. WOODRUM. No; the gentleman misunderstood me.

Mr. SNELL. I wish the gentleman would enlighten me, because I am somewhat confused.

Mr. WOODRUM. I said that very much against my personal inclination I yielded to the policy of the Appropriations Committee not to appropriate for the salary adjustments this year because of the condition we are facing. I said I believed they ought to be adjusted when we can get to it, and I hope we can get to it in the next Congress; but I do not think it ought to be done now, and I do not think the Government clerks ought to press the matter at this time.

Mr. SNELL. The Wood amendment goes no further than to provide that salaries shall not be increased this year?

Mr. WOODRUM. That is my understanding of it, that it goes no further than that. The gentleman will understand this, because I do not think it is generally understood——

Mr. SNELL. I know I do not understand it, and I would like to understand it.

Mr. WOODRUM. Let us take a minute and clear the RECORD on it. We passed the Welch bill which provided for certain increases; that passed Congress and the appropriations were made for it. Some of the clerks received increases, but the gentleman may remember the little interesting scrap we had when several of us maintained that under the Welch bill the bulk of the money would go to the higher-up employees, and it turned out to be just as some of us had predicted. Then we came back with the Brookhart bill and passed it, that bill being passed to cure some of those inequalities.

Mr. SPROUL of Kansas. Why was it not to cure all of them?

Mr. WOODRUM. The Brookhart bill, as the gentleman will remember, provided certain step-ups in the service for employees who had not gotten increases under the Welch bill. That was passed and Congress appropriated money for it in the last session of Congress and those increases are in force. The employees affected are getting that increase in this present fiscal year.

Now, aside from that an inequality has grown up in the service, because there can not be promotions in a grade. Here is a grade with five steps in it and the classification act provides that the salary shall be as of the average of the grade provided an employee has been there a certain length of time and his efficiency ratings will justify it. Many of the employees have been there the sufficient length of time, their efficiency ratings have justified it, but they have never been promoted out of the minimum grade because the Congress had not made the appropriations so they could be provided for.

Now, the Congress and the President and the bureau have all realized that this is really a debt owing to the Government employees. The President and the Budget Bureau put it in the Budget this year that we would make a certain appropriation this year, another one next year, and another one the third year to raise that group up their standing within the grade to which they were entitled.

Mr. SNELL. Where does the 3-year program arise?

Mr. WOODRUM. That is where the 3-year program comes in, in order not to do it all in one year.

Mr. SNELL. Then we are prohibiting promotions?

Mr. WOODRUM. No; it is not a matter of promotions. The gentleman must not confuse promotions with adjustments in the grades. If an employee is now in the minimum grade and promoted another grade and that grade carries an increased salary, he gets that promotion, but not within the grade. If he is promoted and taken out of one employment and put into another, and the employment he is put into carries a greater rate of pay than the one from which he is promoted, then he gets the increased pay. All that the Wood amendment provides is that an employee doing a certain job, if he continues in that job and in that grade, this year shall not have his salary increased.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. WOODRUM. I yield to the gentleman.

Mr. LaGUARDIA. Some grades have four or five steps, I believe?

Mr. WOODRUM. Yes.

Mr. LaGUARDIA. Now, it is quite possible that one of the employees within a grade may pass out or resign or be discharged. None of the employees will step into that salary under the limitations placed on the appropriations by the Wood amendment.

Mr. WOODRUM. I do not think the gentleman properly construes it. I do not think that is it at all.

Mr. SNELL. I think that is a question that is quite important. I have heard that question discussed in the last few days, and that is what has confused me about the proposition, in view of the fact that they are going to have just as much money this year as they had last year.

Mr. WOODRUM. I do not think it means that at all.

Mr. CRAMTON. Will the gentleman yield?

Mr. WOODRUM. Yes.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. TAYLOR of Colorado. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. CRAMTON. There is a great deal I do not know about this question, but it occurs to me that the only way that could be applicable would be in the case where the appropriation bills carry the provision that the average of salaries paid shall not exceed the average of salaries for that grade.

Mr. WOODRUM. Yes.

Mr. CRAMTON. So that if a bureau was at the point where they were paying the average of salaries for that grade, then it would, of course, as long as those employees continued, not be possible for one of those employees below the average to be brought above the average. If one should die who was above the average, that would make an opportunity to bring up one from below, but that is something that only occurs occasionally.

Mr. LaGUARDIA. Then it is clear that we have two limitations; one is the general average limitation within the grade and the second a limitation placed on increases by the Wood amendment.

Mr. CRAMTON. But you see the man you are referring to is performing the same service as before.

Mr. LaGUARDIA. Oh, I will grant you that.

Mr. WOODRUM. Ladies and gentlemen of the committee, this discussion is somewhat beside the point I was getting to, which is simply this. If the situation of the Treasury is such that the Congress can not give to its employees an adjustment of their pay, which it has recognized as being just and equitable and which the President and the Bureau of the Budget have recommended, then the condition of the Treasury is such that we ought not to embark upon an extensive building program for Howard University, which is expressly disapproved by the Budget.

I come from a State that provides splendidly and adequately for the education of its colored people, and this Congress has been liberal with Howard University.

The Congress provided in the year 1930–31 the sum of $1,249,000 for Howard University, which was 57 per cent of the amount required to run the university. The Bureau of the Budget recommended for the next fiscal year $1,160,000 for Howard University, which is 52.8 per cent, and in that recommendation is included the completion of a new classroom and $225,000 for a new heating plant, all of which is provided for here; and you gentlemen will find by adverting to the hearings, page 674, that there is laid down a very ambitious program for the future development of this institution, which calls for increasing the appropriation by the Federal Government up to $3,246,000 in the year 1935–36.

I repeat that we can not justify a policy by our committee or by the Congress of saying to the Government clerks that we can not pay what we owe them, and at the same time turn around to a privately owned educational institution and embark upon a building program which at most is not a necessity. I do not know how desirable it may be to have a new library for Howard University that will cost nearly

$1,000,000 of Government funds. It has been suggested it is not necessary; that in a city like Washington where they have library facilities unequaled in any other part of the country, at least it will be no hardship on this educational institution to defer their wants for a few years, just the same as we are asking the Government clerks to defer theirs.

Mr. CRAMTON. Will the gentleman yield?

Mr. WOODRUM. I will yield to the gentleman.

Mr. CRAMTON. Where would the gentleman suggest that these 2,000 students go for library facilities? The Library of Congress would not be available, neither would the Carnegie Library.

Mr. WOODRUM. Is not the Library of Congress opened to them?

Mr. CRAMTON. In a limited way, but they could not take a book from the Library, and if they resorted there in any great number there would be great congestion. There are 2,000 students and seven or eight hundred go to a library every day. There is no library in the city where that number would be welcome.

Mr. WOODRUM. Does not the gentleman from Michigan think that the students of Howard University could be asked to defer their wants a little as we have asked the Government employees to do, to defer the debt that the Government owes them?

Mr. CRAMTON. They can defer, of course, as they have for many years. I hope, however, that the gentlemen of the House will not, through their enthusiasm for or their acceptance of the Wood amendment which eliminates increase of salaries for those who are employed in the Government service—I hope that will not result in the House opposing any meritorious construction item such as serves to give employment to those who are out of a job, because the next deficiency bill will no doubt have a large number of such items.

Mr. WOODRUM. If there is any one place in the United States where the construction of public buildings has not suffered, it is the city of Washington. The construction of our public buildings has gone on without hindrance. Merchants do not know that there has been any depression. The unemployment situation has not touched Washington except as to those who have drifted in from outside territory.

Mr. CRAMTON. Absolutely; the gentleman is correct in most of those statements. Washington is fortunate beyond any other city in the country in this present crisis. Our very prosperity has served to draw outsiders here in large numbers—unemployed skilled labor, carpenters, masons—because they thought they could get employment.

Mr. WOODRUM. Now, I merely wish to say that I do not think the gentleman can defend the appropriation as an employment proposition. In the first place, it is not needed in Washington. In the second place, the answer is that the Bureau of the Budget said no when it was presented to it. I reiterate again and again that if our Appropriations Committee is going to take up items of this sort, gratuitous items, turned down by the Bureau of the Budget, I want to see the Government clerks get what is coming to them. [Applause.]

Mr. TAYLOR of Colorado. Mr. Chairman, I yield 30 minutes to the gentleman from Georgia [Mr. COX].

Mr. COX. Mr. Chairman and my colleagues, on the 2d day of this month I undertook to discuss the substantive principles of the Capper-Kelly resale price control bill. At this time, with the indulgence of my colleagues, I desire briefly to discuss the bill in its application to present conditions. It would be more pleasing to me if other Members of this body would undertake this labor, but possibly what I say will serve as a basis for a better performance on their part. Certainly the subject, involving the public welfare as it does, is deserving of better treatment than I am able to give it.

I shall discuss the measure from the standpoint of its new features, changes made by the committee reporting it. And while not disclosed, as I take it, in the report of the committee, nor is it disclosed, so far as I am able to learn in any of the addresses made by the House author of the bill. The gentleman from Pennsylvania [Mr. BECK], a member of the committee, whom we all recognize as one of the clearest and most profound thinkers in the country, interrupted me in my address and called attention to this fact, claiming authorship of the amendment. That amendment, as I have stated, limits the provisions of the measure—that is, the price-fixing features of the bill—to the first transaction of sale. In other words, the manufacturer, if he deals with the wholesaler under contract, may fix a price that the wholesaler may charge the retailer, but he can not fix the price that the retailer shall charge the consumer. That is, the price-fixing power of the manufacturer is exhausted when he fixes the price that the wholesaler shall charge. To this proposition the House author of the bill doubtless concurred. He was here and heard the statement that was made and had an opportunity to dissent, but did not.

Mr. KELLY. Mr. Chairman, will the gentleman yield?

Mr. COX. Yes.

Mr. KELLY. Of course that point was not immediately in question when I spoke to the gentleman from Georgia. If the gentleman is interested, I would say that my interpretation of that provision is that this measure will legalize a contract between the vendor and the vendee of a standard trade-marked article as to resale price. That vendor may be the manufacturer of the article or the wholesale dealer.

Mr. COX. Very well. I say that he had an opportunity to dissent and did not, and if he concurs it completely destroys the position that he has heretofore taken and renders wholly irrelevant most of that which has heretofore been said by the proponents of the measure.

Mr. KELLY. Mr. Chairman, will the gentleman yield?

Mr. COX. Yes.

Mr. KELLY. That is doing me an injustice.

Mr. COX. I disclaim any such intention. I disclaim any intention to misconstrue anything that the gentleman has said.

Mr. KELLY. The gentleman does not desire to do that, but I say that I never made such a statement as that this bill would not legalize a contract between the wholesale vendor of a trade-marked article in agreement with his retail buyer. I believe this will legalize such a contract.

Mr. COX. The gentleman's statement stands as he propounds it and I shall undertake to answer it later on. The fact that this bill by reason of this amendment relates only to the first transaction of sale is a condition that has not been known to the propagandized wholesaler and retailer. Their support of the measure has been won upon the representation that the measure also permits the manufacturer to project his contract to the extent of fixing the price that the retailer should charge the consumer, thereby assuring the wholesaler and the retailer, as they have contended and now believe, that some protection against the unfair practices of the chain store would be brought about. Of course, no one knows the fallacy of this argument better than the manufacturer himself, but the contention that he has heretofore made he can make no longer. But he has not taken the pains, and I make bold to assert will not take the pains, to inform those who have already been deceived of the change in this bill.

First, let us discuss the question as it affects the wholesaler and the jobber. The measure does not relate to private brands of wholesalers. A wholesaler or a jobber who has products manufactured for him by the manufacturer and puts them out under his own private brand or trade name has no price-fixing power. Neither has the manufacturer the power to fix the price for him on such articles. He is only a dealer, and therefore is expressly denied price-fixing powers under the terms of the bill. He must be the maker or the producer of a product in order to fix a resale price on goods handled in interstate commerce. Trading under contract is not compulsory upon the manufacturer.

He may sell one wholesaler under contract and elect to fix the prices that the retailer shall charge the consumer. He may sell another wholesaler outside of contract, except that which is involved in the exchange of values, with the right in the buyer to fix his own price to the retailers, and he may sell the two at different prices; but if he sells two or more

wholesalers in the same city or town under contract, he must make equal buying and selling terms, but this does not mean that the same price will be charged on all goods sold, for there is an allowance on quantity sales. One buying in bulk, of course, would receive a better price than one buying in smaller amounts.

The law relates only as it can do, to interstate traffic. The manufacturer selling to one within the State of his domicile would violate the law if he undertook to fix resale prices. Take my State of Georgia, for instance. A manufacturer producing his wares within the State could not sell to wholesalers or retailers and fix a resale price. To do so would subject the parties to the contract to prosecution under the antitrust law, but the same manufacturer could sell to one across the State line and be within the terms of the law.

What does this limitation of this act to first sale mean to the wholesaler and the jobber? The retailer wants what he thinks is the benefit of the price-fixing features of the bill. At present the bulk of his products or his purchases are bought from the wholesaler and the jobber. It makes no difference whether the wholesaler or the jobber lives within or without the State, he can not fix a resale price to the retailer. If the retailer wants his resale price fixed, then he must deal directly with the manufacturer. This means that the effect of the law will be to promote direct buying from the manufacturer by the retailer, and this will mean the complete extinction of the middleman—that is, the wholesaler and the jobber—or the wholesaler and the jobber as a matter of self-preservation will enter upon a policy of selling direct to the consumer, and this will mean that the retailer will be forced out of business. Under the law there is no longer any community of interest as between the wholesaler and the retailer, and I dare say no one will dispute this proposition.

What does this bill mean to the retailer who operates under this price-fixing scheme? My answer is, complete and absolute strangulation of all independent enterprise. The retailer can no longer avail himself of the service of the wholesaler because he must go directly to the manufacturer, whose agent or order-taker he becomes under the contract. Although using his own capital, handling the goods he has bought and paid for himself, he is, nevertheless, the order taker or agent of the manufacturer. This means the use of more capital in the stocking of his business with larger quantities of goods. If he expects to serve the public, he must have the goods that the public wants, and in order to have them he must increase his stocks. This means delay and inconvenience in securing goods; higher transportation costs. But it means more than this. It can not be expected that the wholesaler or jobber will surrender without a struggle. He will enter the retail business, and thus the present retailer will be confronted with a new form of competition and one with which he can not successfully cope. This bill, Mr. Chairman, is a manufacturer's bill and is not for the retailer.

How will the bill affect the advertising business of the newspapers, large and small? We know that if the newspapers are to continue to render valuable news service at a minimum cost, they will have to have the benefit of the advertising of the local merchants. If all prices are fixed by the manufacturer, and thus reduced to a dead level, where is the incentive to the local merchant to advertise? All advertising will be confined to periodicals having a national circulation, and these agencies are for the bill; and since good will is based upon advertising, and the public pays for it, we may expect this form of advertising to increase and goods, because of this increased advertising cost, to go up.

What is the meaning of the bill to the consuming public? The public loses its bargaining power, which is already too limited. It means increased prices of goods and higher cost of living, which is already too high. It means enlargement of the power of privilege, which is already too large. It means hungry stomachs, naked backs, and bare feet to the poor, amongst whom there are already too many hungry stomachs, bare feet, and naked backs. It means the surrender of the fight for equality in governmental treatment as between man and man.

The advocates of the bill say that there is a moral as well as an economic principle involved. Yes; the bill violates every fundamental economic law on which American business is based, and it outrages human conscience that prompts an interest in the welfare of the silent millions. This bill, Mr. Chairman, is in favor of the American manufacturer and against the American people.

The gentleman from Pennsylvania [Mr. KELLY], the author of this bill, has said that—

> I think it is a fallacy to say that these tremendous semi-monopolistic merchandising agencies are able to sell cheaper than the independent man in the neighborhood store. The man who is a proprietor, in his own place, putting his own efforts into the business, can compete at any time with these great institutions, in spite of all their advantages.

And thus we meet the gentleman coming back.

Mr. KELLY. I said that independent business could compete in fair competition with anybody else.

Mr. COX. The gentleman's language does not accord with the speeches he has made, both here and elsewhere, in addresses throughout the country.

Mr. KELLY. The gentleman knows that fair competition will give the independents a chance with the chain stores.

Mr. COX. If the independent can compete, as the gentleman says—which of course he can not do—and if it does nothing for the little man, then it does all for the big one. The tactics employed by the manufacturers pressing this measure are as old as business itself. One man never attempted to overreach another, in trade or otherwise, without first impressing his intended victim with the thought that he was anxious to confer some substantial benefit upon him. You never bought a gold brick but that you were first made to believe that you were getting a real bonanza.

So the manufacturer, with his monopoly, wants an extension of his power of control. He wants the retailer delivered into his keeping hog tied. Therefore he goes out amongst the sheep and stampedes them into the fold for the shearing of their lives. But they are not alone. The whole consuming public is with them and are in for a more serious operation.

If it were the retailer alone that is involved, bad as that would be, it would not be nearly so bad as the inclusion of all the people, the sick and the well, the rich and the poor. The advocates of the bill proceed upon the theory that they have been paying too little for their clothing and their shoes, too little for their medicine and their food, too little for their books and their pencils; a new trade arrangement is to be set up; all bargaining power is to be taken away; they must pay the price fixed by this monopolistic master or do without. What will the farmer say who needs a plow or hoe when he goes to town and finds that the price has again gone up and because of this law?

What will the woman on the farm say when she sells her eggs and her chickens and goes into the neighborhood drug store for her pills and her liniment when she is told that her Congressman has, by the adoption of this law, raised the price? What is to become of the good will of the retailer under conditions of this kind? The uninformed retailer thinks he wants this bill, but all the other millions who know anything at all about it, or, if informed, would know, know that they do not want it. Here let me make an assertion without intending to offend anyone—there are not half a dozen informed Members of this House—I say "informed" to the extent that they know something about this bill, but have grave doubt as to the wisdom of adopting it. Doubtless there are those who are for the measure who have never read the bill; who have never read the report of the committee, and certainly who have never read the testimony taken by the Committee on Interstate and Foreign Commerce.

Your position here as legislator may be likened somewhat to that of a judge or juror. Can you conceive such a thing

possible as you, as judge or juror, passing upon the merits of a case before hearing the pleadings read and the testimony given?

What of the case of the manufacturer against the people, identified and trade-marked as the Capper-Kelly bill? You have had messages from interested parties back home, and you have answered, and it is of no importance what your answer was, but it will be of tremendous importance as to how you answer when the bill is reached for vote. The thousands back home who plow the fields, who work in the mines, who wash the clothes and cook the food, they have not been propagandized; they know nothing about what is going on here. All they know is that on election day they put down their work, they went to the polls, and they cast their ballots for you, content in the faith that you would not desert them when greed and privilege renewed their campaign for the absorption of their remaining meager holdings.

Mr. Chairman, this bill is for organized privilege and is against the unorganized masses of American people. No one defends unfair trade practices, but this is not the way to cure them. Let Congress define what constitutes unfair trade practice and then let the Federal Trade Commission enforce the law. But, Mr. Chairman, if this bill must pass, if this public outrage must be perpetrated, then let us throw in some safeguards that will, to an extent, soften the blow.

Let us amend the bill by the inclusion of the recommendation of the Federal Trade Commission to the effect, "That if a manufacturer of an article produced and sold under competitive conditions desires to fix and maintain a resale price he shall file with an agency designated by Congress," and I suggest the Federal Trade Commission, "a description of such article, the contract of sale, and the price schedule which he proposes to maintain, and that the agency designated by the Congress," or, as I would say, the Federal Trade Commission, "be charged with the duty, either upon its own initiative, or upon complaint of any dealer or consumer or party in interest, to review the terms of such contract and revise such prices and that any data and information needful for a determination be made available to such agency."

Mr. Chairman, why permit a manufacturer to fix the profits that the retailer shall make without at the same time putting some restraint upon the manufacturer as to the profits that he shall make?

The Federal Trade Commission says in its report, and the findings of the commission are invoked as authority for the position taken by the proponents of this measure, in addition to the recommendation that it makes as to amending the bill—

> That the unlimited power both to fix and enforce and maintain a resale price may not be made lawful with safety.

If this is not exclusively a manufacturer's bill, its author will agree to that amendment.

Amend it further by providing that where a manufacturer elects to do business under such price-fixing contract that all of its operations shall be conducted under the contract. This will, in part, eliminate his selling the chain store outside of a price-fixing contract, and therefore at lower prices, while at the same time selling the smaller merchant under the contract and at higher prices.

If this bill is not an exclusively manufacturer's bill, then the author of it will agree to that.

Amend the bill further by providing that in the event a retailer finds himself confronted with the necessity of liquidating his debts through the sale of a part of his stock at reduced prices, he shall first offer the goods to the manufacturer at cost, and in the event the manufacturer will not take them, the retailer shall have a right to dispose of them without regard to the terms of the contract. And if this is not an exclusively manufacturer's bill, its author will agree to that.

Or in lieu of the adoption of these proposals amend the bill by limiting the profit that the manufacturer shall make, and if the bill is not exclusively a manufacturer's bill, its author will agree to that.

When the bill is reached for consideration, if its author, or some one with prior right of recognition, does not offer these amendments, I will offer them myself, provided the rule for the consideration of the bill gives me the privilege of offering the amendments.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. TAYLOR of Colorado. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. COX. The proponents of this bill are the manufacturers of this country, and you can take the hearings before the committee reporting the bill, and not a voice, except it came from some member of the committee, was raised in behalf of the American people. Every witness represented some privileged class, appearing before the committee as a special pleader, and all insisting that what they wanted was the power to regulate the chain stores of this country. The manufacturers insist that the chain stores injure their trade-marks. There is a remedy already in the hands of the manufacturer and that remedy is this: If the chain stores hurt the manufaucturers' business by underselling his products, let him cease to sell to the chain stores. Again, I remind you that a manufacturer has a complete and absolute monopoly of production and sale, and that monopoly gives him the right to sell to whom he pleases, and if he does not like the practices of the chain stores—and who does—let him apply the remedy by declining to make the sale.

Mr. Chairman, the discussion I have made is not exhaustive by any means, but is only indicative of what might be said in opposition to this preposterous proposition that will soon come before the House for decision. [Applause.]

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

Mr. CRAMTON. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY. Mr. Chairman, I shall take five minutes and only that, not for the purpose of continuing my debate with the gentleman from Georgia [Mr. Cox], which was started the other day, but to make a statement or two in order to clarify his understanding of this measure and my own statements regarding it.

First, the gentleman from Georgia endeavored to put me in the position of saying that the measure will not legalize a contract between wholesaler and retailer. I never made such a statement as that. I have always held that this measure will make legal a contract between a vendor and vendee as to the resale of a trade-marked, standard article, which is in competition with other similar articles. The vendor may be the maker of the product or the wholesale dealer. I think that is clear. I have never had any other idea than that about it. Then the gentleman repeats the charge that this measure is a manufacturers' bill. The gentleman himself ought to be in touch with the independent retailers of his district and the country, who have time after time earnestly besought Congress to give them some kind of relief from destructive, cut-throat competition. Ninety-five per cent of all the retailers organized in this country have time after time prayed Congress to give them a fair chance to defend themselves. Only one organization of retailers has opposed this measure, and that is the National Retail Dry Goods Association, dominated by chain department stores, who profit from this unfair practice. They alone among the retailers have shown opposition to this measure. I have resolutions from the organized druggists, grocers, hardware men, and jewelers, and the other lines of the great body of a million and a half independent retailers, earnestly requesting the passage of this bill. Their judgment that it will give them a square deal ought to be considered.

The gentleman's point that the consumer is not protected leaves out entirely the purpose of the bill. We are endeavoring to deal with an evil that is admitted by every thinking man, and that evil is the use of a standard, trade-marked article as bargain bait for the purpose of luring the public

into stores where other articles can be sold at excessive profits.

The gentleman from Georgia has never, apparently, realized the purpose of the bill. We say the way to deal with a practice which defrauds the public is to restore a right which was universally held up until 1911. Up to that time any independent manufacturer could make an agreement with a distributor as to resale prices, but that right was taken away by a decision of the Supreme Court in the Doctor Miles case. However, at the present time State courts are holding it legal in many instances to maintain a resale price by agreement. I could cite many cases, one being the decision in the case of the Fisher Flouring Mills Co., rendered by the Supreme Court of Washington, where the court makes an unanswerable argument that this right is necessary for the protection of honest business. I would refer the gentleman to Justice Oliver Wendell Holmes's dissent in the Doctor Miles case. If he will read that great opinion he will find an unanswerable argument from the standpoint of the consumers of this country, from the standpoint of the independent retail merchants, and from the standpoint of honest business generally.

This measure ought to be better understood than is disclosed by the gentleman. It has been before this body for a number of years. It has always had the same principle in it from first to last, and that principle is the protection of independent business against unfair competition which is leading to consolidated merchandising that grows by leaps and bounds every passing year.

Mr. COX. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. COX. Does not the gentleman feel he is under some obligation to inform those who have been propagandized on this bill and who are proceeding on the theory that the law gives the manufacturer the right to follow his product, in fixing prices, down to the time it enters the hands of the consumer?

Mr. KELLY. O Mr. Chairman, I have always maintained that the purpose of this bill is to protect those who make and deal in trade-marked articles from having those articles used as destructive weapons against themselves. I insist that this measure will do that very thing; I insist that it is a worthy thing to be done; that it will benefit all honest and fair business; that it will benefit the consumers; that it will mean the doing away with cut-throat competition, which always leads to robbed and cheated consumers; which always leads to mergers and monopolies, that exploit every consumer.

Mr. Chairman, if we allow another five years to go by without action we will face the most menacing monopoly of all, the monopoly in the merchandising of all those goods which Americans must have. We should act now by permitting independent business men to take out of the hands of would-be monopolists the weapon of predatory price cutting on identified, standardized products.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. CRAMTON. Mr. Chairman, I yield 20 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

MUSCLE SHOALS

Mr. TREADWAY. The term "Muscle Shoals" has become almost a byword among American citizens. Probably a great many people are uninformed as to where Muscle Shoals are, what they are, and why they are so constantly referred to. So I propose to review as briefly as possible the history of the interest of the Government in this strip of water situated on the Tennessee River in the States of Tennessee and Alabama, and to outline the various steps in the development of the project; also, in conclusion, to lay before the House my reasons for opposing Government operation of the plant. I also want to emphasize the fact that the expenditure of Government money at that place has either constituted one of the most scandalous steals known in the history of this country or one of the most outstanding errors of judgment ever committeed by Congress.

Muscle Shoals has been a congressional football since 1903, as a bill relating thereto was vetoed in that year by President Roosevelt. Another bill passed the House in January, 1906. Both were reported, so far as I can discover, by the Committee on Interstate and Foreign Commerce. We next find a record of interest in the Tennessee River at Muscle Shoals in a hearing before the Rivers and Harbors Committee in June, 1910, during the Sixty-first Congress. This hearing evidently was requested as the result of an unsatisfactory review of a project which had called for the construction of a 5-foot canal and channel navigation which would cost approximately $7,000,000, but did not contemplate conservation of water power said to be capable of development. We therefore find, in addition to the Congressmen representing the section, representatives of the Muscle Shoals hydroelectric power project appearing before the committee, asking for a development costing about $23,000,000, of which it was suggested the organizers of the project could probably afford to pay $14,000,000, leaving nearly $10,000,000 to be expended by the Government.

In the Sixty-third Congress, second session, a complete report on this project was finally made which was favorable to development for navigation purposes. This proposition involved an agreement whereby the Muscle Shoals Hydroelectric Power Co. would participate in the expense of construction and at the same time lease and obtain a market for the expected power development. It was my privilege to be a member of the Rivers and Harbors Committee at the time this report was submitted, and as I look back over my congressional career, it is a source of gratification to me that even at that time I was strongly prejudiced against the proposition. This report did not become a part of any river and harbor bill, nor was it ever acted upon favorably by Congress.

Quite an extended hearing was held on December 12, 1914, and I am glad to find among the witnesses appearing at that time the statement of Col. J. W. Worthington, of the Muscle Shoals Hydroelectric Power Co. The committee evidently was not directly informed as to his connections with the power company, but as this gentleman has been a persistent and consistent visitor to Washington during the past 16 years it is fair to say in his behalf that I doubt whether any Member of Congress has known a more continuous record of lobbying here. He was a lobbyist then and is a lobbyist now, although I am informed that his employment has been changed from one company to another during his long career in that line of occupation.

On February 15, 1916, a special hearing was held by the committee to hear the Hon. EDWARD B. ALMON, at that time a new Representative in Congress from Alabama, but still with us and as strongly in favor of the expenditure of Government money at Muscle Shoals as he was then. Permit me to call attention to a few words from his testimony at that time:

> In said report the district engineer and the division engineer recommend the plan of two low dams. But, very much to my surprise, they recommend that the State, counties, municipalities, or local interests assume the cost of settling the item of $22,000 for flowage damages. * * * What local interest could be looked to to pay this item of damages?

The engineers estimated an expense to the Government of $1,765,000 for one dam at that point, and the gentleman from Alabama [Mr. ALMON] expressed surprise that the State, counties, municipalities, and so on, should be asked to contribute even the modest sum of $22,000. There does not seem to have been much action on this item until January, 1918, when the Rivers and Harbors Committee again heard the representatives from that vicinity. At that hearing the question of flowage rights again came up, and Mr. ALMON testified as follows:

> I am here to say that we have made diligent effort in that direction and are absolutely unable to raise the money. This improvement is away down in the country, in Jackson County, Ala., miles away from any people except the farmers in that community; and it is unreasonable to expect the farmers along the river to contribute that amount of money to improve the river when the improvement is largely in the interest of navigation all up and down the river.

At that time it was stated that the Government had expended over $11,000,000 on the improvement of the Tennessee River. It will therefore be seen that from the beginning of the discussion about Muscle Shoals the great objective has been to secure everything possible for that region from the Federal Government. About that time the comparative modesty of the advocates of Muscle Shoals development for navigation purposes entirely disappeared, and we next find the welfare of the country dependent upon the production of fertilizer at Muscle Shoals for the benefit of the farmer.

In 1916 all Europe was at war. Indications pointed strongly to the likelihood that we would become involved, notwithstanding the reelection in November of that year of a President on the basis of the slogan, "He kept us out of war." Discussions on this floor were illuminating, none more so that the speeches of the Representative from Ohio, the Hon. NICHOLAS LONGWORTH, now our popular and able Speaker, in March, 1916. At that time he gave a most interesting address on the relation between dyestuffs and high explosives which indicated that he was already a student of the needs of this country in the line of preparedness, soon to become the one all-absorbing topic throughout the land. Shortly afterwards the Committee on Agriculture, through its distinguished chairman, Mr. Lever, of South Carolina, offered an amendment to the agricultural appropriation bill providing for an investigation and demonstration "of the best method of obtaining potash on a commercial scale."

During the debate Mr. LONGWORTH inserted a document written by an expert in which it was stated that nitrate potash—

> Is being produced in Germany at the present time without depending on electric energy, the developing of which would necessitate large water-power establishments such as that in Norway.

I am citing these various steps to show the underlying principles involved in the efforts which were later made in behalf of the extravagant expenditures at Muscle Shoals.

The national defense act approved June 3, 1916, was soon under discussion, during which the gentleman from Wisconsin, Mr. Lenroot, then one of our ablest Members and later Senator, makes the following reference to section 122 of the bill, known as the nitrate-plant section, which later became section 124 of the national defense law. I quote from Mr. Lenroot:

> A similar section was voted out of the House bill without a debate by a substantial majority, and if it had been debated and the lobby behind it had been exposed, as I now wish it had been, I undertake to say there would not have been 50 votes for it in the House, and yet, Mr. Speaker, this amendment, section 122, has from beginning to the end the earmarks of this same lobby, a lobby as persistent and pernicious as any lobby I have ever known since I have been a Member of Congress.
>
> This lobby has gone before the Committee on Rivers and Harbors and urged this proposition as a navigation proposition. They have gone before the Committee on Military Affairs and urged it as a preparedness proposition. They have gone before the Committee on Agriculture and urged it as a fertilizer proposition, and they have now been successful in getting this thing in a very ingenious form in the amendment that is now before us, very innocent appearing upon its face, although they have not all that they want nor what they hope to secure at the hands of these conferees. There is a paragraph in this section that provides that when these plants are erected by the Government they shall be operated by the Government and that there shall be no private cooperation. These lobbyists, no doubt some of them sitting in the galleries at this moment, fully expect these conferees to strike out that proposition, and when they do it they will get exactly what they have been working for, at the hands of Congress, for the past two or three years, namely, a dam at Muscle Shoals, at an expense to the Government of $20,000,000, and giving them 200,000 horsepower for the paltry sum of $3 per horsepower per year. That is what is involved in this proposition.

I also quote from Mr. LONGWORTH:

> It is brought in as a preparedness measure, and I say to you, gentlemen of the House, and I say it advisedly, that the fiction about preparedness in this case is used as an effort to take money from the people under false pretenses. It is all based upon the false premise that water power is necessary for developing nitrogen out of the air and is therefore something that this country must have in time of war in case we should be deprived of our supply of Chile saltpeter.

Muscle Shoals therefore again shows its leopard spots by changing from a navigation and an agricultural proposition to a national-defense measure, as in the national defense act, section 124, there was a deliberate attempt under another guise to have the Government acquire Muscle Shoals without mentioning it by name. For this $20,000,000 was appropriated from the issuance of Panama Canal bonds. It is an interesting fact that in spite of the millions of dollars which have been spent at Muscle Shoals there was never any congressional action authorizing its purchase.

In February, 1917, when the Army appropriation bill was under consideration, Mr. LONGWORTH endeavored to have this item repealed in order that this extravagance could be avoided, but after debate in which Mr. LONGWORTH used some very strong language as to what was being done, the amendment was thrown out on a point of order. In some poignant remarks he called attention to a handsome brochure by the Muscle Shoals Association, which he described as one of the activities of as tireless and efficient a lobby as he had ever seen since he had been in Congress. He further said that the preparedness plea used in this nitrate scheme had been a fake from the outset. I quote from him:

> For a number of years this Muscle Shoals water proposition has been before Congress. It tried to get in through the front door of Congress on its own merits with an appropriation of $60,000,000, but it has failed to do that, and now comes in through the back door for a $20,000,000 proposition to erect a nitrate plant.

In April, 1918, the Speaker made another and a most convincing attack on the proposal to expend $125,000,000 at Muscle Shoals. He even showed that this money was to come from the urgent deficiency act of 1917 for armament of fortifications, for the purpose of testing and modifying field and siege cannon. He also showed that it would be impossible to complete the work at Muscle Shoals under three years to provide any nitrate because it would be necessary first to construct the power plant or to purchase power from the Black Warrior plant, 90 miles distant.

So far as I have been able to ascertain from a study of the subject, the understanding of Mr. LONGWORTH on this whole subject matter has never been refuted.

That is practically the situation on this whole proposition up to the close of the war. Now, let us study the developments of this monstrosity since that time.

Work on one of the nitrate plans was actually commenced in 1917 and the other in 1918. There was no expectation that any nitrate could be produced within three years, and, as the end of the war was anticipated during 1918, it can be seen that we were sailing under false colors in trying to make the country believe that Muscle Shoals could in any way become a factor in aiding our cause in the Great War.

I have gone into these details in order to remind the House that Muscle Shoals was conceived in iniquity, deception, and fraud. With this kind of a foundation, nothing good or substantial can be expected to come from it.

Now, let us turn our attention to the present-day situation. This subject has been before Congress almost continuously since the close of the war. Constant pressure has been brought to bear for more extravagant expenditures. The efforts in early days to secure a few thousand or a few million dollars appear like the efforts of a piker. How those who have fattened on this easy picking must gloat over their accomplishments.

We have now reached the stage where we can make a choice of three different possibilities: First, to maintain the plant so far constructed in as economical a manner as possible by annual appropriations in order to have it available in case of war emergency; second, let the Government operate the plant in a commercial way; or, third, make as satisfactory a lease as is possible to private interests, retaining the rights of the Government for emergency purposes and making conditions of the business developed there of a nature satisfactory to the Government.

The first alternative is a possibility. The second alternative should never be given a second thought by this body. The third is the practical solution. This is the solution offered by the Committee on Military Affairs in the Seventy-first Congress, second session, which passed this House on May 28, 1930, by a vote of 197 to 114. It substituted the

Reece resolution which looks to a lease of the property for the Senate resolution which was intended to bring about Government operation and the expenditure of further untold millions by the Government at Muscle Shoals. Again it seems incredible to me that this House could possibly stultify itself by accepting a defy that we must put the Government into the business of making fertilizer at Muscle Shoals or be forced through parliamentary methods and filibusters to have a special session of the Seventy-second Congress. For my part I would prefer a special session to start the day after this Congress expires and continue indefinitely rather than to yield to that kind of pressure.

I need not take the time of the House to enter into any argument against the Government in business. Every illustration we have had indicates our inability properly to conduct what is really private enterprise. I need use but two illustrations. The Government undertook the management of the railroads during the war. From the annual report of the Secretary of the Treasury we find that the net war cost of Federal control of railroad transportation was $1,629,469,534.80.

We further find that the net cost to the Government of operating the Emergency Fleet Corporation was $3,072,526,531.81. Whatever allowance it may be fair to make owing to the exigencies of the emergency could be deducted and you would still have a stupendous sum representing the difference in cost of operation under the Government and under private enterprise. No such war-time exigency exists with respect to Muscle Shoals.

We have had a continuous illustration of extravagance since the building of the Alaska Railroad. But, on the other hand, we can point with great satisfaction to many instances of Government control through lease or concession to private enterprise. The real reason we have heard so much about Government operation of Muscle Shoals is explainable in the slang phrase, "Let George do it" or "Let Uncle Sam hold the bag."

Congress is developing a propensity to open wide the floodgates of its reservoir of cash, and this would be but one more means of depletion of the Treasury. To my mind there is no middle course; either we set the Government up in business or we allow private enterprise to conduct the business. If we put the Government into the fertilizer business, there is no earthly reason why we should not do so in every other agricultural and industrial line. This prececent once established will come home to haunt us and our successors here throughout the years. We should use common sense. We made a blunder in ever starting in at Muscle Shoals. We have kept up the blunder until we have expended $125,000,000 in construction, and the end is not yet. Let us retrench, accept our losses as any business concern would, and keep within the range of Government activities, leaving the business field to business concerns. [Applause.]

Mr. Chairman, I yield back the balance of my time, and I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman yields back three minutes.

Mr. ALMON. Will the gentleman from Massachusetts answer a question?

The CHAIRMAN. The gentleman from Massachusetts has yielded the floor and asks unanimous consent to revise and extend his remarks. Is there objection?

Mr. GARRETT. Mr. Chairman, reserving the right to object, I would like for the gentleman from Massachusetts, as he has elucidated so ably the question of Muscle Shoals, in revising his remarks to also advise the House as to the Cape Cod Canal and how that canal was operated and how it was disposed of.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts? [After a pause.] The Chair hears none.

Mr. ALMON. Will the gentleman yield me some time?

Mr. TAYLOR of Colorado. I can not yield to the gentleman from Alabama now. I hope some time later on to yield to the gentleman.

Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. PATTERSON].

Mr. PATTERSON. Mr. Chairman and members of the committee, I only want to take a little time of the committee at this time of day and I do not know that I shall use my entire 10 minutes.

May I begin what I intend to say by stating that, although I am a new Member in this House, and do not know as much about some of the services of other Members as some of the gentlemen who have spoken, I can commend the service of our good friend, Mr. CRAMTON, and I wish to add my indorsement of what has been said about him and about his service here. I feel we are losing a valuable Member of the House in the loss of Mr. CRAMTON.

I want to say a few words with reference to the unemployment situation and our manner of dealing with that situation.

I most heartily support the President's plan of providing funds for emergency relief, not because I approve always of the way and manner, but because the need is so urgent. I regret very much that these funds have been cut. I felt, and I feel yet, that $60,000,000 from the Committee on Agriculture would have been the minimum we should appropriate at this time. I also feel that the $150,000,000 of emergency appropriation in an industrial way is badly needed; but I must say I was very much disappointed in the President's message for the simple reason that it seems to me he regarded our whole unemployment situation as temporary. And I do not mean to criticize our President, but just point out an honest difference with his conclusions.

Of course, under present conditions I would support any kind of measure that would look to relief. I agree with his statement that the Government should let no honest or worthy citizen suffer from cold or hunger, but I am seriously disappointed, and I believe a number of the Members of this Congress are disappointed, in the fact that the President seems to regard the situation which we face to-day as an entirely temporary condition and one to be dealt with entirely by temporary measures.

Of course, as I have said, we should go ahead and do what we can to relieve the condition in which we find ourselves; but how can we say that we expect this situation to occur at regular intervals and that this is a part of our system? How we can consistently defend a situation which produces such conditions I do not understand. I feel that the President should point out some further legislation, something that could be done, that would bring about a condition which would make a situation like this less likely to occur in the future. The President says that one of the deep-seated causes of the present condition is in the matter of overproduction. Where is this overproduction so much talked of? How many of our people have too much to eat or wear? I disagree with our President when he says that this is a matter of overproduction. Why is it that some seriously contend to-day that we have overproduction because in this great country we have a temporary surplus of wheat and cotton which the country needs, when so many of our people are hungry and cold and barefooted? I do not feel that it is the problem of overproduction but a problem of underconsumption. It is because the great masses of the people do not get enough to purchase the things they need.

The President took great satisfaction and said that our financial and industrial institutions are coming through unimpaired. My question would be this: Probably some great corporations are unimpaired, but how about the eight or ten millions of people that are out of employment? They are not coming through it unimpaired. I wish to speak in their interest, the toiling and hungry masses. I want to see them and their children come through unimpaired. Humanity is my concern. I want to see industry prosper, but both can and should be accomplished together.

Some speakers take a great deal of satisfaction in comparing times now with what they were in 1921. They seem to take satisfaction in the fact that conditions now are nothing like those in 1921. They say that the depression then was more than it is now. I recall that we did have

some considerable depression at that time, but I do not recall that we had that widespread hunger and suffering that we now have. And if we did, what of that? Should we seek political satisfaction out of this? I am not interested in making a political case for any party when it comes to a thing like this.

I want to say to you that when men compare the conditions of the country now and those in 1921 that conditions were not then what they are now. In other words, we had been going on normally in business in 1929, we had no great upheaval, we had no war, nothing to paralyze conditions. While back in 1920 and 1921 there were demobilized in this country nearly 4,000,000 men who went back to civilian employment from the Army.

Not only that but there were thousands who were turned back from Government work and readjustment had to be made. There is no comparison between conditions then and what they are now.

I am a nonpartisan when it comes to conditions like this; and my services to my country, when it comes to measures of relief, I shall vote for those measures for relief.

Another thing, the President said that the economical depression could not be cured by legislative action or Executive pronouncement. It seems that around last Christmas he said the depression would be over in 60 days, or some short time. I agree with the President that you can not cure it by Executive pronouncement. I feel that it will never be permanently cured until we provide for the great mass of people a better share of income.

Mr. ABERNETHY. Will the gentleman yield?

Mr. PATTERSON. I yield.

Mr. ABERNETHY. How can that be done under the present system of laws put upon us by the Republican Party?

Mr. PATTERSON. Well, I am a Democrat, and I am not ashamed to be a Democrat. I am not here trying to make up a political case. I am troubled. I believe that we can overdo this thing by saying too much about one party or the other. I feel that we all ought to get together and work out a system that will be constructive and solve these problems, and not talk so much about this party and that party.

However, I admit that as long as we go on as we are going we will have to appropriate money to take care of the serious conditions in our country.

The income that the mass of the people are getting is not sufficient to maintain them as they should be maintained. We are the richest country in the world and we will not be able to continue in this way unless we change the buying power, which will take care of the situation. We must open up the doors of the manufacturers of industry until the mass of our people on the farms and the factories and the mills and the mines and other places have an income sufficient to purchase the necessities of life. [Applause.] I hope to speak further on this question in the near future, giving some of my own conclusions for permanent relief. Great questions press upon and must be solved in the interest of our country.

Mr. CRAMTON. Mr. Chairman, I yield 20 minutes to the gentleman from Kansas [Mr. SPROUL].

Mr. SPROUL of Kansas. Mr. Chairman and members of the committee, this afternoon much has been said upon the subject of Indian Affairs.

For many years I have lived among the Indians of different tribes. I have operated business among the Indians, and since I have been privileged to be a member of the Committee on Indian Affairs of the House have studied the law of the relationship of the Federal Government to the Indian. It is proper for us to understand that the States in making the Constitution gave Congress jurisdiction over Indian affairs. In doing so the States lost all jurisdiction over the Indians. The Indian problem, therefore, is a Federal Government problem and not a State problem. I heartily agree, however, with the idea that Indians should be educated as much as possible among white students. They acquire ambitions and learn from imitation and from example. However, Indians have certain handicaps, natural and acquired, which the whites do not have. By nature the Indians are disinclined to strenuous industrial life. He hardly knows what it is to regularly begin work at 8 o'clock and continue as other people do until 5 o'clock day after day. The Indian, by nature, prefers to hunt and fish and engage in other sports. I speak of the full bloods and those in whom the Indian blood is controlling. This is the natural handicap which retards the proper kind of education among Indians. He must be superinduced to acquire the proper character of education. His nature must be somewhat changed before he makes much headway toward acquiring an industrial education.

Then, besides the natural handicap, there is the understanding and belief inherited and taught the young Indians that the Government is under obligation to educate, care for the health, and furnish a living or support for the Indians. These paternalistic ideas and beliefs have been taught the Indians by their parents ever since the Federal Government was organized. They have been taught that the great white father would forever look after their welfare and protect them. This being the sincere belief and feeling of perhaps 95 or more per cent of the Indians, they will always be opposed to complete emancipation. Up to the present time the Government has no well-defined policy for developing the Indians into an independent, self-reliant, self-sustaining, and capable citizenship. There is little or no difference in the general character of schools for the Indians on the one hand and for white people on the other hand. The white people are taught that they will become and be emancipated at 21 years of age, and that thenceforth they must rely and depend upon their own efforts for sustaining themselves and their families. There is no such policy for the education and emancipation of restricted Indians. They must apply for certificates of emancipation and independence before they may get freedom, liberty, and self-independence and completely get away from Government control and regulation.

To-day we have wealthy Indians, thoroughly capable of independent citizenship, who prefer to be and remain wards of the Government and under our system may not be emancipated. It is said that we have 200 different tribes of Indians, many of them differing one from another, talking different languages, endeavoring to sustain life by different means and methods. But in this they do not differ from white people. Our own people in the United States live differently, one family from another, they follow different professions, different vocations, and live a very different kind of life. Yet our schools are very much alike in the different States. The vocational and professional schools are very similar in the different States. In fact, our educational systems in the different States are very similar; the fundamentals in all these schools could be just as well under one system. The Government has no definite policy for managing Indian affairs, no definite system for developing and training and overcoming natural and inherited handicaps against self-reliance and independence and capability for self-government. The policies for treatment of the Indians change with every Secretary of the Interior and with every Commissioner of Indian Affairs. There is nothing, no laws to require our officers in charge of Indian affairs to pursue a general plan for qualifying the Indians for self-reliance, independence, and capable citizenship.

Indian affairs are said to be, and I think really are, in a somewhat chaotic state. The Indians themselves have but few ambitions common with the white people, and their principal one is to have as easy a time through life as possible and to have the Federal Government look after their wants. For nearly 150 years this condition of Indian affairs has continued. It is now costing the Government more than $20,000,000 per annum to maintain Indian affairs as they are maintained, with apparently no hope of any improvement ever being made. At the present rate of increase within 20 years Indian affairs will cost the Government from fifty to sixty millions of dollars annually, and we will still then be nowhere with Indian affairs. The best thing to happen to and for the Indians is for them to be completely emancipated and made full-fledged, inde-

pendent, and self-reliant and capable citizens, so that they may take an active part in both State and Federal Government in every way. And the next important thing resulting from such emancipation of the Indians will be the saving to the Government of millions on top of millions of dollars of expense annually.

You may ask how I suggest these conditions be brought about. Bring them about by enacting into law a policy for the development and training of Indians to become and be self-reliant and capable citizens. I would suggest the enactment into law of H. R. 12576, a bill introduced by me at the last session of this Congress, which reads as follows:

That it is hereby declared to be the policy and purpose of the Congress to provide for teaching, training, developing, and qualifying the Indians of the United States, as early as possible, to become industrious, self-reliant, qualified, independent, and self-maintaining citizens of the United States. And it is further declared to be the policy and purpose of the Congress to provide at once for entering upon and continuing such intensive and comprehensive training, developing, and qualifying of said Indians for capable, independent citizenship that within the period of 50 years further guardianship by the United States over the Indians and their property shall be unnecessary and therefore discontinued.

SEC. 2. That in order to carry out the purposes of this act a commission on Indian education is hereby created, which shall be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Labor, the Commissioner of Indian Affairs, and the Commissioner of Education, of which commission the Secretary of the Interior shall ex officio be chairman.

SEC. 3. That such commission on Indian education shall cause to be prepared such curriculum, course of teaching, study, and training as in its judgment will be necessary for use in teaching, training, and developing the Indians to be independent, self-supporting, qualified citizens.

SEC. 4. That to carry out the purposes set forth in this act special training or normal schools shall be provided for Indian teachers at such places and for such length of time as may be determined necessary by said Commission on Indian Education, for qualifying said teachers to teach, train, and develop the Indian students in accordance with such curriculum and course of teaching and training as shall from time to time be provided by, or under the direction of, the Commission on Indian Education.

SEC. 5. That the said Commission on Indian Education shall select and employ such normal-training teachers to specially instruct the Indian teachers of the Indian schools what and how to teach, to develop and to train the Indian students to become qualified for independent, self-reliant, self-supporting citizens of the United States in accordance with the purposes of this act. And the said commission shall fix and determine the salaries to be paid said normal-training instructors, which salaries shall be paid as the salaries of other Indian teachers.

SEC. 6. That among the elements embraced in the qualifications for citizenship sought by this act to be developed in the Indian students and which shall be taught are: Industry, continuity of effort, loyalty, efficiency, perseverance, ambition, economy, business administration, neatness, sobriety, truthfulness, integrity, self-preservation and protection, law observance, self-reliance, self and family support, participation in governmental activities, mental growth and development, and love of country.

SEC. 7. That 50 years from and after the approval of this act the United States shall cease to be the guardian of the Indians, and all Indians shall then and thereafter be regarded as independent, qualified citizens of the United States, with the same liberties, privileges, immunities, and responsibilities as other citizens.

SEC. 8. That as the Indians become qualified for independent citizenship, as determined by the Secretary of the Interior, such Indians shall, upon their application, or upon the initiative of the Secretary of the Interior, be given a certificate of independence and competency.

SEC. 9. That the special education, training, and development of the Indians, as herein provided for, shall continue until all the Indians become qualified for self-support and citizenship or until the expiration of 50 years.

SEC. 10. That it shall be the duty of the Secretary of the Interior to preserve and protect all the property of each Indian, and upon such Indian arriving at the state of competency for independent citizenship the Secretary of the Interior shall deliver over said property to such Indian when he shall have received his competency papers.

SEC. 11. The Secretary of the Interior shall make all necessary rules and regulations for carrying out the purposes of this act.

The Indians may be reluctant and slow to change from their natural inclinations. They will be reluctant to break off and away from their disposition to hunt and fish and engage in various sports on the one hand, and on the other they will be reluctant to abandon the idea of paternalism; of the great white father owing them everlasting care, guardianship, and support. Those who are sentimentally inclined may also oppose legislation which will end the guardianship of the Indians, the independency of the Indians, and the everlasting looking after them by the Federal Government. But, even so, the Congress should look at the proposition from the standpoint of the best interests of the Indians as a race of people and of the Federal Government, and should fix a reasonable time in the future for a complete emancipation of the Indians and for getting rid of a guardianship which has been going on for approximately 150 years, and thus save the Government multiplied millions of money annually.

Mr. CRAMTON. Mr. Chairman, I yield 10 minutes to the gentleman from Idaho [Mr. FRENCH].

The CHAIRMAN. The gentleman from Idaho is recognized for 10 minutes.

Mr. CRAMTON. I understand the gentleman from Kansas [Mr. SPROUL] yields back the time he has not consumed.

Mr. SPROUL of Kansas. Yes.

Mr. FRENCH. Mr. Chairman and members of the committee, before making the remarks I intended to make as I asked for time, I want to refer to the suggestion of the gentleman from Kansas [Mr. SPROUL]. As a matter of fact, there is developing in our country a more definite policy touching the Indian and Indian affairs than we have been aware of heretofore, except those who have studied the matter closely. As I look back over the years I am aware that serious mistakes have been made; partly by those who thought the problem was simple and that all you had to do was by proclamation or legislation to declare that the Indian was a citizen on a level with other citizens of the Republic, and that that would end the matter. But it has not ended the matter.

Some years ago the policy was adopted of giving the Indians who were classified as competent their lands in fee. But the result of this policy was that nearly as fast as Indian land was patented it would pass from Indian ownership to the ownership of white people. Most Indians did not have adequate sense of value of property. They sold or mortgaged their property, received the money for the land, and spent it recklessly, until to-day I think in practically all cases the Indians have been dispossessed of their holdings and have nothing to show for it.

We have profited by that mistake and we are endeavoring to carry forward a constructive program. This program has to do with education, with employment, with health, and with husbanding of property. If you will turn to the items in the bill you will see that the appropriations for education have been increasing. They have increased from $4,638,000 in 1923 to $11,000,000 plus in the bill we bring before you.

Again, members of the committee who have conducted the hearings are impressed with this thought, that education does not consist in simply what the boy or girl learns in the classroom, but that it must be supplemented by actual employment and opportunity be given for the Indian boy or girl to apply that which he has learned. We have followed that policy in recent years under the leadership of the gentleman from Michigan [Mr. CRAMTON].

Let me illustrate:

Mr. George La Vatta, a full-blood Shoshone Indian, born in my State, was placed in charge of one section of the work of placing boys and girls in employment. La Vatta was in my office the other day and he told me that in the last year he had placed 250 Indian boys and girls in lines of activity, in employment that is enabling them to become useful and effective citizens of their communities. This is an outstanding case; but the work is going on, and we are tremendously interested in it. It needs to be expanded, and will be expanded.

The question of the health of the Indians was referred to a while ago, and the amount of money expended on medical attention has been cited. Turning to our hearings you will discover that for the health program expenditures have increased from $410,000 in 1923 to nearly ten times that

amount to-day. In the bill we bring before you we carry $4,494,000 for 1932 for the Indian health program.

You ask why was it not possible to do this health work 10 or 15 years ago? The problem was with us, but certainly the most important reason was that the Indians themselves were not willing to accept the work.

I have in my hand a letter written by an Indian and addressed to the superintendent of the Coeur d'Alene Indian Reservation. The letter bears date January 23, 1920.

Let me read what the Indian said:

> It is my duty to inform you fully that you will understand me as I have just heard a few days ago that there was a Government dentist visited the DeSmet mission schools, both the father's and the sister's. You will understand me, this, I have strong objection against you Government people, that I do not care for you Government special doctors to treat my two children in school at the DeSmet mission. * * * Unknown Government special doctors will be coming along soon. I want them special doctors keep their (hands) off my two children. * * * Even if the Congress of the United States provide them special doctors I have nothing to do with them.

This letter is signed by one of the best-known Indians of his tribe, and it illustrates a deep prejudice that we have had to meet for many years.

Fortunately this prejudice is breaking down. The problem is one of education and of building up confidence. A remarkable change has occurred within the past 10 years.

Upon most reservations I believe we have reached the point where the Indians are willing to cooperate in carrying forward educational and health programs that will best fit the young Indians for life in the community in which they live. At any rate, tremendous progress has been made.

Let me turn to another matter for just a moment. The Members of Congress who contribute the greatest amount of service to this body and to the country are Members who take an interest not only in their local districts and States but in the country as a whole. The chairman of our committee [Mr. CRAMTON] is possibly as fine an illustration of this type of splendid public servant as could be afforded by the membership of the House during the nearly 24 years I have been a Member of this body. [Applause.] Our colleague [Mr. CRAMTON] has served on the Committee on Appropriations for nearly 12 years. I wish that all the Members of the Congress could serve at some time upon that committee, because service there would challenge the responsibility that ought to rest upon all Members, not only to the thought of expanding Government activities where rightfully they should expand, but to the thought of curtailing or abolishing activities when the service is no longer needed.

If we follow through the work of our chairman with those thoughts in view, we shall see what a master he has been in the work he has done.

Turning to the Indian work to which I have referred, expansion has gone forward in work done and so in the moneys we have appropriated to meet the new problems. Turn to the national parks, and again you find an expanding, a growing institution. In 1918, for instance, the national parks were visited by 450,000 people. During the present year the national parks of our country have had 2,770,000 visitors. In order to accommodate the people, greater in number than possibly any city in the American Nation, except two, needs to care for, we have had to provide facilities for comfort, for convenience, for health, and for safety.

Our parks are the great playgrounds of America, and our chairman has visioned the opportunities and the possibilities and has tried to meet them.

The Geological Survey, Howard University, here again are expanding activities that have claimed his greatest care.

But our chairman has met and untangled knotty problems. One of the notable services in this regard with which he has had to do was in placing the reclamation of arid lands of the West upon a fair and businesslike basis. The expansion of pre-war days was rudely shaken; conditions were no longer what they had been; and in large degree, through no fault of administration or of the people themselves, reclamation was in a bad way. Through the statesmanlike program insisted upon by the chairman of this committee, the Reclamation Service to-day is one of the fine institutions of our Government; and no matter what you may think of the policy of reclamation, it has been put upon a basis that commands the confidence and respect of the people of the West and the people of the East. Here was a service that could not have been rendered by anyone from the West who was interested primarily in the problem. It had to be taken hold of by some one from another State, and by a strong man, such as our chairman, and carried forward so as to meet the confidence of the Congress and of the country.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. FRENCH. Mr. Chairman, I am going to ask for five additional minutes from the Democratic side.

Mr. TAYLOR of Colorado. If I have it, I will be glad to give it to the gentleman.

The CHAIRMAN. The gentleman from Idaho is recognized for five additional minutes.

Mr. FRENCH. Mr. Chairman, as Members of this Congress attempt to estimate the men with whom they serve, four attributes possibly stand out as measuring sticks of more value than any others: First, ability; second, industry; third, courage; and, fourth, fidelity.

The Member of the Congress who does not possess these qualities does not go far in this body or in public life; but the man who does possess them, who has ability, and through industry applies himself to the problems of his district, his State, and his Nation, will go far, provided there be added to that combination two other ingredients—courage to stand against the world in defense of right and that fine integrity that commands the confidence, the good will, the respect, the faith of the fellow Members of this great body.

Possibly there is no better illustration of a man measuring up to all these great attributes by which men may be measured in this body than Mr. CRAMTON, the chairman of our committee. [Applause.]

Regardless of whether or not you have agreed with him upon the subject he was urging before you, you have had faith in the man and admiration for his work.

In conclusion, if every Member of this House were to be given a slip of paper and asked to write 10 names of the Members of this Chamber who he thought had influenced the Congress most during the period of his membership here, I do not know what 10 names would be included upon all of the lists, or any of them, but I think that upon most of the lists of 10 names would be found the name of the distinguished chairman of our committee, Mr. CRAMTON. [Applause.]

Mr. CRAMTON. Mr. Chairman, I yield myself one minute, simply to say that the House, which has heard this afternoon these expressions from my colleagues, the gentleman from Colorado [Mr. TAYLOR], the gentleman from Oklahoma [Mr. HASTINGS], and the gentleman from Idaho [Mr. FRENCH], realizing that I have had associated with me such capable and such generous men as they are, will appreciate that the accomplishments of our committee have not been the accomplishments of its chairman but the accomplishments of the committee itself and only possible because of their unanimity of interest and of effort.

Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CHINDBLOM, Chairman of the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes, reported that that committee had come to no resolution thereon.

CLOSING OF GENERAL DEBATE

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that further general debate on the Interior Department appropriation bill, fiscal year 1932, be limited to 1 hour, of

which 45 minutes shall be controlled by the gentleman from Colorado [Mr. TAYLOR] and 15 minutes by myself.

The SPEAKER. The gentleman from Michigan asks unanimous consent that further general debate on this bill be limited to one hour, 45 minutes of which is to be controlled by the gentleman from Colorado [Mr. TAYLOR] and 15 minutes by himself. Is there objection?

There was no objection.

RESIGNATIONS FROM COMMITTEES

The SPEAKER. The Chair lays before the House the following communication:

DECEMBER 5, 1930.

Hon. NICHOLAS LONGWORTH,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committees on Census and Insular Affairs.

Respectfully,

S. RUTHERFORD.

The SPEAKER. Without objection, accepted.

There was no objection.

The SPEAKER. Also the following communication:

DECEMBER 5, 1930.

Hon. NICHOLAS LONGWORTH,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on Coinage, Weights, and Measures.

Respectfully,

WRIGHT PATMAN.

The SPEAKER. Without objection, accepted.

There was no objection.

The SPEAKER. Also the following communication:

DECEMBER 5, 1930.

Hon. NICHOLAS LONGWORTH,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on Pensions.

Respectfully,

JOHN C. BOX.

The SPEAKER. Without objection, accepted.

There was no objection.

The SPEAKER. Also the following communication:

DECEMBER 5, 1930.

Hon. NICHOLAS LONGWORTH,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on Mines and Mining.

Respectfully,

BUTLER B. HARE.

The SPEAKER. Without objection, accepted.

There was no objection.

The SPEAKER. Also the following communication:

DECEMBER 5, 1930.

Hon. NICHOLAS LONGWORTH,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on Irrigation and Reclamation.

Respectfully,

E. E. ESLICK.

The SPEAKER. Without objection, accepted.

There was no objection.

The SPEAKER. Also the following communication:

DECEMBER 5, 1930.

Hon. NICHOLAS LONGWORTH,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on the Public Lands.

Respectfully,

EDGAR HOWARD.

The SPEAKER. Without objection, accepted.

There was no objection.

ELECTION TO COMMITTEES

Mr. GARNER. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The SPEAKER. The gentleman from Texas offers a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 316

Resolved, That the following-named Representatives be, and they are hereby, elected members of the standing committees of the House, as follows:

Coinage, Weights, and Measures: JOHN L. DORSEY, Jr., of Kentucky.
Territories: JOHN L. DORSEY, Jr., of Kentucky.
Insular Affairs: EFFIEGENE WINGO, of Arkansas.
Accounts: EFFIEGENE WINGO, of Arkansas.
Census: HINTON JAMES of North Carolina.
Public Lands: HINTON JAMES of North Carolina.
Mines and Mining: CLAUDE V. PARSONS, of Illinois.
Enrolled Bills: CLAUDE V. PARSONS, of Illinois.
Banking and Currency: MICHAEL K. REILLY, of Wisconsin.
Pensions: FRANK HANCOCK of North Carolina.
Irrigation and Reclamation: FRANK HANCOCK of North Carolina.

The resolution was agreed to.

SENATE BILLS REFERRED

Bills, a joint resolution, and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and under the rule referred as follows:

S. 457. An act for the relief of the estate of Benjamin Braznell; to the Committee on Claims.

S. 896. An act to pay the Pioneer Steamship Co. the sum of $3,100.50, money paid as duty for repairs in foreign ports; to the Committee on Claims.

S. 899. An act authorizing the Treasurer of the United States to refund to the Farmers' Grain Co., of Omaha, Nebr., income taxes illegally paid to the United States Treasurer; to the Committee on Claims.

S. 3620. An act for the relief of the Fairmont Creamery Co., of Omaha, Nebr.; to the Committee on Claims.

S. 4018. An act for the relief of the Lebanon Equity Exchange, of Lebanon, Nebr.; to the Committee on Claims.

S. 4274. An act for the relief of Dr. Cooper Nicholson; to the Committee on Claims.

S. J. Res. 195. Joint resolution authorizing investigation of certain operations on cotton exchanges; to the Committee on Agriculture.

S. Con. Res. 34. Concurrent resolution to pay the Sussex Trust Co. a sum equal to six months' compensation of the late Napoleon B. Hearn; to the Committee on Accounts.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 4050. An act donating trophy gun to F. D. Hubbel Relief Corps, No. 103, of Hillsboro, Ill.;

H. R. 7996. An act to change the name of Iowa Circle in the city of Washington to Logan Circle;

H. R. 10093. An act for the relief of Emmett Brooks;

H. R. 10341. An act to amend section 335 of the Criminal Code;

H. R. 12742. An act to amend the act entitled "An act to adjust the compensation of certain employees in the Customs Service," approved May 29, 1928;

H. R. 13035. An act to extend the times for commencing and completing the construction of a bridge across the Grand Calumet River at East Chicago, Ind.; and

H. J. Res. 333. Joint resolution to authorize an appropriation of $10,000 for the expenses of participation by the United States in the Ninth International Dairy Congress, Copenhagen, Denmark, 1931.

ADJOURNMENT

Mr. CRAMTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock p. m.) the House adjourned until to-morrow, Tuesday, December 9, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Tuesday, December 9, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

War Department appropriation bill.

State, Justice, Commerce, and Labor Departments appropriation bill.

Agriculture Department appropriation bill.

JOINT CONGRESSIONAL COMMITTEE ON INTERNAL-REVENUE TAXATION

(10 a. m., room 321, House Office Building)

To consider depletion of mines.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

678. A letter from the Secretary of Agriculture, chairman Migratory Bird Conservation Commission, transmitting report of the Migratory Bird Conservation Commission for the fiscal year ended June 30, 1930 (H. Doc. No. 670); to the Committee on Agriculture and ordered to be printed.

679. A letter from the Secretary of the Interior, transmitting report on the results of studies and investigation of the Parker-Gila Valley project for the State of Arizona, on or before December 10, 1931; to the Committee on Irrigation and Reclamation.

680. A letter from the Secretary of the Interior, transmitting reports on several projects, including among others the Casper-Alcova irrigation projects, in Natrona County, Wyo. (H. Doc. No. 674); to the Committee on Irrigation and Reclamation and ordered to be printed, with illustrations.

681. A letter from the Secretary of the Interior, acting chairman Federal Power Commission, transmitting report showing permits and licenses issued under the authority of the act during the fiscal year ended June 30, 1930; to the Committee on Interstate and Foreign Commerce.

682. A letter from the Secretary of Commerce, transmitting a summary of reports with a brief statement of the action of the department in respect to accident sustained or caused by barges tow through the open sea during the fiscal year 1930; to the Committee on the Merchant Marine and Fisheries.

683. A letter from the Secretary of War, transmitting a draft of a bill to transfer the control of building No. 2 on the customhouse reservation at Nome, Alaska, from the Secretary of the Treasury to the Secretary of War; to the Committee on Ways and Means.

684. A letter from the chairman of the Public Utilities Commission, transmitting a draft of a bill to amend section 8 of the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia, for the fiscal year ending June 30, 1914, and for other purposes," approved March 4, 1913, as amended; to the Committee on the District of Columbia.

685. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Federal Farm Board for $150,000,000 to be immediately available as a part of the revolving fund of $500,000,000 authorized to be appropriated by the agricultural marketing act, approved June 15, 1929 (H. Doc. No. 668); to the Committee on Appropriations and ordered to be printed.

686. A communication from the President of the United States, transmitting a draft of a proposed change in the item for maintenance and operation, Panama Canal, in the Budget for the fiscal year 1932 (H. Doc. No. 669); to the Committee on Appropriations and ordered to be printed.

687. A letter from the Secretary of the Navy, transmitting a list of cases of relief granted under authority of the naval act approved July 11, 1919, Lieut. G. A. Wilson, Supply Corps, 1929; Lieut. Gordon S. Bowers and Lieut. Commander Sidney P. Vaughn, Supply Corps, 1926; to the Committee on Expenditures in the Executive Departments.

688. A communication from the President of the United States, transmitting a supplemental estimate of appropriation pertaining to the legislative establishment, United States Senate, for the fiscal year 1931, in the sum of $60,000 (H. Doc. No. 671); to the Committee on Appropriations and ordered to be printed.

689. A communication from the President of the United States, transmitting a supplemental estimate of appropriations pertaining to the legislative establishment, House of Representatives, for the fiscal year 1931, in the sum of $50,000 (H. Doc. No. 672); to the Committee on Appropriations and ordered to be printed.

690. A communication from the President of the United States, transmitting a supplemental estimate of appropriation pertaining to the legislative establishment, House of Representatives, for the fiscal year 1931, in the sum of $8,000 (H. Doc. No. 673); to the Committee on Appropriations and ordered to be printed.

691. A letter from the Secretary of the Treasury, transmitting report of the Surgeon General of the Public Health Service for the fiscal year 1930 (H. Doc. No. 521); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. CRAMTON: Committee on Appropriations. H. R. 14675. A bill making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes; without amendment (Rept. No. 2073). Referred to the Committee of the Whole House on the state of the Union.

Mr. REID of Illinois: Committee on Flood Control. H. R. 2936. A bill to provide for a survey of the Tittabawassee and Chippewa Rivers, Mich., with a view to the prevention and control of floods; with amendment (Rept. No. 2074). Referred to the Committee of the Whole House on the state of the Union.

Mr. REID of Illinois: Committee on Flood Control. H. R. 8290. A bill to authorize and direct a preliminary examination of the Mohican River Ditch from Lake Fork, Ohio, south a distance of 8 miles; with amendment (Rept. No. 2075). Referred to the Committee of the Whole House on the state of the Union.

Mr. REID of Illinois: Committee on Flood Control. H. R. 8736. A bill to authorize and direct a preliminary examination of the Hocking River for the distance that it flows through Athens County, Ohio; with amendment (Rept. No. 2076). Referred to the Committee of the Whole House on the state of the Union.

Mr. REID of Illinois: Committee on Flood Control. H. R. 9779. A bill authorizing a preliminary examination and survey of the Mokelumne River, Calif., and its tributaries, with a view to the control of floods; with amendment (Rept. No. 2077). Referred to the Committee of the Whole House on the state of the Union.

Mr. REID of Illinois: Committee on Flood Control. H. R. 10264. A bill to provide a preliminary survey of Waccamaw River, N. C. and S. C., with a view to the control of its floods; with amendment (Rept. No. 2078). Referred to the Committee of the Whole House on the state of the Union.

Mr. REID of Illinois: Committee on Flood Control. H. R. 10720. A bill to authorize a preliminary examination of the French Broad River for the purpose of flood control; with amendment (Rept. No. 2079). Referred to the Committee of the Whole House on the state of the Union.

Mr. REID of Illinois: Committee on Flood Control. H. R. 11201. A bill to authorize a preliminary examination of the Fox River, Wis., for the purpose of flood control; without amendment (Rept. No. 2080). Referred to the Committee of the Whole House on the state of the Union.

Mr. REID of Illinois: Committee on Flood Control. H. R. 11230. A bill to authorize an appropriation for flood control in and about the city of Middlesboro, State of Kentucky; with amendment (Rept. No. 2081). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. J. Res. 411. A joint resolution for the relief of farmers in the drought-stricken areas of the United States; with amendment (Rept. No. 2082). Referred to the Committee of the Whole House on the state of the Union.

Mr. REED of New York: Committee on Education. H. R. 12901. A bill to extend the provisions of certain laws relat-

ing to vocational education and civilian rehabilitation to Porto Rico; with amendment (Rept. No. 2083). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 13409) granting a pension to Mary A. Crum; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 13410) granting a pension to Harriet McDaniel Cornell; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 13415) granting a pension to Mary Snyder; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 13417) granting a pension to Gabriel Patrick; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 13419) granting an increase of pension to Margaret A. Wells; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 13421) granting a pension to Frank A. Boster; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 13422) granting a pension to Martha A. Dunn; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 13767) granting a pension to Margaret Duggan; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 14644) granting a pension to Harrison Sprague; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CRAMTON: A bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes; committed to the Committee on the Whole House on the state of the Union.

By Mr. BUTLER: A bill (H. R. 14676) to extend the times for commencing and completing the construction of a bridge across the Columbia River at or near Arlington, Oreg.; to the Committee on Interstate and Foreign Commerce.

By Mr. GREEN: A bill (H. R. 14677) authorizing and directing the Secretary of Agriculture to purchase and maintain for experimental purposes certain lands and timber in Bradford and Clay Counties, Fla., and authorizing an appropriation therefor; to the Committee on Agriculture.

By Mr. RANKIN: A bill (H. R. 14678) granting the consent of Congress to the board of supervisors of Itawamba County, Miss., to construct a bridge across Tombigbee River; to the Committee on Interstate and Foreign Commerce.

By Mr. YON: A bill (H. R. 14679) authorizing Pensacola Bridge Corporation (a Florida corporation), its successors and assigns, to construct, maintain, and operate a bridge across Santa Rosa Sound, in the State of Florida, at or near Grassy Point, in Santa Rosa County, Fla., and repealing the act approved May 26, 1928, as amended February 19, 1930, authorizing construction of a bridge across Santa Rosa Sound; to the Committee on Interstate and Foreign Commerce.

By Mr. O'CONNOR of Louisiana: A bill (H. R. 14680) to authorize the attendance of the Marine Band at the Spanish-American War veterans' convention at New Orleans; to the Committee on Naval Affairs.

By Mr. HOGG of Indiana: A bill (H. R. 14681) granting consent of Congress to the Pittsburgh, Fort Wayne & Chicago Railway Co., its successors and assigns, to construct, maintain, and operate a railroad bridge across the Kankakee River; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHAFER of Wisconsin: A bill (H. R. 14682) to authorize appropriations for construction at the Northwestern Branch, National Home for Disabled Volunteer Soldiers, Milwaukee, Wis., and for other purposes; to the Committee on Military Affairs.

By Mr. STALKER: A bill (H. R. 14683) to provide for the incorporation of credit unions within the District of Columbia; to the Committee on the District of Columbia.

By Mr. CABLE: A bill (H. R. 14684) to amend the law relative to citizenship and naturalization, and for other purposes; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 14685) to equalize as between the sexes the law relating to nationality; to the Committee on Immigration and Naturalization.

By Mr. CHRISTGAU: A bill (H. R. 14686) to authorize the use of the Mayo Clinic as a diagnostic center; to the Committee on World War Veterans' Legislation.

By Mr. CONDON: A bill (H. R. 14687) to provide for the payment to veterans of the face value of their adjusted-service certificate on and after March 1, 1931; to the Committee on Ways and Means.

By Mr. BRITTEN: A bill (H. R. 14688) to authorize the construction of certain naval vessels, and for other purposes; to the Committee on Naval Affairs.

By Mr. DENISON: A bill (H. R. 14689) to extend the times for commencing and completing the construction of a bridge across the Ohio River at Cairo, Ill.; to the Committee on Interstate and Foreign Commerce.

By Mr. EDWARDS: A bill (H. R. 14690) to provide for the purchase of a site and for the erection of an adequate United States marine hospital and quarters at Savannah, Ga., and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. ENGLEBRIGHT: A bill (H. R. 14691) to authorize the erection of a Veterans' Bureau hospital in the inland part of the State of California, and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. FISHER: A bill (H. R. 14692) to amend the act entitled "An act making eligible for retirement under certain conditions officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability in line of duty while in the service of the United States during the World War"; to the Committee on Military Affairs.

By Mr. LaGUARDIA: A bill (H. R. 14693) to regulate the traffic in opium and narcotics; to the Committee on Ways and Means.

By Mr. MERRITT: A bill (H. R. 14694) authorizing a survey with a view to better navigation on the Mianus River between the New York, New Haven & Hartford Railroad bridge and Mianus, Conn.; to the Committee on Rivers and Harbors.

By Mr. PARKER: A bill (H. R. 14695) to amend section 16a of the interstate commerce act; to the Committee on Interstate and Foreign Commerce.

By Mr. PRITCHARD: A bill (H. R. 14696) authorizing the Secretary of the Treasury to convey certain land to the city of Asheville, N. C., for park and street purposes; to the Committee on Public Buildings and Grounds.

By Mr. SWING: A bill (H. R. 14697) to authorize the Secretary of the Navy to proceed with the construction of certain naval works at the naval training station at San Diego, Calif.; to the Committee on Naval Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 14698) for the relief of the Uncompahgre reclamation project, Colorado; to the Committee on Irrigation and Reclamation.

By Mr. YON: A bill (H. R. 14699) to authorize the Secretary of the Navy to proceed with certain public works at the United States naval air station, Pensacola, Fla.; to the Committee on Naval Affairs.

By Mr. BUCKBEE: A bill (H. R. 14700) to amend section 79 of the Judicial Code; to the Committee on the Judiciary.

By Mr. EATON of Colorado: A bill (H. R. 14701) to authorize appropriations for construction of additional hospital facilities at Fitzsimons General Hospital, Denver, Colo., and for other purposes; to the Committee on Military Affairs.

By Mr. GLOVER: A bill (H. R. 14702) to amend the World War veterans' act of 1924; to the Committee on World War Veterans' Legislation.

By Mr. McCORMACK of Massachusetts: A bill (H. R. 14703) to amend the World War veterans' act; to the Committee on World War Veterans' Legislation.

By Mr. WILLIAMSON: A bill (H. R. 14704) to authorize appropriations for construction at the Battle Mountain Sanitarium, National Soldiers' Homes, Hot Springs, S. Dak., and for other purposes; to the Committee on Military Affairs.

By Mr. LAGUARDIA: Resolution (H. Res. 317) directing the Secretary of Commerce to furnish the House information relative to unemployment census entries; to the Committee on the Census.

By Mr. GARBER of Oklahoma: Joint resolution (H. J. Res. 424) to authorize the distribution of 60,000,000 bushels of surplus wheat for relief purposes; to the Committee on Agriculture.

By Mr. CHRISTOPHERSON: Joint resolution (H. J. Res. 425) to amend Public Resolution No. 82, approved June 6, 1930; to the Committee on the District of Columbia.

By Mr. MEAD: Joint resolution (H. J. Res. 426) directing the President to proclaim March 13 of each year Gen. Casimir Pulaski and Revolutionary War heroes' memorial day for the observance and commemoration of the day on which the first blood of the Revolution was shed at Westminster, Vt.; to the Committee on the Judiciary.

By Mr. GARBER of Oklahoma: Joint resolution (H. J. Res. 427) to suspend for a period of 10 years general immigration into the United States; to the Committee on Immigration and Naturalization.

By Mr. JOHNSON of South Dakota: Joint resolution (H. J. Res. 428) for the relief of farmers in the drought-stricken, flood-stricken, hail-stricken, and storm-stricken areas of the United States; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 14705) granting a pension to Ralph Bullen; to the Committee on Invalid Pensions.

By Mr. BAIRD: A bill (H. R. 14706) granting a pension to Laura Slotterbeck; to the Committee on Invalid Pensions.

By Mr. CANFIELD: A bill (H. R. 14707) granting a pension to Mollie Merrill; to the Committee on Invalid Pensions.

By Mr. CARTER of California: A bill (H. R. 14708) to place Sprague B. Wyman on the retired list of the United States Army as a captain; to the Committee on Military Affairs.

By Mr. CARTER of Wyoming: A bill (H. R. 14709) granting a pension to H. M. Wright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14710) for the relief of E. W. Gillespie; to the Committee on Claims.

By Mr. COLE: A bill (H. R. 14711) granting an increase of pension to Pauline White; to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 14712) granting an increase of pension to Mary M. Rutty; to the Committee on Invalid Pensions.

By Mr. CORNING: A bill (H. R. 14713) for the relief of George L. Vincent; to the Committee on War Claims.

By Mr. CRAIL: A bill (H. R. 14714) for the relief of John Francis Halpin; to the Committee on Naval Affairs.

Also, a bill (H. R. 14715) granting a pension to Elizabeth E. Couch; to the Committee on Pensions.

By Mr. CULKIN: A bill (H. R. 14716) granting an increase of pension to Lucinda Hammond; to the Committee on Invalid Pensions.

By Mr. DALLINGER: A bill (H. R. 14717) for the relief of Laban H. Davies; to the Committee on Claims.

Also, a bill (H. R. 14718) for the relief of Paul Albert Fitzgerald; to the Committee on Claims.

By Mr. DUNBAR: A bill (H. R. 14719) for the relief of Casey Hall McGinnis; to the Committee on Naval Affairs.

By Mr. EATON of Colorado: A bill (H. R. 14720) for the relief of Davis and Vance; to the Committee on Claims.

Also, a bill (H. R. 14721) for the relief of J. N. Gordon; to the Committee on Claims.

By Mr. ELLIOTT: A bill (H. R. 14722) granting a pension to Anna W. Hutton; to the Committee on Invalid Pensions.

By Mr. ENGLEBRIGHT: A bill (H. R. 14723) for the relief of George W. Campbell; to the Committee on Pensions.

By Mr. FENN: A bill (H. R. 14724) granting an increase of pension to Mary M. Bowen; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 14725) granting a pension to Anna Gibbins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14726) granting pension to Annie Day Sufphay; to the Committee on Invalid Pensions.

By Mr. GARBER of Oklahoma: A bill (H. R. 14727) for the relief of Frank Fanning; to the Committee on Military Affairs.

By Mr. GRIFFIN: A bill (H. R. 14728) for the relief of Patrick Collins; to the Committee on Military Affairs.

Also, a bill (H. R. 14729) for the relief of Michael F. Schroppel; to the Committee on Military Affairs.

By Mr. GIFFORD: A bill (H. R. 14730) for the relief of Arthur K. Finney; to the Committee on Claims.

Also, a bill (H. R. 14731) providing for an examination and survey of the shore at Gay Head, Mass.; to the Committee on Rivers and Harbors.

By Mr. HOGG of Indiana: A bill (H. R. 14732) to extend the benefits of the World War veterans' act, 1924, as amended, to Wilfred M. Gray and dependents; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 14733) granting an increase of pension to Jennie Payson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14734) granting a pension to Hannah E. Nobles; to the Committee on Invalid Pensions.

By Mr. HOPE: A bill (H. R. 14735) granting an increase of pension to Sarah F. Dowmard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14736) granting an increase of pension to Mary F. Shook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14737) granting a pension to Etta M. Gillette; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14738) granting a pension to Lizzie E. Brown; to the Committee on Invalid Pensions.

By Mr. HUDSPETH: A bill (H. R. 14739) for the relief of John Milton Marcee; to the Committee on Naval Affairs.

By Mr. JOHNSTON of Missouri: A bill (H. R. 14740) granting an increase of pension to Lucinda Bollinger; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 14741) granting an increase of pension to Mary Carpenter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14742) granting an increase of pension to Albert Harden; to the Committee on Invalid Pensions.

By Mr. KNUTSON: A bill (H. R. 14743) granting a pension to Mamie L. Eusebeo; to the Committee on Pensions.

By Mr. KOPP: A bill (H. R. 14744) granting an increase of pension to Matilde G. Williams; to the Committee on Invalid Pensions.

By Mr. KURTZ: A bill (H. R. 14745) granting an increase of pension to Annie E. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14746) granting an increase of pension to Rebecca E. Smith; to the Committee on Invalid Pensions.

By Mr. LAMBERTSON: A bill (H. R. 14747) granting a pension to Caroline Light; to the Committee on Invalid Pensions.

By Mr. LETTS: A bill (H. R. 14748) granting an increase of pension to Mary Burke; to the Committee on Invalid Pensions.

By Mr. LONGWORTH: A bill (H. R. 14749) granting a pension to William F. Stevens; to the Committee on Pensions.

Also, a bill (H. R. 14750) granting a pension to Myrtle De Witte; to the Committee on Pensions.

By Mr. LOZIER: A bill (H. R. 14751) granting an increase of pension to Harriett A. Beard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14752) granting an increase of pension to Lydia A. Cary; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14753) granting an increase of pension to Luticia A. Widener; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14754) granting an increase of pension to Erastus J. Griffin; to the Committee on Pensions.

Also, a bill (H. R. 14755) granting an increase of pension to Sarah C. Perry; to the Committee on Invalid Pensions.

By Mr. LUCE: A bill (H. R. 14756) to authorize Rear Admiral Sumner E. W. Kittelle, United States Navy, to accept a decoration conferred upon him by the Government of Spain; to the Committee on Naval Affairs.

By Mr. LUDLOW: A bill (H. R. 14757) granting a pension to Sarah E. Miller; to the Committee on Invalid Pensions.

By Mr. McFADDEN: a bill (H. R. 14758) granting pension to Ellen Welch; to the Committee on Invalid Pensions.

By Mr. MANLOVE: A bill (H. R. 14759) granting an increase of pension to Addie Bass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14760) granting a pension to Genniari Francis; to the Committee on Invalid Pensions.

By Mr. MENGES: A bill (H. R. 14761) granting an increase of pension to Amanda A. Baltzley; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 14762) granting a pension to Annie Shane; to the Committee on Invalid Pensions.

By Mr. NELSON of Maine: A bill (H. R. 14763) granting an increase of pension to Flora J. Perkins; to the Committee on Invalid Pensions.

By Mrs. OLDFIELD: A bill (H. R. 14764) granting an increase of pension to Permelia J. Bratton; to the Committee on Invalid Pensions.

By Mr. PALMER: A bill (H. R. 14765) granting an increase of pension to Bettie J. Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14766) granting a pension to Belle Hochensmith; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 14767) granting an increase of pension to Sarah C. Ferguson; to the Committee on Invalid Pensions.

By Mrs. RUTH PRATT: A bill (H. R. 14768) for the relief of Frederick S. Rollo; to the Committee on Claims.

By Mr. RICH: A bill (H. R. 14769) granting an increase of pension to Fendora M. Terwilliger; to the Committee on Invalid Pensions.

By Mr. RUTHERFORD: A bill (H. R. 14770) granting a pension to Early G. Rodgers; to the Committee on Pensions.

By Mr. SABATH: A bill (H. R. 14771) for the relief of Tony Krenc; to the Committee on Claims.

Also, a bill (H. R. 14772) for the relief of Boston Store Co., a corporation, Chicago, Ill.; to the Committee on Claims.

By Mr. SANDERS of Texas: A bill (H. R. 14773) for the relief of the heirs of John V. Singer; to the Committee on War Claims.

By Mr. SANDERS of New York: A bill (H. R. 14774) granting an increase of pension to Mary L. De Fabbio; to the Committee on Pensions.

By Mr. SCHNEIDER: A bill (H. R. 14775) granting an increase of pension to Mary D. Zoeller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14776) granting an increase of pension to Laura Oram; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 14777) granting a pension to Mary C. Rinderle; to the Committee on Pensions.

By Mr. SNELL: A bill (H. R. 14778) granting an increase of pension to Margaret Sherman; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 14779) granting an increase of pension to Thaddeus M. Clarkson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14780) granting an increase of pension to Harriet Brownrigg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14781) granting an increase of pension to Jennie A. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14782) granting an increase of pension to Bertha Weaver; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14783) granting an increase of pension to Ida Jacobs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14784) granting an increase of pension to Catherine A. Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14785) granting a pension to Eliza M. Williamson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14786) granting a pension to Edward Burg; to the Committee on Pensions.

Also, a bill (H. R. 14787) granting an increase of pension to Sadie M. Corell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14788) granting an increase of pension to Alice F. Genung; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14789) granting an increase of pension to Adalaid Collins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14790) granting an increase of pension to Harriet Austin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14791) granting an increase of pension to Myrtle L. McDermott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14792) granting an increase of pension to Elizabeth Clark; to the Committee on Invalid Pensions.

By Mr. STONE: A bill (H. R. 14793) granting an increase of pension to Emma J. Daugherty; to the Committee on Invalid Pensions.

By Mr. SWANSON: A bill (H. R. 14794) granting a pension to Fanny Stoffels; to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 14795) granting an increase of pension to Mary Kuney; to the Committee on Invalid Pensions.

By Mr. VESTAL: A bill (H. R. 14796) granting an increase of pension to Miranda Q. Moore; to the Committee on Invalid Pensions.

By Mr. WELSH of Pennsylvania: A bill (H. R. 14797) for the relief of Mrs. Edna Broome; to the Committee on Claims.

By Mr. WIGGLESWORTH: A bill (H. R. 14798) to reinstate Lawrence L. Myatt and Miller S. Burgin as midshipmen in the United States Naval Academy; to the Committee on Naval Affairs.

By Mr. WOLFENDEN: A bill (H. R. 14799) for the relief of Katherine G. Taylor; to the Committee on Claims.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 14800) granting a pension to Enoch Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14801) granting a pension to Thomas W. Haymond; to the Committee on Pensions.

By Mr. YON: A bill (H. R. 14802) for the relief of Alfred G. Simmons, jr.; to the Committee on Claims.

Also, a bill (H. R. 14803) for the relief of Robert E. Edgecombe; to the Committee on Claims.

By Mr. DOUTRICH: Resolution (H. Res. 313) for the relief of Grace W. Hunt, widow of John T. Hunt, late an employee of the House of Representatives; to the Committee on Accounts.

By Mr. KNUTSON: Resolution (H. Res. 314) to pay Fred R. Miller for extra and expert services to the Committee on Pensions; to the Committee on Accounts.

By Mr. PERKINS: Resolution (H. Res. 315) to pay for additional services rendered in the Committee on Appropriations and the office of the Speaker; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7810. By Mr. BRUMM: Evidence in support of House bill 14467, granting a pension to Margaret E. Hoffman; to the Committee on Invalid Pensions.

7811. By Mr. BRUNNER: Resolution of the second assembly district, Republican county committee of the county of Queens, city of New York, State of New York, favoring the cash payment of the bonus for the World War veterans during the continuance of the present unfavorable financial conditions; to the Committee on Ways and Means.

7812. By Mr. CELLER: Petition of the New York Academy of Medicine, representing 1,700 physicians in all branches of medicine and surgery, protesting the passage of House bill 7884, which would forbid experimental work on dogs in the District of Columbia; to the Committee on the District of Columbia.

7813. By Mr. CLARKE of New York: Petition of the members of the Woman's Christian Temperance Union, Endicott, N. Y., urging Congress to enact a law for the Federal supervision of motion pictures, establishing higher standards before production for films that are to be licensed for interstate and international commerce; to the Committee on Interstate and Foreign Commerce.

7414. By Mr. COLTON: Petition of citizens of Millard County, Utah, urging the House to enact Senate bill 4123, granting certain relief to drainage districts; to the Committee on Irrigation and Reclamation.

7815. By Mr. CRAMTON: Petition signed by Clara D. Montross and 19 other residents of Port Huron, Mich., urging favorable action on House bill 7884, which provides for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

7816. By Mr. ENGLEBRIGHT: Petition of members of the Sonoma County Council, American Legion, Department of California, pertaining to the duties of American citizenship in so far as aliens are concerned; to the Committee on Immigration and Naturalization.

7817. By Mr. EVANS of Montana: Petition of C. C. Cooke and other residents of Whitefish, Mont., urging passage of the Vestal copyright bill; to the Committee on Patents.

7818. By Mr. FENN: Petition of residents of Hartford and West Hartford, Conn., favoring the passage of House bill 7884, a bill for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

7819. Also, resolutions of the Woman's Christian Temperance Union of South Manchester, Conn., favoring the Federal supervision of motion pictures; to the Committee on Education.

7820. By Mr. FRENCH: Petition of the local Woman's Christian Temperance Union of Culdesac, Idaho, recommending the better control of the motion-picture business with the thought of protecting the public from unworthy pictures having to do with crime, immorality, etc.; to the Committee on the Judiciary.

7821. By Mr. KADING: Petitions from constituents in the second congressional district of Wisconsin, requesting the immediate enactment of House bill 7884 for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

7822. By Mr. McFADDEN: Petition of Edd Barlow and other citizens of Susquehanna County, petitioning the Congress to pass House bill 7884, exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

7823. By Mr. NIEDRINGHAUS: Petition of Charles H. Stoetzer, senior vice commander, Department of Missouri Veterans of Foreign Wars of the United States, and 57 other veterans, favoring legislation liquidating World War adjusted-service compensation certificates; to the Committee on Ways and Means.

7824. By Mr. O'CONNELL: Petition of the Richard Hudnut Co., of New York, favoring the passage of the Capper-Kelly price maintenance bill; to the Committee on Interstate and Foreign Commerce.

7825. Also, petition of the Radio Trade Organization, favoring the passage of the Capper-Kelly fair trade bill; to the Committee on Interstate and Foreign Commerce.

7826. Also, petition of E. J. Edmund Co., of New York, favoring the passage of the Capper-Kelly fair trade bill; to the Committee on Interstate and Foreign Commerce.

7827. Also, petition of the Albert Pick-Barth Co., of New York, opposing increase postal rates; to the Committee on the Post Office and Post Roads.

7828. Also, petition of the United Mail Order House, New York City, opposing increase in postage rates; to the Committee on the Post Office and Post Roads.

7829. By Mr. STONE: Evidence in support of House bill 14661, granting a pension to James A. Hyden; to the Committee on Pensions.

7830. Also, petition of Mary H. Royle, 2423 North Hudson, Oklahoma City, Okla., requesting immediate enactment of House bill 7884, for the exemption of dogs from vivisection; to the Committee on the District of Columbia.

7831. Also, petition of Dr. J. B. Jenkins, 1006 Medical Arts Building, Oklahoma City, Okla., requesting immediate enactment of House bill 7884, for the exemption of dogs from vivisection; to the Committee on the District of Columbia.

7832. Also, petition of O. K. Cockran, 1113 West Seventh Street, Oklahoma City, Okla., requesting immediate enactment of House bill 7884, for the exemption of dogs from vivisection; to the Committee on the District of Columbia.

7833. Also, petition of Mrs. R. L. Lyons, 1731 West Fortieth Street, Oklahoma City, Okla., requesting immediate enactment of House bill 7884, for the exemption of dogs from vivisection; to the Committee on the District of Columbia.

7834. Also, petition of Mrs. D. E. Reid, 1113 Northwest Seventh Street, Oklahoma City, Okla., requesting immediate enactment of House bill 7884, for the exemption of dogs from vivisection; to the Committee on the District of Columbia.

7835. Also, petition of Mrs. W. F. Klein, 126 Southwest Twenty-third Street, Oklahoma City, Okla., requesting immediate enactment of House bill 7884, for the exemption of dogs from vivisection; to the Committee on the District of Columbia.

7836. Also, petition of Sarah M. Weeks, 628 East Seventh Street, Oklahoma City, Okla., requesting immediate enactment of House bill 7884, for the exemption of dogs from vivisection; to the Committee on the District of Columbia.

7837. Also, petition of Myrtle L. Sherwood, 1135 Ellison, Oklahoma City, Okla., requesting immediate enactment of House bill 7884 for the exemption of dogs from vivisection; to the Committee on the District of Columbia.

7838. Also, petition of W. F. White, 628 East Seventh Street, Oklahoma City, Okla., requesting immediate enactment of House bill 7884 for the exemption of dogs from vivisection; to the Committee on the District of Columbia.

7839. Also, petition of Mrs. Ward White, 628 East Seventh Street, Oklahoma City, Okla., requesting immediate enactment of House bill 7884 for the exemption of dogs from vivisection; to the Committee on the District of Columbia.

7840. Also, petition of F. Finland, Oklahoma City, Okla., requesting immediate enactment of House bill 7884 for the exemption of dogs from vivisection; to the Committee on the District of Columbia.

7841. Also, petition of Rosetta White, 1113 Northwest Seventh Street, Oklahoma City, Okla., requesting immediate enactment of House bill 7884 for the exemption of dogs from vivisection; to the Committee on the District of Columbia.

7842. Also, petition signed by citizens of Stillwater, Okla., favoring the bill (H. R. 6603) which provides for the establishment of the 44-hour week in the Postal Service; to the Committee on the Post Office and Post Roads.

7843. Also, petition of citizens of Payne County, State of Oklahoma, urging an increase of pension to Emma Jane Dougherty; to the Committee on Invalid Pensions.

7844. By Mr. STRONG of Pennsylvania: Petition of Charles B. Gillespie Post, No. 110, the American Legion, Freeport, Pa., in favor of the immediate payment of adjusted-service certificates; to the Committee on Ways and Means.

SENATE

TUESDAY, DECEMBER 9, 1930

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Eternal Father, who requirest of Thy children that they do justly, love mercy, and walk humbly before Thee, hearken to our prayer in behalf of all mankind. Quicken the life of dreaming, hope-flushed youth with the indwelling of Thy purpose and lead all weary, disillusioned men from the tragic scenes of unequal strife into the green pastures of divine care, where love rises on the dewy hills of promise.

Through Thy word made flesh Thou hast touched poverty, clothing it with power; do Thou also touch all work and industry, making them sacraments of human fellowship, that the dignity and majesty of life may be found in the divine motives that sweep the souls of men upward to their sublime destiny.

Enable us, Thy servants, to speak the word which cheers without deluding, comforts without weakening, and kindles hope without deceiving; that word which is the veritable outflowing of broad streams of strength and sympathy, whose springs are hidden far beyond their apparent source in the eternal hills of God. All of which we ask in the name of Jesus Christ our Lord. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

SENATOR FROM IDAHO

The VICE PRESIDENT laid before the Senate the credentials of WILLIAM E. BORAH, chosen a Senator from the State of Idaho for the term commencing March 4, 1931, which were read and ordered to be placed on file.

STABILIZATION OF SILVER

Mr. SWANSON. Mr. President, the senior Senator from Nevada [Mr. PITTMAN] had a very interesting and very instructive article in the New York Times of December 7, 1930, with reference to the stabilization of silver. I ask to have the article printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The article is as follows:

[From the New York Times, December 7, 1930]

SILVER A BIG FACTOR—STABILIZATION WOULD INFLUENCE WORLD PROSPERITY

BY KEY PITTMAN, Senator from Nevada, member of the Committee on Foreign Relations

What are the causes of the sudden and disastrous financial and commercial depression throughout the world to-day, and what are the remedies that may be invoked to restore normal prosperity? These are difficult questions to answer. They must be answered, and correctly answered, before any substantial or permanent relief can be expected.

There is no doubt that, in the stress of the moment, confounded by many political questions and distracted through the necessity of thought and action to meet temporary relief, these questions have not had the study that is required. Again, there are many contributing causes, some fundamental, while others are only of a temporary nature and affecting only particular localities.

An attempted consideration of anything except fundamental causes affecting the world would be futile in any brief discussion of the subject. The fundamental causes, however, must be determined and a remedy for existing world distress must be found.

Prosperity is dead, commerce is stagnant, products are dazedly and vainly striving for a market, while millions of men and women are seeking to work that they may live and the majority of the people of the world are suffering for want of the very products which can not be purchased.

RADICAL CHANGE IN A YEAR

Only a little over a year ago industry and commerce thrived, idleness was practically unknown, and prosperity prevailed throughout the world. The sudden change could be understood if there had been some great natural catastrophe. If floods or earthquakes or other great natural causes had destroyed great producing and consuming populations and centers of wealth and finance, the present situation would be comprehensible.

The needs of humanity are as great to-day as they were a year and a half ago. The desire to purchase is unabated. And we are told by the highest authority that we are possessed to-day of all the potential wealth that we possessed at the beginning of 1929. A shifting of wealth from the masses of the consumers to the investing capitalists, through the medium of stock-market excitements and the subsequent crash, has undoubtedly had its effect.

Economists and financiers tell us that we are suffering from a reaction from overproduction. A year and a half ago there did not seem to be an overproduction because such production was being consumed.

Isn't the condition better expressed in the assertion that there is an underconsumption? If this be true, then what is the cause of the sudden and stupendous reduction in consumption? Our production in the beginning of 1929, in many commodities, had enlarged far beyond the demand or the power of consumption in the United States. Such surplus production was sold, however, in the markets of the world. The markets of the world have ceased to consume a large portion of our surplus production, and such portion of the surplus production as is marketed is marketed with little profit, if not at a loss.

Take, for instance, our production of cotton, wheat, copper, and automobiles. The lack of foreign demand for these products has not only reduced the power to dispose of the normal surplus production but has so reduced the price of such products that there is little, if any, profit in such surplus production. This condition has cut off a supply of hundreds of millions of dollars that annually flowed into this country.

There are probably several causes that contributed to the reduction of such consumption of our export products, but the main cause is undoubtedly the reduced power of our former consumers to purchase such products. What has affected the power of foreigners to purchase our exports?

THE DROP IN SILVER A FACTOR

President Hoover stated in his able address before the American Bankers' Association at Cleveland on October 2 that "the buying power of India and China, dependent upon the price of silver, has been affected."

Thomas W. Lamont, of J. P. Morgan & Co., recently stated one of the chief causes of world depression to be "the scarcity of gold and the depressed price of silver."

Julius H. Barnes, chairman of President Hoover's National Business Survey Conference, said in an article that "a price of silver which fluctuated from $1.45 some few years ago to 35 cents to-day and yet symbolizes the credit and resources of great people could not but harm the business structure of the world."

Similar declarations have been made recently by statesmen, economists, and financiers throughout the world. These unqualified statements by men of such character, standing, and position lend dignity to the problem and eliminate the suspicion that any such consideration involves an attack on the gold standard.

The use of silver as a money is not inconsistent with the gold standard. In fact, a majority of the people of the world and nineteen-twentieths of the leading governments have substantially no gold, and use silver alone as the measure of wealth, of values, and the instrument of trade and commerce.

These governments can, by legislative act, declare that they shall be on a gold standard and that only gold shall be legal tender money for domestic and foreign debts, but such legislation will not obtain gold for them upon which to base the gold standard. In fact, several governments that have in the last few years adopted the gold standard have substantially no gold and are compelled to use silver as the money with which they must purchase products and pay debts.

GOLD SUPPLY CLOSELY HELD

Where are the 19 out of 20 governments to get the gold upon which to base the gold standard? To-day there is only approximately $8,000,000,000 of money gold in the world. The United States has $4,500,000,000 of this gold, France approximately $2,000,000,000, England $850,000,000, while the remaining $650,000,000 must supply the needs of all of the rest of the world.

Of course, if all governments scramble for their proper share of this little gold supply, then the price of gold must continue to go up. When I say the price of gold must continue to go up I mean that it will take more ounces of silver to buy a dollar's worth of gold. It will take more cotton, more wheat, more copper, more automobiles to buy gold. It is a known law of economics that when money becomes scarcer products become cheaper.

If by any legislation or policy silver can be destroyed as a money, then there will remain only gold, and the demand for it will be proportionately increased. During the last 54 years legislation has been enacted in various countries and policies have been adopted looking to the cessation of the use of silver as money. These laws and policies had reduced the purchasing power of silver by comparison with gold over one-half by 1900.

From that time on until 1925 little new legislation was enacted or policies adopted changing the condition of silver, and therefore

silver sought and remained at what was regarded as a normal value as compared with gold, or exchangeable for gold, around 64 cents an ounce. This remarkably uniform normal price existed by reason of the fact that the annual production of silver was remarkably uniform and the consumption measured up exactly to the production. The annual production has averaged about 250,000,000 ounces throughout the world.

In 1925 the British Government for India adopted the gold standard for India and commenced to melt up and sell as bullion on the world market the silver money of India. Immediately the price of silver commenced to drop until, during 1930, it has averaged around 34 cents an ounce, or about one-half of its normal price.

Of course, the market for silver in the world could not consume this additional supply. The fact that the British Government for India had several hundred million ounces that it might dump on the markets of the world not only reduced the price of silver one-half but, by its threat to further indefinitely reduce such price, destroyed its value for credit. The result was inevitable. Panic exists among more than half of the people of the world, whose buying power is measured solely in silver. It has cut in two the purchasing power of China, Mexico, South America, Asia, and several European countries. It has made credit transactions with such silver-using countries practically impossible. The reaction has not only been felt in the United States but throughout the world.

A QUICK AND SIMPLE REMEDY

The immediate remedy for this cause of world depression is simple. Let the powers of the world, led by the United States, persuade the British Government for India to desist from such destructive policy, and silver will undoubtedly be restored to its normal price of around 64 cents an ounce. Let it be remembered that 64 cents an ounce is not an exchange ratio of 16 to 1, but represents a value of about one thirty-second that of gold, or 32 to 1. It is not even the exchange price for silver coins in the United States or in any other country using silver coins.

In the United States 50 dimes are exchangeable for $5 in gold. When 50 dimes are sold for a $5 gold piece it means that such silver is sold at the rate of $1.38 an ounce. The Government today, when it manufactures 50 dimes and sells such dimes to banks and trade for $5 in gold, receives for such silver $1.38 an ounce. It is not therefore suggested at this time that silver be restored to its parity price, but that it be restored to its normal price of around 64 cents an ounce by persuading the British Government for India to discontinue its abnormal and destructive policy with regard to money silver.

Personally, I am of the opinion that our own Government should not make a profit of $1.04 an ounce on the silver it buys from the products of our mines through the sale to banks and the trade. Nor do I think that any other country should attempt to make such a profit on industry. I am firmly convinced that trade and commerce would be facilitated and economic conditions throughout the world greatly relieved if there could be an agreement between governments as to the price at which silver should be exchanged for gold. This would not injure the gold standard nor deprive it of its character as the base for money.

The stabilization of the price of silver through the agreement of nations as to its exchange value with gold would not be difficult of accomplishment. If governments should agree not to melt up or debase their money silver, then the quantity of silver that would have to be considered in the stabilization plan would be quite small. In other words, only annual mine production would be a factor to be considered.

Silver mines, like gold mines, are quite limited. Even during the period when silver was selling at over a dollar an ounce, and large profits could be made from mining, it was impossible through the efforts of large exploration companies, with every facility for prospecting for and discovering mines, to increase the production over 25 per cent. In fact, nearly two-thirds of the silver mined is recovered as a by-product in the mining of copper, lead, or zinc. When there is a great demand for such metals then we are in a prosperous era and then there is also a great demand for silver. When the demand for such metals in business and commerce decreases then the production of silver automatically falls.

AVERAGE OUTPUT UNIFORM

Consequently the average production of silver throughout the world has always been quite uniform and for the eight years preceding 1930 the world production averaged only 250,000,000 ounces annually. Let us see how and where that silver has been consumed.

During that period the average annual consumption of India and China alone was 165,000,000 ounces. There were used in the arts and sciences in England, the United States, and Canada alone annually 40,000,000 ounces. This leaves only 45,000,000 ounces to be accounted for. Of course, other countries besides England, the United States, and Canada used silver in the arts and sciences and also for subsidiary coins. In fact, in the United States we use an average of 8,000,000 ounces of silver annually for our subsidiary coins, consisting of dimes, quarters, and half dollars.

I may say that from time immemorial India and China have consumed two-thirds of the silver production of the world and they will continue to consume it if the purchasing power of silver is not destroyed. So there is no danger of a dumping of silver on any country by reason of the fixing of a reasonable exchange value of silver for gold.

There is no doubt that all of the countries which use silver as money would enter into an agreement as to the exchange value of silver and, of course, if the three leading gold-standard countries of the world, namely, the United States, the British Empire, and France, would enter into such an agreement there would be no abnormal movement of silver from one country to another on account of such established exchange value.

Statesmen, economists, and financiers, however, agree that an emergency exists that requires emergency treatment. Some foreign statesmen and economists go to the extent of asserting that unless the purchasing power of silver is restored the world is threatened with industrial revolution and the repudiation of debts.

Therefore, I suggest that the first and the immediate step to be taken should be an agreement of governments to cease to melt up and throw on the market of the world their money silver as a bullion commodity. I believe that this could be readily accomplished if the movement were to be led by the United States through a conference of the fiscal agents of interested governments. The consummation of a program for the stabilization of the exchange ratio of silver with gold would undoubtedly require more consideration and might involve study and recommendation by a commission consisting of representatives of the various governments.

The President is now authorized by law to appoint such representatives for such purposes, and therefore no further legislation is required. The only act that will be attempted will be the passage of a resolution by the Senate submitting facts obtained by the subcommittee of the Foreign Relations Committee to the President with such advice as the Senate may deem proper in the premises.

ORDER OF BUSINESS

The VICE PRESIDENT. The presentation of petitions and memorials is in order.

Mr. HEFLIN. Mr. President——

The VICE PRESIDENT. Does the Senator desire to be recognized for the purpose of making a speech? If so, it will be necessary to obtain unanimous consent.

Mr. HEFLIN. I desire to address the Senate briefly.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Alabama will proceed.

RELIEF OF DROUGHT-STRICKEN AREAS

Mr. HEFLIN. Mr. President, I observe in the Washington Post this morning that Secretary of Agriculture Hyde criticizes a bill reported out by the Senate Committee on Agriculture and Forestry for the relief of the people in drought-stricken sections of the country. The Secretary is quoted as saying that "loaning money by the Government to people for food is perilously near being a dole." It does not make any difference to me what it may be called. We are confronted with a condition and not a theory. The Secretary of Agriculture in his report for 1930 begins by saying:

> The worst drought ever recorded in this country prevailed during much of the 1930 crop-growing season and greatly reduced farm production.

The Government is now loaning money to private shipbuilders for constructing ships for themselves to be used in the business of transporting people and cargoes upon the high seas. If the Government can loan money to a private individual to build up a private enterprise for the purpose of establishing himself in business and enabling him to make money, certainly the Government, in a time like this, can loan money to patriotic American citizens who are in actual need of food on which to live.

Mr. President, these men and women in Alabama and in the various States of the Union are in the midst of distress, the like of which they have never known before. Not only are they unable to support themselves because of unfortunate conditions over which they had no control but their neighbors who are better off than they are have suffered so acutely from poor prices for farm products that they are not able to lend a helping hand.

If times were prosperous, if we were obtaining fair prices for farm products, the people of the various communities would do as they have done in times of distress in the past. They would lend a helping hand and each community would, as nearly as it could, contribute toward taking care of the situation such as we have to-day. But now, Mr. President, as I said on yesterday, cotton is selling for 10 cents a pound, $30 to $35 a bale below the cost of production, and other farm products are selling at low and unprofitable prices. The farmers are not able to take care of themselves; they

are not able to pay the debts which they owe, even those who do not live in the drought-stricken area.

Mr. President, in my State a pitiful condition is presented. There are 39 counties, I believe, out of the 67 within the area known as drought-stricken counties. There are 28 other counties in Alabama besides those 39 already listed as drought-stricken counties that are suffering greatly because of drought conditions that exist there. There are families in those counties as deeply in distress as are the families in the counties where the whole county is affected by the drought. Relief for them is included in this bill. I hope the Congress will not follow the suggestion of the Secretary of Agriculture and hold down the proposed appropriation to $25,000,000. The report made by our Committee on Agriculture and Forestry provides $60,000,000, which, in my opinion, is not adequate. It ought to be amended and an increased amount provided. Away with this talk of $25,000,000. It will not begin to relieve the distress and suffering of the people in the drought-stricken sections of our country. What sort of a policy are some of these people seeking to lay down when they would supply a man with seed to plant in the ground and with feed for stock and with fertilizer to put in the soil when he has nothing to eat, nothing upon which to live, nothing with which to support his family while he is making a crop? To my mind such a suggestion is utterly ridiculous. Mr. President, when a crash comes in Wall Street in New York City they call upon the banking facilities of the Government at the National Capital and get the funds they need to tide them over the crisis. Shipbuilders of the Nation who want to go into the shipbuilding business can borrow money from the Government, as they are doing to-day, to carry on their business. But patriotic men and women whose sons have been called to bear arms in defense of their Government in the time of its peril are not allowed to have a loan of money with which to buy food upon which to live through a period of unprecedented distress and suffering. You say you will supply them with seed to be planted for the making of a crop next year. But they can not live to make the crop without they have food for themselves and families. The situation is such that the Government is the only power in this Nation that will grant them such aid. The farmer in my State who has two horses, a 2-horse farmer as we call him, has already mortgaged his horses, has mortgaged his wagon perhaps, has mortgaged his household effects, and he can not even pay the debts incurred, for this year his crop has been a total failure. How can he live even if the man who holds the mortgage on his stock and other property is willing for him to keep that property? Still he has to have something upon which to live while he uses that property to make another crop.

I want Senators to look the situation squarely in the face. We must not go to splitting hairs upon this proposition. If we are justified in loaning money to farmers in the drought-stricken areas to buy seed, to buy feed for their stock, to buy fertilizer with which to make a crop, then we are justified ten thousand times in loaning them money to buy food upon which to live while they make the crop.

Mr. President, I simply wanted to bring this matter to the attention of the Senate this morning in answer to the position taken by the Secretary of Agriculture. What did we do up in Salem, Mass.? I was in Congress at the time a great fire swept that city. The Government went to the rescue, supplying the money needed by those people in that time of great distress. When the earthquake struck San Francisco the Government again went to the rescue. When the flood visited the Mississippi Valley lives were lost and property damaged, and again the Government went to the rescue, and went nobly to the rescue. Now because times are hard the people are not responsible. A spirit of economy has seized certain gentlemen in high places. They say, "You must not dare to loan money to a starving citizen because somebody will call it a dole such as has been given out in England in the times following the great World War."

I repeat, I do not care what we call it, whether it be called a dole or not. When this Government finds its citizens, those who must bear arms in its defense to save its life in time of peril, in such distress as at present, they are entitled to have some of its substance to save them from starvation, be it by drought or from the disturbance of economic laws in the Nation.

Mr. President, I want to serve notice now that if there is any attempt to take care of certain big interests in the Nation to the hurt and injury of the poor people of the United States that we are now seeking to aid there are going to be some interesting things brought to the attention of the Senate and the country during the remainder of this session.

I am anxious to have this bill pass the Senate to-day so that the House can pass it and the President can sign it before Christmas. It is an important measure, a very urgent matter, and I beg all Senators to aid us in passing the bill to-day.

Mr. BLEASE. Mr. President, in addition to what the Senator from Alabama [Mr. HEFLIN] has said, I wish to call the attention of the Senate to the fact that in a great many instances the stock which he mentioned as being mortgaged has been already taken away from the farmers, and in some instances the Government itself has taken and sold their land and put them out in the highways with their wives and children, adding to the unemployment of the country, when if they had been permitted an extension of time on their farm-loan debt they could have had their farms and had employment and been at work to-day. As a result of that condition, those people have nothing upon which they can give security. There are thousands of farmers in the United States to-day who have not anything but their wives and children. Many of them have very little clothing to wear; a great many of them actually have no food. If Congress is going to pass a law requiring those people to give security in order to obtain relief, it had just as well save the time it would take to pass the law, for they have not a thing in the world to put up as security.

I notice that the measure which has been laid upon our desks this morning provides that the Secretary of the Treasury, may, in his discretion, loan money on the crop which is to be grown. That is a wise provision, and I think it will really afford relief to those people who are in dire distress upon the farms to-day.

I should like the Senator from Oregon, when he makes his remarks upon the joint resolution, to please tell the Senate why South Carolina was left out of its provisions.

Mr. McNARY. The joint resolution does not specify any State or section.

Mr. BLEASE. But the report does, Mr. President.

Mr. McNARY. The report is not a part of the joint resolution; it represents the imagination of the chairman.

Mr. BLEASE. I understand that, Mr. President; but, while the joint resolution is intended to aid farmers in drought and storm stricken areas, the report clearly indicates that the relief is to be extended to certain States, and South Carolina is not included.

Mr. McNARY. Mr. President, I suspect that the joint resolution when enacted by Congress will have more efficacy than the remarks of the chairman of the committee. In preparing the brief statement in the report I simply relied upon the opinion expressed by a member of the Department of Agriculture as to the particular States where there was the greatest need of relief. I am sure that if the Senator from South Carolina has any distress in his State the department will come to his aid and that he may count upon the assistance of the chairman and of the Senate Committee on Agriculture and Forestry.

PETITIONS AND MEMORIALS

Mr. FRAZIER presented petitions of sundry citizens of Fargo, Grand Forks, and Minot, all in the State of North Dakota, praying for the passage of legislation exempting dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. CAPPER presented a resolution adopted by Leslie Kreps Post, No. 62, the American Legion, of Salina, Kans., protesting against the passage of legislation providing for the immediate payment of adjusted-service certificates of World War veterans, which was referred to the Committee on Finance.

He also presented resolutions adopted by the local branches of the Woman's Christian Temperance Union at Phillipsburg, Glade, Lone Star, Richland, Overbrook, Wichita, McPherson, and Nashville, all in the State of Kansas, favoring the passage of legislation providing for Federal supervision of motion-picture films to be licensed for interstate and foreign commerce, which were referred to the Committee on Interstate Commerce.

Mr. WALCOTT presented a resolution of the Woman's Christian Temperance Union of South Manchester, Conn., favoring the passage of legislation for the Federal supervision of motion-picture films to be licensed for interstate and foreign commerce, which was referred to the Committee on Interstate Commerce.

He also presented papers in the nature of petitions from the Hartford Council of Churches, of Hartford; the Mount Carmel Book Club, of Mount Carmel; and Goshen Grange, No. 143, Patrons of Husbandry, of Goshen, all in the State of Connecticut, favoring the adhesion of the United States to the protocol for the World Court, which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of New Haven, Hartford, West Hartford, Danbury, Greenwich, Bridgeport, Winsted, Sound Beach, Riverside, Chester, Plainville, Milldale, Saugatuck, Westport, Wilton, Brookfield, New Britain, and Mansfield, all in the State of Connecticut, praying for the passage of legislation exempting dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented resolutions adopted by Wallingford Aerie, of Wallingford; Naugatuck Aerie, of Naugatuck; New Haven Aerie, of New Haven; Bridgeport Aerie, of Bridgeport; Charter Oak Aerie, of Hartford; and Norwalk Aerie, of Norwalk, all of the Fraternal Order of Eagles, in the State of Connecticut, praying for the passage of legislation creating a Federal industrial commission, which were referred to the Committee on Education and Labor.

EUROPEAN REPARATIONS AND INDEBTEDNESS

Mr. COPELAND. Mr. President, I hold in my hand what is, in effect, a petition to the western world. It is an article prepared by Samuel Kramer and printed in the current issue of the American Monthly. The article is entitled "Lift the Heavy Hand." It deals with what the author believes is a burden of oppression on European nations, particularly the Central Nations, as regards reparations. Mr. Kramer is a graduate of Yale and holds degrees also from Columbia University.

This article, I think, Mr. President, should be read by every Member of the Senate. It points out the burdens resting upon European governments, not alone the Central Empires but also our late allies, in the payment of the reparations. It points out that Germany is now called upon to pay $480,000,000 per year.

Last year when I was in Germany I was much distressed over what seemed to me to be the makings of Bolshevism in that country. When there is placed, as there has been, upon the railroads, for instance, of Germany a tax of $160,000,000 a year—for 670,000,000 gold marks are the equivalent to that sum of money in our currency—when that amount of burden is placed upon the railroads, in addition to their normal taxes, it is not difficult to understand how impossible it is for those railroads to maintain their rolling stock, their roadbeds, and to establish rates which will make possibe the movement of goods. If the sum of $160,000,000 were placed upon American railroads, there would be a protest, in my judgment, which could be heard from Maine to California.

In any event, this is an article which deserves our thoughtful consideration. No matter what may be our ultimate conclusion regarding the question at issue, certainly every American is interested in the maintenance of orderly government in all the countries of Europe. I can think of no greater disaster than to have a breakdown in Germany. It certainly would be followed by a breakdown in countries farther west, and we might even have that distress come to us.

I therefore ask unanimous consent that this article may be printed in the RECORD.

The VICE PRESIDENT. Is there objection?

Mr. FLETCHER. Mr. President, may I ask the Senator from New York in what publication does this article appear?

Mr. COPELAND. It is printed in the current number of the American Monthly.

Mr. REED. Mr. President, will the Senator from New York yield for a question?

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Pennsylvania?

Mr. COPELAND. I yield.

Mr. REED. Is this the German monthly that has been conducting agitation for the cancellation of international debts and the cancellation of German reparations?

Mr. COPELAND. I can not answer the implication of the question, may I say to my friend from Pennsylvania; but I have read the article and am much impressed by it. Whether it is a part of German propaganda or not, I am not particularly interested, because I think we should bravely face the facts as they are, and I am sure my friend from Pennsylvania takes the same view.

Mr. REED. Mr. President, I have no objection to the article being printed in the RECORD, as requested, but I ask permission to speak for a moment or two on the same subject.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Pennsylvania will proceed.

Mr. REED. When we remember, Mr. Presdent, that the German nation has completely divested itself of any interest charges on the enormous debt which it created during the war and on the considerable debt which it had before the war; that by permitting its currency to become valueless it has effectually despoiled its creditors and stripped itself of debt; that it has no interest charges, as have those countries which have honored their obligations; when we remember that the German reparations amount to approximately $480,000,000 a year, while our interest charges alone in America now amount to over $600,000,000 a year and at one time amounted to over a billion dollars a year; when we remember that the British interest charges approximate $2,000,000,000 a year and that Germany, as against that, is complaining of payments of $480,000,000 a year, while her victorious adversary, Great Britain, alone goes on with interest payments which are a staggering burden to her of more than four times the German reparations; when we remember the amount of interest that is being paid by France and by Italy on their obligations, it seems to me that we are putting things in a false proportion if we sympathize too much with the plight of Germany in having to pay this comparatively small amount as the only penalty for that war which she brought upon civilization and for that calamity for which she was responsible and which almost wiped civilization from the face of the globe.

Mr. FLETCHER. Mr. President, may I ask the Senator from Pennsylvania a question?

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Florida?

Mr. REED. I yield.

Mr. FLETCHER. If Germany is relieved of the payment of reparations it means, instead of taxing the German people, as they now complain they are being taxed, we will tax the people of the United States to raise this money?

Mr. REED. I am glad the Senator asked that question. It means, in the first place, that if reparations are forgiven, taxes upon the European allies will be increased. We get so slight an amount for the costs of our army of occupation, which is the only money that we obtained from the peace settlement, that it means practically nothing to us directly; but it means the imposition of that $480,000,000 annually upon the taxpayers of the victorious European allies.

Mr. President, if that were done, the next inevitable agitation would be for a further cancellation of the debts which those allies owe to us, and, in the last analysis, we would find the American taxpayer bearing the burden that belongs upon the shoulders of the German taxpayers.

This agitation in which we sometimes, I am sorry to say, find our own people sharing, and which seems to be a favorite text for sermons in Wall Street—that we must cancel all of these international obligations—is nothing more nor less than an indirect way of saying that the American people, who least of all the nations on earth were to blame for the war, must bear all its money costs. Mr. President, so long as there is an ounce of strength in me I propose to fight it. We have been overgenerous in our treatment of France, to take no other illustration. We made a settlement with France which amounted to a cancellation of about two-thirds of her obligations. If we consider the present value of the settlement and the rates of interest which she pays under it, practically we canceled two-thirds of her obligations, on the ground that her capacity to pay was no larger than that. Then, after we had done that, and after she had secured a similar burst of generosity from Great Britain in marking down the French debt to Great Britain, France looms up all of a sudden as the most prosperous nation on the face of the globe, with an enormous gold reserve, larger per capita than that of any other country, and with their people employed almost to the last man. She reported unemployment as small as less than 2,000 individuals as recently as one time during the last summer. I do not know what the latest figures are; but where every other nation is suffering from the prostration which is really due to the war and the efforts of the war, France alone seems to be prospering.

We have canceled enough debts, Mr. President, and I hope that the question of canceling the international debts and the question of forgiving the German reparations will not again become a live issue in the American Congress.

Mr. BORAH. Mr. President, I quite agree with the Senator from Pennsylvania that we have canceled too much of the international debts due us. Some of us thought that when the cancellation was going on. We settled with Italy for about 28 cents on the dollar; we settled with France for about 48 to 50 cents on the dollar. France was known at that time to be very prosperous, and has been prosperous practically ever since the war closed. I quite agree, as I have said, with the Senator in that view of it, but I do not agree with him that Germany is not paying in excess of what she should pay. We should take into consideration the fact that Germany was stripped practically at the close of the war of all means by which she could pay. She was stripped of her merchant marine and of her colonies, and that and, to a large extent, the transfer of property in kind placed Germany in quite a different position from that in which the other nations found themselves.

I also disagree with the Senator that Germany was solely responsible for the war. I do not agree with that proposition at all. I think that France and Great Britain and Russia and other nations which engaged in such a system as prevailed in Europe from the Moroccan affair down to 1914 must share the responsibility for the initiation of the Great War.

Mr. COPELAND. Mr. President, in view of what the Senator from Pennsylvania has said, I desire to add a word.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. COPELAND. The question of reparations is a two-sided question, of course; and somtime it will be serinously discussed by this body, in my judgment.

Even though I were to share the feelings of the Senator from Pennsylvania in relation to what should be the attitude of our country toward Germany as regards the war, we should not dodge the effects of the reparation payments. Germany has borrowed practically all of the money which she has paid in reparations. Out of five billions borrowed by Germany since the war, two and one-half billions have been paid toward the reparations. This money has not come out of the Germans. It has come from different parts of the world, from our country, from various citizens who have seen fit to advance the money. France receives 51 per cent of the reparations, either in money or in kind. She saturates her own market with goods made in Germany, shutting us out in consequence. She becomes a competitor with us in South America and elsewhere in the world.

It may well be that in our insistence upon the payment of the reparations we are choking ourselves to death. It may well be that the 10 per cent of surplus which we ordinarily send abroad can not be sent now by reason of conditions arising out of the payment of the reparations.

I think we should frankly face these facts. We should put aside our national prejudices. We should deal with this matter in such a way as will ultimately do the most good to ourselves as well as to the world. I think it is wise for us to give consideration to the matters presented in the article which I have sent forward.

The VICE PRESIDENT. Without objection, the article referred to by the Senator from New York will be printed in the RECORD.

The article is as follows:

[From the American Monthly, December, 1930]

LIFT THE HEAVY HAND

By Samuel Kramer

(As a lawyer with an international clientele, the author of this article has made a specialty of studying international affairs for the last 10 years. He is an expert in all the legal ramifications arising from the treaty of Versailles and especially well informed about the German phase of the reparation problem, having spent considerable time in Germany during the last decade. He is an A. B. of Yale and an A. M., L. L. B. of Columbia University.)

From 1914 to 1918 the better part of the producing world was engaged in devastating destruction.

From 1918 to date, what was left of that better part was engaged, on the one hand, in a concerted effort to make Germany pay for that past destruction and, on the other hand, the former allied powers were engaged in individual efforts to benefit from the swag which had already been divided, even though (or perhaps one may say even in the hope that) such benefits would be obtained at the expense of one against the other.

In short, the efforts of the western part of the world have, since physical destruction actually ceased, been devoted, as regards the former allies, to selfish and hostile efforts to benefit from the plunders of war, and, as regards the alleged victors generally, to a concentrated effort to make Germany pay for the past destruction caused by the war. If one says that the Dawes plan and the experts (Young) plan were constructive measures, the fact remains that the objective of both plans was to devise ways and means whereby Germany might pay. The most that can be said for these plans is that they were constructive steps in the scheme of oppression conceived at Versailles.

Analyzing results, the conclusion should be forced upon us that the efforts to make Germany alone pay for the destruction done by us all is responsible for the present world upset morally, politically, and economically.

The heavy hand laid on central Europe by the Versailles document and the spirit that provoked it has not only accomplished the avowed purpose of keeping Germany in subjection but it has kept the rest of the world from recuperating from its debauch of devastation.

There are no victors but only vanquished, and it is time to consider a change of policy.

An analysis should be made not only of the concerted efforts of the former allied powers since 1918 but also of their individual activities.

After Versailles came St. Germain. The former Austro-Hungarian Empire was here definitely disposed of. The fertile and productive parts were made new states, free of debt. A small part was left, stripped of assets, to assume all pre-war burdens. This plan effectively blighted that part of central Europe and the former allied powers no longer had to consider that one-time Empire except in dispensing charity.

All attention could be concentrated on Germany. When, following Versailles, the swag was divided, Lloyd George stuffed his pockets full of colonies and ships and left to the other allies the bulk of the reparations. Naturally, these had first to be collected. France would see to it that the collection was done, and whether Lloyd George hoped that that would be the case or not, it had to follow that the remaining allies would have their future development retarded, if, in fact, their remaining resources would not be further drained in the process.

The process began. France financed and soldiered Poland and other of the so-called buffer states which were created out of a page in history over 100 years old. The strain was becoming too heavy; her people were becoming impatient; she embarked upon her ravage of the Ruhr. Sentiment in Great Britain vacillated. It is more than a theory that part of this vacillation was due to the hope that, while the struggling Germany and the impatient France were wearing each other out, the alluring field of trade with Russia would be left to Great Britain alone.

Great Britain's effort at Russian trade was a failure. The ships she had taken from Germany were rusting in her harbors. Rumors were current that the French steel interests were finally accomplishing the purpose of the Poincaré drive on the Ruhr and that German and French industrialists were discussing a consortium. The early apprehensions of Great Britain that its procedure at Versailles had not been characterized by the usual British far-sightedness became more pronounced. Lloyd George was recognized as a temporist and Britain changed her tactics with respect to the Ruhr literally overnight.

For a brief moment the outlook for constructive as distinguished from oppressive activity was bright but it was obliterated by a step taken by Great Britain which seemed at the time to be a beneficial one.

The Baldwin commission came to the United States to agree to pay its so-called debt. This statement is made advisedly. Reference to the financial literature of the time reveals that there was then in this country a distinctly growing sentiment in favor of cancellation. While the Baldwin commission was here, the growth of that sentiment was suspended. It must be remembered that at that time England was on a paper basis with the rest of Europe. The proud Old Lady of Threadneedle Street no longer held her head high. Whether Baldwin was actuated by long-established British commercial practice that commercial debts must be paid or whether he was led on by more selfish motives is beside the point. Great Britain agreed to pay. Shortly thereafter, with our help, the Bank of England maintained a gold basis and Great Britain again had visions of regaining at least a large part of its glory and profit as the financial center of the world. But here again, without depreciating Great Britain's motives, one may say that a step was taken which was in the category of "attempting to get the jump on the other fellow."

The precedent was established that the debts of the former allied and associated powers to us had to be paid. Slowly the others came to the captain's table, made their terms, and, by complicated systems of arbitrary aid, artificially returned to gold standards. The doctrine of capacity to pay became established.

Where does the world stand to-day?

The ships which Lloyd George grabbed have mostly rotted from lack of use. The colonies called mandates have been a severe drain on Great Britain's resources and a source of political unrest for her and the world. She has gained none of the hoped-for advantages from her premature return to a gold standard; the paralyzing of central Europe has paralyzed her commerce; her army of unemployed has increased to awful proportions; a species of western politics heretofore unknown to Great Britain has infected her well-being; voters are supported in idleness by a socialistic government and what is left of the earning power and wealth of the country are taxed unmercifully.

France was able to ward off unemployment by not demobilizing. Her soldiers first were put in Poland and throughout the buffer states and were occupied with the Riff affair, but this became expensive and the end had to come. By deflating the franc and by financial operations in this country and Great Britain she has accumulated a mass of gold. Her populace, however, is still deceived by paper currency. It is said in well-informed circles that France is afraid to recall the paper and put out coins lest its population realize how completely France has not won the war. But others attribute more sinister motives to her gold mobilization. Her alleged prosperity based on a huge stock of gold is superficial. For a while, during our so-called prosperity boom, there was business in France, but now the real situation is coming to the fore. There is depression and the recent bank failures are teaching her what we, too, should be learning, namely, that a stock of gold with no commercial activities to absorb it causes dangerous inflation.

Italy is sitting on a political volcano whose menace is as threatening as any of its mountain volcanoes and whose eruption will be as deadly.

Russia, instead of being one of the family of nations, is a world by itself. The Bolshevik doctrine obtained nourishment from Russia's ostracism. Generations are growing up who know the capitalistic régime only as an outside enemy. A generation is maturing who, never having known the ordinary conveniences of life, will gladly stand for what we call deprivations in order to fight the common capitalistic enemy. One hundred and thirty years ago no one dreamt what would happen to the doctrine of the divine right of kings. If Russia is kept ostracized it is not safe to assume that the capitalistic régime may not suffer the same fate.

Confining our observations to the larger members of the pre-war family of nations, we may say that England, France, Italy, and Germany are on their uppers, and Russia is out of the family of nations. To this state of affairs one may trace the chief cause of the collapse in the Far East. While in pre-war days England, France, Germany, and Russia exploited the wealth of China, nevertheless, a spirit of cooperation among them did prevail to the extent that they were all solicitous to keep alive the goose that was laying the golden eggs. Now that they have troubles of their own, the vast Chinese Empire is necessarily allowed to suffer the ravages resulting from its disorganization. It is reasonable to assume that Great Britain could have dealt with India more readily if she did not have her own economic and political houses crumbling down upon her. In pre-war days the delicate financial and commercial operations required in the handling of Latin America were well taken care of by Great Britain and Germany to the profit of all concerned.

Due to the collapse of Europe the world outside of the United States and its possessions literally has had to shift for itself at a time when it was socially, politically, and economically unprepared to do so.

Now, let us analyze briefly how the damages were assessed against Germany. First, article 231 of the document of Versailles fastened on her moral responsibility for the damage done on land, on sea, and from the air—in other words, for all the wealth destroyed during four years of unprecedented destruction. In keeping with the political religion of France that Germany must be kept down, the financial bill was not fixed in amount but a draft with the amount left blank was drawn on Germany. Then the Dawes plan fixed an amount which she should pay annually and, finally, the draft drawn on Germany was completed by the experts' plan which fixed the number of years that payments should be made. But there has been no real deviation from the policy of oppression.

It is significant that the final amounts are based on an alleged capacity to pay. What the former allied powers took immediately after the treaty by way of ships and colonies was, practically speaking, not taken into account. While these enormous items represented losses of wealth as far as Germany was concerned, as outlined above, they profited the former Allies nothing, and consequently were not really taken into consideration in fixing the bill.

In addition to the loss of her ships and colonial possessions, Germany sustained other tremendous losses which conversations with informed people in this country lead me to believe have not been generally appreciated here.

The former allied countries seized the properties, factories, plants, and accounts receivable belonging to individual Germans throughout the world just as we did in the United States. But, although we are returning 80 per cent of this and have provided for an eventual return of the balance, the former allied powers retained their seizures with only minor exceptions. These seizures took place not only in England, France, and Italy, but throughout the world—in China, India, Singapore, French Indo-China, British possession in South America, and in every spot in the world controlled legally or otherwise by any of the former allied countries. After the seized properties were liquidated, the subjects of the various former allied countries were paid their claims against Germany and its subjects. The balance was to be credited to Germany under reparations account. After a fashion it was so credited, but when one recalls that the treaty of Versailles did not fix any gross amount that Germany was to pay, these credits represented only credits against an unfixed and elastic liability. Both the Dawes and experts' plans started afresh in fixing first what Germany should pay yearly and, finally, the period for which she should pay. Great Britain alone, after paying all her subjects and all expenses of administration and providing liberally for all contingencies and claims, admitted a surplus of £30,000,000. At The Hague meeting subsequent to the formation of the experts' plans and as a condition of Great Britain's approving the experts' plans, Snowden compelled Germany to agree that England might retain these £30,000,000. Furthermore, huge amounts in money and goods were paid between 1920–1923 to the reparations commission and it was only the realization that this could not continue and Great Britain's changed attitude about the Ruhr that brought on the Dawes plan.

In round figures, Germany must pay $480,000,000 annually. The payments extend for so many years (for 37 years at this rate and then for 22 years at a slightly reduced rate) that, to all practical purposes, the period means forever as far as the present generation in Germany is concerned.

In considering the present economic aspects of Germany's obligations in so far as they affect us and the rest of the world, the tremendous amounts which Germany paid before the Dawes plan began to function may, perhaps, be overlooked. But there are many of us who are still in the trenches mentally and who say that Germany must pay and must pay, so it is well to point out that she has paid enormous sums even before the experts' plans calculated her 1924 and 1929 capacities to pay.

The former allied powers owe us and Germany owes them even more. What must be done even to attempt payment?

It is axiomatic in international finance that practically the only way open for a debtor nation to pay its creditors is by means of merchandise and services. As a debtor nation does not perform banking services for its creditors, its services consist chiefly in shipping.

To discharge her enormous obligations annually Germany must sell her goods to the entire world and send them there in German bottoms.

If she can not sell and ship enough, she must make up the margin by cutting down her own purchases. What does "enough" mean? First, she must make enough to live on. Secondly, she must add to this profit enough to permit a profit of $480,000,000 annually.

Assuming that she can do this, who is going to buy our merchandise and the merchandise of the rest of the world?

In pre-war days Great Britain was a creditor nation; she imported more than she exported, but the deficit was more than made up by her banking charges and her shipping services, and being a relatively small place physically, she got on extremely well.

We are primarily producers and the tremendous expansion in our plants brought about through the war have emphasized our position as producers. We built up a tremendous scale of production and, following this by huge mergers and consolidations, did a big business on a small basis of profit. It has been argued that we ourselves consume 90 per cent of our production, but if

this is true, the remaining 10 per cent is what makes the difference between profit and loss. In pre-war days a bad year or two did not necessarily mean that a company ran from big profits to red ink. One bad year now shows how important the remaining 10 per cent is. With all our tremendous resources our leading companies have had to husband these resources by slashing or entirely omitting their dividends. Business was done on so large a basis but with so small a margin of profit that one bad year is threatening to gum the works. Can we afford to persist in a policy that lessens the consuming power of the rest of the world?

Added to our position as a producing nation is the fact that we are also a creditor nation. This situation is perhaps unprecedented. We must buy from the world enough to enable it to pay what it owes us. We must sell to the world enough to keep our factories going and our farmers producing.

Shall we junk our factories and abandon our farms, or shall we take steps to help world-wide consumption of our products and commodities?

After the Dawes plan we had several years of prosperity accentuated by healthy exports. But what happened at that time? Large foreign loans were floated in this country and these loans were conditioned upon their proceeds being spent here. In other words, we encouraged consumption. Commodities, raw materials, manufactured articles, and other needs which we were prepared to furnish but which the rest of the world, both on account of shipping difficulties during the war and financial difficulties thereafter, was unable to buy from us were purchased freely and foreign loans which we were able to provide furnished a temporary solution.

After the experts' plan, coming as it did on top of a series of agreements made by the former allied and associated powers to pay their debts to us according to alleged "capacities to pay," it was realized that the world had to settle down in grim determination. The debtors could buy from no one; they had to sell. Everyone, including ourselves, became afraid of dumping by others and built up tariff walls. The treaty of Versailles set up a political structure that went back over 100 years; the tariff walls throughout the world have set up an economic structure that goes back over 100 years.

The world's tariff action reveals apprehensions that belie any genuine hope that the policy of oppression conceived at Versailles and relentlessly persisted in since offers a safe course.

I have said that shortly after the Dawes plan we embarked upon a series of foreign loans with resulting increase of foreign trade and prosperity. Perhaps this course might have been resumed after the experts plan. Long before the experts plan was completed inspired journalists spoke of funding a large part of Germany's debt by an international bond issue of $3,000,000,000. We were then in a period of inflation. The inflated values might have furnished a bookkeeping basis against which an issue of three billions could have been made to pay for values long since destroyed. If the inflation continued this intangible item might slowly have been worked off; but the bubble burst too soon. Gradually we are realizing what higher circles knew in France in September, 1929. The gold which France had mobilized in the financial centers of the world was precipitously withdrawn and a deflation was caused before the experts' plan had a chance. Instead of an international issue of three billions there was one of only three hundred million, which, in reality, was no funding at all. It may be too early to say definitely that France frustrated the experts' plan. It seems clear, however, that her ruthless mobilization of gold is threatening what little stabilization of international financial structures has been accomplished in the last 12 years. Witness her continued pressure by gold withdrawals from London. This selfish mobilization of gold is one of the outstanding threats against the peace and comfort of the world to-day. If France were told by a united world, under the leadership of this country, that we were going to make an about face and that our efforts were going to be turned from oppression of central Europe to a constructive policy of live and let live, she would no longer keep her gold mobilized. If she were told that the world can no longer agree that her existence depends upon crushing out the rest of Europe she would have no alternative other than to put her gold back to work for the benefit of the world and thereby herself.

Our best economists have repeatedly pointed out that only at the expense of our own commerce and only by building up on borrowed money a colossus of efficiency that will brook no competition can Germany even attempt to meet her present obligations. What is the likely result of failure?

No one can gainsay that Germany has made tremendous efforts toward meeting the obligations forced upon her. Furthermore, some circumstances have been favorable. Von Hindenburg was available for the Presidency to link the old school with the new; due to the presence of men of the caliber of Rathenau and the continuation of his school of thought by Stresemann and Brüning, Germany has tried to carry on. Due to these fortunate circumstances, the will to go along has been present, but what is the status now? She has borrowed five billions, of which she has used two and one-half billions in an endeavor to meet her commitments. To borrow the phrase of an eminent German banker, the other two and one-half billions has gone toward making up an appearance of ability to pay. But danger signals are set and unfortunate misapprehensions of her attitude are becoming current. The "breaks" show signs of going the other way. Due to a few speeches, we first read that Germany would ask for a cancellation; next that she would ask for a moratorium, and now it is that she will repudiate. Unofficial speeches followed by perniciously false propaganda, together with a misconception of the recent elections, have distorted actual conditions. Based on past experience, Germany can succeed in paying only by continuing to borrow, which is no payment at all; and in the final analysis her ability to borrow must come to an end if, in fact, this period has not already arrived. If she continues to borrow for the purpose of paying, the cumulative interest charges alone on all these huge amounts are bound to bring her to her doom. But nothing that Germany has done warrants the apprehension that the present suffrage will repudiate.

The recent elections, however, if properly interpreted, do show what may happen in the event of failure. The increase in the communistic votes does not show that Germany is inclined actively toward Bolshevism. The so-called revolution in 1920 demonstrated that, and 10 years of suffering have not yet made the German order-loving mind inclined toward Bolshevism. The growth of the Hitlerites does not mean that Germany is for Fascism.

The German election signaled that there is a growing despair. The idealism of the Rathenau school was buoyed up under the hope of a coming Dawes plan. The steps originally contemplated for the Dawes plan were resolved and dragged out into two—the Dawes plan and the experts' plan. These have come and gone, the outlook is darker than ever, and there is nothing to look forward to. That, to my mind, is the meaning of the recent elections. Germany has been a bulwark against the spread of Bolshevism in Europe.

Lord Rothermere, who was in Munich during the elections, cabled his papers that the growth of the Hitlerites would strengthen this bulwark. But evidently he had his tongue in his cheek at the time because his cable concluded that Great Britain should be the first to show its good faith to the Republic Germany by giving back to Germany its pre-war colonies. He realized that the hope of the German people had to be sustained. Shortly after the elections Briand recognized the need of instilling hope into Germany, but his suggestion was for a League of Nations loan. No doubt he would have gone further, but he realized that at most he could only offer Germany temporary relief. He had to be able to tell France that any lifting of the heavy hand was only temporary. When, in 1775, Burke told the House of Commons that it could not indict and imprison an entire nation, he was right, as history proved, but he was talking about a young nation full of resolution and hope. If the world persists in the French theory of crushing central Europe, future history will again prove that Burke was right, but, as we are dealing with a nation whose hope is waning and who is on the brink of despair, we may find that the proof of Burke's theory will come through Germany at last becoming a prey to the spread of that Bolshevism in central Europe, against which to date she has been so strong a bulwark.

If Germany breaks down, another monument will have been erected to Lenin. Even a repudiating Germany, which means at least a virile Germany, would be preferable!

The policy of crushing Germany has led us nowhere.

Let us change our course. A recent proponent of the cancellation of debts has said, "let us be magnanimous." His may be the language of diplomats and politicians. I am not prepared to say that cancellation of debts would be magnanimity. It would be a constructive step toward the return of normal international relations. The artificial methods of currency stabilization could be done away with. The world-wide necessity for doing without our products—intensified first by the inability to obtain them due to transportation difficulties of the war and then by financial difficulties—would be removed. It would let not only Central Europe but the former allied nations use their borrowing power for buying instead of for paying for what everyone had a hand in destroying.

Whether or not this would be giving up something by us is beside the point, because we are faced with a condition which needs a solution. Still, I think some one in a position of leadership should nevertheless answer those who say, "Why should we cancel the debts? Who will pay our Liberty bonds?" True, we can not point to this colony or that reparation payment and say that we got this and that out of the war. On the other hand, it must be admitted that before the war we were a debtor nation. Our best bonds and stocks were owned abroad. To-day they are owned here. Not only are they owned here, but we own some of the best bonds and stocks of Europe. Whether the international war debts to us are paid or not, this condition will remain, and in facing the facts and considering whether or not a new course should be adopted, the fallacy that we did not gain material wealth as a result of the war should be disposed of.

One may ask: "What have Germany's debts to the former Allies got to do with us?" True it is that, although we sent our best brains to formulate the experts' plans, we have consistently said that what Germany owes the former Allies and what these former Allies owe us are two distinct things. But this is just a nice legalistic distinction. If Germany does not pay, England and the others can not pay and France won't pay. Furthermore, the debt agreements with us contain moratorium provisions analogous to those of the experts' plans.

We have slowly been coming toward cancellation. First, no amount of damage was fixed which Germany had to pay; then the Dawes plan fixed what she should pay yearly; then the Young plan fixed the full amount, but definitely provided that if any of the former allied powers had their debts canceled, the benefit of that cancellation would be passed on to Germany. It is a fair inference that the economic experts had in mind an eventual cancellation, but were hampered by the politicians. The slow process has been disastrous.

Let this country resume constructive leadership; cancel the debts to the former allied and associated powers. Even after this is done, there will be a substantial balance which Germany will have to pay. Her obligations to them exceed theirs to us by over two hundred millions annually for decades. As part of the plan of cancellation, fund that balance by periodic international issues of bonds internationally guaranteed, perhaps such as was originally contemplated by the experts' plans; make France take a fair share of those bonds and use some of her threatening mobilized gold for constructive purposes; see to it that a fair amount of the proceeds of those bonds are spent in this country; remove Germany from the threat of Bolshevism; set a constructive example so that constructive efforts may more readily be applied toward Russia.

Lift the heavy hand from Europe and let the family of nations get back to business.

ARTICLE BY THOMAS F. WOODLOCK ON THE RUSSIAN SCHEME

Mr. COPELAND. If the Senate will bear with me for one moment, I wish to present for printing in the RECORD an article entitled "The Russian Scheme," written by Mr. Thomas F. Woodlock, until recently a member of the Interstate Commerce Commission. Mr. Woodlock is a deep thinker and a diligent student of economics. I believe this very brief half-column artile will be read with interest.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The article is as follows:

[From the Washington Post of Tuesday, December 9, 1930]

THE RUSSIAN SCHEME

By Thomas F. Woodlock, in the Wall Street Journal

The main outlines of Soviet Russia's experiment are beginning to loom more clearly through the fog of propaganda and misinformation, and it is possible to see the general ground plan. It is not a very complex affair in itself, but it is of extreme importance in its possible implications with respect to what we call in general terms the "civilized world." It is of interest to recall that some 12 years ago the German writer, Spengler, in his famous book the Downfall of the Western World, stated that our "civilization" was in the late evening of life—much where the Graeco-Roman civilization was in 200 A. D.—and that the stage was set for the rise of a new "Kultur." Those who are inclined to accept his view of history in general will find in Soviet Russia a likely birthplace for the new arrival. Whether or not one believes in the Spenglerian theory, it is clear that we have to deal with a phenomenon without historical precedent and with something utterly foreign to the fundamental notions of the western world.

There are two aspects of the Russian matter—one purely "economic" and the other "ethical"—giving to that word its widest significance. It is, perhaps, natural that we hear more, talk more, and think more of the "economic" side than we do of the "ethical" side. It is more easily visible, and its impact upon our own "economics" is more immediate and more direct, and therefore more acutely felt. But "economics," properly regarded, is merely a department of "ethics," and it is the "ethical" aspect with which history will most concern itself in the event that the soviet experiment succeeds.

Briefly stated, the Soviet Government is engaged in the attempt to coordinate the natural resources of Russia, and develop them under the general principles laid down by Marx for the creation of the socialist state—the cooperative commonwealth. It is concentrating all its effort at present under the "5-year plan" toward a rapid "industrialization" by means of huge plants which, it is expected, will, within a year or two, leap into mass production of important commodities, both capital goods and consumers' goods. By means of these plants it expects to satisfy the needs of the Russian people and to enter into competition in the world's markets with the great "capitalist" nations in such a way as to wear them down and thus accomplish the world revolution. It has required heavy sacrifices from its people pending completion of the "plan," and has poured into foreign markets all the raw material it could gather up in order to provide funds for purchase of industrial machinery and for employment of the world's best experts. Where possible it has conscripted labor and material; where necessary it has spared no expense for both, and speed has been the order of the day. One can find in Russia whatever one wants to find—whether it be slave labor or "pampered" labor; it is merely a case of knowing where to look.

Whether under a "collectivist" organization of the Russian state it will be possible to bring about a satisfactory living standard for the Russian people and to make that people a dominant competitor in the world's markets is the immediate "economic" question which interests the world, and it is no doubt important. But there is no present need for yielding to nightmares about it. It will need more than a collection of giant plants and unlimited material for its accomplishment, and nothing in human experience to date warrants the belief that a "collectivist" form of social organization is likely to prove the most efficient competitor in business and industry.

But the really interesting and supremely important question is whether or not the attempt of the Soviet Government to produce an "amoral" race of people will prove successful. The essence of the Marxian philosophy, which is the soviet gospel, was pure materialism and rigid determinism. It was a typical nineteenth-century concept and was supposed to be completely supported by the "science" of the day. Under it the notion that man was a "moral" personality, with a conscience to tell right from wrong and a will with power to choose the right, was utterly untenable, and all forms of "religion" were without any basis of objective truth, being, at best, harmless "myths" and, at worst, engines for human oppression. All which was supposed to be "scientifically" proven and no longer debatable. This the Soviet Government is trying to teach the Russian people to-day, and with some degree of success, if careful observers may be believed. And it finds, as is only natural, that whatever tends to narcotise the conscience of man and do it in the name of "science" falls not unpleasantly upon the ear, especially the ear of youth. The attack is centered upon the church and family—very correctly, from the point of view of strategy.

EUROPEAN REPARATIONS AND INDEBTEDNESS

Mr. DILL. Mr. President, I want to say that I agree with what has been said about the cancellation of debts in the past.

The VICE PRESIDENT. Is there objection to the Senator speaking on this subject? The Chair hears none.

Mr. McNARY. Mr. President, may I inquire of the Senator about how long he desires to speak?

Mr. DILL. Just a few words.

Mr. McNARY. I ask for the reason that the morning hour will be exhausted at 2 o'clock, and it is very much desired to get up a joint resolution.

Mr. DILL. I shall take but a very few moments.

The VICE PRESIDENT. The Chair hears no objection.

Mr. DILL. I was saying that I approved of what the Senator said about the debts that have been canceled, and the proposal to cancel more debts. As the Senator was speaking on that subject, however, I wondered in what position the United States will be if we enter the World Court under the Root formula, by which we can object but can not stop the court from passing on questions, should these debts and these reparations come before the court for consideration. It impresses me that that is worth considering at a later date when the subject is before the Senate.

ARTICLE BY B. F. AFFLECK

Mr. GLENN. Mr. President, I present and ask leave to have printed in the RECORD an article by Mr. B. F. Affleck, of Chicago, quoting excerpts from an essay by Thomas Babington Macaulay.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"A single breaker may recede but the tide is coming in!"

Thus wrote the eminent English essayist, Macaulay, during the trying times of 1830.

"On what principle is it," he asks, "that when we see nothing but improvement behind us, we are to expect nothing but deterioration before us?"

Although Macaulay wrote this stimulating analysis 100 years ago, it is interesting to note that he makes specific reference to 1930—"If we are to prophesy that in the year 1930 * * *." But read what he says:

"History is full of the signs of the natural progress of society. We see in almost every part of the annals of mankind how the industry of individuals, struggling up against wars, taxes, famines, conflagrations, mischievous prohibitions and more mischievous protections, creates faster than governments can squander, and repairs whatever invaders can destroy.

"We see the wealth of nations increasing and all the arts of life approaching nearer and nearer to perfection in spite of the grossest corruption and the wildest profusion on the part of rulers.

"The present moment is one of great distress. But how small will that distress appear when we think over the history of the last 40 years; a war compared with which all other wars sink into insignificance; taxation, such as the most heavily taxed people of former times could not have conceived; a debt larger than all the public debts that ever existed in the world added together; the food of the people studiously rendered dear; the currency impudently debased, and imprudently restored.

"Yet is the country poorer than in 1790? We firmly believe that, in spite of all the misgovernment of her rulers she has been almost constantly becoming richer and richer. Now and then there has been a stoppage, now and then a short retrogression; but as to the general tendency there can be no doubt. A single breaker may recede; but the tide is evidently coming in.

"If we were to prophesy that in the year 1930, a population of 50,000,000, better fed, clad, and lodged than the English of our time, will cover these islands; that Sussex or Huntingdonshire will be wealthier than the wealthiest parts of the West-Riding of Yorkshire now are; that cultivation, rich as that of a flower garden, will be carried up to the very tops of Ben Nevis and Helvellyn; that machines constructed on principles yet undiscovered

will be in every house; that there will be no highways but railroads, no traveling but by steam; that our debt, vast as it seems to us, will appear to our great-grandchildren a trifling encumbrance which might easily be paid off in a year or two—many people would think us insane.

"We prophesy nothing; but this we say: If any person had told the Parliament which met in perplexity and terror after the crash of 1720 that in 1830 the wealth of England would surpass all their wildest dreams, that the annual revenue would equal the principal of that debt which they considered an intolerable burden; that for one man of £10,000 then living, there would be five men of £50,000; that London would be twice as large and twice as populous and that nevertheless the rate of mortality would have diminished to one-half what it then was; that the post office would bring more into the exchequer than the excise and customs had brought in together under Charles II; that stage coaches would run from London to York in 24 hours; that men would sail without wind, and would be beginning to ride without horses—our ancestors would have given as much credit to the prediction as they gave to Gulliver's Travels.

"Yet the prediction would have been true; and they would have perceived that it was not altogether absurd, if they had considered that the country was then raising every year a sum which would have purchased the fee-simple of the revenue of the Plantagenets—ten times what supported the government of Elizabeth—three times what, in the time of Oliver Cromwell, had been thought intolerably oppressive. To almost all men the state of things in which they have been used to live seems to be the necessary state of things.

"We have heard it said, that 5 per cent is the natural interest of money, that 12 is the natural number of a jury, that 40 shillings is the natural qualification of a county voter. Hence it is, that though, in every age everybody knows that up to his own time progressive improvement has been taking place, nobody seems to reckon on any improvement during the next generation.

"We can not absolutely prove that those are in error who tell us that society has reached the turning point—that we have seen our best days. But so said all who came before us, and with just as much apparent reason.

"'A million a year will beggar us,' said the patriot of 1640.

"'Two millions a year will grind the country to powder,' was the cry in 1660.

"'Six millions a year and a debt of 50,000,000!' exclaimed Swift 'the high allies have been the ruin of us.'

"'A hundred and forty millions of debt' said Junius—'well may we say that we owe Lord Chatham more than we shall ever pay, if we owe him such a debt as this.'

"'Two hundred and forty millions of debt!' cried all the statesmen of 1783 in chorus—"what abilities, or what economy on the part of a minister, can save a country so burdened?" We know that if, since 1783, no fresh debt had been incurred, the increased resources of the country would have enabled us to defray that burden, at which Pitt, Fox, and Burke stood aghast—nay, to defray it over and over again, and that with much lighter taxation than what we have actually borne. On what principle is it, that when we see nothing but improvement behind us, we are to expect nothing but deterioration before us?

"It is not by the intermeddling of Mr. Southey's idol—the omniscient and omnipotent state—but by the prudence and energy of the people, that England has hitherto been carried forward in civilization; and it is to the same prudence and the same energy that we now look with comfort and good hope.

"Our rulers will best promote the improvement of the nation by strictly confining themselves to their own legitimate duties—by leaving capital to find its most lucrative course, commodities their fair price, industry, and intelligence their natural reward, idleness, and folly their natural punishment—by maintaining peace, by defending property, by diminishing the price of law, and by observing strict economy in every department of the state.

"Let the Government do this—the people will assuredly do the rest."—From Lord Thomas Babington Macaulay's Essay on Southey's Colloquies on Society, published in Edinburgh Review January, 1830.

That Macauley underestimated the progress that has since been made only serves to emphasize the soundness of his premise—"a single breaker may recede, but the tide is coming in."

B. F. AFFLECK,
President Universal Atlas Cement Co.,
208 South La Salle Street, Chicago, Ill.

NOVEMBER 22, 1930.

REPORT OF MILITARY AFFAIRS COMMITTEE

Mr. STECK, from the Committee on Military Affairs, to which was referred the bill (H. R. 2266) for the relief of E. O. McGillis, reported it without amendment and submitted a report (No. 1172) thereon.

DISPOSITION OF USELESS PAPERS

Mr. SMOOT. Mr. President, the Secretary of the Treasury has submitted to the Joint Select Committee on the Disposition of Useless Executive Papers certain papers that will have no future value. I ask on behalf of the joint committee that the request of the Secretary of the Treasury for the destruction of the papers may be complied with.

The VICE PRESIDENT. Without objection, it is so ordered.

FIRE HAZARDS OF SENATE SIDE OF CAPITOL

Mr. COPELAND. Mr. President, I send forward a resolution from the Committee on Rules and ask that it be read. I am going to ask unanimous consent for its immediate consideration.

The resolution (S. Res. 364) was read as follows:

Resolved, That the Committee on Rules be, and hereby is, authorized and directed to make a study of the fire hazards in the Senate wing of the Capitol and the Senate Office Building, and to report to the Senate by resolution or otherwise what changes or repairs are necessary, the expenses of such study to be paid from the contingent fund of the Senate.

The VICE PRESIDENT. The resolution will go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. COPELAND. Must it go there, in spite of the fact that it came from the Committee on Rules?

The VICE PRESIDENT. The law requires that it go to that committee, and it will be so referred.

REPORTS OF NOMINATIONS

Mr. SMOOT. Mr. President, as in executive session, I ask unanimous consent to submit certain reports for the executive calendar.

The VICE PRESIDENT. Without objection, the reports will be received and placed on the Executive Calendar.

Mr. HARRISON. Mr. President, may I ask the Senator from Utah in this connection if these are nominations for tariff commissioners?

Mr. SMOOT. Yes, and certain other nominations which were passed upon by the committee this morning.

Mr. HARRISON. I hope when the names of Mr. Dennis and Mr. Brossard are to be brought before the Senate the Senator will let us know in order that we may be here, because there is opposition to those two gentlemen.

Mr. SMOOT. I assure the Senator that I shall notify him in ample time.

Mr. GEORGE. I hope the Senator will not bring up the matter of the confirmation of the two commissioners named until the evidence has been printed for the use of the Senate.

Mr. SMOOT. I expect to have the hearings delivered in printed form in the next two or three days. I assure the Senator that that will be done. I also assure the Senator from Mississippi that I shall not ask for the consideration of the nominations in his absence.

Mr. HARRISON. Very well; I thank the Senator.

Mr. SMOOT, from the Committee on Finance, reported favorably the nomination of Harry J. Anslinger, of Pennsylvania, to be Commissioner of Narcotics.

He also, from the same committee, reported favorably the following nominations:

Henry P. Fletcher, of Pennsylvania, to be a member of the United States Tariff Commission for the term expiring June 16, 1936;

Thomas W. Page, of Virginia, to be a member of the United States Tariff Commission for the term expiring June 16, 1935;

John Lee Coulter, of North Dakota, to be a member of the United States Tariff Commission for the term expiring June 16, 1934;

Alfred P. Dennis, of Maryland, to be a member of the United States Tariff Commission for the term expiring June 16, 1933;

Edgar Bernard Brossard, of Utah, to be a member of the United States Tariff Commission for the term expiring June 16, 1932; and

Lincoln Dixon, of Indiana, to be a member of the United States Tariff Commission for the term expiring June 16, 1931.

Mr. SMOOT also, from the Committee on Finance, reported favorably the nominations of sundry officers in the Public Health Service.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BORAH:

A bill (S. 5176) granting a pension to George W. Lewis (with accompanying papers); and

A bill (S. 5177) granting an increase of pension to Edna M. W. Fales (with accompanying papers); to the Committee on Pensions.

By Mr. HAYDEN:

A bill (S. 5178) granting a pension to Benjamin H. Thayer; to the Committee on Pensions.

By Mr. PATTERSON:

A bill (S. 5179) granting an increase of pension to Mary A. Brooks (with accompanying papers); to the Committee on Pensions.

By Mr. DENEEN:

A bill (S. 5180) granting an increase of pension to Jane Yates (with accompanying papers); to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 5181) granting a pension to Lydia Deming; to the Committee on Pensions.

By Mr. WHEELER:

A bill (S. 5182) granting a pension to Caroline Henkel; to the Committee on Pensions.

A bill (S. 5183) for the relief of Herman Ingman; to the Committee on Claims.

A bill (S. 5184) to provide funds for cooperation with the school board at Poplar, Mont., in the extension of the high-school building to be available to Indian children of the Fort Peck Indian Reservation; to the Committee on Indian Affairs.

By Mr. REED:

A bill (S. 5185) to authorize the erection of an addition to veterans' bureau hospital at Aspinwall, in the State of Pennsylvania, and to authorize the appropriation therefor; to the Committee on Finance.

A bill (S. 5186) to transfer control of building No. 2 on the Customhouse Reservation at Nome, Alaska, to the Secretary of War; to the Committee on Military Affairs.

A bill (S. 5187) for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department (with accompanying papers); to the Committee on Claims.

By Mr. CAPPER:

A bill (S. 5188) granting an increase of pension to Charles Halstead (with accompanying papers); to the Committee on Pensions.

By Mr. DILL:

A bill (S. 5189) granting a pension to Mary C. Starbuck; to the Committee on Pensions.

By Mr. GREENE:

A bill (S. 5190) for the relief of A. W. Kliefoth; to the Committee on Claims.

By Mr. KING:

A bill (S. 5191) to provide for the erection of public buildings at Roosevelt and Smithfield, Utah; to the Committee on Public Buildings and Grounds.

By Mr. HOWELL:

A bill (S. 5192) for the relief of Donald K. Warner;

A bill (S. 5193) for the relief of Mildred N. O'Lone (with accompanying papers);

A bill (S. 5194) for the relief of the Sun Shipbuilding & Dry Dock Co. (with accompanying papers);

A bill (S. 5195) for the relief of Howard Dimick (with accompanying papers);

A bill (S. 5196) for the relief of the B. & O. Manufacturing Co. (with accompanying papers);

A bill (S. 5197) for the relief of the David Gordon Building & Construction Co. (with accompanying papers);

A bill (S. 5198) for the relief of T. Morris White (with accompanying papers);

A bill (S. 5199) for the relief of Leslie W. Morse (with accompanying papers);

A bill (S. 5200) for the relief of the National Dry Dock & Repair Co. (Inc.) (with accompanying papers); and

A bill (S. 5201) for the relief of C. O. Smith (with accompanying papers); to the Committee on Claims.

By Mr. DALE:

A bill (S. 5202) granting a pension to Arthur F. Sweet (with accompanying papers);

A bill (S. 5203) granting an increase of pension to Mary L. Van Guilder (with accompanying papers);

A bill (S. 5204) granting an increase of pension to Cordelia Vilmire (with accompanying papers); and

A bill (S. 5205) granting an increase of pension to May S. King (with accompanying papers); to the Committee on Pensions.

By Mr. THOMAS of Idaho:

A bill (S. 5206) authorizing the President, through the Secretary of the Interior, to study, report, and recommend on a revision and codification of the statutes affecting the American Indians; to the Committee on Indian Affairs.

By Mr. BLACK:

A bill (S. 5207) to create a military cross and a military medal; to the Committee on Military Affairs.

A bill (S. 5208) authorizing an additional appropriation to aid the States in the construction of rural post roads; and

A bill (S. 5209) to amend section 4 of the act entitled "An act to amend the act entitled 'An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes,' approved July 11, 1916, as amended and supplemented, and for other purposes," approved May 21, 1928; to the Committee on Post Offices and Post Roads.

By Mr. SMOOT:

A bill (S. 5210) to provide for the erection of a Federal Mineral Industry Building at Salt Lake City, Utah; and

A bill (S. 5211) to suspend the requirements of annual assessment work on mining claims during the assessment years 1931 and 1932; to the Committee on Mines and Mining.

By Mr. NORBECK:

A bill (S. 5212) to increase the efficiency of the Veterinary Corps of the Regular Army; to the Committee on Military Affairs.

A bill (S. 5213) to standardize the outstanding liabilities accounts of the Government and the negotiable period of Federal checks and warrants; to the Committee on Banking and Currency.

By Mr. SHORTRIDGE:

A bill (S. 5214) for the relief of Gustav Schmidt; and

A bill (S. 5215) for the relief of H. L. Todd; to the Committee on Claims.

A bill (S. 5216) to authorize the erection of a Veterans' Bureau hospital for women in the State of California, and to authorize the appropriation therefor;

A bill (S. 5217) to authorize appropriations for construction at the Pacific Branch of the National Soldiers' Homes, Los Angeles County, and for other purposes; and

A bill (S. 5218) to authorize the erection of an addition to Veterans' Bureau Hospital No. 104 at San Fernando, Calif., and to authorize the appropriation therefor; to the Committee on Finance.

By Mr. TYDINGS:

A bill (S. 5219) for the relief of John A. Pierce; to the Committee on Claims.

By Mr. TYDINGS and Mr. GOLDSBOROUGH:

A bill (S. 5220) authorizing the establishment of a mining experiment station of the Bureau of Mines at College Park, Md.; to the Committee on Mines and Mining.

By Mr. SCHALL:

A bill (S. 5221) for the relief of Maj. Richard K. Smith; to the Committee on Military Affairs.

By Mr. HOWELL:

A bill (S. 5222) granting a pension to Thomas H. Lynch;

A bill (S. 5223) granting a pension to Mary A. Trimbur; and

A bill (S. 5224) granting a pension to Lucinda B. Williamson; to the Committee on Pensions.

AMENDMENTS TO TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL

Mr. SMOOT submitted an amendment proposing to appropriate $4,600 for compensation of officers and employees of the assay office at Salt Lake City, Utah, and for incidental and contingent expenses, etc., intended to be proposed by him to the bill (H. R. 14246) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. WALSH of Montana submitted an amendment proposing to appropriate $6,740 for compensation of officers and employees of the assay office at Helena, Mont., and for incidental and contingent expenses, including traveling expenses, new machinery, and repairs, intended to be proposed by him to the bill (H. R. 14246) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed.

INVESTIGATION OF BREAD PRICES IN THE DISTRICT

Mr. CAPPER submitted the following resolution (S. Res. 362), which was referred to the Committee on the District of Columbia:

Whereas during the past year the prices of wheat and wheat flour have appreciably decreased throughout the United States; and

Whereas in many cities throughout the United States the reduction in the prices of wheat and wheat flour has led to a fair reduction in the retail price of bread in such cities; and

Whereas the Committee on the District of Columbia has received complaints stating that the public of said District has received no benefit from the reduced prices of wheat and wheat flour, as reflected in the retail cost of bread to the consumer, but is paying as much for this commodity as in years when wheat and flour prices were considerably higher than at present; and

Whereas Congress has seen fit in the past to authorize inquiries and investigations by its committees into alleged exorbitant prices of foodstuffs in the District of Columbia: Therefore be it

Resolved, That the Committee on the District of Columbia, or a duly authorized subcommittee thereof, be, and it is hereby, authorized and directed to make a full and complete investigation of prices of bread and other foodstuffs in the District of Columbia, and to report to the Senate as soon as practicable the results of its investigations, together with its recommendations, if any, for necessary legislation.

REPORT OF INTERSTATE COMMERCE COMMISSION IN CASE OF COMMISSION *v.* PENNSYLVANIA RAILROAD CO. AND PENNSYLVANIA CO.

Mr. DILL. Mr. President, a few days ago the Interstate Commerce Commission decided a case against the Pennsylvania Railroad Co. and the Pennsylvania Co., and wrote a decision which is somewhat lengthy but extremely informative, because, for the first time, it covers the question of holding companies in the railroad business.

I therefore ask unanimous consent to have printed in the RECORD the decision of the Interstate Commerce Commission.

There being no objection, the decision was ordered to be printed in the RECORD, as follows:

INTERSTATE COMMERCE COMMISSION—No. 22260—INTERSTATE COMMERCE COMMISSION v. PENNSYLVANIA RAILROAD CO. AND PENNSYLVANIA CO.—SUBMITTED OCTOBER 10, 1930—DECIDED DECEMBER 2, 1930

Upon complaint and investigation, the Pennsylvania Railroad Co. and the Pennsylvania Co. found to have violated the Clayton Antitrust Act by the acquisition of capital stock of the Lehigh Valley Railroad Co. and of the Wabash Railway Co. Order entered requiring the respondents to cease and desist from such violations and to divest themselves of the stock so acquired.

William H. Bonneville and H. L. Underwood for Interstate Commerce Commission.

Henry Wolf Bikle and C. B. Heiserman for respondents.

REPORT OF THE COMMISSION

By the commission: By order entered May 6, 1929, we issued complaint against the Pennsylvania Railroad Co., hereinafter usually referred to as the Pennsylvania Railroad, and the Pennsylvania Co., charging violation of the Clayton Antitrust Act (38 Stat. L. 730, "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, U. S. Code, title, 15, sec. 12, et seq.) by the acquisition of capital stock of the Lehigh Valley Railroad Co. and the Wabash Railway Co., hereinafter usually called the Lehigh Valley and the Wabash. Respondents were notified of their right to appear before us on the 24th day of June, 1929, later changed to May 21, 1930, to show cause why an order should not issue requiring them, and each of them, to divest themselves of all interest in the stocks acquired, and the respondents were required to file answers with us within a time specified.

The complaint alleges that the Pennsylvania Railroad is a corporation engaged as a common carrier in transportation of passengers and property in interstate commerce in competition with the Lehigh Valley and the Wabash, which are also corporations engaged in commerce; that the Pennsylvania Co. is a corporation engaged, among other things, in the business of dealing in securities of common carriers by railroad engaged in interstate commerce, and is a subsidiary holding and investment company of the Pennsylvania Railroad, its entire outstanding capital stock being owned by that company; that the officers of the Pennsylvania Co. are also officers of the Pennsylvania Railroad, and the majority of the directors of the Pennsylvania Co. are also directors of the Pennsylvania Railroad; that the Wabash owns 231,329 shares of Lehigh Valley stock, constituting about 10 per cent of the total outstanding stock of that company; that during the period from February 15, 1927, to June 26, 1928, the Pennsylvania Railroad indirectly acquired 675,800 shares of capital stock of the Wabash and 365,039 shares of capital stock of the Lehigh Valley without our approval; that such acquisitions were made through and by means of the Pennsylvania Co., which directly acquired the stocks without our approval and is now the recorded holder thereof; that such indirect acquisition by the Pennsylvania Railroad and direct acquisition by the Pennsylvania Co. were in violation of section 7 of the Clayton Act; and that the effect of such acquisitions may be to substantially lessen competition between the Pennsylvania Railroad and the Wabash and between the Pennsylvania Railroad and the Lehigh Valley and to restrain commerce in certain sections and communities.

The Pennsylvania Railroad in answer admits that it is a corporation engaged in commerce but avers that the Pennsylvania Co. is and was an investment company and not engaged in the business of dealing in securities of common carriers, as alleged in the complaint; that the entire capital stock of the Pennsylvania Co. is owned by the Pennsylvania Railroad; that the officers of the Pennsylvania Co. are also officers of the Pennsylvania Railroad, and that a majority of the directors of the Pennsylvania Co. are also directors of the Pennsylvania Railroad. It also admits the status of the Wabash and the Lehigh Valley as corporations engaged in commerce, but is silent as to the allegation of competion between those carriers and itself. It further admits ownership of the Lehigh Valley stock by the Wabash, as alleged, and the purchase of Wabash and Lehigh Valley stocks by the Pennsylvania Co., but denies that such stocks were acquired either directly or indirectly by the Pennsylvania Railroad, that the acquisitions were in violation of section 7 of the Clayton Act, or that their effect may be to substantially reduce competition or restrain commerce, as alleged.

The answer of the Pennsylvania Co. follows closely that of the Pennsylvania Railroad in its admissions and denials and avers that the Pennsylvania Co. purchased the Wabash and Lehigh Valley stocks in its own corporate right and holds the same in such right and not for the account of the Pennsylvania Railroad. It also denies our jurisdiction over it with respect to any of the matter alleged and moves to dismiss the complaint as to this defendant.

After hearing, briefs were filed by our bureau of inquiry and by respondents and a reply brief by respondents. Oral argument has been heard.

At the hearing there was placed in evidence an agreed statement of facts relating principally to the circumstances surrounding the acquisitions of Lehigh Valley and Wabash stocks, but showing also that the 675,800 shares of Wabash stock and the 365,039 shares of Lehigh Valley stock constituted about 48 per cent and 30 per cent of the total outstanding stocks of those companies, respectively. The 30 per cent of Lehigh Valley stock added to the 19 per cent held by the Wabash gave the Pennsylvania Co. ownership of, or interest in, about 49 per cent of the total outstanding Lehigh Valley stock.

A clear understanding of the history of the stock acquisitions requires immediate reference to the official personnel of the Pennsylvania Railroad and the Pennsylvania Co. The agreed facts show the following list of officers and directors in common:

Name	Office held	
	Pennsylvania Railroad	Pennsylvania Co.
W. W. Atterbury	President and director	President and director.
Elisha Lee	Vice president and director.	Vice president and director.
C. B. Heiserman	Vice president and general counsel.	General counsel.
A. J. County	Vice president and director.	Vice president and director.
M. C. Kennedy	do	Director.
J. Taney Willcox	Secretary	Secretary.
G. H. Pabst, jr	Treasurer	Treasurer.
F. J. Fell, jr	Vice president and comptroller.	Comptroller.
W. B. Kraft	Assistant comptroller	Assistant comptroller.
Elmer Hart	Deputy comptroller	Do.
Edgar C. Felton	Director	Director.
E. B. Morris	do	Do.
Jay Cooke	do	Do.
C. E. Ingersoll	do	Do.
A. W. Thompson	do	Do.
Levi L. Rue	do	Do.
Howard Heinz	do	Do.
Richard B. Mellon	do	Do.

The board of directors of the Pennsylvania Railroad is composed of 17 members and that of the Pennsylvania Co. of 13 members, and it appears from the foregoing list that 12 persons serve on both boards; also that all principal officers of the one corporation serve the other in similar capacities.

The same agreed statement embraces copies of correspondence and details of transactions leading to the acquisitions of Lehigh Valley and Wabash stocks, some of which will be later referred to as occasion requires. It will better serve the needs of this report to present at this point a summary of the testimony of W. W. Atterbury, who, at the time of the acquisitions, was president of the Pennsylvania Co. as well as of the Pennsylvania Railroad, and still holds those positions.

The witness testified that following hearings that were had with reference to our tentative consolidation plan, issued August 3, 1921, efforts were made by the executives of the railroads in eastern territory to find a solution that they might submit to us as a basis for ultimate consolidation of the railroads in that territory. The New York Central, the Baltimore & Ohio, the Pennsylvania, and the Nickel Plate joined in a series of conferences hoping that they might be able so to adjust relations with each other and other railroads in the same territory as to be in position to formulate and present to us a 4-party consolidation plan which would minimize, as far as possible, the difficulties in the way of consolidation in accordance with our tentative plan. The Nickel Plate at that time had acquired an interest in the Chesapeake & Ohio and was "working on the Pere Marquette and the Erie." The New York Central wanted an additional line between New York and Buffalo, preferably the Lackawanna. The Baltimore & Ohio wanted the Reading and the Wabash. The Pennsylvania Railroad also had definite things that it desired to accomplish in order to round out its system, one of which was to secure a line from the upper reaches of the Susquehanna River to the Delaware River and into New York City, and another was a line from the lower Susquehanna River, near Harrisburg, to the Delaware. It also desired a line on the south side of Lake Erie, certain trackage rights which would improve its service from Detroit to St. Louis, and a line between Chicago and St. Louis. In the discussions that followed it developed that the New York Central was unwilling to give up its interest in the Reading until it could be assured of complete control of either the Lackawanna or Lehigh Valley. It also developed that neither the New York Central nor the Nickel Plate would give to the Pennsylvania Railroad trackage rights along the shore of Lake Erie, nor, as it later developed, would they agree to permit the Pennsylvania Railroad to build a line there if and when necessary. That developed into a situation which, in the opinion of the witness, was clearly a combination against the Pennsylvania Railroad, which culminated in a 3-party plan that was submitted to us, and against which the Pennsylvania interests protested.

The witness further testified that the so-called 3-party plan proposed by the New York Central, the Baltimore & Ohio, and the Nickel Plate contemplated four systems in eastern territory, including the Pennsylvania system, although the latter did not join in proposing it. About that time there was considerable activity in the stock of the Lehigh Valley, and it was the opinion of the Pennsylvania that early purchases of that stock were directly traceable to the New York Central. In the meantime the Baltimore & Ohio and the Nickel Plate were attempting to get control of the Wheeling & Lake Erie and the Western Maryland. L. F. Loree, president of the Delaware & Hudson, also commenced the purchase of Lehigh Valley stock at about the same time, and the Pennsylvania presently learned that Loree had about 30 per cent of that stock and was possibly in position to block any 4-party plan if he chose to do so. Upon the suggestion of Lorse that the Pennsylvania should join with the Delaware & Hudson in the purchase of Wabash stock, Atterbury was quite prepared to assent, because he was satisfied that there was no harmonizing of difficulties, and therefore "it would be well for the Pennsylvania Railroad to have in the Delaware & Hudson, as the parent company of a fifth system, a friendly interest rather than the unfriendly interests of the Baltimore & Ohio, the New York Central, and the Van Sweringens." The "Van Sweringens" referred to were in control of the Nickel Plate system. That led to an agreement, dated February 15, 1927, between Loree, representing the Delaware & Hudson, Atterbury, representing the Pennsylvania Co., and Otto H. Kahn, representing Kuhn, Loeb & Co., the intended effect of which was to give the Pennsylvania either a large interest in the Lehigh Valley or a large interest in a "fifth system," which would include the "Delaware & Hudson, Lehigh Valley, Wabash, B., R. & P., and possibly the Pittsburgh & West Virginia and Boston & Maine." It was agreed that the Pennsylvania would put Kuhn, Loeb & Co. in funds to the extent of $25,000,000 to purchase Wabash stock, which the Delaware & Hudson was to take over, giving Delaware & Hudson stock in exchange, if approved by us. Failing such approval, the Delaware & Hudson was to give its Lehigh Valley stock to the Pennsylvania in exchange for the Wabash stock. In the latter event the Pennsylvania was to turn over its Lehigh Valley stock to the new fifth-system corporation, taking its stock in return; and in case of failure of these plans the Pennsylvania would hold its Lehigh Valley stock. In financing the purchase of Wabash stock the Delaware & Hudson was to share equally with the Pennsylvania, the latter providing the first $25,000,000 with the understanding that the Delaware & Hudson would later provide a like amount.

Pursuant to this agreement there was purchased in the name of the Pennsylvania Co. in February and March, 1927, 323,600 shares of Wabash stock, payment for which was not made until December, 1927, when certain interest-bearing securities were sold by it to the Pennsylvania Railroad from the proceeds of which settlement was made. During the period from March 11, 1927, to October 31, 1927, Kuhn, Loeb & Co. purchased for the Delaware & Hudson 217,000 shares of Wabash stock. No further action under the terms of the agreemnt was taken by either of the parties thereto, and, it later appearing that the plans for a fifth system could not be realized, the Delaware & Hudson in April, 1928, sold to the Pennsylvania Co. its holdings of 323,600 shares of Wabash and 304,539 shares of Lehigh Valley. The price paid therefor was a lump sum of $62,500,000.

The witness further testified that the line of the Pennsylvania Railroad from Buffalo to New York is rather circuitous, which prevents successful competition with the other lines running out of Buffalo, and acquisition of the Lehigh Valley would give the Pennsylvania a connection from its line at Sunbury, Pa., into the city of New York, where the terminals of the Lehigh Valley and the Pennsylvania are adjacent. Also by reconstruction of one of the Pennsylvania lines just north of Harrisburg, with small additional new construction, the Pennsylvania could connect with the Lehigh Valley and thus acquire an entrance into the important steel and cement district of central Pennsylvania. Further, he testified, the Pennsylvania is not in control of its passenger facilities at Buffalo and use of the Lehigh Valley station in that city would probably result in economies. Further economies would be realized through the consolidation of adjacent terminals at Greenville, N. J. The acquisition of the Lehigh Valley was regarded as a very important factor in the plans of the Pennsylvania Railroad, which had long hoped that at some time it would acquire a substantial interest in that company.

In reference to the desire to acquire a line along the south shore of Lake Erie, the witness testified that his company had lines ending at Pittsburgh on the south and reaching Detroit, Sandusky, Cleveland, Ashtabula, Erie, and Buffalo on the north. Rates common to all lines are in effect between these points, but the circuity of the routes over the Pennsylvania is such that it renders the traffic expensive and militates against successful solicitation. The line between Chicago and St. Louis is in some respects analogous to the situation along Lake Erie. That is, while the Pennsylvania has a route and rates between Chicago and St. Louis, its line is relatively circuitous and moves relatively little traffic.

The witness testified that in his opinion he could have come to an agrement with other eastern trunk lines on every matter except the construction of a new line along the south shore of Lake Erie. Certain counter proposals were made by such lines which were not acceptable to the Pennsylvania.

Questioned by his counsel, the witness testified that in making the arrangement of February 15, 1927, the Pennsylvania had no thought of influencing competition between the Pennsylvania Railroad and the Wabash or the Lehigh Valley. As a result of the agreement it was expected that the Pennsylvania Railroad would get eventually one of three things—either a large interest in a fifth system that would be friendly to the Pennsylvania, a large interest in the Delaware & Hudson, which had always been a valued connection of the Pennsylvania, or a large interest in the stock of the Lehigh Valley, which had been an objective of the Pennsylvania for many years. In the view of the witness the creation of a fifth system, including the Delaware & Hudson, the Lehigh Valley, and the Wabash, would ultimately be a successful and profitable undertaking. Purchase of the Wabash stock therefore, in his opinion, safeguarded the Pennsylvania in any of the three objectives. Asked by his counsel why in the negotiations pursuant to the agreement of February 15, 1927, and in the later acquisition of Wabash and Lehigh Valley stocks he had acted on behalf of the Pennsylvania Co., the witness replied, "Because it had the credit, it had the finances, it had the power, and I did not have to ask anybody's permission to go ahead and act except the approval of the board of directors."

After the purchases from the Delaware & Hudson, as above detailed, the Pennsylvania company made further purchases of 135,000 shares of Wabash and 60,500 shares of Lehigh Valley, giving it aggregate holdings of 675,800 shares of Wabash and 365,039 shares of Lehigh Valley, which it still has. All of these shares have equal voting rights.

The Lehigh Valley operates through routes from New York and Philadelphia to Buffalo, using the same line between Bethlehem, Pa., and Buffalo, and has several branches serving the anthracite coal districts of eastern Pennsylvania. The Wabash operates lines between Buffalo and Chicago, between Chicago and St. Louis, between Detroit and St. Louis, and between Toledo and St. Louis. It also has lines extending westward from St. Louis and Hannibal, Mo., to Kansas City, Omaha, and Des Moines. The Pennsylvania operates through lines between New York and Chicago, between New York and Buffalo, between New York and St. Louis, between Chicago and St. Louis, and between Detroit-Toledo and St. Louis. It also serves the anthracite coal districts of Pennsylvania, transporting coal therefrom to many territories and destinations, including New York City. Evidence upon the question of competition between the Pennsylvania Railroad and the Lehigh Valley and between the Pennsylvania Railroad and the Wabash was furnished by traffic officials of the Lehigh Valley and the Wabash, respectively. The assistant freight traffic manager of the Lehigh Valley, in preparation for the hearing, had examined the records of all carload shipments of 10,000 pounds or more, 73,005 in number, transported by the Lehigh Valley in the month of April, 1929, that being considered a representative month. The shipments of commodities, except coal, were classified as competitive or as non-

competitive with the Pennsylvania Railroad, considering as competitive all shipments handled by the Lehigh Valley that could have been transported between the same points wholly or partially by the Pennsylvania Railroad. Coal shipments were considered competitive if hauled to markets which could have been supplied with coal from the same or similar districts by the Pennsylvania Railroad. It is well known that the same mine opening, or point for the loading of coal, is seldom served by more than one railroad. The classification of the 73,006 carloads by the witness resulted in a showing of 37,376 carloads of noncompetitive traffic and 35,629 carloads of competitive traffic, the proportions being 51 per cent and 49 per cent, respectively. It should be borne in mind that these figures represent only the traffic which the Lehigh Valley was successful in obtaining and do not include any traffic which the Pennsylvania Railroad obtained, but which the Lehigh Valley could have transported. The Lehigh Valley has 17 junction points or connections with the Pennsylvania Railroad for the transfer of freight traffic, and reaches 13 cities of over 10,000 population, which are also served by the Pennsylvania, including New York City, Rochester, Buffalo, and Elmira, N. Y.; Jersey City and Newark, N. J.; and Hazleton and Wilkes-Barre, Pa. The route of the Pennsylvania between New York and Buffalo is more circuitous than that of the Lehigh Valley, but the Lehigh Valley in connection with the Wabash and other lines reaching the Niagara frontier affords a reasonably direct through route between New York on the east and Detroit and Chicago on the west, in competition with the direct routes of the Pennsylvania Railroad serving those points. The Lehigh Valley also maintains in conjunction with its various connections fast freight trains which compete with the Pennsylvania Railroad on practically similar schedules.

Testimony relating to competition between the Pennsylania Railroad and the Wabash was furnished by the vice president in charge of traffic of the Wabash, who placed in the record extensive tables covering carload shipments for the months of October, 1928, and March, 1929, showing that of 121,108 carloads transported by the Wabash on its lines east of the Mississippi River in those months, 91,202 or 75.31 per cent were competitive with the Pennsylvania Railroad and 29,904 carloads, or 24.69 per cent, were noncompetitive. Extending the comparison to include not only the lines of the Wabash but those of the Ann Arbor and the New Jersey, Indiana & Illinois, which are considered a part of the Wabash system, the number of carloads is increased to 140,455, of which 103,763, or 73.88 per cent, were considered competitive with the Pennsylvania Railroad. Like the Lehigh Valley, the Wabash has fast freight trains which compete with those of the Pennsylvania Railroad, running on substantially the same schedules and affording deliveries at the same time in various markets. The route of the Pennsylvania Railroad between Chicago and St. Louis is more circuitous than that of the Wabash, and no doubt its ability to compete with the more direct lines for traffic between those cities is thereby impaired, but both have direct lines between Lake Erie and St. Louis. It is in evidence that the Wabash, in connection with lines extending between the Niagara frontier and Philadelphia, is even able to compete with the Pennsylvania Railroad for traffic between St. Louis and Philadelphia. The Wabash, the Lehigh Valley, and the Pennsylvania Railroad all have traffic representatives at most of the important cities throughout the country, and there is strong competition for traffic that may move over all the competitive routes in which those carriers participate. The Lehigh Valley is one of the most important connections of the Wabash at the Niagara frontier, the interchange between those carriers at that gateway amounting to 57,137 cars in the year 1929.

Witnesses for the Pennsylvania Railroad had analyzed the statements of competitive and noncompetitive traffic placed in evidence by witnesses for the Lehigh Valley and the Wabash, and criticized them in numerous particulars, taking the position that due to various circumstances, such as the absence of through rates and lack of reciprocal switching arrangements, a considerable proportion of the traffic classified as competitive by witnesses for the Lehigh Valley and the Wabash was not in fact subject to actual competition. It is not apparent, however, that the existence of these circumstances would justify a rejection of the classifications by witnesses for the Lehigh Valley and the Wabash, as it is necessary to assume that the present arrangements for the interchange and movement of traffic are subject to change; and the mere presence of the lines of the Lehigh Valley and the Wabash in the territory and in close proximity to the points served by the Pennsylvania, with the possibility of the establishment of proper connections and arrangements for the handling of traffic, must have an influence upon the service and rates of all carriers serving the same territory.

Moreover, after excluding all traffic thus questioned, there was left a large volume to which no exception was taken by the respondents. Question was also raised as to the propriety of regarding as competitive traffic such shipments of coal and other commodities as are considered subject to "market" competition. However, adopting the often-used definition of competition as a "striving for the same thing," there would be no ground for classifying as noncompetitive such shipments, for example, as coal from the anthracite districts of Pennsylvania to New York City. It is clear that the service of transporting necessary commodities to a market served by more than one railroad is a "thing" of great value to the carriers, and it is well known that there is much strife between them for the opportunity to furnish this service, and that this rivalry has a direct influence on service and rates. While not admitting on the record the allegations of the complaint as to the existence of competition, the respondents have not denied them. They do deny the allegation that the effect of the acquisitions of stock may be to substantially lessen competition between the Pennsylvania Railroad and the Lehigh Valley or the Wabash, and this contention will be considered later. The record shows that there is substantial competition between the Pennsylvania Railroad and the Lehigh Valley, and between the Pennsylvania Railroad and the Wabash, and we so find.

In addition to the denials that the Pennsylvania Railroad indirectly acquired the capital stocks of the Lehigh Valley and the Wabash, and that the effect of such acquisitions may be to substantially lessen competition between the Pennsylvania Railroad and the carriers whose stocks it is alleged to have acquired, respondents further contend that the acquisitions were "solely for investment" within the meaning of the third paragraph of section 7 of the Clayton Act. For convenience the first three paragraphs of the section are here quoted:

"That no corporation engaged in commerce shall acquire, directly or indirectly, the whole or any part of the stock or other share capital of another corporation engaged also in commerce, where the effect of such acquisition may be to substantially lessen competition between the corporation whose stock is so acquired and the corporation making the acquisition, or to restrain such commerce in any section or community, or tend to create a monopoly of any line of commerce.

"No corporation shall acquire, directly or indirectly, the whole or any part of the stock or other share capital of two or more corporations engaged in commerce where the effect of such acquisition, or the use of such stock by the voting or granting of proxies or otherwise, may be to substantially lessen competition between such corporations, or any of them, whose stock or other share capital is so acquired, or to restrain such commerce in any section or community, or tend to create a monopoly of any line of commerce.

"This section shall not apply to corporations purchasing such stock solely for investment and not using the same by voting or otherwise to bring about, or in attempting to bring about, the substantial lessening of competition. Nor shall anything contained in this section prevent a corporation engaged in commerce from causing the formation of subsidiary corporations for the actual carrying on of their immediate lawful business, or the natural and legitimate branches or extensions thereof, or from owning and holding all or a part of the stock of such subsidiary corporations, when the effect of such formation is not to substantially lessen competition."

Three controlling issues are thus presented, which will be dealt with in order.

1. *Were the Lehigh Valley and Wabash stocks acquired, either directly or indirectly, by the Pennsylvania Railroad?*

The president of the Pennsylvania Railroad and of the Pennsylvania Co., testified that the latter "is a company which makes investments either directly or indirectly in the interest of the Pennsylvania Railroad." This authoritative and succinct statement of the present function of the Pennsylvania Co. is supplemented by much evidence relating to the history of the Pennsylvania Co., the relation of its corporate acts to the business of the parent company, and other circumstances tending further to establish the identity of interest of the corporations. Extracts from the reports of the directors of the Pennsylvania Railroad to the company's stockholders were submitted in evidence showing that in the year 1870 the Pennsylvania lines west of Pittsburgh, which had theretofore been operated by the Pennsylvania Railroad, were placed under the direct management of a new corporation known as the "Pennsylvania Co.," established and controlled by the Pennsylvania Railroad. Following is an extract from the annual report to the stockholders for that year:

"With a view to give greater simplicity and efficiency to the management of this large western interest, and as far as practicable return to our former policy, a charter was obtained from the Commonwealth of Pennsylvania incorporating the 'Pennsylvania Co.,' to which all the interests above mentioned of the Pennsylvania Railroad Co. will be transferred on the 1st of March next, and $8,000,000 of the preferred capital stock of the Pennsylvania Co. received therefor, which amount covers fully all of our expenditures in this connection."

In 1874 the Pennsylvania Railroad acquired more complete control of the Pennsylvania Co., the report for that year stating:

"Your company being the owner of $8,000,000 of preferred stock of the Pennsylvania Co., it was deemed wise by your board to purchase the remaining stock, which had been issued at par to the Union Railroad & Transportation Co. in purchase of their car equipment at its appraised value, and an arrangement was finally consummated by which the holders thereof should receive bonds of the Pittsburgh, Cincinnati & St. Louis Railroad Co., owned by your company, in exchange for their stock, par for par. Nearly all these stockholders have accepted this arrangement, and it is presumed the owners of the few shares still outstanding will do so, thus giving your company the entire control of the stock and placing them in condition to carry out any policy that may be found best for your interests."

In the year 1906 the Pennsylvania Railroad used the Pennsylvania Co. in financing certain expenditures, the transactions closely remembling in character those dealt with in the present

proceeding. The report to stockholders for that year contains the following:

"In order to temporarily provide the capital needed for the heavy expenditures made during the past year upon your lines east of Pittsburgh and Erie, it was deemed wise to utilize the powers of the Pennsylvania Co. and thus make it further available for the purposes of its organization. To this end that company made an issue May 1, 1906, of $50,000,000 of its 4½ per cent 18-month collateral notes, guaranteed by your company. The proceeds of these notes were placed to your credit, and the Pennsylvania Co. has been reimbursed for these advances largely through the sale of the securities heretofore held in your treasury."

According to the report for the year 1917, the Pennsylvania Railroad in that year took steps to resume the operation of the system lines west of Pittsburgh, the report referring to the arrangement in the following language:

"To effect a closer unity your company entered into an agreement to take over the leases, business, and assets of the Pennsylvania Co. and assume its obligations, liabilities, and duties to the lines and properties in which it had an interest. This agreement is to become effective as of January 1, 1918, or such later date as may be agreed upon, so as to meet all legal requirements, and adjust any other necessary features between both companies. The Pennsylvania Co. was created to promote and operate various lines west of Pittsburgh in the general interest of your company, which owns the entire capital stock of the Pennsylvania Co. and guarantees the payment of its outstanding bonds. This further unification is in pursuance of the policy followed by your company of eliminating corporations which are no longer necessary, and will give the lines west of Pittsburgh the direct strength and credit of the parent company and bring about beneficial economies."

Thereafter, it appears, the function of the Pennsylvania Co. was that of an investment company doing business as a separate corporation in the interest of the parent company. Previous to the present acquisitions, however, the Pennsylvania Co.'s holdings of securities have been practically confined to those of subsidiaries of the Pennsylvania Railroad.

In support of the allegation that the Pennsylvania Railroad indirectly acquired the capital stock of the Lehigh Valley and of the Wabash, although title to such stocks was taken by the Pennsylvania Co., numerous court decisions are referred to in the record, tending to support the contention that although ownership of capital stock of one corporation by another may not alone create an identity of corporate interest, it has been repeatedly held that such findings were not applicable where stock ownership has been resorted to, not for the purpose of participating in the affairs of a corporation in the normal and usual manner, but for the purpose of controlling a subsidiary company, so that it may be used as "a mere agent or instrumentality or department" of the controlling company; the courts in such cases dealing with the substance of the transactions as if the separate corporate agency did not exist and as the justice of the case might require. Among the cases cited are United States *v.* Lehigh Valley Railroad Co., 220 U. S. 257, 273; United States *v.* Delaware, Lackawanna & Western Railroad Co., 238 U. S. 516; Chicago, Minneapolis & St. Paul Railway *v.* Minneapolis Civic and Commerce Association, 247 U. S. 490, 501; United States *v.* Lehigh Valley Railroad Co., 254 U. S. 255; United States *v.* Reading Co., 253 U. S. 26, 62, 63. It was held in United States *v.* United Shoe Machinery Co., 234 Fed. 127, 141, 142, in substance, that whatever may have been the views of the courts in the early days of corporate existence, courts now will look behind the corporate fiction, and if it clearly appears that one corporation is merely the creature of another, the latter holding all the stock of the former, thereby controlling it as effectively as it does itself, it will be treated as the practical owner of the corporation when necessary for the purpose of doing justice.

Cases were also cited in which the Pennsylvania Railroad itself was involved, and in which the corporate distinction between that company and various subsidiary and controlled corporations was disregarded in the interest of justice. One of these, arising in 1885, involved the relations between the Pennsylvania Railroad and the Pennsylvania Co. The constitution of Pennsylvania provided, in substance, that no railroad corporation should acquire control of any other railroad corporation owning or having under its control a parallel or competing line. A new line in Pennsylvania had been proposed and partly constructed which, with connections, would parallel and compete with a line of the Pennsylvania Railroad. The president of the Pennsylvania Railroad, George B. Roberts, and two vice presidents entered into negotiations with a New York banker, as a result of which a proposal was made by Roberts, as president of the Pennsylvania Co., then an operating railroad company, that the banker should procure "securities and contracts and control" of the constructing company, in payment for which the Pennsylvania Co. would deliver certain securities guaranteed by the Pennsylvania Railroad. Suit was brought to enjoin the execution of this agreement, and the Supreme Court of Pennsylvania, in Pennsylvania R. Co. et al. *v.* Commonwealth (7 Atl. (Pa.) 368), affirmed the decree of the lower court granting the injunction. After reciting the facts showing that the Pennsylvania Co. was used through considerations of legality and policy which militated against direct acquisition by the Pennsylvania Railroad, the court said, in part:

"In view of this plain and candid statement of the real facts of the case by the parties themselves, it is impossible, as we have already said, to draw any other inference than that the real party contracting and stipulating for the control of the South Pennsylvania Railroad Co. was the Pennsylvania Railroad Co., and that any title to any stock or securities intended to be held in the name of the Pennsylvania Co. was to be a mere naked legal title, to be held in trust. In other words, that the Pennsylvania Railroad Co. intended to do in fact what it was forbidden by law to do, and therefore attempted to give the transaction the appearance, in the eye of the law, of being other than it really was. This, of course, can not avail in a court of equity which looks at substance, without being controlled by form."

The president of the corporations testified that he had acted on behalf of the Pennsylvania Co. instead of the Pennsylvania Railroad in entering into the agreement with the Delaware & Hudson for the purchase of Lehigh Valley and Wabash stocks for the reason that it (the Pennsylvania Co.) had the credit, the finances, and the power, and that he "did not have to ask anybody's permission to go ahead and act except the approval of the directors." His reference to the ability to proceed without obtaining permission is understood to relate to the provisions of section 5 (2) of the act requiring that railroad companies subject to the act shall secure our approval before acquiring control of another like carrier. However, the fact that the corporate machinery of the Pennsylvania Co. was used in financing these purchases of stock and in taking title thereto does not obscure the fact that all of these transactions were directly and solely in the interest of the parent company, the Pennsylvania Railroad. The only objective was the "protection" and upbuilding of the transportation system. This is so clearly established by the testimony of the same witness previously recited that further discussion of the matter is deemed unnecessary.

In support of their contention that the acquisitions of stock were not either directly or indirectly those of the Pennsylvania Railroad, respondents rely largely upon the decision of the Supreme Court in United States *v.* Delaware & Hudson Co. (213 U. S. 366). That case involved the construction of the so-called commodities clause of the act as applied to the transportation of coal mined by a corporation the capital stock of which was owned by the Delaware & Hudson Co.; that clause prohibiting among other things, the transportation in interstate commerce by a railroad company of any article or commodity other than timber and the manufactured products thereof in which the railroad company might have "any interest, direct or indirect, except such articles or commodities as may be necessary and intended for its use in the conduct of its business as a common carrier." The court held that the mere ownership of stock in the subsidiary corporation did not bring the case within the commodities clause, referring to the fact that amendments in specific terms causing the clause to embrace stock ownership had been rejected by the Senate, and the court held that these considerations disposed of the contention that stock ownership must have been in the mind of Congress in framing the legislation. This decision, however, was modified by the later decision in United States *v.* Lehigh Valley Railroad Co. (220 U. S. 257), construing the commodities clause as applied to the transportation of coal produced by a subsidiary mining company of the Lehigh Valley, in which the court, while in substance affirming its finding in the previous case, held further that under the different circumstances of the later case the transportation fell within the prohibitions of the commodities clause. The court said:

"Our duty is to enforce the statute, and not to exclude from its prohibitions things which are properly embraced within them. Coming to discharge this duty it follows, in view of the express prohibitions of the commodities clause, it must be held that while the right of a railroad company as a stockholder to use its stock ownership for the purpose of a bona fide separate administration of the affairs of a corporation in which it has a stock interest may not be denied, the use of such stock ownership in substance for the purpose of destroying the entity of a producing, etc., corporation and of commingling its affairs in administration with the affairs of the railroad company, so as to make the two corporations virtually one, brings the railroad company so voluntarily acting as to such producing, etc., corporation within the prohibitions of the commodities clause. In other words, that by operation and effect of the commodities clause there is a duty cast upon a railroad company proposing to carry in interstate commerce the product of a producing, etc., corporation in which it has a stock interest not to abuse such power so as virtually to do by indirection that which the commodities clause prohibits, a duty which plainly would be violated by the unnecessary commingling of the affairs of the producing company with its own, so as to cause them to be one and inseparable."

The doctrine laid down by the Supreme Court in the Delaware & Hudson case was still further modified in the more recent decisions in the Delaware, Lackawanna & Western Case, supra, the Reading Case, supra, and the later Lehigh Valley Case, supra, the court using the language preceding our previous citation of those cases.

Counsel for the respondents further insist that no relationship of agency has been shown between the Pennsylvania Railroad and the Pennsylvania Company in the transactions under consideration. Pursuing this theory to its logical conclusion, we must find that the officials of the Pennsylvania Company acted without authority; for the only authority to which they were responsible was the sole stockholder, the Pennsylvania Railroad, acting through the board of directors of the Pennsylvania Company. Giving full play to the theory of separate identity of these corporations, respondents would presumably contend that in order to establish the agency relationship the directors of the Pennsylvania Railroad, by virtue of their stock control, should

have instructed themselves, as directors of the Pennsylvania Company, to cause the purchases desired. That they did not resort to these formalities is perhaps to their credit, provided the omission is not used to defeat the intent of Congress. The outstanding facts remain that the purchases were for the sole benefit of the Pennsylvania Railroad; that the Pennsylvania Railroad was in complete control of the Pennsylvania Company; that the power to act for both corporations resided in the same individuals; and that the acquired stocks are held in the name of the Pennsylvania Company for the benefit of the Pennsylvania Railroad. If these facts do not establish an implied agency, the alternative deduction must be that the relationship is still closer than that of principal and agent, the Pennsylvania Company being, in the language of the court, a mere "department" of the Pennsylvania Railroad. Under these circumstances it must be held that, giving all possible recognition to the separate incorporation of the Pennsylvania Company, the stocks, if not directly acquired, were indirectly acquired by the Pennsylvania Railroad, within the meaning of the statute.

2. *May the effect of the acquisitions of Lehigh Valley and Wabash stocks be to substantially lessen competition between the Pennsylvania Railroad and either or both of the carriers whose stocks were acquired or to restrain commerce in any section or community?*

The language of the statute, "where the effect of such acquisition may be to substantially lessen competition," as commonly used and understood, would include the mere possibility of such effect, and this understanding is supported by standard dictionaries. (Webster's New International Dictionary gives, among others, the following definition of the word "may": Liberty; opportunity; permission; possibility, as, he may go; you may be right. Also Funk & Wagnall's New Standard Dictionary: To be contingently possible; as, it may be; you may get off, although you do not deserve it.) We should be content to rest upon this usual and authorized understanding, but counsel for respondents insist that the burden is upon the Government to establish the probability of substantial lessening of competition and that it is insufficient to show merely the possibility of such lessening. In support of this position they rely very largely upon two decisions of the Supreme Court, which will be hereafter discussed; but they also claim that their construction is supported by the debates in Congress preceding the passage of the Clayton Act, although not admitting the value of such debates in construing statutes, citing U. S. *v.* Trans-Missouri Freight Association (166 U. S. 290), in which the court said:

"The reason is that it is impossible to determine with certainty what construction was put upon an act by the members of the legislative body that passed it by resorting to the speeches of individual members thereof. Those who did not speak may not have agreed with those who did; and those who spoke might differ from each other; the result being that the only proper way to construe a legislative act is from the language used in the act, and, upon occasion, by a resort to the history of the times when it was passed."

The same court, however, in later decisions has greatly modified this doctrine by construction. For example, in U. S. *v.* St. Paul, M. & M. Ry. Co. (247 U. S. 310), the court said:

"But the reports of a committee, including the bill as introduced, changes made in the frame of the bill in the course of its passage, and statements made by the committee chairman in charge of it, stand upon a different footing, and may be resorted to under proper qualifications."

And in R. R. Commission of Wisconsin *v.* C., B. & Q. R. R. Co. (257 U. S. 563):

"Committee reports and explanatory statements of members in charge made in presenting a bill for passage have been held to be a legitimate aid to the interpretation of a statute where its language is doubtful or obscure. Duplex Printing Press Co. *v.* Deering (245 U. S. 443, 475). But when taking the act as a whole the effect of the language used is clear to the court; extraneous aid like this can not control the interpretation. Pennsylvania R. R. Co. *v.* International Coal Mining Co. (230 U. S. 184, 198). Caminetti *v.* United States (242 U. S. 470, 490). Such aids are only admissible to solve doubt and not to create it."

Bearing these restrictions in mind, we have carefully examined the committee reports and explanatory statements in both the House of Representatives and the Senate, from the introduction of H. R. 15657, which finally became the Clayton Act, until its passage. The bill was introduced in the House on May 6, 1914, having been prepared by a subcommittee of the House Committee on the Judiciary. The first paragraph of section 8 (now sec. 7) in the original bill read as follows:

"That no corporation engaged in commerce shall acquire, directly or indirectly, the whole or any part of the stock or other share capital of another corporation engaged also in commerce, where the effect of such acquisition is to eliminate or substantially lessen competition between the corporation whose stock is so acquired and the corporation making the acquisition, or to create a monopoly in any line of trade in any section or community." (Italics ours.)

The provisions of this paragraph were sharply criticized on the ground that under the language used it would be necessary in order to prove a violation of law, to show that competition had in fact been substantially lessened through a stock acquisition, and it was strongly urged that such proof would often be impracticable. The language in this particular, was, however, retained without change, until, during the consideration of the bill in the Senate, Senator REED, a member of the committee in charge, on August 31, 1914, offered an amendment striking out the word "is" and inserting in place thereof the words "may be," saying:

"My reason for offering the amendment is this: The law, as I understand it, is that a combination is illegal where the effect may be as well as where it is. I understand that the chairman of the committee is prepared to accept the amendment." (1914 CONGRESSIONAL RECORD, vol. 51, pt. 14, p. 14464.)

The amendment was thereupon adopted, without objection. Similar language in the second paragraph of the section, relating to acquisitions of stock of two or more competing corporations, was at the same time amended in like manner. As thus amended, the bill was considered in conference, and the amendments were included in the conference bill as reported. In the debate in the Senate upon the conference bill, Senator CHILTON, one of the conferees, referred to the amendments, as follows:

"The conferees had to find some common ground upon which their minds could meet, and the result was a compromise, which is section 7 in the bill reported by the conferees. That compromise was the adoption of the words 'may be' instead of the word 'is,' so that instead of reading 'where the effect is,' the bill now reads, 'where the effect may be'; that is, where it is possible for the effect to be, which was a decided victory for the Senate." (1914 CONGRESSIONAL RECORD, vol. 51, pt. 16, p. 16002.)

We have found nothing to support a contrary view of the intent of Congress.

The Supreme Court decisions relied upon by respondents are Standard Co. *v.* Magrane-Houston Co. (258 U. S. 346), and the recent case of International Shoe Co. *v.* Federal Trade Commission (280 U. S. 291). These cases arose under section 3 of the Clayton Act which, among other things, makes unlawful the fixing of prices and the making of contracts restricting sales where the effect of such acts "may be to substantially lessen competition or tend to create a monopoly in any line of commerce."

The facts in the first case were substantially as follows: The Standard Fashion Co. was a New York corporation engaged in the manufacture and distribution of patterns. The Magrane-Houston Co. conducted a retail drygoods business in Boston. These companies entered into a contract whereby the Standard Co. granted to the Magrane-Houston Co. an agency for the sale of patterns manufactured by the former company for a term of years. Among the conditions of the contract was one providing that the Magrane-Houston Co. should not sell or permit to be sold on its premises any other make of patterns, and not to sell Standard patterns except at label prices. The Magrane-Houston Co., notwithstanding the provisions of this contract, discontinued the sale of patterns of the Standard Fashion Co. and placed on sale in its store the patterns of a rival company. The Standard Fashion Company thereupon brought suit to enjoin the Magrane-Houston Co. from violating its contract. The bill was dismissed by the District Court and the decree was affirmed by the Circuit Court of Appeals. The case was carried to the Supreme Court by writ of certiorari. The Supreme Court stated the issue thus:

"Does the contract of sale come within the third section of the Clayton Act because the covenant not to sell the patterns of others 'may be to substantially lessen competition or tend to create a monopoly'?"

In reviewing the prior proceedings the court said, among other things:

"Both courts below found that the contract interpreted in the light of the circumstances surrounding the making of it was within the provisions of the Clayton Act as one which substantially lessened competition and tended to create monopoly. These courts put special stress upon the fact found that, of 52,000 so-called pattern agencies in the entire country, the petitioner, or a holding company controlling it and two other pattern companies, approximately controlled two-fifths of such agencies."

The court affirmed the decisions of the lower courts, holding that the contract was within the provisions of section 3 of the Clayton Act, saying:

"Section 3 condemns sales or agreements where the effect of such sale or contract of sale "may" be to substantially lessen competition or tend to create monopoly. It thus deals with consequences to follow the making of the restrictive covenant limiting the right of the purchaser to deal in the goods of the seller only, but we do not think that the purpose in using the word "may" was to prohibit the mere possibility of the consequences described. It was intended to prevent such agreement as would under the circumstances disclosed probably lessen competition or create an actual tendency to monopoly. That it was not intended to reach every remote lessening of competition is shown in the requirement that such lessening must be substantial."

It is upon the use of the world "probably" in the preceding quotation that respondents principally rely. However, what the court would have done in applying the Clayton Act in the circumstances now before us is to be inferred not so much from what was said in the Magrane-Houston case as from what it there did. So far as the opinion shows, there was no evidence of specific injury through the operation of the contract under review. As was said in argument:

"There was no testimony showing that any deception, misrepresentation, or oppression had been practiced; no complaint of any competitor or other person of any unfairness; nor any suggestion that the public had suffered injury or that competitors had reasonable ground for complaint."

The decision apparently rested entirely upon the nature of the contract itself. This is evidenced by the following language, quoted with approval from the decision of the court below:

"The restriction of each merchant to one pattern manufacturer must in hundreds, perhaps in thousands, of small communities amount to giving such single pattern manufacturer a monopoly of the business in such community. Even in larger cities to limit to a single pattern maker the pattern business of dealers most resorted to by customers whose purchases tend to give fashions their vogue may tend to facilitate further combinations, so that the plaintiff, or some other aggressive concern, instead of controling two-fifths, will shortly have almost, if not quite, all the pattern business."

And the court concluded by saying:

"We agree with these conclusions, and have no doubt that the contract, properly interpreted, with its restrictive covenant, brings it fairly within the section of the Clayton Act under consideration."

There is in this language no room for an assumption that the court would have been moved from its position by such representations regarding the intentions of the parties as are relied upon in this proceeding.

In the International Shoe Co. Case, decided January 6, 1930, the shoe company, in May, 1921, acquired all or substantially all of the capital stock of W. H. McElwain Co., both companies being engaged in the manufacture and distribution of shoes. Upon hearing, the Federal Trade Commission found that the companies were in substantial competition and that the effect of the acquisition of stock by the International Co. was to substantially lessen competition and to restrain commerce. Thereupon, it ordered the International Co. to divest itself of all capital stock of the McElwain Co. The decision was appealed to the Circuit Court of Appeals, thence to the Supreme Court, where the judgment was reversed. The order of the commission was assailed upon two grounds: First, that there never had been substantial competition between the two corporations and therefore there could be no foundation for the charge of substantial lessening of competition. Second, that the financial condition of the McElwain Co. was such as to necessitate liquidation or sale and therefore the prospect for future competition or restraint was entirely eliminated. The court reviewed the evidence relating to the character of shoes manufactured by each company, the territory of distribution of the products, and the relative sales, and reached the following conclusion:

"It is plain from the foregoing that the product of the two companies here in question, because of the difference in appearance and workmanship, appealed to the tastes of entirely different classes of consumers; that while a portion of the product of both companies went into the same States in the main the product of each was in fact sold to a different class of dealers and found its way into distinctly separate markets."

In deciding the case against the commission the court said, citing Standard Fashion Co. *v.* Magrane-Houston Co., supra, that—

"Mere acquisition by one corporation of the stock of a competitor, even though it resulted in some lessening of competition, is not forbidden; the act deals only with such acquisitions as will probably result in lessening competition to a substantial degree."

There is no discussion in this decision of the distinction between the possibility and the probability of results, but, so far as the opinion shows, the only question in the mind of the court was as to whether the lessening of competition would be "substantial" within the meaning of the statute; and it reached the conclusion that the competition, whether possible or probable, was not of sufficient importance to bring the case within the Clayton Act.

Assuming, though not admitting, that respondents have legal ground for their contention that the law requires the showing of probability of substantial lessening of competition, the record seems ample to meet the additional test. As already stated, the president of the company testified that in acquiring the stocks there was no thought of suppressing competition, and it is urged by respondents upon the evidence of their witnesses that no steps have been taken as the result of the stock acquisitions to change the previous practices in the solicitation of traffic for the respective lines. It was in fact testified that if there has been any change it has been in the direction of increased effort on the part of the respective companies to secure traffic during recent months. Presumably, however, this intensity of effort is due to the general decrease in available traffic rather than to any change in policy. It is obvious that the ultimate effects of the acquisition of control through stock are not to be judged by immediate developments. According to the testimony of respondents' principal witness the predominant purpose of the Pennsylvania Railroad in acquiring the stocks of the Lehigh Valley and the Wabash was to secure such influence in the management of those companies as to insure their cooperation, if not the actual use of their facilities, in improving the routes of the Pennsylvania Railroad between certain important gateways, particularly New York, Buffalo, Chicago, and St. Louis. According to the record nearly one-half of the outstanding stock of both the Lehigh Valley and the Wabash is now held by the Pennsylvania Co. or under its control. Exhibits from annual reports to us show that, apart from these holdings, the stocks of both companies are widely scattered. Reports of stockholders' meetings of the Lehigh Valley and the Wabash held during the past five years show that the present holdings of the Pennsylvania interests would in every case have constituted more, and in some cases much more, than 50 per cent of the total stock voted at those meetings. In our decision in Interstate Commerce Commission *v.* Baltimore & Ohio R. Co. (160 I. C. C. 785), in which we considered the effect of the acquisition of a controlling proportion of stock of the Western Maryland by the Baltimore & Ohio, we said:

"Since the admitted purpose of the acquisitions of stock, so far as they may be made to contribute to that purpose, was to unify operations and policies of the respondent and the Western Maryland, it necessarily follows that the accomplishment of the purpose would completely eliminate both the actual and the potential competition that existed prior to the acquisitions of the stock by respondent and any that may exist now."

And in Interstate Commerce Commission *v.* Baltimore & Ohio Railroad Co. (152 I. C. C. 721), in which we dealt with acquisitions of stock of the Wheeling & Lake Erie Railway Co. by certain trunk lines, we said:

"As a result of our consideration of the evidence before us and of the true construction of the statute, it is necessary to conclude that with the acquisition of a majority of the voting stock of the Wheeling, the substantial lessening of competition between the Wheeling and the respondents was not merely probable but was, in fact, accomplished. Assuming that it would be possible for a controlling carrier or carriers to provide such routing of traffic, service, and rates for a controlled carrier as to enable it to maintain or even increase its volume of business, such a result would not be due to competition, which necessarily ceases with the acquisition of control. An appearance of strife for traffic might even be continued, but it would not be the competition meant by the statute. We find it impossible to accept the theory that Congress intended that acquisition of absolute control of one corporation engaged in commerce by one or more other corporations engaged in like commerce in the same territory could be regarded otherwise than as a substantial lessening of competition. To require us to rely upon declarations of intention, counterinfluences, or other hypotheses as evidence that acquisition of control by one competitor of another would not have its usual and natural effect, would be to establish an unworkable rule necessarily resulting in ineffective administration of the law."

Where parallel lines are under common control it is a necessary assumption that the controlling corporation will not resort to reductions in rates or additionally expensive service in order to divert traffic from one line to the other, or suffer it to be done. Our conclusion as to the effect upon competition of the acquisition of control of one competing carrier by another is fully supported by the decision of the Supreme Court in the Northern Securities case (193 U. S. 197), in which the court said, speaking of common control through a holding company:

"Necessarily by this combination or arrangement the holding company dominates the situation in the interest of those who were stockholders of the constituent companies; as much so, for every practical purpose, as if it had been itself a railroad corporation which had built, owned, and operated both lines for the exclusive benefit of its stockholders. Necessarily, also, the constituent companies ceased, under such a combination, to be in active competition for trade and commerce along their respective lines, and have become, practically, one powerful consolidated corporation, the principal, if not the sole, object for the formation of which was to carry out the purpose of the original combination under which competition between the constituent companies would cease."

3. *Were the acquisitions of stock within the exception applicable to corporations purchasing stock "solely for investment and not using the same by voting or otherwise to bring about, or in attempting to bring about, the substantial lessening of competition"?*

In supporting the affirmative of this question the respondents devoted much effort and brought to the witness stand three specialists of note, representing, respectively, the fields of economics, accounting, and finance, who, after exhaustive consideration of the subject, severally reached the conclusion that the purchases of stock here under consideration might properly be denominated "investments." There can be no question that the word "investment" is one of broad application, including in its various uses purchases of practically every kind and description and for every purpose. For example, the purchase of an adjoining lot or farm to prevent its falling into the hands of an undesirable neighbor might be termed an "investment," although from the standpoint of financial profit the acquisition of the property might have no advantages but, on the contrary, result in inevitable loss. The question at issue here, as we apprehend it, is, What does the word and the connected expression mean, as used in the third paragraph of section 7? What was the intent of Congress?

Respondents take the position, in effect, that as the acquisitions of stock were an investment, and as it has not been shown that the stocks acquired have been used by voting or otherwise in the substantial lessening of competition, the purchases fall within the exception. As we have already seen, section 7 as originally proposed and framed apparently contemplated the determination by an administrative body of the actual effect of the acquisition of stock of a competing corporation in testing the question as to whether the acquisition was in violation of the law. After full discussion of this proposal in Congress, the idea was rejected as impracticable, and in lieu thereof the section was so amended as to require that in order to establish a violation of the act it was necessary to show only that an acquisition gave the power to substantially lessen competition. The construction of the third paragraph now insisted upon by respondents would be wholly out of harmony with the controlling provisions of the section as it now stands, and the fact that this paragraph was not amended at

the time is evidence that Congress deemed such amendment unnecessary. The reasonable construction of the language of the third paragraph fully sustains this hypothesis. It is noted that following the words "solely for investment," which apparently expressed the predominant thought of Congress, the conjunctive "and" was used, followed by the explanatory specification, "not using the same by voting or otherwise to bring about, or in attempting to bring about, the substantial lessening of competition." That the description "solely for investment" was deemed controlling is indicated by the reference to this provision in the committee reports and debates in Congress. For example, one of the minority reports upon the original bill refers to the exceptions as follows:

"There are various exceptions mentioned in the bill, such as the acquisition of stock *solely for investment;* the holding of stock of subsidiaries formed for carrying out the lawful business of the corporation or legitimate branches thereof; excepting also the acquisition by railroads of stock in an independent railroad where there is no substantial competition." (Italics ours.)

The construction contended for by respondents would require us to subordinate the expression "solely for investment" to the remainder of the sentence or to ignore it entirely. What Congress had in mind in including the exception in the act as passed is clearly indicated by the reports of the debate. It had been proposed to eliminate the paragraph entirely, but it was pointed out that many corporations, such as savings banks, etc., invest in the securities of public-utility corporations, some of which may be in competition, and this consideration apparently prevailed.

The success of respondents' contention would have the result of practically nullifying the section as a whole, since it would be exceedingly difficult to establish by proof that competition had been substantially lessened by reason of specific acts in the use of stocks. As we said in a previous decision, 160 I. C. C. 792, supra:

"Although section 7 provides that it 'shall not apply to corporations purchasing such stock solely for investment and not using the same by voting or otherwise to bring about, or in attempting to bring about, the substantial lessening of competition,' this exemption may not be so construed as to destroy the effect of the section as a whole. Clearly it has no application to the acquisition of a controlling interest under the circumstances disclosed by this record."

The purchases of Lehigh Valley and Wabash stocks by the Pennsylvania gave no indication of direct financial profit at the time the purchases were made. Computations made by our bureau of inquiry and presented in its brief, the correctness of which has not been questioned by respondents, indicate that up to April 30, 1930, the cost to the Pennsylvania in interest paid and in interest lost on securities sold to finance the purchases amounted to about $9,072,006.25, which exceeds by $2,590,694.29 the amount of the dividends received on the stock acquired. It should be noted that the common stock of the Wabash acquired by the Pennsylvania, amounting to $36,290,000, par value, had never paid a dividend. We find that the purchases of stock here in question were not made solely for investment, within the meaning of the Clayton Act.

According to the testimony of the president of the Pennsylvania corporations, the principal purpose of the acquisitions of the Lehigh Valley and Wabash stocks was to secure interests in important lines needed by the Pennsylvania Railroad to round out its transportation system—the same properties being under consideration for other disposition in developing transportation systems in eastern territory. However, we are unable to attach weight to this fact. Whether the purchases were made primarily for the suppression of competition or whether that effect would follow merely as an incident to the accomplishment of the larger purpose is a question which we have no right to consider in applying the law to the facts. While it is true that the transportation act, 1920, marked a substantial departure from previous governmental policy in the matter of competition between railroad companies, we are unable to close our eyes to the fact that Congress required that in the administration of that act competition should be preserved as fully as possible, and to that end it left the Clayton Act in full force and effect, providing, however, in section 5 (8) of the interstate commerce act that its operation might be suspended by us in order to authorize acquisitions of control of one carrier by another where, in our judgment, such acquisition would be in the public interest. The respondents, in full knowledge of these provisions, have proceeded without coming to us for such authority.

The motion in behalf of the Pennsylvania Co. to dismiss the complaint as to that respondent for want of jurisdiction will be denied. Although it is clear that the Pennsylvania Co. acted solely in behalf of the Pennsylvania Railroad in these transactions, and that the two corporations together constituted but a single party in interest, we assume that the former holds legal title, as a corporation, to the acquired stocks, and must, as a separate legal entity, take part in the divestment which we shall order. That these acquisitions of stock are within the intended prohibitions of the law we have no doubt.

We find that the Pennsylvania Railroad Co., the Lehigh Valley Railroad Co., and the Wabash Railway Co. are corporations engaged in commerce within the meaning of section 7 of the Clayton Antitrust Act; that the Pennsylvania Railroad Co., through the use and instrumentality of its subsidiary and controlled corporation, the Pennsylvania Co., acquired capital stocks of the Lehigh Valley Railroad Co. and of the Wabash Railway Co., as more particularly set forth in this report and in the evidence in this proceeding; that the effect of such acquisitions may be to substantially lessen competition between the Pennsylvania Railroad Co. and the Lehigh Valley Railroad Co. and between the Pennsylvania Railroad Co. and the Wabash Railway Co. and to restrain commerce of the Lehigh Valley Railroad Co. and the Wabash Railway Co.; and that such acquisitions are in violation of said section and act. An order will be entered requiring the respondents to cease and desist from such violations and to divest themselves of the stocks so acquired. The order will provide, following the requirement approved by the Supreme Court in Federal Trade Commission *v.* Western Meat Co., 272 U. S. 554, that in such divestment no stock of the Lehigh Valley Railroad Co. or of the Wabash Railway Co. shall be sold or transferred, directly or indirectly, to any stockholder, officer, director, employee, or agent of, or anyone otherwise directly or indirectly connected with or under the control or influence of the Pennsylvania Railroad Co. or any of its officers, directors, or stockholders, or the officers, directors, or stockholders or any of its subsidiaries or affiliated companies.

Commissioner Aitchison dissents.

ORDER

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 2d day of December, A. D. 1930

NO. 22260—INTERSTATE COMMERCE COMMISSION *v.* PENNSYLVANIA RAILROAD CO. AND PENNSYLVANIA CO.

This case being at issue upon complaint and answers on file, and having been duly heard and submitted by the parties, and full investigation of the matters and things involved having been had, and this commission having, on the date hereof, made and filed a report containing its findings of fact and conclusions thereon, which said report is hereby referred to and made a part hereof:

It is ordered, That the above-named respondents be, and they are hereby, notified and required to cease and desist from their violations of law as found and described in said report.

It is further ordered, That said respondents be, and they are hereby, notified and required to divest themselves of all capital stock of the Lehigh Valley Railroad Co. and of the Wabash Railway Co. within six months from the date hereof: *Provided*, That, in such divestment, no stock of the Lehigh Valley Railroad Co. or of the Wabash Railway Co. shall be sold or transferred, directly or indirectly, to any stockholder, officer, director, employee, or agent of, or anyone otherwise directly or indirectly connected with, or under the control or influence of, the Pennsylvania Railroad Co. or any of its officers, directors, or stockholders, or the officers, directors, or stockholders of any of its subsidiaries or affiliated companies.

It is further ordered, That said respondents shall report to this commission the manner of such divestment within 15 days after the completion thereof.

And it is further ordered, That the motion filed in said proceeding in behalf of the Pennsylvania Co. seeking dismissal of the complaint as to said respondent be, and it is hereby, denied.

By the commission.

[SEAL.] GEORGE B. MCGINTY, *Secretary.*

RELIEF OF UNEMPLOYMENT

Mr. WAGNER. Mr. President, I ask uuanimous consent to have printed in the RECORD an article by Prof. Paul H. Douglas on the subject "Connecting Men and Jobs," which appeared in this month's Survey.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONNECTING MEN AND JOBS

By Paul H. Douglas

The only permanent gain in our collective dealing with unemployment which resulted from the depressions of 1914-15 and 1920-21 was the improvement of our employment statistics. There is some hope that out of the present depression may come an adequate system of public employment offices. For over a generation those who have given constructive thought to unemployment have realized that a coordinated and efficient system of employment offices was the first step in any real attack by society and government upon the problem. This is what lies back of the experiment with the new set-up in New York and the statewide inquiry going forward in Illinois. Nationally, this effort comes to focus in the battle over the Wagner bill in the present session of Congress.

In the last two decades other nations have been making progress along this line, while our public employment service has, on the whole, been on the down grade. In 1911 the total placements by the public employment offices of other countries amounted to approximately 3,000,000, while by 1921 this number had increased to about 8,400,000. In 1927 the placements by the same 4,700 public offices abroad had risen to approximately 17,000,000. While the English system has not shown an appreciable improvement in either the quantity or quality of its placements over this period of time, those of Germany and France have. The exchanges of the former country are managed by joint committees of employers and workers and have developed in the large cities some very efficient industrial and trade sections. Beginning with the first of the coming year, the German private profit-making agencies, which have long been strictly regulated, will completely disappear.

Under the stress of the war-time shortage of labor we hastily constructed an extensive Federal Employment Service, which at the height of its activities had 850 offices in operation. During 1918 it placed approximately 2,400,000 workers. When the war was over and the shortage of men was transformed into a relative shortage of jobs, the National Association of Manufacturers and other large employing interests, together with the private employment offices, successfully opposed the proposal to continue the service on a Federal basis. The national appropriation was reduced to $400,000 and this in turn was later halved. The offices were either discontinued or turned back to the States and municipalities so that at the present time there are between 180 and 190 public offices. The number of placements has not increased over the decade, as is well shown by table 1.

TABLE 1.—*Number of reported placements by public employment offices, numbers actually placed by public offices, in the United States, 1921–1930*

Fiscal year ending June 30:	
1921	1,398,000
1922	1,459,000
1923	----------
1924	1,807,000
1925	1,610,000
1926	1,791,000
1927	1,688,000
1928	1,413,000
1929	1,534,000
1930	1,346,000

Thus while there was a rise from 1921 to an average of around 1,700,000 during the four years 1924–1927, there has been in the past three years a decided recession. This is due in part to the general decline in employment, but it is significant that the number of placements reported for the fiscal year 1929–30 was slightly less than for the depression year of 1920–21.

Even more disturbing than the failure of the system, either local or national, to gain ground quantitatively has been its qualitative degeneration. The United States Employment Service has evidenced this deterioration to a marked degree. The head of the service, who was appointed by President Harding and who has been retained during the administrations of Presidents Coolidge and Hoover, has revealed his incapacity in increasing measure with the years. The Federal service's possibilities for harm are, to be sure, limited by the scanty appropriations and by the fact that they do not, save in the case of harvest labor, actually place workers. But their work has been bad enough. They have delegated some of their staff to assist the various State services, and these men, who are not civil-service appointees, have, with some exceptions, added nothing to the efficiency of the placement work. Further, the analyses and forecasts of the employment situation which the service issued during the winter and spring of 1930 were almost completely misleading. The statements given out in a period when employment was steadily falling could only have been inspired by utter incompetence or by a belief that it was better to apply mental healing to the business situation than to tell the truth.

The general level of the State offices has also deteriorated. With rare exceptions they have dingy quarters, are operated by low-paid and dispirited political hacks, and primarily handle unskilled labor. The vital drive which characterized the movement 15 years ago has slackened to a slow tempo. But while this is a fairly accurate generalization, some States have carried on their work with relative effectiveness.

While the comparative costs of placement should not be the sole test as to the efficiency of the service in the various States, it is at least one very important criterion, and Table 2, on page 254, for the latest available years shows the wide differences which exist between the States.

This shows the States to be divided into two rather sharply differentiated groups. The first group is composed of Wisconsin, California, and New Jersey, where the average placement costs are around 60 cents, while the second group includes Connecticut, New York, Illinois, Massachusetts, and Pennsylvania, with an average cost ranging from $1.71 to $2.31, or from three to four times the figure for Wisconsin. Ohio occupies a position between these two groups.

TABLE 2.—*Comparative placement costs of public employment offices in various States*

State	Year	Number of offices	Total appropriations, State and local	Total placements	Average cost per placement
Wisconsin	1929	10	$58,081	101,183	$0.57
California	1928	10	84,895	144,516	.59
New Jersey	1929	7	76,500	120,572	.63
Ohio	1929	12	155,324	137,538	1.13
Connecticut	1928	8	50,000	29,867	1.71
New York	1929	11	188,309	100,171	1.88
Illinois	1929–30	20	266,080	135,909	1.96
Massachusetts	1929	4	68,841	30,157	2.28
Pennsylvania	1929	9	99,000	41,997	2.31
Total	----------	91	1,047,030	842,910	1.24

It is hard to believe that the higher-cost States give sufficiently better service than the low-cost States to justify the wide difference. On the contrary, students of the question have known for years that Wisconsin, California, and Ohio—all of them low-cost States—are probably first in the quality of their work while the political nature of certain other State departments of labor has been notorious.

But black as this picture is, there are two clear signs of hope. The first lies in various attempts to improve the State services, while the second is the passage by the Senate of the Wagner bill providing greatly increased funds for an improved Federal-State service.

New York has been the leader in putting its house in order. Her energetic industrial commissioner, Frances Perkins, appointed an advisory committee headed by F. A. Silcox, of the typothetæ, to survey the State offices and to make suggestions for their improvement. This committee, with Mary LaDame as investigator, brought in a series of recommendations, some of which have already been acted upon. A new chief, Fritz Kaufman, was appointed, and by staff meetings and personal interviews the members of the service have been given greater interest in their work. An emergency staff was recruited and after training made over 5,300 field visits in the effort to get more employers to patronize the offices. By these and other methods the number of placements was increased from a previous monthly average of slightly less than 5,000 to 5,700 in March, 8,600 in April, and 10,400 in May, despite the general decrease in the demand for labor. The number diminished somewhat in the succeeding months, but on the whole the gain has been decisive and the reform is still progressing. The Laura Spelman Rockefeller memorial fund, headed by Dr. Beardsley Ruml, intends to finance a model public employment office in some New York city for a period of years, and during the last session of the legislature a law was passed permitting the State to accept such assistance. This experiment station will be of the utmost value in raising the standards of public employment work everywhere.

In Illinois, Benjamin M. Squires, of the University of Chicago, who is now head of the State advisory board for the employment offices, has been conducting a thorough survey of the offices in that State and if given adequate backing from business and labor groups can perhaps force the politicians to improve the service. In Pennsylvania, Gifford Pinchot, the governor elect, has pledged himself to include a reform of the public employment offices in the comprehensive unemployment program which is to be worked out by a commission headed by Clyde L. King. There are plans afoot for the improvement of the service in Cincinnati, while in Middletown, Ohio, a farsighted industrialist, D. R. Hook, of the American Rolling Mill Co., has been using the public office as the chief source of labor for his mills.

But while these developments are interesting and important, by far the greatest possibility for improvement lies in the Wagner bill (S. 3060). Almost immediately upon his entrance to the Senate in 1926 ROBERT F. WAGNER, of New York, revived the Kenyon-Nolan bill, and after making some modifications has steadfastly urged it ever since. This bill called for the appropriation of $4,000,000 annually by the Federal Government for public employment services, $3,000,000 of which was to be allotted to the States according to population, with the usual Federal-aid provision that they or their subdivisions appropriate at least an equal amount. A State was, of course, not compelled to accept the act, but if it refused it was not entitled to receive Federal funds for this purpose. Once under the act it was pledged to set up an integrated State service and to submit plans for its operation to the United States Employment Service. If the latter approved of these plans, and if upon inspection the State service was found adequate, the allotment was to be made. If the Federal director refused to certify the plans and the efficiency of the State service, the State could appeal to the Secretary of Labor, but if the latter upheld his subordinate the funds were to be withheld.

The remaining $1,000,000 was to be expended by the Federal service in conducting clearing houses for labor between States, inspecting the State services, carrying on research and publishing information, setting up a revolving fund for the transportation of workers, and finally in directly conducting offices in States where no State system existed and for one year only in States which refused to come under the act. In order to make possible the efficient administration of the new system, the existing Federal service was to be disbanded and a new director general appointed by the President. The personnel for the Federal work was to be under civil service, and it was provided that the director general should set up a national advisory council composed of equal numbers of employers and workers, and that there should be similar councils in each State which accepted the act. The Federal funds provided under the bill, together with the amounts required from 10 States, would approximately quadruple the total amount now being spent for public employment offices.

The bill did not make any progress until the depression of the current year aroused public and senatorial interest in the measure. By a combination of western progressives, led by Senator HIRAM JOHNSON, of California, and Democrats, the bill passed the Senate in May by a vote of 34 to 27. The "old guard" and the administration Republicans voted almost uniformly against the bill, led by Senator BINGHAM, of Connecticut. The bill then passed to the lower House where efforts were made to sidetrack it in the Judiciary Committee. Hearings were finally forced and the bill with some amendments was reported out by a favorable vote of 18 to 2 during the closing days of the session. A number of amendments,

however, were tacked on, only one of which was an improvement. One of the features of the bill which had been most subject to attack from a constitutional standpoint was that which gave the national service the power during one year to open offices in States which refused to come under the Federal aid act. This was wisely eliminated. Unfortunately, however, the service was also deprived of the power to transport workers and with this, by what may have been an inadvertence, the clauses authorizing the service to establish "uniform standards, policies, and procedures" and pledging it to be "impartial, neutral in labor disputes, and free from political influence." Finally, the committee decreased the annual salary of the director general from $10,000 to $8,500.

The bill was reported out too late for action by the House and therefore went over to the short session of Congress, this month.

TABLE 3.—*Appropriations to the Federal employment service from 1919–1930*

[From the United States Digest of Appropriations]

1919	[1] $5,500,000
1920	400,000
1921	225,000
1922	225,000
1923	225,000
1924	210,000
1925	206,284
1926	205,000
1927	205,000
1928	200,000
1929	205,000
1930	217,000

The National Association of Manufacturers and the private employment offices have been open and vigorous in their opposition to the Wagner measure. The motives of the latter group are obvious, but those of the former are not at first thought so apparent. Their ostensible ground of opposition, which has been stressed both by Senator BINGHAM and by their counsel, James A. Emery, is on the principle of Federal aid. This, they assert, is really coercive upon the States and is unconstitutional. Such legalistic objections tend to be at best merely disguises for the real grounds of opposition. The history of constitutional law abundantly demonstrates that constitutional arguments are, as a rule, only the weapons with which group interests contend rather than the motivating cause for their actions. This suspicion is particularly heightened in the present instance by the fact that the National Association of Manufacturers itself worked in 1916 for the passage of the Smith-Hughes bill granting Federal aid to the States for vocational education and by the Supreme Court's statement in the leading case, Massachusetts *v.* Mellon (262 U. S. 447), that under Federal aid the statute does not "require the States to do or yield anything. If Congress enacted it with the ulterior purpose of tempting them to yield, that purpose may be effectively frustrated by the simple expedient of not yielding."

Without pretending to possess any psychoanalytic omniscience, I believe that the real reasons for the opposition of the National Association of Manufacturers, as distinguished from their assigned reasons, are probably as follows: First, their fear that the offices would be used by the unions to get union organizers into nonunion plants; second, their fear that the offices would decrease the work of the employment bureaus of a number of manufacturers' associations; and, third, that they fear the offices would hasten the coming of compulsory unemployment insurance.

The first fear seems to be particularly ill founded. By the terms of the original bill the service was pledged to neutrality in labor disputes, and while this clause was inadvertently omitted subsequent to the objections of the manufacturers, it should and doubtless will be restored. Second, even if it be thought that the Department of Labor would be biased in favor of labor (an objection difficult indeed to maintain in view of the conduct of that department during the last 10 years), it should be remembered that the director general is to be appointed by the President. Further, the employers are to have equal representation on the advisory councils and could in effect prevent any such possibility from developing. Moreover, even were the service biased in favor of union men, the employers are not compelled to patronize it and are instead completely free to hire their workers at the gate or through any other agency which they choose. The employers by their refusal to deal with the public exchanges could thus keep the latter from abusing their trust. Finally, even where employers ask the public offices to send them applicants, they are not obliged to accept them. The individual employer can therefore maintain his blacklist, if he wishes, and if men he considers undesirable are sent to him by the public offices he can simply decline to give them employment.

The second fear may well spring from the belief that if a free public agency is provided many manufacturers will not be willing to continue to contribute to the support of exchanges maintained by employers' associations. This is a perfectly valid reason why the employers' associations themselves should oppose the measure, since, in the words of Spinoza, "each thing, in so far as it can, endeavors to preserve itself." It hardly is a reason, however, why the general public should oppose the bill.

Nor will the third fear seem conclusive to any open-minded seeker after the best methods of dealing with unemployment. The opponent of unemployment insurance should not refuse to take a step which he knows would lessen the chaos and distress of the labor market merely because of his fear that it would facilitate a second step of which he does not approve. Each issue should be decided on its own merits.

Opposition to the Wagner bill is undoubtedly bitter, and there is scant hope that it can pass the House at the short session unless the administration comes out strongly in favor of it. It is an open secret in Washington that thus far the administration forces have been at best indifferent and at the worst covertly hostile to the measure. If the White House really means to make any serious attempts to cope with the problem of unemployment, it can not shirk its responsibility for helping to take the first step toward organizing the labor market. Affirmative support of the Wagner bill would not only be socially desirable but it would be good political strategy as well. It would transform a Democratic-Progressive bill into a nonpartisan act and would take away from the Democrats a powerful campaign argument which Senator WAGNER and others would know how to wield with vigorous effect. If the administration really wishes to do so, it can, with its control over the present House, have the bill passed during the first days of the current session and then see to it that the service is speedily and efficiently organized.

But the responsibility for the Wagner bill rests on the socially minded people of the country as well as upon the White House. If they really care about the problem of unemployment, they can make their desire to have this bill passed so clear that Congressmen of all political camps will see that it is not only economically desirable for the Nation but politically advantageous to themselves to support it.

EFFECTIVE EMPLOYMENT OFFICES—HOW THEY MAY SERVE MANAGEMENT AND WORKERS

1. Lessen the time lost by the unemployed in hunting for jobs and reduce the expense which employers suffer in unnecessary interviewing.

We have created central markets to facilitate the purchase and sale of every commodity and to adjust local surpluses and deficits, but we have no such market for labor. Men go seeking work when there are jobs close at hand which they might fill. Groups of men are drawn from city to city by unreliable rumors of employment. Men frequently leave one city to seek work in another city at the very time that similarly qualified men are leaving the second city for the first. This chaotic system is costly for employers as well as for workers. A large electrical supply company in Chicago, for example, interviewed 200,000 workmen in one year in order to hire 20,000. If the first rough sifting had been confined to the public offices, this company, instead of interviewing 10 men for every 1 hired could probably have saved over $100,000 a year. Such savings would permit public offices to carry out a more adequate program of testing applicants for trade skills, mental ability, and physical fitness.

2. Remove the necessity for individual enterprises to maintain separate labor reserves to meet their peak loads by pooling the general labor reserve.

It is the practice of most firms so to spread out their work that they will keep attached to them sufficient workers to meet their busiest period. Since the peak periods of firms within an industry and between industries do not coincide, even on the busiest day, there are jobless men. If a central labor reserve is created, individual employers can give steadier work to their regular employees and rely on the public exchange for men to meet their rush periods. The excess of men in an industry over the total needed on the busiest day can then, if the employment offices are sufficiently resolute, be squeezed out of this line of work and transferred to others.

3. Help protect the workers against unfair exactions by private employment agencies.

There are over 1,100 such offices in New York City alone, over 400 in Chicago, while there are 275 licensed offices in Pennsylvania. Some of these offices are reputable, but many unfortunately are not. The fees which the workers pay are generally high, and fee splitting with foremen is common. This, of course, leads foremen to discharge workers in order to collect commissions on those who take their places. The private agencies frequently fail to make adequate refunds if the applicant does not obtain a job or receives only temporary employment while actual misrepresentation is common. It is the tendency of the offices to increase their fees during periods of depression because of the workers' desperate need. The best way to regulate these offices is by starting an adequate free public system. This is all the more necessary since the United States Supreme Court in the case of Ribnik *v.* McBride (277 U. S. 350) has greatly restricted the possibilities of regulation, and we must now depend almost entirely on outright competition by the State.

4. Render special service to particular groups of workers, such as juveniles, women, the aged, and the handicapped.

5. Furnish general information on the state of the labor market and on employment opportunities in particular industries, which would be invaluable in directing labor into needed channels.

6. Furnish services essential to the administration of any system of public unemployment insurance.

There is no way to determine whether an ostensibly unemployed person is in reality seeking employment unless there is an employment office where he must register and which at the same time tries to place him. But while employment exchanges are a prerequisite to the successful administration of unemployment insurance, it should, of course, be realized that it is not necessary to adopt the latter once we have the former.

[1] And $250,000 for transportation of workers hired.

THE SOCKEYE SALMON

Mr. DILL. Mr. President, I ask unanimous consent to have published in the RECORD a radio address on the so-called Sockeye Salmon Treaty by Governor Roland Hartley, of Washington, at Seattle, Wash., Thursday evening, December 4, 1930.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Fellow citizens, I have come to KJR to-night to lay before you what I consider a very important matter—the so-called sockeye salmon treaty between the United States and Canada, which proposes to take from our people the control of one of the State's greatest natural resources—the salmon. Negotiations have reached a point where this treaty is before the United States Senate for ratification. After wide and thorough investigation, I am convinced that this treaty is not only highly objectionable, but a real menace to one of the State of Washington's greatest industries.

The importance of this great natural resource you will readily recognize when I tell you that the salmon industry on Puget Sound last year produced $11,000,000 to the State and that Washington produces more salmon than all the other States in the Union combined.

Foreseeing the importance of the salmon industry, our legislature many years ago created a department of fisheries within the State administration for the purpose of constantly aiding in the development and supply not only of salmon but all other food fish of the State's waters.

We have not only read but heard much untruthful propaganda in the last few years of the rapidly approaching extinction of the salmon industry on Puget Sound. Were these statements true, the conclusion would be that the State department, for which I am responsible, was not functioning properly or that necessary powers and appropriations had not been granted. This is not true. We have plenty of funds with which to operate and a flexbile authority which can quickly adjust itself to any emergency, necessity, or situation. In view of the unfavorable publicity and the stories of the depletion of our salmon, I consider it my duty to truthfully set forth the situation.

What are the facts? We have them. They are prepared by the department of fisheries, which for many years has maintained records accepted as authoritative by all those engaged in the salmon fishing and packing industry everywhere.

Had the depletion charge been made during the period from 1914 to 1921 there might have been some justification for the complaint, but, even in that period, it should be recalled that under the demands of Federal authorities for food during the war all restrictions on commercial fishing were temporarily abandoned.

At the close of the war, however, a new era for our fishing industry began. The State department of fisheries, composed of men with a real knowledge of the industry and the habits of the salmon, adopted effective cultural policies in the hatcheries, established closed fishing areas, and limited and closed fishing seasons, which corrective policies brought immediate results, as shown by the following table of the total pack of salmon on Puget Sound, the odd-year record being:

	Cases
1921	653,400
1923	758,138
1925	911,670
1927	892,244
1929	1,131,844

Thus, within a period of eight years, the salmon pack on Puget Sound, as a result of the constructive policies of the Department of Fisheries, has been increased 73 per cent. Few similar industries can show any such growth, and particularly is it a matter of congratulation for the citizens of the State of Washington that such a result should have been brought about without taxing any part of the cost of this development of the fisheries to our citizens. The entire expense of the program is carried by the industry itself, through license fees and the levying of a catch tax on every salmon taken in our waters.

Remember, this accomplishment is in the face of the damming of our spawning streams by hydroelectric plants and irrigation projects, the constantly increasing pollution of the rivers by the growth of population and industry, and the lowering of the efficiency of many spawning-bed streams caused by the removal of our forests.

Instead of this natural resource being greatly depleted, the reverse is conclusively shown to be true. With our salmon increasing in number and bringing more and more dollars to the State, this great industry contributes mightily to the prosperity of the entire Commonwealth.

The people of Washington, therefore, have just reason to be proud of the success of the State's administration of its salmon fisheries. Its methods have been demonstrated as successful, and realized in a much quicker time than it was dared to hope. Our citizens should appreciate and understand what has been accomplished, and should further know that every safeguard will be taken to insure the continuation of this development and the maintaining of the present exclusive jurisdiction in the control of this great natural resource.

The real facts being as stated, I have come to the conclusion that the articles—the propaganda—announcing the alarming depletion of our salmon, arise from inaccurate information, or are an attempt on the part of some one to deliberately misinform our citizens for some hidden reason, or, as is usually the case, for a personal monetary objective.

All of the articles seem timed and distributed to influence the ratification of the so-called sockeye salmon treaty, negotiated by the present Federal administration with the Dominion of Canada, and now before the United States Senate for consideration.

Under the terms of this treaty the salmon fisheries of the State of Washington, the only State affected, are to be taken from the jurisdiction of our citizens for a period of 16 years and placed in the hands of a joint commission representing the United States and Canada.

This treaty had been quietly and skillfully guided, including the ratification by the Parliament of the Dominion of Canada at Ottawa, before any hint of its proposed terms was made public in the United States or communicated to me as Governor of Washington or to the department of fisheries of this State.

This treaty, sugar-coated for our public with that hackneyed word "conservation," behind which so many of the people's rights are being taken from them, is presumed to give jurisdiction over only one species of salmon caught in our waters—the sockeye—but everybody with any knowledge of the salmon fishing or packing industry knows full well that it is absolutely impossible to take any effective steps regarding an individual species in any area without a complete assumption of jurisdiction over the entire industry, and that a dual authority over the salmon in Puget Sound would create conditions of absolute confusion and demoralization, which, in the end, would destroy the industry. A regulation by one authority that would be lawful might under the coordinate authority be unlawful, and in the last analysis lawful fishing would be impossible.

And again: What are the facts about the sockeye?

In 1929 the salmon pack on Puget Sound was 10 per cent sockeye and 90 per cent other species. In other words, recognizing the inability of the so-called sockeye salmon treaty to be administered without embracing a complete control over all species of Puget Sound salmon, are the people of this State to be deprived of their sovereign rights over one of our greatest natural resources? Are we to be deprived of effective jurisdiction over 90 per cent of the salmon caught in our own waters, the supply of which has been built up by our own proven methods, all for the sake of giving a joint Government board an opportunity to experiment with a species of salmon constituting only 10 per cent of the pack? Do not overlook the fact that this relinquished sovereignty can not be regained for a period of 16 years, irrespective of whether the treaty might accomplish anything or not.

The sole justification for the sockeye treaty is the depletion of that species. If there has been a depletion, what caused it? Was it the excesses or failure of the State of Washington to take sound and proper methods for its preservation? Not at all.

During the construction of a Canadian Government railroad in 1913, at Hell Gate on the Fraser River, a tremendous rock slide completely blocked the river to the sockeye salmon on their way to their natural spawning grounds.

This was not only a catastrophe to the sockeye salmon of the Fraser River, but to the salmon industry of Washington waters as well. Recognizing this at all times since, the Department of Fisheries of the State of Washington has been willing and anxious to contribute to the reestablishment of the sockeye species on the Fraser River, by the adoption of methods successful with other species in our State, and has offered substantial contributions toward the greater expansion of the sockeye salmon culture at the headwaters of the Fraser River.

To overcome a catastrophe of this kind nature requires time.

Since the catastrophe of 1913, the State of Washington, through its department of fisheries, has done everything rational in its power to allow an escapement of sockeyes that would gradually regenerate its former supply. We have established closed areas and closed seasons to aid the sockeye salmon in reaching their natural spawning grounds.

This is a general statement of conditions. From the viewpoint of the sockeye alone, let us again review the facts.

The fishing season of 1930 has just closed, and the pack of sockeye salmon on Puget Sound and on the Fraser River is approximately 450,000 cases—a greater pack than at any time since 1917. The condition of the spawning beds on the lakes of the upper waters of the Fraser River is better than at any time during the past 20 years, pointing to an unusually large run in 1934—perhaps a real reestablishment of the Fraser River supply.

No better example of the flexibility of the present State administration and control could be cited than the steps taken this year to insure the necessary escapement of the run of sockeye salmon, when the fisheries department of the State not only curtailed the season but also stopped fishing abruptly while the run was at its height.

As governor of this State, in protecting the rights of its citizens, I regard these facts as of dominating importance. What is the crisis, or the necessity, which suggests that the State of Washington relinquish its sovereignty over the principal fishing waters of the State, a field in which its activities have been most constructive and fruitful? What can a joint commission, or a Federal bureau, do better than the people of the State of Washington in the handling of this or any other natural resource of this State? Is the authority of the State to cease to exist, and is self-government to be destroyed?

This is a fundamental issue, and, as governor, I raise my voice in vigorous protest, and will use all the influence and power of my office to protect the people in their rights. I am old-fashioned

enough to believe in the fundamental principles of our form of government, and to insist on this State's right to govern its own people and control the property and resources within its own borders.

Another interesting phase of the question is this: There are engaged in the fishing industry and its accessories in Washington more than 25,000 citizens—property owners and taxpayers—who oppose invasion of the State's authority in the control of this industry.

As the sockeye salmon run in the waters of Puget Sound, and spawn on the lakes tributary to the Fraser River, the question is, What can be done to insure the run?

In my opinion, the answer is to extend the culture of the fish by increasing the size and number of the hatcheries on the Fraser River. The only question here involved is one of expense. Practical means should be found so that the sockeye run itself might participate substantially, as the pinks and others now do in Washington.

The only other condition is the protection of the fisheries after development; and might this not properly be left to the intelligence and self-interest of the State of Washington and the Province of British Columbia, leaving to the citizens of these respective Commonwealths the control and jurisdiction over their own resources and business?

The statement is made—I do not vouch for it—that the fishermen on the Canadian side of the line are as strongly opposed to the treaty and its bureaucratic control as are the fishermen of the State of Washington.

Now that the plan is understood, you well might ask, in view of what I have said, "Why the sockeye salmon treaty, and what are the influences which have brought this treaty to its present state, with the threatened invasion of the sovereign rights of the State of Washington to the point of elimination?"

My answer is, I do not know and I can not find out. There is no plausible and satisfactory explanation, and I am therefore urging our Senators to insist that this treaty be abandoned and the rights of our citizens protected, and shall communicate with the President, entering my protest as governor of the State, asking him to withdraw the treaty, as the information so far brought to my attention does not furnish grounds or warrant any such drastic procedure as the subordination of the rights and privileges and sovereignty of the State of Washington in this important industry.

In conclusion, fellow citizens, Congress is in session. This vital and important matter to this State is before the United States Senate for ratification. Lose no time in demanding of your Senators, JONES and DILL, the rejection of this treaty.

Good luck and good night.

RELIEF OF DROUGHT AND STORM AREAS

Mr. McNARY. I ask unanimous consent for the immediate consideration of Senate Joint Resolution 211, otherwise known as the drought-stricken-area relief measure.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The Senate proceeded to consider the joint resolution (S. J. Res. 211) for the relief of farmers in the drought and/or storm stricken areas of the United States, which had been reported from the Committee on Agriculture and Forestry with an amendment, on page 1, line 8, after the word "for," to strike out "work" and insert "live," so as to make the joint resolution read:

Resolved, etc., That the Secretary of Agriculture is hereby authorized for the crop of 1931, to make advances or loans to farmers in the drought and/or storm stricken areas of the United States, where he shall find that an emergency for such assistance exists, for the purchase of food, seed of suitable crops, fertilizers, feed for livestock, and/or fuel and oil for tractors used for crop production, and for such other purposes of crop production as may be prescribed by the Secretary of Agriculture. Such advances or loans shall be made upon such terms and conditions and subject to such regulations as the Secretary of Agriculture shall prescribe, including an agreement by each farmer to use the seed and fertilizer thus obtained by him for crop production. A first lien on all crops growing or to be planted and grown during the year 1931 may, in the discretion of the Secretary of Agriculture be deemed sufficient security for such loan or advance. All such advances or loans shall be made through such agencies as the Secretary of Agriculture may designate, and in such amounts as such agencies, with the approval of the Secretary of Agriculture, may determine. For carrying out the purposes of this resolution, including all expenses and charges incurred in so doing, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $60,000,000.

SEC. 2. Any person who shall knowingly make any material false representation for the purpose of obtaining an advance, loan, or sale, or in assisting in obtaining such loan, advance, or sale, under this resolution shall, upon conviction thereof, be punished by a fine of not exceeding $1,000 or by imprisonment not exceeding six months, or both.

The amendment was agreed to.

The VICE PRESIDENT. The joint resolution is before the Senate and open to amendment.

Mr. McNARY. Mr. President, yesterday, as chairman of the Committee on Agriculture and Forestry, I reported favorably from that committee on the provisions of this joint resolution. The report is in writing, and it covers largely the climatic conditions that obtained last summer and fall, as well as the physical situation. I ask that the report be read at the desk by the clerk.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The Chief Clerk read the report (No. 1165) submitted by Mr. McNARY on the 8th instant, as follows:

[Report to accompany S. J. Res. 211]

The Committee on Agriculture and Forestry, to whom was referred the joint resolution (S. J. Res. 211) for the relief of farmers in the drought and/or storm stricken areas of the United States, having considered the same, report thereon with recommendation that the joint resolution do pass with the following amendment:

On page 1, line 8, strike out "work" and insert in lieu thereof "live."

During the summer and fall months of 1930 the United States suffered the most severe and widespread drought in its history, with resultant heavy reduction in crop production, particularly of corn, hay, and forage crops. The drought also greatly depleted pastures, making it necessary for farmers to begin feeding their livestock much earlier than usual. As a result, farmers over a wide area will have difficulty in financing the feeding of livestock through the winter months and in obtaining seed and fertilizer for crop production in 1931. These conditions appear to justify the authorization of an appropriation by the Congress for food, seed, fertilizer, and feed loans along the line of previous legislation for drought and storm relief, except that the inclusion of food is an expansion of the relief acts heretofore passed by the Congress.

The drought of 1930 was most severe in an area extending from the Atlantic coast of Virginia and Maryland to southeastern New Mexico. This area included all of the States of Virginia, West Virginia, Maryland, Kentucky, and Arkansas; the larger part of Tennessee, Mississippi, Oklahoma, and Missouri; very considerable portions of Ohio, Indiana, Illinois, Texas, Louisiana, Alabama, and Pennsylvania; and small portions of North Carolina and Georgia. There was also severe drought over a very considerable area in Montana and smaller areas in Wyoming, North Dakota, and Washington.

As an indication of the severity of the drought, the average acre yield of corn in Virginia was estimated at 11.5 bushels, as compared with a 10-year average of 26.8 bushels, and that of hay at 0.6 ton, as compared with a 10-year average of 1.16 tons. In Maryland the average yield of corn was 15 bushels, as compared with a 10-year average of 39.4 bushels. In Ohio, only a part of which was seriously affected by drought, the average yield of corn for the entire State was 25 bushels, as compared with a 10-year average of 39.2 bushels, and that of hay 0.89 ton, as compared with a 10-year average of 1.37 tons. The State most seriously affected by the drought was Arkansas, with an average yield of corn for the entire State of 4.5 bushels, as compared with a 10-year average of 18.5 bushels, and cotton 111 pounds, as compared with a 10-year average of 167 pounds. Acre yields and total production of corn, hay, and cotton in several of the States seriously affected by drought are shown in the table which is inclosed. In Montana the average yield of wheat was 8 bushels per acre, as compared with a 10-year average of 12.1 bushels, and that of flax was 3.7 bushels, as compared with a 10-year average of 6 bushels.

The figures just given on crop yields indicate only a part of the serious loss incurred by farmers. Over much of the area practically no pasture was available for livestock after August 1, so that the feeding of hay and forage was necessary over a much longer period than usual. With greatly reduced production of hay and forage, farmers over a wide area have been compelled to buy large quantities of hay and feed or to sell a part of their livestock, or both. In many instances dairy and beef cattle have been sacrificed because of inability of farmers to buy feed. On many farms and in villages and towns the shortage of water has constituted a serious problem. This, again, has caused some farmers to sell their livestock. The depleted income of farmers from reduced crop production, coupled with the necessity of making unusual purchases of hay and feed, has exhausted the resources of many farmers in the drought area. Further, these farmers have not been able to repay money borrowed from banks and other agencies for crop production in 1930, and these local agencies will have difficulty in financing these farmers again in 1931. There would appear to be, therefore, greater justification for relief legislation this year by the Federal Congress than on any previous occasion. As the area involved is so very much greater than in any previous year when seed-loan legislation has been passed, it is believed that an appropriation of $60,000,000 will be necessary to make advances to farmers along the lines of such loans made in previous years and to meet the enlarged demands made essential by the provision to include food in the commodities that may be purchased.

Acre yields and total production

CORN

State	Average yield, bushels per acre			Production, bushels		
	1930	1929	1919–1928	1930	1929	Average, 1924–1928
Alabama	10.5	14.0	14.2	30,062,000	37,464,000	39,010,000
Arkansas	4.5	14.0	18.5	8,721,000	26,348,000	34,753,000
Illinois	25.0	35.0	35.6	251,400,000	311,500,000	326,691,000
Indiana	27.0	32.0	36.3	114,696,000	131,968,000	156,990,000
Kentucky	10.5	27.5	26.9	30,849,000	80,795,000	80,949,000
Louisiana	10.5	18.2	17.0	13,629,000	21,476,000	19,516,000
Maryland	15.0	36.5	39.4	8,115,000	19,162,000	21,064,000
Mississippi	11.5	20.0	16.2	20,298,000	35,300,000	31,628,000
Missouri	13.0	23.5	28.6	76,986,000	126,524,000	175,139,000
Pennsylvania	22.0	35.8	43.1	29,084,000	46,470,000	55,440,000
Ohio	25.0	36.5	39.2	90,602,000	128,407,000	132,495,000
Oklahoma	10.5	16.0	20.3	35,196,000	46,320,000	57,816,000
Tennessee	14.0	25.0	23.5	41,622,000	73,600,000	68,522,000
Texas	18.5	19.0	21.6	90,576,000	86,127,000	82,719,000
Virginia	11.5	29.0	26.8	17,676,000	44,138,000	41,546,000
West Virginia	13.5	31.5	33.5	6,129,000	13,892,000	15,649,000

TAME HAY

State	Average yield, tons per acre			Production, tons		
	1930	1929	1919–1928	1930	1929	Average, 1924–1928
Alabama	0.80	0.77	0.84	446,000	453,000	450,000
Arkansas	.70	1.05	1.16	434,000	631,000	638,000
Illinois	1.12	1.56	1.31	3,808,000	5,554,000	4,330,000
Indiana	1.00	1.63	1.28	2,054,000	3,517,000	2,701,000
Kentucky	.70	1.42	1.31	854,000	1,783,000	1,554,000
Louisiana	1.00	1.14	1.24	323,000	326,000	295,000
Maryland	.95	1.54	1.47	408,000	648,000	666,000
Mississippi	.97	1.26	1.19	416,000	559,000	478,000
Missouri	.99	1.34	1.26	3,317,000	5,211,000	4,384,000
Pennsylvania	1.50	1.49	1.42	3,670,000	4,280,000	4,548,000
Ohio	.87	1.64	1.57	2,546,000	5,009,000	4,298,000
Oklahoma	1.05	1.31	1.60	699,000	875,000	819,000
Tennessee	.93	1.32	1.19	1,281,000	1,872,000	1,542,000
Texas	1.05	1.13	1.33	715,000	744,000	689,000
West Virginia	.75	1.43	1.33	593,000	1,149,000	1,137,000
Virginia	.60	1.32	1.16	623,000	1,373,000	1,220,000

COTTON

State	Average yield of lint, pounds per acre			Production, bales		
	1930	1929	1919–1928	1930	1929	1928
Alabama	195	174	146	1,470,000	1,342,000	1,109,000
Arkansas	111	178	167	905,000	1,435,000	1,246,000
Louisiana	162	183	152	690,000	809,000	691,000
Mississippi	179	220	176	1,500,000	1,915,000	1,475,000
Oklahoma	115	126	153	960,000	1,143,000	1,205,000
Tennessee	159	217	182	405,000	515,000	428,000
Texas	118	108	135	4,175,000	3,940,000	5,106,000

Mr. FLETCHER. Mr. President, may I be permited to say that I notice from the report that Florida is not mentioned? I do not think the drought was very severe in Florida, but there are cetrain areas which were quite seriously affected, and I do not want this measure to pass without including Florida in whatever relief may be found necessary, if, indeed, it is discovered that there were serious losses and damage occasioned by drought or storm or flood in that State.

I have a communication from the agricultural agent in Jackson County calling my attention to the drought damage in that area of the State. So I think the words "small portions of North Carolina and Georgia" might well be broadened to include Florida. I wish to have that understood. If there are conditions there which bring those areas under the provisions of the joint resolution, I should expect them to be considered and included.

I will ask to have go into the RECORD this communication from the agent of Jackson County.

The VICE PRESIDENT. Is there objection?

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

COOPERATIVE EXTENSION WORK IN AGRICULTURE AND HOME ECONOMICS,
Marianna, Fla., November 29, 1930.

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I notice that a large sum is to be made available for farmers in the drought-stricken area for the purpose of financing the growers in making their 1931 crops. In reading the summary of States and counties I note that the west Florida area is missing.

I appreciate the fact that my county in particular produced more cotton than any year since 1914. It is to be remembered, however, that a good many of our farmers are not cotton growers, but livestock raisers. The exceedingly dry weather here caused many complete failures, and should such a fund be made available I am asking you to see that such growers are allowed to take advantage of this aid.

The demand will be small, but we have a certain class of growers who really deserve this aid. The needy ones can be assisted without extending this aid to all in general, providing the right committee is appointed to manage the same.

From past experience we find that this aid has come entirely too late to do the farmer the good it should, and we would appreciate Congress making these funds available for the grower as soon after the new year as is possible.

We will appreciate your efforts in our behalf and wish to assure you that your constituents will fully appreciate the efforts spent in their behalf.

Would appreciate hearing from you.

Yours very truly,

SAM ROUNTREE, *County Agent.*

Mr. McNARY. Mr. President, I have stated to the distinguished junior Senator from South Carolina [Mr. BLEASE] that there was no intention upon the part of the chairman of the committee, who prepared the report just read, to limit the application of the provisions of this measure. I think the geographical area which was primarily and most seriously affected is expressly stated; at least, that was my aim and purpose. If there is any portion of South Carolina, or Florida, or Idaho, or any other section of the country which needs this relief, since the joint resolution is general in its terms, upon a mere application the provisions of the measure would be considered in connection with such section.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. McNARY. I yield.

Mr. BARKLEY. There is also no limit as to the type of crop which may be included in the relief. Is not that correct?

Mr. McNARY. I so understand it.

Mr. BORAH. Mr. President, will the Senator yield?

Mr. McNARY. I yield.

Mr. BORAH. I have not seen the report on this matter until this morning, but naturally I would like to know by what means and from what facts the committee arrives at a conclusion as to any specific amount.

Mr. McNARY. If the Senator will bear with me patiently, I will discuss that very briefly.

Mr. BORAH. I hope the Senator will excuse me. I thought he was in the act of taking his seat.

Mr. McNARY. I think the report submitted and read at the desk covers the essential features which would be remedied by the joint resolution. Therefore I shall address myself to another phase of this problem in a brief way.

On the 2d day of December, the day after Congress convened, I introduced this joint resolution in the Senate. At the same time the distinguished leader on the Democratic side, the senior Senator from Arkansas [Mr. ROBINSON], introduced a joint resolution providing for the authorization of the same amount of money but with provisions somewhat dissimilar, more comprehensive, and not as much in line with the precedents heretofore established. On the same day the junior Senator from Texas [Mr. CONNALLY] introduced a bill almost exactly like that of the chairman of the Committee on Agriculture and Forestry, except that it provided for a direct appropriation rather than for an authorization.

Those three measures were referred to the Senate Committee on Agriculture and Forestry and hearings were had. At that time the committee voted unanimously to report out the joint resolution which is now under consideration by the Senate.

The day before the matter came to the Senate, as chairman of the committee I introduced another bill which had met with the approval of the Director of the Budget, namely, for $25,000,000, omitting the provision that advances could be made to purchase and distribute food. I may say that the committee frowned upon the measure because it did not believe the sum so authorized would give adequate relief.

The precedents upon which this joint resolution is based started in 1918, and in the intervening years a number of different bills have been passed similar to this measure, with the exception I shall mention in a moment. On the sums advanced by the Government to individuals 5 per cent interest has been paid by the beneficiaries of the loans. Of the amounts loaned, 81 per cent has been returned to the Government with interest.

In all those measures there was omission of the commodity of food. They provided for feed, seed, and fertilizer. This is the first measure in which food has been included. The committee thought there might be distress in the homes and believed that was just as much an object of relief as distress in the barn or out in the field and pasture.

It is my opinion that very little of this money would be used for the purchase of food. There might be instances where food would be as essential for saving life as putting seed in the hungry soil. It is my judgment that probably only a small amount of the money would be used for that purpose, but the committee thought they would give the Secretary authority to meet such a situation in the stricken region if he finds it proper so to do.

Furthermore, it must be said that this is but an authorization. It authorizes the appropriation of $60,000,000. Everyone familiar with procedure in the Senate and House knows that that does not necessarily mean the amount of money that actually will be expended. It must run the gantlet of the examination of the great Committee on Appropriations, and it must be submitted to the Director of the Budget. It has been the practice of the Congress, in taking care of any situation, to provide enough money, only expressing a principle, and not taking the money out of the Treasury unless there was an emergent situation.

I recall when a few years ago we prepared the farm marketing act the first bill called for an authorization of $250,000,000. By an amendment made on the floor $500,000,000 was inserted as an authorization. Until this date Congress has not appropriated more than half of that sum. If $60,000,000 should be authorized in this case, the Secretary of Agriculture would not expend more money than was needed to meet the situation, whether it was fifteen million or twenty-five million or sixty million. But the committee was unanimous in the thought that it was wise in establishing a generous principle to authorize a large sum of money in order to give relief which they thought the people in the stricken areas so much needed.

Mr. GEORGE. Mr. President——

The PRESIDING OFFICER (Mr. Fess in the chair). Does the Senator from Oregon yield to the Senator from Georgia?

Mr. McNARY. I yield.

Mr. GEORGE. Perhaps the Senator from Oregon can state just what proportion or percentage of the loans authorized in 1929 and 1930 were actually used by the Department of Agriculture; in other words, the first seed loans.

Mr. McNARY. I will answer only in a general way. All of the authorizations of Congress have been higher than the amounts of money actually expended to relieve distress.

Mr. GEORGE. And what portion of the loans in the Southeastern States in 1929 were repaid?

Mr. McNARY. Eighty-four per cent of them were returned. About $6,000,000 was authorized, and $3,900,000 was actually appropriated. These figures I present from memory, and they may be slightly erroneous.

Mr. President, I desire action, but I want to say just a word in response to the question propounded by the able Senator from Idaho [Mr. BORAH].

In August of the present year the President of the United States appointed a drought committee covering the stricken area. The governors of the States affected by the drought also appointed a committee. Those great committees called a conference, which met in Washington on the 20th day of October of the present year. That conference, representing all the States, made this estimate of the amount of money thought to be necessary to relieve distress in the States, and the $60,000,000 is the amount estimated to be required in all the States visited by the drought.

Mr. BORAH. Mr. President, my reason for asking the question was that the Senator from Arkansas [Mr. ROBINSON] in his statement before the committee said:

> The President set up in the various States affected by the conditions about which we are speaking committees composed of men of outstanding character and ability. As I understand it, those committees met, or their representatives, in the city of Washington just before the beginning of this session, and they made a report to the effect that after a somewhat careful survey they had found that $60,000,000 was required for the purposes of section 1.

Do I understand that the committee which the President appointed, or caused to be appointed in the different States, met in Washington and, after a survey, recommended the appropriation of $60,000,000?

Mr. McNARY. That is exactly the statement of the chairman. This committee met again on the 20th day of November and set forth by a resolution the general principles they wanted to have enacted into law, but omitted the specification of any aggregate sum.

Mr. BORAH. They did not modify their former statement?

Mr. McNARY. Not at all.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from Oregon yield to me?

Mr. McNARY. I yield.

Mr. ROBINSON of Arkansas. Let me explain to the Senator from Idaho and to other Senators who may be interested in the subject that this estimate was not carelessly or hastily made. The State chairman in the State of Arkansas procured the services of agents, who went very carefully through the State, investigated conditions, and made an estimate upon the basis of an actual investigation. I think the same course was pursued in other States, although I am not so familiar with what was done outside of the State of Arkansas. A more or less scientific estimate was made in Arkansas, and as a result of the combination of the investigations and conclusions, this recommendation for $60,000,000 was made.

Mr. BORAH. Mr. President, may I ask a question of the Senator from Arkansas? I do not wish to take the Senator from Oregon from the floor.

Mr. McNARY. I yield to the Senator for that purpose.

Mr. BORAH. I would like to ask whether the report made by the committee referred to was in writing?

Mr. ROBINSON of Arkansas. I do not think so.

Mr. McNARY. The resolution is found in the report on the Senator's desk. That resolution was passed in November, but does not specify the amount they agreed upon, $60,000,000, which was agreed upon at a meeting a month earlier.

Mr. BORAH. Did the committee pass a resolution at their meeting in October in which they specified that they thought that $60,000,000 was necessary?

Mr. McNARY. If so, it was not in the possession of the department. But the President appointed the Secretary of Agriculture as chairman of the committee. He in turn appointed Doctor Warburton, who is the head of the Extension Service, as the secretary of this great conference. Doctor Warburton is authority for the statement that they agreed upon $60,000,000.

Mr. SWANSON. Mr. President, will the Senator from Oregon yield?

Mr. McNARY. I yield.

Mr. SWANSON. I understand that when the committee met they were unanimous in recommending $60,000,000. That was not put in the resolution. It was the Secretary of Agriculture, I think, who suggested that the amount they agreed upon should not be named in the resolution.

I wish to say in this connection that as far as Virginia was concerned, the work of preparing the estimate was done

accurately, scientifically, and thoroughly. Former Governor Byrd, of Virginia, was chairman of the drought relief committee for the State. He gave a great deal of time to the matter. He appointed a committee in each county, and the chairman in each county made a thorough investigation as to the situation, as to the crops, as to the individuals he thought would need relief, and the extent of the distress. Governor Byrd assures me that Virginia will need at least $5,000,000 as a minimum in order to even halfway take care of the situation there.

Virginia has been afflicted, I think, more than any other State in the Union. The conditions in many portions of Virginia are really worse than they were immediately following the Civil War. It is impossible to exaggerate the extent of the distress, the failure of all kinds of crops there. The crop of vegetables, wheat, corn, nearly every kind of crop there, has been a failure.

It is a wretched condition. The people are in need of relief, and in need of it quickly. If this measure is not passed by January, so the people can prepare for their crops and get seed and get all the ingredients necessary to make a crop, the condition next year also will be very bad. I am satisfied from what Governor Byrd has written me that $60,000,000 is a conservative estimate of the extent of the distress which needs immediate relief and I hope the measure will promptly pass.

Mr. McNARY. The joint resolution provides that the Department of Agriculture shall exercise its discretion, and we know it will do so according to its best judgment. It is not for the Secretary of Agriculture to purchase food to distribute among these people, but he may loan money to them for the purpose of buying food, seed and feed, and so forth, and take a mortgage upon the growing crop, which the provisions of the resolution say may be sufficient security.

With that short statement I shall be content to submit the matter to the consideration of the Senate.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Utah?

Mr. McNARY. Certainly.

Mr. KING. I wish to ask the Senator if the recommendation has not been made, either by the President or Secretary Hyde, that $25,000,000 is all that is required for this purpose?

Mr. McNARY. Yes; I so stated.

Mr. KING. I was called from the Chamber momentarily and did not hear all of the Senator's statement.

Mr. McNARY. On the 4th day of December I introduced a bill embodying the views of the Director of the Budget and the Department of Agriculture, calling for $25,000,000 and omitting the commodity food.

Mr. KING. Does the Senator believe that the difference between $25,000,000 and $60,000,000 is justified by the amount which will be probably appropriated or used for food purposes?

Mr. McNARY. I think they bear no relation one to the other.

Mr. KING. The Senator thinks that the facts are of such character as to call for a much larger appropriation than that recommended by the President?

Mr. McNARY. I do not know what the appropriation will be. I am discussing the proposed authorization. Whether it is $60,000,000 or $25,000,000 that will be needed, I do not know. It may be that $20,000,000 will do it, but I propose, so far as my vote is concerned, to clothe the Secretary of Agriculture with sufficient authorization and power to relieve these distressed people.

Mr. BORAH. Mr. President, it is probable that the amount specified here is necessary. The only thing I am interested in is to know upon what facts the committee relied to have the particular amount included in the joint resolution. I do not find any report from the committee or a report from anyone else indicating the different items which constitute this amount. I presume when we come to make the actual appropriation undoubtedly those things will be at hand. I certainly hope so.

Mr. CARAWAY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Arkansas?

Mr. BORAH. I do.

Mr. CARAWAY. While there is nothing in the resolution passed by the committee which met here in Washington, yet individual reports and estimates from the various States were published in the RECORD some days ago. I am talking now about the amount necessary and the purpose for which it is to be used. For instance, in my State a conservative estimate called for $12,000,000 for that State alone. In other words, there are 81,000 families who are practically destitute. I do not think the Senator could have any conception of the condition that actually exists in some of the States. There are fields which have been cultivated as usual and the amount of corn produced from them would not feed for a single month the horses that made the crop. What we are pleased to call "cash crops" were likewise an utter failure.

As I said, using the language of the gentleman who was chairman of the relief committee in Arkansas and who is a man of large business experience, possibly the largest of any man in the State, $12,000,000 will be required in that State unless the Lord or the Red Cross takes care of the people, and he seemed to be somewhat doubtful about the Red Cross being available. If the Senator will go over the various reports from the various States, he will find that $60,000,000 is a reduction of about 50 per cent in the estimate of each State in order to give the very lowest possible figure.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Kentucky?

Mr. BORAH. I yield.

Mr. BARKLEY. I wish, in a general way, to corroborate what the junior Senator from Arkansas [Mr. CARAWAY] said by simply referring to the situation in Kentucky. The chairman of the drought committee appointed for Kentucky is an outstanding business man. There were no political considerations whatever that played any part in the appointment of the committees, either in the State or the counties. Out of 120 counties in the State of Kentucky a drought-relief committee was appointed in 103 counties, and up until the day when the Committee on Agriculture and Forestry had its hearing last Friday, 65 of those counties had reported that they had made a systematic survey and found that an average of 425 families in each county where a report had been made to them need the farm-loan relief, which is provided for in the joint resolution. They recommended a minimum of $10,000,000 for the State of Kentucky as the amount necessary.

The Farm Bureau Federation, which, as the Senator knows, is a permanent organization and not created for the temporary purpose of looking into the present drought situation, but which has existed previously in Kentucky and other places over a period of many years, estimated that based upon their survey through their local farm-bureau federations it would require $18,000,000 in the State of Kentucky.

In my State the drought has existed from last April until the present time. There are large areas in Kentucky where the farmers are hauling water now for the purpose of watering their stock, because the soil is so dry that the rains which have occurred have been soaked up by the parched soil, and there has been no accumulation of water in the branches and creeks and ponds out of which they ordinarily water their stock. As early as last April when I was in Kentucky the farmers were complaining of the dry weather. They had difficulty in the planting of crops and as a result their reports show that, comparing 1929 and 1930, the production of tobacco is as 27 to 10, showing the effect of the deadly drought upon the planting of the crop. Based upon the knowledge which I have of conditions in my own State, I am sure that even if Congress should appropriate the entire $60,000,000 it will be no more than is needed.

Mr. BORAH. Would the fact that the joint resolution includes food, and so forth, and the Budget bill did not in-

clude food, make the difference between $25,000,000 and $60,000,000?

Mr. BARKLEY. It is difficult to say how much difference it would make. It might depend upon the size of the families, taking the individual families, and also the number of stock that would be fed by the feed. But I am unable to reconcile my idea of drought relief with merely furnishing feed so that a farmer may carry his stock through the winter in order that he may plant his crops in the spring and at the same time leave his family without any food. I understand the Senator from Idaho does not take that position. I do not know whether the additional $35,000,000 will be necessary or not, but personally I do not think that $25,000,000 would be sufficient, even eliminating the question of food.

Mr. HEFLIN. Mr. President, I want to say to the Senator from Idaho [Mr. BORAH] that my own theory is that this amount will not be sufficient. The commissioner of agriculture of my State, who has made a very careful survey of the entire situation and who is probably better informed than anybody else in the State on this subject, has written to me that he believes that $10,000,000 could be used in Alabama and then not cover the entire situation.

Mr. ROBINSON of Arkansas obtained the floor.

Mr. LA FOLLETTE. Mr. President, will the Senator yield before he proceeds?

Mr. ROBINSON of Arkansas. Certainly.

Mr. LA FOLLETTE. I should like to ask the chairman of the Committee on Agriculture and Forestry if he can state how much the estimates submitted from the various States have been reduced to arrive at $60,000,000, and upon what theory were the reductions made?

Mr. McNARY. I had hoped I made myself clear earlier when I stated that the conference held in October in Washington of representatives of the various States affected had reached the conclusion after an all-day session that it would require $60,000,000 to meet the unfortunate condition. When the matter was submitted to the Director of the Budget on the 2d day of December he sent a bill to the chairman of the committee eliminating the commodity food and reducing the amount to $25,000,000. I am not prepared to state what the Director of the Budget had in mind. There are no facts before the committee. I am willing to trust the amount of the authorization to those who were representing the States at the conference.

Mr. LA FOLLETTE. If the Senator from Arkansas will permit me further——

Mr. ROBINSON of Arkansas. Certainly.

Mr. LA FOLLETTE. The junior Senator from Arkansas [Mr. CARAWAY] stated that the various States affected by the drought had made estimates of the amount of money that would be necessary in order to afford adequate relief to the people living in the drought-stricken areas. As I remember it, he said that $12,000,000 would be needed in Arkansas. The Senator from Kentucky [Mr. BARKLEY] stated an estimate from his State of $10,000,000. The Senator from Alabama [Mr. HEFLIN] then stated that the estimate from his State was likewise for the sum of $10,000,000. If that be true, we find that the estimates made by the people most familiar with the situation from only three States would absorb $32,000,000 of the $60,000,000 fund.

The point in which I am interested, not being a member of the committee, is upon what theory or upon what formula the estimates of the various States as to the amount required were reduced from the total which they considered would be required to the $60,000,000 as contained in the measure now before us.

Mr. ROBINSON of Arkansas. Mr. President, while I am not a member of the committee, I think I can answer the question to the satisfaction of the Senator from Wisconsin, although I did not understand him to be addressing the question particularly to myself.

Mr. LA FOLLETTE. I am addressing it to anyone who can answer it.

Mr. ROBINSON of Arkansas. What happened was that the President suggested that each of the States vitally affected by the drought problem should constitute committees with an organization in the various counties and townships so as to make certain that a proper and accurate survey, as nearly as could be made, would become available.

That course was followed, and, as I said a few moments ago, in the time of the Senator from Idaho, what might be termed a scientific investigation was made. There was no legal basis for determining just what expenditures or advances would be required, and at last the element of estimate necessarily entered into it.

When the chairmen of the respective State committees met in Washington, they put together their estimates and agreed upon a total sum which they felt would be adequate for the purposes contemplated by the joint resolution of the Senator from Oregon [Mr. McNARY]. That sum aggregated $60,000,000. Sixty million dollars, in my judgment, would not fully meet the requirements of a sympathetic administration of the provisions of this joint resolution, although it is a liberal allowance, in view of the course that the matter has taken.

I pass now to a discussion for just a moment of the attitude of the Secretary of Agriculture. It is, of course, of primary importance that the agency constituted by the joint resolution to administer it shall be reasonably sympathetic with its purposes. I have no disposition whatever to question the Secretary of Agriculture as meeting that essential qualification, but it is rather peculiar to me that the member of the Cabinet who had acted as the general chairman of the committees that made this investigation, who took their procedure under his supervision, in a sense, should find it necessary to attempt to influence the action of the Congress touching the legislation by the issuance of a statement opposing their finding, which statement I shall show before I take my seat is based on wholly and singularly mistaken assertions.

Assuming that the Associated Press report of the statement, which, by the way, has already been referred to by others, is correct, I shall point out some of the features reflecting the Secretary's attitude which has a direct relationship to the amount to be carried in the joint resolution. The Secretary is very decisive in his opinion that those precedents which have limited appropriations to supply seed for sowing and feed for livestock shall be followed in this case, and in the statement makes reference to those precedents, declaring that to depart from them would occasion some mysterious but very great danger. He states or is quoted as stating:

> To include loans for human food in the Federal drought relief bill would remove occasion for an increase in the highway work in the States.

If that statement originated from any less reputable source, I should feel myself at liberty to characterize it as silly. Anyone who has the slightest familiarity with the operations usually carried on by farmers must know that a mere provision giving the farmers work during the winter season when they are not engaged in producing their crops, a provision enabling them to work on the highways and to earn a sufficient amount to live upon during that time, would not meet the requirements of the crop-producing season when the farmer must go into his field and plant and cultivate his crops. It is necessary, of course, to give him employment during the winter months, if it can be done, so that he and those dependent upon him may not experience distress and suffering; but to do that only would be wholly inadequate, because it is even quite essential to assist him to carry on after the winter season shall have passed.

The situation in the area affected by this proposed legislation is different from any that has ever occurred heretofore, at least within my memory. There exist no available sources of credit for the ordinary farm producer in those regions. Half the banks are in receivership already; few banks can make loans or advances to enable farmers to produce crops. Back of that situation, with respect to banking, is a similar condition relating to the merchants of the country.

The farmers, having been unable because of an almost complete crop failure in some sections to meet their bills, the merchants are unable to meet their obligations and are

also finding it impossible to procure the means with which to make advances during the approaching season. If I took this entire day, and exhausted all the language at my command, I should still leave an inadequate picture of the misery, the desolation, and the suffering that exist in many sections within the drought area.

In another part of the statement to which I have alluded the Secretary refers to the precedents confining appropriations of this character to the purchase of seed and feed and fertilizers; and he seems to think there is something grossly abusive about authorizing the purchase of food. He refers to the dole. It is all right to put the mule on the dole, but it calls for condemnation to put the man on an equality with the mule.

If there existed sources of credit which could be drawn upon in this emergency, the pending joint resolution would not be presented; it would not be asked for, for these people, in spite of their desperate situation, are a proud and honorable people. They do not ask charity. There are, of course, many cases where charity necessarily is being dispensed through the Red Cross, but the Red Cross is not reaching, and it can not reach, a major percentage of the cases where relief is really required. The Red Cross is doing a great work, but the majority of these citizens seek the opportunity to work; they want the opportunity to earn their living. They are not mendicants, and they do not wish to be placed in that class. If we make them loans or advances, with or without security, and the results of their labors in the production of a crop are successful, they will pay back these loans, and those who are so greatly distressed about depleting the Treasury of the United States will have their anxiety relieved.

As an illustration of the singular attitude of the Secretary regarding precedents, I want to call to the attention of the Senate an act which Congress passed for the relief of the distressed and starving people of Russia, approved December 22, 1921. I will read following the enacting clause, but will ask that the entire act may be printed in the RECORD.

The VICE PRESIDENT. Without objection, the act referred to will be printed in the RECORD.

The act referred to is as follows:

[PUBLIC, NO. 117, SIXTY-SEVENTH CONGRESS]

[H. R. 9548]

An act for the relief of the distressed and starving people of Russia

Be it enacted, etc., That the President is hereby authorized, through such agency or agencies as he may designate, to purchase in the United States and transport and distribute corn, seed grain, and preserved milk for the relief of the distressed and starving people of Russia and for spring planting in areas where seed grains have been exhausted. The President is hereby authorized to expend or cause to be expended, out of the funds of the United States Grain Corporation, a sum not exceeding $20,000,000, or so much thereof as may be necessary, for the purpose of carrying out the provisions of this act: *Provided*, That the President shall, not later than December 31, 1922, submit to the Congress an itemized and detailed report of the expenditures and activities made and conducted through the agencies selected by him, under the authority of this Act: *Provided further*, That the commodities above enumerated so purchased shall be transported to their destination in vessels of the United States, either those privately owned or owned by the United States Shipping Board.

Approved, December 22, 1921.

Mr. ROBINSON of Arkansas. Mr. President, I wish to comment on this paragraph of the act:

That the President is hereby authorized, through such agency or agencies as he may designate, to purchase in the United States and transport and distribute corn, seed grain, and preserved milk for the relief of the distressed and starving people of Russia and for spring planting in areas where seed grains have been exhausted.

The language there, of course, may be questioned from a grammatical standpoint. The milk was not intended for "planting purposes"; the milk was intended to feed starving Russians, men, women, and children. In that case the Congress of the United States appropriated $20,000,000 to be spent in a foreign land for the benefit of people who neither owed nor recognized allegiance to our flag.

Mr. GLASS. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Virginia?

Mr. ROBINSON of Arkansas. I yield to the Senator.

Mr. GLASS. At this point may I call the Senator's attention to the fact that I hold in my hand an act approved February 25, 1919, passed upon the explicit and urgent recommendation of the then Food Administrator, Mr. Herbert Hoover, appropriating the sum of $100,000,000 to feed the starving people of Russia and contiguous nations abroad. I ask that the act to which I have referred may be printed in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

The act referred to is as follows:

[PUBLIC, NO. 274, SIXTY-FIFTH CONGRESS]

[H. R. 13708]

An act providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, German-Austria, Hungary, Bulgaria, and Turkey, as may be determined upon by the President as necessary

Be it enacted, etc., That for the participation by the Government of the United States in the furnishing of foodstuffs and other urgent supplies, and for the transportation, distribution, and administration thereof to such populations in Europe, and countries contiguous thereto, outside of Germany, German-Austria, Hungary, Bulgaria, and Turkey: *Provided, however*, That Armenians, Syrians, Greeks, and other Christian and Jewish populations of Asia Minor, now or formerly subjects of Turkey may be included within the populations to receive relief under this act, as may be determined upon by the President from time to time as necessary, and for each and every purpose connected therewith, in the discretion of the President, there is appropriated, out of any money in the Treasury not otherwise appropriated, $100,000,000, which may be used as a revolving fund until June 30, 1919, and which shall be audited in the same manner as other expenditures of the Government: *Provided*, That expenditures hereunder shall be reimbursed so far as possible by the Governments or subdivisions thereof or the peoples to whom relief is furnished: *Provided further*, That a report of the receipts, expenditures, and an itemized statement of such receipts and expenditures made under this appropriation shall be submitted to Congress not later than the first day of the next regular session: *And provided further*, That so far as said fund shall be expended for the purchase of wheat to be donated preference shall be given to grain grown in the United States.

Approved, February 25, 1919.

Mr. ROBINSON of Arkansas. Yes; there are precedents. It is right to go into the Treasury of the United States to feed those in distress in foreign countries, but, from some mysterious and inexplicable process of reasoning, it is wrong to give to our own citizens relief from funds which they have contributed to the Treasury of the United States. Unless I am mistaken, the President, whose experience in matters of relief is known throughout the world, was the distributor of this relief. However lacking in information the Secretary of Agriculture may have been, the President knows that when famine has threatened a foreign country the United States has been quick to take the money of our citizens and give relief.

It is not a forceful argument even to those who have no comprehension of what is really occurring in our own country, it is no argument to those who may be indifferent to the misfortunes or calamities of their fellow beings, to say that because sometimes the Government has restricted funds appropriated for the benefit of its own people to the purchase of seed and feed, while on other occasions it has distributed food with a lavish hand in foreign lands, we must follow the narrow precedent with respect to our own people, and be more generous to those of other countries.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. ROBINSON of Arkansas. I yield.

Mr. LA FOLLETTE. I have not had the advantage of reading the Secretary's statement, but I should be interested to know upon what theory he comes to the conclusion that the fact that food relief is provided in this joint resolution would make it unnecessary to construct public highways.

Mr. ROBINSON of Arkansas. I have discussed that matter. I think he discloses his lack of understanding of the problem. The highway proposition is to give employment in the construction of farm-to-market roads, roads into rural communities, during the winter season, before the crop season begins. The two measures supplement each other, and neither can properly be said to be completely effective without the other.

Mr. BLACK. Mr. President, I send to the desk and ask to have read a telegram just received from the commissioner of agriculture of Alabama.

The VICE PRESIDENT. Without objection, the telegram will be read.

The legislative clerk read as follows:

MONTGOMERY, ALA., *December 9, 1930.*

Senator HUGO BLACK,
Senate Office Building:

The administration proposes hundreds of millions for relief of industrial unemployment and opposes sixty millions for agriculture. Agriculture is only asking a 10 months' loan with interest, which will be repaid and be available for other appropriations. Sixty millions entirely too small. Should be a hundred millions.

SETH P. STORRS,
Commissioner of Agriculture and Industries.

Mr. RANSDELL. Mr. President, I wish to read first a telegram from Hon. B. F. Thompson, chairman of the drought-relief commission of my State of Louisiana. It is dated December 3 and addressed to me:

May I ask your earnest support of drought-relief measure now under consideration in both Houses of Congress? Condition caused by drought is serious in central north Louisiana. Farmers in that section must have help outside and beyond local resources to carry on next year.

Then, in a letter dated the same day, he elaborates a little on that idea. The letter is from him at Alexandria, La., and is dated December 3:

The bill as introduced, calling for $60,000,000, was indorsed by representatives of 21 States, comprising the drought area of the country. This measure has the support of the administration, and, representing Louisiana as chairman of the drought-relief committee, I felt that I could pledge the support of the entire Louisiana delegation, as this is a nonpartisan, nonpolitical measure.

I could not describe the conditions in the hill sections of Louisiana worse than they are; and, as stated in my telegram, these people must have help from outside sources. It is my opinion that help available by the passage of the present considered measure will be more helpful to our people than any other source.

It has been my earnest desire to avoid asking charity or a dole.

I also hold in my hand a letter from Hon. W. B. Mercier, director of extension of the University of Louisiana. It is from Baton Rouge, dated the 3d day of December. Among other things, it says:

Almost half of our parishes, as you know, are in dire distress, and there are thousands of people that if they can not receive relief from some source will not only suffer but will be forced off of the farms, and we think this would be disastrous. We think practically all of them do not want to be objects of charity, but want temporary relief that will give them an opportunity to get back on their feet.

Our organization has done everything possible to relieve the situation in the distressed territory, and, of course, will continue to do so. We feel that it is urgent that Congress take action on this measure as soon as practical, in order to let the relief committee know what the people may expect.

Mr. President, I do not know that I can add anything to the remarks already made by other Senators from the stricken regions. I assure you, sir, that the people of Louisiana—and I believe that is true of all the people of the drought and storm stricken areas—are not mendicants before the American Congress. They are not here asking charity; but they are asking for what they believe they have a right to ask—an extension of credit to assist them in tiding over a situation due to no fault of their own.

These storms and droughts were acts of the Creator of the Universe. They are entirely beyond the control of the local people. And when they have been made to suffer as they are now suffering and must suffer unless relieved by some one, upon whom can they call for relief better than the National Government?

As explained by the Senator who has just spoken, we were liberal with our assistance to the stricken people of foreign countries. We have in the past ofttimes helped people in distress; and now surely we can come to the relief of our own people when it is a wise thing—not only a beneficial thing to them but extremely wise from every viewpoint of the political economist—to help these people help themselves.

I assure you, Mr. President and Senators, that in my humble opinion if you give the desired relief in the way of loans to the farmers of the stricken regions of Louisiana you will lose a very small percentage of these loans. These people are not asking gifts. They are asking credit to assist them make and gather crops during the next cropping season, 1931. If some one does not assist them, as stated in this letter of Mr. Mercier, they will be forced to abandon their homes. Many of them will then become public charges. Their farms will grow up in weeds, and the terrible burden of unemployment which is so unfortunately prevalent throughout the Nation at the present time will be greatly aggravated. I see no reason on earth against this proposition but every reason in favor of it.

There is a dispute as to the amount that is needed. Let me remind the Senator that the pending joint resolution is not an appropriation. It is merely an authorization for an appropriation, not to exceed $60,000,000, for this purpose. Suppose we pass the joint resolution. I imagine the first act of the Appropriations Committee will be, let us say, to appropriate and make immediately available $30,000,000, one-half of this sum. Congress will remain in session until the 4th of next March. Later on, as the Secretary of Agriculture ascertains that he needs the full amount of $60,000,000, he will ask for it. It is in his discretion, and after the appropriations are made he is not forced to spend the money unless he finds it necessary. But it certainly would be most unfortunate for Congress to authorize less than the amount which this committee, representing 21 States, said was necessary.

I hope there will be not a single vote against this measure, which in my judgment is one of the most timely and best that has recently been presented to this body.

Mr. JONES. Mr. President, just a word.

In the various reports that I saw in the papers from time to time the State of Washington was not mentioned as one of the drought-affected States. I am glad, however, to see that the committee in its report takes cognizance of the situation in that State. There are about 500,000 acres in the central northern part of the State of Washington devoted to wheat raising that have had the most severe drought this year, I think, in the history of the State. It is absolutely essential that provision shall be made by which the settlers there may have relief.

I have introduced a bill authorizing the appropriation of a million dollars. I find that that is probably not enough to take care of the nearly 500,000 acres affected in the drought area. I feel confident, however, that if the needs there should show that $1,500,000 should be used to secure the necessary seed and take care of the situation that amount will be set aside for the purpose.

Mr. President, I have here a resolution passed by the Chamber of Commerce of Spokane which sets out very clearly the situation, giving the names of the counties which are affected. I ask that the letter from the president of the chamber of commerce and the resolution be printed in the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

SPOKANE CHAMBER OF COMMERCE,
Spokane, Wash., December 3, 1930.

Hon. WESLEY L. JONES,
United States Senate, Washington, D. C.

MY DEAR SENATOR JONES: I am inclosing copy of a resolution adopted by the agricultural bureau of the Spokane Chamber of Commerce and approved by our executive committee, calling attention to the need for relief in the drought-stricken areas of central Washington.

I know it is not necessary really to call this to your attention, because it is a matter you are already well informed on and, I am advised, have introduced a bill calling for $1,000,000 to relieve this situation.

We are informed by the authorities at Washington State College, who have made a very careful investigation of the situation, that it will require a minimum loan of $1,500,000 to meet the needs of the farmers in this territory.

We appreciate what you have already done in the matter, and I am simply sending you this resolution that you may use it in any way you see fit to help to support the fight you are making.

Please let us know if we can do anything to give you additional support.

I am writing to all members of the Washington delegation, as well as to Senator McNARY and the Secretary of Agriculture.

With hearty good will and best wishes, I remain,

Faithfully yours,

B. H. KIZER, *President.*

Resolution

Whereas, owing to the severe and damaging frost in May and June, 1930, with hot and unprecedented dry weather following, different districts in the Big Bend country experienced an unprecedented crop failure so that in many instances farmers are without the necessary seed and feed to plant their acreage now in summer-fallow this coming year; and

Whereas this condition affects in the various districts about 700 farmers, with an estimated acreage of 450,000 acres of summer-fallow to be seeded, and affecting also an estimated population of from 5,000 to 6,000; and

Whereas we realize that help must be given these farmers if they are to plant this large acreage in crops this coming year and also be enabled to prepare a like acreage of summer-fallow during the season of 1931, and that if no relief will be provided the various districts will without doubt become depopulated and different farms which are now under cultivation will lay idle, and all work and efforts in building up the country for the last 30 years will be wasted: Now, therefore, be it

Resolved by the assembled delegates of Adams, Grant, Douglas, Lincoln, and Franklin Counties, State of Washington, That we request congressional action in behalf of loans to needy farmers in the drought-stricken areas of Washington for seed, feed, and operating expense necessary to plant the crop of 1931 and summer-fallow, and that copies of this resolution be forwarded to the President of the United States, the United States Senators and Congressmen from the State of Washington, and to the United States Secretary of Agriculture.

Mr. HARRIS. Mr. President, I offer an amendment to the joint resolution.

The VICE PRESIDENT. The Senator from Georgia offers an amendment, which will be stated.

The LEGISLATIVE CLERK. On page 1, line 5, after the word "stricken," insert the words "or other agricultural," so that it will read:

To make advances or loans to farmers in the drought and/or storm stricken or other agricultural areas.

Mr. HARRIS. Mr. President, I am afraid that under the present wording of the joint resolution people in States like Georgia and other States would get no relief. Last year, when we made an appropriation to help the farmers get seed and fertilizer in the several States, 90 per cent of the loans made were paid by those assisted. The appropriation called for by the pending joint resolution would help the people of Georgia and other States tremendously. It is absolutely necessary for them to have some assistance on account of low prices of cotton and other farm products.

We should be trying not only to help in the drought-stricken areas, but to assist in every section of the United States, and unless the measure is amended in the way I have suggested, farmers in States like Georgia will not be able to get very much in the way of help.

There are some Senators who differ from me about this matter, but it seems to me that under the wording of the resolution as it is now before the Senate, many farmers who are in great financial distress can get no assistance from this appropriation.

Mr. McNARY. Mr. President, I am not clear about the interpretation of the language suggested in the amendment. We are trying to limit this measure to the drought and storm stricken areas of the country, and not attempting to meet financial depression which might exist on account of low price levels of agricultural commodities. Is that what the Senator is attempting to do?

Mr. HARRIS. No matter what condition brought about the suffering and financial depression of the farmers, I think such a measure as this should include all of them, all those who are suffering, regardless of what brought about their depressions.

Mr. McNARY. Regardless of whether it is a storm-stricken area or whether it is a drought-stricken area?

Mr. HARRIS. Yes.

Mr. McNARY. The Senator wants this measure to take care of the distressed financial condition of farmers in all the States where they need it?

Mr. HARRIS. Wherever they can not get assistance from their own merchants or bankers.

Mr. McNARY. I sincerely hope that such an amendment will not go on the joint resolution, because if it does and is kept there it will kill the measure.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Georgia [Mr. HARRIS].

The amendment was rejected.

Mr. GLASS. Mr. President, I think I have a reasonably consistent record against a great many measures of so-called farm relief which I regarded as unsound economically and ineffective of their purpose.

On this particular measure I feel constrained to say that, beyond all question of controversy, there is real necessity for relief of the drought-stricken areas of the country. We have had so many proposals for farm relief that the Senate naturally may be rather indifferent to any suggestion presented, and I am moved to give in a word my own observation and personal experience in testimony of the necessity for some relief.

In Virginia it is computed that at least $5,000,000 will be required to relieve the situation there. I am not disposed to quarrel with the Department of Agriculture about its estimates ordinarily, but I am disposed to accept the estimates of men like former Governor Byrd, of Virginia, who is severely practical in the discharge of all his public functions, and sane upon matters of public policy. For that reason I am going to accept his estimate and that of his colleagues rather than that of the Secretary of Agriculture.

It happens that I own and conduct a farm of 437 acres in Virginia. Last year I produced approximately 50 tons of alfalfa hay in excess of my requirements, the requirements of a large dairy establishment and stock farm. This year, with the absence of rain consecutively for four months, I did not produce a pound of hay on my 437 acres. I did not gather enough apples from my orchard to make a quart of cider. There was not a peach on one of the trees. We had no fruit; we had no farm produce of any description.

Had I been farming for a livelihood I would be a pauper. As it was, I was compelled to sell my herd of high-bred Jersey cattle at public auction in order to avert the necessity of buying high-priced feedstuffs through the winter for them. Had a farmer, undertaking to live on his farm, been compelled to do that, it would have been a total loss to him.

There prevailed all through the valley of Virginia and all through piedmont Virginia, extending down almost to the sea, a situation paralleling that in my immediate neighborhod which I have described. Therefore I know from actual personal experience and observation that there has been this providential affliction of the people, and that this proposal of relief is not only practical but merciful, and while I expect to vote against many of the extravagant proposals which have been made which would involve the Federal Treasury almost in bankruptcy, this is one item of expenditure which I feel constrained to support with my vote.

Mr. DILL. Mr. President, a few moments ago my colleague [Mr. JONES] spoke about the conditions in the State of Washington. I do not care to take any excessive time, but I should like to have printed in the RECORD as a part of my remarks a letter from Mr. Dan Krehbiel, president of the Big Bend Seed and Relief Association, of Lind, Wash., and also statistics showing what the actual need is at this time.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

DECEMBER 6, 1930.

Senator C. C. DILL,
Washington, D. C.

DEAR SENATOR: Owing to the lack of rainfall in occasional years throughout a large part of the Big Bend region where the fertility of soil has been proven and is unquestioned, occasionally disastrous crop conditions prevail and have been in evidence in 1923, 1925, and 1930. Previous to that time crops, owing to the rainfall of more or less extent which this country experienced up to 1923 from the time of the earliest settlement of this country, which began in about 1897, no relief was necessary and farmers who were attracted from the Eastern States after the record-breaking crop of 1897 populated this country and farmed with success during all of those years as evidenced by the many splendid farm homes and by the many extensive holdings many farm-

ers have acquired. From the time this section of the country became settled it has never experienced a crop failure as disastrous and as extensive as in 1930.

Our climatic conditions are such as to enable us to raise spring grain with success, also fall grain with still greater success, if fall rains appear early enough to warrant planting. Further, in connection with this, I wish to explain that in a large number of districts diversified farming can not be practiced, as that is impossible under the limited amount of rainfall which this country receives. We can only raise wheat, and only drought-resistant wheat. Experiments of diversification have been made for years, but without marked success.

Records of rainfall which have been kept for many years show that our average rainfall in past years in taking a period of 10 years, for instance, average about 11.75 inches. For the last 10 years I do not believe from the information we have that rainfall has exceeded an average of 7 inches, which means that under cultivation which was formerly practiced no successful crops could be produced, however, with the method now applied, the use of modern machinery adapted to the requirements of dry-land farming, early cultivation of summer-fallow, successful eradication of weeds, has made it possible to even raise crops and bring fair returns to the farmer under present average rainfall, provided we do not experience extreme weather conditions during the growing season as have prevailed during the season of 1922 and 1924 and 1930.

In 1922 and also in the two years of later date, as above stated, certain districts in the Big Bend country, including part of Benton, Okanogan, western Lincoln, southwestern Whitman, Adams, Franklin, Grant, and Douglas Counties, experienced crop failures owing to the existence of abnormal conditions during those years.

As I have gained from farm supervision for over 20 years a close knowledge of existing conditions prevailing throughout the different counties, having charge of the distribution of the two seed-wheat loans, one of them made and sponsored by private interests and one by the State of Washington, I feel warranted in stating that the two seed-wheat loans were successful. Any of the losses incurred in these loans were caused by the fact that the appropriations made for the loan by the State and also by private interests were delayed in many instances to such an extent that some of the farmers got seed wheat somewhat too late in the season. To illustrate this point, a farmer operating in northwestern Franklin County had 1,280 acres to seed, but had only seed enough to seed 640 acres, which he, of course, planted as soon as soil conditions permitted. He applied for seed-wheat loan to plant the other 640 acres. His application for various reasons was delayed, but as soon as the wheat became available he, together with his neighbors, planted it with dispatch. When the crop was harvested the returns from the 640 acres planted in time averaged about 20 bushels. The other 640 acres showed only an average of about 7 bushels per acre. I could cite many instances of that kind where seed was not planted in the proper time and our losses were caused by this factor of too late planting.

Further, I wish to state that until about 10 years ago mortgage companies, banking interests, many concerns, and private individuals throughout the Eastern States owned considerable acreage of land in the affected districts. They have made every endeavor to build this country up. The percentage of land owned or controlled by the above-named interests amounted to possibly 25 per cent or more at that time, the interests of these companies and private individuals does not amount to more than 5 per cent at this time. Many interested persons who are in touch with actual conditions place the percentage of land owned at the present time by these companies and private individuals at 3 per cent of the acreage involved.

As a further reason, during the last 10 years a very large acreage has been sold to the different farmers living within and operating in the different districts under crop contracts. This movement has been brought about by the fact that the individual farmers had to increase their holdings and farmed larger acreages in order to reduce their overhead and bring down the cost of production to a minimum. The affected districts produced good crops in the past year and will produce them again. The country has been successful as shown by their expansion, purchase of large number of expensive modern farm equipment, payments made on land purchases, either under crop contract or contract or by cash. My experience of 40 years has shown and proven to us that we very seldom have a crop failure twice in succession.

The acreage in summer-fallow and to be planted in 1931 is in excellent condition to produce a crop, is in far better shape and condition as a whole than in 1923 or 1925, the years of previous seed-wheat loans, when we had to turn down applications because the summer-fallow of the applicant was not in proper condition and as our climatic condition this fall relative to rainfall and snow is considerably better than it has been in the fall of 1929. The opinion expressed by competent farmers and other sources that considering the present moisture and summer-fallow condition that we can expect fair crop returns in 1931, providing no extreme weather conditions prevail during the growing season of 1931.

Realizing the extensive calamity which is in evidence in some parts of eastern Washington, an association for seed relief has been formed at Odessa, November 19. At a meeting held by the executive board of the association on November 26, after discussing the situation thoroughly and fully as to our requirements, it was decided and concluded that the amount of help to be asked be $2.50 per acre, this amount to cover the cost of seed and the expense of preparing our usual amount of summer-fallow acreage in 1931. The amount asked for will barely cover the expense necessary for labor, other necessary items, and seed, but the members assembled felt that our demands for help should be restricted to the lowest possible minimum, forcing the farmers to practice the utmost economy, so that they would be in a position to repay their loans even if only a light or fair crop is raised in 1931. As before stated, two loans were made, one in 1923 by the State and one in 1925 by private interests, and although the climatic conditions in those particular years were not of the best and, further, to the fact that in many instances seed did not become available in time so that seed could be planted in time, the returns of these loans show that about 87 and 93 per cent, respectively, was repaid by the farmers, and having had the active management in placing these loans and supervising and collecting I feel safe and warranted in stating that no loss would have occurred at all if all of the farmers who applied for loans would have gotten their seed in time, and I can not stress this fact too much.

Further, if our request for seed and relief will be considered favorably and will be granted, then the distribution of the funds allowed to the individual farmers is an important matter, to be considered as it would not be good policy to turn over to the individual farmers the entire amount asked for and allowed them at one time, and plans will have to be made that at first only the required amount for seed be made available plus about 10 per cent of the amount asked for relief. On completion of seeding the applicant to receive then 30 per cent, 15 days later another 30 per cent, and another 15 days later the balance of the remaining allowance. I consider it imperative that a plan of payment of this kind or some other kind be followed. The point I want to bring out is that all of the money made available should not be paid out to the different applicants at one time, but practical arrangements can be easily worked out.

Further, in former seed wheat loans, after seed had been provided for to the different farmers the necessity became apparent that these loans had to be followed up, checking them over during the growing season, and preparing a campaign for collection even before harvest started, and I attribute the success of the loans made to the close supervision. From statements I have heard made, the success of the loans made in eastern Washington far exceed seed wheat loans ever made by the Federal Government. I further believe I am correct in stating that the State of Washington has never asked for any farm relief from the Federal Government.

Very respectfully yours,

BIG BEND SEED & RELIEF ASSOCIATION,
DAN KREHBIEL, *President, C. N.*

DECEMBER 6, 1930.

Senator C. C. DILL,
Washington, D. C.

DEAR SENATOR DILL: Supplementing the data we have forwarded to you some time ago I herewith inclose detailed copy of the results of the questionnaire and also of the summary and further inclose copy of another letter giving information on different points which might come up for discussion.

Our data that we have so far is not complete for the reason that the misunderstanding and misleading reports in regard to this movement, the questionnaires that had been mailed out have not been returned as early as possible so that, therefore, our summary at this time does not show the actual demands. Another cause is also that some of the farmers in the different districts have not the mail facilities and, therefore, their applications are delayed. We are receiving applications daily. We have some on our desk but could not include them in the tabulation but they will be sent in at a later date.

Dear Senator DILL, we can not urge you too much that early assurance and availability of funds is very necessary and vital so that the farmers can plant their wheat in time in order to bring successful results.

Assuring you that your cooperation in this movement is now and will be in the future very much appreciated and thanking you in behalf of the farmers in Washington to bring this movement to a successful termination, I remain

Very respectfully yours,

BIG BEND SEED & RELIEF ASSOCIATION,
DAN KREHBIEL, *President.*

Summary of applications received so far

	Applicants	Acres farmed	Acreage of summer-fallow	Amount needed for seed and expense of operating farm
Adams County	126	177,620	88,040	$151,110.00
Grant County	141	129,529	60,425	164,923.90
Lincoln County	17	20,180	9,790	25,325.00
Whitman County	1	800	300	1,050.00
Franklin County	9	22,280	10,990	27,880.00
Douglas County	256	202,715	94,080	253,097.50
Total	550	553,124	263,625	623,386.40

Estimated number of applications, 800 to 1,000.
Estimated amount of money needed, $1,500,000.

Answers in reply to the questionnaires

Name	Acres farmed	Acreage of summer-fallow to be seeded	Amount needed for seed and expense of operating farm
ADAMS COUNTY			
A. J. Hailsback	1,700	700	$2,200.00
William Schnurbush	500	250	625.00
S. L. Watkins	1,750	750	2,250.00
Elbert K. Watkins	4,000	2,000	5,000.00
Earl Fauser	960	450	1,815.00
J. B. Finkbeiner	1,600	800	2,000.00
Lucy M. Schoenrock	2,560	1,250	3,215.00
James Johnson	2,500	1,250	3,125.00
Chas. W. Nye	1,440	450	1,880.00
W. C. Johnston	2,700	1,400	3,350.00
W. L. Wenselburger	1,920	900	2,430.00
C. J. Schrenk	1,100	600	1,350.00
John Hoffman	800	300	1,050.00
P. H. Haynes	640	320	800.00
Delbert Fence	5,380	3,380	8,380.00
Frank Gering	1,500	650	1,925.00
Leon Gering	1,500	650	1,925.00
John Dammel	1,440	720	1,800.00
Gottlieb Sackman	2,480	1,200	3,120.00
J. M. Campbell	4,000	2,000	5,000.00
A. M. Rayburn	1,870	920	2,345.00
Henry Baumgart	880	400	1,120.00
Carl Baumgart	800	400	1,000.00
Franz Bros	1,000	500	1,250.00
C. A. Weaver	1,600	640	2,090.00
J. O. Campbell	2,700	1,400	2,100.00
G. H. Dyck	2,500	1,100	3,200.00
P. L. Franz	2,280	1,280	2,780.00
A. J. Van Amburgh	1,390	820	1,675.00
Walter Waltner	1,280	650	1,595.00
John Scheller	800	400	1,000.00
Henry Dyck	2,300	1,200	2,850.00
Mrs. J. F. Smith	480	240	600.00
Joe G. Schrag	960	480	1,200.00
Julius A. Franz	3,000	1,600	3,700.00
L. L. Franz	3,000	1,600	3,700.00
A. C. Jansen	200	200	200.00
Walter Johnson	2,700	1,300	3,400.00
Wm. Sackman	640	320	800.00
Ernest Heider	640	320	800.00
Zach Taylor	480	240	600.00
Harris Taylor	2,080	1,000	2,620.00
Walter Gering	1,500	650	1,925.00
Floyd S. Hudlow	1,500	750	1,875.00
L. A. Woody	1,000	300	1,350.00
Frank Dyck	1,120	640	1,360.00
C. F. Klise	310	150	390.00
Jacob Kissler	1,500	700	1,900.00
A. P. Gering	3,000	1,250	3,875.00
Gus Kison	1,280	640	1,600.00
Reinhold Roloff	1,400	800	1,700.00
Fred R. Breit	1,040	500	1,310.00
Harold E. Johnson	1,600	750	2,025.00
Dave Phillips	6,000	3,400	7,300.00
Fred Erdman	1,280	600	1,620.00
John Sauer	2,360	1,100	2,990.00
E. C. Phillips	5,000	2,500	6,250.00
J. E. Wells	800	450	975.00
Jacob Schmidt, jr	1,700	820	2,140.00
John Weis	640	250	835.00
Ben L. Schmidt	320	120	420.00
Dan Kappel	1,120	640	1,360.00
Fred Zundel	380	180	480.00
Henry Hoefner	480	240	600.00
Reinhold J. Schuh	1,280	640	1,600.00
August Schumacker	800	400	1,000.00
Fred Koch, jr	960	480	1,200.00
Chris. Engelhardt	1,280	570	1,635.00
Con S. Heimbigner	1,180	700	1,420.00
Gottlieb Hille	940	360	1,230.00
F. C. Schorzman	900	500	1,100.00
G. Roloff	1,280	640	1,600.00
R. R. Schoonover	880	530	1,055.00
Dan Link	640	340	790.00
Henry Lesser, jr	480	240	600.00
Franz Foerderer	1,600	800	2,000.00
Andreas Schaal	1,040	530	1,295.00
Carl Kiehn	480	240	600.00
Herbert Steffan	960	480	1,200.00
Fred Janke	1,100	540	1,380.00
Jacob P. Gering	1,000	400	1,300.00
August Giese	1,600	700	2,050.00
John Grienwalt	950	600	1,125.00
Paul Gering	1,900	900	2,400.00
Ernest Hardt	900	450	1,125.00
Henry W. Rieke, agent	960	480	1,200.00
Geo. Iltz	500	290	695.00
Sam. Iltz	1,000	500	1,250.00
H. F. Lindell	1,080	440	1,400.00
Barto Para	3,000	1,300	3,850.00
B. H. Krug	800	370	1,015.00
John Hubner	290	160	355.00
H. W. Michel	3,250	1,650	4,050.00
T. R. Booker	2,380	1,280	2,930.00
J. B. Wilson	320	160	400.00
C. R. Wilson	490	130	655.00
T. W. Berry	2,200	800	2,900.00
J. H. Taylor	2,000	1,000	2,500.00
J. B. Gust	800	325	1,037.50
Fred Foederer	640	320	800.00
John Bischoff	1,240	700	1,510.00
Jos. G. Schrag	880	320	1,040.00
Fred Kissler	635	270	817.50

Answers in reply to the questionnaires—Continued

Name	Acres farmed	Acreage of summer-fallow to be seeded	Amount needed for seed and expense of operating farm
ADAMS COUNTY—continued			
John C. Kissler	480	240	$600.00
Wm. Weiss	960	480	1,200.00
Geo. Heimbigner, jr	800	400	1,000.00
Ewald Roloff	640	320	800.00
Henry Kiehn	680	260	800.00
Fred Uhrich	640	300	810.00
Simon Gust	800	400	1,000.00
Emil Sauer	540	220	700.00
Wm. Schwart	500	480	540.00
M. M. Pfaff	1,920	960	2,400.00
Jacob Maier	1,000	540	1,280.00
John Wornath	560	280	700.00
Minchael Pfaff	480	240	600.00
G. G. Maier	640	320	800.00
Alex Flather	960	500	1,190.00
G. E. Webb	1,280	640	1,600.00
Charles E. Moody	1,050	350	1,400.00
Albert Erdman	320	160	400.00
John Sauer, jr	2,720	1,200	3,400.00
John Maier	480	240	600.00
W. B. Kauts	4,400	2,400	5,400.00
George Melcher	1,085	585	1,335.00
Mike Leisle	720	480	840.00
	177,620	88,040	151,119.00
DOUGLAS COUNTY			
Frank B. Leahy	640	220	850.00
Bill Malone	640	120	900.00
John D. Preston	800	300	1,050.00
Wm. Snodgrass	640	240	600.00
P. F. Hennigh	700	280	910.00
J. W. Adkins	880	400	1,120.00
Jack Marlow	570	330	690.00
Miri F. Wood	320	140	410.00
W. T. Wall	480	270	585.00
Domis Cavadini	320	160	400.00
Chris. Hansen	960	480	1,200.00
Marinus Niksen	960	500	1,190.00
Bert Peterson	480	260	590.00
R. J. Waters, jr	1,000	500	1,250.00
Orla Whitehall	480	280	580.00
George Uhrich	1,280	640	1,600.00
Harry C. Larsen	640	400	760.00
Louie Brandt	1,280	640	1,600.00
Oliver Riggs	850	450	1,050.00
William Swarat	320	160	400.00
Leslie R. Schacht	320	160	400.00
Wm. J. Weir	2,400	1,200	3,000.00
R. H. Ruhm	800	400	1,000.00
W. M. Jones	2,000	960	2,520.00
Chas. V. Slusser	1,600	800	2,000.00
H. W. Bogarth	3,600	1,400	4,700.00
A. L. Thoren	640	200	860.00
N. G. Klinkhammer	160	60	210.00
M. Stutler	1,200	600	1,500.00
Wade Troutman	800	400	1,000.00
J. G. Allen	470	240	585.00
Wm. Krueger	300	160	370.00
J. W. Brob	1,300	700	1,600.00
R. E. Miller	680	420	810.00
Albert Lamsen	180	90	225.00
J. C. Adkins	1,400	480	1,800.00
Ernest M. Logg	1,100	400	1,450.00
Fred S. Rice	300	150	375.00
John McKay	2,080	880	2,680.00
C. F. Schmidt	1,000	500	1,250.00
H. M. Painter	1,200	600	1,500.00
C. A. Nensen	1,000	600	1,200.00
H. J. Wyborney	400	240	480.00
Ed. Brandt	820	400	1,030.00
J. A. Cross	460	460	460.00
W. H. Asmussen	1,200	600	1,500.00
Jack McGrath	640	250	835.00
W. C. Remmel	640	280	820.00
John Bauderet	1,450	450	1,950.00
G. O. Thoren	640	320	800.00
J. A. Gordon	900	300	1,200.00
M. H. Snell	500	240	630.00
Forest V. Hunt	880	240	1,200.00
Fred R. Ward	720	300	930.00
C. A. Spurgeon	2,000	800	2,600.00
Carl Matthiesen	600	300	750.00
John W. O'Brien	960	480	1,200.00
Jack Scott	360	200	440.00
Geo. E. Grant	500	300	660.00
Jas. Davis	100	30	135.00
F. J. Gallaher	1,000	300	1,350.00
Cecil Glessner	620	320	770.00
M. C. Summers	960	360	1,265.00
Scott Coleman	1,200	550	975.00
Joseph Bowska	840	150	1,035.00
Ray Wayburn	480	160	640.00
B. J. Baumgardener	960	500	1,190.00
R. M. Asmussen	500	200	650.00
Ira Moore	1,180	480	1,530.00
Geo. Jordan	1,200	570	945.00
Albert Preugschat	1,440	640	1,840.00
Randall Danal	720	400	880.00
Nick Beckrich	320	160	400.00
Geo. Beckrich	1,300	650	1,625.00
Roy Wise	640	280	820.00

Answers in reply to the questionnaires—Continued

Name	Acres farmed	Acreage of summer-fallow to be seeded	Amount needed for seed and expense of operating farm
DOUGLAS COUNTY—continued			
J. L. Burgess	560	320	$680.00
Harry I. Steck	300	130	385.00
E. P. Hinderer	960	240	1,320.00
J. N. Packer	700	380	860.00
E. G. Longacre	840	420	1,050.00
Paul J. Hinderer	280	140	350.00
Einer Petersen	280	120	360.00
H. C. Suton	480	240	600.00
E. Luehring	680	360	840.00
Frank Webber	800	460	970.00
Josh Barnes	3,300	2,620	4,020.00
W. J. Marshall	1,000	500	1,250.00
Henry Peters	960	480	1,200.00
Owen Nelson	480	240	600.00
Theo. Hinderer	1,280	640	1,600.00
A. N. Gomby	1,700	660	2,220.00
Robert Jacobsen	480	160	640.00
Henry Leobsack	1,360	700	1,690.00
John Danielson	570	320	695.00
Ben H. Ludeman	720	480	840.00
Harold Petersen	960	480	1,200.00
Harry G. Ludeman	600	360	720.00
Chris. Mertens, jr	550	250	700.00
Rhea Supplee	520	200	680.00
Geo. Kinzbach	480	320	560.00
Wm. Besel	940	500	1,160.00
Here R. Ludeman	720	320	920.00
Conrad Besel, sr., and sons	1,120	600	1,380.00
August C. Koenig	860	400	1,090.00
W. J. Hawes	640	320	800.00
Carl Okland	600	240	780.00
Geo. Lassiter	450	265	542.50
Carl H. Viebrach	640	320	800.00
J. P. Jrechmus	800	360	1,020.00
Nick Petesrich	400	200	500.00
Dell P. Meies	3,040	1,600	3,760.00
Chris. Schmidt	1,120	400	1,480.00
T. S. Hedges	2,000	1,080	2,460.00
F. Rock	480	260	590.00
N. P. Nelson	1,200	640	1,480.00
R. M. Wiley	600	360	720.00
Curtis R. Carey	720	240	960.00
Jake Besel, jr	480	240	600.00
Geo. Gallagher	160	100	190.00
John Cardis	480	240	600.00
Willie Cardis	320	120	420.00
Henry Bourton	480	120	660.00
Frank Pixlee	1,500	835	1,832.50
C. W. Adams	560	200	740.00
L. J. Leander	1,200	750	1,425.00
Frank J. Pierpoint	640	320	800.00
P. L. Swank	400	240	480.00
J. E. Thoren	1,000	160	1,420.00
Jesse Pitts	800	450	975.00
G. B. Swank	480	240	600.00
P. C. Thomsen	600	200	800.00
John L. Harper	640	320	800.00
Ed. Wall	1,280	640	1,620.00
John Glessner, jr	240	100	310.00
Thomas T. Peterson	900	400	1,150.00
Carl Schilling	1,400	560	1,820.00
Johnnie Cavadini, jr	320	160	400.00
Frank Peckhorn	800	400	1,000.00
H. E. Smith	640	160	880.00
J. C. Lemley	450	350	500.00
Chas. Buckingham	400	200	500.00
John Murison	320	140	410.00
J. A. Buckingham	800	400	1,000.00
Theo. Schmidt	1,000	450	1,275.00
W. F. Ramsey	560	160	760.00
J. R. Henton	1,200	600	1,500.00
M. H. McKee	1,000	400	1,000.00
R. R. Reneau	1,300	250	1,825.00
C. T. Gollehon	320	200	380.00
Merill Nordby	1,200	800	1,400.00
E. G. Branscom	570	320	695.00
Hartzell Crosby	800	450	975.00
H. W. Matthiesen	800	320	1,040.00
George A. Murison	500	160	670.00
B. H. Greenwood	1,120	550	1,405.00
B. H. Henton	240	100	310.00
C. C. Beard	1,500	700	1,900.00
Geo. W. Hosier	500	200	650.00
Geo. Nilles	950	550	1,150.00
James Hayes	200	75	262.50
J. J. Ware	600	160	820.00
Andre V. Marchand	640	320	800.00
Valma A. Caille	640	320	800.00
Wm. Cornehl	940	350	1,235.00
Frank Hirsh	800	495	952.50
Earl Rock	400	80	560.00
V. H. Taylor	280	80	380.00
D. S. Nelson	560	240	720.00
McDonald Bros	1,920	960	2,400.00
L. W. Rendell	430	190	550.00
L. F. Rendell	370	140	485.00
Thomas Meyer	180	140	200.00
Otto Jensen	600	300	750.00
S. A. Cress	250	100	325.00
W. B. Pendell	240	80	320.00
Hobert M. Price	180	40	250.00
H. G. Westerman	640	320	800.00
W. L. Gilbert	580	230	755.00
S. Rock	1,040	500	1,310.00

Answers in reply to the questionnaires—Continued

Name	Acres farmed	Acreage of summer-fallow to be seeded	Amount needed for seed and expense of operating farm
DOUGLAS COUNTY—continued			
Geo. Dark	640	210	$855.00
H. T. Suton	480	240	600.00
Henry and Carl Goll	2,000	1,000	2,500.00
Theo. Mittelstaedt	730	480	855.00
Harry R. Jones	800	400	1,000.00
George Wilcox	520	180	690.00
Ed. Jacobsen	960	480	1,200.00
R. V. Roth	800	300	1,050.00
Fred Fletcher	320	160	400.00
W. A. Fraley	1,400	700	1,750.00
Garfield Cox	640	320	800.00
F. W. Close	1,000	480	1,260.00
A. E. Halterman	900	500	1,100.00
Geo. Appel	600	300	750.00
R. V. Sylvester	640	320	800.00
Elmer Z. Ford	680	200	920.00
John S. Harman	210	80	275.00
Arthur Schick	1,280	640	1,600.00
Walter McLean	1,000	280	1,360.00
Guy Moulton	640	200	860.00
W. E. Phillips	780	400	970.00
Robert Snell	330	90	450.00
S. J. Maline	1,120	500	1,430.00
D. C. Gallaher	2,000	1,000	2,500.00
Chris Jensen	1,280	680	1,580.00
John R. Jones	560	200	740.00
Fred Monk	840	360	1,080.00
Uley Pitts	400	200	500.00
James Leahy	800	300	1,050.00
V. M. Pitts	300	250	325.00
R. F. Davis	400	125	537.50
Frank Leahy	325	125	425.00
Wm. Sahrndt	390	80	545.00
Elliot R. Clart	560	250	715.00
Harry Lovejoy	390	70	550.00
Harry Willms	400	240	480.00
Henry Willms	705	305	905.00
Geo. & Hank Willms	1,080	730	1,255.00
Clifford Corderman	400	160	520.00
Herbert N. Wilcox	560	240	720.00
N. C. Nelson	570	270	720.00
S. G. Rolarts	800	300	1,050.00
W. E. Gaskill	420	280	490.00
Hayo Buse	960	500	1,190.00
L. D. Clark	300	150	375.00
C. Oliver Roued	320	100	430.00
Henry J. Willms	240	120	300.00
C. V. Ogle	400	180	510.00
S. E. Robins	750	400	925.00
C. A. Johannes	640	300	810.00
E. T. Schmidtman	1,400	700	1,750.00
Jacob Buse	700	240	930.00
C. E. Ross	640	320	800.00
Clarence Rinker	640	360	780.00
Manly Carderman	240	120	300.00
Henry McGrath	340	160	430.00
Jack Zones	480	240	600.00
Louis Berk	1,200	600	1,500.00
L. P. Hansen	1,040	280	1,420.00
Rocko Bront	130	65	162.50
Henry Witten	880	500	1,070.00
J. C. Tate	320	260	350.00
George Oppel	700	200	950.00
Arthur Arndt	350	160	445.00
J. G. Johnson	300	250	325.00
J. H. Irvine	160	60	210.00
Lawrence Doncan	3,000	1,500	3,750.00
Walter Madson	1,000	450	1,275.00
Ed. Doneen	1,280	600	1,620.00
Charles Kamholtz	685	100	977.50
Claude Estes	200	90	255.00
T. G. Dark	1,400	950	1,625.00
Clarence Kuhlman	800	150	1,125.00
Henry Kuhlman	800	150	1,125.00
C. J. Weaver	640	100	910.00
John P. Mulloy	660	200	960.00
John W. Brett	320	160	460.00
Total	202,715	94,080	253,097.50
GRANT COUNTY			
C. F. Nordhorst	560	340	760.00
E. E. Hirechel	640	320	800.00
C. C. Wanzer	370	50	530.00
Oscar Wagner	640	350	830.00
H. F. Timm	1,120	480	1,200.00
Wm. F. Stevens	480	200	620.00
J. P. Schroeder	1,560	450	2,115.00
Riley Perkins	1,036	300	1,404.00
A. I. Pfiefer	640	320	800.00
Henry Melcher, jr	960	640	1,120.00
Chris. Larsen	800	360	1,020.00
Frank Helmke	720	320	920.00
Jacob Hoefner	740	360	930.00
Leonard Forster	480	240	600.00
C. E. Fiess	640	320	800.00
Archie Finney	105	105	105.00
Oscar Finney	100	100	100.00
H. A. Biggs	640	330	795.00
Fred W. Arit	1,800	640	2,380.00
Max R. Bruhst	780	380	980.00
Jacob Adolph	900	480	1,110.00
Wm. Ramm	640	320	800.00

Answers in reply to the questionnaires—Continued

Name	Acres farmed	Acreage of summer-fallow to be seeded	Amount needed for seed and expense of operating farm
GRANT COUNTY—continued			
Fred Bohnet, sr	640	320	[illegible]
Theodore Jingling	640	320	800.00
Alden Gilbert	640	320	800.00
F. G. Pooley	400	140	530.00
Thomas Gills	640	300	810.00
Geo. Bareither	800	400	1,000.00
H. L. Franz	1,280	640	1,600.00
Martin Dormaier	800	400	1,000.00
Andrew Jantz	1,280	660	1,590.00
Reinhold Zundel	320	160	400.00
Fred Bohnet, jr	600	320	740.00
C. W. Oster	1,760	960	2,160.00
Abe Jantz	1,280	640	1,600.00
Anna Lehman	480	240	600.00
Jacob Jantz	1,280	620	1,610.00
Dan Tschritter	960	460	1,210.00
Gus Olander	880	440	1,100.00
Christ Ottmar	640	320	800.00
Henry Ottmar	880	400	1,120.00
Jacob Willging	800	320	1,040.00
George Lehman	480	240	600.00
P. J. Trautman	1,500	600	1,950.00
John Jingling, sr	700	320	890.00
Arthur Jingling	640	160	880.00
John Jingling, jr	640	320	800.00
Wendel Hamburg	1,760	880	2,200.00
Fred Jingling	640	320	800.00
John W. Andreas	600	200	800.00
John Weber	640	320	800.00
Wm. Schorzman	2,040	800	2,660.00
Burlie Martin	800	470	965.00
C. F. Petrie	500	250	625.00
H. L. Franz	1,280	640	1,600.00
Anton C. Heinhart	2,400	700	3,250.00
F. H. Jansen	1,740	480	2,370.00
J. B. Morrison	1,100	400	1,450.00
Henry C. Weier	480	160	640.00
Sam Reimann	950	450	1,200.00
Emanuel Schulz	640	320	800.00
Conrad Weber	800	400	1,000.00
Geo. Weber	640	320	800.00
Weber Bros	1,660	900	1,950.00
Emanuel Knest	685	445	805.00
Johan Schulz	2,175	1,175	2,675.00
J. J. Widmer	1,600	800	2,000.00
Chris. Dormaier	900	200	1,250.00
Russell Sieg	1,800	300	2,550.00
E. A. Coley	800	480	900.00
Theo Evers	2,080	320	2,950.00
A. H. C. Nyswonger	2,560	1,280	3,200.00
Ben F. Schmidt	1,120	600	1,380.00
Jacob Ottmar	1,500	750	1,875.00
J. F. Ottmar	640	320	800.00
C. H. Ottmar	500	300	600.00
John Willging, jr	1,925	760	2,507.50
Dan Borgens	320	160	400.00
Chris. Schuh	940	480	1,170.00
Wm. Schoessler	320	160	400.00
Dills Ranch	1,450	450	1,950.00
George F. Murphy	400	240	480.00
Oscar Carlson	700	400	850.00
Clyde Shephard	960	220	1,330.00
E. I. Evans	2,080	1,070	2,585.00
John Meyer	640	320	800.00
H. W. Padgett	600	300	750.00
Chas. L. Slaten	1,400	800	1,700.00
M. E. Jolley	400	320	440.00
R. L. Ross & Son	1,280	600	1,620.00
Claude Forrey	640	300	810.00
Ed. Spanger	340	170	425.00
Paul E. Vernier	640	320	800.00
S. C. Andrew	1,240	440	1,640.00
J. C. Johnson	600	300	750.00
Boruff Bros	640	320	800.00
Joe Bartley	100	40	130.00
Sam Green	525	300	487.50
C. G. Larson	800	350	1,025.00
W. L. Dillion	600	300	750.00
J. J. Elliot	550	300	675.00
Layman Bros	320	160	400.00
Harris R. Hansen	650	250	850.00
Ed. Heer	600	400	700.00
Chas. Norton	1,050	500	1,325.00
W. H. Daniel	1,400	600	1,800.00
Paul Mayer	4,500	2,000	5,750.00
Fay Smith	900	400	1,150.00
Wm. Schempp	2,450	1,100	3,125.00
E. C. Drinkard	1,180	520	1,510.00
W. T. Meyer	425	300	487.50
Lee Pitts	300	130	385.00
J. H. Bepple	675	335	845.00
Gust Beck	640	320	800.00
Fred F. Schell	960	480	1,200.00
G. F. Spies	2,700	1,160	3,470.00
Fred Bohmet, sr	640	320	800.00
Fred Schell, jr	640	480	720.00
Dan Spies	320	160	400.00
John Ruff	800	400	1,000.00
N. Burkholz	2,000	1,000	2,500.00
Daniel Roloff	1,120	480	1,440.00
Oscar Rauter	960	480	1,200.00
Christ Jeske	2,000	1,160	2,420.00
Henry Birks	640	320	800.00

Answers in reply to the questionnaires—Continued

Name	Acres farmed	Acreage of summer-fallow to be seeded	Amount needed for seed and expense of operating farm
GRANT COUNTY—continued			
E. A. Sapp	640	255	$832.50
Sam Wheeler	600	300	750.00
A. B. French	2,300	1,000	2,950.00
Ed. Schempp	600	320	740.00
Michael Olson	520	260	650.00
M. Kugan	480	440	590.00
W. F. Jones	300	90	405.00
Ben F. Schmidt	1,120	640	1,360.00
Emanuel Jingling	640	320	800.00
John Jingling, sr	640	320	800.00
Fred Schell	800	400	1,000.00
Jacob Oster	1,440	800	1,760.00
	129,529	60,425	164,923.90
FRANKLIN COUNTY			
Frank Lamb	2,800	1,000	3,700.00
Geo. Myers	1,280	600	1,620.00
H. C. Vogler, jr	7,480	3,800	9,320.00
W. S. Moore	2,000	1,000	2,500.00
Roy Kemp	1,120	640	1,360.00
Mettelstaedt Bros	4,400	2,000	5,600.00
Clifton Dougherty	800	450	930.00
L. E. Robinson	800	500	950.00
Thos. McNicholas	1,600	1,000	1,900.00
	22,280	10,990	27,880.00
LINCOLN COUNTY			
Fred Krell & Son	1,280	540	1,650.00
Henry Hardt	360	200	260.00
Chester H. Bruesch	1,020	560	1,200.00
E. M. Witt	240	120	300.00
Conrad Hein, jr	480	240	600.00
Otto Kallenberger	600	280	760.00
George Wacker	960	480	1,200.00
Charles Friedrich	630	300	705.00
David Kik	400	260	505.00
Morris S. Etter	1,280	340	1,750.00
F. D. MacMaster	500	260	630.00
Walter Waddell	450	160	595.00
Edd. Kruger	950	470	1,190.00
Herbert Doerring	1,000	600	1,200.00
Gus C. Schorzman	400	160	520.00
Joe Herman	640	320	800.00
L. P. Turner	9,000	4,500	11,250.00
Total	20,180	9,790	25,320.00
WHITMAN COUNTY			
Chas. A. Potter	800	300	1,050.00

Mr. THOMAS of Oklahoma. Mr. President, I submit an amendment to the pending joint resolution.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. On page 1, line 7, after the word "food" and the comma, add the word "fuel" and a comma.

Mr. THOMAS of Oklahoma. Mr. President, if the amendment can be accepted, I do not care to discuss it. Otherwise I shall make a statement.

Mr. HARRISON. Let the amendment be again read.

The amendment was again read.

Mr. McNARY. Mr. President, may I apprise the Senator of my views on that subject?

Mr. THOMAS of Oklahoma. Certainly.

Mr. McNARY. I urge the same objection to this amendment that I urged a moment ago to the amendment offered by the Senator from Georgia [Mr. HARRIS], which was rejected by the Senate. There has been a very large expansion of these generous acts, and there is a time when we must set our faces against further enlargements.

The Senator is a member of the Committee on Agriculture and Forestry and helped frame the joint resolution. He knows that we have for the first time included food in such a measure, and I should dislike to see any enlargement of the uses which might be made of the money appropriated for these distressed sections of the country. I think amendments of any kind are calculated to prevent the legislation from being enacted and that they would destroy the possibility of the relief intended.

Mr. THOMAS of Oklahoma. Mr. President, perhaps I should state that when this joint resolution was considered by the committee I was not present. I was attending a

meeting of a subcommittee of the Committee on Indian Affairs, to which I had assented before I had notice of the particular meeting to which the Senator refers. For that reason I did not offer this amendment in the committee. Had I been present I most certainly would have offered the amendment.

This amendment, if agreed to, would entail but very slight expenditure out of the Federal Treasury. It would have no application to Virginia, because there fuel is plentiful. It would have no application to any Central Western State. But there are four counties in Oklahoma, in the southwestern part, adjoining the drought-stricken area of Texas, where during the past year the people have raised nothing. There is no timber in that section. Even if there were timber there it would be so expensive it could not be used for fuel. But in these particular counties, and in the northwestern part of Texas, fuel in the form of timber is not available. It would have to be hauled for a distance of 50 to 75 or 100 miles, or transported by rail. There is no natural gas in that section. As a result, the farmers in those communities are forced to use coal. While it does not take a great amount of coal, occasionally there are blizzards or "northers" coming across the prairies which make it necessary to have a supply of fuel on hand.

The report submitted by the chairman of the committee contains one sentence to which I desire to call attention, on page 2, as follows:

> The depleted income of farmers from reduced crop production, coupled with the necessity of making unusual purchases of hay and feed, has exhausted the resources of many farmers in the drought area.

To my certain knowledge that is true; and in the particular section to which I have referred, unless the drought-stricken population can have some help, perhaps the greatest suffering will occur during the periods of extreme cold which come occasionally in winter.

It is on behalf of four counties of the southwestern part of my State, and some counties in northwestern Texas, that I submit this amendment. It will not lead to a drain upon the Treasury, but it might in a number of cases relieve distress which would be most acute.

At this time I ask for a vote upon the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Oklahoma.

The amendment was rejected.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

Mr. JONES. Mr. President, I ask unanimous consent that the unfinished business may be temporarily laid aside.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. HARRISON. Mr. President, may I ask the chairman of the Committee on Agriculture and Forestry a question? I am in receipt of a letter from a gentleman who has given great study to this question and who has analyzed the various measures. He has propounded to me a question which I now wish to propound to the chairman of the committee. He quotes the language of the joint resolution on page 2, beginning in line 9, as follows:

> All such advances or loans shall be made through such agencies as the Secretary of Agriculture may designate, and in such amounts as such agencies, with the approval of the Secretary of Agriculture, may determine.

The question put to me is, "Do you think this is sufficient authorization to allow the Secretary of Agriculture to take stock in local agricultural corporations who establish an agency for the distribution of the fund?"

Mr. McNARY. That question is addressed to the matter of agencies. I think the language sufficient to include the proposal made by the author of the letter.

Mr. CARAWAY. As I understand the Senator, it is his thought that the Secretary of Agriculture under the provisions of the joint resolution may take stock in agricultural corporations?

Mr. McNARY. Oh, no; not to take stock. The question is as to the distribution of the fund.

Mr. CARAWAY. That was not the question, and I was afraid the Senator from Oregon did not understand it.

Mr. McNARY. He could not acquire stock in an agricultural organization. I thought we were to use these organizations for the purpose of distribution and other acts necessary to administer the provisions of the joint resolution.

Mr. HARRISON. My correspondent quotes from the joint resolution the following language:

> All such advances or loans shall be made through such agencies as the Secretary of Agriculture may designate, and in such amounts as such agencies, with the approval of the Secretary of Agriculture, may determine.

That is the language of the joint resolution.

Mr. McNARY. That is the employment of the agencies for the execution of the joint resolution.

Mr. HARRISON. Then the Senator does not think that the Secretary of Agriculture in his discretion could subscribe, say, $2 for $1 that might be subscribed by local interests to organize agricultural-relief corporations?

Mr. McNARY. Not for the purpose of affecting an organization, but he could employ their activities in the matter of distribution of the feed, fertilizer, or what not.

Mr. HARRISON. Has the Senator given any thought to the proposition to give to the Secretary of Agriculture the power to subscribe—and if this amount is not sufficient to make it larger—for stock in the agricultural-relief organizations provided the local community can raise a certain amount?

Mr. McNARY. I do not think the Secretary of Agriculture could employ this fund for subscribing to stock in agricultural corporations of any kind or in cooperatives, but he could use those agencies for the purpose of administering the joint resolution.

Mr. HARRISON. The Senator does not think it would be advisable to employ the department fund for that purpose?

Mr. McNARY. Oh, no; it would get away from the purpose which the committee had in mind and would not aid in the execution of the law for the relief of the people in the distressed areas.

Mr. SMITH. Mr. President, in connection with the suggestion of the Senator from Mississippi [Mr. HARRISON], under the appropriations for the relief of the storm-stricken regions of the Southeast, there was set up an independent organization for the distribution of the money under the Bureau of Economics in the Department of Agriculture. They had their own agencies and are still employing them in connection with the fund.

I want to say in this connection that there has been quite a discussion about the amount of $60,000,000. I do not think the Government ought really in an emergency of this kind to ask for interest on the investment, but that the cost of the distribution should be sufficient. They have collected, including interest, and turned back into the Treasury something in excess of 87 per cent of the fund, and still have some equities in properties not yet disposed of. In spite of the fact that in my State and in the adjoining States we had in 1928 the hurricane and in 1929 the flood, and in spite of the comparative failure of the crop, they have been able to pay back the percentage which I have just stated.

Mr. President, this distressing situation of agriculture, as a matter of course, is intensified in the drought-stricken region. I, as a member of the committee, was glad indeed to have an opportunity to vote for this amount. The chairman of the committee said to-day, that out of the $6,000,000 previous fund there was something like $4,000,000 only used. I know the $6,000,000 could have been used to the great relief of numbers who did not get any relief. I do not doubt that of the $60,000,000 fund nothing like the total amount is going to be used, but I want to call attention to the language of the proposed legislation in order to have set

forth in the RECORD my interpretation of it and what I think the administrators of the measure should do. The joint resolution reads:

That the Secretary of Agriculture is hereby authorized, for the crop of 1931, to make advances or loans to farmers in the drought and/or storm stricken areas of the United States, where he shall find that an emergency for such assistance exists.

I want to state frankly that in my State, perhaps, we have made the best crop this year that has been made in 11 years. I see by the press that South Carolina is the third State in crop production this year; that is, the third best. On account of the debts incurred in 1928 and 1929 and on account of the failure of the crops in 1928 and 1929, and on account of the absurd prices which were obtained for the cash crop the producers of this good crop are left in almost as destitute, if not quite as destitute, a condition as they were on account of the flood and hurricane.

As an illustration, in the midst of what is known as the bright-leaf or flue-cured tobacco section, producing an aggregate of 750,000,000 pounds of tobacco, the crop this year brought a little less than half of what the average price was last year. Last year cotton brought an average of about 18 cents a pound and this year an average of about 8 cents a pound. This means a loss of from $6.50 to $60 per bale. The cottonseed, which was a by-product but very valuable, has brought about one-half price, so that on account of the accumulated debts carried over from the previous two years, those in the storm-stricken region who made the crop have had it taken away to settle that debt, and they are about as destitute as those whom the drought has hit and caused to have a crop failure.

I hope, and I shall insist, that in the administration of this measure, wherever it is found that the producers of our crops have suffered by virtue of the storm and flood and the disaster of the drought, they shall be given consideration. My State is not mentioned, Florida is not mentioned, and yet there are areas in both of those States where absolute distress is being endured to-day. I wanted to take occasion to call attention to this fact for the reason that I am afraid that the administrators of the joint resolution might interpret it to apply to the certain States named in the report of the committee and in the intimation that it is purely a drought-relief measure.

Mr. McKELLAR. Mr. President, may I ask the Senator from Oregon a question? Did the committee consider the question of the Secretary of Agriculture making any report to anyone in reference to the distribution of this fund? I see no such provision in the joint resolution.

Mr. McNARY. There is a general statute requiring the administrators of all laws to report annually. It is never customary to specify or respecify such a provision in a measure of this kind.

Mr. McKELLAR. I remember when we appropriated $100,000,000 to be used for the suffering in Europe that such a provision was incorporated. It seems to me it would be better. I merely wanted to call the attention of the Senator to it.

Mr. McNARY. If there is any unusual neglect by the Secretary of Agriculture promptly to report to the Congress or the President, then a resolution may be passed calling for such a report.

Mr. FRAZIER. Mr. President, I think the need for a seed and feed loan is much greater this year than it has ever been before. The fact that we have had continued depressions in all agricultural States in the South and in the West makes it more imperative than ever before that we have sufficient funds to help the farmers put in a crop somewhere nearly normal this next spring. A year ago we were very late in getting the little farm-relief measure through, and in many of the Northern States at least the help came practically too late. We were the last ones to be taken care of, and the help came too late.

At the beginning of this session I sent out a questionnaire to each of the county auditors in North Dakota. I have received replies from county auditors or county agents in 40 of the 53 counties. All but two of those counties say that they will need quite a lot of assistance for their farmers. The number they give amounts to about 16,000, and it probably will run higher than that, because some of the counties I have not heard from I am sure will need some assistance from the Government. I believe I am safe in saying that North Dakota will need out of this fund at least $3,500,000 to properly take care of the situation there. One county auditor stated that they had a pretty fair crop in his county, but owing to the low prices and the general bad condition the bulk of their farmers were compelled to sell every bushel of grain they had, including anything they had planned to keep for seed, in order to pay the debts that were necessary to be paid and to keep their families through the winter. Therefore, practically all the farmers in that county would need assistance in order to get seed and also feed for their livestock, so as to enable them to put in a crop next spring, and that is the situation in a great many cases.

So, Mr. President, personally I am doubtful whether $60,000,000 is going to be enough to go around, but I am satisfied that at least that much is needed in order to take care of the emergency. Of course, however, if the joint resolution shall be passed very soon, and the work proposed by it be started, and it shall be found that more money is needed, I presume another measure authorizing a further appropriation may be passed later on. I certainly hope, however, that the joint resolution will be passed with the authorization of the appropriation for $60,000,000.

The VICE PRESIDENT. The joint resolution is before the Senate and is open to amendment. If there be no further amendment, the joint resolution will be read a third time.

The joint resolution was read the third time.

The VICE PRESIDENT. The question is, Shall the joint resolution pass?

The joint resolution was passed.

WELFARE OF MOTHERS AND INFANTS

Mr. JONES. Mr. President, I ask that the unfinished business may be laid before the Senate and proceeded with.

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed a bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 1759. An act for the relief of Laura A. DePodesta; and

H. R. 1825. An act for the relief of David McD. Shearer.

HOUSE BILL REFERRED

The bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment, was read twice by its title and referred to the Committee on Appropriations.

THE PRESIDENT'S STATEMENT ON RELIEF LEGISLATION

Mr. CARAWAY. Mr. President, I wish to have printed in the RECORD a letter, the writer of which sets forth the conditions in his county in Arkansas as being typical. I should have liked to have discussed the joint resolution which has just been passed. The Senate, however, was so anxious to have a vote on it that I refrained from doing so. I ask to include a letter from Judge E. A. Rolfe of my State.

The VICE PRESIDENT. Without objection, the letter will be printed in the RECORD.

The letter referred to is as follows:

FORREST CITY, ARK., *December 6, 1930.*

Senator T. H. CARAWAY,
Washington, D. C.

DEAR SENATOR: I have got to the place I don't know what to do. If we don't get some help at once people and stock will starve. No work and no bread, no meat. Conditions are bad and no cause of the people. They have worked, raised one-half to one-third of crop of cotton and half price. All the farmer had to pay for the man to gather his crop so the cropper could live, and in many cases the landlord never collected any rent and the cropper never paid half what he was furnished to make the crop. Hundreds of head of stock will starve and will not be long about it. More corn was planted this year, more than had been for years. Not 1 out of 20 have any corn, little hay. We need help at once. Cotton is all out, nothing to do, nothing to pay for work on account of drought.

Yours truly,

E. A. ROLFE.

Mr. CARAWAY. Now, Mr. President, a great humanitarian paper has just come from the White House. I shall read it.

I observe—

Says the President—

that measures have already been introduced in Congress and are having advocacy, which, if passed, would impose an increased expenditure beyond the sums which I have recommended for the present and next fiscal year by a total of nearly $4,500,000,000 and mostly under the guise of giving relief of some kind or another. The gross sums which I have recommended to carry on the essential functions of the Government include the extreme sums which can be applied by the Federal Government in actual emergency employment or relief and are the maximum which can be financed without increase in taxes.

No matter how devised, an increase in taxes in the end falls upon the workers and farmers, or alternatively deprives industry of that much ability to give employment and defeats the very purpose of these schemes. For the Government to finance by bond issues deprives industry and agriculture of just that much capital for its own use and for employment. Prosperity can not be restored by raids upon the Public Treasury.

The leaders of both parties are cooperating to prevent any such event. Some of these schemes are ill considered; some represent enthusiasts, and some represent the desire of individuals to show that they are more generous than the administration or that they are more generous than even the leaders of their own parties. They are playing politics at the expense of human misery.

Many of these measures are being promoted by organizations and agencies outside of Congress and being pushed upon Members of Congress. Some of them are mistaken as to the results they will accomplish, and they are all mistaken as to the ability of the Federal Government to undertake such burdens. Some of these outside agencies are also engaged in promoting political purposes. The American people will not be misled by such tactics.

The reputation, whatever he has, Mr. President, of the President of the United States rests upon administering a relief fund which never cost him a cent. It rests upon extending relief to destitute humanity. If it were not for that, there would not have been anything to his biography except the date of his birth and a blank left for that of his death; and yet, without having done anything, Mr. President, or having made one recommendation that would at all relieve the conditions that confront this country, the President now lectures the Congress of the United States and those organized agencies for relief outside of Congress which are unwilling to sit down and see human beings starve because of maladministration and overwhelming misfortunes caused by natural agencies.

As to what is included, Mr. President, by the declaration that the leaders of both parties are cooperating with him in keeping down these expenditures, everyone will have to answer according to his own belief; but the societies outside of the Congress which are intended to be lectured I presume are quite well known. For instance, the American manhood who represented all that we offered in defense of American liberty from 1917 to 1918 is behind measures to have paid now the certificates of adjusted compensation. Therefore if the President is undertaking to say to the representatives of these 4,500,000 sons of America, who offered to die in order that American liberty might live, that they are unpatriotic, and that they are engaged in "playing politics at the expense of human misery," he will find no sympathetic response from the American people in that indictment of the American soldier.

If he is talking about societies representing the idle, who are not idle because they are not willing to work, but are idle because favoritisms have been extended to certain industries at the expense of the entire American citizenship until they can find no employment; if he is talking about the women who have come here and asked that food be given to the babies to keep them from starving, the President will find no sympathetic response in the American heart for an indictment of those who prefer that the Government should give something of its great wealth rather than that babies and their mothers shall starve.

If he is indicting those who speak for agriculture, the men who know something about the depressed condition of agriculture, who know, as I know, that there are thousands of farmers in my State who have not enough left of the last 12 months' labor of themselves and their families to care for them for a single week, his statement will strike no responsive chord in the hearts of the farmers of America.

Mr. President, although it may sound, I presume, to one with the President's viewpoint as entirely without merit, as good a farmer as any I know, a man who has been a member of the church and a supporter of its institutions for a generation, who is looked upon by the community in which he lives as an exemplification of what a good citizen ought to be—sober, industrious, honest, without a single extravagant habit, a man who has devoted a lifetime to creating wealth, is, as I learned the other day while talking with him, going through this winter without a rag of underwear. Yet I presume if anybody says that such a man, who has created the very things we eat and provided the material out of which the clothes we wear are manufactured, should have any kind of relief he is "playing politics."

Mr. President, who "played politics" at the expense of human misery? Every man who knew anything about the conditions that confronted the American people knew before the last election that millions of honest workingmen were walking the streets looking for jobs and could not find them. They knew a great disaster had fallen upon agriculture; but the man who now charges that people are "playing politics at the expense of human misery" for political reasons minimized the disaster that had befallen the American people. He was unwilling to admit, until after the election, that great numbers of American citizens, who, as I have said, had created the wealth of this country, were without the means of livelihood; there was no public acknowledgment of that fact by the President and no effort to relieve the situation, but, on the other hand, a suppression. Who, then, was "playing politics at the expense of human misery"?

Some indictments, Mr. President, ought to go unanswered, either because of the source from which they emanate or because of the general knowledge that the man who brings the indictment is without information and therefore excusable; but here is an indictment. At whose head aimed I do not know; I do not know whether it is aimed at the chairman of the Committee on Agriculture, who disregarded the President's recommendation for $25,000,000 and said that in this great disaster $60,000,000, in his judgment, represented a very moderate sum to be appropriated, or whether it is aimed at other members of the committee. I wish to say, however, Mr. President, with reference to this particular legislation that when the Committee on Agriculture came to consider it nobody "played politics." There were bills before the committee introduced by different Senators, but there was only one measure considered, and that was considered because it best met what it was thought the situation required. That measure received a unanimous report from the committee, a committee composed, if I may be permitted to group its members, of progressives, of regular Republicans, and of Democrats. Not one word, Mr. President, of political significance was uttered by either one of the groups. Everyone thought that the situation demanded relief and in demanding relief nobody "played politics."

I do not know whether the lecture was aimed at my distinguished friend the Senator from Massachusetts [Mr.

WALSH], who wears no man's collar and who on yesterday dared raise his voice in behalf of people who needed employment and for whom it was thought employment might be procured.

I wish the President would give us a bill of particulars; I wish he would say who are unpatriotic, and, incidentally, I wish he would say who are the leaders who are cooperating with him to deny people in distress the means the Government can supply. It would be interesting, Mr. President, to have that information.

Mr. BINGHAM obtained the floor.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield to an observation on the matter just under discussion?

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Massachusetts?

Mr. BINGHAM. I yield.

Mr. WALSH of Massachusetts. Mr. President, in order that we may fully understand the meaning and spirit of the statement issued by the President to-day, I should like to recall what happened in this Chamber yesterday that in all probability inspired it.

The first Member of this body yesterday to raise any question about relief other than that recommended by the President was a Republican, the junior Senator from Michigan [Mr. VANDENBERG], who dared to suggest that he favored cash payments being made out of the Treasury upon the adjusted-service certificates held by war veterans. This proposal was favored by other Senators. Later I proposed, by introducing a bill, that the Congress of the United States consider the feasibility and the practicability of putting all Government civilian employees upon a 5-day-week basis, with the hope that it would find employment for thousands of unemployed and in order that the Government might set an example to private industry that might result in spreading out the number of jobs that would be available for the unemployed.

In the course of my discussion of the merits of that bill I called attention to another relief measure, namely, that the Federal Government should pay back to the several States and municipalities 50 per cent of the increased burdens placed upon them by reason of the extraordinary demands upon the public treasuries of the States and municipalities in giving relief during this year and the next year.

Mr. President, all these proposals are "playing politics"! The right to petition the Congress for relief to the war veterans, to the unemployed, to the overtaxed municipalities—all these proposals by the Members of the Congress are for a "political" purpose! I would not charge the President with playing politics in declaring that there shall not be one dollar more levied in tax increases in order to furnish employment and to extend relief. I give him credit for honestly and sincerely believing that refraining from levying upon the income-tax payers of the country one dollar more in taxes is, in his judgment, the sanest and soundest course to pursue in this emergency. But why are we who dare to propose something additional to what he has proposed charged with playing politics?

Let us consider the bill for the relief of the drought sufferers, just passed and which was recommended by the President.

Mr. President, this joint resolution we have just passed was a measure to extend relief to those who are the victims of the recent drought. Is that playing politics? What, in Heaven's name, is the difference between asking relief for the men and women who have no work and the relief which is granted to those who are the victims of a want of water? The only logical difference is that some human beings are given preference because they are suffering by not being able to obtain water, while in other sections of the country human beings must be charged with "playing politics" because they seek relief when they are unable to obtain work. It is nonpolitical to relieve those who suffer from want of water but political to ask relief for those out of work.

Mr. President, let us at least be grateful that the President has in unmistakable terms, that he who runs may read, let it be known what the Chief Executive of this country contemplates doing in this hour of need and distress and misfortune. The language is clear. No emergency exists that necessitates further indebtedness. Whatever the emergency, whatever the appeal, whatever the cry that comes up from the suffering people of this country, he does not propose to levy one dollar more in increased taxes. That is one thing that is unmistakable about the statement that he makes. We know finally the yardstick he is to apply to the situation. He clearly chooses the safeguarding of the Treasury of the richest country in the world against all demands to relieve human suffering.

I challenge the President to name any Democrat in the United States of America, wherever he is, who will say that he agrees with the policy he has outlined for himself. I want that Democrat or Republican marked, and I want the American people to know all their fellow servants who propose to take the position that there will be no increase in taxes or loans made to help the unemployed or to bring relief to alleviate the present economic distress.

Mr. President, there would have been long before this revolution, and you know it, in some of the States and municipalities of this country, had governors and mayors taken that position. What would have become of our country if every governor in the United States and every mayor of a municipality had said, during the past year, "Not a dollar of relief if it means increase in taxes? Hungry? Yes; but no increase in taxes. Suffering? Yes; but no increase in taxes." What would have become, I say, of the people of this country?

The country should ever be grateful to those executives and officials who have not hesitated to spend millions of dollars of public funds to make less poignant the distress and the unfed less numerous. How will they enjoy the characterization of the President—they are "playing politics"? It is more patriotic to think of the Public Treasury than the alleviations of human suffering, to entertain zeal and enthusiasm for the possessors of wealth than to plead and petition for funds to relieve the voiceless millions who are suffering from want of the comforts of life in silence in every hamlet in America. And yet because the unemployed dare to petition the Federal Government—which in 1919, after the World War, appropriated a hundred million dollars for starving people in far-off Russia—because duly elected representatives of the people in the Senate dare to stand here and ask for a hundred million dollars to help lift the burdens off the municipalities and the States of this country who are forced to increase the taxes of the poor landowners and the small farmers, we are "playing politics"! It is an astounding statement. It is unbelievable that a President of the United States would close his ears and be unwilling to open his mind and his heart to helpful suggestions—to say, whatever is proposed, whoever proposes it, "No increase in taxes!"

The patience of the American people is to be commended.

What does government exist for? To serve. Whom? The people. When? When the people need to be served. Ordinarily the people do not need the special aid of government; but we do need the strong, helping hand of the Government, and sympathetic, constructive leadership, when there is need in an emergency to serve, and to help the people; and if there ever was a time in this country when the people needed their Government to help them, it is to-day and at this hour.

Mr. President, I now call particular attention to this sentence:

> The leaders of both parties are cooperating to avert any such event.

As I understand that sentence, they are cooperating to prevent any increase in taxes to help relieve unemployment and to help relieve distress other than what the President has recommended. I think we are agreed upon what he has recommended, namely, that there should be no further appropriations than those that are necessary to carry out

and expedite the work which was authorized during the period when Congress was not confronted with the emergency that now confronts us.

I desire to close by saying that the President can continue to assert and insinuate that those who propose remedial measures here are "playing politics"; but I propose to leave nothing undone to focus public attention upon the need more than ever of constructive efforts and of expenditures of money—all that may be needed; all and more than Russia's hungry people had in 1919.

I regret keenly to find the great President of the United States, in this hour of sorrow and distress, when millions of human beings do not know where their next meal is coming from, taking this attitude of saying, "No matter what is suggested it will not receive any attention from me if it increases taxes by $1; and those of my fellow countrymen who suggest relief to you that will affect the Public Treasury are engaged in playing politics.

It is always unpleasant to differ with the President, but there can be no compromising when the question is between aiding or denying relief to the unfortunate victims of an economic system that saps their vitality for making profits. I am against giving mere lip service to the destitute of America in this dire emergency.

WELFARE OF MOTHERS AND INFANTS

The Senate resumed the consideration of the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

Mr. BINGHAM. Mr. President——

Mr. HARRISON. Will the Senator from Connecticut yield to me?

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Mississippi?

Mr. BINGHAM. I should like to speak for a few minutes on the business now before the Senate. I shall not speak at great length. I yielded to my friend from Massachusetts for five minutes; and I should like to proceed now to discuss the matter before us.

Mr. HARRISON. Will the Senator yield for one sentence?

Mr. BINGHAM. For what purpose?

Mr. HARRISON. For the purpose of stating that when the Senator from Connecticut finishes I desire to speak on the same subject upon which the Senator from Massachusetts has spoken.

Mr. BINGHAM. I am glad to yield for that purpose. I was afraid the Senator was going to ask me to yield for one of these questions that are asked for an hour.

Mr. President, there is probably no more disagreeable task that a member of a lawmaking body can take upon himself than that of opposing legislation obviously intended to relieve suffering and to prevent disease. The bill now before us, sometimes referred to as the maternity bill, introduced by the distinguished Senator from Washington [Mr. JONES] and reported from the Committee on Commerce without hearings—somewhat to the disappointment of a number of organizations that were anxious to be heard—is one which on its face is intended to promote the public welfare. Those who oppose this legislation are accused of gross materialism. Only yesterday my good friend, the distinguished senior Senator from Texas [Mr. SHEPPARD], in a fervid peroration in which he referred to the fact that the mother and child comprise the foundations of our civilization, and that when the first mother gave the first life from her own the first home began, and quoted that touching poem about children being the idols of hearts and of households, stated that the Federal Government was expending millions of dollars for information services relating to the health of cattle and hogs, and then said:

> In our intense and mad materialism we are placing cattle above mothers and hogs above children.

Mr. President, it is obvious that when one is going to be accused and by opposing this legislation is accused of placing cattle above mothers and hogs above children there are a great many people in the country who think that this legislation ought to be passed immediately, and resent any delay in its passage.

The history of this legislation has been referred to by previous speakers. When it was first brought on the floor of the Senate by the distinguished Senator from Texas [Mr. SHEPPARD]—the bill was known at that time as the Sheppard-Towner bill—it was proposed that for five years the people of this country should be informed about the diseases connected with motherhood and with infancy in order to prevent deaths in maternity and deaths in infancy. As that legislation drew near its close an effort was made to continue it for three years. The bill, when it came over here, was referred to the Committee on Education and Labor. That committee, after giving it considerable consideration, reported it with an amendment which reduced the length of time for the continuance of the legislation from three years to one year.

On the strength of that amendment we had a prolonged debate. We endeavored to call the attention of the country to the fact that although this bill purported to be in the interests of the future citizens of this country and their mothers, actually it was aimed at a destruction of that very system of sovereign States on which our prosperity depends. We pointed out that it created a bureaucracy which went from Washington into the several States and took away from those States the right of deciding matters themselves, and bribed them to adopt the decision of bureaucrats in Washington as to what ought to be done on the question of maternity and infancy.

We pointed out that three or four States, including the State of Connecticut and, if my recollection serves me, the State of Illinois and the State of Massachusetts, declined to accept the Federal bribe and preferred to pay for this service out of their own pockets and run their services in connection with welfare legislation their own way, at the same time contributing their quota in taxation to the money which went into the pockets of people in the other States who accepted the bribe of Federal aid to run their welfare activities as the bureaucrats in Washington wanted them run.

The very distinguished Senator from Missouri, Mr. Reed, no longer with us, presented at length the arguments of those who were opposed to this legislation. On the other side of the aisle former Senator Bruce and former Senator Bayard were also opposed and presented arguments against it, in addition to some on the other side of the aisle who are still in the Senate.

On this side of the aisle, among those who are no longer with us who took an active part in fighting this legislation, were the distinguished Senator from Wyoming, the late Mr. Warren; the Senator from New York, Mr. Wadsworth, one of the ablest legislators this Chamber has ever seen; the distinguished Senator from Pennsylvania, Mr. Pepper, and others no longer here, who felt that it was unwise legislation.

We organized our forces to try to educate the country and also to prolong the debate so as to discourage the proponents of the measure. We were charged with conducting a filibuster. Be that as it may, around midnight on one of the nights when this matter was being discussed the proponents of the legislation came to those of us who were fighting the legislation and said, "If you will give us two more years instead of one"—as provided in the bill which came out of the committee—"we will then agree that this thing shall terminate."

We were a little in doubt as to what to do. The Senator from Utah [Mr. KING] had the floor at the time, and while he was making a very able speech against the legislation, we called over from the House of Representatives Judge TUCKER, of Virginia, former president of the American Bar Association, and one of the most distinguished constitutional lawyers in either branch of Congress, who had for many years fought the ideas beneath this legislation, although as kindly an old gentleman, as sympathetic, as well intentioned toward the welfare of his country and his State as anyone who ever sat in Congress. He was called over here at midnight to see whether it was wise to accept this

compromise, or whether we would better go ahead and defeat this bill.

Questions were asked. The telephone was used. I do not know to whom the messages went, because they were to sponsors of the bill on the outside of the walls of Congress. Satisfactory reply was received that if this legislation were allowed to pass and this service could be continued for two years, no further effort would be made to keep the service alive, and that the end would come.

In order that the matter might be drafted by a skilled lawyer and legislator in such a manner as to achieve that for which we were fighting, Senator Lenroot was called into conference, and he drafted an amendment, which satisfied those who were in favor of the bill that it gave them what they wanted, and they claimed that it gave us what we were fighting for, namely, an end of this kind of Federal bribery of the States and interference in their affairs on the part of Federal bureaucracy.

When that amendment had been brought back to the floor, it was indicated to the junior Senator from Utah [Mr. KING], who had the floor, that an agreement had been arrived at which would cause an end to this legislation, whereupon he yielded the floor, and others who were intending to speak on the measure gave up their privilege of speaking, and the following colloquy took place:

Mr. SHEPPARD—

He was in charge of the bill on the floor—

Mr. SHEPPARD. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The clerk will read the amendment.

The LEGISLATIVE CLERK. It is proposed to amend the bill by inserting, after line 2, on page 2, a new section, to read as follows:

"SEC. 2. That said act entitled 'An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes,' approved November 23, 1921, shall, after June 30, 1929, be of no force and effect."

Mr. BINGHAM. Mr. President, I should like to ask the Senator from Wisconsin for an explanation of the amendment.

Mr. KING. I should like to have an explanation made in order that it may appear in the RECORD.

Mr. LENROOT. Mr. President, this amendment is a compromise reached between the two opposing sides upon this question. It was stated that a compromise might be reached if an agreement could be made for the entire repeal of the maternity act of June 30, 1929. I was then requested to draft language that would accomplish that purpose, and I think the amendment does so.

Mr. BROUSSARD. Mr. President, how can the amendment accomplish the purpose when the bill itself fixes the time for 1929?

Mr. LENROOT. That has only to do with the appropriations.

Mr. BROUSSARD. I understand that; but that is all it could do. I do not think there is any compromise at all. The amendment merely states a conclusion which the bill itself sets forth.

Mr. Lenroot then explained that the bill did not provide for its own termination, but merely for the termination of the appropriation.

Mr. BROUSSARD then asked that the amendment be read again.

Mr. KING then took the floor and said:

Mr. President, as I understand the Senator from Wisconsin and as I understand the position of the Senator from Texas, the purpose of the amendment is absolutely to repeal the existing law, so that at the end of two years——

Mr. LENROOT. On June 30, 1929?

Mr. KING. Exactly; so that at the end of that time there will be no legislation whatever upon this subject.

Further colloquy took place. It is not necessary for me to read it at this point, although I shall ask to have all this printed in the RECORD. I do not desire to take up the time to read it, except the final statement made during the course of the debate, which apparently was made by Mr. SHIPSTEAD, who said:

Mr. President, I simply wish to state that I agreed to the amendment at the solicitation of the distinguished Senator from Texas [Mr. SHEPPARD]. My understanding was that it was acceptable to both sides of the controversy. That is the reason I agreed to it. I take it that the amendment is proposed in good faith and that the spirit of the amendment will be carried out.

(The rest of the debate referred to by the Senator from Connecticut is printed in full, as follows:)

Mr. LENROOT. Mr. President, may I say to the Senator from Louisiana that the act of November 23, 1921, as it stands is permanent legislation? The only thing that is limited is the authorization of appropriations to carry it out, and, of course, the act stands. In the absence of the amendment it would be in order hereafter to enact legislation such as is now proposed merely authorizing additional appropriations under the act. If this amendment be adopted and the bill becomes a law in that form, the entire act will be gone; there will be no legislation upon the subject to which appropriations could attach after June 30, 1929, unless new legislation is enacted authorizing such appropriation.

Mr. BROUSSARD. Mr. President, may I ask that the amendment be again read?

The VICE PRESIDENT. The clerk will read the amendment.

The amendment was again read.

Mr. KING. Mr. President, as I understand the Senator from Wisconsin, and as I understand the position of the Senator from Texas, the purpose of the amendment is absolutely to repeal the existing law, so that at the end of two years——

Mr. LENROOT. On June 30, 1929?

Mr. KING. Exactly; so that at the end of that time there will be no legislation whatever upon this subject.

Mr. LENROOT. We can not bind a subsequent Congress, of course.

Mr. KING. I understand, of course, if the Senator will pardon the suggestion, that the amendment is offered in good faith, and it is understood by the proponents of this legislation, outside of Congress as well as in, that the adoption of the amendment will end the legislation. When Congress passed the original bill it limited its operation to five years, and everybody then understood that it would not have gone through except for the provision that at the end of five years the legislation would terminate.

Mr. LENROOT. I will say to the Senator that I can not speak for any understanding, but I am entirely clear that if this amendment shall be adopted it will end the legislation, and that there can be no further appropriation for this purpose under any existing law after June 30, 1929.

Mr. MCKELLAR. Mr. President, I desire that it shall be understood that I am not bound by any understandings or agreements. I do not believe that as a legislator I ought to make such agreements, and I shall not do so.

Mr. BROUSSARD. Mr. President, I do not know that this amendment, if adopted, would improve the situation which existed before the expiration of the 5-year period. We are merely extending the act for two years more. Naturally, when we passed this legislation, against which I entered my protest, it was understood that it was to be effective for five years. It was then proposed to extend it without any new legislation for two more years. The Senate committee reported a measure restricting the operation of the original act to one additional year; and should this amendment be adopted, we should be no better off than we were under the original act, which limited the legislation to five years. I shall not give my consent to this amendment unless it is proposed to insert in the bill that no further appropriations will be asked for, nor will Congress be bound to appropriate anything at all.

Mr. LENROOT. That is the effect of the amendment, I will assure the Senator.

Mr. BROUSSARD. But we are now acting upon a law which just as effectively limited its operation to five years, and we are now going to extend it for two years more.

Mr. LENROOT. May I again say to the Senator that there is no termination of this law that is now proposed to be repealed? It stands on the statute books as an existing law until repealed. The only thing which we propose to extend for two years is the appropriation to carry out the act.

Mr. BROUSSARD. If we are going to have a compromise here, I should want to insist that the law shall be repealed in 1929.

Mr. LENROOT. That is exactly what this amendment proposes to do.

Mr. BROUSSARD. It will not do that, as I understand.

Mr. LENROOT. That is exactly what it will do.

Mr. BINGHAM. The friends of the measure believe that it will do that.

Mr. BROUSSARD. It merely puts an inhibition under the present statute of appropriating further money.

Mr. LENROOT. Oh, no; it provides that the entire act shall be of no force and effect after June 30, 1929.

Mr. BROUSSARD. If that is the effect of the amendment I am willing to subscribe to it, although I shall vote against it.

Mr. KING. I think the statement which has been made by the Senator from Wisconsin is correct. As I understand, the amendment is a complete repeal of the act.

Mr. BROUSSARD. That is the statement that I wanted to have put into the RECORD.

Mr. KING. I think the Senator from Wisconsin stated it exactly.

Mr. BROUSSARD. My only purpose was to put into the RECORD the admission that the amendment provided such a repeal.

Mr. KING. I agree with the Senator from Louisiana. I am opposed to the act; I shall vote against the amendment anyway; but I shall not object to taking a vote on it.

Mr. SHEPPARD. Mr. President, of course, the work of the Children's Bureau relating to child welfare, maternity, and so forth, here in Washington will continue. That is authorized under another act, not under the act of November 23, 1921.

Mr. LENROOT. It is authorized under another act.

Mr. SHEPPARD. The act of November 23, 1921, will be repealed on and after June 30, 1929, and the cooperative work authorized by that act will then cease.

Mr. TRAMMELL. Mr. President, I do not know that we are going to have a yea-and-nay vote on the amendment, and for that reason I desire to state for the RECORD that I am opposed to any amendment which will work a repeal of the existing law.

Mr. MCKELLAR. Mr. President, I wish to say that I also am opposed to the amendment.

Mr. SHIPSTEAD. Mr. President, I simply wish to state that I agreed to the amendment at the solicitation of the distinguished Senator from Texas [Mr. SHEPPARD]. My understanding was that it was acceptable to both sides to the controversy. That is the reason I agreed to it. I take it that the amendment is proposed in good faith and that the spirit of the agreement will be carried out.

Mr. BINGHAM. Mr. President, all of us thought that the amendment was proposed in good faith, and I believe it was. All of us thought that the spirit of it would be carried out. The spirit of it has not been carried out, and persons on the outside of the Halls of Congress have tried persistently since that day to renew that legislation.

Mr. JONES. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Connecticut yield to the Senator from Washington?

Mr. BINGHAM. I yield.

Mr. JONES. In view of the statement of the Senator I think I should state what my position was at the time, as I expressed it on the floor, that I would not be bound by the agreement entered into, as far as this legislation was concerned.

Mr. BINGHAM. Does the Senator remember when he made that statement?

Mr. JONES. I do not remember the day or the hour. I made it as soon as I learned of the action. I remember very distinctly making it.

Mr. BINGHAM. I have a recollection that the Senator made some such statement, but I have been unable to find it in the debates held at that time. The only reference I can find in the index of the volume of those debates when the Senator from Washington referred to this bill was when he raised a point of order against a motion that was made by the Senator from Missouri, Mr. Reed, in regard to some other business. I have a recollection of what the Senator says he stated; that he did make such a statement. I was looking to see just what the statement he made was, but I can not find it in the debate or any reference in the index to his having made the statement. However, I do not charge him with bad faith. I said persons on the outside of Congress. It would be the last thought I would have in mind to charge the Senator from Washington with bad faith in this matter.

Mr. KING. Mr. President, will the Senator yield to me?

Mr. BINGHAM. I yield.

Mr. KING. I recollect the occasion to which the Senator is referring. I certainly would not have yielded the floor under the circumstances, because the bill would have been defeated if there had not been, so far as I was concerned, an understanding entered into in good faith, after full discussion between the opposing parties, that the law was to be repealed and that no such legislation was to exist and none to be further offered, so far as those who were in the agreement were concerned, after its repeal. To such a degree were those upon this other side of the aisle committed, at least those with whom I have talked, to the proposition, that when an effort was made in the Democratic convention in Houston subsequent to this event to have a plank inserted in the platform in favor of this legislation, those who were upon the committee, and who were Members of the Senate at the time and were familiar with the agreement, declared that a solemn agreement had been entered into with respect to this matter, and they were unwilling even to put it into the platform, and it was not inserted in the platform.

That was the understanding. What was the good of the agreement if it was understood that immediately afterwards some Senator could come upon the floor and offer the same legislation?

Mr. BINGHAM. Mr. President, there was one thing I might say with regard to this debate which I skipped, and that was that the Senator from Tennessee [Mr. MCKELLAR] and the Senator from Florida [Mr. TRAMMELL] are both on record as being opposed to any amendment which would work a repeal of the existing law.

There is one other remark of the Senator from Texas, in charge of the bill, which I did not read, in which he said:

The act of November 23, 1921, will be repealed on and after June 30, 1929, and the cooperative work authorized by that act will then cease.

There was nothing in the debate or in the conference which took place that night between those who were opposed to the legislation and those who were in favor of it which led those of us who were fighting to get the legislation repealed to believe for one moment that the legislation would be brought up again and favored by the same people who were then favoring it.

As I said, this legislation is extremely hard to speak against, because it has such a worthy object. It is always implied that we should not provide money for making investigations into the diseases of horses and cattle if we do not provide money for looking into the diseases of women and children. As a matter of fact, however, this type of legislation leads constantly to the building up of the power of a bureau in Washington; it leads constantly to the taking away from the States of the responsibility which rests upon their citizens of enacting proper legislation for their own citizens, and lets them say, "Well, the bureau in Washington said so-and-so. We will do it that way." It merely puts them in the position of subjects faithfully carrying out the orders of persons in Washington and paying one-half of the bill.

Mr. President, I have received a very interesting petition addressed to the United States Senate, signed by the board of directors of the Woman Patriot Publishing Co., Mary C. Kilbreth, president, the directors being Mrs. Randolph Frothingham, Boston; Mrs. Rufus M. Gibbs, Baltimore; Mary G. Kilbreth, Southampton, N. Y.; Mrs. Lewis C. Lucas, Washington, D. C.; and Mrs. B. L. Robinson, Cambridge, Mass. It is too long to read, though I would like to do so were it not that I might be accused of endeavoring to filibuster against this bill, which, as everyone knows, would be a very foolish thing to do, as it is the unfinished business. It is my desire that there be no effort to prolong debate on this question. I ask unanimous consent that this petition may be printed at this point in my remarks without being read.

The PRESIDING OFFICER. Is there objection?

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

A PETITION TO THE UNITED STATES SENATE

DECEMBER 8, 1930.

To the Honorable Members of the United States Senate.

GENTLEMEN: The United States Senate is hereby respectfully petitioned to resume and safeguard its character as a deliberative body by recommitting to the Committee on Commerce, for full public hearings and investigation, S. 255, Calendar No. 368, Report No. 369—the "Jones maternity and infancy bill"—now the unfinished business of the Senate.

Your petitioners, the board of directors of the Woman Patriot Publishing Co. (consisting of Mrs. Randolph Frothingham, Boston; Mrs. Rufus M. Gibbs, Baltimore; Mary G. Kilbreth, Southampton, N. Y.; Mrs. Lewis C. Lucas, Washington, D. C.; and Mrs. B. L. Robinson, Cambridge, Mass.) respectfully show:

1. There have been no Senate hearings on Federal maternity and infancy legislation since April, 1921. That was seven months before the enactment of the Sheppard-Towner Act of November 22, 1921, and upon a bill that was entirely revised in the House. No Senate hearings have ever been held on the present bill or the former act.

2. The Jones bill (S. 255) is in conflict with—

(a) The Constitution of the United States.

(b) The State-rights planks of both party platforms of 1928.

(c) The "gentleman's agreement" made in the Senate in January, 1927, at the request of advocates of the Sheppard-Towner Act, who not only declared it "proposed in good faith" and that "the agreement will be carried out" but made it a part of the statute itself—section 2, act approved January 22, 1927—to "end" and "cease" and "repeal" such legislation.

(d) President Hoover, in his message to Congress, December 3, 1929, which he reaffirms in his message of December 2, 1930, approved Federal aid for maternity and infancy, but recommended that "such outlay should be positively coordinated with the funds expended through the United States Public Health Service." Therefore, the Jones bill is in conflict with the President's announced plans and recommendations.

(e) Two bills were introduced in Congress since the Jones bill was reported April 9, 1930, to carry out the President's plans:

H. R. 12995, by Representative COOPER, June 16, 1930.

S. 4738, by Senator ROBSION, June 18, 1930.

These bills are identical, revive Federal supervision of State "health" and "welfare" work, but under a "Federal health coordinating board."

To rush through the Jones bill without hearings, report, or consideration of the President's bills, plans, and recommendations is manifestly unfair to the President.

(f) The President appointed a commission of some 1,200 persons more than a year ago to consider "child health and protection." The subcommittee on Federal health organization of that conference recommended with only one dissenting vote—that of Miss Grace Abbott, Chief of the Federal Children's Bureau—the transfer of some of the "health" activities of that bureau to the supervision of the Public Health Service.

The President, in opening the recent White House conference on child health and protection, expressed the wish that this point of controversy be referred to a continuing committee of the conference for further consideration. (See official proceedings, supplement to United States Daily, November 26, 1930, p. 52, column 3, Transfer of Divisions, and Preliminary Reports of the White House Conference on Child Health and Protection, pp. 77, 78, 80.)

Miss Grace Abbott, Chief of the Children's Bureau, and Mrs. Florence Kelley (communist translator and chief American lieutenant of Frederich Engels, whose long communist record appears at length in the CONGRESSIONAL RECORD of May 31, 1924, and July 3, 1926), despite the President's wishes, took this controversy to the floor of the conference and to the newspapers, organized "pressure" through letters and telegrams from certain women's organizations, and secured the repudiation of the preliminary report, and an indorsement of their demand for continuation of "health" administration of maternity and infancy legislation by the Children's Bureau.

Miss Grace Abbott made a socialistic speech without the socialist label concerning "distribution of wealth," saying, "If our national income were equally divided, we should all have $3,000 a year and $15,000 invested," implied that the average American family does not receive enough for "a minimum level of health and decency," urged unemployment doles—something that both the President of the United States and the President of the American Federation of Labor have vigorously condemned—and made several charges against her colleagues that the proceedings show unfair. (See official proceedings, United States Daily, November 26, 1930, pp. 18, 30, 33.)

Mrs. Kelley herself, who issued a "challenge to the conference" before it met (signed article, New York World, November 16, 1930), demanding its revival of the maternity act and the child-labor amendment, and asking, "Will this change come soon and peacefully?" protested to the White House conference on behalf of "the organized womanhood of this country." (Proceedings, United States Daily, p. 35.)

Nevertheless, despite the newspaper headlines, the pressure, and the propaganda engineered by Mrs. Kelley and Miss Abbott, it appears, from page 52, official proceedings, United States Daily, column 3, that the entire controversy "is subject to further consideration by a continuing committee as proposed by the President."

The final reports of the President's conference on child health and protection are not expected to be ready until February, 1931.

Manifestly, therefore, the present effort to rush the Jones bill through Congress is an attempt to foreclose the issue and carry out the plans of Mrs. Florence Kelley, the communist, and Miss Grace Abbott, Chief of the Children's Bureau, before the final report of the President's commission is available.

3. The arbitrary action of the Senate Commerce Committee in reporting out S. 255 without hearings is unfair to the Senate and the public for the following reasons:

(a) The report (No. 369) misrepresents the Jones bill as a measure "to amend the maternity act" without informing the Senate that there is no such act to amend and without mention of its repeal.

(b) The report of the Senate Commerce Committee itself (No. 369) consists of 11 lines, the remainder being made up of a letter from the Secretary of Labor (now the Senator from Pennsylvania), dated May 31, 1929, and House reports of 1926.

(c) No statistics of infant or maternal mortality later than 1924 are furnished in the report.

The letter of the former Secretary of Labor, dated May 31, 1929, expressing fear that the end of the Federal maternity act in June, 1929, would mean loss of mothers' and children's lives, is quoted in the report, notwithstanding available reports of the Census Bureau showing a decrease of infant mortality in almost every week since July 1, 1929. (See Weekly Health Index, issued by the Division of Vital Statistics, Bureau of the Census.)

The neglect of the report to furnish the Senate accurate and timely information as to the administration of the former maternity act and its results, if any, upon infant and maternal mortality after nearly eight years of operation, and now a year and a half since its repeal, implies failure of the committee to find such statistics favorable. Hence, the reliance upon a House report of 1926 (ignoring later House reports) is evidence that later and more complete information that a Senate committee itself might collect to-day would not tend to promote the adoption of the Jones bill.

(d) On the part of the Senate, bills are obviously referred to committees so that fair and adequate information may be assembled in one public record, after competent testimony on all points has been heard—under oath if necessary. A 4-year-old report with 11 new lines—on a subject that has occupied 1,200 specialists of one of President Hoover's commissions for more than a year—is manifestly useless to the Senate.

(e) On the part of the public, hearings furnish the only adequate opportunity for expression of public opinion to legislative bodies. Neither petitions nor memorials to the Senate at large, nor personal "lobbying" with individual Senators, nor "letters and telegrams" to individual Senators, can take the place of a public hearing—any more than they would, if allowed, take the place of a "day in court" in a legal case.

Resident lobbyists can pour ex parte pleas into the ears of legislator after legislator until sometimes enough are "pledged" in advance to vote for a bill, regardless of debate on the floor.

But that is not representative government. That is not deliberative action. It is lobby government by coercion or persuasion of individual legislators, who are asked to abdicate their functions as members of a deliberative body, and to "pledge" and cast their votes as an outside lobbyist may direct or request, without regard to the deliberations of the legislative body.

Every lawyer in the Senate knows that the courts have repeatedly held that even the stockholders of a commercial corporation are entitled to the deliberations of a board of directors; that a meeting of directors already "pledged" in advance, regardless of discussion, has often been held illegal and void.

Moreover, "the act of any corporation beyond its charter powers is called in law ultra vires," and Herbert Spencer, pointing out that the majority in a corporation can not control where the original purpose is departed from, well says:

"And I contend that this holds of an incorporated nation as much as of an incorporated company." (See Losing Liberty Judicially, by Thomas J. Norton, p. 36.)

Surely American citizens should have as many safeguards of their right to representative government by deliberative bodies, in enacting the laws under which they live and for which they are taxed by all the coercive powers of government, as investors and stockholders in regard to the security of their money.

What is the fundamental purpose of representative government unless it is to secure discussion by a picked body of honest, informed, and able men, chosen by the people themselves, and accountable only to the people, before laws are passed.

Lawmaking alone can be done by the edicts of a despot.

Voting alone may be done by mail, machine, a word, or a mark.

The only reason for actual assemblies of deliberative bodies is to secure to the people joint discussion by their representatives—in place of arbitrary rule by one individual, or a mere poll of many.

This fundamental purpose of representative government utterly fails if members cast their votes, not according to the outcome of joint deliberation, but according to the ex parte pleas of some outside lobby, group, or bloc, to individual members. We submit that a legislator owes the moral duty of deliberation to the people no less than a director of a corporation owes it legally to stockholders.

4. Opposition sought hearings in February: Representatives of three distinct groups of citizens, who have all thoroughly studied this legislation, and have opposed it since 1921, appealed to Senator JONES, then chairman of the Commerce Committee (who introduced S. 255) for hearings thereon on or about Lincoln's Birthday. Typical of these groups are:

(a) The American Medical Association and various State, county, and city medical societies, opposing so-called State medicine and socialized medicine, particularly when practiced by amateurs and laymen with only political qualifications, if any, to advise physicians, nurses, and mothers on maternity and infancy care.

(b) Such organizations as Sentinels of the Republic, consisting largely of lawyers opposing unconstitutional legislation tending to destroy local self-government and individual freedom.

(c) Organizations and publications conducted by women, many of them having had experience in public-health matters, who oppose supervision of local medical practice and domestic relations by a distant Federal bureaucracy. Among these are your petitioners. These women are also determined to resist the entire socialist-communist program to make women and children wards and dependents of the State—of which revolutionary program this legislation is a repeatedly proved part, originated and still being engineered and promoted chiefly by a disciple of Friedrich Engels himself.

5. The excuse for refusal of hearings: When asked by Senator WALSH of Massachusetts "for an explanation of the position of the committee" in reporting out the Jones bill (S. 255) without hearings, the chairman, Senator JOHNSON, replied concerning this high-handed denial of the Senate's right of investigation through committee hearings, in part, as follows:

"* * * When the bill came before the Commerce Committee as at present constituted it was referred to a subcommittee. That committee subsequently reported favorably to the Commerce Committee. Thereupon the Commerce Committee reported the bill favorably. In its initial stages before this law was put upon the statute books there were elaborate hearings, as I recall, all parties in interest were heard; and it was deemed, I assume, by the subcommittee of the Commerce Committee—certainly it was my opinion—that no additional or further hearings were necessary." (CONGRESSIONAL RECORD, April 21, 1930, p. 7305.)

What Senator would hold that no hearings were necessary on the tariff act of 1930 because "elaborate hearings" had been held prior to the tariff act of 1922? Or that no hearings were necessary on the London naval treaty of 1930 because "elaborate hearings" were held prior to the Washington naval treaty of 1922?

Senator JOHNSON himself, in an eloquent public appeal explaining his insistence upon all possible information, including secret diplomatic correspondence, before Senate action on the London naval treaty, declared:

"It is nonsense to deny a people the right of investigation of what may affect their future welfare," etc. (CONGRESSIONAL RECORD, June 19, p. 11189.)

Senator JONES also, speaking on a joint resolution (H. J. Res. 367) to substitute the word "specified" for "specific" and to change a date by two weeks, declared:

"As a general rule I am opposed to considering bills and joint resolutions without reference to committees. * * * I do not like the procedure of passing bills from the House without their having had any consideration by a Senate committee or anything of the kind." (CONGRESSIONAL RECORD, June 23, 1930, p. 11506.)

We agree entirely with these principles thus set forth by Senator JOHNSON and Senator JONES. But we maintain that they must also apply to such bills as S. 255 if they are principles at all. Otherwise if "the right of investigation" and "consideration by a Senate committee" is urged only upon such measures as a Senator desires to defeat and arbitrarily denied upon measures he desires to put through without such investigation and consideration, it is mere special pleading, not principle, that demands hearings on one measure and refuses them on another.

Thus the excuse for refusal of public hearings on the Jones bill, which have been respectfully and repeatedly requested in vain since Lincoln's birthday, will not square with the principles of Senator JOHNSON and Senator JONES themselves, if they are principles.

What is the real reason for refusal of public hearings on the Jones bill? Is it because it could not stand the strain of a complete investigation? If not, why not? Why does the Kelley-Abbott lobby desire darkness rather than light, "quick action" rather than fair investigation?

We proceed to cite some evidence that is not contained in the report on the Jones bill, but that might be brought out much further if the bill were recommitted and fair hearings held.

6. Mrs. Kelley, communist, leading Jones bill lobby: A documented history of the original "drive" to establish the Children's Bureau and of the leadership of all its subsequent "drives" for "a full grant of power" over American homes and children by Mrs. Florence Kelley (formerly Florence Kelley Wischnewetzky) was published in the CONGRESSIONAL RECORD May 31, 1924, and July 3, 1926, and in House hearings on H. R. 14070—the Newton maternity bill—January 24–25, 1929, pages 248–290.

These facts—which have never been refuted—need no repetition here. But it is significant that the present "drive" also for the Jones bill—and against the Robsion-Cooper bill and the recommendations of President Hoover and his Child Welfare Commission—is also being led by the communist, Mrs. Kelley.

Mrs. Kelley is probably the only living communist leader personally trained by Friedrich Engels himself. Engels was the financial backer and coauthor with Karl Marx of the Communist Manifesto, Das Kapital, etc., and was called by the communists "sole guardian of the world revolution after the death of Marx."

Engels was the author of The Origin of the Family, Private Property, and the State—a ruthless attack upon marriage and morality as well as property—and Mrs. Florence Kelley was his chosen American translator and chief lieutenant.

Mrs. Kelley was receiving detailed instructions from Friedrich Engels about working communism "deeper into the flesh and blood" of Americans by "hiding" the label at about the time that Lenin and Trotzky, Debs, Berger, and Hillquit were mere schoolboys—and before most of the present communist agitators were born!

Yet so important to communists was the Engels-Kelley correspondence that the Moscow communists themselves are still taking lessons in the art of promoting "revolution in America" from the Engels-Kelley correspondence of 40 years ago! (See Little Red Library, No. 6, Marx and Engels on Revolution in America, issued by Communist Party of America, and Workers Monthly, November, 1925, December, 1925, and the Communist, May, 1928, for text of this correspondence, which was republished under Moscow orders for the instruction of present American communist agitators.)

The May, 1928, issue of The Communist, official monthly organ of the Communist Party of the United States of America, declares:

"The correspondence between Engels and his translator (Mrs. Kelley) connected with the entire project are of the utmost importance to present-day Marxists in America (p. 308).

"It is 40 years since Engels gave this advice to American Marxists; it might just as well have been given to us to-day" (p. 311).

The following extract is a sample of the strategy Engels taught Mrs. Kelley, then Florence Kelley Wischnewetzky:

"I think all our practice has shown that it is impossible to work along with the general movement of the working class at every one of its stages without giving up or *hiding our own distinct position and even organization.*

"The less it [communism] will be knocked into the Americans from without and the more they test it by their own experience, assisted by the Germans, *the deeper it will go into their flesh and blood*" (Friedrich Engels to Florence Kelley Wischnewetzky, January 27, 1887; The Communist, May, 1928, p. 313). (Italics ours.)

In other words, Engles told Mrs Kelley that all their practice had shown the necessity of hiding the communist label at times to work communism "deeper into the flesh and blood" of Americans.

Four months after receiving these instructions from Engels Mrs. Kelley opened her campaign, May 14, 1887, with a lecture to college women entitled "The Need of Theoretical Preparation for Philanthropic Work," in which she admitted that her purpose was to "find the point of least resistance" to "make an end" of the capitalist system, and indorsed Engels's book The Origin of the Family, Private Property, and the State as one of the "fundamental works" which is "warmly to be recommended." (Full text of Mrs. Kelley's lecture is attached.)

It will be observed that in that lecture, 43 years ago, Mrs. Kelley declared that "one great hope of a peaceful transition" was to show the workers "where to find the point of least resistance" and that "welfare work" (then called "philanthropic work") was then and is now the "point of least resistance." Forty-three years later, Mrs. Kelley, in her recent Challenge to the Conference (New York World, Nov. 16, 1930), asks, "Will this change come soon and peacefully?"

The plain implication of these statements, although the Engels trick of "hiding" it somewhat is obvious, is that unless America adopts communism by fraud and "welfare" legislation "soon and peacefully" it will come by "force and violence!"

Why should not the United States Senate—that excludes all the little amateur communist agitators, with red banners and labels, from Capitol Hill—stand up and meet this public challenge by Mrs. Kelley, which was directed as much to the American people and their Congress as to the President's recent White House conference?

7. Mrs. Kelley's lobby fighting Hoover-Cooper plan: President Hoover served at Washington as Secretary of Commerce from 1921—during all the agitation of what Vice President Dawes once called "the maternity block" in 1921, 1926, and 1927—and went through the presidential campaign of 1928 without once being quoted in favor of the maternity act.

After his inauguration President Hoover appointed a Child Welfare Commission, but allowed the maternity act to expire June 30, 1929, without a single public statement in its favor.

The Jones bill (S. 255) was introduced April 18, 1929. No interest by President Hoover was publicly indicated. On October 17, 1929, a delegation of women called upon President Hoover "to enlist his support" for the Jones bill. (New York Times, October 18, 1929.)

But President Hoover in his message to Congress December 3, 1929, wrote:

"The organization of preventive measures and health education in its personal application is the province of public-health service.

"I recommend to the Congress that the purpose of the Sheppard-Towner Act should be continued through the Children's Bureau for a limited period of years; and that the Congress should consider the desirability of confining the use of Federal funds by the States to the building up of such county or other local units; and that such outlay should be *positively coordinated* with the funds expended through the United States Public Health Service * * *," etc. (Italics ours.)

This recommendation of the President of the United States received no consideration whatever by the Commerce Committee, as the report shows.

Instead of considering the President's recommendations and investigating the merits of his suggestion for "coordinated" maternity legislation, the Commerce Committee reported out the Jones bill—introduced six months before the President's message of 1929—"without amendment" as well as without hearings.

Manifestly President's Hoover's recommendations of a revival of Federal maternity work through the Children's Bureau—but "positively coordinated" with the Public Health Service—was in the nature of a compromise.

From our point of view that compromise is unwise, but made in good faith by the President, who undoubtedly hoped that the Child Welfare Commission would find some solution of the problem, satisfactory to everybody, by "conferences"; just as the President has appointed other commissions in the hope of finding some basis of agreement on other great public controversies.

But Mrs. Florence Kelley and Miss Grace Abbott refused to agree with the President.

They have been fighting his recommendations ever since they were made.

And soon after Representative COOPER introduced his second bill (H. R. 9888), February 14, 1930, to carry out the President's plan for "coordinated" maternity work, they assembled their lobby at Washington to fight the President and the second Cooper bill. (See feature article, New York World, March 9, 1930, entitled "Women Rally to Aid Children's Bureau.") The article consists almost entirely of statements by Mrs. Kelley, showing her continued leadership of this propaganda, along with a few echoes of Mrs. Kelley's remarks by Miss Grace Abbott.

The Children's Bureau is fighting the President and supporting Mrs. Kelley and her lobby on this issue, quite as much as Mrs. Kelley herself.

Last March, two Boston women, Mrs. William Lowell Putnam, originator of the first scientific prenatal care in the world, and former president of the American Child Hygiene Association, and chairman of the Women's Coolidge-Dawes Republican clubs of 1924, called upon President Hoover, accompanied by Mrs. Francis E. Slattery, of Boston, to tell the President that the "silent women" of the country were opposed to the communistic activities and propaganda of the Children's Bureau.

The President did not agree with them that the bureau should be abolished, and urged them to "work constructively," calling

their attention to the new Cooper bill (H. R. 9836), but admitting that the Children's Bureau was opposed to it.

This admission of the President (March 3, 1930) that the Children's Bureau was fighting his "coordination" plans and the second Cooper bill, was soon confirmed by Miss Grace Abbott, Chief of the Children's Bureau, who, in the New York World feature article of March 9, 1930, previously mentioned, after the real leader, Mrs. Kelley, was quoted at great length, is reported to have said:

"Mr. COOPER has not discussed his new measure with me * * *. The whole question as to whether or not the administration of the work should be intrusted to the Children's Bureau or to some other agency was thoroughly discussed when the Sheppard-Towner Act was passed."

In short, Mrs. Kelley and Miss Grace Abbott insist that the question is foreclosed—that neither the President, the President's Child Welfare Commission, nor Congress, shall alter by a comma their own "expanding program" for power!

On May Day, 1930, Mrs. Kelley, after using the headlines and a few misled women's organizations against the President's plans, took to the air, and over the Socialist radio station (WEVD) at New York, denounced the second Cooper bill, demanded the adoption of the Jones bill, and urged her auditors to "bury" their Senators and Congressmen under letters and telegrams for the Jones bill. (See New York Times, May 2, 1930.)

The agitation organized and conducted by Mrs. Kelley and Miss Abbott at the recent White House conference against the President's plans, has already been cited.

8. Mrs. Kelley also led "maternity bloc" in 1921; the communist, Mrs. Kelley, who is now leading the propaganda lobby to "put over" the Jones bill before the White House conference continuing committee can make its final report, was also the leader of the 1921 "drive" for the Sheppard-Towner Act.

Mrs. Maud Wood Park, then chairman of the women's joint congressional committee and president of the National League of Women Voters, in a signed letter to the Woman Citizen, official feminist organ, March 11, 1922, wrote:

"May I ask you to make clear in your columns the great service rendered in the passage of the Sheppard-Towner bill by the organizations represented in the women's joint congressional committee? When this subcommittee was organized *Mrs. Florence Kelley*, representing the National Consumers League, *was made chairman.* * * * Through the membership of these organizations and their united efforts there was recorded in the Congress such an overwhelming demand for the bill * * *." etc. (Italics ours.)

Of this lobby, thus led by the communist, Mrs. Kelley, Charles A. Selden, in his article, The Most Powerful Lobby in Washington, wrote in the Ladies Home Journal, April, 1922:

"After repeated attempts in both branches of Congress to let that Sheppard-Towner bill die of neglect or delay or evasion, after the most violent opposition, it was passed in the Senate by a vote of 63 to 7; in the House by 270 to 39.

"Senator Kenyon (who had charge of the bill in the Senate) told me that if members could have voted on that measure secretly in their cloakrooms it would have been killed as emphatically as it was finally passed in the open under the pressure of the joint congressional committee of women."

Thus it was admitted and proclaimed that lobby pressure—organized and led by the communist, Mrs. Kelley—secured the enactment of the Sheppard-Towner Act in 1921.

In 1921 Senator MOSES introduced a bill for Federal aid in establishing local maternity hospitals and training schools for nurses and midwives under the public health authorities. The Moses bill of 1921 was somewhat similar to the "coordination" plans of President Hoover and his Child Welfare Commission.

The communist Mrs. Kelley, however, turned thumbs down on the Moses bill in 1921—just as she is to-day fighting the Hoover-Wilbur plans and the Robsion-Cooper bills—and declared:

"You can not imagine anything worse than the strewing of the counties with unstandardized little hospitals." (Senate hearings, Apr. 25, 1921, pp. 136-137.)

In 1930 Dr. Ralph W. Lobenstine, in the Baltimore Sun, May 11, 1930, discussing "the toll of maternity in America" (which nearly eight years of Sheppard-Townerism did not reduce, but which has been reduced since the end of Sheppard-Townerism) offers as a current "constructive suggestion" practically the same plan as Senator MOSES proposed—and the communist Mrs. Kelley with her lobby killed—in 1921, namely:

"First, institution of special training courses in obstetrics for a high type of graduate nurse * * * in connection with an institution where a sufficient number of maternity cases would be available to provide instruction under competent obstetricians.

"Second, the creation of more small county hospitals in the rural districts, each to have at least one ambulance and one or more trained nurses working under a first-class obstetrician." (Baltimore Sun, May 11, 1930.)

President Hoover also wants "county or other local units," with the outlays "positively coordinated" with the United States Public Health Service. (Annual message, 1929.)

But the communist Mrs. Kelley, confident of her "dictatorship" by lobby pressure, will have none of these things. She demands the Jones bill, "without amendment," under which not a cent can be spent for a hospital bed or a taxicab for any mother or a bottle of milk for any baby, and practically the entire fund goes to pay salaries of social workers, or else the complete original Engels-Kelley-Kollontay-Lathrop-Abbott "expanding program" for Government care of mothers and children.

9. The Engels-Kelley "child welfare" schemes:

Friedrich Engels, in his Origin of the Family, Private Property, and the State, which Mrs. Kelley declared one of the "fundamental works" which is "warmly to be recommended," ruthlessly attacked the family as an institution, and in particular held the support of wives and children by men as the original cause of private property and the chief obstacle to its abolition. That is the thesis of his book. The following example will suffice:

"Monogamy was the first * * * victory of private property over primitive and natural collectivism (p. 79) * * *. Monogamy arose through the concentration of considerable wealth in one hand—a man's hand—and from the endeavor to bequeath this wealth to the children of this man to the exclusion of all others * * *. With the transformation of the means of production into collective property the monogamous family ceases to be the economic unit of society. The private household changes to a social industry. The care and education of children becomes a public matter. Society cares equally well for all children, legal or illegal. This removes the care about the 'consequences' which now forms the essential social factor—moral and economic—hindering a girl to surrender herself." (P. 91-92.)

Mrs. Kelley led the campaign for the establishment of the Children's Bureau in 1912 and has led every one of its drives for more power since.

The Woman's Journal, official feminist organ, April 6, 1912, a few days after the bureau was established, declared:

"This is the outcome of seven years of indirect influence by Mrs. Florence Kelley and many other earnest women."

Among the other leaders of that original "drive" it may be noted that Dr. Anna Louise Strong (who conducted propaganda meetings throughout the country in 1911 for the establishment of the Children's Bureau), after serving as "exhibit expert" of the Children's Bureau until 1916, afterwards led the great Seattle "general strike" and is now editing the only communist organ in English published at Moscow!

Mrs. Kelley herself admits her leadership of the maternity act drive and her dictatorship of Children's Bureau activities, in part, as follows:

"My own modest share in this life-saving measure is an abiding happy memory. When the Children's Bureau bill passed in 1912 I was consulted among its advocates as to the order in which the subjects assigned to the bureau should be taken up. I urged immediate study of infant mortality." (Signed article by Mrs. Kelley, Survey, October 1, 1926.)

These "Income and Infant Mortality" investigations of the Children's Bureau, made at Mrs. Kelley's suggestion, were shown by former Senator Reed of Missouri, in 1921, from reports by Miss Julia C. Lathrop (then chief of the Children's Bureau) to have included inspections of pay rolls to determine if husbands were "holding out" from their wives the amount of their salaries, and were not at all "health" studies, but selected "surveys" in the slums of certain cities to build up a socialistic dogma, as follows:

"The infant-mortality studies of the Children's Bureau show that an adequate income earned by the father of the family is the *sine qua non* of safety for babies. * * * There is a question, however, now pressing for attention which affects *not only the lowest income groups, but the greater share of American mothers;* it is how to make promptly and uniformly available *for all mothers and children, irrespective of income,* in town and country alike, the services of nurses, doctors, conference centers, and hospitals. * * * Is it not evident that *the public must assume this responsibility* and that the duty can not be discharged with cash allowances alone, but that a nation-wide program, which must embrace many activities, is needed?" (Children's Bureau Fifth Annual Report, 1917, pp. 44, 47.) (Italics ours.)

In other words, the "infant mortality" studies made by the Children's Bureau at the suggestion of Mrs. Kelley in the slums of eight selected cities were used as a basis for the communist doctrine that "the public must assume this responsibility" for the care of maternity and infancy, through a "nation-wide program," including not only "cash allowances" (childbirth doles or "maternity benefits" for mothers), but also the socialization and nationalization of "nurses, doctors, conference centers, and hospitals" for maternity and infancy care, "irrespective of income." That was the original scheme behind the original "maternity bill" drafted by the Children's Bureau and introduced by Miss Jeannette Rankin, July 1, 1918.

That scheme was launched in the Children's Bureau report for 1917, simultaneously with the similar scheme on the same subject, proclaimed by Alexandra Kollontay at Moscow!

10. The Kollontay-Lathrop "Maternity System" program: A comparison of the Children's Bureau Fifth Annual Report, of October, 1917, pages 44-48, proclaiming "public responsibility" for "maternity and infancy" in America, with the proclamation at the same time (October, 1917) by Alexandra Kollontay, then soviet commissar of social welfare at Moscow (who had previously made two visits to the United States in 1915 and 1916) for "protection of mothers and children" as a "duty of the Government" and maternity as a "service to the state" under communism, will demonstrate to any honest investigator that the bolshevik program and the Children's Bureau program for "public responsibility" were either drawn up in collusion or else both programs derived from a common communist source. (See Senate Bolshevik Propaganda Hearings, 1919, p. 1258, for text of Kollontay's proclamation of October, 1917.)

It will also be noted that the language quoted above from the Children's Bureau Annual Report of 1917 expresses exactly the same idea of state responsibility for the care of maternity and infancy as set forth more frankly by Friedrich Engels himself.

Moreover, the Rankin bill of July 1, 1918 (H. R. 12634) provided free "medical and nursing care" for "all residents" (married or unmarried mothers, legitimate and illegitimate children), but lodged *in the Labor Department* the selection of mothers to receive the free service, as well as the terms upon which other mothers would be furnished Government "maternity and infancy" care. Truly a "proletarian measure." The Rankin bill was admittedly drafted by the Children's Bureau—but the hearings upon it, as usual, were under the leadership of Mrs. Kelley.

By 1919 the Children's Bureau Annual Report for that year, after discussing the maternity dole systems of Europe as inadequate and commending "the new international sense of responsibility for child welfare" (p. 15) declared:

"In many European countries—as in England—experience indicates the need of *basic governmental responsibility for maternity and infancy.* * * *

"As applied to the United States, it may be said with certainty that any public provision for safeguarding maternity and infancy *must be universal.* It must afford a dignified service which can be utilized with the same self-respect with which the mother sends an older child to the public school." (P. 27; italics ours.)

In describing the British maternity-dole system, the same report states:

"It is * * * clearly an expression of a belief that no provision already in existence is adequate." (Ibid.)

In short, the Children's Bureau proposed for the United States not only a maternity system as communistic as that of Friedrich Engels and Alexandra Kollontay, but as extensive a "service" as that of the public-school system.

Also, the Children's Bureau publication No. 57, "Maternity Benefits Systems in Certain Foreign Countries," issued in 1919, declared Alexandra Kollontay's book, "Society and Motherhood":

"The most comprehensive study of maternity benefits and insurance which has yet appeared in any language" (p. 175, bureau publication No. 57).

Moreover, Miss Julia C. Lathrop, then chief of the Children's Bureau, testified:

"As to Madam Kollontay's book, which has been referred to, it was published in 1916 at Petrograd. * * * Indeed, there was a reuest that the Children's Bureau should republish, but after our translator had looked at the material it did not seem advisable to undertake so costly a piece of work, because we could in more brief manner present all that was necessary and from more original sources." (House hearings on H. R. 2366, July 12, 23, 1921, p. 235.)

Could there be any clearer testimony that the Children's Bureau booklet on "maternity benefits" was inspired by and a condensation of Kollontay's "Society and Motherhood"—the bureau denying the admitted request for republication of Kollontay's book only on account of the expense, and because it could "in more brief manner" cover the same ground—while recommending Kollontay's own book as the "most comprehensive study" of the same subject.

While Mrs. Kelley seems clearly responsible for most of the "drives" of the Children's Bureau, it appears that the "maternity benefits" scheme—of which the Jones bill is the present fruit—came straight from Alexandria Kollontay.

Mrs. Kelley, in 1914, wrote an article on "Women and Social Legislation in the United States" published in the annals of the American Academy of Political and Social Science, November, 1914.

In that article, Mrs. Kelley admits that she was seeking "to standardize the wages and working hours of women and girls," urged old age pensions, minimum-wage legislation and various other measures, but made no mention of maternity legislation.

That scheme was undoubtedly brought to the United States by Alexandra Kollontay in 1915 and 1916, the feature of Kollontay's book Society and Motherhood, of 1916, and it was launched simultaneously by Kollontay at Moscow and by Miss Lathrop, then Chief of the Children's Bureau at Washington, in October, 1917.

11. A CAMPAIGN FOR POWER, NOT HEALTH

The Children's Bureau was established under the act of April 9, 1912, merely as a fact-finding or statistical agency, with no administrative powers. That was the intention of Congress. But its outside backers had no such intention. The Women's Journal, official feminist organ, a month after its establishment, declared:

"The women * * * must prepare to back Miss Lathrop up in the very near future. * * * We shall not be willing to let the establishment of the Children's Bureau mean simply investigation; it must mean power to change things. * * * In other words, we shall soon want to demand some very drastic legislation in behalf of the children of the Nation." (Women's Journal, May 11, 1912.)

That program—not the program of Congress or the Constitution—has been followed ever since. Administrative power to control children, irrespective of constitutional limitations, was sought by every means.

These drives of the Children's Bureau for a "full grant of power" over American homes and children have led to four suits in the Supreme Court—the Child Labor cases and the Maternity Act cases—and to one proposed constitutional amendment—which was overwhelmingly rejected by 36 States and ratified only by 5—after the Kelley-Abbott lobby had misled Congress to believe that the "organized womanhood of this country" wished to turn over control of their children—and persons under 18 years—to the Children's Bureau.

There is no more reason to believe the women of the United States favorable to the Jones bill—or favorable to the communist Mrs. Kelley and the bureaucratic Miss Abbott, as against the plans of President Hoover and everybody else for child welfare—than there was in 1924 to suppose them favorable to the extreme and revolutionary child labor amendment.

Many women's organizations, in fact, are on record vigorously against the communistic schemes and propaganda of the Children's Bureau. Copies of resolutions passed by such representative women's organizations as the American War Mothers, the Daughters of 1812, and the Daughters of the American Revolution are attached herewith.

Representative DENISON, of Illinois, who voted for the Sheppard-Towner Act, declared in 1921:

"This view * * * has been expressed to me in communications received through the mail that, rather than have the administration of this bill taken from the Children's Bureau, they would rather have no legislation at all on the subject." (House hearings, July, 1921, p. 262.)

The testimony of Miss Lathrop, then Chief of the Children's Bureau, at that hearing, also shows they regarded it as "not a health measure."

The Senate has three questions, rather than one, before it in considering this legislation:

1. The Senate can uphold the Constitution, the State rights planks of both great parties in 1928, and keep the "gentleman's agreement" made in the Senate in 1927, and incorporated in the act of January 22, 1927, as section 2 thereof, and approved by President Coolidge on that "understanding."

2. The Senate can carry out the plans of President Hoover and his Child Welfare Commission for further Federal subsidies for maternity and infancy, but "positively coordinated with the funds expended through the United States Public Health Service"—and in that case hold hearings on the entire subject, or await the final report of the President's Child Welfare Commission in February, 1931.

3. Or the Senate can throw overboard all other considerations, and without hearings or investigation, pass the Jones bill in the exact terms that the Kelley-Abbott lobby demands!

The present "drive" is another example of the "legislative technique" which Miss Grace Abbott teaches certain women's organizations for the final "assault upon the legislature or the Congress" by lobby pressure! (See address of Miss Grace Abbott on Legislative Technique, General Federation of Women's Clubs, May 27, 1926 (official proceedings, pp. 117-124).)

In conclusion, we respectfully appeal to the Senate to recommit the Jones bill (S. 255) for public hearings and complete investigation of the background, lobby backing, and communist philosophy and connections beneath this "drive" to restore a repealed administrative power to the Children's Bureau.

This petition, long as it seems, is but a bare outline of the evidence available, accompanied by original documents on every point, which the office of this one women's publication could furnish at public hearings on this subject. The doctors, the constitutional lawyers, and many eminent women who utterly oppose the Children's Bureau schemes—such as Mrs. William Lowell Putnam, originator of the first scientific prenatal care in the world, and Mrs. Frederic Schoff, former president of the Congress of Mothers, who presided over President Roosevelt's first White House Conference on Child Welfare in 1909—could furnish the Senate with much additional information.

In the words of the old town of Milton to its ancient representatives in the days when the rights of the American home to freedom from interference by petty officers was the greatest issue in America—and the issue from which our independence was born:

"We depend upon your steadiness, prudence, and firmness, and that you give not up one jot or tittle of our rights, but dispute every inch of ground with the enemies of our liberties and freedom."

Respectfully submitted by—

THE BOARD OF DIRECTORS WOMAN PATRIOT PUBLISHING CO.,
By MARY G. KILBRETH, *President.*

Mr. BINGHAM. I should like to call attention to one or two important points in the petition, in which it is explained, in the first place, that there have been no Senate hearings on this subject since July, 1921, more than nine years ago.

In the second place, the representatives of three distinct groups of citizens, who have all thoroughly studied this legislation and have opposed it since 1921, appealed to the Senator from Washington [Mr. JONES] for hearings thereon on or about Lincoln's birthday, including the American Medical Association, the Sentinels of the Republic, and other organizations. The petition sets forth that when the bill was reported out the Senator from Massachusetts [Mr. WALSH] referred to the fact that there had been no hearings, and he asked the then chairman of the committee, the Senator from California [Mr. JOHNSON], regarding the denial of the Senate's right of investigation through hearings, and that Senator replied that the bill had been referred to a subcommittee and the subcommittee subsequently had re-

ported it favorably and that he did not think the hearings were necessary.

I understand a motion has been or will be made to refer the legislation back to the committee in order that hearings may be held. I should like to inquire whether such a motion has been made?

The PRESIDING OFFICER. Such a motion has not been made.

Mr. BINGHAM. In that case, I move that the bill be referred back to the Committee on Commerce with instructions to hold hearings on it, since hearings were denied to several reputable organizations at the time the bill was before the committee, and since hearings have not been held in the Senate on the subject since 1921.

Mr. KING. Mr. President, will the Senator permit an inquiry?

Mr. BINGHAM. Certainly.

Mr. KING. In view of the fact that legislation of this character was before the Committee on Education and Labor, and it seems to me that measures of this kind should go to that committee, I ask the Senator if it would not be proper to move a reference of the bill to the Committee on Education and Labor? The Senator will recall that the Senator from Colorado [Mr. PHIPPS] was chairman of that committee which reported out the bill which later became the law and which was later repealed, and that committee is somewhat familiar with the subject because of the fact that they did report out a bill limiting the duration of the act to one or two years. It occurs to me that it is that committee to which the measure should be referred.

Mr. BINGHAM. I entirely agree with the Senator from Utah that that committee is the proper committee to which the bill should have been referred. It had always considered this type of legislation. The original bill came from that committee. The amendment which came in 1926 and 1927 was referred to that committee. I was a member of the committee at the time, when we held long discussions on what to do in the matter, and the bill was finally voted out with an amendment limiting the time of the continuance to one year. Naturally I supposed when an effort was made, as I had heard it would be made, to continue the legislation that the bill would be again referred to the Committee on Education and Labor, which had had the bill or similar measures before it at various times during the previous eight or nine years.

But I did not question the right of the Senator from Washington [Mr. JONES] to ask reference of the bill to his own committee, the Committee on Commerce, although I expressed the opinion the other day that it did seem to me, in view of the fact that the Committee on Commerce deals largely with navigation and with problems of water-borne commerce, that it was not exactly the committee to which this legislation should have been referred; that it was more appropriate to refer maternity legislation to the Committee on Education and Labor. But I appreciate the fact that the Senator from Washington was entirely within his rights in asking that it be referred to his committee, and therefore, since it was so referred and was considered by that committee and a subcommittee, I have moved that it be referred back to the same committee in order that hearings may be held on the subject, although I agree with the Senator from Utah that it would be more appropriate to refer it to the committee which has always considered the legislation. As a matter of fact, in the House of Representatives the legislation has usually been referred to the Committee on Interstate and Foreign Commerce and therefore that might be said, I presume, to establish a precedent for the action taken by the Senator from Washington.

Mr. President, there is no body of men or women in the country which is more seriously and faithfully engaged in promoting human health and happiness, and often rendering it at great expense of strength and time and money, services for which no compensation is received, than the body of physicians of the country, who give such a large part of their time to charity and whose whole lives are devoted to efforts to relieve suffering and promote health.

It is a very significant thing that that body, the official body of physicians in this country, constituting the American Medical Association, has repeatedly protested against this legislation. Also, I have before me communications and resolutions from various State organizations of physicians opposing the legislation.

Mr. President, as I said, there is no body of men in the country who labor more unselfishly for the health of the community than the physicians of the United States and the members of the American Medical Association. I have been repeatedly told by friends in that profession that they give more than half their time without any cost to caring for the poor in our hospitals and dispensaries. That fact is perfectly well known. Why should they be opposed to this legislation if it, indeed, accomplishes or will accomplish the purpose for which its proponents are introducing it? If it will accomplish the objects which they desire to have accomplished, why should the physicians oppose it? Why should their official organization go on record opposing it? Why should they in their conventions pass resolutions opposing it? Why should State organizations oppose the legislation? It is because the legislation does not do that which it aims to do and because it does harm to the promotion of health and hygiene in the States themselves by taking away from the States their responsibilities and placing them in a bureau in Washington.

Mr. President, I should like to offer a few remarks in an effort to clear away certain misunderstandings that may have been created by the report of the Committee on Commerce with respect to this legislation. The report which I hold in my hand—Calendar 368, Report No. 369—is entitled "To Amend the Maternity Act." The bill is for no such purpose. There is no maternity act in existence. The act which we passed, to which I made reference earlier in my remarks, was repealed in the middle of last year and is not in existence. There was no maternity act in existence when the report was made.

The maternity act—by which it is presumed it is meant the so-called Sheppard-Towner Act—was specifically repealed by an act approved January 22, 1927 (Public, No. 566, 69th Cong.). The report of the committee, dated April 9, 1930, was obviously based on a letter from the Secretary of Labor, dated May 31, 1929, and made a part of the report. In pleading at that time for the enactment of this bill the Secretary of Labor, now the junior Senator from Pennsylvania, said:

> I hope that the bill may be passed at an early date, so that projects now being supported jointly by National, State, and county funds may not be interrupted, and the trained personnel that the States have developed during the past seven years may not be lost through a lapse in the appropriation.

As a matter of fact, after that letter was written and many months before the committee made its report, the appropriation had lapsed, the trained personnel had presumably been scattered, the projects referred to had been interrupted—and all without any discoverable harm to the mothers and infants of the country. Finally, the statistics embodied by the committee in its report in support of the bill are so far out of date as to be practically worthless for the purpose of enabling anyone to pass judgment on it. They cover only three out of the seven years during which the Sheppard-Towner Act was in operation, showing nothing after 1924.

Proceeding now to a consideration of the bill itself, it will be recalled that an effort has been made in the course of this debate to justify or excuse its enactment by claiming that it is an educational measure, and that the dissemination of information for educational purposes is a legitimate function of the Federal Government. If that claim is sound and if the ends sought by the bill are meritorious, there is no reason or excuse for making the accomplishment of the ends desired by the Federal Government dependent on the consent of State legislatures or on State appropriations.

We appropriate money every year in considerable quantities for the Bureau of Education in the Department of the Interior. That money is spent widely in its investigations all

over the United States, but it is never done on the 50-50 basis, nor is there any effort made to the end that the money which is spent shall be used as a bribe in consideration of somebody in some State changing his mind to accord to the wishes of a bureau in Washington.

But even if we admit that it is a proper function of the Federal Government to disseminate information concerning health among mothers and infants and concerning other matters, we do not necessarily admit that the Federal Government is at liberty to use any and all means toward that end. The establishment of Federal dispensaries, clinics, and health centers in a State by the Federal Government may be a very effective means of disseminating information. But if the Federal Government can, without the consent of a State, establish dispensaries, clinics, and health centers within its boundaries for educational purposes, then the Federal Government can in like manner establish police departments, fire departments, schools, assessment offices, tax-collection offices, and so on indefinitely, for the purpose of educating the people of the State how they and their officers should run their State governments in the interest of the people. To state the case is to show the absurdity of the effort made to justify the pending legislation on the ground that it is merely a proposal to exercise the authority of the Federal Government to engage in educational activities.

Moreover, if the purpose of the service that is to be established under this bill is on the one hand educational, as claimed by its proponents, and on the other hand medical, as the record and the debate clearly show, why do the proponents of the bill undertake to intrust its administration to a bureau that is neither educational nor medical and not to the established educational bureau of the Federal Government, the Bureau of Education, or to the established health service of the Federal Government, the Public Health Service, either or both? The claim that the bill is primarily educational in its purpose clearly requires better support than has yet been offered, if it is to be accepted.

Incidentally, at the request of the President of the United States, there was held recently in Washington a conference on child welfare to which more than 1,000 delegates came from all over the United States. Those of us who followed its activities through the newspapers will remember that the question of whether the infant-maternity welfare bureau should be taken out of the Department of Labor and placed in the Public Health Service received a good deal of attention, and there was considerable activity one way or another. Finally the matter was referred to a committee for study. But without waiting for the report of that committee of this important conference called by the President, we are asked by the friends of the President to rush ahead and enact this legislation, which will continue this work not for two years or three years or five years but indefinitely and indefinitely leave it in the Department of Labor under its present bureaucratic head.

Mr. President, it has been argued in support of this bill that because the Federal Government has paid subsidies to the States on other occasions and for other purposes there is no reason why it should not now pay subsidies for protecting and promoting the health of mothers and infants. If that argument is sound, there is no reason why the Federal Government should not pay Federal subsidies to any State for any purpose whatever. It might mulct the taxpayers of the country of any amount that a bare majority in Congress might see fit to approve in order that officers of the Federal Government could, through Federal subsidies, buy from the several States the right to control within their borders all matters of police, fire protection, traffic control, waste disposal, school management, and so on. Viewed in this light, the system is obviously subversive of our dual system of government, and yet the plan that we are now urged to adopt differs from the enlarged plan just outlined not one iota in principle but only in extent.

Obviously some of the Federal subsidies that have been paid to the States have been clearly justifiable on constitutional grounds, but no constitutional ground can be found for the encroachment of the Federal Government on the right of the States to control their own internal affairs in so far as relates to the protection and promotion of the health of mothers and children. When the direct issue was presented to the United States Supreme Court in the suit instituted by the Commonwealth of Massachusetts to prevent the carrying of the Sheppard-Towner plan into effect, the court discreetly avoided deciding the question. The same court had, however, previously held two child-labor laws enacted by Congress to be unconstitutional, because they invaded the rights of the States to look after the welfare of their own children; and yet those laws were based on constitutional authority much stronger than any semblance of authority that can be found in the Constitution for the support of legislation of the Sheppard-Towner type, for one was based on the constitutional authority of the Federal Government to regulate interstate and foreign commerce and the other was based on its constitutional authority to levy taxes.

That there is adequate constitutional authority for Federal subsidies for road building no one can deny, although one may well question the wisdom of exercising that authority in particular instances. The Federal Government is authorized to establish and maintain post roads. It must maintain roads for military purposes. If, then, it finds it more economical to establish such roads through State cooperation than through independent Federal action, there is no reason why it should not adopt that course, and every reason why it should. The Federal Government alone has authority to supervise and control interstate and foreign commerce. The communicable diseases of man and of animals and of plants may be spread through interstate and foreign commerce. If in order to prevent their spread the Federal Government finds it expedient to go into a State in order to get at the source of contagion instead of quarantining the entire State at its boundary line, there would seem to be no reason why it should not do so, even without the consent of the State, and therefore certainly no reason why it should not do so in cooperation with the State, through subsidies or otherwise. Hence Federal subsidies and cooperation for the suppression of communicable diseases, such as hog cholera, tuberculosis, and foot-and-mouth disease, rest on a sound constitutional basis. The Federal Government owns vast forests. If by virtue of that ownership it finds it more economical and efficient to join hands with the several States in establishing patrols for the prevention of forest fires on Federal property, that course would seem to be merely good business.

The fact, however, that there are certain fields within which Federal subsidies and Federal cooperation are proper does not justify Federal subsidies and cooperation when there is no justification for them in law and when their immediate effect is to build up a Federal bureaucracy that will enable a small group of Federal administrative officers to dominate and control the activities of the States within fields that belong primarily and exclusively to the States themselves. By the system of Federal subsidies and control provided for in the pending bill, a Federal bureau, in cooperation with a triumvirate created especially for that purpose, is given control over maternal and infant hygiene within the States. By the same method, the same group or any other group of Federal officers can be given control of the hygiene of the entire population. If by that method Federal officers can obtain control of the hygiene of the entire population it is evident that by a simple extension of the process Federal officers can be given control of all matters pertaining to the safety, morals, property rights, and other matters of public policy within the States—and our dual form of government will be swallowed up in a bureaucracy pure and simple.

Mr. President, I should like at this point to call the attention of those who are interested in this subject to the history of legislation regarding the welfare of bodies and souls, religious legislation, sumptuary legislation, which can be found in the pages of such countries as Spain, for instance, where during the fifteenth, sixteenth, and seventeenth centuries a body of very earnest, conscientious people were determined, if they possibly could, by law to make people good, to save their souls from eternal damnation, to make them

wear the right kind of clothes, not to spend too much money on their clothes, to make them eat the right kind of food, and drink the proper kind of drinks wherever they might be. That legislation, Mr. President, as every student of Spanish history knows, failed utterly, although no government ever had more secret agents, more open agents, and more power to carry out its measures than did the Spanish Government of those days. Through such institutions as the inquisition it was enabled to go into homes, to find out what the people were drinking and eating and wearing and what they were saying about the salvation of their immortal souls. Nevertheless the legislation failed, as similar legislation has always failed in the history of the world whenever a great central government has attempted to apply to sumptuary matters laws enacted by it.

Mr. President, proponents of the Sheppard-Towner Act claim that one of its purposes was to stimulate the States to provide on their own account for the welfare of the mothers and infants within their respective borders. I claim that there is no evidence that it did so, notwithstanding the figures that have been read on the floor during the debate.

On the contrary, there is very strong evidence that the Federal subsidies provided by the act led many States, possibly all of them, to withhold State appropriations that they would otherwise have made so long as the Federal Government was paying a part of the cost. There is no other explanation to the fact that immediately on the discontinuance of subsidies from the Federal Government 15 States and the Territory of Hawaii each appropriated an amount equal to the combined State and Federal funds of the preceding year. The States referred to are Delaware, Maine, Maryland, Michigan, Missouri, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, South Dakota, Tennessee, Vermont, and Wisconsin. There is no reason to believe that these States could not have made such enlarged appropriations before the withdrawal of the Federal subsidy quite as easily as they did after it was withdrawn. Moreover, the pending bill proposes to give further subsidies to each of the States named. If the combined Federal and State funds previously allotted these States were adequate, clearly the present State appropriation is adequate and no further Federal subsidies are needed. What, then, is to be done? Are these States to lose such advantage as may be thought to be inherent in Federal subsidies because they themselves have made adequate appropriations? Or is the Federal Government to match the enlarged appropriations made by these States and thus establish a precedent for matching all future appropriations? What is to be the limit of Federal subsidies for maternal and infant welfare work in the several States, or is there any limit? Is the Federal Government going to provide subsidies for the States that are obstinately holding out for Federal aid, holding out even to the supposed detriment of the mothers and infants within their borders, while paying no subsidies to the States that have enlarged their appropriations, and thus allow the recalcitrant States to profit by their obstinancy and callousness?

Whether the States that have not increased their appropriations since Federal subsidies were withdrawn have failed to do so because of the poverty of the State or because of a lack of interest in the saving of the lives of mothers and infants, or whether they are merely holding out in the hope of forcing the Federal Government through popular clamor to appropriate for the State needs in the field of maternal and infant hygiene so as to allow the States to use their own money for other purposes should certainly be determined before Federal aid is extended to them. If a State is so poor that it can not through taxation or bond issues provide the money necessary for safeguarding the lives and health of its citizens, an audit of the State's accounts should demonstrate that fact. Only after it has been demonstrated, and not before, should Federal aid be extended. Then it should be definitely extended as a matter of charity, as an outright gift or as a loan, and not as the purchase price for the surrender of State rights.

Mr. President, I think that it will be seen by all unprejudiced persons that the charge that those who are opposed to this bill are acting only through considerations of gross materialism is confuted by the fact that the medical societies of the States and the greatest medical association of the United States are opposed to this legislation and are antagonistic from no materialistic motives whatever, since their members give their lives to promoting health and to preventing disease. Those of us who are fighting this legislation on the floor of the Senate are interested chiefly in preserving to the States the rights which were preserved to them under the Constitution. Many of us come from States which were loath to give up their rights as sovereign States, but they did so in order to promote the national prosperity and strengthen the National Government. However, the powers given to Congress were restricted; they were specified; and under an amendment to the Constitution it was clearly stated that any powers not granted to the Congress were reserved specifically to the States and to the people thereof.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. BINGHAM. I will yield in just a moment. I realize that under the general-welfare clause of the Constitution the pending legislation has been proposed; that similar legislation and other legislation of like character has been enacted heretofore. Students of the debates on the general-welfare clause are divided, but the great mass of the opinion of constitutional lawyers, so far as I have been able to ascertain, is that the words "general welfare" refer to the general welfare of the States and not the general welfare of the citizens thereof, who are naturally supposed to depend on their States to look after their general welfare. Now I yield to the Senator from New York.

Mr. COPELAND. Does the Senator believe, Mr. President, that the Federal Government is actually going into the States to do something when this appropriation shall be made? Does the Federal Government have anything to do with the administration of the fund or with the way in which it is applied in the individual States?

Mr. BINGHAM. If the Senator will read the act carefully he will see that there must be an agreement in order to carry out the measure in the way in which the bureau wishes it to be carried out before the money shall be used.

Mr. COPELAND. Are those regulations carried out by the State or by the Federal Government?

Mr. BINGHAM. If the State does not carry them out, it does not get the money. It is a bribe to the State to do something that it otherwise might not want to do. May I say to the Senator from New York that there are a few States that are so anxious to preserve their own way of doing things, and take such pride in the way they do things, that they have been unwilling to be bribed even though they have to pay the taxes to see to it that the measure is put into effect in other States?

Mr. COPELAND. In my State we had a distinguished Republican governor, who opposed the use of the funds for the reasons which have been so ably set forth by the Senator from Connecticut, but under later governors the fund was used. In my State, of course, a very large portion of this tax will have to be paid.

Mr. BINGHAM. That is true.

Mr. COPELAND. There is not any question about that; but, to go back to the point the Senator has in mind, I can not see how there is the slightest interference with the freedom and liberty of the State and the sovereignty of the State in the administration of the fund. That is a matter which I shall be glad to hear the Senator discuss at some time.

Mr. BINGHAM. Mr. President, in an effort to minimize the arbitrary, bureaucratic character of the pending bill, it has been asserted that if the plans submitted by any State health agency to the Children's Bureau are disapproved by the board of maternity and infant hygiene, the State health agency may appeal to the President for a review. So far as the obnoxiousness of bureaucracy is concerned, it is probably not material whether a State be subject to domination by a Federal bureau or a Federal board or by the President. The fact is, however, that section 7, which requires the submission of plans and requires their approval

by the triumvirate established to pass on them, provides for no appeal to the President; the decision of the board is final. The protagonist of the bill who alleged that there was an appeal to the President has presumably confused the provisions of section 7, with respect to the approval of plans in the first instance, with the provisions of section 10, which provide for an appeal to the President if the board of maternity and infant hygiene interrupts the State in the execution of projects that the board has previously authorized. Bureaucracy is one of the outstanding characteristics of the bill, and obviously it must not be hampered in its course by appeals to anybody.

In urging the enactment of the pending bill an effort has been made to show the wonders that were accomplished under the previous bill, the Sheppard-Towner Act. It has been pointed out repeatedly that as the result of seven years' labor and the expenditure of $11,000,000 of Federal and State moneys an elaborate organization was built up, a vast organization made up of a few doctors, many nurses, some social workers, an assorted variety of clerks and other employees, child-health centers, clinics, conferences, and other things too numerous to mention. The size and complexity of that organization will readily be admitted. If the end and object of the Sheppard-Towner Act was to build up a fearful and wonderful machine such as has been described, the act was undoubtedly a glorious success. When the act was being passed, however, it was not claimed that its purpose was to build up a great bureaucratic organization but that its purpose was to reduce maternal and infant mortality; and of the accomplishment of that purpose there is certainly no evidence.

The fact is, Mr. President, that infant mortality rates fell more slowly after the Sheppard-Towner Act was passed than they did before. Let the proponents of the legislation account for that fact if they can. The Sheppard-Towner Act movement itself seems to have had its inspiration in the wonderful work that was being done by State, municipal, and county health agencies toward the prevention of infant mortality. The facts that there were not in the several States, when the Sheppard-Towner Act was passed, health organizations known specifically as bureaus of child hygiene, and that in many States there are now agencies so designated, are entirely beside the mark. Long before the Sheppard-Towner plan was even dreamed of, infant and maternal life were being protected and promoted by the regularly organized health forces within the several States, counties, and municipalities.

Mr. President, I do not wonder that people do not like to listen to this, because it is contrary to what so many people believe. It has been stated here repeatedly that the passage of this legislation increased health in the United States, diminished the number of deaths of mothers, and diminished the number of deaths of infants. That has been stated so often that no one has thought to look up the facts and see whether or not it was true.

As a matter of fact, Mr. President, under the influence of agencies which existed prior to the passage of the Sheppard-Towner Act, which it is now intended to resurrect, the infant-death rate in the birth-registration area in continental United States fell from 100 in 1915 to 76 in 1921, or 24 points. That was before the Sheppard-Towner Act was passed. Then came the Sheppard-Towner period; and between 1922 and 1929 infant-death rates in the registration area fell from 76 to 68, or 8 points. This record of the failure of the Sheppard-Towner Act to accelerate in the slightest degree the decline of the infant-death rate in the birth-registration area as a whole is matched by the record of its failures in many of the States that did adopt the act.

For instance, let us take the State of Kentucky: In Kentucky, between 1917 and 1921—years prior to the passage of the Sheppard-Towner Act—the infant death rate was reduced from 87 to 62. Then Kentucky accepted the bribe of the Federal Government and came in under the Sheppard-Towner Act in 1922, and its infant death rate promptly went to 69. After eight years of labor and expense under the influence of the Sheppard-Towner Act Kentucky, in 1929, found its infant death rate to be 71.

What a dreadful thing this act is, Mr. President—what a dreadful thing! Here was a sovereign State which, prior to 1921, had reduced its infant death rate all by itself from 87 to 62; and then, thinking that the wisdom of the Congress of the United States was so great that it ought to adopt something that would help it still further to reduce this death rate, it accepts the Sheppard-Towner aid, and the death rate goes from 62 up to 71. What a dreadful thing this act is!

Virginia, in the 5-year period immediately preceding the Sheppard-Towner era—1917 to 1921—reduced its infant death rate from 98 to 79, a decrease of 19 points. When it adopted the Sheppard-Towner Act in 1922 its infant death rate was 77. The net change in the death rate of Virginia in 1921 was a rise to 79, an increase of 2 points.

During three of the intervening years, while the Sheppard-Towner plan was in operation, the infant death rate in Virginia stood at 81, 84, and 84. Here again, Mr. President, if figures do not lie, is testimony to the fact that this act is a very dreadful thing. It would appear from this—although I do not say that it is the cause—that the passage of the Sheppard-Towner Act, and its adoption by the State of Virginia, caused an increase in infant mortality, because before they took the act their infant death rate had fallen from 98 to 79; and then, in the years when they had it, it went up to 81, 84, and 84; and finally, in 1929, it went down to 79 again, which was the point at which it was when they first accepted the Sheppard-Towner Act.

Of course, in some States it has worked the other way. Undoubtedly, the reason why the Senator from Washington introduced the bill is that it apparently has helped in the State of Washington. In the State of Washington the infant death rate in 1917 was 69. In 1922, when the Sheppard-Towner bill was passed, it was 62. In 1923 the infant death rate fell to 57, and in 1929 it fell to 49. In the six years preceding the Sheppard-Towner period the death rate fell seven points. That was before they got the benefit of this marvelous legislation; and in the seven years during which they have enjoyed it the death rate fell eight points. They gained one point by adopting the legislation and adopting the rules set forth by Washington.

A comparison can profitably be made between the improvement effected in infant death rates in States that never adopted the Sheppard-Towner Act as compared with the improvement made in States located near by, and therefore made up of populations more or less similar, and subjected to similar influences of climate and other external conditions influencing health.

Connecticut did not adopt the Sheppard-Towner Act. We preferred to spend our own money in our own way in looking after the welfare of mothers and children. In 1922, the first full year during which the Sheppard-Towner Act was in effect, but not in effect in Connecticut, our death rate in Connecticut was 77. In 1929, without the aid, domination, or control of the Sheppard-Towner forces then in operation, we in Connecticut had reduced the death rate to 64.

(At this point a message was received from the House of Representatives, which appears under its appropriate heading.)

Mr. BINGHAM. Mr. President, at the moment of the interruption by the message from the House I was endeavoring to point out how infant mortality had diminished in States which did not adopt the benefits of the Sheppard-Towner Act and compare what happened in those States with States adjoining thereto, with similar climatic and racial conditions, which did adopt it.

The first State to which I referred which did not adopt this legislation was Connecticut. When the Sheppard-Towner Act went into effect in other States the Connecticut infant death rate was 77. In 1929, seven years later, without any aid from the Sheppard-Towner Act, the death rate in Connecticut had fallen to 64—13 points. In two of the intervening years it was even as low as 59.

The neighboring State of Rhode Island adopted the Sheppard-Towner Act in 1925, when the infant death rate was 73. In 1929, four years later, the death rate was 72, a

diminution of 1, with a record in one of the intervening years of a death rate of 82.

In New Hampshire, a not-far-distant New England State, the Sheppard-Towner Act was adopted in 1922, when the infant death rate was 80. The death rate in 1929 was 68. In one of the intervening years it was 93. There is certainly no evidence of any advantage being derived by Rhode Island and New Hampshire through the adoption of the act. Connecticut, which did not adopt it, did better.

In other words, Mr. President, it does not appear as though one can lay to the credit of this act any diminution in infant mortality. I have given examples of States where the mortality rate actually increased under the provisions of the act, when it had greatly decreased prior to the passage of the act; and I have given the example of a State which did not adopt it where the infant mortality rate decreased very considerably.

The State of Illinois never adopted the Sheppard-Towner Act. In 1922 its infant mortality rate was 76. In 1929, when the act went out of effect, it had fallen to 61, or 15 points. That is what Illinois did without any benefit at all from the act. Its neighboring State, Indiana, which adopted the act in 1923, when its infant death rate was 71, reported an infant death rate in 1929 of 64, a diminution.

The infant death rate in Illinois, without the influence or help of the Sheppard-Towner Act, fell 15 points in eight years, while in the neighboring State of Indiana, with the help of the Sheppard-Towner Act, it fell only 7 points. If one wanted to base an argument on figures, one might claim that this proved that the Sheppard-Towner Act actually did harm to the women and children whom it is supposed to benefit. That, however, is not the object of my argument, but rather to show that it does not do that which it pretends to do, but actually does harm in taking away from the States certain responsibilities which are theirs.

The Commonwealth of Massachusetts refused to adopt the act, and in fact instituted suit to prevent it from being carried into effect. Between 1922 and 1929 its infant death rate fell from 81 to 62, 19 points.

Its neighboring State, New York, whose Senator just spoke to us about the advantages of this legislation, adopted the act of 1923 when its infant death rate was 72. In 1929, after having enjoyed the advantages of the act for six years, it was 61, a fall of 11 points in seven years, as compared with a fall of 19 points in the same length of time in the neighboring State of Massachusetts, which did not enjoy the benefits of the act. If New York had only followed the example of Massachusetts and not adopted the act, they might have had their infant mortality rate fall as it fell in Massachusetts.

The Sheppard-Towner Act was never in effect in the District of Columbia. Its infant death rate fell from 85 in 1922 to 71 in 1929. In the neighboring State, Virginia, the act was adopted in 1922, when its infant death rate was 77. Having lived under the Sheppard-Towner Act during the entire time when the act was in effect, the State of Virginia found itself at the expiration of that period with a death rate of 79, two points higher than when it started.

The comparison of infant death rates for the purpose of determining the efficiency of sanitary measures is difficult. It was on such comparisons, however, that the proponents of the Sheppard-Towner Act relied in the first instance to procure its passage and on which they have relied since to justify its existence.

Judged by their own standards, however, there is nothing to show that the Sheppard-Towner Act ever accelerated anywhere, even to the slightest degree, the rate of decline in the infant death rate that was under way when the act was passed. Neither is there any evidence to show that the States that adopted the act made more rapid progress in reducing their infant death rates than in those States that maintained their independence.

The claim that the States that did not adopt the act were enabled to make the progress that they did in reducing their infant death rates because of knowledge that they acquired through conferences held under the authority of the Sheppard-Towner Act is without the slightest evidence to support it. In fact, there is not the slightest evidence to show that the seven years' labor and the $11,000,000 expenditure under the Sheppard-Towner Act ever developed one new fact or one new method looking toward the more effective prevention of infant and maternal sickness and death. As has been pointed out with respect to some of these States, and as is equally true with respect to others, the rate of decline in the infant death rate was even more rapid before the days when the Sheppard-Towner plan was developed than it was afterwards.

Vermont did not adopt the Sheppard-Towner Act until 1925, and in the 5-year period 1925-1929 its infant death rate fell only 6 points, from 72 to 66. In the 5-year period immediately preceding, 1920–1924, Vermont's infant death rate fell 26 points, from 96 to 70.

In New York the infant death rate under the influence of the Sheppard-Towner plan between 1923 and 1929 fell only 11 points, from 72 to 61, while in the 7-year period immediately preceding, 1916–1922, it fell 17 points, from 94 to 77.

I appeal to my good friend the Senator from New York to know why he claims that they benefited by adopting the act, when the death rate had fallen 17 points in the preceding six years and fell only 11 points after they adopted it.

Mr. COPELAND. Mr. President, I assume, according to the logic of the Senator, then, that if we would stop all of our public-health work, all of our efforts in that regard, the death rate would become nil.

Mr. BINGHAM. No, Mr. President, I made no such statement. I am merely asking that the Federal Government get out of the business of telling the States how to raise their babies.

Mr. COPELAND. Mr. President, I utterly disagree with the Senator that the Federal Government is telling the States how to raise their babies. They are assisting the States to carry out the States' own programs on how to raise babies. That is the way I understand the bill.

Mr. BINGHAM. The assistance they gave to New York caused the rate, which had been decreasing, to slow up in its decrease.

Under eight years of the Sheppard-Towner plan—1922–1929—the infant death rate in Maryland fell 14 points, from 94 to 80; but in the preceding six years—1916–1921—it fell 27 points, from 121 to 94. To believe that any State learned anything from the Sheppard-Towner plan that assisted it in the reduction of its infant death rate that could not have been learned if the act had never been passed is without evidence to justify it and calls for a considerable stretch of the imagination.

A discussion of maternal mortality rates fails to reveal any evidence of any benefit derived from the Sheppard-Towner Act. The maternal mortality rate for 10,000 live births in the birth-registration area in 1915 was 61. In 1921, before the Sheppard-Towner Act was effective, it was 68.2. In the first year of the Sheppard-Towner period—1922—it was 66, and in the last year of the Sheppard-Towner period—1929—it was 70.

In view of the claim that the failure of the Sheppard-Towner Act to cause any decrease in the maternal mortality rates as shown by the census figures was due to the addition to the birth-registration area from time to time during recent years of States in which maternal mortality was high, it seems proper to compare the maternal mortality rates in individual States before and after the adoption of the Sheppard-Towner plan, and to compare the rates in States that did adopt the plan with the rates in States that did not do so.

I think it will be seen that what I am trying to do is to show that our opposition to this legislation not only is not materialistic but is based on the advice of the leading medical societies of the United States, and also backed up by the figures which fail to prove the advantage derived from the expenditure of this money, which is a very small amount, a very small matter, in our National Budget; but, what is far more important is putting into effect this system of bribery of the States, telling them what to do instead of letting them find out what to do and become self-reliant through doing it in their own way.

Let us go to Kentucky. In that State the maternal mortality rate for 10,000 live births in 1917 was 60. In 1921 it had risen to 63. The following year the Sheppard-Towner Act was adopted when the maternal death rate was 61. The death rate in 1929 was 66. In 1929, after seven years of the benefits of the Sheppard-Towner Act, the rate had risen 5 points and was 66. What did Kentucky gain in seven years under the Sheppard-Towner Act?

In Virginia the maternal mortality rate was 82 in 1917 and 70 in 1921. The Sheppard-Towner Act was adopted the following year when the maternal mortality rate was 70, and in 1929 the rate was 71.

Let us admit that there might have been an additional amount of illness of some sort or other; surely, in seven years, if the thing had been worth anything at all, we might have seen a diminution instead of a slight increase.

Connecticut did not adopt the Sheppard-Towner Act. The maternal mortality rate in the State fell from 57 in 1922 to 54 in 1929.

The fact is that a study of maternal mortality rates in the United States yields very little direct evidence to justify or to discredit the Sheppard-Towner Act. The figures stand, however, definitely to the discredit of the act, not only because they fail to justify it, but because of the absence of evidence to show that seven years' labor and $11,000,000 expenditure under the act have reduced maternal mortality in any way or have pointed to any way in which it can be reduced.

Mr. COPELAND. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from New York?

Mr. BINGHAM. I yield.

Mr. COPELAND. The Senator has spoken of bribes. I think he said the maternal death rate in his State dropped from 57 to 54. Of course, the Senator takes into consideration the fact that in his State there has been a very active campaign on the part of a very efficient group of public-spirited men to lower the death rate. I am sure he would not consider that if the State of Connecticut had had this additional aid, there would have been any increase in the mortality because of that aid. I am sure that the logic of the Senator is not convincing, because in his progressive State there is not the same need of this important work. In a State less favored in a financial way the work proposed by this legislation would accomplish in a measure what has been accomplished in the State of Connecticut. That is the way it strikes me, and I am sure that the figures the Senator has given are not convincing as regards the effect of the Sheppard-Towner Act upon the mortality rate in maternity cases.

Mr. BINGHAM. I hope that if we had adopted it we would not have had any increase in our death rate, but we certainly would have had that much less satisfaction in governing our State. The Senator has referred to the fact that a group of public-spirited citizens are active in reducing the death rate. That is the very thing which the Senator from Utah and others opposing this legislation want to promote in other States. We want to give some encouragement to a group of public-spirited citizens to go about and develop their pride in their States by doing these things for themselves instead of leaning on a crutch in the form of aid from the Federal Government.

The Senator has referred to the State of Connecticut as a wealthy State. A few moments ago he told us that the State of New York paid a far larger share of Federal taxation, and that is true, because the State of New York, as everybody knows, is the richest State in the Union.

On the other side of the State of New York is the State of New Jersey. I hold in my hand a communication signed by the executive secretary of the Medical Society of New Jersey addressed to the Members of Congress, in which the statement is made:

> We are informed that the Jones-Cooper maternity and infancy bill (S. 255) has been reported out of committee and is now before the Senate for action, and that a similar bill (H. R. 1195) is pending in the Committee on Interstate and Foreign Commerce of the House of Representatives.
>
> May we take advantage of the occasion to again advise you that the Medical Society of New Jersey, comprising nearly 2,500 practicing physicians of this State, is opposed to the enactment of either of these proposed laws. We believe that control and direction of such public-health matters rest with the individual States and should not be taken over by the Federal Government. We respectfully direct your attention to the fact that New Jersey was properly and satisfactorily caring for maternal and infant welfare years before the old Sheppard-Towner Act was adopted; that the conditions in New Jersey were not benefited or improved by acceptance of the terms of the Sheppard-Towner law; and that seven years' experience with that law did not help the Nation one particle. It is true that there has been some slight improvement in maternity and infant mortality during the past 10 years, but a careful study of the records will convince you that such improvement was just as marked in States that did not accept the provisions of the Sheppard-Towner Act as in States that did; in fact, the showing is better in Connecticut, which rejected the Sheppard-Towner plan, than in New Jersey since the plan was accepted.
>
> We object to reenactment of the Sheppard-Towner Act—and that is what the pending measures amount to—because:
>
> (1) Such legislation constitutes Federal encroachment upon States' rights.
>
> (2) Such laws would establish a bureaucracy in Washington, where purely medical matters will be directed by medically untrained laymen.
>
> (3) Seven years' experimentation with the Sheppard-Towner Act proved absolutely fruitless—save to a small group of office-holders.
>
> (4) The $7,000,000 (approximately) expended by the National Government added to a like sum from the several States was largely wasted. Neither the Nation nor the States can afford to repeat such wastefulness.
>
> (5) It is unfair to tax progressive States, that do look after the health interests of their people, to give to backward or careless States that do not show active interest in the welfare of their own citizens.
>
> (6) It is unwise, if not beyond the constitutional privileges, for the National Government to enter into the practice of medicine in the States; just as unwise and as wrong as it would be to interfere with the public schools or the police force.
>
> We trust you will use your influence in opposition to the acts above mentioned.

Mr. President, it is obvious that States on both sides of the great State from which the Senator comes, Massachusetts, Connecticut, and New Jersey, all feel that there is nothing to be gained from this legislation; that those who primarily are interested in the health of mothers and children believe that it is a waste of money; and that it does not accomplish that for which it is intended.

One word may be said with reference to comparisons that are frequently made between infant mortality rates and maternal mortality rates in the United States as compared with infant mortality rates and maternal mortality rates in foreign countries. In the United States it is recognized that mortality rates of any kind are not fairly comparable until it has been shown that the registration laws of the several jurisdictions whose rates are to be compared are effective laws; that they are efficiently administered; and that the statistics based thereon are fairly and properly compiled according to standard and approved methods. Nevertheless, we are served continually by proponents of the Sheppard-Towner plan with figures purporting to show that maternal and infant life in the United States is deplorably neglected as compared with maternal and infant life in certain foreign countries. No effort is made by those who disseminate such figures to show that the various countries from which they have come have effective registration laws or effectively enforce them or compile their figures according to United States standards. The figures are misleading and worse than useless.

Moreover, even if it could be shown that the mortality and infant death rates in some foreign country—for instance, New Zealand—were lower than those in the United States, it would not follow that the advantage was due to better sanitary control in the foreign country or the adoption of foreign methods would yield similar results in the United States. Population, climate, and economic and social conditions are commonly controlling factors, and frequently it would be impossible to duplicate them in the United States even if it were deemed desirable to do so.

The whole situation may be summed up by saying that however great an appeal the pending measure may make to the sympathies of this body, its proponents have as yet not

produced one fact to justify its enactment. On the other hand, its enactment is clearly an encroachment by the Federal Government on the traditional and constitutional rights of the State and one that forebodes no good to our dual plan of government. In the words of Chief Justice Hughes:

Paradoxical as it may seem, not only the security but the efficiency of the Union lies in the appropriate maintenance of the authority of the States within the proper spheres of local government and local policy. Despite all the economic changes and the intimacies of closely related activities, notwithstanding the vast expansion of interstate commerce in novel forms leading to unanticipated applications of the national authority, which was granted with extraordinary wisdom in a very general formula, the States continue as reservoirs of power reserved, not conferred, by which they deal with a multitude of particular concerns and enjoy differentiations congenial to local sentiment.

However difficult it may be in constitutional interpretation to maintain perfectly and to the satisfaction of all this balance between State and Nation, it is of the essence of American institutions that it should be preserved so far as human wisdom makes this possible, and that encroachments upon State authority, however contrived, should be resisted with the same intelligent determination as that which demands that the national authority should be fully exercised to meet national needs.

It will be remembered, I will say for the benefit of those who are here now and who were not here when I made the motion, that I have moved to refer the measure back to the committee for hearings in order that the great American Medical Association, the Sentinels, and others may be heard on this new measure.

Mr. President, I have received some characteristic letters from several physicians which I should like to read, but shall not take the time to do so. There is one, however, which I shall read, as follows:

FARMINGTON, CONN., *April 11, 1930.*

Senator HIRAM BINGHAM,
Washington, D. C.

DEAR SENATOR BINGHAM: I dislike to run to my representatives in Congress about matters that come up off and on of comparative unimportance, but I have been interested in the past in a bill which has been reported out of committee recently with favorable recommendations.

If you want to get a slant on how your constituents stand, I think you would find that most of them are against it. It is known as the Jones maternity bill, and is like similar bills which have been proposed in the past. I am given to understand that this bill was reported out of committee without any public hearing, although the American Medical Association and others wished to be heard and had written the committee.

May I as one of your constituents request you to carefully consider the matter before voting for it, and if you can see your way clear to voting against it it will be in line with the feeling of a large number of thinking people.

Sincerely yours,

HEYWOOD H. WHAPLES

I have also a communication from the Connecticut State Medical Society. I prefer to read this to reading the opinions of individuals, because I think we are all agreed that State medical societies generally contain, if not all, most of the physicians who are most highly regarded in their communities, the wisest and most faithful and most self-sacrificing group of men in their States. That is certainly true of the Connecticut State Medical Society. The secretary, Dr. Charles W. Comfort, jr., was one of the most distinguished surgeons of the World War, repeatedly decorated and given the distinguished-service cross for great heroism at the front. He is one of the leading physicians in New Haven. He writes as follows:

THE CONNECTICUT STATE MEDICAL SOCIETY,
New Haven, Conn., April 19, 1930.

The Hon. HIRAM BINGHAM,
Senate Office Building, Washington, D. C.

DEAR SENATOR BINGHAM: It again becomes necessary for the Connecticut State Medical Society to recall to you protests previously filed regarding the Sheppard-Towner Act and similar legislation, and to protest again against the enactment of the Jones-Cooper maternity and infancy bill (S. 255 and H. R. 1195) and several allied bills pending before the present Congress.

A copy of the letter sent you early in 1929 regarding this matter is inclosed for your convenience. Inclosed also are pamphlets from the American Medical Association which summarize the situation regarding this type of legislation, and with the conclusions of which this society is in complete accord.

We agree with you absolutely upon the advisability of preserving the rights of the several States, upon which Connecticut has always been steadfast. The subject of the present proposed legislation differs no whit in principle from schools, police and fire departments, etc. The platforms of both political parties opposed this type of legislation, as shown in the pamphlet. The opinion and recommendation of the President of the United States has in no way changed the opinion of this society in this respect.

If, after thorough study, it is considered necessary to legislate after this fashion, the medical profession is convinced of the wisdom of centering the control of these activities in the United States Public Health Service rather than under the lay organization of the Children's Bureau of the Department of Labor. It is our belief that all public health and hygiene, and "welfare" measures apparently associated therewith, should be under the direction of professionally trained medical men and sanitarians, who certainly can best evaluate the problems of such work. The Public Health Service has proven itself a most capable and efficient organization, worthy of any trust which might be imposed upon it; its programs and efforts have been severely hindered through serious lack of necessary appropriations; it certainly deserves more sympathetic consideration on the part of Congress for the furtherance of its well-planned and wisely visioned work. If Federal paternalism and bureaucracy must be had, place it where it will be least obnoxious and where there will be assurance of intelligent administration. The representatives of the American Medical Association have appeared and will appear at hearings to further detail this phase, and should be accorded most thoughtful consideration.

We look to you, as one of our representatives in the Congress, to primarily oppose this type of legislation. The efforts of Mr. MERRITT in 1929 were especially effective, and the society's appreciation of the efforts of all of the State representatives was sent you last October. May we again have your assistance?

Sincerely yours,

CHARLES W. COMFORT, Jr.

The inclosure is a copy of an official letter sent from the Connecticut State Medical Society in January, 1929, at the time when a similar bill was before Congress, and reads:

In behalf of the Connecticut State Medical Society we ask that you will use your earnest endeavors in opposition to the bill H. R. 14070, "A bill to provide a child welfare extension service, and for other purposes."

This society is opposed to this type of Federal legislation because it has seen the failures of such efforts originating and sponsored outside the field of application. It takes time and effort to correct the actual harm done in the community. We believe this is so because the principle is wrong.

The bill has so many bad features that it should not be enacted even if the principle was right. Some of these are referred to in an editorial in the Journal of the American Medical Association, dated December 1, 1928, a copy of which will be furnished you if you desire.

Your attention is called to the fact that Governor Lake issued enabling authority to the State department of health to avail itself of the provisions of the original Sheppard-Towner Act, but that the legislature subsequently acted to reject all benefits under, or any participation in, the Sheppard-Towner law. Therefore, Connecticut has never accepted the financial assistance under the law, but has handled the problems concerned within itself, as is believed proper.

As this protest is from a body of over 1,300 of your constituents, and the action of this committee has to be reported to the society, may we ask the courtesy of a reply.

Mr. President, I have never on this floor heard any adequate reply whatever to the objections made by the most distinguished physicians of the country, through the officials of their societies. I shall not take the time to read from any other medical society. I have referred to the New Jersey and Connecticut societies and the great American Medical Association. I am sure no one on this floor will accuse those societies of gross materialism. No one will accuse them of attempting to kill this legislation in order that they may fatten their pocketbooks. We know that the doctors who belong to these societies give more than half their time to the poor without price and without considering their time. The most distinguished surgeons belonging to those societies go to the hospitals in their cities and in their communities, day after day, week after week, and year after year, operating to save the lives of poor people without charging one cent for their services.

If there is any body of men in the community, if there is any body of men in the United States, which is interested in health and welfare, it is the body of these physicians and surgeons, who give of their time freely to the poor people of their cities and towns. It is they who are appealing to us not to pass this legislation. It is they who point out to us the fact that infant mortality was decreasing at a more rapid rate before this legislation was enacted than after it was enacted. It is they who point to the record in several States that after the legislation was enacted the infant and maternity mortality rate went up instead of down; that in some

States it went up and in some States it went down; in other words, it had no really good effect.

In view of the appeal of these physicians, who ought to be trusted to know more about the welfare and health and mortality of the people in the States from which they come than the rest of us, in the name of those who are interested in maintaining the dignity of the sovereign States and the rights of the States to decide their own matters and look out for the welfare of their own people, I ask that the bill may be sent back to the committee which reported it with instructions to hold full hearings in the matter before they report it back to the Senate.

Mr. JONES. Mr. President, of course I could not keep track of all the figures which the Senator from Connecticut [Mr. BINGHAM] presented. However, I was struck with reference to the figures he gave relating to Kentucky, which apparently show that the infant mortality and maternity mortality had increased. I have here a statement which is official. I do not know from what source his figures came, but I have here a statement from the Government child bureau, and here is what is said about Kentucky.

This is a comparison of the infant mortality prior to the operation of the maternity and infancy act and during its operation in specified States, showing the State, urban and rural, rates per thousand live births. In Kentucky, 1917 to 1921, the State rate was 7.5, while for 1922 to 1928, while the law was in operation, the rate was 6.8, a decided reduction. The urban rate of mortality from 1917 to 1921 was 90.9, while from 1922 to 1928 it was 80, or a reduction of nearly 10 per cent. Then in the rural population from 1917 to 1921 the rate was 73 per thousand, while from 1922 to 1928 it was 66.

Also from the same authority is a comparison of maternal mortality prior to the operation of the maternity and infancy act and during its operation. From 1917 to 1921 the rate was 62.6 for the State, while from 1922 to 1928 under the operation of the act it was 58.5, or a decided reduction. Urban, 1917 to 1921, the mortality rate was 94.4, while from 1922 to 1928 it was 80, or a decided reduction. In the rural population from 1917 to 1921 the rate was 57.6, while from 1922 to 1928 it was 53.9. Those are the official figures.

THE PRESIDENT'S STATEMENT ON RELIEF LEGISLATION

Mr. HARRISON. Mr. President, I dislike to occupy the time of the Senate at this late hour in the afternoon, but if anything is to be said by me touching the subject matter to which I shall address myself it is better to be said this afternoon than to-morrow.

We have been getting along beautifully during this session of Congress. All of us appreciate the gravity of the situation throughout the country and that we have only a very short time during this session in which to press for the passage of certain legislation that is necessary in the orderly administration of the Government. There has not been the slightest quiver of politics in this Chamber or in any of the committee rooms so far as I have heard, and no discussion precipitated of a partisan character. Why the President to-day should precipitate a partisan discussion and accuse men in this Chamber as well as in the other body of improper motives is beyond my understanding. What is it that has so aroused the President? Why is it that he has, at least as appears to some of us, lost his usual equilibrium and has said to the newspaper men that we are "playing politics at the expense of human misery" down here?

Mr. REED. Mr. President, will the Senator yield for a question?

Mr. HARRISON. I hope the Senator will wait until I can proceed a little farther and then I will yield to him. I have said nothing yet at which the Senator ought to take umbrage. He may later on.

Mr. REED. No; I am not taking umbrage.

Mr. HARRISON. I hope some one over on his side of the Chamber will take umbrage, and will attempt to give some excuse for the President's course, because I can not understand that even the Senator from Pennsylvania, who is always fair, would indorse the statement which the President made to-day, would he?

Mr. REED. The Senator from Mississippi——

Mr. HARRISON. Would the Senator indorse the statement the President made to-day?

Mr. REED. I want to ask the Senator from Mississippi a question. As I read the statement to which he refers, there is nothing partisan in it, and I do not interpret it as an attack upon the Senator's party any more than as an attack upon my own party. I do not think there was anything partisan in it, however much it may have reflected upon the Senate as a whole.

Mr. HARRISON. Of course, it reflects more upon certain Senators on that side of the aisle than upon Senators on this side of the aisle. Some Senators on the other side of the Chamber have become so accustomed to having rebukes administered to them by members of the group of the Republican Party to which the Senator from Pennsylvania belongs, and to having names applied to them, such as "pseudo-Republicans" and "sons of the wild jackass" and various other expressions of that kind, that they are used to them.

The President says:

> They are playing politics at the expense of human misery.

"Playing politics at the expense of human misery"! No one ever charged the President of the United States when he was going through the South and the Mississippi Valley at the solicitation of the then President of the United States, Mr. Coolidge, that he was "playing politics at the expense of human misery" at that time. I did not so believe; and yet afterwards we read in the Republican campaign textbooks and speeches by Republican orators of the great accomplishments of Mr. Hoover along that line, and statements to the effect that his activities at that time qualified him, in great part, to be President of the United States. "Playing politics at the expense of human misery." I did not believe when he was selected to go abroad and distribute $100,000,000 worth of food to the Belgian people that Mr. Hoover was "playing politics at the expense of human misery"; yet there were some gentlemen in this country, some of them in the Republican Party, speaking from the hustings in order to win votes for the Republican ticket and to obtain the nomination of Mr. Hoover for the Presidency, who said that that qualified him greatly to become the President of the United States. "Playing politics at the expense of human misery."

There is no man in the history of this country who has won more political favor upon the miseries of people than has the present President of the United States. Is it an obsession with the President? Is that what was in his mind when he volunteered the statement to the newspapers to-day, uncalled for, unwarranted, and without justification, that those gentlemen in the House and in the Senate who have seen fit not to accept his views with reference to all legislation, and who have sought to give to the soldiers of the country some pittance, some measure of relief to the drought-stricken sections so that they might get food during the cold winter months, "are playing politics at the expense of human misery"? Am I to be so charged because, for instance, last week in the discharge of my duty I introduced a bill designed to meet a situation which calls for action? As one of the Senators from my State, I had visited in my section and found a certain condition to exist, and from investigation I had come to believe that a similar condition existed in other sections, that the Federal land banks were pressing down upon the farmers, who, because of floods or because of drought conditions or because of economic depression in the country, whether arising from world conditions or domestic policies, had been wiped out; their prices had declined, and they were unable not only to pay the installments upon their loans, not only not able to pay the interest upon the borrowings which they had made, but they were unable to obtain enough money to buy food for their livestock or food or clothing for their children. Inspired by the board up here, may I say the Federal land banks were foreclosing throughout this country and taking homes and lands away from the people who are honest, who are industrious, who are seeking by every appeal that is

possible to be given an extension of time to enable them to carry on a little while longer in the hope that prices may increase, that their condition may be bettered, and that they may meet their obligations to their Government. The voice of the Government speaks, however, and says, "No; we are going to clamp down; we are going to take your land; we are going to put additional costs upon you through foreclosure proceedings"; and to-day the Government is vested with title to millions upon millions of acres of farm lands throughout the country. Knowing that condition, I introduced a bill to give to those Federal land banks the power to grant extensions to those people, and, if necessary, in order to meet the interest upon the bonds that had been issued, that the Federal Treasury might make certain advances. It might go into several million dollars, yes; but what of it? We have an exceptional condition facing us; there is distress in the country; and it does seem to me that the great, strong Nation of which we are a part, in this emergency, could well make advances out of the Treasury to keep those people in their homes and give them an opportunity to meet their obligations and the interest on the bonds. In the long run it would be saving to the Government.

Because I did that, am I to be placed by President Hoover in the category of those who are "playing politics at the expense of human misery?" I believe now that my bill is a constructive piece of legislation; I believe that it ought to appeal to the heart of America; and, of all legislation that I have ever proposed, I have never received so many letters from those who are interested in it commending it and asking me to press it as I have in behalf of that bill. Yet because, if enacted, it would take some money out of the Treasury merely for the time being, not for all time, I, in the definition of Mr. Hoover, am "playing politics at the expense of human misery."

The President says in this remarkable statement that the leaders of the two parties have agreed that no more appropriations shall be asked for than are embraced in his budget or in his recommendations to Congress. That is the substance of what he has stated. If what he has stated shall be followed through, he states that no increase in taxes will be needed and that the leaders have agreed upon such a policy. What are the facts, Mr. President? President Hoover is trying to put Democratic leadership in a hole and he is doing it deliberately. He is trying to compel Democratic leadership to assume responsibilities that it should not assume; that the President should have the courage to assume.

Now, let me refer to the joint resolution which was passed to-day for the relief of the drought-stricken areas of the country. President Hoover sent his agents, various economists, men in whom he had confidence, to make a survey all over the country and to determine, if possible, what it would cost to meet the existing emergency. Those men went to my State; they went throughout the West; they went to other sections; and submitted their report. The report showed that it would cost $60,000,000. If I misstate the facts, I want the distinguished chairman of the Committee on Agriculture and Forestry [Mr. McNARY], the distinguished assistant leader of the Republican Party in the Senate, who now sits before me, to contradict my statement. The report showed, as I have said, that $60,000,000 was necessary. Yet what did President Hoover and his Secretary of Agriculture ask that Congress appropriate? Mr. Hyde, the Secretary of Agriculture, who probably does not know the difference between a trace chain and a turnip, gave out a statement this morning in connection with which he got his picture on the front page of the great Washington Post. He got in the favor of the official organ of the Republican Party in Washington by giving out that statement; and what was it?

> On the eve of consideration by both branches of Congress of relief measures Secretary Hyde last night issued a statement warning that the loaning of money for human food came perilously near a dole and was a move in the wrong direction.

He advocated an appropriation of $25,000,000 for drought relief; more than that, he said, would be a dole.

Mr. Hoover says the leaders of the two parties have agreed with him. Does the distinguished Senator from Oregon, whom his party has honored as one of the leaders of his party, assistant leader of the distinguished Senator from Indiana [Mr. WATSON], agree with the Secretary of Agriculture and with the President? On the contrary, he is the author of and championed the joint resolution which we have passed appropriating $60,000,000 for drought relief. He knows that amount is necessary. Is he to be classed by the definition of his President as "having played politics at the expense of human misery"? This Senate has just passed the $60,000,000 authorization unanimously. It differs from the President. Is this body as a whole playing politics at the expense of human misery?

The distinguished leader on this side of the aisle [Mr. ROBINSON of Arkansas] knows as much, perhaps more, about existing conditions than any man in this Chamber or elsewhere, for no State was hit harder by the drought than was Arkansas. Mr. Hoover says the leaders have agreed upon a program. Did the Senator from Arkansas [Mr. ROBINSON] agree to it? He did not, because he introduced a bill, quite similar to the measure introduced by the distinguished assistant Republican leader [Mr. MCNARY], seeking an appropriation of $60,000,000 for relief work. He appeared before the committee and insisted upon a $60,000,000 appropriation; and yet the President of the United States, with whom the distinguished leader on this side has been willing to try to cooperate, throws him down and castigates him, as he castigated the Senator from Oregon, and says that he is "playing politics at the expense of human misery." The distinguished Senator from Arkansas has tried to cooperate, but this soon in the session the President breaks the bond of cooperation and accuses him of "playing politics at the expense of human misery."

What excuse, pray tell me, did the President of the United States have for giving utterance to this kind of expression which was sent over the country to-day? Was it to prejudice the country against the Senate of the United States and the Congress? Was it to belittle us? Ah, Mr. President, "playing politics at the expense of human misery!" If there is one man who ought to be careful in his expressions about other people, it is the distinguished President of the United States, for he ought to know what it is to be sometimes referred to in a harsh way, no doubt in his own opinion wrongly, because, as is familiar to Senators and to the country, it was not so long ago that the present distinguished President, then occupying another position, applied for $100,000,000, as I recall, to be expended abroad, on which occasion the Senator from Idaho [Mr. BORAH], one of the great leaders in the Senate, said that he was unwilling to trust such a sum in the hands of the gentleman who is now the President of the United States.

Nor was it so long ago—just about the time the distinguished Senator from Idaho was giving expression to that thought, in which many people in the country believed—that the present chairman of the Appropriations Committee of the House [Mr. WOOD] had some remarks to make also about the spending ability of the present distinguished President of the United States. Mr. WOOD is now the chairman of the Republican Congressional Campaign Committee. Of course, when this reference to the President is again called to the attention of the President, how long Mr. WOOD will be able to hold his head and retain that position I will not venture to say. In 1919—and I read from the RECORD—Mr. WOOD said:

> They are organized all through that country—

Referring to the Red Cross. But Mr. Hoover did not want the money spent through the Red Cross; he wanted it spent through his organization.

Mr. WOOD says—

> They are organized all through that country which they say is affected and where they say the starvation exists. We have had

no report for our edification gathered by the Red Cross. There has come no word from this great agency that they are not able to cope with the emergency. There has come no cry for relief from them.

Where does it come from? It comes, if you please, from a new organization that has been formed within a month. And who is at the head of that organization? Mr. Hoover. It is Mr. Hoover that is asking for this appropriation and not the President of the United States.

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Now, then, gentlemen may differ with me with reference to Mr. Hoover. I think he is the most expensive luxury that was ever fastened upon this country. I think he will continue to be the most expensive luxury with which we have to do if we still continue to give him unlimited power.

Mr. BARKLEY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Kentucky?

Mr. HARRISON. Yes; I yield.

Mr. BARKLEY. It ought to be stated in that connection that at that time Mr. Wood thought Mr. Hoover was a Democrat.

Mr. HARRISON. Yes. That is not the only reason, though, why he gave expression to that thought.

The Secretary of Agriculture, Mr. Hyde, who wants only $25,000,000 spent for relief—and it is a pity that he entertains such views, because he is the one to be clothed with the power of expending the money included in the authorization to-day—took occasion to make a speech in the last campaign. He is a great talker; and in reading that speech I find this expression from one of your own great Republican leaders. You may not agree with me about his being a great Republican leader. He says, speaking of President Hoover:

I have seen him, when venom and malice were falsest, bending himself, without outcry, loyally to his task. At such times the lines of Kipling's "If" have involuntarily come to mind.

And then he quotes Kipling:

If you can keep your head when all about you
Are losing theirs and blaming it on you,
If you can trust yourself when all men doubt you
But make allowance for their doubting, too.

That is a strange impeachment of the President by his own Secretary of Agriculture, "that all about you are blaming it on you."

That he must trust himself, because all others doubt him. Strange, yet appropriate lines for the Secretary to employ. "Playing politics upon human misery!"

Mr. President, I can not believe that the President of the United States does not realize the terrible situation that exists in the country. It may be that he is still suffering from the thoughts and ideas that he entertained when he was speaking in New York City in the campaign of 1928, because this is the character of expressions he employed at that time:

The slogan of progress—

Says Mr. Hoover—

is changing from the full dinner pail to the full garage. Our people have more to eat, better things to wear, and better homes. We have even gained in elbow room, for the increase of residential floor space is over 25 per cent with less than 10 per cent increase in our number of people. Wages have increased, the cost of living has decreased. The job of every man and woman has been made more secure. We have in this short period decreased the fear of poverty, the fear of unemployment, the fear of old age; and these are fears that are the greatest calamities of humankind.

I am wondering if to-day, when he said that those who were trying to obtain some appropriations to meet present conditions were merely "playing politics upon human misery," he entertains the same views respecting the economic conditions in this country that he did in 1928.

He said, further:

Our hours of labor are lessened.

Well, he visioned that right.

Our leisure has increased.

He was certainly right in that prophecy.

We pour into outdoor recreation in every direction.

That is true. He was right. They are parts of that speech that were most prophetic. He hit the nail on the head. Every bench in every park throughout the country is now filled with the idle and unemployed. Their only vocation now is to seek recreation in the parks and outdoors.

The visitors at our national parks have trebled, and we have so increased the number of sportsmen fishing in our streams and lakes that the longer time between bites is becoming a political issue.

That is the idea of President Hoover's political mind.

Mr. President, it is unfortunate that the President spoke to-day. He needs a political chaperone. We are not playing politics. We are trying to meet the present-day problems. If Mr. Hoover makes suggestions that are wise and constructive and will aid in this situation, we will accept them without murmur or hesitation. He ought to be big enough, and the Republican Party ought to be sufficiently patriotic, that if suggestions come from this side that will relieve the distress in this country and help the country back to economic healthfulness, they will cooperate.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Massachusetts?

Mr. HARRISON. I yield to the Senator.

Mr. WALSH of Massachusetts. In my judgment, one of the most serious things in the statement made by the President is what the Senator has referred to as an attempt upon the part of the President to misrepresent Democratic leadership. That is a serious allegation. I should like to inquire of the Senator if he knows of a single Democratic leader in this country who is in sympathy with the policies and sentiments expressed in the statement of the President of the United States.

Mr. HARRISON. I will go further and say that I do not believe there is a Republican Senator on the other side of the aisle who is in accord with that statement; and I will pause for interruption if one of them will stand up and say he will indorse it.

Mr. WALSH of Massachusetts. I think we ought to exclude Secretary Mellon. I think he probably is in accord with the President's view.

Now, I should like to ask the Senator if he does not think the President, in fairness to the country, ought to name the Democratic leaders who are cooperating with him in a policy of refusing to increase taxes to extend relief to the unemployed and distressed in this country?

Mr. HARRISON. I do not think the President can name anyone, because there are none. He talks about the leaders of both parties cooperating to prevent "any such event," and he says:

No matter how devised, an increase in taxes in the end falls upon the workers and farmers.

He expresses much concern for the farmers and the workers; and yet the President of the United States only last year, when the question was put up to him whether or not taxes should be increased upon every worker and upon every farmer in this land, sided with the increased taxes and signed the most indefensible and nefarious bill ever written in the Congress of the United States, and one that it is estimated has added a billion dollars annually in increased costs to the American consumer. He did not lift his voice when those taxes were increased in this country.

Mr. BARKLEY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Kentucky?

Mr. HARRISON. Yes.

Mr. BARKLEY. The test of whether any increase of taxes would be paid by the farmers and laborers might be what happened to the farmers and laborers as a result of the $160,000,000 reduction made in last year's taxes. Can the Senator state whether any farmer or any laboring man participated in that $160,000,000 reduction, which was rushed through here as an emergency measure following the crash in the stock market?

Mr. HARRISON. That reduction was given in the main in the higher brackets and also to the corporations of the country; and, of course, the men who had no income or corporate taxes to pay received no relief from it.

Mr. BARKLEY. That included all the farmers and all the laborers.

Mr. HARRISON. Yes.

If I understand the position of the Democratic Party, we are more concerned now with meeting the conditions that confront this Nation. We want to bring it back to a healthy economic condition. We want to restore prosperity, if possible. We want to take care of the distress and suffering in the country as far as possible. We want to see people employed in every section of the land. We propose to vote for such appropriations, large though they may be in the estimate of the President, as are required to meet this situation; and if increased taxes are necessary to do that, then let us have the courage and the statesmanship to meet the issue at that time.

I do not believe it will be necessary to increase taxes. I believe that we can employ some other method. If we had followed the thought that was suggested by the Democratic minority in 1922 in writing the Fordney tariff law, of fixing the sinking fund at a certain amount and estimating over a period of years as to when we wanted to pay off the war debt, and had stopped this policy of piling up too much taxes upon the people and creating surpluses and applying them to the payment of our debt, we could then meet this situation without any increased taxes. What is the harm of compelling future generations to help pay off this debt and applying some of these payments to meet present conditions? Let us give our attention first, however, to meeting the condition and taking care of the emergency. Let the arm of the Government be extended to give employment, if possible, to the millions of men and women who are out of employment, and to relieve the distress that is rampant. If only a crumb, let us give them that.

If we will make the appropriations in this Congress so large as to take care of every authority of law for the construction of public buildings, sailors and soldiers' homes, highway construction, river and harbor improvements, and every other piece of public work that necessity demands, and not do it over a period of three or four years, but put our shoulders to the wheel and say that it must be done now in order to take care of the unemployment situation, and appropriate the amount needed to carry it through, we will do more, in my opinion, to help solve the unemployment problem than anything else that we can do.

For one, I do not propose to try to cooperate with the President of the United States if, when the country is in distress, and the facts show that $60,000,000 should be appropriated to relieve the drought-stricken areas, he proposes to appropriate just $25,000,000. If that is unpatriotic, if that is "playing politics upon the miseries of the people," then I will plead guilty to it.

That is all I desire to say.

Mr. LA FOLLETTE. Mr. President, I submit a resolution and ask for its immediate consideration.

The resolution (S. Res. 363) was read as follows:

Whereas millions of American citizens are in destitute circumstances due to unemployment and face privation and suffering; and

Whereas the President of the United States, in a public statement, has indicated that consideration for the interests of income-tax payers necessitates restriction on governmental relief measures necessary to aid the jobless and their dependents: Now, therefore, be it

Resolved, That it is the sense of the Senate of the United States that the relief of human suffering in this emergency should take precedence over the consideration of the interests of wealthy income-tax payers.

The VICE PRESIDENT. The Senator from Wisconsin asks unanimous consent for immediate consideration. Is there objection?

Mr. REED. I ask that it may go over.

The VICE PRESIDENT. The resolution will go over under the rule.

Mr. COPELAND. Mr. President, I have been much distressed about the statement made by the President of the United States. I fear that the President is more sensitive to the charge of playing politics than he is to the human misery which exists in our country to-day. I can not refrain, even at this late hour, from saying just one more word.

I want Senators to know how serious those of us who come from the Eastern States are about the situation. It is terrible beyond description, and I fear that the President does not recognize what the problem is. It must be dealt with.

I referred yesterday to the statement of Dr. Nicholas Murray Butler, and I want to give his exact words. He said:

When the world presents its population with a problem of difficulty in making a living, then it is time for the existing social order to beware.

That is what we are facing. No man on this side who is finding fault because of the failure of the administration to act is playing politics with misery. Our aim is to have some definite program of relief instituted and put into operation at once, and it is in that spirit that we take the stand we do, and regardless of what may come from the White House, so far as I am concerned—and believe I reflect the attitude of other men on this side—I intend in season and out of season to do my best to impress upon the country that we are facing a serious economic social problem, and it must be solved if our order is to be preserved.

Mr. McNARY obtained the floor.

Mr. McKELLAR. Mr. President, if the Senator from Oregon will yield to me, I desire to ask the Senator whether it is his purpose to have the Senate take a recess or to adjourn at this time. I want to address the Senate, but if the Senator desires to have a recess taken——

Mr. McNARY. It is my desire to have a short executive session, and then ask for a recess until to-morrow.

Mr. McKELLAR. I am perfectly willing that that shall be done, but I want to give notice that I shall make an address to-morrow morning as soon as I can get the floor.

Mr. REED. Mr. President, will the Senator yield to me?

Mr. McNARY. I yield to the Senator from Pennsylvania.

Mr. REED. I shall take but a moment. I think in fairness to the President of the United States it ought to be noted that the interview which he appears to have given out contains no partisan attack whatsoever. It reflects upon the Senators on this side of the aisle as much as upon Senators on the other side of the aisle.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. REED. For all I know, it reflects upon me as much as it reflects upon the eloquent Senator from Mississippi [Mr. HARRISON], who has been so busy denouncing it as a partisan attack. I have read it carefully, and I can find nothing whatsoever in it which can be construed as a partisan attack.

Mr. McKELLAR. Mr. President, if the Senator will yield, assuming that that be true, does not the Senator feel that when the President of the United States says of the Senate, of Members of Congress indiscriminately, that they are engaged in making raids upon the Public Treasury, it is a most serious reflection on every Member of this body?

Mr. REED. That may be, Mr. President, but it is as much an attack upon us as it is upon the other side.

Mr. McKELLAR. I agree with the Senator; I think that is true, if the Senator will yield, but I just want to say that it seems to me the President of the United States owes this body, and the body at the other end of the Capitol, an apology for giving out such a crude and improper statement as was given out to the newspapers to-day.

Mr. REED. All very well, Mr. President, but the point I am trying to make, first, is that there is nothing partisan in it. Whether it is wise for one branch of the Government to indulge in criticism in that tone of other branches is a question on which men may differ. Personally, I do not think that I would make such criticism, nor should I criticize

the President or the judiciary or our coordinate body in the Congress, although I must confess that efforts were made in the last session to criticize the House for some action which it was within its rights in taking.

I think we must say, however, in fairness to the President, that there is nothing in the statement which implies an intention on his part to impinge upon the use of our judgment in the handling of the legislation before us, and I do not construe it in the least as reflecting upon the action of the Senator from Oregon [Mr. McNARY] in offering and in pressing to a conclusion the drought-relief measure which he so successfully put through the Senate to-day. If the President's statement is to be interpreted as a reflection upon us in passing that joint resolution as we have done, then I disagree with him as strongly as anyone can.

Finally, I think we owe it to ourselves and to the President and to the country to recognize the fact that his interest in relief work of this kind is as great as that of any of us, no matter what we may profess, because he stands out among all men in the world to-day as the greatest living exponent of relief of distress when it comes upon multitudes. We owe that in fairness to President Hoover. At the same time, he is charged with the responsibility, which is heavy, of seeing that the appropriations of the country are kept within our means, and I honor him for trying to do it.

The tone of his interview is something else again, but for the responsibility which weighs upon him, and which is evident in the issuance of that statement, no one can criticize him.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. REED. I have finished.

Mr. McKELLAR. I want to ask the Senator if he does not think that if the President has the same patriotic determination to help in this relief situation that all the rest of us have, he should have produced a plan? Why does he come in and ask for a lump-sum of money—$110,000,000 or $120,000,000, I have forgotten which, to be turned over to a committee of his Cabinet, to be let out as they see fit, without plan? Nobody knows what will be done with it. If the President is so concerned about unemployment in this country, why in the name of Heaven does he not use his brain, or the brains of those under him, to produce some plan?

Mr. REED. The President has not suggested anything of the sort mentioned. He has asked that he be given an appropriation to enable him to go on and complete any project which Congress has authorized. He does not ask for money to complete anything that his committee may wish, but only authorized projects. He is sane enough to know that what Americans want is work, and not hand-outs, and he is trying to provide that work.

Just one word more. While we are being so touchy at his criticism of us, I think in fairness we ought to recognize the fact that nothing in this statement, or in anything else I have seen quoted from the President, begins to approach in severity or intemperance the attacks some of us have made upon him.

Mr. JONES. Mr. President——

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Washington?

Mr. McNARY. I yield.

Mr. JONES. I just want to express the hope that before the Senate closes its business tomorrow we will have a vote on the bill that is now the unfinished business.

Mr. McKELLAR. Mr. President, will the Senator from Oregon yield to me just for a few minutes? I desire to have something to say in reply to the Senator from Pennsylvania.

Mr. McNARY. I must not yield.

Mr. McKELLAR. Mr. President, the Senator has yielded to the Senator from Pennsylvania to make a defense of the President. Will not the Senator do the same fair thing by me and let me make a statement?

Mr. McNARY. I thought the Senator from Tennessee had much to say in reply to the Senator from Pennsylvania. I can not conceive of anything that has been omitted.

Mr. McKELLAR. I have a good many things which have been omitted upon which I might inform the Senator if he would grant the time. It seems to me that in an important matter like this, when the President of the United States makes a deliberate attack upon the lawmaking body——

Mr. McNARY. Mr. President——

Mr. McKELLAR. Saying that they are engaged in raiding the United States Treasury, those of us who have been maligned and abused in this way should have a right to reply.

The VICE PRESIDENT. The Senator from Oregon declines to yield.

EXECUTIVE SESSION

Mr. McNARY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

REPORTS OF NOMINATIONS

Mr. FESS (for Mr. COUZENS) from the Committee on Interstate Commerce, reported favorably the nomination of Frank McManamy, of the District of Columbia, for reappointment as a member of the Interstate Commerce Commission for the term expiring December 31, 1937.

He also (for Mr. COUZENS), from the same committee, reported favorably the nomination of Samuel E. Winslow, of Massachusetts, for reappointment as a member of the Board of Mediation for the term expiring five years after January 1, 1931.

The VICE PRESIDENT. If there are no further reports of committees, nominations are in order.

PHILIPPINE ISLANDS

The Chief Clerk read the nomination of George Charles Butte, of Texas, to be vice governor of the Philippine Islands.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

THE JUDICIARY

The Chief Clerk read the nomination of Thomas J. Kennamer to be United States marshal, northern district of Alabama.

The VICE PRESIDENT. The nomination is confirmed, and the President will be notified.

The Chief Clerk read the nomination of James C. McGregor to be United States marshal, western district of Pennsylvania.

The VICE PRESIDENT. The nomination is confirmed, and the President will be notified.

POSTMASTERS

The Chief Clerk read sundry nominations of postmasters.

Mr. PHIPPS. I ask that the nominations be confirmed en bloc and the President notified.

The VICE PRESIDENT. Without objection, the nominations are confirmed, and the President will be notified.

Mr. McNARY. The junior Senator from Indiana [Mr. ROBINSON] and the distinguished leader on this side, the senior Senator from Indiana [Mr. WATSON], wanted to have one nomination of a postmaster withheld.

The VICE PRESIDENT. The nomination in which those Senators are interested is not on the calendar.

Mr. McKELLAR obtained the floor.

Mr. REED. Will not the Senator allow us to complete the executive business?

Mr. McKELLAR. No; I have been recognized and I want to occupy a moment at this time. I am not going to make a speech, but I want to give notice that to-morrow, as soon as I can obtain the floor after the meeting of the Senate, I want to reply to the statements which have been made by the Senator from Pennsylvania, and to reply to the statement which has been made by the President of the United States reflecting, as it does, upon every Member of this body.

IN THE ARMY

The Chief Clerk read sundry nominations for appointments and promotions in the Army.

Mr. REED. I ask that the Army nominations be confirmed en bloc and the President notified.

The VICE PRESIDENT. Without objection, the nominations are confirmed, and the President will be notified.

RECESS

Mr. McNARY. As in legislative session, I move that the Senate take a recess until to-morrow at 12 o'clock.

The motion was agreed to; and the Senate (at 5 o'clock p. m.) took a recess until to-morrow, Wednesday, December 10, 1930, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 9, 1930

VICE GOVERNOR OF THE PHILIPPINE ISLANDS

George Charles Butte to be Vice Governor of the Philippine Islands.

UNITED STATES MARSHALS

Thomas J. Kennamer to be United States marshal, northern district of Alabama.

James C. McGregor to be United States marshal, western district of Pennsylvania.

APPOINTMENTS IN THE ARMY

Douglas MacArthur to be general, while holding office as Chief of Staff of the Army.

George Van Horn Moseley to be major general.

Manus McCloskey to be brigadier general, Field Artillery.

Stanley Hamer Ford to be brigadier general, Infantry.

Stanley Dunbar Embick to be brigadier general, Coast Artillery Corps.

Herbert Jay Brees to be brigadier general, Cavalry.

James Kelly Parsons to be brigadier general, Infantry.

Col. Edwin Dyson Bricker to be assistant to the Chief of Ordnance.

Maj. Herman Beukema, Field Artillery, to be professor of economics, government, and history at the United States Military Academy.

Gustave Everett Ledfors to be first lieutenant, Medical Corps.

Harry Boaz Ditmore to be first lieutenant, Medical Corps.

Armin Walter Leuschner to be first lieutenant, Medical Corps.

Ralph Vernon Plew to be first lieutenant, Medical Corps.

Wayne Glassburn Brandstadt to be first lieutenant, Medical Corps.

Edward James Kendricks to be first lieutenant, Medical Corps.

Oliver Harold Waltrip to be first lieutenant, Medical Corps.

James Simon Cathroe to be first lieutenant, Dental Corps.

Ingolf Bernardt Hauge to be first lieutenant, Dental Corps.

John LeRoy Carter to be first lieutenant, Dental Corps.

Wesley Watson Bertz to be second lieutenant, Veterinary Corps.

Edgerton Lynn Watson to be second lieutenant, Veterinary Corps.

Austin Taylor Getz to be second lieutenant, Veterinary Corps.

Cecil Brooks to be second lieutenant, Medical Administrative Corps.

Homer Clarence McCullough to be second lieutenant, Medical Administrative Corps.

Charles Boone Hanes to be second lieutenant, Medical Administrative Corps.

Joseph Carmack to be second lieutenant, Medical Administrative Corps.

Frederick William Hagan to be chaplain with the rank of first lieutenant.

REAPPOINTMENT IN THE ARMY

Merritte Weber Ireland to be Surgeon General.

REAPPOINTMENT IN THE OFFICERS' RESERVE CORPS

General officer

John Francis O'Ryan to be major general, reserve.

APPOINTMENTS IN THE OFFICERS' RESERVE CORPS

General officers

Diller Slyder Myers to be brigadier general, reserve.

John Cecil Persons to be brigadier general, reserve.

Oscar Edwin Roberts to be brigadier general, reserve.

TRANSFERS IN THE ARMY

First Lieut. Escalus Emmert Elliott to Coast Artillery Corps.

Second Lieut. Albert Eugene Dennis to Coast Artillery Corps.

Lieut. Col. Thomas Norton Gimperling to Infantry.

First Lieut. Leslie Earl Simon to Ordnance Department.

TO AIR CORPS

Second Lieut. James Keller DeArmond.
Second Lieut. Laurence Sherman Kuter.
Second Lieut. George McCoy, jr.
Second Lieut. David Peter Laubach.
Second Lieut. James Elbert Briggs.
Second Lieut. Robert Loyal Easton.
Second Lieut. Richard Perry O'Keefe.
Second Lieut. Fred Obediah Tally.
Second Lieut. Delma Taft Spivey.
Second Lieut. William Columbus Sams, jr.
Second Lieut. Don Zabriskie Zimmerman.
Second Lieut. Frederick Rodgers Dent, jr.
Second Lieut. Harold Huntley Bassett.
Second Lieut. Howard Moore.
Second Lieut. James Lee Majors.
Second Lieut. Roger James Browne.
Second Lieut. Joseph Jennings Ladd.
Second Lieut. Thomas Ludwell Bryan, jr.
Second Lieut. John Knox Poole.
Second Lieut. John Coleman Horton.
Second Lieut. Marshall Stanley Roth.
Second Lieut. Rudolph Fink.
Second Lieut. Robert Maurice Kraft.
Second Lieut. Roy Garfield Cuno.
Second Lieut. Frederic Harrison Smith, jr.
Second Lieut. Donald John Keirn.
Second Lieut. Donald Wilbur Armagost.
Second Lieut. Dwight Bahney Schannep.
Second Lieut. Robert Moffat Losey.
Second Lieut. John Jackson O'Hara, jr.
Second Lieut. Emery Scott Wetzel.
Second Lieut. William Ernest Karnes.
Second Lieut. William Gilmer Bowyer.
Second Lieut. Edward Auld Dodson.
Second Lieut. John William Stribling, jr.
Second Lieut. Thomas Benton McDonald.
Second Lieut. Melie John Coutlee.
Second Lieut. Daniel Campbell Doubleday.
Second Lieut. Jerald Worden McCoy.
Second Lieut. Pearl Harvey Robey.
Second Lieut. Charles Glendon Williamson.
Second Lieut. George Putnam Moody.
Second Lieut. Keene Watkins.
Second Lieut. John Nicholas Stone.
Second Lieut. Phineas Kimball Morrill, jr.
Second Lieut. Thomas Richard Lynch.
Second Lieut. Ezekiel Wimberly Napier.

PROMOTIONS IN THE ARMY

Raymond Westcott Briggs to be colonel, Field Artillery.

James Lawrence Long to be colonel, Coast Artillery Corps.

Ralph Molyneux Mitchell to be colonel, Coast Artillery Corps.

Frederick Louis Dengler to be colonel, Coast Artillery Corps.

Richard Howard Williams to be colonel, Coast Artillery Corps.

Lewis Stoddard Ryan to be colonel, Field Artillery.

Tilman Campbell to be colonel, Finance Department.

Thomas Lilley Sherburne to be colonel, Cavalry.

Francis Hicks Lincoln to be colonel, Coast Artillery Corps.

William Henry Wilson to be colonel, Coast Artillery Corps.

Augustus Bennett Warfield to be colonel, Quartermaster Corps.
Edward Dennis Powers to be colonel, Coast Artillery Corps.
Howard Lee Landers to be colonel, Field Artillery.
William Henry Burt to be colonel, Field Artillery.
Arthur Leonard Fuller to be colonel, Coast Artillery Corps.
John Sherman Chambers to be colonel, Quartermaster Corps.
Laurin Leonard Lawson to be colonel, Field Artillery.
Morris Ernest Locke to be colonel, Field Artillery.
James Regan to be colonel, Quartermaster Corps.
Gilbert McKee Allen to be colonel, Infantry.
John Randolph to be colonel, Infantry.
William Hume Clendenin to be colonel, Infantry.
John Royden Kelly to be colonel, Infantry.
Edward Raynsford Warner McCabe to be colonel, Field Artillery.
William Gustin Ball to be colonel, Quartermaster Corps.
Edgar Lee Field to be lieutenant colonel, Infantry.
Jere Baxter to be lieutenant colonel, Infantry.
Frank Kirby Chapin to be lieutenant colonel, Cavalry.
Lloyd Ralston Fredendall to be lieutenant colonel, Infantry.
Rowan Palmer Lemly to be lieutenant colonel, Infantry.
Frank Thorp, jr., to be lieutenant colonel, Field Artillery.
Leroy Pierce Collins to be lieutenant colonel, Field Artillery.
Ballard Lyerly to be lieutenant colonel, Field Artillery.
George Albert Wildrick to be lieutenant colonel, Coast Artillery Corps.
Allen Kimberly to be lieutenant colonel, Coast Artillery Corps.
Thomas Aquila Clark to be lieutenant colonel, Ordnance Department.
Phillip Woodfin Booker to be lieutenant colonel, Field Artillery.
James Alexander O'Connor to be lieutenant colonel, Corps of Engineers.
Lewis Hayes Watkins to be lieutenant colonel, Corps of Engineers.
Richard Park to be lieutenant colonel, Corps of Engineers.
Daniel Isom Sultan to be lieutenant colonel, Corps of Engineers.
John Boursiquat Rose to be lieutenant colonel, Ordnance Department.
Charles Tillman Harris, jr., to be lieutenant colonel, Ordnance Department.
Maxwell Murray to be lieutenant colonel, Field Artillery.
William Edgar Shedd, jr., to be lieutenant colonel, Coast Artillery Corps.
Royal Kemp Greene to be lieutenant colonel, Coast Artillery Corps.
Howard Kendall Loughry to be lieutenant colonel, Coast Artillery Corps.
Robert Price Glassburn to be lieutenant colonel, Coast Artillery Corps.
Harry Keneth Rutherford to be lieutenant colonel, Ordnance Department.
Paul Jones Horton to be lieutenant colonel, Coast Artillery Corps.
Fred Taylor Cruse to be lieutenant colonel, Field Artillery.
James Preston Marley to be lieutenant colonel, Field Artillery.
Robert Arthur to be lieutenant colonel, Coast Artillery Corps.
Lucian Dent Booth to be lieutenant colonel, Ordnance Department.
Waldo Charles Potter to be lieutenant colonel, Field Artillery.
Henry Henderson Pfeil to be lieutenant colonel, Adjutant General's Department.
Clyde Leslie Eastman to be lieutenant colonel, Signal Corps.
James Macdonald Lockett to be lieutenant colonel, Infantry.
Jesse Cyrus Drain to be lieutenant colonel, Infantry.
Alexander Wheeler Chilton to be lieutenant colonel, Infantry.
Charles Henry Rice to be lieutenant colonel, Infantry.
George Ralph Barker to be major, Infantry.
John Waldemar Thompson to be major, Infantry.
Philip Overstreet to be major, Infantry.
Archie Arrington Farmer to be major, Signal Corps.
Charles Sabin Ferrin to be major, Field Artillery.
Edward Lodge McKee, jr., to be major, Infantry.
Joseph Henry Dent to be major, Quartermaster Corps.
Hugh Williams to be major, Quartermaster Corps.
John Moultrie Ward to be major, Quartermaster Corps.
William Tecumseh Haldeman to be major, Cavalry.
James Michael Grey to be major, Quartermaster Corps.
Arnold Melville Reeve to be major, Quartermaster Corps.
William Charles Ocker to be major, Air Corps.
William Frederick Volandt to be major, Air Corps.
Alexander Newton Stark, jr., to be major, Infantry.
Roger Hilsman to be major, Infantry.
Holmes Ely Dager to be major, Infantry.
Harry Elmer Fischer to be major, Infantry.
Roger Williams, jr., to be major, Infantry.
Harry Brandley Hildebrand to be major, Infantry.
Louis Whorley Hasslock to be major, Field Artillery.
Henry Alfred Schmarz to be major, Field Artillery.
Frederick Stone Matthews to be major, Infantry.
William E. Kepner to be major, Air Corps.
William Ogden Johnson to be major, Cavalry.
Marcus Aurelius Smith Ming to be major, Field Artillery.
Walter Raymond Graham to be major, Infantry.
Albert Hovey Peyton to be major, Infantry.
James Patrick Murphy to be major, Infantry.
Jacob Edward Bechtold to be major, Infantry.
Neal Creighton Johnson to be major, Infantry.
Norman Pyle Groff to be major, Infantry.
Glenn Adelbert Ross to be major, Infantry.
Francis Augustus Woolfley to be major, Infantry.
Nelson Dingley, 3d, to be major, Coast Artillery Corps.
Richard Marshall Winfield to be major, Infantry.
Claudius Miller Easley to be major, Infantry.
Richard Weaver Hocker to be major, Field Artillery.
Joseph Ware Whitney to be major, Infantry.
Peter Paul Salgado to be major, Infantry.
Guy Griswold Cowen to be major, Infantry.
Myron Gilbert Browne to be major, Infantry.
Pier Luigi Focardi to be major, Corps of Engineers.
George Stainback Deaderick to be captain, Infantry.
Arthur Dana Elliot to be captain, Ordnance Department.
Virgil Hine to be captain, Air Corps.
John Paul Richter to be captain, Air Corps.
Rene Raimond Studler to be captain, Ordnance Department.
Howard Burdette Nurse to be captain, Quartermaster Corps.
Oscar Mitchell Massey to be captain, Cavalry.
John Montgomery Heath to be captain, Signal Corps.
Robert George Howie to be captain, Infantry.
Ralph Wiltamuth to be captain, Infantry.
Einar Nelson Schjerven to be captain, Cavalry.
John William Irwin to be captain, Infantry.
Robert LeRoy Nesbit to be captain, Infantry.
Joseph Kahler Evans to be captain, Infantry.
Lawrence Haley Caruthers to be captain, Field Artillery.
Frank LaRue to be captain, Infantry.
Thomas Henry Mills to be captain, Quartermaster Corps.
Louis Clifford Webster to be captain, Quartermaster Corps.
John Beveridge, jr., to be captain, Air Corps.
Julian Dayton to be captain, Infantry.
Elmer Hostetter to be captain, Quartermaster Corps.
Michael Everett McHugo to be captain, Air Corps.
William Mason Wright, jr., to be captain, Field Artillery.
Glen Dison Gorton to be captain, Quartermaster Corps.
Philip Whalley Allison to be captain, Field Artillery.
James Lionel Grisham to be captain, Air Corps.
Joseph Worthen Proctor to be captain, Ordnance Department.
Earl Seeley Hoag to be captain, Air Corps.
Vincent James Meloy to be captain, Air Corps.
Charles Egbert Branshaw to be captain, Air Corps.

Edward Whiting Raley to be captain, Air Corps.
Earle Hayden Tonkin to be captain, Air Corps.
James Troy Hutchison to be captain, Air Corps.
Ivan Leon Foster to be captain, Field Artillery.
Edwin Randolph Page to be captain, Air Corps.
Abraham Bernard Thumel to be captain, Quartermaster Corps.
Harvey Hodges Holland to be captain, Air Corps.
Russell Lowell Maughan to be captain, Air Corps.
Walter Miller to be captain, Air Corps.
John William Slattery to be captain, Ordnance Department.
Charles Emile Stafford to be captain, Quartermaster Corps.
Oliver Perry Gothlin, jr., to be captain, Air Corps.
Eugene Benjamin Bayley to be captain, Air Corps.
Dache McClain Reeves to be captain, Air Corps.
Leo Fred Post to be captain, Air Corps.
John Carroll Kennedy to be captain, Air Corps.
Oscar George Fegan to be captain, Quartermaster Corps.
William Albert Hayward to be captain, Air Corps.
Thomas Jefferson Davis to be captain, Infantry.
Edmund Pendleton Gaines to be captain, Air Corps.
Harvey William Prosser to be captain, Air Corps.
Clayton Lawrence Bissell to be captain, Air Corps.
Horace Simpson Kenyon, jr., to be captain, Air Corps.
Eugene Robert Cowles to be captain, Infantry.
Philip Henry Kron to be captain, Infantry.
John Francis Alcure to be captain, Quartermaster Corps.
Zane Irwin Adair to be captain, Infantry.
Robert Clyde Sanders to be captain, Infantry.
Joseph Henry Hussing to be captain, Infantry.
Wallace Marmaduke Allison to be captain, Quartermaster Corps.
Leland Charles Hurd to be captain, Air Corps.
Robert Victor Ignico to be captain, Air Corps.
Rutledge Maurice Lawson to be captain, Infantry.
Leland Ross Hewitt to be captain, Air Corps.
Clifford Cameron Nutt to be captain, Air Corps.
Harry George Rennagel to be captain, Infantry.
Everett Roscoe Stevens to be captain, Quartermaster Corps.
Harry Samuel Fuller to be captain, Quartermaster Corps.
Isaiah Davies to be captain, Air Corps.
Arthur William Vanaman to be captain, Air Corps.
Franklin Otis Carroll to be captain, Air Corps.
Frederick William Evans to be captain, Air Corps.
Oliver Edward Cound to be captain, Quartermaster Corps.
David Nathaniel Hauseman to be captain, Ordnance Department.
George Lincoln Townsend to be captain, Signal Corps.
Edwin Yancey Argo to be captain, Field Artillery.
Howard Hunt Couch to be first lieutenant, Air Corps.
Wilfred Joseph Paul to be first lieutenant, Air Corps.
Glenn L. Davasher to be first lieutenant, Air Corps.
Charles Stowe Stodter to be first lieutenant, Signal Corps.
Charles Henry Barth, jr., to be first lieutenant, Corps of Engineers.
Standish Weston to be first lieutenant, Corps of Engineers.
Raymond Burkholder Oxrieder to be first lieutenant, Corps of Engineers.
Gerald Edward Galloway to be first lieutenant, Corps of Engineers.
Harrod George Miller to be first lieutenant, Signal Corps.
Charles Hare Mason to be first lieutenant, Corps of Engineers.
Carl Rueben Dutton to be first lieutenant, Coast Artillery Corps.
George Kenyon Withers to be first lieutenant, Corps of Engineers.
Arleigh Todd Bell to be first lieutenant, Corps of Engineers.
Thomas Leonard Harrold to be first lieutenant, Cavalry.
Kenneth William Treacy to be first lieutenant, Field Artillery.
Vincent Joseph Esposito to be first lieutenant, Corps of Engineers.
Robert Lee Howze, jr., to be first lieutenant, Cavalry.
Leland Berrel Kuhre to be first lieutenant, Corps of Engineers.
Colby Maxwell Myers to be first lieutenant, Corps of Engineers.
Ralph Tibbs Garver to be first lieutenant, Cavalry.
William Ludlow Ritchie to be first lieutenant, Air Corps.
Amos Tappan Akerman to be first lieutenant, Corps of Engineers.
Olive Cass Torbett to be first lieutenant, Corps of Engineers.
Rogers Alan Gardner to be first lieutenant, Cavalry.
Albert Harvey Burton to be first lieutenant, Corps of Engineers.
Bruce Cooper Clarke to be first lieutenant, Corps of Engineers.
Carl William Meyer to be first lieutenant, Corps of Engineers.
John Henry Dulligan to be first lieutenant, Air Corps.
David Henry Tulley to be first lieutenant, Corps of Engineers.
Walter Grant Bryte, jr., to be first lieutenant, Air Corps.
Kyrl Leighton-Faxford de Gravelines to be first lieutenant, Coast Artillery Corps.
Warren Nourse Underwood to be first lieutenant, Corps of Engineers.
Miles Merrill Dawson to be first lieutenant, Corps of Engineers.
Charles Parsons Nicholas to be first lieutenant, Field Artillery.
Russell Edward Randall to be first lieutenant, Air Corps.
Carl Warren Holcomb to be first lieutenant, Coast Artillery Corps.
Armand Hopkins to be first lieutenant, Coast Artillery Corps.
Timothy Lawrence Mulligan to be first lieutenant, Corps of Engineers.
Finis Ewing Dunaway, jr., to be first lieutenant, Corps of Engineers.
Benjamin Cobb Fowlkes, jr., to be first lieutenant, Corps of Engineers.
John Wilson Huyssoon to be first lieutenant, Coast Artillery Corps.
Frank Gilbert Fraser to be first lieutenant, Cavalry.
Stanley James Horn to be first lieutenant, Corps of Engineers.
Frank Andrew Pettit to be first lieutenant, Corps of Engineers.
William O'Connor Heacock to be first lieutenant, Cavalry.
Walter William Hodge to be first lieutenant, Corps of Engineers.
William Henry Nutter to be first lieutenant, Cavalry.
Oscar Carl Maier to be first lieutenant, Signal Corps.
Ralph Augustus Lincoln to be first lieutenant, Corps of Engineers.
Gilbert Edward Linkswiler to be first lieutenant, Corps of Engineers.
Aubrey Strode Newman to be first lieutenant, Infantry.
Ernest Victor Holmes to be first lieutenant, Field Artillery.
William Frank Steer to be first lieutenant, Coast Artillery Corps.
Wiley Thomas Moore to be first lieutenant, Field Artillery.
Ronald Montgomery Shaw to be first lieutenant, Cavalry.
Conrad Stanton Babcock to be first lieutenant, Cavalry.
Thomas Elton Smith to be first lieutenant, Field Artillery.
Alvin Truett Bowers to be first lieutenant, Coast Artillery Corps.
William Henry Bigelow to be first lieutenant, Infantry.
Lewis Ackley Riggins to be first lieutenant, Infantry.
Willard Lamborn Wright to be first lieutenant, Field Artillery.
John Frederick Gamber to be first lieutenant, Coast Artillery Corps.

Ernest Andrew Barlow to be first lieutenant, Infantry.
John Loomis Chamberlain, jr., to be first lieutenant, Field Artillery.
Frank John Hierholzer to be first lieutenant, Field Artillery.
Carl Frederick Tischbein to be first lieutenant, Coast Artillery Corps.
John Salisbury Fisher to be first lieutenant, Infantry.
Charles Pearre Cabell to be first lieutenant, Field Artillery.
James Joseph Deery to be first lieutenant, Field Artillery.
Allen Ward DeWees to be first lieutenant, Coast Artillery Corps.
Archer Frank Freund to be first lieutenant, Field Artillery.
Roland Ainslee Browne to be first lieutenant, Cavalry.
Milo Howard Matteson to be first lieutenant, Cavalry.
William John Carne to be first lieutenant, Infantry.
John Stephan Henn to be first lieutenant, Coast Artillery Corps.
Henry Randolph Westphalinger to be first lieutenant, Cavalry.
Raymond Cecil Conder to be first lieutenant, Field Artillery.
Ralph Frederick Bartz to be first lieutenant, Infantry.
James Wentworth Clinton to be first lieutenant, Infantry.
Arthur Bliss to be first lieutenant, Field Artillery.
William Holmes Wood to be first lieutenant, Cavalry.
John William Black to be first lieutenant, Field Artillery.
Lucien Eugene Bolduc to be first lieutenant, Infantry.
Alfred Boyce Devereaux to be first lieutenant, Field Artillery.
Paul Maurice Seleen to be first lieutenant, Signal Corps.
Henry Ewell Strickland to be first lieutenant, Coast Artillery Corps.
Wilmer George Bennett to be first lieutenant, Field Artillery.
Arthur Charles Boll to be first lieutenant, Signal Corps.
Clifford Palmer Bradley to be first lieutenant, Air Corps.
Hubert Merrill Cole to be first lieutenant, Field Artillery.

MEDICAL CORPS

To be colonels

Howard Houghton Baily.
Paul Lamar Freeman.
Edgar William Miller.

To be majors

Leland Elder Dashiell.
George William Reyer.
Oscar Thweatt Kirksey.
Byron Johnson Peters.
Joseph Rogers Darnall.
Harold Arthur Kirkham.
Henry William Meisch.
Leland Oliver Walter Moore.
Lewis Bradley Bibb.
Arthur Wheeler Drew.
Alexander Palmer Kelly.
Francis William Gustites.
William Samuel Prout.
Walter Fleming Hamilton.
Elgen Clayton Pratt.
Frank Tenny Chamberlin.
Harry Ripley Melton.
James Martin Miller.
Howard Joseph Hutter.
Charles Vincent Hart.
Irwin Bradfield Smock.
David Loran Robeson.
Joseph Ignatius Martin.
Thomas Randolph McCarley.
Alfred Mordecai.
William Presley Dingle.
James Frank Brooke.
Lester Eastwood Beringer.
David Lloyd Stewart.
John Moorhaj Tamraz.
Joseph Aaron Mendelson.

To be captains

James Patrick Cooney.
Harvey Francis Hendrickson.
Louis Holmes Ginn, jr.
Seth Gayle, jr.
Howard Sterling McConkie.
Sam Foster Seeley.
William Draper North.
Clifford Veryl Morgan.
William Henry Lawton.
James Elmo Yarbrough.
John Daniel Brumbaugh.
Abner Zehm.
Walter Frederick Heine.
Charles McCabe Downs.
John Winchester Rich.
Thomas Brown Murphy.
Huston J. Banton.
Hervey Burson Porter.

DENTAL CORPS

To be majors

John Samuel Ross.
Elmer Henry Nicklies.
Clarence Walter Johnson.
Walter Duncan Love.
Egbert Wesley van Delden Cowan.
Arthur Edmon Brown.
Robert Clyde Craven.
Melville Alexander Sanderson.
Earl George Gebhardt.
Frank Alf Crane.
Arne Sorum.
Vivian Z. Brown.
Henry Allen Winslow.
Ernest Frank Sharp.
Clarence Roy Benney.

To be captains

Clarence Price Canby.
Roger Giles Miller.
Grant Arthur Selby.
Leland Stanford Mabry.

VETERINARY CORPS

To be first lieutenants

Charles Stunkard Greer.
John Lloyd Owens.

To be chaplain with the rank of major

Edmond Joseph Griffin.
Ora Jason Cohee.

To be chaplain with the rank of captain

Edward Robert Martin.

PROMOTIONS IN THE PHILIPPINE SCOUTS

John Willett Smith to be captain.

POSTMASTERS

ILLINOIS

Ray R. Staubus, Cissna Park.
James E. Lee, Findlay.
Gustav C. Michael, Hoyleton.
Archie A. Colby, Lee.
Oscar M. Phares, Le Roy.
Arlington B. Gittings, Lomax.
Mary Smith, North Aurora.
Jacob A. Hirsbrunner, Olivet.
George W. Martin, St. Anne.
John Gray, Urbana.

INDIANA

Harry C. Watts, Aurora.
Charles W. Bard, Crothersville.
Clyde H. Siekerman, Dillsboro.
William C. Seng, Dubois.
Claude B. Thomas, Moores Hill.
Francis W. Homan, Reynolds.
Robert P. White, Sullivan.

IOWA

Leah F. Cookinham, Ayrshire.
Tena S. Healy, Britt.
Elsie Sierck, Everly.
Raymond F. Sargent, Fonda.
Alva M. Kepler, Kalona.
Lera Hinzman, Riceville.
Charles H. Swisher, Sully.
Cora J. Jacobsen, Wilton Junction.

MASSACHUSETTS

Esther K. Whitcomb, Bolton.
Alexander F. Gray, Charles River.
Margaret Poole, Island Creek.
Edward F. Earle, Rehoboth.
Hattie M. Crowell, South Yarmouth.

MISSOURI

Laura J. England, Glenwood.
Curtis N. Houston, Grain Valley.
Henry E. Folluo, Manchester.
Raymond J. Tomlinson, Morley.
Amiel A. Weitkamp, Moscow Mills.
Lawrence L. Glover, Newark.

MONTANA

Lyman E. Ferry, Somers.
Harrison M. Sperry, Townsend.

NEBRASKA

Irving E. Tilgner, Lewellen.

OKLAHOMA

Gail E. Wing, Camargo.
George Wehrenberg, Lovell.

PENNSYLVANIA

Thomas McLeister, Philadelphia.

WASHINGTON

Charles T. LeWarne, Bellevue.
Walter M. Hubbell, Spokane.

HOUSE OF REPRESENTATIVES

TUESDAY, DECEMBER 9, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Lord God of our fathers, accept our recognition of our low estate. Thou knowest us altogether, and yet Thou art so mindful of us. O fill our minds with the blessedness of our Heavenly Father, who is so rich in goodness, pity, and love; in gratitude turn our faces toward the heights. Work marvels in lives transfigured and in our country reborn until our whole land shall be made so new that the ragged edges of unemployment shall hurt no more. Just now we wait with pleading lips as we ask: "O Lord, what wilt Thou have us do?" O breathe a holy psalm of love and sacrifice into all breasts and, Holy Spirit, brood over us and lead us all the way. Through Christ, the Good Samaritan. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had agreed to the amendment of the House to the bill (S. 328) entitled "An act for the relief of Edward C. Dunlap."

The message also announced that the Vice President had appointed Mr. SMOOT and Mr. SIMMONS members of the joint select committee on the part of the Senate as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Treasury Department.

The message also announced that the Vice President had appointed Mr. NYE and Mr. PITTMAN members of the joint select committee on the part of the Senate as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Department of the Interior.

The message also announced that the Vice President had appointed Mr. PHIPPS and Mr. MCKELLAR members of the joint select committee on the part of the Senate as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Post Office Department.

LAURA A. DEPODESTA

Mr. IRWIN. Mr. Speaker, by direction of the Committee on Claims I ask unanimous consent to take from the Speaker's table the bill (H. R. 1759) for the relief of Laura A. DePodesta, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 11, after the word "death," insert "said sum to be in full settlement of all claims for damages against the Government on account of the death of her husband."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was agreed to.

DAVID M'D. SHEARER

Mr. IRWIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1825) for the relief of David McD. Shearer, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 17, strike out "will" and insert "willow."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was agreed to.

MUSCLE SHOALS

Mr. TAYLOR of Tennessee. Mr. Speaker, I would like to ask a parliamentary question. I would like to know what progress is being made by our conferees on the Muscle Shoals legislation.

The SPEAKER. The Chair does not think that is a parliamentary inquiry.

Mr. GARNER. Mr. Speaker, I want to ask a parliamentary question and I think I can bring it within parliamentary rules. The Muscle Shoals bill is in conference; does the Speaker have the power to remove the conferees and substitute other conferees or does the House have that power?

The SPEAKER. The Chair would be inclined to think that under the conditions, the Senate being entitled to the papers, the House would not have power to discharge the managers on the part of the House until they had made some report.

Mr. GARNER. Now, Mr. Speaker, in order to have the matter clearly understood, if the House had the papers, then the House would have the power, as I understand it, to discharge its conferees and recall the papers to the House of Representatives. Would the Speaker himself have the power to discharge the conferees and appoint new conferees?

The SPEAKER. After some consideration, the Chair thinks the Chair himself would not have that power.

Mr. GARNER. So now the parliamentary situation is such that the House can not take action under any conditions until the Senate takes action with respect to Muscle Shoals?

The SPEAKER. The Senate being properly in possession of the papers, the House can not take that action.

EMERGENCY CONSTRUCTION

Mr. WOOD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment.

The Clerk read the title of the bill.

Mr. LAGUARDIA. Mr. Speaker, a parliamentary inquiry. Does this require unanimous consent?

The SPEAKER. The Chair is inclined to think it does.

Mr. HOWARD. Mr. Speaker, what is it, please?

The SPEAKER. Without objection, the Clerk will again report the bill.

The Clerk again read the title of the bill.

Mr. HOWARD. Sufficiency.

Mr. STAFFORD. Mr. Speaker, may I inquire whether it is the purpose of the chairman of the committee to have this bill considered in the House as in Committee of the Whole?

Mr. WOOD. No; I am going to move to go into Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the present consideration of the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment; and pending that motion, I would like to come to an agreement with the gentleman from Tennessee [Mr. BYRNS] with reference to the time to be occupied in general debate and with respect to having all debate confined to the bill. How much time does the gentleman want?

Mr. BYRNS. I may suggest to the gentleman that I want to make a few observations myself, but I do not believe anybody over here wants to talk on the bill; at least, they have not so notified me. I suggest to the gentleman that we go into the Committee of the Whole House on the state of the Union for the consideration of this bill, and that will give the gentleman one hour and myself one hour.

Mr. WOOD. I do not think we need that much time.

Mr. BYRNS. I do not think so either.

Mr. GARNER. You do not have to use all of it.

Mr. BYRNS. I would hate to cut off anybody who desired to speak on the bill.

Mr. CHINDBLOM. If the gentleman will permit, there would be no saving of time by simply going into Committee of the Whole House on the state of the Union, because if any other Member obtained the floor, he would also be recognized for one hour.

Mr. BYRNS. Then limit it to two hours.

Mr. TILSON. Is the gentleman willing to have the debate confined to the bill?

Mr. BYRNS. Yes; I am perfectly willing to have that.

Mr. WOOD. Then, Mr. Speaker, I ask unanimous consent that the debate be limited to two hours, one half to be controlled by the gentleman from Tennessee, and the other half to be controlled by myself, and that the debate be limited to the bill.

The SPEAKER. The gentleman from Indiana asks unanimous consent that general debate be limited to two hours, one-half to be controlled by the gentleman from Tennessee and one-half by himself, and that the debate be limited to the bill. Is there objection?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. SNELL in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill which the Clerk will report the title.

The Clerk read the title of the bill.

Mr. WOOD. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

There was no objection.

Mr. WOOD. Mr. Chairman and gentlemen of the committee, this is an emergency appropriation bill, the purpose of which is to provide for Government construction to aid employment.

The estimates in this bill were sent to the House at the suggestion of the President, who in his message to this body at the commencement of the present session recommended an appropriation of from $100,000,000 to $150,000,000, the purpose of which was to assist in relieving unemployment.

The estimates as tentatively prepared and submitted to Congress and referred to the Appropriations Committee amounted in round numbers to $151,000,000. There were more than 50 different items included in the detail of these estimates. The committee spent several days in its examination of the Budget officer and those defending the estimates for roads, flood control, rivers and harbors, and so forth.

We ascertained before we progressed very far that many items were so involved with the estimates already submitted to the Committee on Appropriations for the regular annual bills that it was an interminable task to sift out that which was of an emergency character from that which was provided for under the regular bills and not so urgent.

We soon discovered that there were five principal items that involved a total of $110,000,000, and that these five purposes were entirely within the scope of the intention of the President in the recommendations he made.

So we finally agreed, unanimously, that we would submit to the House at once in a special bill these five separate items, and leave for further consideration on the first deficiency bill such other items as in our judgment should be made for any future relief, with the provision that the items should be immediately available.

So we have before us in this bill the five purposes to which I have referred—Federal highway system, $80,000,000; rivers and harbors, $22,500,000; flood control on the Mississippi River and tributaries, $3,000,000; improvement of national forests, $3,000,000; roads and trails, in national parks, $1,500,000.

You will recall that the President in his message recommended that appropriations should be for a period of six months, terminating on the 1st of July, next. The full Committee on Appropriations this morning arrived at the conclusion that in the case of the Federal road advances that the period should be extended until the 1st of September, for the reason that in the northern sections of the country where large allocations are made under the general law the next six months will be cold and the contracts for improvement might not be completed within the next six months, and we therefore extended the time until the 1st of September. The Chief of the Bureau of Public Roads, in charge of this work, was of the opinion also that if it was confined to the 1st of July that possibly not more than $50,000,000 could be expended, but if extended to the 1st of September the full $80,000,000 might be expended.

As to the rivers and harbors appropriation, in the opinion of General Brown, the Chief of Engineers, the amount of money allocated for that purpose will be expended within the period named and by the 1st of July. But in the event that it is not expended they have the right to obligate it and under the general law and under this bill it will remain available until expended.

In order that we may get this bill passed and enacted into law at the earliest possible moment, and for the reason that the items involved in the bill are the ones that will give the most and immediate employment, we have confined ourselves to them.

Now, if there are any questions I am ready to answer them.

Mr. BANKHEAD. I would like for the gentleman to interpret the purpose of section 2 of the bill, on page 4, giving power to the President to interchange appropriations.

Mr. WOOD. This is the idea: Suppose that, for instance, in the Federal-roads item they found they could not employ as many men as they could employ under rivers and harbors, or vice versa. Suppose they could get more men employed upon the roads than on the rivers and harbors, the President might in his discretion make a change in that respect.

Mr. BANKHEAD. Does that mean that he may in his own discretion change the amount of these allocations? For instance, you have allocated here in your bill $22,500,000 for rivers and harbors. Under the authority given to the President under section 2 of the bill could he reduce that amount of expenditure to $15,000,000?

Mr. WOOD. Yes. We think there is no possibility of there being any occasion for a diversion of any portion of this money from the respective allocations, but there might be such a possibility. The purpose of the whole bill is to give immediate employment to men and to do it as rapidly

as possible, and at the same time complete some Government work. In the event that it is found that a greater number of men might be employed by interchanging these appropriations to some little degree, I think we can safely leave that to the discretion of the President. In order that the purpose of the bill might be best accomplished he has the right to do that thing.

Mr. BROWNE. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. BROWNE. In regard to the $80,000,000 to be used on Federal-aid highways, how is it to be determined what States shall have this?

Mr. WOOD. It is to be determined exactly as it is determined under the general law. Every State has an equal opportunity to get its fair proportion of this advance according to its limitations for area, population, and so forth.

Mr. BROWNE. Will this be a loan?

Mr. WOOD. It is in the nature of a loan. Many States, as disclosed by the evidence, will be without funds to match dollar for dollar with the United States, so it is proposed under this bill to advance money to the several States in accordance with their percentage under the general law so that they can match the amount they have under the regular apportionment with the money they get under the advance. It is in the nature of a loan and will be returned in the period of five years by deducting what they would be entitled to under the regular apportionments commencing in 1933.

Mr. BANKHEAD. By what provision of existing law is that provision to be effected?

Mr. WOOD. It is this bill before us now.

Mr. BANKHEAD. I am certainly glad to hear the gentleman make the statement, and my only anxiety was to know the authority of law for that promise.

Mr. BROWNE. Will the State legislatures have to take any action in order to receive this?

Mr. WOOD. The States will have to take some action, perhaps, in order that they may be entitled to this advance. That is an administrative matter. Most of the legislatures meet the 1st of January throughout the several States, and many of them have already authority whereby they can do this very thing, through the governor, and some of them, perhaps, through their highway commissions.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. LAGUARDIA. Will the gentleman inform us whether the necessary preliminary engineering is completed, so that these various projects contemplated in the bill may be commenced at once?

Mr. WOOD. Mr. MacDonald tells us absolutely that they can commence to-morrow.

Mr. LAGUARDIA. And that is also true in respect to the work on rivers and harbors?

Mr. WOOD. Yes.

Mr. LAGUARDIA. Following up the suggestion made on the other side in respect to the discretion vested in the President as to the reallocation of the funds, I assume that is limited to the projects contained in the bill?

Mr. WOOD. Absolutely.

Mr. BROWNING. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. BROWNING. Is it contemplated that all of this $80,000,000 must be expended on the standard Federal roads, or is there any provision in this for the lateral-road program that has been mentioned?

Mr. WOOD. It will be in accordance with the present program for the building of Federal roads.

Mr. BROWNING. Of the standard type?

Mr. WOOD. That is right.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. LINTHICUM. The gentleman from New York [Mr. LAGUARDIA] just stated that the money was to be expended for the items in the bill. As to the Board of Engineers for Rivers and Harbors, I presume the money will be expended according to the items in the hearings, rather than the bill, will it not?

Mr. WOOD. Absolutely; but, as I said a while ago, this clause that was put in about the transfer was to meet a possibility and not a probability.

Mr. LINTHICUM. Will the gentleman restate what he said about the specified time in which the river and harbor money has to be used?

Mr. WOOD. Under this bill the engineers may obligate it, although they may not be able to spend it within that time, for the reason that the appropriation to the War Department—and it is administered through the engineers—is available until expended; so that if the work commenced, was obligated, a contract signed, and the work entered upon and not completed by the 1st of July, the money would still be available for obligation and expenditure.

Mr. LINTHICUM. The contract would be carried out no matter if it did take longer than the 1st of July?

Mr. WOOD. Yes; and that is the reason for extending the work on the highways. If that amendment had not been made, extending it from the 1st of July to the 1st of September, it would cease on the 1st of July, according to the terms of the appropriation.

Mr. KETCHAM. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. KETCHAM. Referring to the action that should be taken by the various States in order to avail themselves of the moneys provided for in this measure, will the State legislatures be required to take the time to enact any new legislation, or would they simply have to agree to the plan formulated here with reference to carrying on these payments for five years?

Mr. WOOD. They would have to agree to accept this advance and have it deducted from the regular allotments in the future, so that the Government would be fully recouped within the period of five years commencing with the 1933 fiscal year.

Mr. KETCHAM. But it will not require them to take the time to make additional appropriations in order to match this?

Mr. WOOD. It will not.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. TREADWAY. In connection with the allotments to the various States will the same conditions that are now applicable of Federal money to the States apply?

Mr. WOOD. Absolutely, except to matching.

Mr. TREADWAY. Then, there are only three States that are able to take up their allotments under the conditions that are now applicable. Those States are Rhode Island, Delaware, and Maryland.

Mr. WOOD. They can take up their allotments by reason of this provision. They can take up allotments and match them with this advance.

Mr. TREADWAY. The conditions are such that we can not comply with them.

Mr. WOOD. In what respect?

Mr. TREADWAY. That question was before the Committee on Roads. It would take quite a little explanation. I was anxious to know if the same conditions would apply. If they do, I am sure the States can not take up the entire allotments.

Mr. DOWELL. May I state to the gentleman from Massachusetts that so far as the allotments are concerned, the money will be allocated to the States that can take up all of the amounts.

Mr. TREADWAY. Do I understand the gentleman to contend that the conditions that now apply to the States' allotments of money will not apply to these emergency funds?

Mr. DOWELL. So far as advances are concerned, they will apply to this.

Mr. TREADWAY. I am talking about the allotments from this emergency appropriation.

Mr. WOOD. Those States that have the money on hand that will match the Government money will not have any advancement if they do not want it and those States will not have any obligation to pay it back within the five years.

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. COLE. Can the gentleman give us any idea or estimate as to how many men will be employed in the construction of these roads? I ask this question because it has been stated that most of the money may be spent on operating machines.

Mr. WOOD. I took that up with General Brown, and he said that with the special appropriations it would give employment to about 45,000 men. It seems they have a yardstick by which they measure the employment by dollars. When we had the Treasury Department before us on public buildings the Supervising Architect's office told us that for every $10,000,000 expended about 3,000 men would get employment.

Mr. COLE. Would it not be better to give priority to those projects that will employ the most manual labor?

Mr. WOOD. That is the reason why we selected these projects—to give employment to as many men as possible.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. LAGUARDIA. It is estimated, then, that 3,000 men will be employed for every $10,000,000?

Mr. WOOD. We asked that question of a gentleman from the Treasury Department with reference to the question of public buildings, and he answered that employment would be given directly and indirectly to 3,000 people for every $10,000,000 of money expended.

Mr. LAGUARDIA. That is, on buildings?

Mr. WOOD. That is on buildings.

Mr. McDUFFIE. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. McDUFFIE. It is estimated 45,000 men are to be employed by General Brown, the Chief of Engineers. Does that mean 45,000 in addition to men of his corps? Will that include his force already existing?

Mr. WOOD. His statement was that with this extra appropriation he would be able to give immediate employment to more than 45,000 men.

Mr. McDUFFIE. As to the estimate for rivers and harbors, the committee report says, on page 3:

> It is his recommendation that the regular appropriation stand at $60,000,000, as previously fixed, and this sum be in addition thereto, even though approximately $11,000,000 is involved between the two sets of estimates.

Please explain this statement.

Mr. WOOD. What he meant by that was that $11,000,000 of the $22,500,000 was for projects for which a like amount is in the 1932 bill, but that it was the desire of the War Department not to change the $60,000,000 program of expenditure of the money in the regular bill, but to use both the $22,500,000 and the $60,000,000 and do that much more work upon these projects.

Mr. McDUFFIE. You would be adding only $11,000,000 to the estimate of the Chief of Engineers?

Mr. WOOD. This $22,500,000 is just that much more than they would have gotten if it were not for this bill. The $11,000,000 is not duplication but just that much more money for the same projects between this bill and the regular bill.

Mr. FULLER. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. FULLER. On the question of the States furnishing dollar for dollar, does the gentleman understand that of this $80,000,000 the States do not have to furnish dollar for dollar of this money?

Mr. WOOD. They have to furnish dollar for dollar, but will use this advance to match with.

Mr. FULLER. Mr. MacDonald, Chief of Bureau of Public Roads, informed me that they did not; that this being a loan, we would advance this $80,000,000 to the States, and that this money could be used now without the States matching it.

Mr. WOOD. They are going to match their regular allotment with this money that we are advancing under this bill.

Mr. FULLER. But the States will not have to put up $80,000,000 at this time in order to get the benefit of this $80,000,000. Many of them are without available money because they have not collected their automobile licenses. This money can now be used without the States matching it dollar for dollar.

Mr. WOOD. No; they already have an allocation from the Government. The Government is going to put up 100 per cent on some projects between this advance and the regular allotments.

Mr. FULLER. Does the gentleman think the State legislatures will have to pass an act to agree to this loan? Does not the gentleman think the fact that they acquiesce in this and accept this money is sufficient?

Mr. WOOD. In all of the States where, under general laws, there is some officer who has the right to make this acceptance, that can be done. If they do not have that authority, there may have to be legislation, for the United States must be secured before they will make any of these advances.

Mr. DOWELL. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. DOWELL. I would like to state for the record that the head engineer, Mr. Fred R. White, of Iowa, has made a very careful investigation of the expenditure of money in building roads, and he states that 52 cents out of every dollar invested in the building of roads goes to labor. I simply wanted to place that in the RECORD, because there is no place where money can be appropriated that will be so equably placed into the hands of those out of employment as in the building of public roads.

Mr. BEEDY. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. BEEDY. I have listened to this discussion about $80,000,000 and I am still not quite clear about it. May I ask the gentleman a question? Does the gentleman state that this $80,000,000 in this expenditure is not subject to existing limitations of law, which apply to the right of States to participate in Federal highway funds?

Mr. WOOD. I say it is subject to those limitations.

Mr. BEEDY. Then the gentleman agrees with the statement that this House is about to appropriate $80,000,000 for road construction which can be used simply by three States in the Nation?

Mr. WOOD. Oh, the gentleman is mistaken about that.

Mr. BEEDY. That conclusion inevitably follows from the first, because, if the existing limitations of law do apply, then no State in this Union which has not already exhausted its allotment can participate in this fund. You would not be advancing more money, in other words, out of this $80,000,000 to a State which already had available for its use $50,000 or $100,000?

Mr. LAGUARDIA. That is exactly what this bill does.

Mr. WOOD. Perhaps I did not make myself clear. Take the State of Maine, for instance. If the State of Maine has plenty of money to match, dollar for dollar with the United States, and does not want any of this money it will not have to be taken.

Mr. BEEDY. Exactly.

Mr. WOOD. But the State of Maine, in consequence, will not have deducted from her regular apportionments hereafter during the period of five years starting in 1933, any portion of the money that will be allotted in the future. On the other hand, take the State of Massachusetts as an illustration. The State of Massachusetts has no funds with which to match, dollar for dollar, the regular United States allotment. The United States will give to that State the

percentage that she is entitled to under this appropriation to use to match against an equal portion of the United States money, but she will have to pay it back or have it deducted from her regular future allotments over a period of five years.

Mr. BEEDY. Now, may we be perfectly clear about it. There are only three States in the Union which have exhausted the funds that are available for Federal highway construction. Only three States in the Union.

Mr. WOOD. Oh, the gentleman is mistaken about that. There may be three States in the Union that have not exhausted their moneys.

Mr. BEEDY. Exactly. That is what I say.

Mr. WOOD. But many States will not have State funds to match with and that is the reason for this advancement.

Mr. SWING. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. SWING. This is a very interesting item and, as the gentleman knows, we are all very much interested in it. Does this contemplate the making of contracts with a State, whereby a State, through some authority which it probably does not now have, but will have to get from the State legislature to make a contract to pay the money back?

Mr. WOOD. This means simply this, that before any State can receive this advancement there must be something in law already existing, or there must be some officer who has the power to accept the terms by which this advance may be made under this bill. If there is no such officer or no such law, then the legislature, convening in January, will have to provide for it.

Mr. SWING. In conversation with some members of the public roads force, who probably had no authority to speak for the Government, but who were expressing simply an opinion based upon experience, they said that even if we waive the requirement of an actual contract to pay back in the future, or the actual putting up of the cash now, the Government could not possibly lose, unless all road work in that State hereafter stopped.

Mr. WOOD. That is true.

Mr. SWING. Because we have a 50-50 proposition, and if we put it all up now we can control it under this act, and cut down on the amount hereafter appropriated to that State?

Mr. WOOD. Yes.

Mr. SWING. So that no contract and no new State legislation is actually necessary?

Mr. WOOD. I will say to the gentleman that there is not any danger of a State, unless it goes into bankruptcy and wipes out road building entirely, doing that. That is a matter of administration, so I do not think Congress should concern itself with that.

Mr. SWING. The gentleman does not state positively that new State legislation is necessary?

Mr. WOOD. No. I say I do not think that unless some peculiar circumstance arises or some peculiar provision of their constitution would make that necessary.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. WAINWRIGHT. As I understand, there will be allocated $40,000,000 involved in this grant, a large part of which can be used for public-building construction?

Mr. WOOD. No. Public buildings are not contained in this at all.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. LAGUARDIA. The financial arrangement between the States is perfectly clear. I would like to ask the gentleman this question: Assuming that a State has completed its system of Federal highways and it wishes to build State and county roads, may it apply any of the money received from this fund for that purpose?

Mr. WOOD. I am not certain on that point.

Mr. EVANS of Montana. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. EVANS of Montana. I understood the gentleman to say that in event all the money was not expended on roads by July 1 the time might be extended to September 1.

Mr. WOOD. We have in this bill extended that date so it now reads September 1 instead of July 1.

Mr. EVANS of Montana. That is what I intended to suggest. What about your item of $3,000,000 for the building of roads and trails in the national forests?

Mr. WOOD. I will say to the gentleman that in the hearings the Chief Forester said they could use all of that money and more, too, before the expiration of the six months.

Mr. EVANS of Montana. I hope that is so, but I doubt it, because most of the forests lie in northern climates, where work can not be performed during the winter months.

Mr. WOOD. We went into that very carefully, and that was Major Stuart's statement.

Mr. EVANS of Montana. If Mr. Stuart said that is so, then that is sufficient for me.

Mr. HOUSTON of Hawaii. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. HOUSTON of Hawaii. Are we justified in assuming that inasmuch as Hawaii benefits under all the Federal highway acts that the word "States" includes Territories as well?

Mr. WOOD. If the general law has been construed to include the Territories, of course that will follow in this instance.

Mr. BROWNING. Will the gentleman yield further?

Mr. WOOD. Yes.

Mr. BROWNING. I notice that the hearings indicate that all of this $80,000,000 is to be spent on the 7 per cent roads now under the Federal plan. Can the gentleman tell us whether there is any prospect of getting any Federal aid for the lateral-road system?

Mr. WOOD. I can not answer that at this time. I have enough trouble in making the necessary appropriations when the proper time comes.

Mr. GREEN. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. GREEN. I understand that the $80,000,000 will be loaned to the States in order to enable the States to meet other allotted Federal funds?

Mr. WOOD. Yes.

Mr. GREEN. At what interest?

Mr. WOOD. No interest.

Mr. GREEN. When must the money be repaid?

Mr. WOOD. It will be deducted in proportionate parts covering a period of five years commencing with the fiscal year 1933.

Mr. McFADDEN. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. McFADDEN. I will ask the gentleman to refer to section 2, and I ask him in that connection if, under this Federal-aid appropriation of $80,000,000, only $40,000,000 should be allotted, under the authority granted in section 2 could the remaining $40,000,000 be transferred to rivers and harbors work?

Mr. WOOD. Each one of these five items will be subject to the transfer clause.

Mr. McFADDEN. Suppose it is not all used by that activity, then under the authority contained in section 2 it could be transferred to other activities, could it not?

Mr. WOOD. Yes; if that is done within the period of the limitation.

Mr. GREEN. Will these loans be made according to the amount of Federal aid which a State gets?

Mr. WOOD. Yes. I will state to the gentleman and to the committee that if you will turn to page 19 of the report, you will find how this money is tentatively allocated to the different States under the Federal highway act.

The following schedule shows by States the active program, the amount of work completed of this active program, the unobligated balances available, and an apportionment by the fixed Federal-aid percentages of $80,000,000:

Status of Federal-aid program as of December 1, 1930

State	Active program		Federal aid earned on active program (estimated)	Balance of Federal aid unearned on active program (estimated)	Unobligated balance of Federal aid available for new work	Apportionment of $80,000,000
	Estimated total cost	Federal aid				
Alabama	$5,560,791.34	$2,699,028.76	$943,000.00	$1,757,000.00	$5,282,541.96	$1,698,645.00
Arizona	5,903,025.74	4,594,327.12	3,124,000.00	1,470,000.00	2,399,674.92	1,170,481.00
Arkansas	10,507,532.71	1,508,747.85	3,185,000.00	1,824,000.00	2,780,139.73	1,388,157.00
California	11,460,810.71	5,068,356.39	2,904,000.00	2,052,000.00	4,427,520.40	3,108,233.00
Colorado	7,054,720.35	3,739,331.78	2,705,000.00	1,034,000.00	3,850,185.52	1,507,832.00
Connecticut	3,753,197.31	1,426,049.40	1,082,000.00	344,000.00	1,202,645.45	520,491.00
Delaware	1,449,388.65	631,897.84	462,000.00	170,000.00	618,546.89	400,000.00
Florida	6,370,491.24	2,958,808.06	2,080,000.00	878,000.00	2,640,709.47	1,086,438.00
Georgia	9,176,856.53	4,310,649.97	2,378,000.00	1,933,000.00	4,673,135.92	2,077,996.00
Idaho	4,077,503.57	2,424,600.30	1,851,000.00	574,000.00	1,844,699.98	1,008,036.00
Illinois	28,985,214.40	13,075,612.35	10,721,000.00	2,355,000.00	7,135,946.20	3,400,116.00
Indiana	11,308,013.31	4,900,298.04	3,599,000.00	1,301,000.00	4,441,544.58	2,045,929.00
Iowa	9,175,012.79	3,816,822.62	3,511,000.00	306,000.00	3,039,343.55	2,116,369.00
Kansas	8,181,040.30	3,851,251.73	2,681,000.00	1,171,000.00	4,121,506.67	2,192,301.00
Kentucky	13,993,810.87	5,370,315.14	3,864,000.00	1,506,000.00	1,559,730.32	1,504,715.00
Louisiana	7,219,418.84	3,482,191.84	2,386,000.00	1,096,000.00	2,521,358.23	1,147,927.00
Maine	4,410,679.50	1,672,546.06	1,178,000.00	495,000.00	1,918,144.20	715,799.00
Maryland	2,663,730.65	1,235,335.10	1,062,000.00	174,000.00	999,144.32	678,752.00
Massachusetts	11,596,895.70	3,380,333.15	2,231,000.00	1,149,000.00	2,845,608.09	1,141,460.00
Michigan	17,018,130.79	7,098,801.67	4,634,000.00	2,465,000.00	4,352,565.43	2,521,382.00
Minnesota	12,207,362.77	4,506,246.41	3,405,000.00	1,101,000.00	2,747,399.50	2,249,993.00
Mississippi	1,940,659.62	761,662.26	493,000.00	269,000.00	5,510,835.47	1,434,736.00
Missouri	13,986,431.73	4,976,013.27	2,989,000.00	1,987,000.00	3,301,109.06	2,526,823.00
Montana	11,217,886.59	6,476,068.19	3,867,000.00	2,609,000.00	4,705,614.16	1,671,953.00
Nebraska	11,533,246.81	5,346,328.75	4,330,000.00	1,016,000.00	4,143,529.85	1,708,031.00
Nevada	2,062,573.66	1,810,721.76	1,495,000.00	316,000.00	1,887,644.63	1,049,638.00
New Hampshire	2,242,149.89	797,786.38	725,000.00	73,000.00	572,280.18	400,000.00
New Jersey	5,776,491.49	1,407,271.32	1,294,000.00	113,000.00	2,548,366.76	1,107,807.00
New Mexico	6,190,560.83	4,128,923.39	2,945,000.00	1,184,000.00	2,351,742.57	1,308,288.00
New York	39,822,362.86	8,219,975.50	4,656,000.00	3,564,000.00	11,774,405.54	4,050,566.00
North Carolina	5,861,959.95	2,834,399.03	1,953,000.00	871,000.00	4,442,681.70	1,926,775.00
North Dakota	5,026,822.90	2,519,652.14	1,499,000.00	1,021,000.00	2,478,336.14	1,298,532.00
Ohio	29,683,289.97	10,080,970.32	9,228,000.00	853,000.00	4,525,110.64	2,998,538.00
Oklahoma	8,307,519.04	3,934,315.34	3,354,000.00	580,000.00	2,626,318.47	1,926,351.00
Oregon	7,608,708.01	4,480,547.46	3,119,000.00	1,362,000.00	1,787,010.80	1,320,287.00
Pennsylvania	33,934,985.70	9,414,881.26	8,017,000.00	1,398,000.00	5,367,086.51	3,512,943.00
Rhode Island	2,963,370.12	1,147,773.32	782,000.00	366,000.00	626,545.33	400,000.00
South Carolina	9,709,843.83	3,660,962.60	2,497,000.00	1,164,000.00	1,300,684.58	1,114,636.00
South Dakota	6,884,149.61	3,713,556.02	2,592,000.00	1,121,000.00	2,282,747.95	1,337,973.00
Tennessee	7,422,713.74	3,355,496.11	2,470,000.00	886,000.00	3,286,924.38	1,741,882.00
Texas	24,016,746.77	10,007,388.06	7,138,000.00	2,869,000.00	10,236,080.52	5,088,080.00
Utah	2,646,731.52	1,894,930.05	1,186,000.00	709,000.00	1,518,504.97	926,521.00
Vermont	2,491,463.30	834,428.84	805,000.00	30,000.00	613,889.05	400,000.00
Virginia	7,908,563.52	3,563,146.93	2,429,000.00	1,134,000.00	2,255,550.02	1,505,502.00
Washington	4,974,743.20	2,175,000.00	1,376,000.00	799,000.00	2,545,064.15	1,270,933.00
West Virginia	8,429,953.48	3,239,094.64	2,372,000.00	867,000.00	1,107,727.72	875,384.00
Wisconsin	12,173,045.85	5,078,237.48	3,848,000.00	1,230,000.00	2,591,034.41	1,992,410.00
Wyoming	3,227,760.03	2,139,122.04	1,633,000.00	506,000.00	1,679,190.43	1,029,383.00
Hawaii	1,080,386.06	472,874.00	216,000.00	257,000.00	1,852,769.59	400,000.00
Total	470,775,659.15	193,701,081.04	139,394,000.00	54,308,000.00	155,383,876.90	80,000,000.00

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman from Tennessee [Mr. BYRNS] is recognized for one hour [Applause.]

Mr. BYRNS. Mr. Chairman, the bill now pending before you, carrying $110,000,000, as reported from the committee, meets the objections which were urged to this lump-sum appropriation when it was first suggested by the President in his message on December 2. This bill, as some of us then insisted should be done, definitely sets forth the projects upon which the money is to be expended and specifically sets out the amount of money which may be spent upon each project, thus reserving to Congress its constitutional right to keep its hands on the appropriations which are made and which can only be made by Congress. It avoids establishing a very dangerous and unheard-of precedent in peace time.

It provides for five projects, all of which have been discussed by the gentleman from Indiana. Eighty million dollars for public roads, to be allotted between now and July 1 to the various States under the general highway act, but not necessarily expended before September 1. That provision, as has been suggested, was made because the Director of Public Roads said that possibly in some States all of this money could not be expended. There are certain States in the extreme North and in the Northwest where probably no work can be done, or but little work, during the winter months, and this is to give those States an opportunity to utilize this fund if they desire to receive it and to expend it during the summer months, if it becomes necessary.

It provides for $22,500,000 for rivers and harbors work, both of these amounts being the exact amounts which the President later on, in a tentative list of allocations, said could be used in the next six months.

It provides for $3,000,000 to be used in flood control, or a total of $25,500,000 for expenditure by the Chief of Engineers for these two purposes. Of course, it is clear that these are projects upon which labor can be utilized as soon as the appropriation becomes available.

There are two other projects to which, I confess, I was not particularly anxious to give my own personal assent as a member of the subcommittee, but to which I have agreed on account of the insistence of my friend, the gentleman from Michigan [Mr. CRAMTON]. One item is $3,000,000 for the building of roads and trails in national forests and the other is for $1,500,000 for the national parks. I had no objection to these amounts, but I felt they were local projects and that they could go over just like these other local projects which have been eliminated from this bill for consideration by the deficiency committee.

I did not wish to quibble over the proposition or to split hairs, and I want to say to you gentlemen and to the country right now that there is not a Democrat upon this side of the Chamber, and I feel I can speak for every single one of them, if it is not too presumptuous for me to do so, who is not willing to vote every dollar that can be wisely and economically and properly expended for the relief of the suffering and the unemployment existing during the winter months. I want to make this clear, because there are some who have undertaken to say that, so far as I am concerned, and so far, possibly, as others who have made objections to this lump sum are concerned, we have been motivated by the question of whether money is to be expended in our districts. Never

in my life have I permitted a matter of that kind to control me in the consideration of appropriations.

This is purely a nonpartisan question. It is one that appeals to everyone, because there is widespread unemployment and suffering almost without exception and without parallel in every section of the country; and since this bill avoids setting the precedent of a big lump-sum appropriation to be placed in the hands of the President and undertakes to specify the projects and the amounts that may be expended thereon, there is not the slightest opposition to it, certainly, upon my part or, so far as I know, upon the part of any Member of this House.

It is clear from the message of the President which was sent to the Congress upon December 2 that he expected this sum of $100,000,000 to $150,000,000 to be placed in his hands to be allocated as he saw fit to the various departments of this Government for construction work, by and with the advice of a committee of his Cabinet, and I read from his message to show that that was the idea in mind at the time. He says:

> With view, however, to the possible need for acceleration, we, immediately upon receiving those authorities from the Congress five months ago, began the necessary technical work in preparation for such possible eventuality. I have canvassed the departments of the Government as to the maximum amount that can be properly added to our present expenditure to accelerate all construction during the next six months, and I feel warranted in asking the Congress for an appropriation of from $100,000,000 to $150,000,000 to provide such further employment in this emergency. In connection therewith we need some authority to make enlarged temporary advances of Federal-highway aid to the States.
>
> I recommend that this appropriation be made distributable to the different departments upon recommendation of a committee of the Cabinet and approval by the President.

Immediately there was some objections, as I have said, made to this form of appropriation in a lump sum, and on December 3, in some remarks which I submitted upon the floor here, I endeavored to call attention to just what this would mean, if Congress yielded to that idea, and I said then what I said a moment ago that there was no one, so far as I knew, who would oppose an appropriation which could be expended wisely and properly for the purpose of relieving unemployment, and that I did not believe there were any Members who were disposed to very closely scan the items if there were indications that the money so appropriated would afford relief.

On December 4 the President of the United States sent a letter, accompanying his estimates, to the Congress in which a tentative list of quite a number of projects, upon which he expected to spend a definite amount of money, was set forth.

These projects were in various departments, but it is significant that even then it was not intended to incorporate those projects with definite amounts in the bill, and Colonel Roop, the Director of the Budget, in the hearings said that even though they were written in the bill as proposed by the gentleman from Indiana [Mr. WOOD], they would not be binding upon the President and it would not be necessary for him to limit the appropriation made to those particular projects, and certainly not to the amounts, because they are not stated in the bill.

Now, the first question that suggests itself to us is why did the President seek to ignore Congress in the matter of these appropriations? Why a committee of the Cabinet as an advisory board, so to speak? Why not the chairman of the House Committee on Appropriations, whom we all respect and whom we all would trust to represent the House, as a member of an advisory committee? Why not Senator JONES, the chairman of the Senate Appropriations Committee, and if he needed more, why not the majority leaders of the two Houses; and if he did not desire to exercise partisanship in a matter of this kind, which should not be partisan, why not add the minority leaders of the two Houses? [Applause.]

Certainly, these gentlemen who have a direct responsibility to the people, and who have been Members of the Congress for a long time, are more familiar with the situation which generally exists over the country and the needs of the country than a committee of the Cabinet; but when I asked Colonel Roop if that idea had occurred to him or whether within his knowledge it had ever occurred to the President, he stated that it had never even been suggested or thought of. Certainly, if the appropriation had been made as the President requested, Congress at least should have had an indirect voice in the expenditure through these gentlemen who have the confidence of the House and Senate, and who have a direct responsibility to the people.

Mr. TUCKER. May I ask my friend a question?

Mr. BYRNS. Yes.

Mr. TUCKER. In view of the gentleman's statement, which has been clear and strong, does the gentleman propose to move to strike out section 2 of the bill?

Mr. BYRNS. No; I will say to the gentleman that I do not, and for this reason: I agreed to that in committee. We are here appropriating for certain definite projects on which we all agree that the work can be started at once to give employment to labor. Now, it may be that all of this money can not be used on roads but can be used on rivers and harbors or flood control, or vice versa. I think there should be in an appropriation of this kind and in view of its objects some degree of elasticity between the appropriations so that they can be used to the best advantage.

The point I am making is that Congress, in undertaking to prescribe what shall be expended and naming the projects, has reserved to itself the right which it has always exercised in regard to appropriations of the people's money.

Now, in asking for a bill of particulars, those of us who did so had a splendid example in the actions of Republican leaders like Senator BORAH, Senator GILLETT, who at that time was the ranking minority leader of the Committee on Appropriations, and our own distinguished chairman of the Appropriations Committee, and others whom I could name. I could quote from the RECORD, if necessary, to show that when a proposition was made to appropriate $100,000,000 to be placed in the hands of Herbert Hoover, Food Administrator in 1919, all of these gentlemen promptly declared their opposition to the proposal and demanded a bill of particulars as to how the money was to be expended.

Mr. HARE. Will the gentleman yield?

Mr. BYRNS. I yield.

Mr. HARE. In this allocation of the funds for the State highway department do you require the funds to be alloted to roads in the Federal-State system, or will they be able to use them on roads not in the State system?

Mr. BYRNS. I am sorry to say they will not.

Mr. HARE. Does not the gentleman think it would be well in an emergency of this kind to have it stipulated that the funds to be used by the various States should be the rural routes not now in the State highway system?

Mr. BYRNS. The gentleman will find that I had that up with the Director of the Bureau of Public Roads, but there is no authority of law for it. I think that Congress should pass legislation to make that in order, because the market roads serving the various communities in the county would not only give better market service to the people but it would give the people in that community a greater benefit in employment.

Mr. HARE. That was the point that I wished to bring out—that it will not only serve to give them a better advantage but give better mail routes.

Mr. BYRNS. I agree with the gentleman; but the gentleman will see the limitations under which the Committee on Appropriations labored. As a matter of fact, this appropriation is necessarily limited to Federal-aid or standard roads under the Federal highway act, which consist on an average of only 7 per cent of the roads mileage in each State.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. BYRNS. I yield.

Mr. MOORE of Virginia. There was a conference here on November 25, in which the drought-stricken States were represented. I think the Secretary of Agriculture presided

and I know there was an agreement reached to recommend to Congress loans to the States to be used in the construction of farm and market roads. Does the gentleman know what the present attitude of the Secretary of Agriculture or the administration is on that?

Mr. BYRNS. I do not; the Secretary of Agriculture did not appear before the committee.

Mr. BROWNING. Does the gentleman mean to say that the Secretary of Agriculture agreed to that?

Mr. MOORE of Virginia. My understanding is that everyone in that conference agreed to the proposal and one or two other proposals not touched by this bill, because as the gentleman from Tennessee has said, legislation will be necessary on which to base an appropriation to build other than Federal-aid roads.

Mr. BYRNS. Now, gentlemen, on December 8 the Washington Post carried an editorial which perhaps some of you read. I call attention to it because of a plain, unvarnished, deliberate falsehood that was carried in that editorial reflecting upon the Democratic members of the Committee on Appropriations. In the course of that editorial the man who wrote it said:

> Under Chairman Wood's resolute leadership the Republicans in the committee defeated the Democrats who insisted upon swelling the appropriation.

I repeat, that is a deliberate, false statement by the author of that editorial, who could have easily ascertained the facts, and who should not have made a positive statement of that kind without some investigation. No Democrat in the committee has sought to load down this appropriation, as stated in this editorial.

Mr. WOOD. Mr. Chairman, will the gentleman yield?

Mr. BYRNS. Yes.

Mr. WOOD. I say to this House that at no time during the consideration of this bill was there any attempt at obstruction, any attempt to do anything but the duty of the members of the committee; and I wish now to express my appreciation of the part the Democratic members took in formulating this bill. [Applause.]

Mr. BYRNS. I thank the gentleman for that statement, and it is characteristic of his fairness, because if there is any committee in the House, as many of us have often said, where no partisanship or politics is practiced in considering appropriations, it is the great committee of which the gentleman from Indiana is the distinguished chairman. I felt that in justice to the minority members of the committee it was proper to call attention to that statement. Why, the day before, with some slighting reference to me, to which I pay no attention, the man who wrote the editorial intimated that I was influenced in my demand for particulars, because I wanted to secure an appropriation for a public building in the city of Knoxville. The city of Knoxville is not in my district. It is more than 200 miles from where I live, and, as a matter of fact, an appropriation was made for a post-office building in the city of Knoxville last July. I had absolutely nothing to do with it. If congressional influence had anything to do with it, it was through the influence of my distinguished friend and colleague the gentleman from Tennessee [Mr. TAYLOR], who represents that district, and the Senators from the State of Tennessee. I wish I had the name of the man who wrote this editorial, because I would like to put his name right here in this RECORD, so that he might be properly branded by the statement made by the gentleman from Indiana [Mr. WOOD] and also by myself.

Of course, I realize his motives. He is endeavoring in every editorial he writes to drive a wedge into the Democratic side of this House. I have no objection to his efforts, but I have a right, as we all have a right, to expect a man who writes editorials for a newspaper which professes respectability, to be honest and fair in the comments which he makes.

Mr. FULMER. Mr. Chairman, will the gentleman yield?

Mr. BYRNS. Yes.

Mr. FULMER. A few days ago when the Committee on Agriculture had under consideration a bill for the relief of the drought-stricken areas of the country this same person in an editorial came out with the statement that the Democrats proposed to try to increase the appropriation in a pork-barrel style, when, as a matter of fact, the farmers in this drought-stricken area proposed to mortgage their labor, their crops, their corn, their cotton, and everything else for a real loan, instead of expecting graft and pork-barrel appropriations. It was about the same kind of a statement as is contained in this paper the gentleman refers to.

Mr. BYRNS. The gentleman simply lends emphasis to what I have said. In this same editorial he refers to the Agricultural Committee, and I trust that the gentleman and his colleagues will have something to say on that subject when the bill which has been reported from his committee comes before the House.

As I said, Mr. Chairman, the President has sent a long list of projects, tentative, they say, upon which he intended to spend over $151,000,000, in the event it had been granted in a lump sum, and that list appears in House Document No. 655. We went into hearings on this list, but we did not get very far. Gentlemen will notice that the hearings are very brief, because we soon came to an agreement. As we progressed in the examination of these figures, they appeared so utterly ridiculous as emergency and unemployment measures that my friend from Indiana [Mr. WOOD], who had introduced a bill carrying a lump-sum appropriation, figuratively speaking, threw up his hands and agreed to specify the projects contained in this bill, leaving other items for further consideration by the deficiency subcommittee. As a justification for those of us who demanded a bill of particulars, let me tell you something. Remember, this appropriation is asked in the name of an emergency, for the relief of unemployment. Almost the first thing the Director of the Budget told us was that a certain amount of money, a considerable amount, I would say to my friend from Georgia, was to be used to purchase increased rations for the Army and new uniforms for the reserve officers. Think of that as a means of relief to unemployment! When I asked him what that had to do with unemployment, he said that somewhere down along the line labor would be employed in providing the supplies; but I fancy that the greatest relief which would be afforded from that sort of appropriation would be to those who deal in the supplies and the uniforms. Strange that our friends on the other side can not pass a bill without in some way taking care of the manufacturer.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. BYRNS. Yes.

Mr. WRIGHT. Was the new uniform to which the gentleman refers to be a blue uniform?

Mr. BYRNS. I presume it was, though I do not know whether it was to be blue or not; but it was to be furnished to the reserve Army officers.

Mr. WRIGHT. They tried to force that on our committee at the last session, and we sat down on it; and now it seems they are trying to get some under the guise of employment relief.

Mr. BYRNS. I agree with the gentleman, and that is what would have happened if this lump-sum appropriation had been made. Every procurement agency would have come to Washington for the purpose of procuring a portion of it, knowing that it could not be gotten in the regular annual supply bills after a full and fair hearing. I do not say that the President connived at that. I want to be fair. What happened was that the President authorized the Director of the Budget to call upon the heads of the departments and asked them to submit estimates as to what money they could use, and the department heads in turn called upon the bureau chiefs and division heads for this information, and they were sent without the scrutiny that the President and his Director of the Budget should have given them. And yet the President intended to take care of them in a lump-sum appropriation, for the Director of the Budget in his letter, which was forwarded with the approval of the President, said:

> I append a list from the departments and bureaus of amounts which it is believed could effectively be expended during the next six months for aid to the employment situation.

But that is not all. We began with the War Department in our hearings, and it was developed, under the head of "Seacoast defenses," that more than $3,000,000 was to be expended—for what? For the purchase of searchlights, submarine mines, and the construction of fire-control stations.

Searchlights! I asked what on earth searchlights have to do with this unemployment. He said that skilled experts were employed in the grinding of the lenses. Think of it! All in the name of unemployment. I thought this appropriation was intended to relieve the unskilled laborer, the 10,000,000 of men and women who are walking the streets and highways to-day seeking a job by which they can earn an honest living and support themselves and their families. Yet, if this lump-sum appropriation had been allowed, over $3,000,000 of it was to be expended in the purchase of searchlights from the manufacturers and for the manufacture of submarine mines, to be stored away for use if we ever have another war, and in building fire-control stations.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. BYRNS. Yes.

Mr. BLANTON. Is the gentleman able to tell us just how much of this sum could reach the pockets of the unskilled laborers who are now unemployed? What percentage of it could reach them?

Mr. BYRNS. You mean with reference to this item?

Mr. BLANTON. With reference to the entire $110,000,000 this bill proposes to appropriate.

Mr. BYRNS. I do not know. We could not get anybody to give us an estimate of it.

Mr. BLANTON. Approximately what per cent of it?

Mr. BYRNS. When it comes to labor on rivers and harbors and roads and flood control, probably the greater portion of it would be expended for labor.

Mr. BLANTON. But most of the men now unemployed in the States of Tennessee and Texas are unskilled labor.

Mr. BYRNS. Undoubtedly.

Mr. BLANTON. How much of that unskilled labor will be reached in Texas or Arkansas or Tennessee or Kansas or Oklahoma? How much of this money could reach them? Very little, comparatively, in my judgment.

Mr. BYRNS. The gentleman is doubtless correct. Of course that is entirely problematical.

Mr. GREEN. Referring to that statement, I am wondering if this appropriation will reach more than one phase of this situation. Will only one phase be benefited?

Mr. BYRNS. Of course the officials in charge of the work will be expected to exercise discretion in the matter of employment of this kind.

Mr. CHINDBLOM. If skilled or unskilled labor anywhere gets employment, will it not increase the purchasing power for things produced in Tennessee, Texas, Florida, and elsewhere? Why should there be any discussion as to what localities will be especially benefited? I think there is no cause for the suggestion of the gentleman from Florida [Mr. GREEN] at all.

Mr. BYRNS. I do not think the President of the United States will permit the political opinion of any laborer to interfere with his employment on any of these public works. I think the money would be used, so far as it is possible, for the benefit of all alike. Neither do I believe that he would permit any discrimination against sections or localities.

Mr. GLOVER. Mr. Chairman, will the gentleman yield?

Mr. BYRNS. Yes.

Mr. GLOVER. Could the gentleman suggest any way by which common labor could be better taken care of than by this provision, where we have $80,000,000 to apply on our highways, together with the money provided in this bill?

Mr. BYRNS. No; and I am very heartily in favor of that appropriation.

Mr. HASTINGS. Will my friend allow me to suggest that this $80,000,000 is portioned out to the various States and is expended under the highway commissions of the respective States?

Mr. BYRNS. If the lump sum had been granted, they were going to spend over $5,500,000 for ammunition, to be added, of course, to the $650,000,000 worth of ammunition that we have in store at the Rock Island Arsenal and some of the other arsenals throughout the country. I hope that in the future the time will never come when any President or any Member of Congress will conceive the idea of making this sort of a lump-sum appropriation, which would prove productive of waste and, perhaps, scandal.

But there is another item to which I wish to refer. We asked a representative of the Department of Agriculture about it, and after stating that $3,000,000 was needed for roads and trails in the national forests, he proceeded to say that quite a large sum was to be expended in killing bugs in the national forests. They call it insect control in the national forests. Can some one tell me what relation that has to the unemployment that exists in this country?

I know my friend WILL WOOD over there mighty well, and I have known him for many years. I think a lot of him and I have the utmost respect and admiration for him.

I spent about two weeks down in Florida last February as a member of a subcommittee, of which the gentleman from Indiana was chairman, investigating the Mediterranean fruit fly, and in the course of that investigation I had the fullest opportunity to learn just what the gentleman from Indiana thinks of what he chooses to call "bugology." [Laughter.] I want to tell you that when it was suggested that some hundreds of thousands of dollars of this money was intended to kill bugs out in the national forests, my friend from Indiana threw up his hands and said, "Let us agree upon a resolution and take it into the House and defer this other appropriation until the deficiency bill comes in."

Mr. ARENTZ. Will the gentleman yield?

Mr. BYRNS. I yield.

Mr. ARENTZ. I think there is a great deal of difference between "bugology" as applied to the kind of bugs which they had in Florida and those that penetrate the wood of a forest tree. In the forests of the Western States, wherever they grow pine trees, there are boring insects, and, if you could send men out into those forests to-day and find the trees that are affected and destroy them now, they would not spread to other trees.

Mr. BYRNS. Certainly, but does not the gentleman think that is a proper thing for the regular annual appropriation bill? There is an appropriation in the regular appropriation bill for that.

Mr. ARENTZ. Oh, there is no question about that.

Mr. BYRNS. What has that got to do with an emergency appropriation which is seriously proposed for the relief of unemployment?

Mr. ARENTZ. Oh, the gentleman was attacking "bugology," as he said.

Mr. BYRNS. Oh, no, indeed. I am willing, for the sake of the argument, to agree with all the gentleman thinks on that subject, and I am sure the gentleman is correct, because he has expert information. But the point I am making is that killing bugs out in the national forests will not afford the slightest relief in the matter of unemployment which is facing the country, or relieve the suffering which so many people are going to endure during the coming months, and which all of us deplore.

Mr. BRIGGS. Will the gentleman yield?

Mr. BYRNS. I yield.

Mr. BRIGGS. Does this measure provide that this money shall be made available so that they will not have to wait until the next fiscal year in order to make contracts or expenditures?

Mr. BYRNS. It is available immediately upon the passage of the resolution.

Now, there is another item that is very illuminating. Two million dollars was to be expended for the purchase of passenger-carrying automobiles and motor trucks for Army officers in the Army, just as though we did not have more automobiles now than we need.

Mr. BLANTON. Will the gentleman yield?

Mr. BYRNS. I yield.

Mr. BLANTON. Are not most of those Army officers unemployed?

Mr. BYRNS. Well, perhaps that is true, and therefore it was probably thought they should have something to ride in when they had nothing to do. You can not go down the streets of Washington any day that you do not see a number of Government-owned automobiles used by some high official in the Government, with a chauffeur, at the expense of the Government, yet this $150,000,000, or at least $2,000,000 of it, was to be used to increase the number, as well as to supply additional motor trucks.

There is involved not only the expense of maintenance and upkeep during the coming years, but, when those machines grow old, they will then come here and say, "We have had them, and you must purchase new ones."

Now, gentlemen, these things are not carried in this bill. These things I know, and I speak without authority or without having talked to the gentleman on the subject, but I am sure they are as objectionable to the gentleman from Indiana as they are objectionable to me or to any other Member of this House. They are objectionable, I know, to all the members of the Committee on Appropriations, as well as to the membership of this House. They are not carried in this bill, but I have referred to them simply to call the attention of the House and the country to the unwisdom of making these great lump-sum appropriations and placing it in the power of any man to expend it without regard to the rights of Congress to check the expenditure.

The fact is that the President is not going to spend this money, but the bureau chiefs are going to spend it. The heads of divisions in those departments are going to expend it. When the word went down the line and they were asked how much money they could expend, every one of them took out his pencil and began to figure how much money he could get for his bureau in addition to that which Congress had allowed him in the regular annual appropriation bill, using this emergency appropriation as a guise under which to secure appropriations, which they could not possibly secure from Congress after a full and fair hearing.

It was Democratic protest which stopped this inexcusable raid on the Treasury under the guise of an emergency appropriation, and which was to have been made in the face of the largest deficit we have ever had, and the first of any size in many, many years.

Now, that stopped the hearings, and, therefore, we did not go into these other items. I am not going to refer to all of them, but let me read you some of them. Office of the Secretary of Agriculture, $83,480. I wish some one would tell me what that has to do with unemployment. Possibly the Secretary might increase somebody's salary in his office; he might put on a few additional clerks which Congress thought he should not have, but how is that going to help the unemployment which exists out in the country? Animal industry, $57,995; Biological Survey, $489,505; dairy industry, $114,000; plant quarantine and control, $35,000; and Weather Bureau, $5,000. I do not know, and, therefore, possibly I ought not even to surmise what those appropriations mean; but I dare say that if we had not agreed upon this resolution as we did, and if we had continued these hearings, it would have been found that some of them were even more ridiculous than some of the items to which I have called attention and that possibly all of it involved a further increase in salaries for many employees now on the roll.

Mr. BLANTON. Will the gentleman yield?

Mr. BYRNS. Yes; I yield.

Mr. BLANTON. What is bothering me is this: After you expend the $80,000,000 on extra roads—and all of which is good as far as it goes—will that help more than 5 per cent of the men unemployed in Bristol, Nashville, and Knoxville, in the gentleman's State? Could it help more than 5 per cent of the unemployment?

Mr. BYRNS. Out of the $80,000,000 the State would get over $1,750,000.

Mr. BLANTON. And in certain isolated portions of the State there would be road building, but in Bristol, Nashville, and Knoxville there would still be unhelped unemployed.

Mr. BYRNS. That is true. In my remarks on December 3 I called the attention of the House to the fact that the President in his annual message said that $7,000,000,000 in contracts had been made for this year by private interests, and that $150,000,000, if all of it were expended on labor and not in the purchase of material and supplies, would not amount to 2 per cent of the contracts that have been made by private interests. That shows how little real benefit this appropriation will bring to the vast army of unemployed.

Mr. COX. Can the gentleman state who is the author of the House document from which he has been reading?

Mr. BYRNS. That was transmitted by the President with a letter as an estimate, or, rather, a tentative list.

Mr. TAYLOR of Tennessee. This legislation does not enlarge the public-building program, does it?

Mr. BYRNS. No; this legislation has nothing to do with public-building operations.

Mr. TAYLOR of Tennessee. Then why does the gentleman talk so much about my town?

Mr. BYRNS. I was replying to an editorial that appeared in the Washington Post. I simply referred to it to show that, as a matter of fact, that appropriation was made last July, and that the statement was recently made that it would be eight or nine months before the work could be started, and that, therefore, any appropriation which might be made now could not possibly serve to speed the construction of public buildings. All of the gentlemen interested, the Treasury officials, have said they have all the money they can possibly spend on public buildings between now and December, 1931.

Mr. COX. And the gentleman now speaking gave the gentleman from Tennessee full credit for obtaining the appropriation?

Mr. BYRNS. I gave the gentleman full credit for obtaining the appropriation.

Mr. TAYLOR of Tennessee. I agree with the gentleman that there has been too much delay in the work of constructing public buildings.

Mr. BYRNS. Now, one other matter and then I am going to close. I asked Colonel Roop, Director of the Budget, just when this matter was first taken up and considered by the administration. I wish you would read the hearings on the subject. He said, "Oh, well, it was discussed to some extent when we discussed the $12,000,000 increase in the rivers and harbors appropriation last spring." "But," I said, "Colonel, my question was when did you first call on the heads of the departments for information as to how much money they could use to relieve unemployment?" "Well," he said, "I do not remember the exact date," but finally he said it was after he had completed his examination of the Budget, and then another question brought the information that it was about November 1. Now, understand, gentlemen, they were discussing the question of unemployment last spring. There was not a man, woman, or child in this country who did not know at that time that there were millions of people unemployed and that soup houses and bread lines were forming in the larger cities. At that time Congress was in session. If this emergency appropriation was so badly needed for the relief of unemployment why was it that the President did not come to Congress last May or last June and ask for it?

If they had obtained it then plans could have been made so that men and women could have been given work at the beginning of winter to relieve their necessities. But no; it was not until winter was upon us that they even called upon the heads of the departments to know how much money could be used. Why was it? I suppose the answer is in the minds of all of you. There was an election coming on. I can not think of any other reason except a political reason. The administration was too busy at that time, and up until the day of election, in issuing statements that prosperity was returning. The Secretary of Labor was too busy

denying that there was any considerable unemployment, and the Republican National Committee was too busy saying there was no undue economic depression. Of course, if this matter had been taken up at that time it would have belied those statements which were being broadcasted throughout the country for political purposes.

Why, the gentleman from Indiana the other day commented in eloquent terms on the action of the President in calling business executives into session last November, and he declared it was one of the greatest acts and one of the greatest services the President could possibly have performed; business executives who came here and listened to the President, to his counsel and advice, and then went back, as prudent business men would do, handling property of other people, and promptly turned off every man and ceased to make every improvement which they did not think the state of their business justified.

I think the severest indictment against the administration in this unemployment situation are the facts I have just stated—the delay in coming to Congress and asking even for this modicum of relief which I assert we are forced to believe was due to political considerations.

It is a harsh statement, but, nevertheless, I believe the facts justify it. Winter is on us, and we are going to make this appropriation, and we are all going to vote for it; but you know and I know how slowly the machinery of government moves, and you know and I know that even though it goes through this week and is signed by the President it will be weeks before the unemployed begin to realize any advantages from it.

Ah, there has been too much play to the galleries on this question of what we are going to do to relieve the unemployed and too little action. This is not going to give much relief. It will give some, yes; but it is not going to give that relief which the country needs and which it must have if men and women and little children are to be kept from suffering during the coming winter months; and so far as I am concerned, let me say to you, I am not going to quibble about close, technical, constitutional questions in a matter of this kind. I am going to vote for every dollar that may be asked which has a tendency to give relief to those who need it, but before I vote it I want those who are responsible for its expenditure to come to the Congress and show the Congress that it is going to be used for that purpose. [Applause.]

Mr. STAFFORD. Will the gentleman yield?

Mr. BYRNS. I yield to the gentleman.

Mr. STAFFORD. I have listened with interest to the diatribe of the gentleman against the proposed plan, and I am curious to know whether the gentleman has any alternative plan for relief of the direful conditions he pictures throughout the country.

Mr. BYRNS. I have not opposed the plan. I have declared my intention to vote for it. I thought perhaps the gentleman, who knows something on every subject and always has a remedy for every matter, could propose something himself.

Mr. STAFFORD. I am now questioning my esteemed friend.

Mr. BYRNS. Yes; I will tell the gentleman one plan and I will ask the gentleman——

Mr. STAFFORD. I have a plan myself.

Mr. BYRNS. And I will ask the gentleman whether he will vote for it. I will vote $60,000,000 to lend the poor farmers in the drought-stricken areas of the country to buy food and seed. Will the gentleman vote for that?

Mr. STAFFORD. I will vote to loan some amount, even for such a socialistic plan as that.

Mr. BYRNS. Will the gentleman vote for $60,000,000?

Mr. STAFFORD. I will not, unless it is shown that that amount is necessary. I will vote for whatever amount is necessary, but that is not a substantive plan for remedying the existing conditions which the gentleman has been criticizing.

Mr. BYRNS. It will be a decided relief to the agricultural interests.

Mr. STAFFORD. We need to pass something of a more permanent character. The gentleman has been criticizing the administration very severely with respect to this plan, and now I am asking the gentleman whether he, as one of the leaders on the other side, has a plan to substitute for this one.

Mr. BYRNS. Does the gentleman uphold the administration in its proposal to spend the money to which I have referred in the manner which I have related?

Mr. STAFFORD. In some instances I do uphold the administration, but I want a definite plan to relieve existing conditions. Has the gentleman such a plan?

Mr. BYRNS. No; I have not such a plan to present now, I will say to the gentleman, and neither has the gentleman from Wisconsin.

Mr. STAFFORD. I have a plan——

Mr. BYRNS. Let us hear it.

Mr. STAFFORD. I would propose right away the formation of a commission [laughter]——

Mr. BYRNS. Will the gentleman——

Mr. STAFFORD. If the gentleman will permit me to continue, he asked me if I had a plan. I would propose a commission just as during the critical days of the war, when the Cabinet officers were unable to cope with existing conditions the President of the United States, President Wilson, called upon business men to formulate a plan to relieve conditions on the World War front. The gentleman and I at that time were members of the Committee on Appropriations, and we know the conditions that existed. Now, there must be something done to permanently relieve this situation. This bill merely provides temporary relief. I think a committee should be appointed to study the causes of this world-wide depression.

Mr. BYRNS. Oh, yes; and while they study the people perish.

Mr. STAFFORD. Oh, no; not perish by any means, and I would think the gentleman, by reason of his leading position, would have some plan to report to us.

Mr. BYRNS. I have a plan, and I want to know if it will receive the gentleman's approval. I think the best plan that could be proposed to afford permanent relief would be to reduce the tariff upon some of these outrageously protected commodities and thus regain the good will of foreign nations and restore our foreign markets so that we could dispose of our surplus. Will the gentleman vote for that?

Mr. STAFFORD. I agree with the gentleman in large part, and that would be the very purpose of this committee in studying the causes of this world-wide depression.

Mr. BYRNS. Did the gentleman vote for the recent tariff bill?

Mr. STAFFORD. I voted for it because it carried a duty on leather and shoes to revive a prostrate industry of my district, the leather industry, and it has been a benefit to those industries. I did not vote for it, because it puts high duties on agricultural products that antagonized Canada and antagonized other foreign countries. I voted for it because of that one reason.

Mr. BYRNS. I appreciate the frankness of the gentleman. He was entirely willing to place a heavy tax upon the consumers of this country and to cut off our foreign markets which had been taking our surpluses heretofore, simply to relieve an industry in his district. [Laughter and applause.]

Mr. STAFFORD. It was the only industry in the country that was on a free-trade basis, and I will ask the gentleman whether he was in favor of having that industry go out of existence or in favor of giving it a reasonable tariff?

The leather industry was the only industry in the country that for the last 20 years had been on a free-trade basis.

Mr. BYRNS. Now I want to ask the gentleman this question. The gentleman voted for the tariff bill——

Mr. STAFFORD. Yes; for that one reason.

Mr. BYRNS. To relieve an industry in the gentleman's district. Has it relieved that industry?

Mr. STAFFORD. Yes; it has.

Mr. BYRNS. To what extent?

Mr. STAFFORD. It shut off the importation of hundreds of thousands of shoes that were coming into this country from Czechoslovakia and has revived the shoe industry in this country. [Applause.]

Mr. BYRNS. Then do I understand the gentleman to say that there is no unemployment existing in his district?

Mr. STAFFORD. The condition of employment in the shoe industry is far better than it was before the passage of the recent tariff bill.

Mr. BYRNS. What did the president of the International Shoe Co. think of that tariff?

Mr. STAFFORD. The International Shoe Co. had its retail stores scattered throughout the country and was interested primarily in the retail business.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. WOOD. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Chairman, I am sure it is not necessary to appoint a commission to establish the fact that the greatest unemployment at this time is found in the industrial sections of our country, and the unemployment in the large industrial centers is reflected in every section of the country.

I do not care to be critical about the bill now before us, but, Mr. Chairman, this bill has been greatly overadvertised. There has been so much hope held out to the country as to what this bill will do and the appropriations which the President would recommend to Congress, while, as a matter of fact, this bill, Mr. Chairman, will not employ 1,000 men for any length of time in the State of New York. You can not get away from that.

The indirect and remote result of the material which might be used in road construction and in the other projects provided for in the bill will not benefit great industrial centers like New York, Philadelphia, Boston, or other large cities to any noticeable extent.

Why, in your $110,000,000 you have here there is but one item for New York Harbor of $166,000. All that will require will be a suction pump with a crew of 10 men to put down a pipe and suck some sand out of the harbor. It would seem to me, Mr. Chairman, that in coming before the House with an emergency relief appropriation that it was necessary to take into account all sections of the country and particularly large cities, where unemployment is the greatest and the suffering most acute. Most of the gentlemen on the other side who have been complaining, I submit, if you study the bill, will find that their States will profit by it.

The amount here provided for roads, while necessary and timely, I suggest, may turn out to be something more than a mere advance to the States in addition to the Government's contribution toward Federal highways. I predict now that when the time comes for final adjustment some of the States will not be able to meet the appropriations provided for and will ask for continued extensions until the amounts are ultimately charged off. I admit the bill will build roads sooner than otherwise, and I am willing to go along and vote for the bill. I know I am helping other States, but I would like to see something for my own State.

In my State and the large Eastern States, where the system of highways has been entirely completed, there is no hope of relief to be obtained under this provision of the bill.

Mr. DOWELL. Let me say to the gentleman that the Federal highway system in New York has not been completed.

Mr. LAGUARDIA. How much is left?

Mr. DOWELL. They can continue this until every mile of road of the entire State is completed. Under the bill there are $4,000,000 that can be allotted to the State of New York.

Mr. LAGUARDIA. If the gentleman will look it up he will see that there is no comparison in the proportion for New York and the other States—that in proportion to the population there is no relief for New York at all.

Why, we spend $18,000,000 a year only for repairs of streets in New York City alone, and New York City will get nothing out of this. Let me say to the distinguished chairman of the Committee on Roads that if he will come to New York he will learn something about road building on a real large scale.

I will say, as I said on the opening of the session, that this Congress must cope with the employment situation.

Many people in my district and other large industrial centers have been waiting for this appropriation—this promised relief legislation—and I will leave it to any gentleman here from any of the large cities if he can see any relief in this appropriation of $110,000,000.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. O'CONNOR of New York. In the city of New York we have been waiting years and years for buildings absolutely necessary and indispensable, and the erecting of those public buildings would employ thousands of men.

Mr. LAGUARDIA. I am coming to that. I think we should provide for the immediate construction of public buildings in the cities already authorized. Why, if the War Department would grant permission to the city of New York to extend its piers we could go ahead with that work.

Why not provide for increasing the area of Governors Island, and that will give us the 80 acres more that we want there for a public air terminal. There are a great many useful projects that we can put into operation at once, if you will just give us of the cities a little consideration. But, no; we have been voting for flood relief, and for farm relief, for seeds, for all kinds of drought relief, and the time has come when the industrial workers of the large cities are coming to Congress and are asking for the same consideration that you give the farmers. We will vote for your seeds. Will you vote for our rents?

Mr. COLE. Sure, we will.

Mr. LAGUARDIA. You tell us in one breath that you have too much wheat, that there is an overproduction, and then the gentleman from Tennessee [Mr. BYRNS] suggests $60,000,000 more with which to buy more seed to plant more wheat and thus increase the overproduction. Oh, there will be an end to this some time, and I say that the distress in the large cities—and I do not refer to Washington, which is not an industrial center at all—is such that you will soon have to give the very serious consideration to our problems and provide some constructive and effective relief.

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Not just yet.

Mr. COLE. Oh, just one question.

Mr. LAGUARDIA. What is it?

Mr. COLE. Will the proposed naval program help New York City?

Mr. LAGUARDIA. What do you want? Another war, to kill off a few more men? Is that the gentleman's solution of the unemployment situation? It is not mine.

Mr. COLE. It is not mine; but it is proposed to rebuild certain ships.

Mr. LAGUARDIA. I refuse to join with any movement to dispose of surplus man power by looking for another war to kill them off. That is not the modern, up-to-date solution of the unemployment situation.

I wish this Government did have the powers in peace times that it has in war times. There is no limit to what this Government can do in war time in respect to the health of the individual, in respect to the food supply, in respect to the prevention of profiteering in foods, employment, and even social welfare and amusement to keep the people happy, but in peace time the Government seems to be helpless, and some gentlemen suggest building more ships, getting a bigger Army and Navy, and the gentleman from Tennessee said somebody wanted more uniforms and more ammunition—and then some one will go out and look for a nice war and kill off a few more of the boys. We are paying about 68 per

cent of our total appropriations now for past wars, for present defense, and for present preparation for future wars. No; I look to the time when my Government can give as much effort and spend as much money to make people happy and to make them safe and secure in peace as we do in war. There is no lack of funds. We have the resources. We must simply readjust ourselves to new conditions which this age has brought upon us. Mr. Chairman, the industries of this country can afford to close their doors and discharge their employees. They will take care of their machines. They will watch the machines; they will lubricate and oil the machines so that they will not rust. But the lives and the health of the employees mean nothing. The workers are just discharged until better times come. This present slack must be taken out of industry. It can not come from any place else. We have to so arrange conditions in this country that the workers may be employed all of the time, and I have a little amendment right here which I propose to offer to this bill that at least will start something along the proper line. If more machinery means more production with less men, we must have less hours and shorter weeks to employ more men. What good is increased production with decreased ability to buy? What good is a reserve or a surplus in any industry with no assurance as to what may happen in the future? We must create the spread to employ all our willing workers, who in turn will create the market to consume all our increased production.

Mr. WOOD. Mr. Chairman, I ask that the Clerk read the bill for amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

Improvement of national forests: For the construction and maintenance of roads, trails, bridges, fire lanes, etc., including the same objects specified under this head in the Agricultural appropriation act for the fiscal year 1931, $3,000,000.

Mr. BLANTON. Mr. Chairman, on page 2, line 5, I move to strike out the words "and so forth."

The gentleman from Wisconsin [Mr. STAFFORD] asked for an alternative program. My colleague from Texas [Mr. PATMAN] has on the desk here a petition, which, if signed by enough of us, will bring before the membership of this body for immediate consideration his bill, which is a proposal for the Government of the United States to pay now the $2,000,000,000 debt that it owes the ex-service men. Why is not that one proper solution of the unemployment problem? It will pay a just and honest debt of $2,000,000,000 that the Government must pay some day. That money, if paid now, will ultimately find its way into the banks in every district in every State in this Union, and that is exactly what the country needs to-day. All of the smaller banks are impoverished, especially the country banks. They have loaned and loaned until they can not loan any longer. This $2,000,000,000 would be the greatest help in the world to them. It would enable these banks to furnish new loans to the farmers and the banks would be able to help the local people—the farmer and the man in industry alike. It would mean that these ex-service men, all over the country, every one of them, would get anywhere from $750 to $1,500 apiece. It would go to the uttermost parts of the United States. It would be a great help to them in time of need. Why not pay it? What reason has Mr. Mellon given us for not paying it? Has there been any logic in his argument? The Government owes the money, why not pay it. Our Government could issue bonds that would be good and salable anywhere, 100 cents on the dollar, with the lowest rate of interest in our history, and pay off this debt, and that would relieve unemployment, in my judgment, more than any other proposal that has been proposed by the President or any member of his Cabinet.

I am going to vote for this bill. It is good as far as it goes. Like the gentleman from Tennessee [Mr. BYRNS], I am going to vote for every proper bill that promises any relief in this time of stress and depression. What excuse will we offer the ex-service men for not paying this debt due them?

Mr. CONNERY. Permit me to call attention to the fact that the gentleman from Texas [Mr. PATMAN] has already a petition on the desk to discharge the committee and consider a bill for that purpose.

Mr. BLANTON. I have already called attention to that. I hope the membership will sign it. We can then bring that bill on the floor of this House and make it in order and pass it here if enough Members will sign the petition to make it in order under the rules of the House. Have you any excuse for not signing it? Have you any excuse for not voting for it? If you have, have you any excuse for not letting the membership vote and express their sentiment on the subject? If we can pass that bill in this House, it will pass in the other body, because I am sure that they will not turn it down, and we can put that proposal into law here before we adjourn for the Christmas holidays. And if Mr. Mellon had not objected, probably it would have been brought in by one of the committees already.

Mr. Mellon has profited very much by this situation. While the President of the United States was preaching prosperity over the country, men and women throughout the Nation, according to their means, were buying bonds and stocks on the stock market, so far as their limited means would permit, thus inflating the stock market, and it was Mr. Mellon who profited by its crash.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. May I have two minutes more?

Mr. WOOD. Is the gentleman going to talk about this bill?

Mr. BLANTON. I am talking about the unemployment situation.

The CHAIRMAN. Is there objection?

Mr. WOOD. I have no objection if the gentleman will confine his remarks to this bill.

Mr. BLANTON. I had almost finished.

The CHAIRMAN. The Chair hears no objection.

Mr. BLANTON. The passage of the proposal of Mr. PATMAN will do much to solve unemployment and will put $2,000,000,000 into circulation and into the banks of this country. While the President was preaching prosperity, thus influencing the public to buy stocks, Mr. Mellon and his associates were selling their stocks, and when the market reached its peak some of their stocks were sold at $250 per share, and when the market crashed and finally reached its bottom the stocks that sold at $250 were bought back by Mr. Mellon as low as $95 per share. That was the situation, and the people are beginning to find it out.

Mr. WOODRUFF. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WOODRUFF: Page 2, line 7, after the figures "$3,000,000" strike out the period, insert a semicolon, and add the following: "$900,000 for plantation."

Mr. WOODRUFF. That is for planting trees in the national forests.

Mr. WOOD. Mr. Chairman, I make the point of order on that.

Mr. WOODRUFF. I would like the gentleman from Indiana to make clear the ground upon which he bases his point of order.

The CHAIRMAN. A point of order is pending. Will the gentleman from Indiana indicate the ground of his point of order?

Mr. WOOD. The amendment of the gentleman from Michigan is not germane.

The CHAIRMAN. Does the gentleman from Michigan desire to be heard on the point of order?

Mr. LaGUARDIA. Mr. Chairman, these appropriations are limited to those set forth, and they are set forth under this particular head in the agricultural appropriation bill. Therefore the amendment would not apply to this appropriation now pending before the committee.

I just wanted to call that to the attention of the Chair, that this item is under the same head in the agricultural

appropriation bill, and if this amendment were offered to that bill it would not be in order.

Mr. STAFFORD. I would like to direct the attention of the gentleman from New York to the fact that the clause "including the same objects specified" is supplemental to these items designated in lines 3, 4, and 5. The words "including the same objects" amplify those specifically indicated. Under the rules of the House when you include more than one object you can include kindred objects.

Mr. WOOD. Mr. Chairman, I call the attention of the Chair further to the fact that the purpose of this bill is confined to "construction." Planting could hardly come under that. The appropriation for planting trees in the national forests comes under an entirely different appropriation heading. I call the attention of the Chair also to the current agricultural appropriation act, Forest Service, under the heading "Planting of National Forests":

For the purchase of tree seed, cones, and nursery stock, for seeding and tree planting within national forests, and for experiments and investigations necessary for such seeding and tree planting.

That is a totally different appropriation from the one in the bill, which is "improvement of national forests," and under the terms of which only roads, trails, bridges, telephone lines, and similar physical improvements are made. Tree planting would not be germane to this "physical improvement" paragraph.

Mr. BURTNESS. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. BURTNESS. Under what general heading is the appropriation given in the last appropriation act; that is, the appropriation for roads, trails, and so on?

Mr. WOOD. "Improvement of the national forests."

Mr. BURTNESS. Is there a different general heading for that item appropriating amounts for planting?

Mr. WOOD. Yes; the planting of national forests.

Mr. BURTNESS. Are they not both under the same general heading?

Mr. WOOD. Both under the Forest Service, but different paragraphs.

Mr. LAGUARDIA. This is under construction and maintenance of roads.

Mr. DOWELL. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. DOWELL. This is under the Federal aid act, and it certainly can not be said that it is germane to this paragraph. My observation is that the amendment suggested by the gentleman from Michigan [Mr. WOODRUFF] is entirely separate from any provision in the law authorizing the appropriation that is provided in this paragraph; that what he is trying to do is entirely different from that included within this provision.

Mr. WOOD. Mr. Chairman, I will reserve the point of order.

Mr. DOWELL. With the reservation of the gentleman from Indiana, and the gentleman not making the point of order at this time, of course, I will withhold any further statement. But my position is that this is not germane and it is not authorized and it is not in order as an amendment to this paragraph.

Mr. WOODRUFF. Mr. Chairman, I do not propose to take up the time of the committee in arguing the point of order on this particular amendment.

The CHAIRMAN. Is the gentleman going to debate his amendment or is the gentleman from Indiana going to make the point of order?

Mr. WOODRUFF. The gentleman from Indiana has reserved his point of order. I am submitting a few observations on the amendment, with a view of later taking certain action.

The CHAIRMAN. The gentleman is recognized for the discussion of his amendment, with the point of order being reserved.

Mr. WOODRUFF. Mr. Chairman, I offered this amendment in the best of faith. I think there is no Member of this House who has given more time to the study of the needs of the country in connection with reforestation than I. I was born and raised in Michigan, at one time the greatest timber State in the Union. I have lived to see the great forest areas in that State denuded until we have little standing timber left. I have seen the lumber barons move their activities to Wisconsin and then westward until to-day practically all lumber operations outside the Southern States is carried on in Oregon, Washington, and some of the other Western States.

I do know, gentlemen, that the forests of this country are being used four times as fast as they are being grown, and it does not require a mathematician of ability to figure out exactly what that means to the coming generation unless something radical is done in the way of reforestation.

This bill is offered for the purpose of taking up the slack in unemployment in this country. There is not a governmental activity in which we can engage that is more important at this time than replacing our depleted forests. Reforestation of our denuded lands has been neglected for so many years that the conditions resulting therefrom are fast creating an emergency. There has never been a time in the past 25 years when this work could be done more reasonably than it can be done at the present time. An appropriation for this purpose now would result in the employment of many of those now unemployed and meet the object of this particular bill, and the chairman of the committee would render a real service to the future generations if he would withdraw his point of order and permit the adoption of my amendment.

The cost of reforestation varies in the various States. In Michigan the cost is less than in any other State. The men working under the Forest Service there reforest an acre of land for the small sum of $2.43. That does not mean much until you know exactly what those men have to do in order to accomplish that thing. They go into the forests and gather the seed; they prepare the beds in which the seeds are planted; they care for and cultivate those seedlings until they are 2 years of age; they prepare the forests; they plant 800 trees to the acre, and all this for the exceedingly small sum of $2.43. An appropriation of $250,000 will plant 100,000 acres, $2,500,000 would plant 1,000,000 acres and furnish employment to thousands of men. The Federal Government is expending less than $300,000 a year in the United States for this purpose when many times this amount should be applied to this work. I say it is a short-sighted policy. It is a policy that means distress to the oncoming generations, and at this time, when we are seeking ways and means whereby we can take up the unemployment slack in the country, it seems to me attention ought to be paid to this particular need.

I have offered my amendment, as I said before, in good faith. I am inclined to think the gentleman from Indiana is correct in making his point of order against it, and for that reason, with the unanimous consent of the committee, I shall withdraw it and proceed with this activity of mine before the Appropriations Committee on the deficiency appropriation bill.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. DOWELL. Mr. Chairman, I do not want the statement of the gentleman from New York [Mr. LAGUARDIA] to pass unchallenged, when he states that this legislation will accomplish no good to the unemployed.

It seems to me the most important thing we may do is to get this legislation passed and the money available for road building.

The gentleman from Michigan has a splendid proposition, but it does not belong in this bill. I am hoping that something may be done to aid in the direction he has suggested. There may be other activities that may hereafter be found that will be very helpful in aiding these men to get employment, but the present purpose is to get this legislation enacted at once so that employment may begin.

I want to call the attention of the gentleman from New York——

Mr. LAGUARDIA. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. LAGUARDIA. Will the gentleman do me the fairness to quote me correctly. I said that no relief will come to the industrial centers.

Mr. DOWELL. I want to say that the gentleman's statement just now is just as misleading. For instance, here is an appropriation of $80,000,000, which is in addition to the appropriation made for the present year. For the present fiscal year there has already been authorized by this Congress $125,000,000, and this $80,000,000 is in addition to all authorized heretofore.

I want to repeat the statement I made some time ago, that out of every dollar appropriated by our Federal Government labor receives 52 per cent and industry, therefore, receives the other 48 per cent. I want to call the attention of the gentleman from New York to the fact that in building these roads they are placed in every section of the United States, including the State of New York, where they will have allocated out of this appropriation more than $4,000,000 for building roads in that State. If New York does not have the money allocated to match Federal aid this is to be advanced to the State of New York, if the State desires to use the money so that their unemployed may immediately go to work.

Mr. BURTNESS. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. BURTNESS. Will the gentleman be kind enough to analyze further his percentages of 48 and 52? The gentleman said that 48 per cent was for the benefit of industry. What about the labor employed in industry? Is that included in the 48 per cent?

Mr. DOWELL. That is included in the 52 per cent, so that actually 48 per cent goes to industry outside of the labor cost.

As I said, I want to challenge the statement made by the gentleman from New York. I take it he was not careful in this statement when he said it would not make a penny's difference in the employment of men in New York. That certainly can not be true.

Mr. LAGUARDIA. I say so now.

Mr. DOWELL. I say that such a statement is not founded upon any fact and no one can make that statement in the face of the record.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. LAGUARDIA. This is for immediate relief, and I suppose the gentleman from Iowa is going to take a broom and go up to New York and brush the snow off the roads up there.

Mr. DOWELL. I imagine if there is snow on the roads, and it is too deep to permit of travel, that they would use money for removing the snow, but not out of this appropriation.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. DOWELL. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. DOWELL. I just want to say to the gentleman from New York that he does not mean that the State of New York is to get no benefit out of this appropriation, but he may mean that he ought to have some appropriations in other directions, and that may possibly be true; I do not know; but I do know there is no money appropriated by this Government which furnishes more equitable and more helpful relief than appropriations for the building of highways throughout the United States. The money goes into every section of the United States for industry and for labor.

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. STAFFORD. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the gentleman from New York [Mr. LAGUARDIA] has made a very severe arraignment of the effect of this bill when he says that no industrial center will profit from the appropriations carried in the bill. Either he is densely ignorant as to the character of road building, living in a commercial center where they may not have modern road building as is done throughout the States, or else he certainly does not know how labor is utilized in the making of roads.

Everyone knows that the industrial centers that are engaged in the manufacture of road machinery will incidentally profit from this large appropriation for road building. Even Detroit, the automobile city, which is prostrate to-day, will profit from this appropriation by the demand for trucks that are used in making improved highways; and then there are the graders, the concrete mixers, and all kinds of machinery that is used in the building of modern roads. At this time of the year the frost in my section of the country, which I left 10 days ago, has not gone into the ground, and modern steam shovels and excavators can excavate and make ready the improved highway. Then again, as to labor—labor from the industrial centers will be called into the farming districts where these highways are to be improved if farm labor is not adequate.

These instances are enough to show the gentleman how the industrial centers in some way will profit from the large appropriations that will be utilized under this bill.

Mr. CONNERY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, ladies and gentlemen of the committee, this is a bill to relieve unemployment. I think the distinguished chairman of the committee called one of my colleagues to order a short time ago on the ground he was not speaking on unemployment when he was speaking about the payment of the soldier bonus in cash at this time, but I think that the subject of the bonus so-called is peculiarly germane to unemployment in the United States.

My colleague from Texas [Mr. PATMAN] has a petition on the desk here asking the Ways and Means Committee to report this bill. There have been several bills sent to the Ways and Means Committee asking the immediate payment of the adjusted compensation in cash.

Ladies and gentlemen, this $3,000,000,000, or approximately $2,700,000,000, if passed by the Congress for the immediate payment of the face value of the adjusted-service compensation certificates will be expended in 48 States of the Union. It will go directly to service men and their families and will affect directly approximately 20,000,000 people out of the 120,000,000 people in the United States, because their families and those directly dependent upon them certainly will mount up to 20,000,000 people in the country. Indirectly it will affect the entire Nation.

Mr. Mellon, in a statement which he gave out a few days ago, came out in opposition to the payment of this adjusted compensation at this time. This, in spite of the fact that he had asked authority to borrow $8,000,000,000 with the low rates of interest at which the Government can borrow money to-day, and then he comes out and practically tells the American people that to expend $2,700,000,000, which would go to the service men and their families in the United States would be a serious blow at the finances of the country.

Mr. McCORMACK of Massachusetts. Will the gentleman yield?

Mr. CONNERY. I yield to my distinguished colleague from Massachusetts.

Mr. McCORMACK of Massachusetts. May I call the gentleman's attention to the fact that there is $700,000,000 at present in the Treasury for the purpose of redeeming the adjusted-compensation certificates?

Mr. CONNERY. That is true and that is why I made the statement it would cost approximately $2,700,000,000 to pay this in cash at this time.

Now, ladies and gentlemen, I do not like to see the American people fooled on a proposition of this sort. It is not a partisan matter. I feel sure my colleague from Texas would

be glad to withdraw his petition and allow some Member on the Republican side of the House to put in a similar petition if he felt that thereby it would benefit the service men of the United States and take out the partisan phase of it. We are not interested in the political side of this matter at all; but you know and I know, whether you are a service man or not, that a great part of the service men in the United States to-day are obliged to borrow on their adjusted-service certificates. The Government charges them 6 per cent interest, the same Government that can borrow money at less than 2 per cent interest. You know the money rates to-day. Many of these men are unemployed; thousands of them are unemployed. They have their little families to take care of and they have to borrow on these certificates, and at the rate of interest charged by the Government the face value of their certificates will be practically gone in 1945. They will have no certificate, they will have no endowment policy, and no insurance policy, which is something you wanted them to have.

Ladies and gentlemen, I think this is a very serious matter in respect to the unemployment situation in the United States. I think the Congress of the United States could do itself honor and could do a wonderful work for all of the people of the country if they would report this bill to the House in the immediate future, before Christmas, pass the bill, and start this money in circulation throughout the land.

Mr. WILLIAM E. HULL. Will the gentleman yield?

Mr. CONNERY. I will be happy to yield.

Mr. WILLIAM E. HULL. I would like to ask the gentleman a question. In some respects I favor what the gentleman is talking about. The gentleman made the statement that they had already borrowed on these certificates. If the Government should pay off these certificates how would that benefit the soldier who had borrowed money on his certificate? Would he not have to pay that money back?

Mr. CONNERY. We would give him the face value of the certificate or what he would be entitled to receive in 1945, and out of that he would pay the amount he has borrowed; but if it goes on as it is at this time, by 1945 he will not have anything left.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. CONNERY. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CONNERY. Incidentally, when I came into the Chamber a short while ago I heard the gentleman from Wisconsin [Mr. STAFFORD], having a little controversy with my distinguished colleague from Tennessee [Mr. BYRNS], and, from what I heard of it, it was about shoes. Whilst personally I subscribe to the telegram of the former Democratic candidate for the Presidency, Alfred E. Smith, that there should be a tariff to protect the wage earner of our country, which telegram was also subscribed to by the great majority of my Democratic colleagues at that time, nevertheless I take issue with no Member as to his honest convictions for or against the tariff policy; but, ladies and gentlemen, I am getting sick and tired of listening, the tariff on shoes being the only item in that long tariff bill to be assailed. Every time that an opponent of the tariff wants to attack the bill he immediately begins on shoes. And yet shoes had the most equitable case for relief before the Congress when the bill was under discussion. Since the passage of the bill the price of shoes has gone down, the shoe factories of Lynn are working, and many of them were not working before we put this tariff on shoes. [Applause.]

You know they used to tell a story—and I say this with all good feeling—about John L. Sullivan, when he was touring the United States years ago. He offered a thousand dollars for any man who would stay with him in the ring four rounds. A colored man went into the ring with him, and in the first round Sullivan hit him on the nose, hit him on the nose again, and all through the round he kept hitting him on the nose; and in the second round the same thing, but he stayed through that round. In the third round he kept hitting the poor colored fellow on the nose, and finally the man turned around to the referee and said, "Mr. Referee, for the Lord's sake, will you please ask this man to scatter his blows?" [Laughter and applause.]

Now as to the tariff, you can take any stand you want to on that; but, please, ladies and gentlemen, scatter your blows, go after the Aluminum Trust, or other items that have no real right to protection, and let boots and shoes alone. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. CONNERY. I ask for one minute more.

The CHAIRMAN. Is there objection?

Mr. CRAMTON. Reserving the right to object, and I shall not object, but there is not only this bill but another bill temporarily laid aside awaiting completion, and I shall be obliged to object to any remarks hereafter not relating to the bill under consideration.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CONNERY. I wish to say in conclusion that I feel that this payment of the soldiers' adjusted compensation in question is of vital importance to the question of unemployment, not only to the service men and their families in the United States, but to the American people at large. This $2,700,000,000 will benefit not only the unemployed and the service men, but every man, woman, and child in the United States, and to my mind will do more than anything else to help end the present depression. [Applause.]

Mr. LAGUARDIA. Mr. Chairman, I rise in opposition to the pro forma amendment. I do not want to delay the House, but the House has had the benefit of the instructive and illuminating speech in the art of road building, of the distinguished, erudite, and versatile engineer from Wisconsin [Mr. STAFFORD].

He refers to my criticism of this bill in so far as it affects the industrial centers of the country. I repeat and reiterate every statement I made, and I say that this does not give any appreciable, material relief to any industrial center in the country, the statement of the great and learned gentleman from Wisconsin, notwithstanding.

The gentleman from Wisconsin ought to know that if we have unemployment we have idle machinery as well. He says we are going to bring relief by first making machinery and then going on to build the roads. It is clear that the gentleman knows nothing about road building. There are enough rollers, concrete mixers, tractors, and other machines for road building now without buying any more. If there should be any more machines needed, rest assured they are now in the factory, and this program will not create employment for the manufacture of more machines.

I say and I will continue to say that we have been appropriating for farm relief, flood relief, drought relief, seeds, and loans to farmers for relief to agricultural States for years now, and we of the industrial centers, and in New York particularly, pay a large percentage of the taxes from which this money comes, and we are getting no relief direct and very little, if any, indirect. We have more unemployed in New York State than there is population in some of the other States.

The time has arrived, Mr. Chairman, that the factory and mill workers, so scoffed at by the gentleman from Wisconsin, need relief; and we have the right to stand up and protest, and I shall continue to do so.

Mr. O'CONNOR of New York. This relief in other parts of the country is going to increase the taxes paid by those in the industrial centers.

Mr. LAGUARDIA. Of course that is the result; undoubtedly.

Mr. WOOD. Mr. Chairman, I move that all debate on this paragraph, and all amendments thereto, now close.

The motion was agreed to.

The Clerk read as follows:

Federal-aid highway system: For apportionment to the several States under the provisions of the Federal highway act, as amended, as a temporary advance of funds to meet the provisions of such act as to State funds required on Federal-aid projects, $80,000,000: *Provided*, That the sums so advanced shall be reimbursed to the Federal Government over a period of five years, commencing with the fiscal year 1933, by making deductions from regular apportionments made from future authorizations for carrying out the provisions of such act as amended and supplemented: *Provided further*, That the amounts advanced in consequence hereof shall be limited in each case to the sum actually paid out by a State under such advance for work performed before September 1, 1931, for the construction of Federal-aid projects: *Provided further*, That should any State fail to claim any part of its allotment hereunder the President may reapportion such unclaimed funds to States capable of using them prior to September 1, 1931.

PAYING OFF THE SOLDIERS' ADJUSTED-SERVICE OR "BONUS" CERTIFICATES

Mr. RANKIN. Mr. Chairman, at the very best, the relief provided in the bill now under consideration is but "three cheers for the unemployed."

We are facing the most serious economic condition the country has seen for more than half a century. That condition is largely brought about because of the contraction of the currency and a lack of circulating medium to take care of the needs of the people of the United States. It can not be cured by a mere gesture of sympathy, such as this measure provides.

Let me call your attention to the fact that the reports of the Treasury Department show that on June 30, 1914, there was $34.92 per capita in circulation in this country. In 1920 it ran as high as $53.01 per capita. But since that time there has been such a contraction of the currency that to-day, or at least on July 31, 1930, it has been reduced to $35.90, or $17.11 per capita lower than it was in 1920.

With all our expansion and inflation of artificial values, we find that the circulating medium is reduced to within 98 cents per capita of what it was before the outbreak of the World War.

There can be no relief for unemployment, there can be no hope for the return of prosperity for agriculture, there can be no hope for anything but falling wages for labor, organized or unorganized, until the circulating medium of this country is increased and more money put into circulation.

This can be done by passing the bill introduced by Mr. PATMAN, of Texas, to pay off the soldiers' adjusted-compensation or bonus certificates. This bill makes it optional with the veteran itself. I hope every one of you who agrees with me will sign the petition on the Clerk's desk to bring this bill to the floor of the House.

Mr. Chairman, I recently read an article written by Mr. T. B. Macaulay, president of the Sun Life Insurance Co. of Canada, one of the ablest financiers of the world, in which he pointed out that in former times gold was the standard of monetary values throughout the world; but to-day, because of America's preeminent position, the American dollar is the standard.

He calls attention to the fact that the United States has on hand more than 100 per cent as much gold as we have currency in circulation. We have, in other words, gold supply enough to put into circulation an additional amount of money, an additional amount of currency, if you please, sufficient to pay the soldiers' adjusted compensation, to take up our obligation to these men.

We have paid everything else. We have paid the railroads; we have paid the war contractors and the profiteers. We have even given seven or eight billion dollars to foreign countries in our debt settlements, and yet we are asking these veterans to wait until 1945 before we pay what is due them. It will cost the Government no more to do justice now than it will then; and if we pay these certificates off now, it will put into circulation at least two and a half billion dollars. It will not only relieve the veterans themselves but it will increase the circulating medium, and with it you will see the prices of agricultural commodities advance. You will see business stimulated. You will see what we call frozen credits come to life. You will see this panic broken. You will witness the beginning of a new era of prosperity for the American people.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WOOD. Mr. Chairman, I move that all debate upon this paragraph and all amendments thereto do now close.

The motion was agreed to.

Mr. CABLE. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. CABLE: Page 2, line 25, strike out the period, at the end, insert a colon and the following:

"*Provided further*, That no part of the sums so advanced shall be used in the employment of an alien whose entry into the United States shall have been unlawful."

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were—ayes 82, noes 22.

So the amendment was agreed to.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

Roads and trails: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks and national monuments under the jurisdiction of the Department of the Interior, fiscal year 1931, $1,500,000.

Mr. CLANCY. Mr. Chairman, I move to strike out the last word. As a member of the Roads Committee of the House and as a Representative from one of the large industrial cities of the United States—Detroit—I can not allow to go unchallenged the statement of the gentleman from New York [Mr. LAGUARDIA] that this large appropriation for good roads—$80,000,000—does not bring benefit to the large cities and industrial centers. As a matter of fact an appropriation for good roads is the best means that can be adopted in this country for promoting general prosperity and relieving general unemployment, including large cities. Consider the large city of New York first. The city of New York depends upon trade, commerce, industry, and agriculture, and if these rural communities are not prosperous, the city of New York is sick accordingly.

In my city, Detroit, before Congress and before the legislatures of the various States were alive to the beneficial influence of good roads, presidents and stockholders of the automobile companies spent hundreds of thousands of dollars out of their own pockets to develop good roads. As a matter of fact they are the fathers of the present good roads system and movements of the United States and of the world. Wayne County, Mich., in which they live and in which I live, is the model political unit of the world with regard to good roads. Other communities copy them.

We have in Detroit about 180,000 men out of work. That means about 800,000 people are suffering because of a want of the necessities of life. It means that we have these 800,000 people on the poor commission rolls, and that we are supporting them out of general tax funds. These are people who have come very largely from the rural communities of the United States. They came to Detroit because of the lure of big wages and a higher standard of living and because the conditions of living were not as pleasant in those rural communities as in this big city when they were working.

When you put good roads into the rural communities, you make life more endurable there and you make it possible for these hard-up Detroiters to return to former homes and you develop in these communities the raw materials which they have, again helping big cities, which can trade with the rural communities. That is why these appropriations for forest trails are particularly beneficial. They open up virgin territory, develop resources, and provide new labor and new homes.

Ignore the United States for a moment and ponder why these automobile millionaires spend a great deal of money out of their own pockets in traveling to Buenos Aires and Rio de Janeiro in order to encourage the 19 Latin American Republics to build good roads. Why do they pay for extensive and expensive roads propaganda? Why? Because if these

countries build good roads we will sell them automobiles and trucks and road-building machinery and many commodities and much raw materials. The city of New York lives very largely on the charges for freight and terminal and transportation charges on exports and imports. Sometimes the total cost of the shipment charges equals the cost of the product itself.

When good roads make the 19 Latin American Republics prosperous and they by from us and sell to us in far greater quantities, no city profits more than New York. This port gets a rake-off coming and going.

Now, let us see how the cost of living in large cities is cut down by good roads. The necessities of life are produced cheaper, in larger quantities through more country being opened up, and they are transported much more cheaply. That is quickly made clear in this country. Roads in Latin American countries also cheapen the cost of living.

They have the necessities of life which are needed. They have sugar, and they have coffee, and they have mahogany and lumber, and they have copper and metals, and they have meat and fruits and rubber, which we will get more cheaply.

Now consider New York again. If these exports and imports increase in great volume, to the extent of hundreds of millions of dollars, they do not come entirely through New York alone, but they come through New York largely, so that you can not say that New York does not profit by these road-building operations. When you say that you are not telling the whole truth. New York not only profits by the exports and imports, amounting to millions of dollars, but also by the necessary financial transactions in handling the shipments and also in building up the industries. It is absolutely true that nothing is more essential to prosperity and to the relief of unemployment than road building. That is why the gentleman from Iowa [Mr. DOWELL], chairman of the Committee on Roads, and myself aided in authorizing appropriations of $335,000,000 for road building in the last session of Congress. [Applause.] Now consider again the $80,000,000 appropriation for United States roads. This Republic is one country. When one part of it is sick, other parts get sick. When the rural communities are aided, the big cities are helped.

Roy D. Chapin, one of our prominent automobile manufacturers, told me that it is necessary to make the rural communities, and particularly the Southern and Western States, prosperous to relieve unemployment in Detroit factories and particularly to promote Detroit's prosperity. That argument applies to New York, St. Louis, and other large cities as well as to Detroit. Therefore well-wishers of the country should vote for this appropriation.

Mr. WOOD. Mr. Chairman, the amendment which was just adopted, without change or debate, was offered by the gentleman from Ohio [Mr. CABLE]. I am just as much in favor of the employment of American citizens as anybody, but if this amendment is going to remain in the bill it will handicap and in many instances render ineffective this $80,000,000 appropriation for roads. I do not mean to say that the gentleman from Ohio intends his amendment to have that effect, but I say it will have that effect.

This money is paid to the States which in turn employ contractors. Before a State could get any of this money it might have to make a showing from every contractor as to each employee not only on the main contract but every subcontract. There would be all sorts of complications for the departments here to untangle with the States as to whether or not a person is an alien and, if so, whether unlawfully here. You can readily see that it would be subversive of the whole benefit intended by this measure and impose difficulties of administration that would defeat the purposes to be accomplished.

Mr. WOODRUM. Mr. Chairman, will the gentleman yield there?

Mr. WOOD. Yes.

Mr. WOODRUM. As I recall the language of the amendment that we have adopted, it relates to aliens in this country unlawfully.

Mr. WOOD. I would be inclined at first blush to withdraw my objection in that case; but suppose a question was raised with the contractor, and it was found that he did have an alien here in his employ who was in this country unlawfully. They would have to ascertain whether or not that was the fact before the State could get any money.

Mr. WOODRUM. It is my opinion that with the amendment as just stated it would be comparatively easy to work it out. All that a contractor would have to do would be to have the man prove that he was here legally. That would be up to the contractor.

Mr. WOOD. If this were not an emergency matter, I would have no objection to a properly workable amendment, but this is an emergency matter involving work to be done within six months and nobody knows what this amendment may do.

Mr. CRAMTON. I do not know what the procedure would be, and I do not think anybody else here now does know. But I think under that section the Comptroller General might have to have a showing as to every individual specifically. Sometimes it is even hard for those born in this country to establish that fact.

Mr. ARENTZ. It seems to me the whole thing could be clarified by simply saying that American citizens shall have the preference. I recall that on August 11 last, when the work on Boulder Dam was inaugurated, we expected to see American faces in the crowd assembled before us, and yet those we saw were mostly aliens. I think the problem would be much simplified if the preference were just given to Americans. We need not concern ourselves as to whether the aliens are here lawfully or unlawfully.

Mr. WOOD. It would require every contractor in the several States engaged in this work to find out the citizenship of every man employed. We will have a chance to remedy this matter on a separate vote on the amendment.

Mr. WOODRUFF. Would the gentleman entertain the proposition suggested by the gentleman from Nevada [Mr. ARENTZ]? If the amendment can be modified in that way under the rules, it should provide only that American citizens should be given the preference.

Mr. WOOD. I would prefer that nobody should be employed in this work but American citizens. But why select this time, when unemployment is rampant and should be remedied within six months? Why block the wheels in this way? The amendment may so tie up the appropriation as to make it thoroughly unworkable and ineffective by reason of the complications in administering it.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. BYRNS. Mr. Chairman, I did not happen to be on the floor when the amendment was adopted. I understand it applies to aliens not lawfully in this country?

Mr. WOODRUFF. Yes.

Mr. BYRNS. This money, as the gentleman has just stated, is to be allocated to the States; in other words, it is to be turned over to the States. How are you going to determine the question of unlawful residence before this money is turned over to the States? How are you going to know that it will not result in denying to some States the amount of money to be allocated?

Mr. WOOD. There can not be anything but trouble if this amendment is to remain in the bill.

I know you voted upon it because you were actuated by the same sentiments that actuated all of us, that there should not be an unlawful alien employed, but we do not want to destroy the purpose that we are trying to enact into law.

Mr. CRAMTON. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. CRAMTON. The number that can be affected by this amendment is so small, comparatively, that it does not amount to very much so far as their employment is concerned. It does not exclude Mexicans, because they do not come in unlawfully. It does not exclude Canadians. The number from across the seas who are here unlawfully is so small that it seems undesirable to hamper this great project

by placing restrictions upon it which will make it difficult of administration.

Mr. LAGUARDIA. And we will get no work in New York, so that it does not make any difference to us.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. SABATH. Mr. Chairman, I ask for recognition.

The CHAIRMAN. The gentleman from Illinois [Mr. SABATH] is recognized.

Mr. SABATH. Mr. Chairman, ladies, and gentlemen, I did ask to be recognized before this amendment was adopted, but failed. However, the adoption of the Cable amendment strengthens my position in what I have to say. Mr. Chairman, it seems to me that you and those connected with the administration are not sincere or earnest about helping even the real American wage earner who has been for many, many months out of employment.

During the remarks of the gentleman from Tennessee, the gentleman from Wisconsin asked him whether he had any plan to suggest that would improve this unfortunate situation in which the country is. I will gladly, later on, answer the gentleman from Wisconsin.

Mr. Chairman, ladies, and gentlemen, outside of asking Congress for this appropriation, the President has failed to recommend any plan that might tend toward the stabilization of the stagnant business and the restoration of the confidence that might lead to the reemployment of the millions who, for months past, out of work, have been driven to seek charity. We have just now been informed by the chairman of the Appropriations Committee that the $110,000,000 provided for in this bill will not create employment for more than approximately 30,000 people, and indirectly for not more than 40,000 people.

I am therefore putting it mildly when I say that the people are sadly disappointed, for it is indeed unfortunate that not only does the President fail to make a recommendation as to a plan to bring about the reemployment of the six or seven millions of men who to-day walk the streets seeking work, but he offers no suggestion whatever to lessen the sad plight of thousands of business men who are gradually but surely facing ruin, or to arrest the daily increasing number of bank failures, all of which is leading to an aggravation of already deplorable conditions.

To add insult to injury, his chief adviser, Mr. Julius H. Barnes, president of the United States Chamber of Commerce and chairman of the President's business survey conference, in effect tells us, Congress, the representatives of the people, that the less we say and the less we do, the better will it be. And that, notwithstanding the fact, that on the very same day, Col. Arthur Woods, chairman of the President's Emergency Committee for Unemployment, comes forth with the statement that our industrial system now finds itself "in a grave, stupid, and anomalous situation." "On the one hand," says the colonel, "the United States is a land with abundant resources of raw materials, plenty of man power, efficient manufacturing power, transportation and distributing facilities, and a seeming plethora of fluid capital. On the other, the country has hundreds of thousands—yes; millions—of men able to work, anxious to work, and craving the goods which the manufacturers have on hand and want to sell, but the go-between machine is dead—dark, black, cold, dead.

"Yet we do not know how to bring the two together," the colonel continues. "No one profits by the situation. Everyone loses." And he concludes with the statement that "it seems to be nobody's fault." This I deny.

The small group that engineered the criminal inflation and then unloaded many billions of dollars of worthless stock on the public and the administration which permitted it are at fault. And in the near future I shall submit a list of the stocks unloaded on the public at five and ten times their real value and a list of those absolutely worthless and, in addition thereto, a list of those who did the unloading. I am, however, satisfied that Colonel Woods is honest and sincere in his summary of the situation, in which he bluntly admits that no one connected with the administration seems to know just what to do about it. And in the face of all this Mr. Barnes tells us to go home and do nothing but to leave it to those who admittedly know not what to do.

Mr. Chairman, ladies, and gentlemen, I agree with Colonel Woods in his statement that the situation is a crucial one; yes, a most desperate one. And, therefore, I most emphatically resent the orders of Mr. Barnes, who seems to express the views of the United States Chamber of Commerce, used by the Wall Street stock exchanges and boards of trade. I feel that it is our sworn duty to at least make an attempt to enact legislation that might, to some extent at least, reestablish the destroyed confidence and cause the resumption of the depressed business activities. Does not each and every one of you feel in your heart that you are duty bound to try?

I am neither a financier nor an expert economist. Yet I feel that you will agree with me—if not openly at least privately—that my suggestions, if adopted, will materially aid in bringing about the revival of general business and will restore confidence.

My proposition that I wish to submit will not, I well recognize, find favor in the eyes of the largest financial institutions but will be attacked by them for the very reason that the Federal reserve system, when same was being considered, was attacked—the innermost basis of their unfavorable attitude being the thought that they would not be able to control it. The fact that money is plentiful on Wall Street these gentleman will not be able to deny. Money can be obtained at as low a rate as 1, 1½, or 2 per cent; but for the legitimate business money can only with difficulty be obtained, and then only at 6 or 7 per cent.

Such intolerable conditions should not be permitted to exist and should be remedied. This can very easily be done by widening the scope of the Federal reserve banks in the rediscounting of collateral securities. The Federal reserve system was created for the very purpose of relieving financial distress, and since this can be done by the widening of its scope of rediscount, why should it not be thus permitted?

I will not attempt to recommend to what extent the scope of the various securities should be widened, but surely there can be no objection to the acceptance of the municipal bonds and in some instances to the acceptance of railroad bonds and notes of finance companies used in financing the sale of merchandise. These companies, we must not forget, are great aids in marketing automobiles, radios, refrigerators, and other commodities.

In my possession I have many letters from bankers approving, and but few letters from the very large banking institutions disapproving, of my plan. I readily understand the disfavor with which the heads of the extremely large banks regard my plan. Their main reason is their fear of an inflation of credits; but God knows that if ever there was a time that legitimate business needed a broadening of credit, it is now. Another reason for objection that is given is that through my plan I propose the acceptance for rediscounting by the Federal reserve system of frozen assets. In answer permit me to ask, What makes these assets "frozen"? The answer is that they are not listed on stock exchanges or are not accepted for rediscounting purposes. I would be the last man to advocate the acceptance for collateral security of unsound and valueless paper, but will anyone contend that municipal bonds are not safe? Or will anyone deny the true value of bonds issued under supervision of the Interstate Commerce Commission? Every banker will admit that finance companies' notes, secured by liens or mortgages on above-enumerated articles as automobiles, are liquid—then why should they not be acceptable?

We regret and deplore the closing of a large number of banks throughout the country, and the pity of it is that these institutions must close their doors not because they are insolvent but because they find themselves with assets which are termed "unliquid" and which they can not sell on short notice or liquidate without tremendous loss, and which they can not utilize as collateral for even temporary accommodation. But should the plan outlined by myself be adopted and the securities mentioned permitted for rediscount and collateral purposes, even under the most

stringent rules, they will immediately be taken from the "frozen" into the liquid class.

Only lately have I observed that the savings banks in many States, as New York, California, Connecticut, Maine, Massachusetts, and Michigan, have been authorized by the superintendent of banks to purchase some of these securities or bonds which I am advocating for rediscounting purposes. That this will tremendously relieve 90 per cent of the banks throughout the United States can not be successfully contradicted; that this will further enable these banks to aid and extend credit to the local legitimate businesses and industries is but a natural conclusion; and, finally, that this extension of credit will permit businesses and industries to purchase needed materials and merchandise, and thereby start again the wheels of commerce, must be seen and conceded.

And finally, if I had the power, not only would I act favorably upon these suggestions but I would also accept for purpose of rediscount—with certain limitations and restrictions as to values—real-estate bonds and mortgages, and thereby not only save from foreclosure and loss the homes of thousands upon thousands of American citizens but also the savings of hundreds of thousands of small investors in these securities.

The loans to brokers for gambling purposes have been now reduced from six to two billions of dollars, a reduction of $4,000,000,000. What possible excuse or reason can there be for not extending the use of that amount of credit, or at least one-half of it, for legitimate purposes?

Mr. Chairman, ladies, and gentlemen, I feel that all who sincerely wish to relieve conditions and desire to reestablish business, which will bring about the reemployment of the millions of unemployed, will cooperate with me, regardless of the admonition of Mr. Barnes, and help formulate legislation that in every way will safeguard unnecessary inflation and surely lead to the resumption of the commerce and business of the Nation.

This is my answer to the query of the gentleman from Wisconsin.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. SABATH. Mr. Chairman, I ask for five additional minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five additional minutes. Is there objection?

Mr. CRAMTON. Mr. Chairman, under the statement that I made, I am obliged to object.

Mr. WOOD. Mr. Chairman, I move that all debate on the section now under consideration, and all amendments thereto, now close.

Mr. STAFFORD. Mr. Chairman, I make the point of order that that motion is not in order. Under the rules of the House, there must be some debate under every paragraph.

Mr. WOOD. There was debate under this paragraph.

The CHAIRMAN. The point of order is overruled.

The question was taken, and the motion was agreed to.

The Clerk read as follows:

Flood control, Mississippi River and tributaries: For prosecuting the work of flood control in accordance with the provisions of the flood control act, approved May 15, 1928 (U. S. C., Supp. III, title 33, sec. 702a), $3,000,000, to remain available until expended.

Mr. HARE. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen of the committee, it is not my purpose to trespass upon your time to advance some suggestions I consider pertinent in connection with this bill, but I want to call attention to the fact that we are appropriating only $110,000,000 to relieve unemployment, a situation well recognized throughout the entire United States, for it is not confined to any one section. It has been stated that we have 7,000,000 people out of employment. If that be true, this will mean only about $15 per person. I can not conceive of intelligent, good business men trying to relieve the unemployment situation with $15 per head. It will not be done. It can not be done, yet we can not afford to oppose the bill. I was very much in hopes that the committee would bring in a bill representing a constructive program, a program that would not only relieve the unemployment situation but at the same time would mean something really constructive on the part of the Government.

I felt that the committee would bring out a bill providing for the appropriation of $400,000,000, which would have been a sufficient amount to have erected a post-office building for every second and third class office in the United States. It would have been equivalent to erecting every building necessary for second and third class offices in every district in the United States; it would have meant the erection on an average of at least 32 post-office buildings in every congressional district represented in this body. These 32 buildings would have given employment to every unemployed man within these districts and at the same time it would have obviated the necessity of expending approximately $15,000,000 annually for rentals, for the report of the Postmaster General shows that we are paying about $15,000,000 a year rent for buildings used by second and third class offices. This would be a good business proposition. It should appeal to the business intelligence of every man. It would have been equivalent to putting this money out at 4 per cent interest, a greater rate of interest than the Government is obtaining on any loan made, except the loan to the World War veterans, where they are required to pay 6 per cent, and I might say just here that I am in favor of paying their adjusted-service certificates now. Such a building program would be constructive and a commendable program and at the same time it would have relieved the unemployment situation.

This would also have been a most opportune time for the committee to have brought in a bill providing for the construction and maintenance of the rural post roads throughout the United States, for, according to estimates recently made, it would take only $800,000,000 or $900,000,000 to construct every mile of the roads now traversed by rural routes on unimproved highways. Such a program would give employment to the millions of unemployed for two or three years or more and at the same time relieve the burden resting upon agriculture and industry. This is not a big sum when it comes to giving relief to millions of our own people who are unemployed and bringing greater comfort and convenience to the millions living in country or rural districts, where they have little or no way of getting their produce to markets.

Either of these programs would have been a good business proposition, for a good building is an asset to any business, a good transportation system is an asset to any nation, and a good highway system is an asset to every man, woman, and child, and every type of business in the United States. I feel it would have been the exercise of wisdom, the exercise of good judgment, if we had gone ahead and said that for the next 12 months or the next two or three years this Government will endeavor to build all the post offices needed for carrying on the Government's business and would attempt to construct the highways necessary for furnishing efficient postal services to the people obtaining mail on rural routes in the various sections of our country.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. WOOD. Mr. Chairman, I move that all debate upon this paragraph and all amendments thereto close in five minutes.

The motion was agreed to.

Mr. CABLE. Mr. Chairman and members of the committee, the first duty of this Nation in the matter of employment on public works is to Americans, next to aliens lawfully in this country. The purpose of this bill is to aid employment. Now, the amendment which I have offered and which has carried provides that no alien who has violated the laws of this Nation in coming into this country shall be employed with any money provided for in this bill. How would this amendment operate? In the first place, our immigration laws provide that every alien coming lawfully to the United States be given a certificate of arrival. He has that certificate or card of identification. If he

wishes employment on any of the work provided for in this bill he may present his card to the contractor to show his lawful admission.

President Hoover in his message to this Congress called attention to the fact that there are thousands of aliens unlawfully in this country, that this Congress should pass some law to help rid the Nation of the undesirable aliens. The amendment which I have offered would not only provide employment for Americans and the aliens lawfully here but will help carry into effect the ideas of the President, because it will assist in the ascertaining of the aliens unlawfully in the United States. I doubt if there is a Member of this Congress who is in favor of either admitting an alien contrary to our laws or permitting such alien to remain in this country.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. CABLE. Yes.

Mr. O'CONNOR of New York. I understand that aliens who came in illegally up to June 4, 1921, have had their entry legalized. Is that correct?

Mr. CABLE. That is correct.

Mr. O'CONNOR of New York. And there is a bill pending, which, it is presumed, will be passed, legalizing the entry of such aliens up to 1924. Is that correct?

Mr. CABLE. That bill has not passed.

Mr. O'CONNOR of New York. Has the gentleman in his amendment, however, taken care of those people who did come illegally, and there is no question about the fact of their entry, but whose entry has been legalized? I am not sure that he has.

Mr. CABLE. I think it would take care of them.

Mr. WOOD and Mr. SABATH rose.

Mr. CABLE. I yield to the chairman of the committee.

Mr. WOOD. There is nobody doubting the integrity of purpose of the gentleman from Ohio, but the gentleman is not only prohibiting, by his amendment, the employment of aliens unlawfully in this country but he is tying this thing up so that honest aliens and honest Americans can not be employed. I am reliably informed that there could not be an allocation made by the Department of Agriculture to a single State until the State had made a showing of the employees on this road work that was approved by the Comptroller General. How is the gentleman going to get around that?

Mr. CABLE. I can not agree with the chairman. The proposition would be that no contractor would employ such aliens, and it is an easy matter for a person who presents himself for employment to prove that he is an American and entitled to work in preference to an alien illegally here, and it is an easy matter for an alien who has come here lawfully to present his certificate of arrival.

Mr. WOOD. It would take more than the six months within which this money is to be used to do the very thing the gentleman is talking about.

Mr. CABLE. I can not agree with the chairman, because this would expedite the work and carry into effect the very purpose of the Congress in taking care of American labor and those lawfully here.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

The pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 3. A report shall be submitted to Congress on the first day of the next regular session showing, by projects or other appropriate detailed classification, the amounts allocated under each of the foregoing appropriations, the expenditures under each allocation, and such other information which the President may deem pertinent in advising Congress as to the allocation and expenditure of such appropriations.

Mr. LAGUARDIA. Mr. Chairman, I have an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: On page 4, after line 13, add a new section to read as follows:

"SEC. 4. No money of any sum in this act appropriated shall be used to pay wages of any skilled or unskilled labor working over seven hours a day except in cases of emergency imperiling the work under construction."

Mr. WOOD. Mr. Chairman, I make the point of order that this is not a limitation. I will reserve the point of order if the gentleman wishes.

Mr. LAGUARDIA. Oh, no; go ahead. If it is not a limitation, I do not know what would be.

Mr. WOOD. I make the point of order, Mr. Chairman, that this amendment is not in order, because it is not a limitation upon an appropriation and is also legislation.

The CHAIRMAN. What rule does the gentleman refer to?

Mr. WOOD. I am making the point of order, in the first place, that it is not a limitation, and that failing, I am making the point of order it is legislation upon an appropriation bill. It is clearly legislation.

The CHAIRMAN. If the gentleman will state upon what rule he bases his point of order, the Chair will be pleased to consider it.

Mr. WOOD. I base it upon the rule that you can not have legislation upon an appropriation bill.

The CHAIRMAN. Then the gentleman makes the point of order under clause 2 of rule 21. Does the gentleman from New York desire to be heard?

Mr. LAGUARDIA. I will rest on the argument made by the gentleman from Indiana.

Mr. LEHLBACH. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman from New Jersey.

Mr. LEHLBACH. This is not a general appropriation bill. The general appropriation bills by the precedents are the annual supply bills and included in the classification of general appropriation bills are the general deficiency bills. No other bills are general appropriation bills and the rules with respect to legislation on general appropriation bills and with respect to privilege of such bills do not apply to a bill simply because it carries specific appropriations that are not in a general supply bill. Therefore, in the first instance, this bill was not priviliged. Its report without reference was subject to a point of order, and its consideration here is under unanimous consent after its improper report had been waived, no point of order having been made.

The rule with respect to legislation on a bill and the rule with respect to limitations do not apply to this measure whatsoever.

The only rule that applies with respect to the amendment offered by the gentleman from New York [Mr. LAGUARDIA] is whether the amendment offered as a new section is germane or not. If it is not germane, it does not make any difference whether it limits the appropriation or not.

Now, what does this bill take care of? It simply appropriates money and determines how that money is to be applied on certain works heretofore authorized. It has nothing to do with the personnel who are to be employed, the manner in which the work is to be carried out, or anything at all except the money that is to be used in addition to the money heretofore regularly appropriated. For that reason I maintain the amendment of the gentleman is not in order, because it is not germane.

Mr. LAGUARDIA. Mr. Chairman, I want to reply to that statement. The gentleman first argues for about five minutes that the limitations applicable to appropriation bills do not pertain here, and then he argues that my amendment is not in order, although under the present situation I have wider latitude than under the very definition of an appropriation bill stated by the gentleman from New Jersey, and this is a bill for emergency relief, for unemployment; surely, the question of conditions of labor is germane. If it is not germane, then nothing in the bill can possibly be germane.

The CHAIRMAN (Mr. SNELL). The Chair is ready to rule. The only question the Chair thinks he should take into consideration at the present time is the general question of

germaneness, although he agrees in main with the statement made by the gentleman from New Jersey [Mr. LELHBACH], that the question of inhibition to legislation in general appropriation bills is not applicable in this case. This bill deals with several different subjects, and in a general way, gives instruction in several different ways in which the money appropriated by the bill is to be expended. As the Chair understands the additional section offered as an amendment by the gentleman from New York, it simply provides a limitation, or further general instructions as to the expenditure of this money. The Chair, therefore, thinks the paragraph is germane at this point in the bill and overrules the point of order.

Mr. LAGUARDIA. This amendment will require the employment of one additional man for every eight men otherwise employed. Because if you take one hour a day off of each worker, and one additional man to every eight will be required to do the work—if the men work seven hours a day instead of eight.

Now we have heard much talk about getting to the root of the present unemployment situation, and, gentlemen, here is the root. Under our system of production and use of machinery, we can not employ all of the available manpower that we have in this country. Machinery is displacing the workers. The only answer is reduce the number of working hours and employ more men.

Sooner or later we must make a start, and I know of no more propitious time than now, right in this bill for the relief of unemployment, purporting to be an emergency-relief measure, than to write into the law a 7-hour day in order to create a greater spread and employ a larger number of men.

Mr. CRAMTON. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. CRAMTON. Does the gentleman have in mind that $80,000,000 is to be expended in a 50-50 cooperation with several States, and his amendment possibly would prevent the cooperation of some of the States? The gentleman does not know what statutory or constitutional provisions of those States might be involved.

Mr. LAGUARDIA. There can be no constitutional question in this matter. The relation between the States, the Government, and the contractor and his workingmen is in each instance a contractual relation. Any contractor or any State, in order to avail themselves of the provisions and benefits of this bill, can be required to agree to work their men no longer than seven hours a day. It is a condition to receiving the benefits which the bill provides. Such condition may be properly imposed. We can make the hours of labor one of the conditions under which the advantages of the bill may be obtained.

Mr. WILLIAM E. HULL. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. WILLIAM E. HULL. What if the State of Illinois refuses to accept it; the employment would not go along. I think the gentleman is making a mistake, for this reason: Every State has its own road construction, and they have to carry out their laws accordingly. If you do this, you will ruin the whole thing.

Mr. LAGUARDIA. I do not believe that the great State of Illinois is going to refuse the advantages offered by this bill because we say that seven hours a day instead of eight hours shall constitute a day's work. This is an emergency provision to take care of unemployed. It is quite proper, and even necessary, to employ as large a number of men as we possibly can. The only way to do it is by shortening the day. We are not concerned with contractors' profits as much as we are in providing work for unemployed men. Let the House translate into something concrete its desire to relieve unemployment.

Mr. WOOD. Mr. Chairman, ladies, and gentlemen, I think a mere reference to one situation will convince every person here who wants to see the bill passed and be effective that this amendment should be defeated.

There are a lot of contracts now in every State in the Union, contracts made upon an 8-hour basis or a 10-hour basis or a 9-hour basis. This money ought to go for the purpose of speeding up these contracts. This amendment might mean the modification of those contracts or the State could not get the money. If the amendment offered by the gentleman from Ohio is adopted, it means almost impossible administration of this fund for Federal aid. In my opinion the Agricultural Department would never advance a dollar until they had the ruling of the Comptroller General upon both of these propositions, and I hardly know what kind of regulations he could make to carry out what is intended.

I want to say that I feel that you are all conscientiously of the opinion that this bill should pass for the employment relief which it may afford; if you want to defeat it, strike out the enacting clause, but do not cripple it by throwing monkey wrenches into the machinery so that it can not work at all. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. LAGUARDIA].

The question was taken, and the amendment was rejected.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to speak out of order for five minutes.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to speak out of order for five minutes. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Chairman, I hope the entire membership will pay serious attention to the amendment which was adopted at the bottom of page 2, offered by the gentleman from Ohio [Mr. CABLE], applying to the sums to be made available for Federal-aid highway systems, and be prepared to strike out same when the bill is reported to the House. I am sorry to differ from my colleague the gentleman from Ohio [Mr. CABLE], but I am satisfied that this amendment will bring about an unworkable situation. It provides that no part of the sum so appropriated shall be used in the employment of an alien whose entry into the United States shall have been unlawful.

Mr. CHINDBLOM. Oh, the gentleman from Washington is mistaken in his reading of the amendment. The gentleman says:

> No part of the sum so appropriated.

The amendment reads:

> No part of the sum so advanced.

Mr. JOHNSON of Washington. We all desire to see money advanced to help unemployment, but it must be apparent to every person here that an effort to weed out of employment by contractors all aliens who are illegally in the United States would be a task that could not be accomplished in months. Where is the machinery? Where is the step necessary to go behind the contractors? This proposal or something similar to it has been offered from time to time in several matters of Federal construction, as, for instance, in the Boulder Dam construction; but the proposal has invariably fallen back to the laws of the States with regard to the employment of aliens. Will the alien himself say that he is illegally here? In the interest of getting the bill passed quickly, and not having it delayed in conference, the amendment should be defeated.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. CHINDBLOM. I called attention of the gentleman to the words "so advanced," and I venture to say that this limitation will not apply to any money that is expended directly by the Federal Government itself but only to the money that is advanced to the States, because that is the reading of the amendment.

Mr. CRAMTON. The whole $80,000,000 is advanced.

Mr. CHINDBLOM. It applies to the $80,000,000 and nothing else.

Mr. CABLE. That is what I intend to carry along with this money—the protection from aliens unlawfully here.

Mr. JOHNSON of Washington. And who will find the unlawful alien?

Mr. CABLE. The contractor.

Mr. JOHNSON of Washington. How can the contractor find that out? No matter how desirable the purpose, I sincerely believe the amendment will create confusion and delay.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. WOOD. Mr. Chairman, I move that the committee do now rise and report the bill with the amendment back to the House, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SNELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment, and had directed him to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. WOOD. Mr. Speaker, I move the previous question on the bill and amendment to final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. WOOD, a motion to reconsider the vote by which the bill was passed was laid on the table.

INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. CRAMTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14675, with Mr. CHINDBLOM in the chair.

The Clerk reported the title of the bill.

The CHAIRMAN. Under the rule entered into last evening prior to adjournment, one hour of general debate remains, of which the gentleman from Colorado [Mr. TAYLOR] controls 45 minutes and the gentleman from Michigan [Mr. CRAMTON] 15 minutes.

Mr. TAYLOR of Colorado. Mr. Chairman, I yield 25 minutes to the gentleman from Virginia [Mr. TUCKER].

Mr. TUCKER. Mr. Chairman, I ask the attention of the committee in a discussion of the Gifford Resolution No. 292, looking to the elimination of the lame-duck session of Congress. I believe that it is open to very serious objections.

First. There has been undoubtedly throughout the country a strong demand for the elimination of the short session of Congress, known as the "lame-duck" session, on the ground that many who are defeated for reelection at the preceding November election can sit and legislate in the Congress from December to March 4. The popular demand to get rid of the short session has arisen for the above reasons, and therefore the amendment should be limited to that one question, and none other, while this proposal contains seven others besides this one.

Second. The amendment contains besides the elimination of the short session seven other changes, two of which provide for changes in the present Constitution of the terms of President and Vice President and Members of Congress, and these seven additional measures stand unrelated to the main object of the amendment. Such a combination is at least unusual and shows a lack of precision and coordination; and these seven objects are not only unrelated to the main subject but are in some cases unrelated to each other; and here we have tied up together seven propositions, one of which is the basic cause of the amendment, to run the gauntlet of popular approval. The opposition by the public to one of the seven, or the combined opposition of the public to the whole seven, may be so strong that even to secure the abolition of the lame-duck session many would not vote for the amendment in this form. What would have been thought of putting the woman's suffrage amendment and that for electing Senators by the people together in one amendment, or to have added the prohibition amendment to either one? Neither one would have had a fair chance before the people, as would a succinct, definite change on the one subject which has aroused public interest.

This amendment presents a job lot of "hand-me-downs," a mosaic of many colors and varying hues, instead of a clear, simple statement radiant in the white light of clarity and certainty.

Third. It provides for ratifications by the legislatures of the several States instead of by convention in those States. We have been too lax in the past in allowing amendments to be ratified by the legislatures of the States.

Now, I do not propose to discuss the merits of the main question, the elimination of the lame-duck session. Much can be said in its favor, and much has been said on the subject that, in my judgment, will not bear the test of critical examination. I will not discuss it, therefore, as I feel there is nothing before us now except the Gifford and Norris resolutions, and I believe they are not needed, as the short session of Congress, the lame-duck session, can be eliminated by an act of Congress, avoiding the long and tedious method of amendment, which is not needed, for the Constitution of the United States, Article I, section 4, provides specifically for it; and if this be so, why this amendment now?

It is only necessary to call your attention to Article I, section 4, of the Constitution, where it is provided that—

> The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

That shows the right we have to appoint any date.

Now I have stated there were seven other changes proposed in this amendment besides that proposing the abolition of the lame-duck session. What are they?

First. A change in the term of President and Vice President.

Second. A change in the terms of Senators and Representatives.

Third. Provisions for the succession if the President elect dies.

Fourth. The succession in case a President is not chosen before his term begins.

Fifth. The succession in case of failure of the President elect to qualify.

Sixth. The succession in case the President elect and Vice President elect both fail to qualify.

As to these changes, it may be said that the change of term of President and Vice President and Senators and Representatives can only be done by a change in the Constitution, and the change of those terms are not necessary in order to accomplish the elimination of the lame-duck session.

Seventh. The succession in case of the death of any of the persons from whom the House of Representatives may choose a President when that duty devolves upon them.

Section 4 of the resolution provides:

> The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice devolved upon them.

That refers, of course, to where the election is thrown into the House of Representatives, where their choice must be made "from the persons having the highest numbers not exceeding three on the list of those voted for as President."

As to the proposed changes 3, 4, 5, 6, and 7, we have no doubt that they can be made by a law of Congress, and therefore do not require an amendment to the Constitution, and for myself, I think those provisions might well be enacted into law by the Congress.

Now, that brings me to discuss the grounds on which these provisions can be provided for by a law or laws of Congress, without amendments to the Constitution. These provisions here—3, 4, 5, 6, and 7—in my judgment, can all be carried out by an act of Congress. Why? Take No. 3, involving the succession in the case of the death of the President elect.

Now, we all know, and I hope we will never forget it, that before this Congress can enact any law we must be able to point to the authority in the Constitution that gives us the power to enact it. How can we pass a law affecting the President elect?

We find, on examination of the Constitution, in Article I, section 8, an enumeration of the powers of Congress. In this section great powers are given to Congress; first, the power to lay and collect taxes, coin money, establish navies, and raise armies; and after the enumeration of 17 powers, at the close of that enumeration of powers given to Congress, we find this language:

The Congress shall have power to make all laws which are necessary and proper to carry into execution the foregoing powers.

This is clause 18 of section 8 and known as the "coefficient" clause.

Now, if we desire to pass a law affecting the succession to the Presidency after the President elect has died before his term begins, we look back into these 18 clauses of grants of power to the Federal Government under section 8, and we can not find any power given to Congress, not one that would justify legislation about the President elect. The President is not mentioned in any power given in that section.

Does not that end it? There is the enumeration, and we find there is not one of the 17 grants of power, not one of them, on which you can stick a law to regulate the succession in case of the death of the President elect. But see, I omitted a clause of the above coefficient clause at the end. Here is the clause in full:

The Congress shall have power to make all laws which shall be necessary and proper to carry into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

There you are. In Article I, section 8, there is no power to which you could stick legislation with reference to the perpetuation of the presidential office.

But in the addition here we can find that there are other powers granted to the Federal Government in the Constitution besides those 18. If we can find one there that relates to the Presidency, to which we can attach such a law, it is all right.

I turn to the next page of the Constitution and there I find Article II, which opens with these striking words:

SECTION 1. The executive power shall be vested in a President of the United States of America.

There is the provision in the Constitution fixing the executive power in the President, thereby making the President, as its possessor, one of the chief beneficiaries of any "necessary and proper" law to be passed by Congress to preserve the executive power in its contiguity and stability.

But before we go further let us examine critically the language of this clause:

Congress shall have power to pass all laws necessary and proper to carry into execution the foregoing powers.

The law that we propose must be "necessary and proper" to carry into execution the power granted in the Constitution; necessary and proper. Must the law be absolutely necessary? We have been running now 141 years, and in that time has this been necessary?

We have been operating for over 100 years as a government, and this has not been necessary yet. Judge Marshall and Judge Story settled this meaning without trouble. It does not mean that the law that we propose must be absolutely necessary and the only one that is needed, but, that any one means of a dozen, 2 dozen, or 50, that may help in the development, preservation, and progress of the power, are regarded as necessary. Judge Marshall used this splendid, never to be forgotten language: "Let the end be legitimate." What does that mean? Let there be a power in the Constitution that you are working up to, to develop and carry out. "Let the end be legitimate, let it be within the scope of the Constitution, and all means," not one absolutely necessary—

And all means which are appropriate, which are clearly adapted to that end, which are not prohibited, but consistent with the letter and spirit of the Constitution, are constitutional.

Judge Story has epitomized this expression in a very happy way that the word "proper" means "bona fide appropriate." He, of course, recognizes the definition in reference to the word "necessary," that it is not confined to the one thing that may be absolutely necessary, for, the idea, as shown all through the structure of the Constitution, was a desire that certain great national powers should be given to the Government, and that after they were given, the Government should have the fullest and most ample power to develop them, and let them have "free course and be glorified." All else was left to the States. These you can not touch. You can not interfere with the States. If you have a proposition that you want to develop, look at the Constitution to see if there is anything there giving the power to do it. If there be, then do it. If you can not find anything there that gives the right, you can not do it; for, even the coefficient power can not give it to you, for it is only ancillary to powers granted in the Constitution, and the coefficient clause was added in order to give the fullest development to all Federal powers.

What is a proper law? Judge Story defines it most happily, that it must be bona fide appropriate; must be appropriate in good faith; not a device to fool somebody, but honest and straightforward; and it must be intended to carry out some Federal power that is fixed in the Constitution. "Bona fide appropriate." For instance, we see an example of it in the recent child labor law, where it was declared that not a bolt of goods made in a factory where a boy under 14 had been employed for one hour during the year should be permitted in interstate commerce. That bill was brought into this House as a bill to regulate commerce. Judge Story said in order to do that it must be bona fide, in good faith; bona fide appropriate to interstate commerce. When the court came to look at it, the court said, in effect: "That is not bona fide. You know when that bill was passed that it was done not to facilitate commerce but to control child labor, which the Federal Government has not the power to control." It was not in good faith.

I could give you many examples—for instance, the old case of McCulloch against Maryland, and one of the most interesting cases is that of Hepburn against Griswold, which many of you will remember. That was a case where a party had gotten $5,000 before the Civil War and had given his note for it. When it became due, during the war, gold had gone down to 2 or 3 or 4 to 1 of greenbacks, the debtor came forward modestly, most earnestly, and handed greenbacks to the creditor, saying, "Here is your money. Take it." Greenbacks had been made legal tender. That was not good faith, and the court said so, but unfortunately that case was reversed two or three years afterwards; but it involved just the question I am discussing before you, that the moment you attempt a fraud on the Constitution it will not stand.

Now you say, "How are you going to reconcile these matters with the election of a President elect?" He is not President until the 4th of March. When we meet in this House with the Senate and the votes are counted on the second Wednesday in February, the Constitution says that when the votes are counted and it is found that any one man has gotten a majority of all the electors he shall be Presi-

dent, but the term does not begin until the 4th of March. Have we the right, then, to legislate now with reference to a President elect before he is an officer?

I invite you to read the second article of the Constitution: "The executive power of this country shall be vested in a President," and there is page after page, showing how the Government of the United States directs the election of President, prescribes how it shall be done, and so forth. And remember, that this Government, with its three great powers—legislative, executive, and judicial—a trinity in unity, each independent of the other, thank God, and yet they are related each to the other and in large measure dependent on each other. This is one of the great powers of the Government which can not be abrogated for a month or a day. It must be continuous and unbroken or the Government will go to pieces.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. TAYLOR of Colorado. I yield five additional minutes to the gentleman from Virginia.

Mr. TUCKER. They say: How do you reconcile that? It might be true as to a man who is an officer of the Government. Well, it is more than that, gentlemen. We are standing by one of the great essential powers of this Government. The Constitution says that those powers must be preserved, and as the Constitution puts that executive power, in the very language which I read you, into the hands of the President, the President must be protected and his life must be preserved in order that the Government may go on with the ordinary processes. When that President is declared from that desk to have been elected, after the votes have been recorded, he becomes the living fœtus in the womb of the Constitution. He becomes from that moment a child of the Constitution, not yet ready to serve his term, not yet ready to come into his own, but the spark of life is there, and it is our duty to protect that life. It is bona fide appropriate. It is one of the necessary things that should be done.

Now, that is my view of this matter. I think this amendment is a sort of a kaleidoscope. It has some things in it which, in my judgment, should be enacted into law.

There has been introduced into the House by the gentleman from Wisconsin [Mr. STAFFORD] a bill in the last day or two which may furnish a very good start in this direction. But it will not do, to encumber the Constitution with nine propositions, seven of which can be attended to by Congress, and we should not change the term of the President and Vice President when it is not necessary to do so in order to accomplish this.

In conclusion, let me summarize the argument. Under the Constitution every power granted to "the Government of the United States, or any department, or officer thereof," shall have the aid of Congress by laws which are "necessary and proper" to carry into execution such constitutional powers. In this case, and the others are similar in character, the executive power in the Constitution is vested in the President (Article II, Constitution of the United States). The Constitution gives to Congress the right under the coefficient clause—indeed, a double duty—first, the "carrying into execution" of this "executive" power; and, second, of protecting the President, the possessor of the power, from the day of his election, when the votes are counted in his favor by Congress, to the beginning of his term; and since his death before his term begins would create chaos and break the continuity of the executive power, it is obvious that the succession in case of such death is a proper subject for a "necessary and bona fide appropriate law" by Congress to preserve this power intact and save the Government. [Applause.]

Mr. CRAMTON. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, the committee has just listened with close attention, and deservedly close attention, to a fine exposition of the Constitution by our constitutional expositor, if I may use that term, in criticism of the resolution for a constitutional amendment reported from the Committee on the Election of President and Vice President and Representatives in Congress. This provides not only for doing away with the so-called "lame duck" sessions of Congress but, he contends, six other amendment proposals to the order now existent.

The gentleman did me the courtesy of referring to a bill which I introduced on last Wednesday and to which I referred briefly, in a colloquial way, on the second day of this session, that bill seeking to change the meeting days of Congress.

We all agree that if the end to be attained can be accomplished by statute it is far better to pass a statute than embody it as a part of the organic Constitution.

I have given considerable thought to the question of the assembling dates of Congress, with the idea of doing away with the hold-over sessions. There is a general protest throughout the country against a Congress meeting after an election and passing legislation of a substantive character, such legislation being passed by a body that has been renounced, perhaps, by the electorate.

I recall well the most stirring scene I ever witnessed in this Chamber. It was in 1911, after the Republicans had been defeated in the congressional elections, after having had control of the Congress for 16 years. On the last day of the session, the Republicans then in control sought to pass through this body a bill which had just been passed in the closing hours of that Congress by the Senate providing for a tariff commission. It was bitterly fought by the Democrats, and rightfully fought, on the ground that the Republicans had no right, having been renounced by the country, to pass a substantive bill providing for a tariff commission. Feeling ran so high that one Member in the well here, with a knife in his hand, was threatening the aged Speaker, Uncle Joe Cannon, for recognizing the Republicans to put that bill across.

I present to you for your serious consideration this supposition: Assuming that the last election had been a presidential election and the Republicans had suffered a little more of a reverse than they did in the past election, losing not only the House but the Presidency, would it be meet and right as a representative body to legislate on substantive matters after the people had expressed their will decisively against their continuing in control? There is no other legislative body in the world which meets to legislate after it has been rejected by the electorate.

Now, you ask for the proposal which I submit in lieu of the existing order. I would do away with all of these so-called hold-over sessions after an election, except those called together in extraordinary session by the President in emergencies. I would have the Congress meet in regular session on the 6th of March following the election. I would have that session virtually the short session, to consider the appropriation bills in a 4-month period, as the Congress to-day has two and a half months to consider those appropriation bills, and unless there was some pressing legislative program which required our being in session after July 1, I would expect the Congress to adjourn of its own motion about that date.

Then I would provide that the Congress meet on the second Monday of November following. That is not essential; they could meet after the holidays, but I believe that with the growing legislative business of the country there should be one long session of Congress, which should meet on the second Monday of November or such other date in the fall as the Congress might determine, and run along until adjournment in the following summer. If, perchance, the Congress which met on the second Monday of November should adjourn before the first of the year then I provide that Congress should meet on January 4, in order to meet the constitutional mandate that Congress shall meet once in every year. That would be the long session. Then I provide that if, perchance, the long session of Congress which continues into or meets in the even-numbered years should not have adjourned over the hot summer months, that it should mandatorily adjourn on the last Saturday in October. Then there would be no hold-over, lame-duck sessions after an election under the terms of this bill.

Mr. CABLE. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. CABLE. What Congress would determine the electoral vote?

Mr. STAFFORD. I am glad the gentleman asked that question. I also provide that after every presidential election the Congress should meet on the third Wednesday in February for the purpose of counting the electoral votes. This would be a meeting of the lame-duck session, as you say, but only once every four years, meeting on the third Wednesday in February, giving ample time to count the electoral vote, and to vote as we have only voted once in the 140 years of the history of our Government for a President when there has not been a majority of the electors for any one candidate for President.

Now, if I may cite an interesting historical fact that I have just adverted to. In 1825 William H. Crawford, of Georgia, Andrew Jackson, of Tennessee, John Quincy Adams, of Massachusetts, and Henry Clay, of Kentucky, were the candidates for President.

Though Henry Clay and John Quincy Adams did not together have a majority vote and Crawford and Jackson did have, the House of Representatives under the twelfth amendment to the Constitution elected John Quincy Adams for President. It is an interesting fact that while neither of the presidential candidates had a majority vote of the electors the candidate for the Vice Presidency, John C. Calhoun, did have a majority vote and therefore the Senate was not required to vote for the election of Vice President.

Mr. MONTAGUE. Will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from Virginia.

Mr. MONTAGUE. I did not hear all of the gentleman's remarks. Do I understand that the plan which he has been discussing is in the form of a bill?

Mr. STAFFORD. Entirely so.

Mr. MONTAGUE. Therefore the gentleman is of the opinion that it is within the competency of the legislative body to do this rather than by amendment to the Constitution itself?

Mr. STAFFORD. Yes. It does not require my calling the attention of the gentleman or any Member of the House to the fact that section 4 of the Constitution says that Congress shall assemble once in every year and that such meeting shall be on the first Monday in December, unless they shall by law appoint a different day; and I may say that in the early days of the Government, almost invariably, the Congress did appoint a different day for the assembling of the Congress before the first Monday in December.

Mr. MONTAGUE. Yes; I just wish to elicit definitely from the gentleman the fact that his plan is within the competency of the Congress itself to accomplish.

Mr. STAFFORD. As far as arranging the dates for the assembling of Congress, and I think I have proposed a reasonable program.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. CRAMTON. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. STAFFORD. I am free to admit that this bill does not provide for the hiatus referred to in the resolution for a constitutional amendment on the House Calendar for the far-fetched contingency that in case the President elect and the Vice President elect should both die after the Electoral College has counted the votes, that there is no provision of law to meet that emergency. But the distinguished constitutional lawyer from Virginia states that Congress even has full authority to provide for that contingency. But if there has not been in all these 140 years of government a need for meeting that contingency, what is the need of meeting it if a constitutional amendment is necessary? We met a much more direful condition that confronted the country in the election of 1876. The Congress, instead of waiting as provided under the Constitution for the second Wednesday of February to count the votes, in the early days of January passed resolutions providing for a mechanism whereby that electoral mix-up was met.

I am advocating a program for meeting dates of Congress that can be obtained at once. I think the country is demanding the elimination of the so-called lame-duck sessions of Congress. I do not want any substitute passed that will not bring this about.

This measure, in a way, is not exactly a substitute for the constitutional amendment. I shall vote for the constitutional amendment, but I think the House should be given an opportunity also to register its will on this bill or some similar bill so as to correct the existing legislative order at once, and I have asked the chairman of the Committee on the Judiciary, seated before me here, for a hearing on this bill, thinking it of sufficient importance that the House should have the judgment of the Judiciary Committee of the House in determining whether the plan I have suggested is workable and feasible.

It is a rather interesting fact that March 4 was never referred to in the original articles of the Constitution. It just happened by reason of a historical resolution passed by the Congress acting under the Articles of Confederation.

As you all know, nine States ratified the Constitution in the forepart of June, 1788. Virginia had not at that time ratified it; neither had New York. In the latter days of June, 1788, Virginia ratified the Constitution and New York followed the next month. But the Congress, under the Articles of Confederation, undoubtedly for the purpose of allowing North Carolina and Rhode Island, the other two remaining States to ratify it, which never ratified the Constitution until after the Government had been organized, postponed submitting this resolution providing for the beginning of the Government for passage until September, 1788, when they set forth in a resolution that passed the Congress that the first Wednesday of January, 1789, should be appointed the day for the election of electors, the first Wednesday of February for counting the electoral vote, and the first Wednesday of March for the beginning of proceedings under the Constitution, and that is how it happened that March 4 was decided upon for the organization of the Government. True, in the amendments to the articles, Article XII, the 4th of March is referred to, but in 1808, when this amendment was proposed and when the Congress was confronted by the confusion resulting from the Burr-Jefferson embroglio, where each had the same number of votes and Aaron Burr was seeking to get the Presidency as opposed to the popular will——

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. TAYLOR of Tennessee. Mr. Chairman, I yield the gentleman three minutes more.

Mr. STAFFORD. They did not make any provision in the twelfth amendment providing for a different date for the assembling of Congress or for a change of the date for the beginning of the terms of Members of Congress.

Now I think we all agree that there is a serious situation that should be considered by the membership of the House, whether when an election that is held in November and the country has decidedly resolved that it is in favor of a new order of things—whether we should have Congress convene on the 4th of January and wait two weeks before the President takes his office, as is provided in the proposed constitutional amendment, whether we should have an entire new order taking hold of things, or whether we should allow the then Congress to continue in office, and only meet in regular session once in every four years for counting the electoral votes—even though it is a hold-over Congress, which only once in 140 years has been called upon to elect a President—whether it is not better to allow the existing order to continue as to the terms of the President and of Members of Congress rather than to adopt a new plan that may present difficulties and embarrassments not contemplated by the sponsors of the proposed amendment. If we can attain what we are after, to do away with the lame-duck sessions by statutory provision, as I think I have done in House bill 14440, I believe then that Congress will not be so inclined to pass a constitutional amendment which might

involve all kinds of embarrassment which we can not now foresee. [Applause.]

The CHAIRMAN. If there is no further request for debate, the Clerk will read.

The Clerk proceeding with the reading of the bill read as follows:

OFFICE OF THE SECRETARY

SALARIES

Secretary of the Interior, $15,000; First Assistant Secretary, Assistant Secretary, and other personal services in the District of Columbia, $358,000; in all, $373,000: *Provided*, That in expending appropriations or portions of appropriations, contained in this act, for the payment for personal services in the District of Columbia in accordance with the classification act of 1923, as amended, with the exception of the First Assistant Secretary and the Assistant Secretary the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, or (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the classification act of 1923, as amended, and is specifically authorized by other laws.

Mr. O'CONNOR of Louisiana. Mr. Chairman, I move to strike out the last word. I listened with a great deal of interest to what my good friend, the able Representative from Wisconsin, said about lame ducks and the necessity for changing conditions to meet modern thought on the subject of legislation. The Representative is a profound student of parliamentary law, and the bill to which he refers and his illuminating remarks ought to have the attention of the leaders of the House.

I was looking at the clock, and I thought he was absolutely correct, because I am a lame duck, addressing you now, and if I felt like it I could make a point of order that no quorum was present, thus throwing a monkey wrench into the machinery, and thus forcing an adjournment or a roll call which would be something of an inconvenience to many Members who are not lame ducks. There are only a few Members present, which goes to show that Congress, and particularly the House, is a recognitory body, giving recognition to findings of committees, which the main bodies treat almost as judgments of wisdom. And in view of the attitude of the Democrats in charge of this bill to-day I would be amply justified in taking that course. But I am going to be a good sport and I am not going to make the point of order, though the provocation is great. I can scarcely resist the impulse to make this point for the purpose of showing that the number of Members present considering this important measure may be counted on one's fingers.

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing a speech that I intended to make to-day if I had had the opportunity on When We Violate Economic Law.

In all probability it will secure greater attention on account of this diversion and I hope it will be read by the full membership. I commend it to your full and complete consideration as it has been pronounced by many men occupying high places in the realms of trade as a splendid contribution to the thought on and the discussion of the future of that great staple which was crowned king by its votaries many years ago. Men of light and leading in the House who love the Southland "because it is their own and learn to give aught other reason why," who love its cotton fields and view with anxiety the future read my cogitations on the subject of When We Violate Economic Law. Not so much because it is my fulmination as for the reason that it has had the approbation of many of the best minds in the great port of New Orleans from which go out shiploads of cotton to every port of the world. Your reading of the speech and the answers which I hope for, will be flattering to my self-esteem, and stimulating to those who have indorsed its utterances, because it reflects their own thoughts on a subject that is and should be of the greatest concern to the South.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. O'CONNOR of Louisiana. Mr. Chairman, Brazil's coffee valorization scheme, long heralded as a monster piece of governmental aid, now proves to be an economic boomerang with serious consequences for the very people—the coffee producers of Brazil—in whose interest it was devised.

Through its valorization scheme, Brazil not only was able for a time to regulate the marketing of coffee and maintain an artificial price, but actually succeeded in curtailing production through limitations placed on the planting of new coffee trees.

All seemed well until the fact dawned on the trade that Colombia, Panama, Costa Rica, Salvador, Mexico, and other countries were busily engaged in extending their coffee-raising industries at as rapid a rate as possible.

This year the world's surplus of coffee is monumental. Competition for world markets is keener than ever before. The age-old law of supply and requirement is back in force with a vengeance, and Brazil's coffee producers are a most unhappy lot.

Readjustment, hard though it be, will come through the normal and natural workings of an economic law as old as mankind, and not through schemes which violate that law.

When we enacted our Federal Farm Board law, with its provision for Federal marketing of cotton and grain and other commodities, we were told that Brazil's coffee valorization scheme had worked beautifully, and some of the Members of this House were thereby persuaded to vote large authority and large sums for a somewhat similar purpose.

I am now wondering whether we saw the problem of our farms and the remedy clearly enough.

Our farmers are in distress. I, for one—and I am sure all of you—favor any action that will really and truly improve the economic position of our farms. But I am fearful that, while our intentions were the best, we have launched a scheme of things which somehow violates that ancient law of which I have spoken, and that a severe penalty will have to be paid for every such violation.

Some years ago, as a measure of offsetting the destructive work of the cotton crop-reducing boll weevil, our cotton planters were advised to plant short-staple, quick-maturing seed.

I am now told that a great deal of the surplus cotton carried over from the last crop is too short in staple to serve normal requirements. In other words, the average staple has been reduced during the past 10 years.

I am also told that during the past 10 years cotton producers in other parts of the world have been diligently engaged in improving the character of the cotton they produce.

Finally, I am told that in the season just ended less than normal quantities of American-grown cotton have found their way into overseas markets, while more than normal quantities of other growths have been sold.

With the best intentions in the world the Federal Farm Board has endeavored to "peg" the cotton and wheat markets and hold the values of these commodities at levels higher than would otherwise be the case, and to that end have accumulated heavy holdings of both cotton and grain.

Essential to the success of such a move, pending the development of a new and larger requirement by markets able and willing to pay higher prices, are crop shortages another year.

To this end the cotton producers at least are being urged to reduce acreage. Not one word is being said about producing cotton at less cost.

Fewer high-cost bales might bring some temporary relief. But what about the effect on the cotton-producing industry in other parts of the world?

The wage scales in India and Egypt are low. The lands in those countries are fertile. An enormous expansion of their cotton-producing enterprise is possible.

Recently Russia completed a 1,000-mile railroad into Turkestan in order to open up very extensive lands capable of producing many millions of bales of cotton annually, cotton capable of competing directly with the American-grown article. The scale of living in Turkestan is very low. The cost of producing cotton there is correspondingly low. In all probability Russia will soon attempt to compete with the United States in supplying the European cotton market.

Would not our objective be best served by devoting intensive thought to the problem of producing two bales of better cotton at the present cost of producing a single bale of a poorer variety?

Mass production at a lower unit cost has given an enormous economic advantage to our industrial enterprises.

But we still cultivate and harvest cotton by the more costly hand method.

Mass production of cotton at relatively low cost would do more to hold competition within bounds than anything else we could do.

Curtailed acreage and continued high cost of production will give the same sort of impetus to the extension of foreign growths that Brazil's coffee valorization scheme gave to the development of coffee growing in countries other than Brazil.

I am perplexed in other directions, too.

During the past half century a daily cash market has existed for cotton, and for wheat also. Recently I have been investigating these matters and I find that the machinery of the modern market for commodities is so designed as to be equally fair to buyer and seller. The whole has been regulated by congressional act and by agricultural bureau regulations and standards.

While the procedure does not appear to be generally understood, it seems simple enough when one takes the trouble to investigate it.

The farmer hauls his cotton to the nearest interior marketing town. There he finds a number of buyers, each bidding against the other and each ready to pay the market price of that day in cash to the farmer.

Sales take place.

Each time a buyer purchases 100 bales he promptly sells a future hedge. With his cotton hedged and no longer subject, in so far as he is concerned, to price fluctuations of a major character, the merchant assembles it, classes it, borrows around 95 per cent of its value from his banker, and then sets out to buy more cotton, meanwhile seeking consumer buyers for round lots of even running grades and staple.

Now contrast this system with the system in operation before the days of future or hedge trading.

In those days the merchant merely acted as the agent for the producer. The producer might borrow, say 50 per cent of value in cash from his agent, paying a pretty high rate of interest. Or his agent might advance him supplies and mules, all at an extra profit. The cotton not being hedged against a decline, bankers did not regard it as A–1 collateral and would lend only about half its value, and then only at high rates of interest. Eventually, the agent found a spinner purchaser. In the interim, the entire financial and speculative load of carrying the cotton was charged against the farmer's account.

To create a daily cash market for the farmer, and at the same time to shift the speculative risk from the merchant, the future trading system was devised.

I have looked into this present-day system and it squares with what I conceive to be sound economic law.

While the hedging system does not fix the value of the crop, since every hedge contract must be worked out on the basis of actual spot values, it does create a way for the shifting of the speculative risk from spot owners or spinners who will need cotton, to the speculators who supply the "short" or "long" contracts not supplied by the trade.

To me the trouble with the cotton market does not appear to lie with or to originate in the scientific system of marketing which experts—sellers and buyers both—have set up, but rather with the practice of the cotton growers of producing all the cotton they can produce, without much thought as to cost, whether the world will need much or little cotton.

The marketing machinery is designed merely to bring buyers and sellers together under competitive conditions of trade, to supply the means of avoiding, or at least of greatly minimizing, speculative risks by those who desire to avoid such risks, and to create the means of translating cotton into the best type of bank collateral pending its final sale to a consumer.

The eagerness of sellers or buyers, as the case may be, the state of trade, the relationship supply bears requirement, present and future, determine the value of a pound of middling, and the value of a pound of middling is the final determinator of the value of the future or hedge contract.

It is this system which supplies a daily cash market for the farmer's cotton. The system itself in no way is responsible for the low price now being received by the farmer.

In our efforts to help the farmer we have, I fear, overreached the mark.

The Federal Farm Board has set up marketing machinery of its own in face of the fact that the most scientific marketing machinery man has ever been able to devise already exists. But the Farm Board has not done the one thing that the farmer most needs—it has not created an additional demand and requirement for cotton.

Instead, it has loaned the farmer more money per pound than consumers will pay for cotton, and now recommends as a remedy not greater economy in the production of cotton in order to check the expansion of foreign production but reduced acreage and the production of a few instead of many high-cost bales.

Such a program carried to its logical conclusion would ultimately result in the total destruction of our export business in cotton and the restriction of the market available to American cotton producers to American mills.

It does seem to me that our Farm Board has gone at the job of helping the farmer from the wrong end.

It can hardly hope to set up a more efficient marketing system than trained and experienced merchants have set up.

But it can encourage the creation of strategically located warehouses for unhedged cotton, which will issue bonded warehouse receipts showing grade, character, staple, weight, and insurance carried.

It can aid and encourage the creation of rediscounting facilities for loans against such warehouse receipts, thus enabling local banks to carry such loans at the most favorable interest rates.

It can provide country schools of instruction in farm economy, and in elemental world-trade economy in so far as it affects cotton.

It can appear before Congress as a well-informed advocate of fair play for the agriculturist in the matter of tariff legislation.

It can, in so far as possible, anticipate world requirement, and advise the producer in advance of the planting season.

In season and out, it can tell the farmer the truth regarding his own economic errors. At least some of them will profit thereby.

Once upon a time the American cotton producer enjoyed a practical monopoly. He no longer has that advantage but must now compete for his outlets with cotton producers in other parts of the world. England is irrigating the Nile Valley in order to get more Egyptian cotton. Russia has opened up Turkestan in order to compete directly with the American cotton producer. India is striving in every way to improve the staple and quality of its cotton.

The Farm Board can not prevent this development unless it can aid American cotton producers in radically lowering their costs of production.

The Farm Board's marketing bureau can no more control the law of supply and requirement than can trained merchants.

Speculation can not now help because speculative confidence has been destroyed. Nobody knows just what the Government's marketing bureau will do next in its attempt to peg the price of cotton at a time when supply exceeds requirement.

In the last year our exports of cotton fell off 1,427,000 bales.

Meanwhile the Government has become a speculator in cotton in a very large way, and its losses to date are enormous. The value of cotton has steadily declined ever since the Government entered the field as a competitor of the long-established cotton merchants. Nobody knows when the Government will find it necessary to unload its heavy holdings, consequently trade buyers stand aside and wait.

The story of how successful the Government's efforts to hold the cotton market have been is best told by the record.

In August, 1929, the average value of a bale of cotton was $94.39; in September, $94.05; in October, $91.38; in November, $86.42; in December, $85.92; in January, 1930, $85.56; in February, $78.03; in March, $76.80; in April, $79.50; in May, $78.04; in June, $67.87; in July, $61.98.

During all that time the Government was, more and more, actively speculating in cotton, while the trade itself was, more and more, standing aside. In this way the normal market has become unbalanced and many spot merchants prefer to remain inactive while awaiting the outcome of the Government's endeavors.

In Soviet Russia private business enterprise is frowned on and destroyed. I do not know what the outcome there will be.

But in America, the basis of our world record breaking economic success has been the encouragement of business enterprise. Under our system we can and do pay the highest wages. Our average income is far greater than that of any other country. Our per capita wealth is more than twice that of the next best conditioned people.

We have prospered under our system.

Now, because there is a temporary depression in world trade at a time when our fields have produced abundantly, are we to so cripple our admirable business machinery by short-visioned governmental action as to seriously handicap us in holding and developing our economic position when business shall revive?

Under the modern system of buying and selling for future delivery, any merchant in good standing, even though his cash capital be limited, can engage in the business of buying the farmers' cotton, assorting it into round lots, and selling it to spinners and other consumers, simply and solely because future trading enables him to reduce the speculative risk to a minimum.

Formerly only the merchant with relatively large capital could engage in such a business.

It follows that competition in buying cotton, until the Government entered the field, was far keener than formerly, and that the margin of profit required by the middleman was much less than it was in the days before future trading.

On the other hand, the future hedge has made it possible for spinners to sell yarns many months, even years, in advance of delivery—often long before the seed from which the cotton will come has been planted, and always before the price at which cotton will sell when they shall need it can be known.

Their sales of yarns must be made at a definite price which must include the spinner's own normal profit. Therefore, they must know the price they will have to pay for cotton from which to spin that yarn.

They turn to the future market, buy future contracts for the delivery of the number of bales they will require, of any grade approved by the Federal Government as tenderable cotton—that is the kind the farmer produces—at the price named. On the basis of that purchase they make their price for the future delivery of yarn, and sales are concluded.

Later on they find merchants willing to enter into contracts to deliver to the spinner the exact number of bales of the particular grades required, and at the time they will be needed, from which to spin the yarn called for in the spinners' sales contracts. This trade is closed, and spinners then sell to the highest bidder on the floor of the exchange the future or hedge contracts they have been carrying as a protection against price fluctuation, because they no longer require such protection in those transactions.

They bought their future hedges at the market and they sell them at the market. Their gain or loss, as the case might be, is absorbed by the higher or lower price they must pay the merchant for the particular grades desired.

Thus the future hedge enables the merchant to buy the farmer's cotton, and pay the market price in cash, when the farmer wants to sell, whether the spinner be ready to buy or not, and it enables the spinner to sell yarns months ahead, thus creating a requirement for cotton long before the size of the crop or the value of a pound of it can be known.

This is so because the future market supplies a means through which those who produce, merchandise, and consume cotton may shift the speculative risk of price changes from themselves to others who, in the hope of gain, are willing to shoulder that risk.

And therein lies the only fundamental difference between the ancient and modern market for world-used commodities.

Russia has destroyed business enterprise, and, in its place, has set up a governmental monopoly in the marketing of commodities. Are we, richest Nation on earth as a result of the long maintenance of an open opportunity for business enterprise, to follow in Russia's footsteps?

Our efforts to set up a Government monopoly in the marketing of cotton would suggest as much.

Our cotton trade is sick because world trade is sick. The disease will run its course and the patient will recover. Meanwhile the nostrums the Government may cook up can not help but may do permanent harm. There is but one remedy—greater economy in production—and nobody seems to be urging that remedy. I here and now urge it as a better way out of our difficulties.

But the economies so necessary to secure our ends must be effectuated without adversely affecting labor. We can not decrease the purchasing power of the toiler without adding to the agonies of our travail.

Trade, the Promethean giant of civilization, is bound to the rock of hard times. Stark poverty is gnawing at its vitals and the night of despair seems unending. It has violated the law by stealing the fire of consumption from the masses of the world. But it will be unbound when it has expiated its offense of violating the eternal and unceasing law of supply and demand, and cured itself of the grevious wound inflicted by overproduction, which drew the life blood, the profits of commerce, into the coffers of the few, while the many knew not where to lay their heads. Industry has learned a terrible lesson, and the day when it does come will be all the brighter that the night has been so long and so dark. The world has been made to carry its cross for the sins of those in whose leadership the myriads reposed confidence. There will be a resurrection through obedience to those laws without which trade must again and again suffer bloody sweats.

With contrite spirit let us look to the morn and seek and find consolation in Cowper's immortal lines:

God moves in a mysterious way
His wonders to perform;
He plants his steps in the sea,
And rides upon the storm.

* * * *

Ye fearful saints, fresh courage take,
The clouds ye so much dread
Are big with mercy, and shall break
With blessings on your head.

The Clerk read as follows:

GENERAL EXPENSES

For traveling expenses of officers and employees, including employment of stenographers and other assistants when necessary; for separate maps of public-land States and Alaska, including maps showing areas designated by the Secretary of the Interior under the enlarged homestead acts, prepared by the General Land Office; for the reproduction by photolithography or otherwise of official plats of surveys; for expenses of restoration to the public domain of lands in forest reserves and of lands temporarily with-

drawn for forest-reserve purposes; and for expenses of hearings or other proceedings held by order of the General Land Office to determine the character of lands, whether alleged fraudulent entries are of that character or have been made in compliance with the law, and of hearings in disbarment proceedings, $30,000: *Provided*, That hereafter where depositions are taken for use in such hearings the fees of the officer taking them shall be 25 cents per folio for taking and certifying same and 5 cents per folio for each copy furnished to a party on request.

Mr. STAFFORD. Mr. Chairman, I make the point of order to the paragraph just read in order to make an inquiry of the chairman of the subcommittee. I wish to ask the basis for the determination by the committee as to fees to be paid for making copies of hearings and certifying to them.

Mr. CRAMTON. Mr. Chairman, I am glad the gentleman from Wisconsin has called that proviso to our attention. The situation is that the proviso has been carried for a number of years at this place in the bill without the word "hereafter" being included. In the code that provision appears as a part of the permanent law. If the gentleman will read it without the word "hereafter," he will note that it is not a limitation; it does not say "depositions paid out of this appropriation." There is nothing of the kind. I think you could make an argument that it is permanent law, but in any event the committee thought they would clean up the bill, dispose of it, and put in the word "hereafter." My opinion is that it is permanent law, but if not, without such a provision I understand there would be some question about what change should be made.

Mr. STAFFORD. The explanation is satisfactory to me, but while I am on my feet I would like to inquire as to the following paragraph, "$15,000 for maps for Members of Congress." Last year I remember the gentleman from Georgia [Mr. LANKFORD] was very insistent that an appropriation should be made for this purpose. Is this $15,000 the customary appropriation that is made in alternate years?

Mr. CRAMTON. That is the present custom of the committee, and this is the year that the appropriation is to be made.

Mr. STAFFORD. Can the gentleman inform the membership as to how many maps will be available to each Member of the House under this provision?

Mr. CRAMTON. Twelve maps per Member.

Mr. STAFFORD. Years back I remember the membership received a much larger number to their credit whenever the Congress would appropriate, and I have an interrogation point in my mind as to whether it is because the cost of the maps has increased or is due to the fact that a less appropriation is made than was made years ago.

Mr. CRAMTON. The appropriation is slightly smaller than was formerly the case. That is, back in 1922 to 1925 it was $18,000 or $20,000. It then dropped from $20,000 to $18,000. Then in 1927 it dropped to $15,000, and since then it has been carried at $15,000.

Mr. STAFFORD. I presume the cost of engraving and printing and mounting of these maps has considerably increased with the mounting cost of labor.

Mr. CRAMTON. No doubt, and that would, of course, affect the number.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Surveying public lands: For surveys and resurveys of public lands, examination of surveys heretofore made and reported to be defective or fraudulent, inspecting mineral deposits, coal fields, and timber districts, making fragmentary surveys, and such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States, under the supervision of the Commissioner of the General Land Office and direction of the Secretary of the Interior, $700,000: *Provided*, That not to exceed $5,000 of this appropriation may be expended for salaries of employees of the field surveying service temporarily detailed to the General Land Office: *Provided further*, That not to exceed $15,000 of this appropriation may be used for the survey, classification, and sale of the lands and timber of the so-called Oregon and California railroad lands and the Coos Bay wagon road lands: *Provided further*, That not to exceed $50,000 of this appropriation may be used for surveys and resurveys, under the rectangular system provided by law, of public lands deemed to be valuable for oil and oil shale: *Provided further*, That no part of this appropriation shall be available for surveys or resurveys of public lands in any State which, under the act of August 18, 1894 (U. S. C., title 43, sec. 863), advances money to the United States for such purposes for expenditure during the fiscal year 1932: *Provided further*, That this appropriation may be expended for surveys made under the supervision of the Commissioner of the General Land Office, but when expended for surveys that would not otherwise be chargeable hereto it shall be reimbursed from the applicable appropriation, fund, or special deposit.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word for the purpose of getting some information with respect to the reason for the exception in the fourth proviso on page 9, line 5:

Provided further, That no part of this appropriation shall be available for surveys or resurveys of public lands in any State which, under the act of August 18, 1894, advances money to the United States for such purposes for expenditure during the fiscal year 1932.

Mr. CRAMTON. Mr. Chairman, I remember the situation which brought about that proviso. Under the statute referred to a State might advance money for this work of surveying, and may I preface what I am going to say by the statement that there is such a large acreage of public lands yet to be surveyed that at the present rate we are proceeding it will take about 250 years to complete the work? That is figured on the basis of a comparison of acreage. The law permits any State to make an advance of money to be placed at the disposal of the Land Office, to be used in surveying that State, and then some time thereafter out of this appropriation receive that money back again. One State evolved the idea of providing a revolving fund of $50,000 or $100,000. It would advance it during the year to the General Land Office for surveys in that State. The surveys would be made. They would come in on the next deficiency appropriation bill and present their claims and say that they were entitled to the money and an appropriation would be made.

Immediately they would take that money and advance it again to the General Land Office, so that for one appropriation of $50,000 or $100,000 they were getting a preference in a way that we thought was not desirable, and this language resulted. I think I have stated that accurately, as it has developed in my mind.

Mr. STAFFORD. My mind is much more vague than the gentleman's as to just what the status of the surveys of the public lands was when I served some fifteen or more years ago on the committee having in charge the legislative, executive, and judicial appropriation bill, which then had jurisdiction over this expenditure. As I recall, there was a disposition upon the part of the members of that committee at that time to try to devise some plan whereby we could complete the surveys of all of the public lands. The gentleman surprises me when he makes the statement that it will require 250 years to make a complete survey of all of our public lands. I did not think at that time, and certainly I do not think now, that we were so far backward in making the survey. Will the gentleman be kind enough to inform the committee as to whether a survey of our public lands is backward in only certain of the Western States, or whether that is more characteristic of the lands in Alaska than in the Western States.

Mr. CRAMTON. If the gentleman will look at pages 115–116 of the hearings, he will find a tabulation that will show the amount of acreage surveyed each year from 1924 on, and in each State, and the amount remaining unsurveyed, up to June 30, 1930. Of course, the statement I have made of 250 years is arbitrary, and perhaps not a well-balanced statement. Their work now is in a considerable part, as the hearings will show more in detail, a correction and checking up of all the old surveys that were not properly made.

Nevertheless, the statement made here shows that in 1924 there were 5,151,000 acres surveyed; in 1925, 3,300,000 acres surveyed; in 1926, 1,900,000 acres surveyed, and in 1927, 3,900,000 acres; in 1928, 1,500,000, and so on—around about 2,000,000 acres a year. Up to June 30, 1930, the total acreage surveyed was 1,304,000,000 acres, and of that unsurveyed 515,000,000 acres, and on the arbitrary calculation of

2,000,000 acres per year would mean 250 years to complete the survey, but that perhaps is not a fair statement.

Mr. STAFFORD. When the gentleman made his first statement I was thinking it provided for original surveys, and not resurveys.

Mr. CRAMTON. The item includes resurveys.

Mr. STAFFORD. Can the gentleman give any information to the committee concerning the public lands of the country? Have all been originally surveyed?

Mr. CRAMTON. They have not all been originally surveyed.

Mr. STAFFORD. Can the gentleman state where there has not been any general survey what proportion has never been surveyed?

Mr. CRAMTON. As I stated, 515,000,000 acres. In addition to these new surveys that I mentioned, about 2,000,000 acres a year of new surveys. There are the old check-ups as well.

Mr. STAFFORD. I notice there are 515,000,000 acres unsurveyed, of which 376,000,000 are in Alaska, while most of the other lands unsurveyed are in the 14 or 15 Western States.

Mr. CRAMTON. Absolutely.

The CHAIRMAN. The gentleman's time has expired. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Registers: For salaries and commissions of registers of district land offices, $82,500.

Mr. CRAMTON. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Michigan.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Line 17, page 9, strike out "$82,500" and insert "$84,600."

Mr. CRAMTON. Mr. Chairman, I will only state that the appropriation for the current year and the Budget estimate for 1932 was in each case $88,000. After further consideration we feel that the cut made by the committee was perhaps too deep, and therefore we propose the amendment.

Mr. STAFFORD. I suppose the purpose of the cut is to eliminate some of the registers of district land offices?

Mr. CRAMTON. Yes.

Mr. STAFFORD. Not to lower the salaries of those now existing?

Mr. CRAMTON. No. That is a statutory matter.

Mr. STAFFORD. Has the gentleman's committee considered the propriety of abolishing some of these offices which have very little work, like that in Wisconsin and other States in the West?

Mr. CRAMTON. That is what is involved in the reduction recommended by the committee.

Mr. STAFFORD. The determination of the elimination will be left to the discretion of your committee?

Mr. CRAMTON. Yes.

Mr. TILSON. In last year's bill there was a limitation on the salaries of these registers. I notice that has been dropped out. Have their salaries been fixed by statute?

Mr. CRAMTON. They have been fixed by statute, and it is not necessary to carry further that clause in the law.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For lease, purchase, repair, and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $225,000; for construction of physical improvements, exclusive of hospitals, $61,000; in all, $286,000, and in addition thereto the unexpended balance for new construction under this head, contained in the act of March 4, 1929 (45 Stat. 1567), is hereby reappropriated and made available for construction of physical improvements until June 30, 1932: *Provided*, That this appropriation shall be available for the payment of salaries and expenses of persons employed in the supervision of construction or repair work of roads and bridges on Indian reservations and other lands devoted to the Indian Service: *Provided further*, That not more than $3,500 shall be expended for new construction at any one agency except as follows: Not to exceed $12,000 for employees' building, Blackfeet Agency, Mont.; $10,000 for employees' building and $20,000 for four employees' cottages, Shoshone Agency, Wyo.; $7,500 for two employees' cottages, Hoopa Valley Agency, Calif.; $8,000 for two employees' cottages, Cherokee Agency, N. C.; $8,000 for three employees' cottages, Zuni Agency, N. Mex.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. I wish to inquire as to the policy of the committee in providing for employees' cottages on the different reservations, and whether the work is current, so far as concerns making provision for needed housing facilities for the various employees on the different reservations?

Mr. CRAMTON. My judgment would be that it is substantially current. I have no doubt that if we had invited from the bureau a list of the buildings needed in the whole field, such a list might have been impressive. On the other hand, I believe they are being taken care of at a satisfactory rate.

Mr. STAFFORD. Then there is no disposition on the part of the committee to refuse to provide housing accommodations where they are needed?

Mr. CRAMTON. No. I do not believe our committee has ever refused an item of that kind. If they were asked, the bureau no doubt would submit a supplemental list that might be impressive.

Mr. STAFFORD. Oh, there is no question as to the power of the bureau to submit a very extensive list if it were known a receptive consideration would be given by the committee.

Mr. CRAMTON. In this particular case I would say that the committee for a time considered the striking out of the provision for $8,000 for two cottages at the Cherokee Agency in North Carolina because there is legislation winding up the affairs of the Cherokees.

But information comes to the committee, and there is quite a feeling on the part of those well acquainted with the conditions, that it is not in the interest of these Cherokees that their affairs be wound up speedily. Hence in another place in the bill, where there was an unexpended balance, the Budget proposed this language in connection with the winding up of their affairs and the allotment of their land:

For carrying out the provisions of the act entitled "An act providing for the final disposition of the affairs of the Eastern Band of Cherokee Indians in North Carolina," approved June 4, 1924 (43 Stat., p. 376), the unexpended balance of the appropriation for the fiscal year 1929 for this purpose is hereby made available until June 30, 1932.

The committee decided not to recommend that appropriation, as we feel that further consideration should be given this subject in legislation. Having taken that action, and in view of the fact that we hope their affairs will not be wound up too soon and being advised that there is real need for these cottages and that they are likely to need them in any event for a considerable period, we have included here the item of $8,000 for employees' cottages for the East Cherokees.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Not to exceed $160,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of superintendents, farmers, physicians, field matrons, allotting, irrigation, and other employees in the Indian field service: *Provided*, That not to exceed $1,000 may be used in the purchase of horse-drawn passenger-carrying vehicles, and not to exceed $125,000 for the purchase and exchange of motor-propelled passenger-carrying vehicles, and that such vehicles shall be used only for official service.

Mr. CRAMTON. Mr. Chairman, I propose at this point to move that the committee rise. Before doing so, I would like to say that I have stated to some two or three Members that to-morrow being Calendar Wednesday, our bill would not be read further before Thursday. Since stating that to those Members, I have talked with a member of the Post Office Committee, which committee has the call to-morrow under the Calendar Wednesday rule, and he is of the opinion that their business will not take the entire afternoon. Of course, no other committee would desire to come in, and, that being the case, I would like to state now that if the business of the Committee on the Post Office and Post Roads under the Calendar Wednesday rule to-morrow is completed so as to leave time, I will move to continue the consideration of this bill.

I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CHINDBLOM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes, had come to no resolution thereon.

THE VETERANS' BILL

Mr. SANDERS of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SANDERS of Texas. Mr. Speaker, under the rules of the House, there is this day a petition on the desk of the Clerk to bring from the Ways and Means Committee H. R. 3493, a bill to provide for the immediate payment to veterans the face value of their adjusted-service certificates, which was introduced in the House on May 28, 1929, by my colleague from Texas, the Hon. WRIGHT PATMAN. I have signed this petition in order that this bill may be brought to this House for consideration at the present session of Congress. This bill provides that the Secretary of the Treasury be authorized and directed to pay to any veteran making application therefor, and upon receipt of his adjusted-service certificate properly indorsed, an amount equal to the face value of the certificate.

In section 2 of this bill provision is made for the issuance of bonds as may be needed to carry out the purpose of the bill. This could easily be accomplished without upsetting or disturbing any financial policy of the administration, and, in my judgment, it would do more to relieve the distressed conditions of the country than many measures which have been proposed here, for it would mean putting into immediate circulation $3,513,745,560, of which amount there is in the Treasury at this time, held as a reserve fund to retire these certificates when due, $748,222,715, which would leave the amount to be taken care of by the bond issue of $2,765,522,845. This indebtedness is a part of the World War indebtedness of the United States and represents the most important part of that indebtedness, for had it not been for the service rendered by these men where would we be to-day? And had not they responded when the country called, what would have been the result of the war? This bill, should it become a law, would put into circulation in Texas approximately $142,306,695.18, and each State in the Union would receive a corresponding benefit. There are 3,478,956 of these veterans residing in every section of the United States. Their certificates range in amounts from $51 to $1,585. These certificates represent a debt which our Government must at some time pay. It is good business for the Government to pay it now because it will be saving money in "the long run." Our other war debt, exclusive of this, was about $26,000,000,000, and it has been reduced to about $16,000,000,000, and if there is to be an extension of debt paying, the extension should apply to this main debt, and there is no reason why it should not apply. Just now we are considering the financial depression and the unparalleled unemployment situation, and this proposed legislation is in direct line to help alleviate that situation.

The Government has been very liberal in many respects. It has been liberal to the railroads of the country. Congress previously appropriated $10,000,000 for a Department of Justice Building here, which is not needed, and $4,750,000 for a Labor Building and a like amount for an Interior Building, the demand for neither being imperative. For refacing the State, War, and Navy Building three million has been appropriated. This was not imperative, nor was it necessary. Many other extravagant and unnecessary appropriations have been made, and the Government is tearing down splendid buildings in Washington not because it is necessary but simply to make the city more beautiful. To the shame of our Government, it has canceled $11,000,000,000 of war debts to keep from reducing our unparalleled tariff bill. Besides the Secretary of the Treasury has refunded since he has been in office approximately $3,000,000,000 to the great corporations and trusts in this country. Had these refunds not have been made, there would be ample money in the Treasury now to take care of these service certificates for the ex-service men. In the Department of the Interior appropriation bill now pending $400,000 is made available for Howard University, a negro institution, with a like amount to be further expended, and for what—a library. Practically all of this vast amount has been expended in the city of Washington. Let the country get the facts and render judgment accordingly.

MUSCLE SHOALS

Mr. GLOVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of Muscle Shoals.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GLOVER. Mr. Speaker, ladies and gentlemen of the House, on yesterday evening in this Congress we listened to the address of the gentleman from Massachusetts [Mr. TREADWAY] on the important subject of Muscle Shoals, and in that address he is quoted as using the following language: "I have gone into these details in order to remind the House that Muscle Shoals was conceived in iniquity, deception, and fraud." I am surprised at such language coming from this distinguished gentleman who is ordinarily conservative. Webster defines iniquity as follows: "Deviation from right; wickedness; gross injustice." Webster also defines deception as follows: "The act of deceiving; deceit; the state of being deceived; anything that deceives; a delusion." This same authority defines fraud as follows "Deception with the object of gaining by another's loss; craft; trickery; guile; a cheat."

The developing of Muscle Shoals instead of being conceived in iniquity, deception, and fraud was conceived in the brain of our best men and our greatest statesmen, one of whom was our great President Woodrow Wilson. No man can rightfully charge him with iniquity, deception, or fraud. Some of our greatest men in this Congress are men who have spent a great deal of thought and have given much time to the investigation of Muscle Shoals and no thought of iniquity, deception, or fraud has ever entered their minds in my opinion, nor is there any such thing reflected by their records.

The motive for development of Muscle Shoals was that it might be used in time of war as a defense to this Nation and to be used for the developing or making of nitrogen to be used in making fertilizer in time of peace.

The highest duty of any nation is to prepare for its own defense and that was the purpose in developing Muscle Shoals. We were at war when most of the expenditure of money was made to develop Muscle Shoals. We hope it will not be needed again for that purpose, but who knows? If it is needed we will have it for our defense. Then when we are not needing it for that purpose why let it stand idle and not use it for other noble purposes for which it was

acquired and developed, the making of nitrogen to be given to the farmers at the cost of production, and which, in my opinion, will reduce the price of making fertilizer at least 33⅓ per cent.

High cost of fertilizer is the worst enemy the farmer has to contend with. It is believed by some that there is, if not a trust, an agreement, by the makers of fertilizers whereby they are enabled to get an exceedingly high price for it to their profit, and to the detriment of the farmer.

The operation of Muscle Shoals, which is now owned and controlled by the Government, would at least, if operated in peace times develop the fact of the actual cost of nitrogen and electric power. This is what the fertilizer makers do not want made known.

The argument was made by the gentleman from Massachusetts that it would be putting the Government in business. Whenever there is an attempt to help the farmer in distress by Congress this is the cry that goes up, that it is putting the Government in business. The development of Muscle Shoals and the using of it in times of peace for making nitrogen for fertilizer is far from putting the Government in business, as the gentleman should well know.

We hope that the bill will be out of conference soon and that this great power should be utilized for the good of agriculture in times of peace and be forever kept for our protection in times of war.

INTERPARLIAMENTARY UNION

Mr. MORTON D. HULL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a paper prepared by me for the Interparliamentary Union which met in London last July.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MORTON D. HULL. The Interparliamentary Union was organized many years ago to study all questions of an international character suitable for settlement by parliamentary action.

The first conference was held in Paris, during the World Exposition of 1889, upon the call of an informal meeting in 1888 of 9 English and 25 French parliamentarians brought together through the initiative of William Randal Cremer, British House of Commons, aided by Frederic Passy, French Chamber of Deputies, principally to study the problem of promoting arbitration treaties between the United States, Great Britain, and France. Nine parliaments were represented.

Twenty-five other conferences have been held at intermittent times, and the Congress of the United States has been represented at each and makes annual appropriations to its budget. Thirty-two parliaments were represented at the London conference by four hundred and fifty delegates.

(The following study of the Paris pact has been prepared by Hon. MORTON D. HULL, Member of the Committee on Security, for a committee of the American group and approved by the committee. This committee consisted of Senator CAPPER, Senator CONNALLY, Representative KORELL, Representative BLOOM, and Mr. HULL as chairman. The American group has taken no action on the report of the committee, but has consented to its transmission to the central office of the Union as the conclusion of the committee alone.)

What is the Paris pact for the renunciation of war? It is a treaty between 56 nations, by which each nation makes with all the other cosignatory nations, individually and collectively, two commitments. By the first of these commitments each signatory nation binds itself to each of the other signatory nations to renounce war as an instrument of national policy. Such covenant of renunciation runs to each of the other signatory nations, not merely as a covenant of behavior toward each but as a covenant made to each with respect to behavior toward all other of the signatory nations. A breach of such covenant of renunciation by war undertaken against one becomes therefore a breach of covenant to all the signatory nations. The second of the two commitments outlined in this treaty is the pledge never to seek, except by pacific means, the settlement or solution of disputes of whatever nature or of whatever origin, which may arise among them. This is a positive commitment made by each to each and to all of the other signatory powers, not merely pledging an attitude and an approach to the settlement of differences arising between each covenanting party and each of the other covenanting parties, but in respect to differences arising between any of them. That is, a breach of the covenant to seek pacific means of settlement in a dispute between any two States becomes a breach toward all.

In other words, the treaty is not a collection of bilateral treaties, all bundled into one. It is rather a multilateral treaty in which each State is concerned in the strict observance of the covenants of the treaty by all the signatory powers in their relation to each other. This concern of each State in the relations of others is predicated on the conviction that war anywhere in the world affects all.

To the simple and direct covenant of the treaty itself there must be added certain interpretative documents in order to determine its full meaning. First among these is the report from the Senate Committee on Foreign Relations accompanying the treaty when reported to the Senate.[1]

This report expresses the understanding that the right of self-defense is in no way curtailed by the treaty, and that each nation is the "sole judge" of what constitutes the right of self-defense and of the necessity and extent of the same.

The report also contains this paragraph: "The United States regards the Monroe doctrine as a part of its national security and defense. Under the right of self-defense allowed by the treaty must necessarily be included the right to maintain the Monroe doctrine."

Following the interpretative reference to the Monroe doctrine contained in the Senate committee report, we take note of the interpretative reference made in the communication of the British Minister of Foreign Affairs, Sir Austen Chamberlain, in which he said: "There are certain regions of the world the welfare and integrity of which constitute a special and vital interest for our peace and safety. Their protection against attack is to the British Empire a measure of self-defense. It must be understood that His Majesty's Government in Great Britain accept the new treaty upon the distinct understanding that it does not prejudice their freedom of action in this respect." This has been called a British Monroe doctrine. If the American Monroe doctrine is to be read into the treaty, the British Monroe doctrine, commonly interpreted in the United States as applying to Egypt, must also be read into it.

There must also be read into the treaty the understanding expressed by the correspondence between Secretary Kellogg and the representatives of several of the league states, that wars waged against a covenant-breaking state under the covenant of the League of Nations, or under the treaties of Locarno, or under any of the treaties of defensive alliance made by France, are to be treated as defensive wars and not therefore in violation of the treaty.

What, then, does this pact of Paris with these interpretative understandings read into it mean?

The simplicity and directness of the pact, its lack of defined sanctions, have stirred great interest in it on the part of many people. It is predicated on an attitude of honor and moral force in the world, which is viewed somewhat cynically by many. Will it work, especially in view of the fact that the Senate report has read into the treaty a statement that the right of self-defense carries with it the right to be the "sole judge" of the necessity of self-defense? The answer to this question can be told better years hence than now. Any answer to this question now is a matter of opinion, and opinions are many and of wide variety.

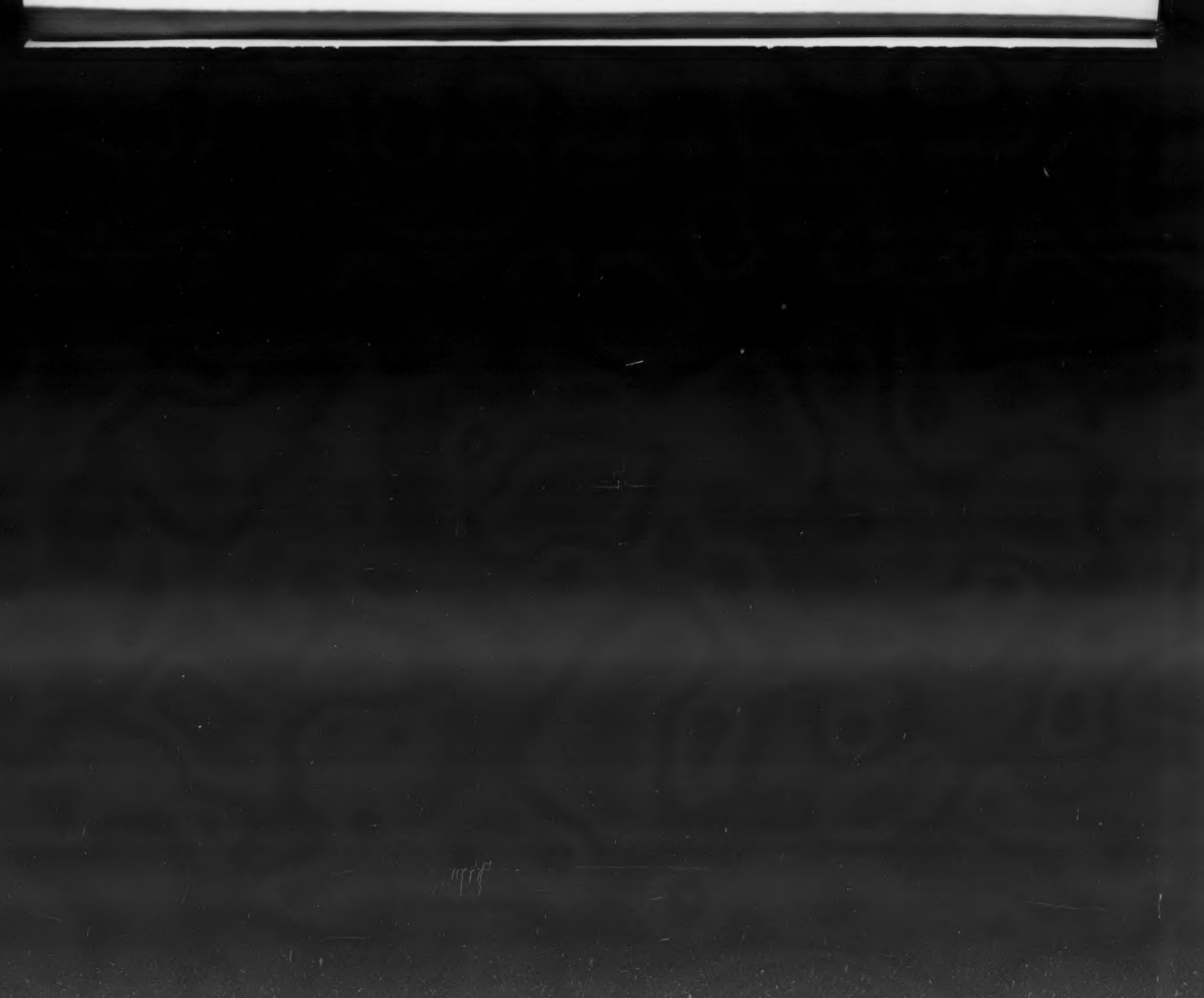
The treaty has been spoken of by a distinguished Senator (Senator CLAUDE A. SWANSON) as "a friendly gesture for peace," but as a peace pact likely to be "ineffective and disappointing." It has been referred to by a distinguished teacher of international law (Prof. Roland S. Morris, University of Pennsylvania, in Proceedings of American Society of International Law, April, 1929) as "not a lawmaking treaty." This distinguished lawyer says:

"While it condemns aggressive war and allows defensive war, it deliberately avoids the one thing necessary to make it a legal obligation, and that is an agreed definition which can be legally applied to what is meant by defense and by aggression. It is a solemn and vastly important declaration of intention and policy, but it is far inferior in legal effectiveness to the Locarno treaty of mutual guaranty which does in fact define the right of self-defense, or to the provisions in the covenant of the League of Nations, which specifically outlaws all wars except (and here is material that the law can grip) those sanctioned by the League

[1] With reference to this report, it may be said that opinion varies as to the significance of a report in qualifying a legislative act. Prof. Quincy Wright on this subject says (p. 2671, vol. 70, CONGRESSIONAL RECORD):

"With respect to interpretation it seems both reasonable and in accord with practice to regard treaties between two or a small number of states as analogous to contracts, while multilateral law-making treaties bear more resemblance to statutes. The latter analogy seems especially applicable to multilateral treaties open to general accession, since the acceding states are usually officially cognizant only of the text and formal reservations and can not be supposed to have accepted interpretations suggested in the preliminary conversations of the original negotiators.

"The Kellogg Pact is not in precisely this class, because even the acceding powers have, though rather informally, been apprised of the preliminary correspondence. Thus it can not be said that the interpretative notes are without weight. * * * It is believed, however, that they are to be treated merely as evidence of the sense of the text and not as modifications of or exceptions from it, or even as conclusive interpretations."



Council against a state which violates the guaranties of the covenant."

However, another equally distinguished student of international law (Prof. Joseph P. Chamberlain, Columbia University, Proceedings of the American Society of International Law, April, 1929, page 92) speaks very specifically of the covenant to seek pacific means of settling international differences as a "binding legal obligation."

"It is an agreement between all of the nations which we hope will eventually become parties to the pact. That means that we have a right to ask the reasons for any war that is threatened or that begins between any two nations which have signed this agreement. That means that no war between any of the parties who agree to the pact, is a happening to which we are legally strangers."

The authority we are now quoting argues that the right to ask questions of a belligerent power carries with it the obligation to answer on the part of the belligerent power and the right to judge the answer on the part of the inquiring state.

The notes addressed to Russia and China over their troubles growing out of the Siberian Railway would seem to constitute a clear recognition of the right to make friendly inquiry of a nation which is apparently contemplating war.

While the state which is planning war or beginning war may have the assurance of the Senate report that it has the sole right to determine whether what it is doing or planning to do is of a defensive character, such sole right would seem somewhat illusory, and not conclusive of the matter, any more than in the case of an individual who, finding himself under the threat of attack which he believes threatens his life, kills the antagonist. Such individual has indeed the sole right to judge of the necessity of self-defense, but always subject to the review of the courts as to the good faith and need of the measure of defense adopted. The sole right to determine the necessity of defense, said by the Senate report to be reserved to each signatory, would therefore seem to be of a limited character because subject in a sense to the judgment of world public opinion.

Another distinguished lawyer in the field of international relations (Harold C. Havighurst) calls attention to the fact that many arbitration treaties of the past have reserved from their scope "questions of vital interest and of national honor, and domestic questions," with the right reserved to determine what questions come within this reservation. Surely, it is said, one can not say that such a treaty of arbitration with such reservation is without legal effect.

Another distinguished lawyer, Charles Evans Hughes, speaking of the pact, says (quoted in Proceedings of the American Society of International Law, April, 1929):

"Whenever there is a reasonable ground for seeking a pacific solution, the opinion that demands that solution is now armed with what is believed to be a national obligation involving the good faith and honor of the entire people. That is an enormous gain, and personally I care very little whether it is legal or moral."

Concerning the absence from the pact of any sanctions for its enforcement it has been suggested by a distinguished critic of the pact (David Hunter Miller, The Pact of Paris, p. 133) that a breach of the pact would be a breach of the covenant of the league, and the sanctions of the covenant would come into play—by the states members of the league—and that, while the United States does not pledge itself to become a party to the application of such sanctions, the possibility of our cooperation in the application of them is very definitely suggested in the provision of the preamble of the pact, that "Any signatory power which shall hereafter seek to promote its national interest by resort to war should be denied the benefits furnished by the treaty." This, it has been suggested, is a significant and cautionary reminder to any state seeking to avoid pacific settlement of an international issue. It suggests to the possible violator of the pact the possible partial or complete joinder of the United States with the league states in some form of sanctions, a possibility which may be just as effective because not known and specified in advance.

It would seem reasonable, however, that the attitude of the nations not parties to the league covenant should be made known, at least to some minimum degree, by some positive declaration in advance. Dr. Nicholas Murray Butler declares (quoted in the Proceedings of the American Society of International Law, April, 1929):

"Neutrality disappears, since no nation signatory to the pact of Paris can be neutral, that is, indifferent, when that solemn pact is broken by another signatory. Freedom of the seas, that highly important and once most contentious question, disappears likewise. The seas become free as a matter of course and without further debate when war is renounced as an instrument of policy."

Yet the issues of the freedom of the seas and of neutral versus belligerent rights are still clouds on the horizon until specifically disposed of. There is a profound understanding of human nature contained in the remarks of Ramsay MacDonald in his recent Guild Hall speech, that "Such questions as the freedom of the seas arouse at once old feelings, old cares, old points of view, and once again public opinion takes the old position." This may be reason enough for omitting the subject of the freedom of the seas from the coming naval conference, but sooner or later the problem must be met.

It would seem that the frank discussion of these issues may begin now. Does the pact make necessary a reconsideration of the former concept of neutrality? Of course, questions of the freedom of the seas and of the right of neutral powers to trade with a belligerent present the same problem approached from different directions.

Under the concept of neutrality heretofore accepted, nonbelligerent governments are required in time of war to be absolutely neutral and to abstain strictly from any act that will give aid or comfort to any belligerent. Yet the nationals of a neutral state are permitted to trade in munitions of war and other articles, subject only to capture by the nations at war with the nation to which the goods are being shipped. With the details of what constitutes contraband and what constitutes a proper blockade we are not concerned, except that the lack of definition in both cases has resulted in many misunderstandings.

With the coming into force of the covenant of the League of Nations with its Article XVI, there has undoubtedly come a modification of the former concept of neutrality for those states which are members of the league, with reference to those wars which are deemed defensive wars against an aggressor state. For wars arising out of the inability of the council to make unanimous decision and not provided for under the league covenant, it would appear that so far as neutrality is concerned the former doctrine of neutrality continues. Also, for states not members of the league, the former doctrine of neutrality remains untouched by the league covenant.

With the acceptance of the pact of Paris by nearly all the states, including those not members of the league, a new situation has developed. All have renounced war and pledged themselves to seek a pacific settlement of their differences. The covenant of renunciation runs to each as to the conduct of each toward all. Can a country not directly a party to the war permit, under those circumstances, its nationals to trade with a covenant-breaking state?

What would be the consequences if it did permit its nationals to engage in such trade as against the protest of a belligerent itself the victim of an aggression? Of course, it is impossible to anticipate the answer to a variety of questions which may arise. A question may arise as to whether an aggrieved state may urge a claim for damages against a state countenancing such trade on the part of its nationals. Both states have accepted the Kellogg pact. The theory on which such a claim for damages would rest would be that the state permitting its nationals to trade with an aggressor state in war materials becomes by such act or failure to act an accessory to the belligerent and wrongful act of the aggressor state, and a participant therefore in its wrongful act. The opposing contention would be that the covenant to renounce war should be construed to apply only to government action, and not to the acts of its nationals. The difference existing in the former conception of neutrality between the restriction it imposed on the attitude of a government and the lack of restriction on the attitude of the nationals of such government would be cited to support this contention. The question at issue, the clear answer to which is not found in the body of the pact, may be approached in a cautious, legalistic way, or in a broader way more in keeping with the purpose and spirit of the undertaking. A wealth of argument, including declarations of parties conspicuous in the consummation of the treaty, may be cited on either side. It may be suggested that the multilateral character of the obligation imposed by the treaty gives it the character of a criminal statute rather than of a contract.

In civil society an act against an individual by another individual, prohibited by criminal law, becomes an offense against all. It concerns not merely the individual who has suffered, but society in general. In a similar way a violation of the Paris pact may be considered an offense against all, in which case the treaty takes on the character of a criminal statute. In this instance a treaty of unusual solemnity and importance has been broken by the aggressor. Whether such act by the aggressor state is an international crime or a breach or contract, its meaning will be found not merely in fine-spun theories of the legalistic mind but in the natural assumptions which at the time of the incident attach to a treaty of this unusual importance. There is little question as to what those assumptions would be in the present state of world opinion. They would mold public opinion to the conclusion that the covenant-breaking state was an international outlaw, its aggression an international crime, and the action of any state permitting its nationals to trade with such aggressor state, particularly in arms and munitions of war, a participation in the wrongful acts of the outlaw state. And any neutral tribunal might conceivably so decide. Whatever the conclusion of such a tribunal, it would seem that the application of a discriminatory embargo against a covenant-breaking state would not be an unneutral act, and would not subject the state enforcing such an embargo to a claim for damages coming from the state discriminated against.

Under the circumstances it is clear that neutrality as previously defined in international law must be abandoned altogether or redefined in terms that will be fitted to modern conditions in the associated life of nations.

Notice may here be taken of the fact that in the early days of the history of the United States as a government, in the presidency of George Washington, the Government of the United States did put some restrictions on the right of the individual citizen to give aid and comfort to a belligerent. The statutes of the United States passed in 1794 and still in force prohibit a citizen of the United States from enlisting or accepting a commission in the military service of a foreign country, at war with a country with which the United States is at peace, or augmenting the equipment of a foreign warship in United States ports.

In any redefinition of neutrality or movement toward its complete abandonment, the effort will be to make the rights and duties of nationals more consistent with the rights and duties of the governments themselves.

As evidence that there is a demand that the doctrine of neutrality be recast or abandoned, attention is called to the fact that, almost immediately after the ratification of the Paris pact by the United States Senate, there were introduced into the Congress of the United States four different joint resolutions intended to meet the situation. One is the Burton resolution, reintroduced by Representative FISH, of New York, with modifications. Its proposal is for a more complete neutrality than ever, at least as applied to arms, munitions, and implements of war.

The second resolution, introduced by Representative PORTER, of Pennsylvania, seeks to amend an existing statute for the control of arms shipments to states in which there is civil war. The existing statute authorizes the President, whenever he finds that in any American country, or in any country in which the United States has extraterritorial rights, conditions of domestic violence exist which may be promoted by the use of arms or munitions procured from the United States, to prohibit by proclamation the export of arms to such country under such limitations and exceptions as the President may prescribe.

This statute was passed for the discouragement of the revolutionary groups in our Spanish American states, whose chief activity in the past has been getting up revolutions and who find their chief source of supplies in the United States. Mr. Porter proposes to introduce the words "or of international conflict" into the statute, so that it will read that whenever the President finds that conditions of domestic violence or of international conflict exist in any country the President shall have the embargo power on arms and ammunition to such country, with such limitations and exceptions as the President prescribes. This phrase, "such limitations and exceptions as the President prescribes," apparently permits a discrimination as to the articles of warfare which may be the subject of the embargo and the State or parties to which their exportation is prohibited.

The third and fourth of these resolutions are the Korell resolution, introduced by Representative KORELL, of Oregon, and the Capper resolution, introduced by Senator CAPPER, of Kansas. Both provide that whenever the President by proclamation declares that a country has violated the Kellogg Pact it shall be unlawful to export to such aggressor state arms, munitions, and implements of war, and the Capper resolution adds, "other articles for use in war." Of these two resolutions it may be noticed that they are not resolutions of neutrality, since the embargo applies only to the aggressor nation. They represent a complete departure from the concept of neutrality. It would, under either the Korell or Capper resolutions, be perfectly proper for the nationals of the United States of America to furnish arms, munitions, or implements of war to a country attacked by an aggressor. If it be said that it is sometimes difficult to determine the aggressor state, friends of these resolutions answer, "This, indeed, might have been so at one time, but with the various treaties of arbitration and conciliation and provision for judicial review before the Court of International Justice, this difficulty no longer exists. The aggressor nation," it is contended, "is obviously the one which, being committed to some such scheme for peaceful settlement, refuses to use it."

The Capper resolution differs from all the other resolutions in one respect. It not only provides for an embargo on arms, munitions, and implements of war, but it also provides that it will be the policy of the Government to treat all other articles for use in war exported to such covenant-breaking state as contraband and subject to capture. And it invites agreement with other states to the like effect, apparently in duplication of the provision of Article XVI of the covenant of the league.

These resolutions are referred to not for the purpose of considering their merits. They evidence a feeling of a considerable number of the Members of Congress of the need of a reconsideration of the subject matter to which they refer. Without undertaking here a redefinition of neutrality or approving any of the plans for its modification, it seems reasonable to assume that it will be extensively reexamined in the direction of a cooperative effort for the discouragement of war.

The simplicity of the Paris pact and the lack of any implementation to enforce its covenants has brought forth from distinguished American commentators the suggestion that there should be negotiated some treaty among the nations party to the pact for a plan of conference and adjustment of any difficulty that can not be settled by the ordinary methods of diplomacy. We quote at length from Mr. Charles Evans Hughes's address before the American Society of International Law in April, 1929. Mr. Hughes said:

"Our Government is not a member of the League of Nations and can not participate as a member in its activities. It may, however, appropriately take part, and has always been ready to take part, in international conferences in the interest of peace. When a few years ago we were dealing with difficult situations in the Far East, there was negotiated and ratified what is called the 4-power treaty between the United States, the British Empire, France, and Japan, in which it was agreed that if there should develop between any of the parties a controversy arising out of any Pacific question and involving their rights, as stated, which was not satisfactorily settled by diplomacy * * * they should invite the other parties to a joint conference to which the whole subject would be referred for consideration and adjustment. It was also provided that if such rights were threatened by the 'aggressive action of any other power' the parties should 'communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.'"

Curiously enough, Mr. John W. Davis, former ambassador to Great Britain and Democratic Party candidate for the Presidency in 1924, has suggested the same idea, apparently without concert with Mr. Hughes.

Mr. Davis says:

"There must be introduced, in short, into the rest of the world the principle established for the Pacific area by the 4-power treaty of 1921, that of joint conference for consideration and adjustment." (Foreign Affairs, April, 1929.)

In this connection we also call attention to a statement made by Mr. Hoover in his Armistice Day speech:

"What we urgently need in this direction is a further development of methods for reference of unsettled controversies to joint inquiry by the parties, assisted by friendly nations, in order that action may be stayed and that the aggressor may be subjected to the searchlight of public opinion."

If war anywhere affects all nations, then it follows that all nations have a common concern in its prevention. The suggestion, therefore, of conference for consideration and adjustment seems to point the way to interesting and desirable developments. Community of interest should lead to community of action.

Mr. MORTON D. HULL. Mr. Speaker, I also ask unanimous consent to extend my remarks by printing in the RECORD an address delivered by me at the meeting of the Interparliamentary Union in London last July.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The address is as follows:

Briefly reviewing the suggestions contained in the report of the American committee, we note that the pact of Paris for the renunciation of war is a covenant of each signatory nation to all the signatory nations with respect to behavior toward any of the signatory nations, so that a breach of the pledge to renounce war as an instrument of policy and to seek only pacific means of settlement of differences with other nations is a breach toward all the signatory nations. Each has an interest in the behavior of all. As a corollary we hold that each and every nation signatory to the pact has a right, without violating international courtesy, to make friendly representation to other nations that are parties to the pact and that are threatening war and to inquire of them the causes of their differences. Of course, the right to make friendly inquiry about a matter that concerns all includes the right to expect an answer and to sit in judgment on the sufficiency of the answer.

We noted also in our report that the war renounced by the pact is war as an instrument of national policy—in other words, aggressive war, not defensive war—and that, according to the understandings developed by the correspondence between the signatory States during the negotiation of the treaty, wars waged against a covenant-breaking state under the covenant of the League of Nations, or under the treaties of Locarno, or under any of the treaties of defensive alliance made by France, are to be treated as defensive wars and are not, therefore, in violation of the pact. We noted also under the definitions of defense found in the Senate report the right to maintain the Monroe Doctrine, and in the correspondence with the British Minister of Foreign Affairs the right to maintain certain regional interests outside the domestic territories of Great Britain as matters of defense.

We have noted also that the right of friendly inquiry arising out of the very nature of this instrument and the right to expect an answer thereto are a limitation on the right to be the "sole judge" of the necessity of self-defense which, by the report of the Senate committee, each state is said to possess.

With this brief statement as to what the pact of Paris is, we proceed directly to the inquiry as to the situation that would arise if the pact be broken. The pact provides no sanctions. There are no express obligations imposed on the signatory nations. It is true that in the preamble to the pact it is provided that any signatory state seeking to promote its national interests by resort to war should be denied the benefits of this treaty. But this is only a threat of sanctions undefined. We have noted also that a breach of the treaty would be a breach of the covenant of the League of Nations. For nations members of the league the course of conduct is apparently charted by the covenant. How far the course so charted will be followed remains to be developed by events.

Does the declaration of Article II of the covenant of the League of Nations, that any war or threat of war, whether immediately affecting any of the members of the league or not, is thereby declared a matter of concern to the whole league, mean anything? Does it express the real conviction of world opinion? Do the people of the United States believe that Mr. Coolidge was right when he said in his Memorial Day speech in 1928, "Whether so intended or not, any nations engaging in war would necessarily be engaged in a course prejudicial to us"? Do they believe that Mr. Hoover was right when in his Armistice Day speech of last November he said, "From every selfish point of view the preservation of peace among other nations is of interest to us"?

These questions addressed in my own country to the man on the street would probably elicit an answer somewhat as follows: "Yes; war anywhere probably does affect all, but not in the same degree. Why, therefore, should we be drawn into these affairs when they concern more directly remote parts of the world?" He will admit academically that war anywhere affects him, but the thought lacks graphic significance to him, and he probably is right when he says that war anywhere does not concern all equally. When, therefore, we say in the report of the American committee that neutrality as previously defined must be abandoned altogether or redefined in terms that will be fitted to modern conditions in the associated life of nations we are inclined to the alternative of a redefinition. The abandonment of neutrality is something that to the layman means belligerency. He has no alternatives between them, and he does not care to see his country drawn into war in matters that primarily affect others. It is this consideration that has prompted one commentator to suggest the recognition of a new status for a nation not party to war—a form of neutrality, but not neutrality as previously known, viz, partiality.

It was this consideration that prompted the suggestion in the report of the American committee that the application of a discriminatory embargo against a covenant-breaking state would not be an unneutral act. It would be an unneutral act under past definitions. But if a breach of the pact of Paris toward one is a breach toward all, it would seem that third-party states whose right to have others keep faith has been broken might at least, without inviting a claim for damages against themselves, place a discriminatory embargo against the covenant-breaking state.

The covert threat of the preamble of the pact of Paris that any nation violating the pact of Paris "should be denied the benefit of this treaty" points to the need of some such action on the part of the nations which are parties to the pact. We are not considering what action the rest of the world who are parties to the league covenant may take under its provisions. What action may the nations who are parties to the pact of Paris take? The benefits of the pact of Paris are the assurances of friendly relations in the world community of nations.

If a nation violates the treaty and becomes an aggressor against a neighboring nation, it has been amply advised by the preamble to the pact that other nations to the pact are absolved from the obligation of friendly intercourse.

It may be said, too, that this interesting declaration in the preamble points the way of duty to the neutral states to deny to the aggressor state access to its markets for the purpose of supplying itself with the essential materials of war, or, indeed, with any materials in war, where "contraband" is all inclusive.

This duty may be stated as a moral duty. It seems to me that it may well be stated as an international obligation, whether legal or moral, of binding force, built upon the common world-wide conception of the pact of Paris as an agreement to outlaw war—an obligation which can not be shunted or put aside by any casuistry of the legalistic mind; an obligation which, whether you call it moral or legal, is compelling and can not be evaded and which in the long run marks the way of self-interest.

In conclusion, permit me to say that the states which are members of the League of Nations have fairly definitely charted their course in case of the outbreak of war by the provisions of Article XVI of the covenant of the league. As to states not parties to the league, and particularly my own country, I may say that the pact of Paris charts a course of conduct more by inference, perhaps, than by express terms, and that that course of conduct runs parallel with, if it does not coincide with, the course charted in the league covenant.

It would be well, perhaps, if that chart might be more explicitly defined, but I see no early promise that it will be.

To the thoughtful and orderly mind interested in the building up of a complete scheme of international relations that shall keep the peace among the nations, the pact of Paris may seem a very feeble and faulty document. Perhaps it is, but as in the case of the development of the individual, it is sometimes more important to know in which direction he is headed, than where he is at any particular time. So I think we may look at the pact of Paris, and the covenant of the league, and the Locarno treaties, and the permanent court as significant indications of the way the world is headed, and find our satisfactions in helping on the effort for a world better fitted for the more abundant life of mankind, than the warring world of the past.

REPEAL OF OBSOLETE STATUTES

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 10198) to repeal obsolete statutes and to improve the United States Code, with Senate amendments, and agree to the Senate amendments.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, which I do not anticipate doing, I would like to ask if the Senate amendments add to the bill?

Mr. FITZGERALD. They subtract. The Senate amendments strike out 26 and add 4 sections to the bill. The bill as passed by the House provided for the repeal of 98 obsolete sections. The bill was checked by the legislative counsel in the Senate, and, an illustration of some of the sections which the House agreed to repeal, which the Senate would not agree to, are sections relating to the conduct of Indian agents. The department thought that as we no longer have any Indian agents, all the duties now being performed by bonded superintendents, all of those statutes are like "pictures left hanging upon a wall which has been torn down," and that they should be repealed, but, in extreme caution, the legislative counsel of the Senate said it was questionable whether they should be repealed or not, so we acquiesce and make progress by repealing the lesser number of sections on which we agree. There are four substitutions.

Mr. CRAMTON. This is the only bill of this kind that has recently come out of the gentleman's committee?

Mr. FITZGERALD. This is the first of a prospective series. This is the first and only one.

Mr. CRAMTON. I had the impression that one became law last session.

Mr. FITZGERALD. No. It was reported favorably by the Committee on the Judiciary of the Senate, but was not passed until last Wednesday, December 3.

Mr. GARNER. Reserving the right to object, may I ask the gentleman if this is a unanimous agreement on the part of the conferees of the House?

Mr. FITZGERALD. There were no conferees. The House committee met and agreed to the Senate amendments. It is quite a complicated matter, but I can go into it if you desire. It will take possibly a half an hour to analyze the amendments.

Mr. GARNER. How does the gentleman get the bill back to the floor of the House without some kind of a conference report?

Mr. FITZGERALD. By asking that the House agree to the Senate amendments. It has been before our Revision of the Laws Committee.

Mr. GARNER. And this is a unanimous report from the gentleman's committee?

Mr. FITZGERALD. This is a unanimous report from our committee; yes, sir.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FITZGERALD. Although there are thousands of sections of the statutes that should be repealed, we must go slowly, and if the advisability of any suggestion is disputed or questioned we must yield to make progress.

On March 3, 1927, two days after the United States Code became available, I called attention of the House to the desirability of repealing a mass of obsolete and redundant matter in the statutes which serves no purpose and confuses one resorting to the Code for information.

During the past two years protest has increased in the public press of the country against the great number of useless laws. The retention of laws which no longer have force and are rubbish is deplored. In my own State of Ohio, Hon. Gilbert Morgan, a member of the legislature and an able and industrious lawyer, secured the passage of bills in 1927 and 1929 repealing 1,054 obsolete superseded statutes. I quote from his statement of June 29, 1929:

> In 1910 Ohio passed a General Code. It took the place of the Revised Statutes (official edition), 1880, and other private editions. Ohio's first compilation of laws was published by Chase in 1833. The General Code was the result of the work of a codifying commission. It was passed as one act, and by it were repealed all other laws. It contained no new laws, although rearrangement changed the text and sometimes the meaning. For a few hours the State had in four volumes its entire statute law. Then the amendments began and have been going on ever since.
>
> Urged forward by the societies and associations for this and that, the lawgivers of each State are inveigled and exhorted into passing many bills. The grist of acts not only complicates the situation, but most of the sponsors of projects do not take the pains to inquire whether their ideas are already in the form of laws. Conflicts and discrepancies make no difference. On with the dance, let law be unconfined. The results are that Ohio, like all States, carries a large amount of waste and useless material on its books. This does not concern the proponent of law, because he

never reads anything he himself does not advocate. The practitioner chooses the few sections of the code that he needs and does not read the rest.

A great deal of the time of the courts is spent in trying to unravel the snarl of conflicting statutes. Students of legislation talk about the situation, but as yet nothing has been done to remedy it. Changing conditions render obsolete many sections. Unless repealed, such worn-out regulations remain effective.

It would be easy to repeal large portions of the codes were it not for the fact that many enactments refer to existing sections. The enterprising publisher of Ohio's 1-volume code has printed at the bottom of each section cross reference to former analogous sections and to all other sections where mention is made of that section. This makes it possible to repeal laws without jeopardizing other sections.

In 1927 a bill was introduced by the writer to repeal a considerable number of laws. When passed it did away with 201 sections. In 1929 another bill passed repealing 853 sections. Already data for a bill is being collected for 1931 to repeal still more, and another one to take care of conflicts between various laws. Where courts have found sections to be unconstitutional in part the writer will propose in each case the rewriting of the section to make it constitutional.

This work is all being done by the writer with the help of practicing lawyers and members of the general assembly. Continual revision would make Ohio's the best code in the United States. It is becoming popular among judges and lawyers. It does not benefit them as much as the general public. When the constituents ask their representatives and senators what aid they are giving in this task it will make it easier.

A newspaper recently called a member a "100 per cent legislator," because all his bills had become law. One of the first duties of each member should be to make more perfect the entire body of laws. The voters can easily accomplish that. If it means votes for a candidate to be useful, he will be, even though he might have to do a little real work.

When legislative bodies take pride in the result of their sessions, then, and only then, will we have results. Till now there has been little esprit de corps.

I have certain editorials, articles, and quotations relative to the repeal of obsolete laws and the need for the development of a system to state the laws simply and accurately. I read the following editorials from the Washington Post of May 21, 1929, and from the Washington Evening Star of June 12, 1929:

NEW YORK, May 21.—Gov. Harry F. Byrd, of Virginia, proposed a new kind of reform to-day at a luncheon of the downtown association when he suggested a session for every legislature for the sole purpose of repealing unnecessary laws.

The luncheon was given in Governor Byrd's honor by the National Institute of Public Administration, with Raymond B. Fosdick presiding.

"Good morals, I believe, would not suffer," said the Virginian; "good order would be better preserved, and good will of the citizen for his State would be increased if we could have one session of every State legislature at which no law would be passed except to repeal unnecessary existing laws."

In the various States the legislatures now closing up their sessions and adjourning have enacted many statutes, but it is safe to say that few old and useless or even harmful laws have been repealed by them. Consider, for example, the disgraceful conduct of the Illinois Legislature, which is about to adjourn after having refused pointedly to repeal either the Small immunity law or the Crowe law prohibiting the naming of special prosecutors in times of manifest need.

Governor Byrd of Virginia, one of the able, vigorous, and independent State executives, has made the pertinent suggestion that the legislature of every Commonwealth in the Union be called together in special session for the sole purpose, expressly stated in the call, of overhauling the statute books and repealing every law that has outlasted the conditions which dictated its enactment or that ought to be wiped out for any other reason.

That there are many such obsolete or injurious statutes everybody recognizes. That it is difficult to get rid of them at an ordinary session is equally well known. The experiment proposed by the Virginia executive is worth trying. A repeal session would focus the attention of the whole State upon the negative task of clearing and straightening out a deplorable mess of statutory ambiguities, inconsistencies, absurdities, and rascalities.

Governor Byrd should set an example to his fellow governors by calling a session of the Virginia Legislature for the beneficial purpose in question.

I quote in addition two editorials, one from the Dayton Herald, of my home city, Dayton, Ohio, dated Tuesday, June 18, 1929, and another from the London Daily Mail of October 2, 1929, as follows:

AMERICA'S LAWMAKING MACHINES

Discussing the suggestion of Governor Byrd, of Virginia, that a special session of all legislatures be called for the purpose of repealing obsolete and unworkable laws, the New York Post observes:

"It is a formidable fact that the laws may die, but they rarely disappear. There are hundreds of enactments written into statute books that have lost all point and application and are no more than curious monuments to vanished conditions. Yet they are still on the books and still the law, and once in a while they rise from their graves to cause confusion and annoyance. No real attempt has been made to lay these ghosts of the past."

In indorsing these sentiments, the Detroit News says:

"It is hardly necessary to say that we are heartily in favor of Governor Byrd's suggestion, although we realize that there are mighty few legislatures that can be trusted to do a first-class job of pruning, as most of them have made a specialty of 'loading up' the statute books and would probably take advantage of a special session to prove their theory that no law is so defunct that it can't be resuscitated and made to work by an injection of Doctor Bunkum's famous legislative serum. Instead of pruning the statute books they would want to do an extensive job of grafting and tinkering, the inevitable result of which would be an intensification of the evil from which most civilized societies are now suffering.

"In some remarks which he made just before he retired from the Senate, that keen-eyed and courageous analyst of our social and political conditions, James A. Reed, said:

"'We have written upon the statute books of this country over 800,000 laws, and the Federal Government alone has in excess of 10,000. We have forbidden so many things that it is probable that not a single human being over 10 years old has not violated some statute law.'

"There is something to bite on in that statement."

This country has passed beyond the canal and the horse-and-buggy stage of development. It has largely left poverty and destitution behind and given to every child in the country an increased opportunity for better education. Only the law lags with its two chief weaknesses—its quantity and its quality. It is at the root of the crime problem, and it gnaws away at the stalk and trunk of progress. It frequently makes innocent lawbreakers of people who want to try to be good citizens, and at the same time it permits criminals to escape their dues and deserts.

America has too many laws and too little justice. It is the victim of mass production. The session advocated by Governor Byrd would be both timely and productive.

In his presidential address to the Law Society at Bournemouth yesterday Mr. W. H. Foster maintained that Great Britain is suffering "acute indigestion" from "a surfeit of legislation." The output in recent years, he said, had been abnormal, and the public wanted to see it diminished.

To deal with this situation he put forward some suggestions of an exceedingly drastic kind, which, so far as women are concerned—and they are now more than half the electorate—would never receive their support. But as to the general truth of his contention there can be no doubt whatever. Only 10 days ago at the Friendly Societies' conference Mr. Seabrook declared that "what was sadly needed in the realm of national health-insurance legislation was a rest." And last year a well-known shipowner called for "a holiday from legislation which is usually costly both to the Nation and the industries it is intended to benefit."

What makes the surfeit of laws in Britain yet more indigestible is, as Mr. Foster said yesterday, "the avalanche of ministerial orders, rules, regulations, circulars, and memoranda" which are showered upon our unfortunate farmers and our manufacturers. In most cases the intentions are of the best. The officials, who in one of the worst crises of agriculture, issued first the ideal cowsheds order and then the veto on preservatives in cream and butter, had unexceptional aims. But they forgot the limited means and manifold difficulties with which the British farmer was struggling; and the direct effect of their well-meant interference was to hit him hard and bring bankruptcy on quite a number of his order.

In certain communities, notably in many of the State governments of the United States, special restrictions are placed on the legislatures to prevent the nuisance of too much legislation. They are only allowed to meet once every two years, and even then their sessions are limited to a comparatively small number of days. No one has yet suggested such a restriction in Britain.

I quote in addition from the Washington Post of January 1, 1930, the following editorial:

OBSOLETE LAWS

Representative FITZGERALD, of Ohio, is sponsoring a movement to expurgate all obsolete laws from the Federal statute books. His proposal is akin to that of Governor Byrd, of Virginia, that each State hold a legislative session for the exclusive purpose of repealing useless laws. It does not appear practical to suggest an extra session of Congress for that purpose, but Mr. FITZGERALD is working out a plan for gradually sifting out the rubbish from the national code of law.

As chairman of the House Committee on Revision of Laws he has introduced a bill providing for repeal of nearly 150 obsolete statutes. These enactments apply to the War, Navy, and Interior Departments. Since they tend to confuse and complicate affairs, heads of the three departments are supporting the bill. A number of executive offices have been cooperating with the committee in searching out useless statutes. Mr. FITZGERALD expects to secure agreement to the repeal of approximately 2,000 laws which have outlived the reasons for their enactment. He has undertaken a compilation of all sections of the Code which ought to be repealed.

In spite of the willingness of some departments to be rid of their excess baggage, Representative FITZGERALD notes a "sort of fetish worship of old laws." Revocation of hundreds of statutes

that are inoperative is opposed because of a feeling that some day they might be useful for some purpose. Innumerable measures which could never be enacted at present will remain on the books as testimony of this fetish. But the worst rubbish can be cleaned out and the Committee on Laws is to be commended for attempting it.

This effort at wholesale expurgation is the entering wedge of the committee's campaign to codify the Federal statutes. The existing code is a cumbersome welter of overlapping laws. Representative FITZGERALD estimates that if it were rewritten its substance could be expressed with infinitely greater clarity in one-half the number of words. The committee hopes to prepare a code that will couch every law in simple, clear language, and which can be kept up to date as new laws are enacted. The saving of time, money, and litigation that such a code would make possible can hardly be overestimated.

This project has special significance just now when the whole country is wrought up over law enforcement. The committee has set for itself an enormous task. It should have full cooperation from both Congress and the executive departments.

I read also an editorial from the Washington Post of October 24, 1929, another editorial relating to "Wiping Out Useless Laws," as follows:

The idea of a special session of all State legislatures to weed out all unnecessary, obsolete, and unwise statutes is gaining momentum. Governor Byrd, of Virginia, advocated such a session several months ago at a dinner given in his honor by the National Institute of Public Administration. "Good morals would not suffer," he said, "good order would be better preserved, and good will of the citizen for his State would be increased if we could have one session of every State legislature at which no law would be passed except to repeal unnecessary existing laws."

The suggestion was favorably received throughout the country. It has won the support of the American Bar Association. At the convention of the association in Memphis Guerney E. Newlin, president, appealed to State legislatures to end their "orgy of lawmaking" and devote one session to clearing their statute books of rubbish.

The universal demand that legislatures confine themselves to "necessary" laws has had little effect on the legislative output because of the loose interpretation of the word "necessary." It is estimated that 40,000 new laws are added to the books of Federal, State, and city governments each year, and that the total reaches 2,400,000. Vigorous attempts have been made to remedy the situation, but they usually result in a new codification of statutes without discarding the chaff or in attempts to hold the new output to a minimum. The Vermont Legislature, for example, enacted almost no new legislation this year. Its session was the shortest for 27 years. But the legal rubbish was allowed to remain intact.

The legislatures can not be expected to modernize the legal structure of their State unless a special session is devoted to that purpose. The demands for consideration of thousands of petty schemes preclude any serious consideration of retrenchment in the regular sessions.

Another proposal intended to rid the States of superfluous laws is that a time limit be included in every law. Under this plan every law would be repealed automatically within a certain time, 20 years, for example. If would not be difficult to reenact statutes which had proved their worth in operation, and a rule could be adopted providing that a second enactment would assure such measures of a permanent place on the books unless specifically repealed.

When the legislatures take time off from their "orgy of lawmaking" and accept these suggestions they will make a great contribution to the cause of law observance.

I now read an editorial from the New York Times of February 16, 1930, entitled "Soft and Woolly," as follows:

The conclusion is irresistible that, if Abraham Lincoln in his time succeeded in doing so much for himself and for others, one reason was that he knew how to get out of the English language effects other than those of a pair of carpet slippers on a newly varnished floor. When he wrote it was not as if in a dream, and when he talked it was not as if on a bet. The comparison is not necessarily between to-day and the Gettysburg Address. In 1849 Lincoln wrote a letter on the extremely prosaic subject of a political job, and this is the way he put it:

"DEAR SIR: It is now certain that either Mr. Butterfield or I will be Commissioner of the Land Office. If you are willing to give me the preference please write me to that effect, at Washington, whither I am now going. There is not a moment of time to be lost. Yours truly."

Can you imagine any politician to-day lining up for a job worth more than $300 a year, in 50 words? If Lincoln were writing in the manner nearly everybody does nowadays, he would have begged to inform his correspondent that his attention had been called to the fact that a vacancy had occurred in the position of Commissioner of the Land Office, and that yielding to long and ultimately irresistible pressure from his friends he had reluctantly consented to avail himself of the opportunities for service in connection with said post of Commissioner of the Land Office in consideration of the contemplated organization of methods of cooperation for the preparation of the inauguration, etc.

WORDS

One of the principal things that are wrong with our law enforcement is just plain verbiage. Judges use five words where one would do, and lawyers use 25 words—long ones. Expert opinions run on for hours. Thirty witnesses are summoned where two would be enough to establish a point. Briefs run to the brief length of a hundred thousand words. It is the same with semi-judicial procedure. In the course of hearings before a Senate committee someone always "reads into the record" a trifle of 600 pages and 180,000 words on grade crossings in the southern parishes of Louisiana. Our public life is increasingly congested with skyscraping edifices of words, shutting off each other's light and air and inducing paralysis of traffic.

If Abraham Lincoln were emancipating the slaves in the 1930 manner he would do so because his attention had been called to the existence of negro slavery in the United States, and he would never get all the negroes emancipated in less than 20,000 words.

I read an editorial appearing in the Dayton (Ohio) Journal of April 12, 1930, as follows:

THE FLOOD OF LAW

During 1929 the State legislatures of 43 States passed 16,921 new laws, a survey by competent authority reveals. This is quite a lot, but less than a third of the 50,000 new measures that were proposed by ambitious legislators who believe that society could be further improved by adopting their plans. Doubtless many of the rejected proposals again will be presented.

There seems to be a profound and deep-seated idea among those who are chosen to represent the people in their general assemblies that the way to improve conditions is to pass more laws. If something is not right, pass a law about it. If anything can be improved, pass a law. The result is the American people have more law to the square inch—and less enforcement—than any other people on earth.

What this country needs is not more law but less. Hundreds of obsolete, unenforceable, special-privilege granting laws encumber the statute books of most States. They complicate the situation, engender lack of respect for the law and the courts, and increase taxes tremendously. Moreover, many of them increase crime and criminality.

Patrick Henry once said that one of the things necessary to the maintenance of free government is "a frequent recurrence to fundamental principles." This is what this country needs to-day. Fewer and better laws and stricter enforcement—these are the present needs.

Also in the Dayton Herald of June 5, 1930, there appeared the following article, which I read:

THE FLOOD OF NEW LAWS

To the EDITOR OF THE HERALD:

The faith of Americans in laws is phenomenal. To stop crime, to make people good citizens we have only to get an enactment onto the statute book. The adjournment of the Sixty-second Congress left 38,200 bills pending. The Seventy-first Congress is now in session. No one knows what the total number of pending bills will be when it adjourns. State legislatures swell the flood. Within a few days of the opening of the New York Legislature of 1919 over 1,200 bills were introduced. Said a New York lawyer to an acquaintance: "Do you know how many laws you, as a good citizen, obey?" "Couldn't guess," was the reply. "It is not possible to state the number exactly," said the lawyer, "but as accurately as the number calculated by the author of a voluminous digest the number is 21,260." "Why, I had no idea I was such a good man as all that," replied the "good citizen."

I wonder what an Ohio "good citizen" would say.

TOO MANY LAWS.

Adoption of the code involved no change in the law. Much of the archaic matter, the contradictions and absurdities had to be retained in it. Only a complete revision can eliminate and correct them. The code, however, sets forth all the general and permanent laws under a system of classification scientifically arranged by the staffs of the two great law-publishing companies of this country trained and experienced in statutory compilation. The statutes governing a subject or related to it were codified accordingly, in proper titles. Thus the crudities and deformities of the Federal laws now stand out more clearly and furnish the basis for correction and revision.

The code, for instance, has shown that Indian agents have been replaced by bonded superintendents (see 25 U. S. C. 26, and 25 U. S. C. 66). The first enactment ought to have been specifically repealed but was not, and has been retained in the code despite the later law.

The advantage of codification is seen when studying such an act as Thirty-ninth Statute, page seven hundred fifty-two, to amend the Federal reserve act. In that volume of the Statutes at Large this law, which is in a jumbled mass, covers four pages and is not divided into sections. In the

code it is placed in title 12 and comprises 18 sections in three chapters, so that one need not read the entire act to find the particular portion sought.

Perhaps the act creating the Department of Labor is a better illustration (37 Stat. 736). Section 1 of that act is cited in 11 different titles of the code and over 100 times. This means that if it were not for the code one would have to refer to the original act so often to understand its application and effect. Many such laborious tasks are averted by the use of the code.

The Committee on Revision of the Laws is awaiting a report of the Treasury Department on title 26, Internal Revenue, of the code, which consists of a restatement of the internal revenue laws in improved and simpler language and logical rearrangement of the subject matter. It has been prepared by the Congressional Joint Committee on Internal Revenue Taxation and will be offered to the Congress as a bill with the idea of substituting it for the present code title and as a sort of model or guide for the revision of other titles.

I note in the advices received from Berlin that one of the leading jurists there, Dr. Johannes Werthauer, has recently compiled a new penal code which is described as "consisting of only 21 paragraphs instead of the present 413, superseding 10,000 laws; avoiding much legal phraseology he has written his new code in language that can be 'understood of the people.'"

It is with this idea in mind that the Revision of the Laws Committee is proceeding and possibly may be in a position to present to the House a thorough revision of the immigration and naturalization laws and also those relating to the public lands within the near future.

The great need for a solution of the perplexing problem of keeping a nation's laws in a form easily understood and readily accessible, is shown by the following examples of legislative absurdities, contradictions, mistakes, and inconsistencies:

By the act of August 5, 1882 (22 Stat. 301, c. 399), Congress attempted to amend a law which no longer existed. That act amended Revised Statutes 1675 by inserting certain language after the words "Liberia, $4,000." These words were in that section of the Revised Statutes as originally enacted, but had been previously stricken out by the amending act of March 3, 1875 (18 Stat. 483, c. 153).

It appears that at the time of the enactment of the national defense act of June 3, 1916 (39 Stat. 166 et seq.), there were statutes in effect authorizing:

(a) The detail of retired officers to duty at educational institutions with their own consent on retired pay;

(b) Without their own consent on retired pay (but with the difference between active and retired pay from the institutions);

(c) With their own consent on retired pay (but with commutation of quarters to be paid by the institutions); and

(d) With their own consent, with full allowances, and with either full or restricted pay, according to grade.

This confusing situation is best set forth in a letter dated February 14, 1930, which I have received from Maj. L. K. Underhill, of the office of the Judge Advocate General of the Army, and I quote the pertinent portion:

WASHINGTON, D. C., *February 14, 1930.*

Hon. ROY G. FITZGERALD,
House of Representatives.

MY DEAR COLONEL FITZGERALD: In compliance with your recent request that I bring to your special attention for your information confusing provisions of law which have come to my notice, and which could have been obviated by a codification of the laws, I invite your attention particularly to the various enactments relative to the placing of Army officers on duty at schools and colleges and to those relating to the furnishing of artificial limbs to veterans.

College duty. When retirement of Army officers was first provided for, the law authorized the assignment of retired officers to duty generally (12 Stat. 291), and retired officers on active duty were to receive full pay and allowances (12 Stat. 596).

In 1870, all assignment of retired officers to duty was prohibited. (16 Stat. 62.) About six months later an exception was made in favor of the detail of retired officers upon their own application as professors in colleges. (16 Stat. 320.) Such officers were to be entitled to no additional compensation. This provision, without the restriction as to compensation, was carried into the Revised Statutes as section 1260, and the restriction as to compensation was added in 1877. (19 Stat. 243.)

Meanwhile, in 1870 (16 Stat. 372) provision was made for the detail of retired officers to duty at the Soldiers' Home. This provision was carried into the Revised Statutes as section 1259, as amended in 1877. (19 Stat. 243.) However, there was also carried into section 1259 the provision derived from the act of 1870 (16 Stat. 62) which prohibited the detail of retired officers to any duty whatever, so that section 1259 purported to prohibit the detail of retired officers to any duty except at the Soldiers' Home, but was followed immediately by section 1260 authorizing their detail to duty at colleges.

There was in the Revised Statutes another section (sec. 1225) relating to the detail of a limited number of officers to duty at colleges. It referred to active officers only. After several amendments (19 Stat. 74, 23 Stat. 108, 25 Stat. 491, 26 Stat. 716), it was amended on November 3, 1893 (28 Stat. 7), so as to authorize the detail of retired officers upon their application with full pay, but not allowances. The acts of March 2, 1905 (33 Stat. 831), and of June 12, 1906 (34 Stat. 235), apparently restricted the pay and allowances of such officers above the grade of major. The act of March 3, 1909 (35 Stat. 738), amended the November 3, 1893, amendment of Revised Statutes 1225, so as to provide that retired officers on detail under that amendment should receive the full allowances of their rank, though the pay remained restricted as under the enactments of 1905 and 1906.

Meanwhile, on May 4, 1880 (24 Stat. 213), another provision of law was enacted authorizing the detail of retired officers to active duty at colleges without their consent, but restricting them to their retired pay, authorizing them, however, to receive from the colleges the difference between active and retired pay.

Another amendment to section 1225 Revised Statutes was enacted February 26, 1901 (31 Stat. 810), and amended April 21, 1904 (33 Stat. 225). Under these amendments additional retired officers were authorized for school duty with their own consent but limited to their retired pay, receiving commutation of quarters from the school.

At first glance it would appear that the earlier of these statutes had been superseded by the later ones. The act of August 6, 1894 (28 Stat. 235), however, makes it quite clear that these statutes (with the exception of the 1901 and 1904 amendments to Revised Statutes 1225, not then enacted) were all intended to be in effect at the same time. As to the 1901 and 1904 amendments, their text makes it clear that they were also intended to be in effect at the same time.

While there were minor differences between these different enactments, it is clear that they overlapped considerably in their scope, and it is quite apparent that it was intended that the purpose of the detail in each case was the teaching of military science and tactics (see act of August 6, 1894, 28 Stat. 235).

None of these enactments has been specifically repealed. Section 45 of the act of June 3, 1916, supra, and sections 33 and 35 of the act of June 4, 1920 (41 Stat. 759 et seq.), made new provision for the detail of retired officers to colleges and schools, with entirely different provisions as to compensation. It is a matter for statutory construction whether the enacments of 1920 cover the entire field or whether any of the earlier enactments remain in effect. The United States Code ignores all of the early enactments except R. S. 1260, which has been carried into the code in section 1178 of Title 10.

L. K. UNDERHILL.

I read also from a memorandum prepared by Mr. W. H. McClenon, of the legislative reference service of the Library of Congress, on January 16, 1930:

LIBRARY OF CONGRESS LEGISLATIVE REFERENCE SERVICE—SOME CURIOSITIES OF THE FEDERAL STATUTES

1. If a person should try to hang a picture on a wall that had been torn down seven years before, the result would probably be unsatisfactory. That is substantially what Congress attempted by the act of August 5, 1882 (22 Stat. 301, ch. 399), which amended Revised Statutes 1675 by inserting certain words after the words "Liberia, $4,000." These words were in Revised Statutes 1675 as originally enacted, but had been stricken out by the amending act of March 3, 1875 (18 Stat. 483, ch. 153).

2. Another instance of futile action on the part of Congress is found in section 1 of the act of June 12, 1917 (40 Stat. 102, ch. 26), in which section 1 of the war risk insurance act was "amended to read" in exactly the same way that it had read all the time. (The original bill contained at least one important amendment, which was stricken out in the course of its passage through the House or the Senate.)

3. Several times Congress has enacted an act "proposing" to amend an earlier provision (e. g., 38 Stat. 691, 958, ch. 93; 39 Stat. 725, ch. 441).

4. The act of October 6, 1917 (40 Stat. 385, c. 83, sec. 1), makes it unlawful to manufacture explosives, etc., "in such manner as to be detrimental to the public safety, except as in this act provided."

5. The act of September 26, 1918 (40 Stat. 971, sec. 7), amends Revised Statutes 5209 "as amended by the acts of April 6, 1869, and July 8, 1870." The Revised Statutes were originally enacted in 1874, and hence could scarcely have been amended five years earlier.

6. Congress has, however, occasionally attempted to amend an act not yet enacted. Thus, the act of July 1, 1918 (40 Stat. 653),

expressly amended "to read as follows" a provision not enacted until July 3 (40 Stat. 783). The following day this practice was repeated (see 40 Stat. 741, 814). But on July 8 of the same year (40 Stat. 822) Congress undertook to amend an act which was not approved until August 31 (40 Stat. 923).

7. On the other hand, Congress frequently fails to take account of provisions which have already been enacted. Thus, the act of June 23, 1913 (38 Stat. 65) imposed on the Secretary of Commerce and Labor duties relating to immigration, although on March 4, 1913 (37 Stat. 736, 737), the title of the Secretary was changed to Secretary of Commerce and his duties relating to immigration were transferred to the Secretary of Labor.

8. An even more striking instance of this sort is the act of May 16, 1918 (40 Stat. 550 c. 74), which conferred powers on judges of circuit courts, which courts had been abolished seven years before by section 289 of the Judicial Code of March 3, 1911 (36 Stat. 1167).

9. The act of March 4, 1917 (39 Stat. 1201, sec. 3), restricted the application of Revised Statutes 4716, which had been repealed August 29, 1916 (39 Stat. 649, sec. 1).

10. The District of Columbia prohibition act of March 3, 1917 (39 Stat. 1130, sec. 24), was declared to be operative from November 1, 1916, but section 1 of the act, which contained the establishment of prohibition, was made operative November 1, 1917.

11. The act of October 1, 1890 (35 Stat. 416), amended Revised Statutes 3893 to give an extended meaning to the word "indecent" as used in that section. Section 211 of the Criminal Code of 1909 (35 Stat. 1129) embodied Revised Statutes 3893 with certain modifications, but entirely ignored the 1908 amendment. That this omission was inadvertent would seem to be indicated by the fact that the 1908 amendment was repeated verbatim as an amendment to section 211 of the Criminal Code by the act of March 4, 1911 (36 Stat. 1339, sec. 2).

12. Occasionally the same provision is amended twice within a short time, under circumstances making it doubtful whether the first is superseded by the second, or whether both amendments should be treated as in force. Thus the act of March 1, 1921 (41 Stat. 1202, c. 102), was amended December 15, 1921 (42 Stat. 348, c. 3), by adding a section 2; by the act of April 7, 1922 (42 Stat. 492, c. 125), the original act was amended "to read as follows," with no reference to the act of December 15, 1921, but embodying much the same rule of law.

13. Similarly, Revised Statute 3220 was amended by the revenue act of 1928 (45 Stat. 878, sec. 619), by striking out a certain exception and inserting a somewhat broader exception. The same day Revised Statute 3220 was amended "to read as follows" (45 Stat. 996, sec. 3), omitting all reference to the original or the amended exception. The United States Code Supplement (26: 149) includes both amendments as in force, but the matter is not entirely free from doubt.

14. The act of September 14, 1922 (42 Stat. 839, sec. 4), amends "section 15" of the Judicial Code "to read as follows." The United States Code (28: 18, 19) treats this as an amendment of section 14, and the Department of Justice concurs in this view. Yet Congress has never amended the act of 1922 so as to indicate its true intention and correct the error in drafting.

15. The act of February 25, 1927 (44 Stat. 1232-33), contains no section 14, but two sections each numbered 16.

16. Occasionally Congress has apparently forgotten the correct designation of the nation; the act of May 22, 1926 (44 Stat. 618, c. 365, sec. 2), uses the expression "the maintenance of the dam by the United States." But probably the Government Printing Office is really responsible for this recognition or a supposed success of the Southern Confederacy.

17. There are a number of statutes that sound ambiguous by reason of the punctuation or the arrangement of the words. For example, the eighteenth amendment is declared to be applicable to "the United States and all territory subject to the jurisdiction thereof for beverage purposes."

18. Similarly, the act of August 29, 1916 (39 Stat. 549, sec. 15), refers to persons "not a citizen or subject of a foreign power 21 years of age or over."

19. Again, the act of June 20, 1906 (34 Stat. 313, c. 3442), prohibited the offering for sale of sponges "at any port or place in the United States of a smaller size than 4 inches in diameter."

20. The act of May 27, 1908 (35 Stat. 416), amended Revised Statutes 3893 to give an extended meaning to the word "indecent," as used in that section. Section 211 of the Criminal Code of 1909 (35 Stat. 1129) embodied Revised Statutes 3893 with certain modifications, but entirely ignored the 1908 amendment. That this omission was inadvertent would seem to be indicated by the fact that the 1908 amendment was repeated verbatim as an amendment to section 211 of the Criminal Code by the act of March 4, 1911 (36 Stat. 1339, sec. 2).

The above are merely samples. Similar cases to three or four times the above list could readily be set forth.

Maj. F. G. Munson, also of the Judge Advocate General's office, has prepared for me a list of references to statutes carelessly drafted and which indicate the need of revision and the adoption of a uniform style and attempt at an ideal of legislative expression. In this list it appears that an act of Congress (28 Stat. 664) authorized the sale of the old Chicago post office to "the lowest and best bidder." I read from it as follows:

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, January 20, 1930.

Memorandum for Hon. ROY G. FITZGERALD, M. C. (Personal.)
Subject: Examples of defective drafting of the Federal statutes.

There follow a number of instances that have come to the attention of the undersigned of defects in the Federal statutes of rather serious import—not all such instances, but perhaps the more striking ones.

Exactly opposite word used:

The act of February 13, 1893 (28 Stat. 664) authorized the sale of the old Chicago post office to "the lowest and best bidder." (Corrected in 28 Stat. 701.)

Use of "or" for "and" as creating, apparently, a peculiar crime:

Section 2, act of June 30, 1902 (32 Stat. 547), found in the United States Code as 22: 79, by use of "or" where probably "and" was intended, making consular officers who fail to file bonds when they accept certain fiduciary offices guilty of embezzlement.

Denouncing both the doing of an act and the not doing it:

The so-called meat inspection act, reenacted after its original passage with the addition of just one word in its five pages of text (the word "hereafter") (34 Stat. 667 and 1263), denounces both defacing or destroying certain marks, stamps, etc., and failing to deface or destroy them. This provision is now found in United States Code, 21: 79.

Peculiar references to former acts:

The act of March 3, 1891 (26 Stat. 1095), repealed, in toto, the act of June 14, 1878 (20 Stat. 113); it then proceeded to repeal "the following words of the last clause of section 2 of said act."

Revised Statutes 4264, on its face, relates to all vessels, but the act of February 27, 1877 (19 Stat. 250), amended it to include steam vessels. (I presume we must keep in mind the possibility that there had been a decision by the courts which made an apparently useless amendment necessary.)

The recent act of May 28, 1928 (45 Stat. 786) (see Supplement III 32: 181a of the U. S. C.), is entitled "An act to amend the national defense act." It incorrectly describes the act of February 14, 1927 (44 Stat. 1095), as adding an additional paragraph to section 113 of the national defense act, and ends with quotation marks at its section 1, which rather beclouds its meaning. What, for example, is the act referred to in section 2 thereof?

Apparently contradictory directions to an executive official:

The Secretary of the Interior was directed in the case of certain Indian contracts, "to enter, in writing, on such original contract, on the record in the office of the Commissioner of Indian Affairs wherein such original contract is recorded," etc. (18 Stat. 36.)

Changing titles but continuing to use the old titles:

"Assignees" in bankruptcy used where an earlier act in the same volume of the statutes had changed the word to "trustee." Compare bankruptcy act of July 1, 1898 (30 Stat. 544), and the act of March 3, 1899 (30 Stat. 1191).

Title "Public Printer" adopted June 20, 1874 (18 Stat. 88), but the old title "Congressional Printer" is found in an act of the next session (18 Stat. 347).

The act of July 1, 1902 (32 Stat. 712), is entitled "An act to increase the efficiency and change the name of the United States Marine-Hospital Service." Said act changed the name to "Public Health and Marine Hospital Service of the United States." Section 11 immigration act of March 3, 1903 (32 Stat. 1213), refers to it by the old title, but section 17 thereof is impartial and refers to it by both the old and the new titles.

The same immigration act contained an error which must have caused considerable embarrassment. By the act of February 14, 1903 (32 Stat. 825), the control of immigration was transferred from the Department of the Treasury to the newly created Department of Commerce and Labor, yet the immigration act of March 3, 1903, went through to become a law with no one apparently noticing that in every place where it should have read "Secretary of Commerce and Labor" it read "Secretary of the Treasury." It took the resolution of April 28, 1904 (33 Stat. 591), to correct this error, yet the then Department of Commerce and Labor wrote me that the Secretary of Commerce and Labor had assumed jurisdiction of immigration on July 1, 1903, when the organic act creating the Department of Commerce and Labor went into effect. This, I take it, was an almost necessary assumption of power which had been expressly conferred on another executive head, simply due to careless drafting.

Section 932 of the present District of Columbia Code provides in its first sentence that the attorney for the District of Columbia shall hereafter be known as the corporation counsel. Yet the next sentence provides that certain violations shall be prosecuted by "the city solicitor." (32 Stat. 537.)

Appropriation acts not conforming to authorization acts:

By the act of February 12, 1903 (32 Stat. 825), the justices of the Supreme Court were granted an increase of salary, each member of the court thereafter to receive $2,500 more; yet two weeks later they were appropriated for at the old rate. (32 Stat. 905.)

The converse case is found in the acts of the Forty-third Congress, where, after twice forbidding the publication of the laws in newspapers (18 Stat. 90, 317), the Congress appropriated $50,000 for that very purpose. (18 Stat. 349.)

Repeating provisions:

I recall the advantage you mentioned in treating certain provisions of law, repeated year after year, as purely temporary legisla-

tion, viz, that the Congress then may consider annually the advisability of continuing such provisions. Yet there must be a considerable number of such repeating provisions that really raise no question of policy but are repeated solely as a matter of course. On the other hand, the questions of policy which some of these repeating provisions raise could be taken up and settled once for all.

In the 1873–1907 volume of Scott & Beaman's Index Analysis of the Federal Statutes, pages 836, 837, it will be noted that pension legislation was for many years a fertile field for such "repeaters." Thus during that period we find that—

Surgeons must be present at examinations as a condition of receiving fees appears nineteen times.

Surgeons' fees are fixed twenty-seven times.

Number of applicants to be examined in a day prescribed twenty-six times.

in identical language. Yet, by adding the word "hereafter" in the act of May 28, 1908 (35 Stat. 419), the necessity of all this repetition was done away with.

In the War Department appropriation acts, as they have appeared in recent years, you will find 18 provisions constantly repeated. (The pamphlet prepared by me entitled "The national defense act" and "The pay readjustment act," for the House Committee on Military Affairs, lists these provisions in Table B on page 7 thereof.) Now obviously some of these provisions could be settled once for all and their repetition so constantly done away with. A beginning has, in fact, been made toward this object. The act of March 7, 1928 (45 Stat. 245), embodied in permanent form certain restrictions on the purchase of horses for the Army that had theretofore been in the form of "repeaters."

If, however, as a matter of policy it is considered wiser to keep a provision in a temporary status, so to speak, it would seem that it should be so worded that there could be no doubt about the intention of the Congress. You perhaps took some part in the discussion which was very energetically carried on several years ago on the question of the admission of the children of Government employees and of Army, Navy, and Marine Corps personnel to the public schools of the District of Columbia. As I recall the debate, no one ever suggested that the provision which was being discussed was permanent law, and probably no one regards it as such. Yet in the form in which it has appeared since 1917 (its inception so far as Army and Navy personnel was concerned), it is difficult to see why it is not permanent legislation. It reads, for example, in the act of February 28, 1923 (42 Stat. 1347), just as it reads in the latest act, that of February 25, 1929 (45 Stat. 1279), viz:

"The children of officers and men of the United States Army, Navy, and Marine Corps, and children of other employees of the United States stationed outside the District of Columbia shall be admitted to the public schools without payment of tuition."

You have felt this difficulty in the United States Code, and have attempted to meet it by the use of some such expression, in giving the later references, as that "The statutory provision constituting section 914 of this title (i. e., title 10) was repeated in the District of Columbia appropriation acts of May 10, 1926," etc. This appears to be a construction that the source act of the code is the permanent law and that the later acts are but repetitions of it, but obviously it leaves unsolved the problem of what is the law. If permanent legislation, it seems to me that you have a right to ask the Congress to tell you so in no vague and uncertain terms, but not to enact it year after year in such a form that all you can do is to pass the uncertainty on to the users of the code. This, of course, is but an example of numerous cases where you have been compelled to meet the difficulty in your supplement. The scholarly and scientific method would be a study of all these "repeaters" and then making an effort to ascertain from the various committees concerned to which they would not object being put in permanent form.

F. G. MUNSON,
Major, J. A. (D. O. L.).

Attention may be called to the fact that in the Sixty-eighth Congress the House of Representatives passed a bill (H. R. 12308) "amending certain sections of the Compiled Statutes of the United States," a private compilation, and in the Seventieth Congress a Senate bill (S. 2427) was introduced which sought to amend the General Code of the State of Ohio.

In the first instance, under authority of House Concurrent Resolution No. 48 (68th Cong., 2d sess.) the Clerk struck out the language relating to amending "sections 1575 and 1576 of the Compiled Statutes" in the engrossed bill. (See 43 Stat., pt. 2, p. 1618.)

The Senate bill sought to "enact supplemental section 8853–1 to section 8853 of the General Code relative to public railroad crossings of highways."

I read the following excerpts from addresses by the late Senator Albert J. Beveridge, the first of which appeared recently in the magazine The Shield, and the latter in the Saturday Evening Post, as follows:

No human being knows even how many statutes are hidden within the forbidding covers of the thousands of volumes that contain acts of Congress and legislatures.

No human being knows or can know what these innumerable laws mean.

No human being knows even the number of city ordinances, much less the purport of them.

No human being knows even the sum of rules and regulations that unceasingly pour from our countless bureaus, boards, commissions, and departments of Government, every one of which bureaucratic edicts has the force and effect of enactments by legislative bodies.

We complain of lawlessness, but is not the excess legislation a basic cause of lawlessness? How can anybody obey every law when nobody knows, or can know, how many laws there are or what they command or forbid?

If we, the people, no longer have the intelligence and courage to throw off the spell and command our legislators to stop deluging us with directive statutes and strangling us with autocratic regulations, we ourselves—we, the people—will have worked our own undoing, surrendered our liberties, made ourselves the slaves instead of the masters of the State. We ourselves—we, the people—will have become the Frankenstein of freedom and created the monster that will devour us.

"When the people are subjected to overmuch government the land is thrown into confusion. The greater the number of laws and enactments, the more thieves and robbers there will be."—Lao-Tze, 560 B. C.

MANY LAWS, MUCH INDIFFERENCE

There is the root of the evil, is it not?—the attempt to put all human activities into statutory strait-jackets—and these strait-jackets constructed, too, by those who know little or nothing of the industry or business they would thus encase.

We suffer from a plague of laws. Nobody knows the number of State and national laws and municipal ordinances that our legislative bodies have ground out, and it is impossible to keep track of the myriads of enactments and ordinances that pour from every lawmaking machine in America. We know only that there are hundreds of thousands of these products of the busy activity of our lawmakers, and that the number of these statutory shall and shall-nots constantly increase.

For instance, within two weeks after the convening of the present Congress 6,023 bills and 88 joint resolutions were introduced, and this proportion is maintained by most State legislatures. While, of course, comparatively few of these proposed laws are enacted, the aggregate of those that are crowded into our statute books, municipal, State, and national, is stupendous.

Indeed, to grasp the extent and multiplicity of them is beyond the power of the human mind. The most accomplished and best-informed lawyer in America does not and can not know the sum of even national legislation, to say nothing of the legal cascades that incessantly spout from our State legislatures and city councils; and there are thousands of statutes to get at the meaning of which requires careful study and delicate judgment. Yet every citizen must observe every line of them.

Can it be that this melancholy state of the public mind and feeling has to some extent been produced by excess legislation, which nobody understands but everybody must obey, and a vague fear inspired by overgovernment? Here is a serious matter for our statesmen; the public temper is more important than particular statutes.

But be that as it may, what caused the prodigious multiplication of laws which now cover the land like a tropic jungle? Was it not, perhaps, the result of wrong thinking? Did we not allow ourselves to become hypnotized by the false idea of government as an omnipotent and omniscient being which can do everything, stop all evil, give all good, make everybody prosperous, happy, and righteous?

At any rate, all of us will agree that we have too many laws and that some of them are too intricate and rigid for human uses, even for human comprehension.

I take this opportunity of calling the attention of the House to the fact that the long and arduous task of codifying the laws peculiar to the District of Columbia has been completed, and the first complete code for the District of Columbia is now available with a thorough index, tables of cross reference and of repealed statutes, history of the District with acts of cession and act of retrocession to Virginia, and appropriate maps.

Each Member of the House has two copies to his credit in the folding room, and copies may be purchased by the general public from the Superintendent of Documents for the cost of printing, $2.

When the District was formed, Congress provided that the laws of Great Britain, in force in Maryland on February 27, 1801, and the laws of Virginia should control the portions of the District, respectively, acquired by cession from those two States. The population was sparse, and there was little or no need for many years for reference to such British statutes. They were never compiled; they were never listed and never indexed. As the years went on and the population of the District grew, and business increased in importance, it became more and more essential that the laws governing

the District should be known. They were pitfalls for the unwary, and none but lawyers with a taste for antiquarian research and ample time were able to ascertain the law in many cases. On over 80 different occasions in the local courts reference has had to be made to some of these ancient and obscure statutes, most difficult of access.

The present new Code for the District of Columbia is the first attempt to set forth completely in a single volume all of the general and permanent law relating peculiarly to the District of Columbia.

The SPEAKER. The Clerk will report the Senate amendments.

The Clerk read the Senate amendments, as follows:

Page 2, line 5, strike out "paragraph" and insert "paragraph,":
Page 2, after line 8, insert:

"40 Stat. 152, seventh paragraph, act of June 12, 1917, c. 27---------- Title 16, sec. 116."

Page 2, strike out line 9.
Page 2, after line 9, insert:

"40 Stat. 152, twelfth paragraph, act of June 12, 1917, c. 27---------- Title 16, sec. 135."

Page 2, strike out line 18.
Page 2, strike out lines 19 to 21, inclusive.
Page 2, strike out lines 22 and 23.
Page 2, strike out line 24.
Page 2, strike out line 26.
Page 2, strike out line 27.
Page 2, strike out line 28.
Page 2, strike out line 33.
Page 2, strike out line 34.
Page 2, strike out lines 35 and 36.
Page 2, strike out lines 42 and 43.
Page 2, strike out line 44.
Page 3, strike out line 1.
Page 3, strike out line 2.
Page 3, strike out line 3.
Page 3, strike out line 4.
Page 3, strike out line 5.
Page 3, strike out line 26.
Page 3, strike out lines 27 and 28.
Page 3, strike out lines 30 and 31.
Page 3, strike out lines 34 and 35.
Page 3, strike out line 39.
Page 3, strike out line 40.
Page 3, strike out line 41.
Page 4, strike out line 12.
Page 4, after line 12, insert "R. S. 4205, title 46, section 99."
Page 4, line 22, strike out "—393, first 18 paragraphs."
Page 4, line 23, strike out "336" and insert "337."

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendments were agreed to.

ADJOURNMENT

Mr. CRAMTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 2 minutes p. m.) the House adjourned until to-morrow, Wednesday, December 10, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, December 10, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

War Department appropriation bill.

Sate, Justice, Commerce, and Labor Departments appropriation bill.

JOINT CONGRESSIONAL COMMITTEE ON INTERNAL REVENUE TAXATION

(10 a. m., room 321, House Office Building)

To consider depletion of mines.

COMMITTEE ON INDIAN AFFAIRS

(10.30 a. m.)

Authorizing the Secretary of the Interior to arrange with States for the education, medical attention, and relief of distress of Indians. (H. R. 9766.)

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To consider the naval construction program.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

692. A letter from the Secretary of War, transmitting a draft of a bill to authorize appropriation for construction at Randolph Field, San Antonio, Tex., and for other purposes; to the Committee on Military Affairs.

693. A letter from the Secretary of War, transmitting a report from the Chief of Engineers, United States Army, on preliminary examination of Buffington Harbor, Ind.; to the Committee on Rivers and Harbors.

694. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on preliminary examination of Calcite Harbor, Mich.; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WOOD: Committee on Appropriations. H. R. 14804. A bill making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment; without amendment (Rept. No. 2084). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAHAM: Committee on the Judiciary. H. R. 14255. A bill to expedite the construction of public buildings and works outside of the District of Columbia by enabling possession and title of sites to be taken in advance of final judgment in proceedings for the acquisition thereof under the power of eminent domain; with amendment (Rept. No. 2086). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. GUYER: Committee on Claims. H. R. 5229. A bill for the relief of T. Brooks Alford; without amendment (Rept. No. 2085). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 13641) granting a pension to Annie Farrell; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 13671) granting a pension to Loretta J. Haines; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WOOD: A bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment; to the Committee of the Whole House on the state of the Union.

By Mr. BRAND of Georgia: A bill (H. R. 14805) to amend the act entitled "An act for the erection of a tablet or marker to be placed at some suitable point between Hartwell, Ga., and Alfords Bridge in the County of Hart, State of Georgia, on the national highway between these States of Georgia and South Carolina, to commemorate the memory of Nancy Hart"; to the Committee on the Library.

By Mr. CARTER of Wyoming: A bill (H. R. 14806) to authorize the erection of a United States veterans' hospital at or near Thermopolis, Wyo.; to the Committee on World War Veterans' Legislation.

By Mr. CARTWRIGHT: A bill (H. R. 14807) to authorize the Secretary of the Treasury to construct in Durant, Okla., on the site now used for a post office, an addition to the present Federal building for the use of the United States court and other Federal offices, and making an appropriation therefor; to the Committee on Public Buildings and Grounds.

By Mr. EDWARDS: A bill (H. R. 14808) to provide for the immediate payment of the adjusted-service certificates to veterans of the World War; to the Committee on Ways and Means.

By Mr. FULMER: A bill (H. R. 14809) to provide for the immediate payment to veterans of the present value of their adjusted-service certificates; to the Committee on Ways and Means.

By Mr. GOODWIN: A bill (H. R. 14810) to authorize the erection of a convalescent hospital on the military reservation at Fort Snelling, in the State of Minnesota, and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. JAMES of Michigan: A bill (H. R. 14811) to authorize an appropriation for the purchase of land and buildings thereon joining the West Point Military Reservation, N. Y., and for other purposes; to the Committee on Military Affairs.

By Mr. MILLER: A bill (H. R. 14812) to authorize the Secretary of the Navy to proceed with the construction of a machine-shop building at the United States navy yard, Puget Sound, Wash.; to the Committee on Naval Affairs.

By Mr. NOLAN: A bill (H. R. 14813) to provide for the erection of an addition to the United States veterans' hospital at Fort Snelling, Minn., and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. SPROUL of Kansas: A bill (H. R. 14814) to provide import duties on crude petroleum and its refined products imported into the United States from foreign countries; to the Committee on Ways and Means.

By Mr. SWICK: A bill (H. R. 14815) to authorize the erection of an addition to Veterans' Bureau hospital at Aspinwall, in the State of Pennsylvania, and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. TARVER: A bill (H. R. 14816) to provide for the paving of the Government road, known as the Stephens Gap Road, commencing in the city of Chickamauga, Ga., and extending to Stephens Gap, constituting an approach road to Chickamauga and Chattanooga National Military Park; to the Committee on Military Affairs.

By Mr. COLTON: A bill (H. R. 14817) authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Utah State Capitol Museum, of Salt Lake City, Utah, the silver service in use on the U. S. S. *Utah;* to the Committee on Naval Affairs.

By Mr. JOHNSON of Oklahoma: A bill (H. R. 14818) authorizing the payment of a pension of $40 per month to all persons who have served 20 years or more as members of the Indian police at any agency in the United States of America; to the Committee on Indian Affairs.

By Mr. REECE: A bill (H. R. 14819) to authorize the development of an aircraft combining a heavier-than-air type of airplane with a lighter-than-air craft suitable for transport purposes for the Army Air Corps; to the Committee on Military Affairs.

By Mr. ZIHLMAN: A bill (H. R. 14820) to amend section 8 of the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes," approved March 4, 1913, as amended; to the Committee on the District of Columbia.

By Mr. BANKHEAD: A bill (H. R. 14821) to provide for extending during the present emergency the time of payment of loans made by Federal land banks, and for other purposes; to the Committee on Banking and Currency.

By Mr. CRAIL: A bill (H. R. 14822) to amend section 2 of the Federal caustic poison act; to the Committee on Interstate and Foreign Commerce.

By Mr. McDUFFIE: A bill (H. R. 14823) to amend section 4 of the act entitled "An act to amend the act entitled 'An act to provide that the United Sates shall aid the States in the construction of rural post roads, and for other purposes,' approved July 11, 1916, as amended and supplemented, and for other purposes," approved May 21, 1928; to the Committee on the Post Offices and Post Roads.

By Mr. MERRITT: A bill (H. R. 14824) for the relief of the State of Connecticut; to the Committee on the Judiciary.

By Mr. WAINWRIGHT: A bill (H. R. 14825) to increase the efficiency of the Medical Department of the Regular Army; to the Committee on Military Affairs.

By Mr. DICKSTEIN: Joint resolution (H. J. Res. 429) relative to fees in naturalization proceedings; to the Committee on Immigration and Naturalization.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEERS: A bill (H. R. 14826) granting an increase of pension to Laura V. Kauffman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14827) granting a pension to Minnie W. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14828) granting an increase of pension to Elizabeth G. Williams; to the Committee on Invalid Pensions.

By Mr. BRUMM: A bill (H. R. 14829) granting a pension to Maria C. Gallagher; to the Committee on Invalid Pensions.

By Mr. BURTNESS: A bill (H. R. 14830) for the relief of the Lehigh Briquetting Co.; to the Committee on Ways and Means.

By Mr. CARTER of California: A bill (H. R. 14831) for the relief of Arthur C. Pinson and Pearl Pinson; to the Committee on Claims.

By Mr. CELLER: A bill (H. R. 14832) for the relief of Harry Gernler; to the Committee on Claims.

By Mr. CRAIL: A bill (H. R. 14833) granting an increase of pension to William H. Baird; to the Committee on Pensions.

Also, a bill (H. R. 14834) granting a pension to Robert Ricketts; to the Committee on Pensions.

Also, a bill (H. R. 14835) granting a pension to Julia Benner; to the Committee on Invalid Pensions.

By Mr. DALLINGER: A bill (H. R. 14836) for the relief of Harry Downs; to the Committee on Military Affairs.

By Mr. DAVENPORT: A bill (H. R. 14837) granting an increase of pension to Julia E. Spencer; to the Committee on Invalid Pensions.

By Mr. DAVILA: A bill (H. R. 14838) for the relief of J. C. Besosa; to the Committee on Insular Affairs.

By Mr. DRANE: A bill (H. R. 14839) granting an increase of pension to Bettie Spencer; to the Committee on Invalid Pensions.

By Mr. EDWARDS: A bill (H. R. 14840) granting an increase of pension to Lola Hendershott; to the Committee on Pensions.

Also, a bill (H. R. 14841) granting an increase of pension to Louise Hendershott; to the Committee on Pensions.

Also, a bill (H. R. 14842) for the relief of George Tatum; to the Committee on Military Affairs.

By Mr. ENGLEBRIGHT: A bill (H. R. 14843) for the relief of Bernard McShane; to the Committee on Claims.

By Mr. EVANS of California: A bill (H. R. 14844) granting a pension to Harriet A. Pearman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14845) granting a pension to Andrew H. Thomas; to the Committee on Invalid Pensions.

By Mr. FREAR: A bill (H. R. 14846) granting a pension to Rosetty Norton; to the Committee on Invalid Pensions. Pensions.

By Mr. GRANFIELD: A bill (H. R. 14847) for the relief of Peter Bess; to the Committee on Claims.

Also, a bill (H. R. 14848) granting an increase of pension to Hannah Corbett; to the Committee on Pensions.

By Mr. GREENWOOD: A bill (H. R. 14849) granting an increase of pension to Elizabeth Corbley; to the Committee on Invalid Pensions.

By Mr. HESS: A bill (H. R. 14850) for the relief of Lieut. Enoch Graf; to the Committee on Claims.

By Mr. HOGG of West Virginia: A bill (H. R. 14851) granting an increase of pension to Julian E. Cooper; to the Committee on Invalid Pensions.

By Mr. HOOPER: A bill (H. R. 14852) granting a pension to Ellen J. Ludlow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14853) granting a pension to Harry M. Snow; to the Committee on Pensions.

Also, a bill (H. R. 14854) granting an increase of pension to Evvah A. Dickson; to the Committee on Invalid Pensions.

By Mr. HOPE: A bill (H. R. 14855) granting an increase of pension to Sarah F. Downard; to the Committee on Invalid Pensions.

By Mr. HOUSTON of Delaware: A bill (H. R. 14856) granting an increase of pension to Marrietta Louder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14857) extending the time for consideration of application for retirement of Douglass G. Stewart under the emergency officers' retirement act; to the Committee on Naval Affairs.

By Mr. JOHNSON of Illinois: A bill (H. R. 14858) granting an increase of pension to Helen J. Avery; to the Committee on Invalid Pensions.

By Mrs. LANGLEY: A bill (H. R. 14859) granting a pension to Sally Stedman; to the Committee on Invalid Pensions.

By Mr. LOZIER: A bill (H. R. 14860) granting a pension to Catherine Glasscock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14861) granting a pension to Mary Jane Mott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14862) granting an increase of pension to Susan Hartinstine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14863) granting an increase of pension to Margaret E. Brammer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14864) granting an increase of pension to Clarinda Wolf; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14865) granting an increase of pension to Mary M. Kimes; to the Committee on Invalid Pensions.

By Mr. McLEOD: A bill (H. R. 14866) for the relief of Detroit Fidelity & Surety Co.; to the Committee on Claims.

By Mr. MARTIN: A bill (H. R. 14867) for the relief of William Cross; to the Committee on Naval Affairs.

By Mr. MENGES: A bill (H. R. 14868) granting an increase of pension to Sarah Keller; to the Committee on Invalid Pensions.

By Mr. MERRITT: A bill (H. R. 14869) granting an increase of pension to Jennie A. Whitney; to the Committee on Invalid Pensions.

By Mr. MILLER: A bill (H. R. 14870) for the relief of the Engineers Club, of Seattle, Wash.; to the Committee on Claims.

By Mr. MOORE of Kentucky: A bill (H. R. 14871) granting a pension to Carrie Runner; to the Committee on Pensions.

Also, a bill (H. R. 14872) granting a pension to Oliver Grimes; to the Committee on Pensions.

By Mr. MOONEY: A bill (H. R. 14873) granting compensation to Harriet M. MacDonald; to the Committee on War Claims.

By Mr. MORGAN: A bill (H. R. 14874) granting a pension to Margaret Elizabeth Thuma; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14875) granting an increase of pension to Ida M. Stough; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14876) granting an increase of pension to Sarah L. Hobbs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14877) granting an increase of pension to Mariah Dry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14878) granting an increase of pension to Clara M. Mossbrooks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14879) granting an increase of pension to Margaret V. Myers; to the Committee on Invalid Pensions.

By Mr. PEAVEY: A bill (H. R. 14880) granting an increase of pension to Sarah Elizabeth Dyer; to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 14881) for the relief of Theodore Lyons; to the Committee on Military Affairs.

By Mr. FRANK M. RAMEY: A bill (H. R. 14882) for the relief of John S. Goehe; to the Committee on Claims.

Also, a bill (H. R. 14883) for the relief of Lewis Isbell; to the Committee on Military Affairs.

By Mr. REECE: A bill (H. R. 14884) granting a pension to Eleanora Emma Bliss; to the Committee on Pensions.

By Mr. BOWBOTTOM: A bill (H. R. 14885) granting an increase of pension to Louisa Montgomery; to the Committee on Invalid Pensions.

By Mr. IRWIN: A bill (H. R. 14886) granting an increase of pension to Evelyne Qualls; to the Committee on Invalid Pensions.

By Mr. BOWBOTTOM: A bill (H. R. 14887) granting a pension to Arda P. Lemmon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14888) granting an increase of pension to Sarah Wood; to the Committee on Invalid Pensions.

By Mr. SCHAFER of Wisconsin: A bill (H. R. 14889) granting a pension to Charles W. Bentley; to the Committee on Pensions.

By Mr. SHORT of Missouri: A bill (H. R. 14890) granting an increase of pension to Margret McDowell; to the Committee on Invalid Pensions.

By Mr. STAFFORD: A bill (H. R. 14891) granting an increase of pension to Mary E. Bailey; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 14892) granting an increase of pension to Walker Cooper; to the Committee on Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 14893) granting a pension to Clara Stanley; to the Committee on Pensions.

Also, a bill (H. R. 14894) granting a pension to Sinia A. Collins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14895) for the relief of George W. Collins; to the Committee on Naval Affairs.

By Mr. THATCHER: A bill (H. R. 14896) granting a pension to Effie L. Addis; to the Committee on Pensions.

Also, a bill (H. R. 14897) for the relief of James A. A. Rodman; to the Committee on Military Affairs.

Also, a bill (H. R. 14898) for the relief of John Bryson; to the Committee on Military Affairs.

By Mr. WHITLEY: A bill (H. R. 14899) granting an increase of pension to Gertrude M. Chapin; to the Committee on Invalid Pensions.

By Mr. WIGGLESWORTH: A bill (H. R. 14900) granting a pension to Annie Dougherty; to the Committee on Invalid Pensions.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 14901) granting an increase of pension to Sarah C. Kirkpatrick; to the Committee on Invalid Pensions.

By Mr. WYANT: A bill (H. R. 14902) granting an increase of pension to Mary Brubaker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14903) granting an increase of pension to Emma Gordon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14904) granting a pension to Joseph Dixon Snodgrass; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 14905) granting an increase of pension to Sarah M. Flowers; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7845. By Mr. GARBER of Oklahoma: Petition of the executive committee of the Hillerman Woman's Christian Temperance Union, Enid, Okla., urging support of House bill 9986 providing for Federal supervision of films to be licensed for interstate and international commerce; to the Committee on Interstate and Foreign Commerce.

7846. By Mr. McKEOWN: Petition of the Bernard Gill Post, American Legion, State of Oklahoma, Shawnee, Okla., asking Congress to issue negotiable coupon United States bonds to pay off the adjusted-service certificates; to the Committee on World War Veterans' Legislation.

7847. Also, memorial of H. G. Turner and other post-office employees of the Okemah (Okla.) post office requesting that House bills 3087 and 6603 be passed immediately; to the Committee on the Post Office and Post Roads.

7848. By Mr. O'CONNELL: Petition of Queensboro Federation of Mothers Clubs, favoring the passage of the Reed-Curtis bill; to the Committee on Education.

7849. By Mr. PATMAN: Petition of Thomas Chamberlain and 387 citizens and veterans of Great Falls, Mont., presented through Arthur F. Peabody, urging the immediate payment of the adjusted-service certificates now held by veterans of the World War; to the Committee on Ways and Means.

7850. Also, petition of Charles H. Donnell, of Ansonia, Conn., and 100 other veterans and citizens from the State of Connecticut, presented through Arthur F. Peabody, urging the immediate payment of adjusted-service certificates now held by World War veterans; to the Committee on Ways and Means.

7851. Also, petition of Peter Wafler and 114 other veterans and citizens of Orrville, Ohio, presented through Arthur F. Peabody, urging the immediate payment of adjust-service certificates now held by World War veterans; to the Committee on Ways and Means.

7852. By Mr. HENRY T. RAINEY: Petition of members of Burlington Chapter, No. 22, Veterans' Association, and Ladies' Auxiliary, Chapter No. 12, Beardstown, Ill., opposed to State or Government operating our waterways for commercial purposes, and opposed to trucks and busses using State-aid highways for commercial purposes, and while they use them that a heavy tax be placed upon them; that the size and tonnage of busses and trucks be regulated by law; to the Committee on Interstate and Foreign Commerce.

7853. By Mr. SCHAFER of Wisconsin: Petition of members of Cleary Post, No. 115, American Legion, Elroy, Wis., in favor of the immediate cash payment of the adjusted compensation (bonus); to the Committee on Ways and Means.

7854. Also, petition of veterans of the World War and members of the National Home, Wisconsin, in favor of the immediate cash payment of the adjusted compensation (bonus); to the Committee on Ways and Means.

7855. By Mr. WIGGLESWORTH: Petition of Mrs. Gilbert T. Chapin, of Brockton, Mass., and 1,800 residents of the fourteenth Massachusetts congressional district, urging the passage of House bill 7884, for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

SENATE

WEDNESDAY, DECEMBER 10, 1930

(Legislative day of Tuesday, December 9, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 10198) to repeal obsolete statutes and to improve the United States Code.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 328. An act for the relief of Edward C. Dunlap;

H. R. 1759. An act for the relief of Laura A. DePodesta;

H. R. 1825. An act for the relief of David McD. Shearer; and

H. R. 10198. An act to repeal obsolete statutes and to improve the United States Code.

SENATOR FROM KANSAS

The VICE PRESIDENT laid before the Senate the credentials of ARTHUR CAPPER, chosen a Senator from the State of Kansas for the term commencing March 4, 1931, which were read and ordered to be placed on file.

WITHDRAWALS AND RESTORATIONS OF PUBLIC LANDS

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, copy of letter of the Commissioner of the General Land Office, dated December 8, 1930, together with a report of the withdrawals and restorations of public lands as contemplated by the act approved June 25, 1910 (36 Stat. 847), which, with the accompanying papers, was referred to the Committee on Public Lands and Surveys.

REPORT OF BELLEAU WOOD MEMORIAL ASSOCIATION

The VICE PRESIDENT laid before the Senate a communication from Elizabeth Van Rensselaer Frazer, honorary president of the Belleau Wood Memorial Association, submitting the annual report of the association, which, with the accompanying papers, was referred to the Committee on Military Affairs.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate resolutions adopted by the Second Oregon Volunteer Infantry Association, favoring the passage of legislation which, in the event of war, would provide for the conscription of all wealth, labor, and property for the service of the Government, which were referred to the Committee on Military Affairs.

He also laid before the Senate resolutions of the Ministerial Alliance and its allied societies adopted at Joplin, Mo., favoring adhesion by the United States to the protocols for the World Court, which were referred to the Committee on Foreign Relations.

He also laid before the Senate a communication in the nature of a petition from the president of the Russian Veterans' Society of the World War, Seattle, Wash., praying for the passage of legislation for the relief of Russian invalid World War veterans, which was referred to the Committee on Finance.

He also laid before the Senate a communication from Warren H. Richards and Stanley N. Taylor, students of the Northeast High School, Philadelphia, Pa., submitting a relief plan for the unemployment situation, which was referred to the Committee on Finance.

He also laid before the Senate a communication from John Wuchter, of Portland, Oreg., relative to an invention for propelling ocean vessels 25 per cent faster and lessening vibration, which, with the accompanying paper, was referred to the Committee on Commerce.

He also laid before the Senate a communication from Patrick Gallagher, a citizen of New York and resident of the District of Columbia, relative to the Philippine problem and related matters, which, with the accompanying memorandum, was referred to the Committee on Foreign Relations.

PROPOSED FEDERAL BUILDING AT BOONVILLE, IND.

Mr. ROBINSON of Indiana presented a resolution adopted by the Boonville (Ind.) Business Men's Association, which was referred to the Committee on Public Buildings and Grounds and ordered to be printed in the RECORD, as follows:

Whereas the receipts of the post office of the city of Boonville, Ind., fall short only a small amount of the estimated $20,000 of receipts per annum necessary to entitle us to a new Federal building; and

Whereas Boonville is a thriving city of approximately 5,000 inhabitants and the local post office serves a large and important rural community, including several small towns; and

Whereas a new Federal building would be an appropriate and fitting memorial to the memory of the Hon. James A. Hemenway, who, prior to his death, was interested in procuring a Federal building; and

Whereas the construction of a Federal building here at this time would furnish labor to the drought-stricken people in this community; and

Whereas the present rented building for the post office here is too small and crowded to afford room for efficient service, and, as we are informed, the lease thereof expires in the coming year: Now, therefore, be it

Resolved by the Boonville Business Men's Association in their annual session on December 5, 1930, That we urgently urge and petition President Hoover, the Postmaster General, and the Congress to include a Federal building for Boonville in the list of Federal buildings to be constructed at this time, and that a copy of this resolution be forwarded by the secretary of this association to Senators JAMES E. WATSON and ARTHUR R. ROBINSON and to Congressman HARRY E. ROWBOTTOM and to President Hoover and to the Postmaster General and to the Fourth Assistant Postmaster General.

Passed and adopted December 5, 1930.

LOUIS L. ROTH,
President Boonville Business Men's Association.

Attest:

ERNEST W. OWEN, *Secretary.*

KINGS MOUNTAIN CELEBRATION

Mr. BLEASE. Mr. President, on December 3 I had inserted in the RECORD certain remarks, together with some documents. I have received this morning from Hon. CHARLES A. JONAS, Congressman from North Carolina, a letter which I ask may be published in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES,
Washington, D. C., December 9, 1930.

Hon. COLE. L. BLEASE,
United States Senate, Washington, D. C.

MY DEAR SENATOR BLEASE: The first intimation I had of any misunderstanding or error on the part of the officials of the Kings Mountain celebration committee, as to your status as a member of the official committee to represent the Senate at the celebration, was contained in the matter placed in the CONGRESSIONAL RECORD by you December 3. This was the first knowledge I had of any connection on the part of my office with this unfortunate misunderstanding. I attended only one meeting of the celebration committee prior to the celebration. This meeting was held at Grover, N. C., on Wednesday, September 24 or Thursday, September 25. At that meeting I distinctly recall that the tentative program was under discussion for the purpose of correcting errors. I recall that the name of Senator SMITH appeared on the program, and some one from South Carolina called attention to the fact that there was an error as to his initials. Frankly, I was under the impression, along with the others assembled there, that Senator SMITH was a member of the official Senate committee. I note that you published a telegram purported to have been signed by me and addressed to Mr. C. O. Kuester, chairman of the Kings Mountain Celebration Committee, dated September 26, giving the names of the members of the official Senate committee. I never saw that telegram and knew nothing of its existence until I read the CONGRESSIONAL RECORD of December 3. Evidently if that telegram was sent by an official in my office it was sent after the Grover meeting of the committee, and why it was sent I do not know except that my secretary now tells me that it was in response to an inquiry by Mr. Kuester, and that my secretary in that telegram attempted to give the names of the official congressional committee. My secretary assures me, and I can assure you that if an error was committed by him in that telegram, it was purely unintentional. There was no reason in the world why he or I should be interested in doing you an injustice. As to whether Mr. Kuester asked for the membership of the committee or simply for the correct names and addresses of the members I can not say because I have never seen his telegram.

I note you wrote me on October 10 to know by what authority I stated Senator SMITH had been appointed in your stead to represent the Senate on the congressional committee, and for other facts in my possession relating to the matter. This letter was replied to by my assistant secretary informing you of my absence and stating that my attention would be called to your letter upon my return to the office. Unfortunately, in the rush of the campaign my office force failed to call my attention to your letter, and I have never seen it. This was also purely an oversight on the part of Miss Rarey, and both she and I very much regret it. You say you have not had the courtesy of any reply from me except the acknowledgment by my secretary. This statement unfortunately places me in an improper light before the public, since your statement appeared in the CONGRESSIONAL RECORD. I can assure you that personally, neither by word, letter, nor act, have I had any part whatsoever in the misunderstanding and the error in regard to this unfortunate affair, which is deeply regretted by me on your account.

You may use this letter in any way that may seem to you right and proper in justice to all concerned.

With kind personal regards and best wishes always, I am,

Cordially yours,

CHAS. A. JONAS.

APPROPRIATIONS FOR TREASURY AND POST OFFICE DEPARTMENTS

Mr. PHIPPS. Mr. President, from the Committee on Appropriations I report back favorably, with amendments, the bill (H. R. 14246) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes, and I submit a report (No. 1173) thereon. I desire to serve notice that I shall call up the bill to-morrow for consideration.

The VICE PRESIDENT. The bill will be placed on the calendar.

ANNUAL REPORT OF NATIONAL SOCIETY, DAUGHTERS OF THE AMERICAN REVOLUTION

Mr. SHIPSTEAD, from the Committee on Printing, reported a resolution (S. Res. 365), as follows:

Resolved, That the Thirty-third Annual Report of the National Society of the Daughters of the American Revolution for the year ended March 1, 1930, be printed, with illustrations, as a Senate document.

The VICE PRESIDENT. The resolution will be placed on the calendar.

ENROLLED BILL PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on to-day, December 10, 1930, that committee presented to the President of the United States the enrolled bill (S. 328) for the relief of Edward C. Dunlap.

EXECUTIVE REPORTS

As in executive session,

Mr. GLASS, from the Committee on Banking and Currency, reported favorably the nomination of Floyd R. Harrison, of the District of Columbia, to be a member of the Federal Farm Loan Board for a term of eight years expiring August 6, 1938 (reappointment).

Mr. WAGNER, from the Committee on Banking and Currency, reported favorably the nomination of Eugene Meyer, of New York, to be a member of the Federal Reserve Board, for the unexpired term of 10 years from August 10, 1928, vice Edmund Platt.

Mr. NYE, from the Committee on Public Lands and Surveys, reported favorably the nomination of Mrs. Emma L. Warren, of Idaho, to be recorder of the General Land Office, vice Mrs. Mabel P. LeRoy, resigned.

He also, from the same committee, reported the nomination of George W. Miller, of Oregon, to be register of the land office at The Dalles, Oreg., vice James W. Donnelly, deceased.

Mr. BORAH, from the Committee on Foreign Relations, reported favorably the nomination of J. Reuben Clark, jr., of Utah, to be ambassador extraordinary and plenipotentiary to Mexico; and also the nominations of sundry other persons in the Diplomatic and Foreign Service.

He also, from the same committee, reported favorably the following conventions:

Executive C, Sixty-ninth Congress, second session, a treaty for the protection of industrial property signed at The Hague on November 6, 1925; and

Executive J, Seventy-first Congress, first session, an inter-American convention for trade-mark and commercial protection, signed at Washington, February 20, 1929.

EXECUTIVE MESSAGES

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. COUZENS:

A bill (S. 5225) to amend section 16a of the interstate commerce act; to the Committee on Interstate Commerce.

By Mr. REED:

A bill (S. 5226) to authorize appropriation for construction at Randolph Field, San Antonio, Tex., and for other purposes; to the Committee on Military Affairs.

By Mr. SMOOT:

A bill (S. 5227) to provide books for the adult blind; to the Committee on Education and Labor.

By Mr. HALE:

A bill (S. 5228) granting a pension to Charles S. Follett (with accompanying papers); to the Committee on Pensions.

By Mr. ROBINSON of Indiana:

A bill (S. 5229) to provide for relief of unemployed former service men in the District of Columbia, and for other purposes; to the Committee on Education and Labor.

A bill (S. 5230) for the relief of Myron M. Andrews; to the Committee on Finance.

A bill (S. 5231) authorizing the Secretary of War to award the Congressional Medal of Honor to Joseph A. Minturn; to the Committee on Military Affairs.

A bill (S. 5232) granting an increase of pension to Martha D. McCabe (with accompanying papers);

A bill (S. 5233) granting an increase of pension to Kate Neafus; and

A bill (S. 5234) granting an increase of pension to Phoebe Peak (with accompanying papers); to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 5235) for the relief of Stanton & Jones; to the Committee on Claims.

A bill (S. 5236) for the relief of Arlie W. Langford (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 5237) granting an increase of pension to Sarah Gearin (with accompanying papers); to the Committee on Pensions.

By Mr. GREENE:

A bill (S. 5238) granting an increase of pension to Vitaline Beaudet; to the Committee on Pensions.

By Mr. HAYDEN:

A bill (S. 5239) granting a pension to Mary J. Pearce; to the Committee on Pensions.

By Mr. DENEEN:

A bill (S. 5240) granting a pension to Lucinda Hoskins (with accompanying papers);

A bill (S. 5241) granting a pension to Laura E. Satterfield (with accompanying papers); and

A bill (S. 5242) granting a pension to Samuel Hollenbeck (with accompanying papers); to the Committee on Pensions.

By Mr. MOSES:

A bill (S. 5243) to amend the act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. FESS:

A bill (S. 5244) granting an increase of pension to Laura F. Carr (with accompanying papers); to the Committee on Pensions.

By Mr. PHIPPS and Mr. WATERMAN:

A bill (S. 5245) for the relief of the Uncompahgre reclamation project, Colorado; to the Committee on Irrigation and Reclamation.

By Mr. GEORGE:

A bill (S. 5246) to amend the act entitled "An act for the erection of a tablet or marker to be placed at some suitable point between Hartwell, Ga., and Alfords Bridge, in the County of Hart, State of Georgia, on the national highway between the States of Georgia and South Carolina, to commemorate the memory of Nancy Hart"; to the Committee on Military Affairs.

By Mr. FLETCHER:

A bill (S. 5247) granting a pension to Cora E. Burlingame Nolan; to the Committee on Pensions.

By Mr. NORBECK:

A bill (S. 5248) to extend the boundaries of Wind Cave National Park, S. Dak., by adding thereto an area of 320 acres; to the Committee on Public Lands and Surveys.

By Mr. CAPPER:

A bill (S. 5249) to amend the acts of Congress approved March 3, 1925, and July 3, 1926, known as the District of Columbia traffic acts, and for other purposes; to the Committee on the District of Columbia.

AMENDMENT TO TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL

Mr. THOMAS of Idaho submitted an amendment proposing to appropriate $7,940 for compensation of officers and employees of the assay office at Boise, Idaho, and for incidental and contingent expenses, etc., intended to be proposed by him to House bill 14246, the Treasury and Post Office Departments appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

CHANGES OF REFERENCE

On request of Mr. JONES, and by unanimous consent, the Committee on Appropriations was discharged from the further consideration of the bill (H. R. 12014) to permit payments for the operation of motor cycles and automobiles used for necessary travel on official business on a mileage basis in lieu of actual operating expenses, and it was referred to the Committee on Expenditures in the Executive Departments.

On request of Mr. KING, and by unanimous consent, the Committee on Agriculture and Forestry was discharged from the further consideration of the resolution (S. Res. 341) to increase the amount authorized for construction of roads within national parks, and it was referred to the Committee on Public Lands and Surveys.

NORTH CAROLINA MEMORIAL ON BATTLEFIELD OF GETTYSBURG

Mr. SIMMONS. Mr. President, I ask for publication in the RECORD of the presentation address of Hon. Angus W. McLean, former Governor of North Carolina, upon the occasion of the ceremonies attending the presentation and unveiling of the North Carolina memorial on the battlefield of Gettysburg.

The VICE PRESIDENT. Without objection, it is so ordered.

The address is as follows:

ADDRESS OF HON. ANGUS W. M'LEAN, FORMER GOVERNOR OF NORTH CAROLINA

Sixty-six years ago upon this field was fought one of the most important battles of all history, a battle in which 160,000 Americans participated. Of these, 100,000 were clad in blue, while 60,000 wore the gray. Here titanic forces struggled for mastery, with such heroism and grim determination that the very word "Gettysburg" has come to symbolize courage and carnage. Indeed, Gettysburg vies with Waterloo as being the most famous battle in the annals of warfare. Here the tide of the Confederacy swept to its crest, paused, and receded. Here confidence was born in the Union Army, which enabled it to endure the terrific punishment of the Wilderness campaigns, Cold Harbor, and Spottsylvania, and which carried it to ultimate victory at Appomattox.

Although the war was to continue its bloody course for nearly two weary years thereafter, here was sprung the arch upon which the Confederate cause rested. Here was fought a battle the effect of which upon the history of the world was destined to be as far-reaching as Marathon or Chalons.

It is useless at this time to search out and to attempt to relate the causes leading up to this martial array of the manhood of America in the greatest death struggle ever staged upon this continent. Over the fateful controversy not only time but the experience of reunion and a common patriotism have spread a veil through which there shines a light of common glory imperishable.

The people of New York, of Pennsylvania, of Virginia, and of North Carolina can now regard the field of Gettysburg as a joint and precious heritage, for it was here that in the fiery furnace of war was fused into a new metal, the amalgam which symbolizes our American character and destiny. Here was written a new amendment to our Constitution—an amendment which although fiercely debated for 50 years could not be agreed upon, but which was here destined to be written into the Constitution in the crimson of the best blood of the land.

What is and will ever be an inspiration to all who ponder these fields, whose fertility is enhanced by the effusion of their blood, is the quality of the men who engaged here in a battle the immediate strategic result of which was not apparent at the

time but which was, nevertheless, in its final results one of the most decisive in history. It is inspiring to reflect that those who in the famous charge carried the assault at the point of the bayonet and those who received the shock equally shed immortal luster and renown upon the name of America. The infantry of Lee, that could march through the valley of death almost with the precision of a dress parade, were men who a short while before had come from the farms and villages of the rural South. Their ways and their lives had been those of peace. They were without martial training or ambition. Yet the horsemen of Stuart, the famous foot cavalry of Jackson, Lee's "incomparable infantry," had performed miracles in battle, greater than those which Napoleon called forth from the professional soldiers composing his "Old Guard," and the men who behind the stone walls of Cemetery Ridge could watch without wavering the oncoming hosts of Pickett's and Pettigrew's immortal divisions, who could endure for hours what was till then the greatest artillery duel ever staged and bear it unflinchingly, also possessed those qualities of intrepid courage which have characterized the American soldier from the days of the Revolution to the days of the World War.

Whence came the power inherent in these unschooled troops to perform brilliant marches, to carry out deadly charges, to interpose the stubborn and courageous defenses that illumine the records of both sides in this epochal struggle? Surely from nothing less than the morale which springs from a deep conviction of the righteousness and justice of their cause, which is concerned not so much with the quarrel as with the principle, and which follows a belief and sanctifies a faith to the final sacrifice. To such men handicaps became an incentive, courage became their creed, and death their accolade. It was at once the pity and the glory of those days of exaltation that there flamed impartially in the breast of the southern and northern soldier—Americans all—a sense of duty that could not be reconciled except on such a field as this of Gettysburg. Such, my countrymen, were the men who struggled and died here.

It is the advantage of an occasion like this, when we are met to commemorate a great record of valor, that we can renew and refresh our faith in our common ancestry, whose devotion to their cause brought them into this fierce combat. This idea was well expressed by that great and impartial journal, the London Spectator, a few years ago, when it said:

"It is now over half a century since the last shot was fired in the most desperate war in the history of the Anglo-Saxon race. Nowadays we see that great struggle in clearer perspective, and we can judge the causes for which the combatants fought with some reasonable perception of their value to mankind. But the chief interest of the war lies in the fact that it was a genuine conflict of idealisms, fervently held and loyally followed by both sides. No struggle has been grimmer, and yet none has been less strained by the darkest passions of war."

So, 66 years ago, this great battle came to pass, much in the manner of a thunderstorm, beginning with intermittent flashes of lightning and the rumble of distant thunder.

From Bethel to Gettysburg the fight raged on—even from Sumter to fateful Appomattox, which marked the end.

Viewing the four years' struggle from any standpoint, Gettysburg attracts and holds our attention. It was here that the high hand of destiny intervened and overruled the aspirations of the South.

Following Chancellorsville, where that great military genius, Stonewall Jackson, was stricken down, Lee decided to abandon defensive warfare and to take the offensive, hoping that a victory on enemy soil would gain foreign recognition for the Confederacy, with consequent material support for the southern cause. He therefore crossed the Potomac and invaded Pennsylvania, watched by Meade, who carefully kept his army between that of Lee and the city of Washington. Gettysburg, destined to become the Nation's shrine, was not then in the picture. Heth's division of Lee's army approached Gettysburg, where he unexpectedly came in contact with brigades of Buford's Federal cavalry. Skirmishing followed; both sides hurriedly called for reinforcements, and thus what finally became the great battle unexpectedly developed. The fight, having thus started on July 1, steadily augmented until the final crescendo of July 3.

Ewell's corps arrived during the first day. Of his divisions, Rhodes's arrived first, including Iverson's North Carolina brigade and the brigades of Daniels, Ramseur, and Hoke. In Hill's division was Pettigrew's brigade, and under Pender were Lane and Scales. In Davis's brigade was the Fifty-fifth North Carolina under Connally. Of the 16 brigades engaged the first day on the Confederate side, 7 were from North Carolina.

Pettigrew's brigade, composed of the Eleventh, Twenty-sixth, Forty-seventh, and Fifty-second Regiments, was, with other Confederate troops, thrown against the famous "Iron Brigade" of the Federal Army, whose boast it was that it had never known defeat.

Here was the grim setting for a duel—two veteran brigades, one in blue, the other in gray, with both of whom victory had become an established habit.

Through the wheat field, tumbling and pitching on death, ranks closing to fill the horrible gaps cut by the Federal Artillery, these fearless southerners moved steadily forward against the heights fronting them, which soon were sheeted with flame. The rebel yell shrills out, there is a surge forward, and the "Iron Brigade," for the first time in its history, breaks and falls back to Seminary Ridge. Once more the charge is sounded. Once more the regiments in gray press forward, and Seminary Ridge has been captured for General Lee.

It is the ground upon which two days later the Confederates are to take their stand and against overwhelming odds make their bid for final victory. Of the 3,000 who marched through the wheat field on this parade with death, less than 2,000 remained to consolidate their position. The Twenty-sixth North Carolina alone lost in this engagement 28 officers and 468 men, including its gallant Col. Harry K. Burgwyn.

Iverson's brigade on that first day also fought a magnificent fight. Single handed it was thrown against a Federal division posted in a railroad cut. Here, without faltering, it charged almost up to the very wall itself, and the dead lay so thick that one could walk from one end of the line to the other upon the bodies of the slain. The brigades of Iverson and Scales were almost destroyed, Iverson reporting the loss of over 500 men in his brigade alone.

All seven North Carolina brigades engaged that day fought desperately and sustained severe losses.

On the second day Lee proposed to assault both flanks of the Federals and gain possession of the commanding eminences known as Culps Hill and Roundtop. Among other assaults Hoke's North Carolina brigade (temporarily commanded by the valiant Avery) and Hayes's Louisiana brigade are directed to take Cemetery Hill, the commanding eminence on the right flank of the Federal position. On this sector they repeat the triumph of the first day, reach the hill which is considered the key to the Federal position, and occupy it. Unfortunately Avery is killed at the moment of temporary triumph. Ewell, however, fails to realize the importance of the position thus won with so much of sacrifice, and that night Hoke's brigade unwillingly obeys the order to retire. Elsewhere the southerners had suffered reverses on that day. It was here that the gallent Pender, the Christian soldier, who, in the estimation of competent military men, ranked among the highest, received the wound from which he died.

During the night which followed the second day's battle, reinforcements reached both armies, and Lee, encouraged by the success of the previous fighting and by the arrival of Pickett's division and Stuart's cavalry, decided to renew the battle and force a final decision. Meade's council of war reached the same conclusion, and so the morning of the third day found the preliminary plans fully developed and both armies confronting each other in battle array. Volumes have been written of this day's engagement, but all that can be said beyond any controversy is that there was here staged a deathless pageant of battle till then unequaled in the history of warfare.

Lee ordered Longstreet to make a direct frontal attack upon the Federal forces massed on Cemetery Hill, the assault to be preceded and covered by the fire of all the artillery which the Confederate Army possessed. At 1 o'clock in the afternoon a signal gun gave warning and immediately Seminary Ridge shook with the roar of 150 Confederate guns pouring a terrific fire upon the Federal forces occupying the opposite heights. Finally Alexander, chief of Confederate artillery, sent word to Longstreet that if the assault was to be made at all, it must be made then, as the artillery ammunition was almost exhausted. When this message was delivered, Pickett saluted Longstreet and said: "Sir, I shall lead my division forward," and Longstreet bowed assent.

Forward was the command, and as the bugles to right and left signaled announcement, the magnificent divisions of Pickett and Pettigrew, with the supporting troops, moved forward into the valley of death. What chance and overwhelming odds had confused, valor endeavored now to redeem. As the guns ceased their roar the shock troops of the South put the issue to the test, and 15,000 men marched forward in the hope of achieving the miracle of victory.

In the front line marched 13 Virginia and 5 North Carolina regiments; in the second line marched 5 Virginia and 10 North Carolina regiments. The North Carolina brigades of Pettigrew, Scales, and Lane were in these advancing lines, as were also other troops from other Southern States.

As the Confederates debouch on this last high offensive venture the Union guns, silent till then, suddenly come to life. Their fire has been withheld to meet this very assault. All the Federal artillery is turned on the Confederates, who, in the pattern of ancient chivalry, advance in the open. Their muskets are at right shoulder shift. Killed and wounded mark their path, but still the ranks close and still on they come. Behind stone walls, along the fences of a transverse road the Union infantry lurks and attacks the brave southerners. Still on they come! Fire pours in upon them from the front and from the flanks. On, and the cannon now fire at point-blank range upon them. Great gaps are cut into the living ranks! They close up and move steadily forward! Finally, at the double quick, the heights are reached, and here and there a huddled handful reach and surmount the stone walls. Armistead, of New Bern, waving his cap upon the point of his sword, falls dead within the wall. Guns are spiked; soldiers fight fiercely hand to hand; clubbed muskets are used; standards are planted. The heights have been carried and the Confederacy is at the crest of its high tide. But Federal reinforcements come thronging up, the Confederates are caught on all sides by enfilading fire in a very trap of death. No reinforcements reach them; there had been delays that have never been satisfactorily explained. The high tide ebbs; the effort failed; and the broken fragments of the southern columns drift sullenly back down the slopes whence they came. Here they were met by Lee, who, with tears in his eyes, magnanimously took upon himself responsibility for the failure.

But Lee did not really fail. He was never more triumphant than at this moment, fraught as it undoubtedly was with even

greater peril to his stricken army. The military critic of the London Spectator, after describing Gettysburg, says of him: "He was probably the greatest soldier since Napoleon, the embodiment of every gift of mind and character. * * * Every day his power grew and his last campaign is a flawless example of how a great force may be baffled with slender resources. And with it all he remained the ideal of a Christian soldier, humble, courteous, gentle, so that with Sir John Moore he may stand as the true type of the happy warrior."

In this connection let me say that we have been highly honored in the selection of a site for this memorial in such close proximity to the magnificent equestrian statue of General Lee, the gift of our sister State of Virginia. The devotion to this matchless leader displayed by North Carolinians, who followed him to the end, was surpassed by none—not even by the valorous sons of his native State.

While we are met here especially to honor the North Carolina heroes of this momentous conflict, I can not let the occasion pass without expressing admiration for and paying tribute to the valor here displayed by the soldiers of Virginia, with whom North Carolinians have stood, shoulder to shoulder, in every struggle from the fight for American independence to this hour.

Our past failure to erect a suitable memorial on this battlefield has not been due to any lack of appreciation of the part North Carolina troops took in this battle, but it was entirely due to a proud poverty now proudly overcome. Throughout the years that devoted band of women, the United Daughters of the Confederacy, never ceased to call the attention of those in authority to the State's responsibility to those who died upon this field.

It was largely due to the urgent insistence of the committee of the Daughters of the Confederacy, of which Mrs. Marshall Williams was chairman, that in 1927, while governor of the State, I included in my message an appeal to the general assembly to provide the necessary funds for this memorial.

Hon. Walter Murphy and Judge N. A. Townsend rendered distinguished service in the presentation of the matter in the committees; and on the floor of the assembly their superb management resulted in an unanimous vote.

It afforded me distinct pleasure, as the son of a Confederate soldier, to throw the weight of my official influence into this movement. Pursuant to the act authorizing the appropriation, I appointed the following on the part of the State as members of the North Carolina Gettysburg Memorial Commission: Mrs. Marshall Williams, Mrs. J. Dolph Long, Mrs. Felix Harvey, sr., Mrs. L. B. Nowell, Mrs. Glen Long, Capt. Dougald Stewart, Capt. Samuel S. Nash, H. C. McQueen, Col. Virgil S. Lusk, Gen. Albert L. Cox, William A. Erwin, Pollock Burgwyn, A. L. Brooks, Maj. W. C. Heath, and Col. A. H. Boyden, who recently passed to his reward after devoting much of his life, first, to service in the Confederate Army itself, and second, in caring for the widows and orphans of his former comrades in arms. He was to have taken official part in these exercises, and his presence is sorely missed by those of us who came under his benign influence.

An advisory commission was appointed to serve with the memorial commission in choosing a design composed of W. W. Fuller, of New York; Maj. Bruce Cotten, of Baltimore; Maj. Daniel M. Barringer, of Philadelphia; and George Gordon Battle, of New York, all native sons of North Carolina. To the work of the commission and advisory commission I would pay deserved tribute. They performed well the difficult task laid upon them, and are assured of the sincere gratitude of those who cherish the memory of the gallant soldiers whose heroic deeds are represented in the fine effigy we now behold.

Having aided so materially in securing an appropriation for the State memorial, the North Carolina division, United Daughters of the Confederacy, determined to erect, by their own efforts and with their own funds, handsome markers which complete the beauty of the State memorial, and which will also be presented to-day.

A great poet has said that "battles are fought by the mothers of men"; and that "back of every brave soldier is a brave woman." Peculiarly was this true of the old South. Our soldiers who fought here had back of them a great gallery of Spartan womanhood. They fought with the consciousness that their conduct was applauded by their loved ones at home. Those who survived came back to a comradeship and fealty that preserved for them the benevolent illusion that in spite of everything they had been victorious.

It is true that all this is of the past, but it is not buried. It is neither dead nor forgotten. It lives and grows and contributes to the spirit, the hope, and the aspirations of this great Nation we call America. We can not forget, our Daughters of the Confederacy will not let us forget, the record of imperishable valor and devotion to duty stamped by our fathers upon this historic field.

The memorial now presented is the work of the noted sculptor, Gutzon Borglum, who is with us to-day. He has in a masterly way interpreted in bronze the spirit and purpose of the North Carolinians who took part in this great battle. The heroic group represents five typical North Carolina soldiers. Four of the group have just emerged from a small wooded area. As they come out of it into the open, they suddenly see the awful struggle in front of them. The Federals are just across a small ravine, both sides of which are covered with fighting men, many of them wounded and dying. The field has been torn with shot and shell.

The leader of the group pushes forward, determined on his grim task; the younger man just behind him is stunned momentarily at the awful sight; the bearded soldier to his left, realizing what is taking place in the youth's mind, draws close to him and whispers confidence. The color bearer in the rear presses forward, holding the flag aloft and well to the front of the group. At the right, one knee on the ground, is an officer encouraging his men, his presence and wounds indicating that the struggle has been in progress some time. Each of them knows that he is rushing into the very jaws of death, never to return, and yet he does not falter. The whole group discloses spirited action and typifies North Carolina troops as they charge up the heights of Cemetery Hill.

In presenting this memorial on behalf of the North Carolina Gettysburg Memorial Commission, I am moved with admiration as I behold a beautiful work of art, but a deeper sense of pride wells up in my heart as I contemplate the spirit it typifies—not a spirit of partisanship, nor of envy of another section, but a spirit of supreme devotion to our common country, its traditions and its aspirations. We no longer think in terms of physical combat, but in terms of peaceful progress. Toward our National Government, into whose keeping this memorial is this day given, no State feels or manifests a more loyal spirit than North Carolina. We may disagree with other States or sections upon some public questions, we may exercise a wholesome independence in the pursuit of our tasks, but to defend the flag of our beloved country we would give our all. This attitude has been fully demonstrated since the battle fought here.

When the war with Spain came we were not only ready and anxious to defend our country, but the blood of a North Carolina naval officer was the first to be shed in that struggle.

Sacrifices in that war were not so great as those we had theretofore undergone, or those we were destined to undergo in later years, when in defense of democracy the United States entered the World War. North Carolina then blazed with patriotic fervor from one end to the other, and our people contributed most liberally in men and money.

It became the high privilege of troops from our State, shoulder to shoulder with their comrades from New York, to break the most stubborn line ever flung across a battlefield. The same American spirit that moved those who made the gallant charge at Gettysburg under the Stars and Bars was regnant in those who broke the Hindenburg line under the Stars and Stripes. And that same spirit exists to-day and will continue to exist until the floodgates of life close in eternal rest.

And so, my friends, in a golden mist of American valor lies Gettysburg. Sectional lines no longer mar its peaceful slopes. No longer do we recognize in its clouds of imperishable glory the devices of its flags. Yonder dying sun reflects from this field one flag, and one alone—the glorious emblem of our common country.

With a feeling of pride inspired by the valor of our fathers who here offered upon the altar of their country "the last full measure of devotion," with tender sentiments for the cause they represented, and with unreserved love for the reunited Nation in which we live and strive to-day, I give this memorial into the keeping of the United States of America.

When in the years to come it shall catch the morning's first gleam and reflect the last rays of the setting sun, my prayer is that it shall inspire all who behold it to emulate the glorious valor and patriotic devotion to duty which characterized those brave North Carolinians, who under the leadership of the immortal Lee fought and died upon this field.

APPROPRIATIONS FOR EMERGENCY CONSTRUCTION

Mr. JONES. Mr. President, from the Committee on Appropriations I report back favorably with amendments the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment. By direction of the committee, I ask unanimous consent for its immediate consideration.

Mr. McKELLAR. Mr. President, I do not desire to object, but the Senator will recall that on yesterday I served notice that I desired to take the floor for a short time this morning. However, with the understanding that the consideration of the bill will take only a short time, I shall not object.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider the bill.

The amendments of the Committee on Appropriations were, on page 2, line 20, after the word "out," to insert the words "or obligated," and in line 21, after the word "performed," to insert the words "or to be performed," so as to make the bill read:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of providing for emergency construction on certain public works during the remainder of the fiscal year 1931 with a view to increasing employment, namely:

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

Improvement of national forests: For the construction and maintenance of roads, trails, bridges, fire lanes, etc., including the same objects specified under this head in the agricultural appropriation act for the fiscal year 1931, $3,000,000.

Federal-aid highway system: For apportionment to the several States under the provisions of the Federal highway act, as amended, as a temporary advance of funds to meet the provisions of such act as to State funds required on Federal-aid projects, $80,000,000: *Provided*, That the sums so advanced shall be reimbursed to the Federal Government over a period of five years, commencing with the fiscal year 1933, by making deductions from regular apportionments made from future authorizations for carrying out the provisions of such act as amended and supplemented: *Provided further*, That the amounts advanced in consequence hereof shall be limited in each case to the sum actually paid out or obligated by a State under such advance for work performed or to be performed before September 1, 1931, for the construction of Federal-aid projects: *Provided further*, That should any State fail to claim any part of its allotment hereunder the President may reapportion such unclaimed funds to States capable of using them prior to September 1, 1931.

DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

Roads and trails: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks and national monuments under the jurisdiction of the Department of the Interior, fiscal year 1931, $1,500,000.

WAR DEPARTMENT

CORPS OF ENGINEERS

Rivers and harbors: For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation, etc., including the same objects specified under this head in the War Department appropriation act for the fiscal year 1931, $22,500,000, to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers and to remain available until expended.

Flood control, Mississippi River and tributaries: For prosecuting the work of flood control in accordance with the provisions of the flood control act, approved May 15, 1928 (U. S. C., Supp. III, title 33, sec. 702a), $3,000,000, to remain available until expended.

SEC. 2. The sums herein appropriated shall be available interchangeably for expenditure on the objects named in this act upon order of the President stating the amounts and the appropriations between which such interchanges are to be made.

SEC. 3. A report shall be submitted to Congress on the first day of the next regular session showing, by projects or other appropriate detailed classification, the amounts allocated under each of the foregoing appropriations, the expenditures under each allocation, and such other information which the President may deem pertinent in advising Congress as to the allocation and expenditure of such appropriations.

The amendments were agreed to.

Mr. COPELAND. Mr. President, I observe that the bill carries an appropriation of $110,000,000.

Mr. JONES. It does.

Mr. COPELAND. The request of the President was for $150,000,000. Am I right in assuming that the reason why the committee adopted a smaller sum or took the amount approved by the House is because the other $40,000,000 will be cared for in the first deficiency appropriation bill?

Mr. JONES. The Senator is right. There were several items included which the House committee felt required considerable hearings. There was no controversy as to the items now in the bill. Under the need of early action we took the House proposal.

Mr. COPELAND. The Senator has every hope that the items covered by the additional $40,000,000 will be carried in the first deficiency appropriation bill and in all human probability that bill will be before us very soon?

Mr. JONES. Either before the holidays or very shortly thereafter.

Mr. COPELAND. The Senator understands I ask this question in order that the RECORD may show it, because personally I am in favor of going as far as the President is willing to go and somewhat farther than that. At any rate, this bill carries $110,000,000 and in the deficiency appropriation bill we shall get the $40,000,000 additional and perhaps more?

Mr. JONES. That will be taken care of.

Mr. SIMMONS. Mr. President, I have just entered the Chamber and did not hear the Senator's explanation. The Senator has probably made some explanation of the bill which is now before us?

Mr. JONES. Yes. The bill now before us provides $110,000,000 instead of $150,000,000 which the President recommended as an emergency appropriation. This bill passed the House yesterday and is now before us for consideration.

Mr. LA FOLLETTE. Mr. President, may I ask the Senator from Washington whether there are any provisions in the bill to make any change in the manner in which contracts are to be let or bids to be submitted?

Mr. JONES. No.

Mr. LA FOLLETTE. I have just come to the Chamber from a committee meeting and I have not had a chance to read the bill.

Mr. JONES. There is no change in the provisions of the bill in that respect.

Mr. LA FOLLETTE. I noticed the Senator introduced a bill a day or two ago, and had it referred, which contains a provision to permit bids to be made without reference to certain sections of the statutes which regulate the letting of contracts.

Mr. JONES. There is no such provision in this measure.

Mr. LA FOLLETTE. In other words, if this bill is passed, contracts will have to be let under the general provisions of the law as it now exists?

Mr. JONES. That is the way I understand it.

Mr. HARRISON. This is the bill which passed the House on yesterday?

Mr. JONES. It is.

Mr. HARRISON. It has already been considered by the Appropriations Committee of the Senate?

Mr. JONES. It has.

Mr. HARRISON. I notice the President recommended $160,000,000.

Mr. JONES. No; $150,000,000.

Mr. HARRISON. The amount has been reduced to $110,000,000?

Mr. JONES. Yes.

Mr. HARRISON. Has the Senator told the Senate yet wherein those reductions were made?

Mr. JONES. The Senator has not. The items are covered in the report of the House committee. There are a great many items which the House committee felt ought to have some investigation and study before they were incorporated in a measure. So only the items about which there was no question were put in this bill. The House committee assured the House that the other items would be taken up in the first deficiency appropriation bill which will be reported just before the holidays or soon thereafter. The Committee on Appropriations of the Senate also takes that attitude. I can assure the Senate that the other $40,000,000 will be cared for at a very early date, but we thought in the interest of time and the prompt passage of this measure we had better take it with the important items now included in it.

Mr. HARRISON. The fact, then, that the House reduced the appropriation by $40,000,000 and that the Senate Committee on Appropriations approved that reduction will not be considered as indicative of the opposition of either the House or the Senate Committee on Appropriations to the other $40,000,000?

Mr. JONES. Not at all.

Mr. HARRISON. I may say to the Senator that I was just curious to know why the decrease was made in this emergency after the President made his suggestion.

Mr. JONES. There were a great many items embodied in the $150,000,000 which we thought ought to have some further study and about which we thought there should be further information obtained. They were not very definite, while the particular items contained in the bill were definite, concrete, and important.

Mr. HARRISON. How much did the President suggest with reference to the Mississippi River project?

Mr. JONES. I do not remember what the President suggested with reference to that item. I can not tell the Senator.

Mr. HARRISON. Was that item reduced?

Mr. JONES. I do not know. The House put in $3,000,000 for that project. I do not think the President really gave a detailed estimate of the various items of the $150,000,000.

Mr. HARRISON. There were some estimates made by some agency of the Federal Government as to the allocation of the various amounts, I presume, in arriving at the lump-sum appropriation of $150,000,000.

Mr. JONES. Yes. The committee did not go into the details of the estimates. We accepted the House proposal. I thought there was a table showing a tentative allotment of the $150,000,000, but I do not find it here. It probably is in the hearings.

Mr. HARRISON. Can the Senator tell us whether or not the committee has included in this appropriation bill all that was suggested by the executive department for highway construction?

Mr. JONES. We had the various departments communicated with by telephone and they said they were very well satisfied with the action of the House and that they would present their additional claims in connection with the deficiency appropriation bill.

Mr. HARRISON. Then the Senate has no assurance that the full amount is going to be appropriated as first suggested by the executive department?

Mr. JONES. The chairman of the House committee assured the House that it would be done, and the Senate committee is determined, if the House does not cover the $40,000,000, to see to it that it is covered by a Senate amendment.

Mr. HARRISON. I do not understand then what the Senator said about the heads of the departments stating that they were very well satisfied with what the House had done.

Mr. JONES. That was for immediate action. It does not mean that they are satisfied to get no more money in the future, but simply that they are satisfied temporarily with $110,000,000.

Mr. HARRISON. The Senator is of the opinion, as chairman of the committee, that another bill will come before us supplying the difference between the suggestion of the President and the action of the House?

Mr. JONES. I am.

Mr. LA FOLLETTE. Mr. President, will the Senator from Washington yield?

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Wisconsin?

Mr. JONES. I do.

Mr. LA FOLLETTE. May I ask the Senator from Washington whether the Appropriations Committee has heard the chairman of the President's unemployment commission, Colonel Woods, with regard to any of these appropriations for public works and what that commission has found to be necessary in order to relieve the unemployment situation?

Mr. JONES. No; the committee has had no hearings so far.

Mr. LA FOLLETTE. May I suggest to the Senator very respectfully that, as I understand it from a reading of the public prints, that commission has attempted to make a comprehensive survey of the situation over the country, and it seems to me the Appropriations Committee and the Congress and the country ought to have the benefit of whatever information is in the possession of that commission, together with the judgment of its chairman, if he has any, based upon the survey which he has made.

Mr. JONES. We shall doubtless have it at a later time.

Mr. McKELLAR. Mr. President, will the Senator from Washington yield to enable me to make a statement to the Senator from Wisconsin?

Mr. JONES. I yield.

Mr. McKELLAR. I want to say that this bill, in my judgment, makes a notable gift, if we may so term it, or loan, if we may determine it to be a loan, to good roads and to river and harbor improvement. I think it is entirely right that it should be done. But so far as present unemployment is concerned, if those who are now unemployed wait for any benefits likely to accrue to any considerable number of them under this measure they will wait a long time.

I will say to the Senator that while this bill will mean quite a number of additional employed people in the course of, say, the next four or five or six months or possibly a year, yet so far as any immediate help to the unemployed is concerned it seems to me that by the time we get a deficiency appropriation and then start the cumbersome machinery of public buildings and public roads and of the War Department work on rivers and harbors it will be quite a long while before the unemployment situation will receive any benefit from it.

Mr. LA FOLLETTE. Mr. President, I wish to say, in response to the suggestion of the Senator from Tennessee [Mr. McKELLAR], I hope he did not get the impression from the question which I directed to the chairman of the committee that I regarded the pending bill as anything but a very small measure of relief for the present unemployment situation. I merely took this occasion to make a very respectful suggestion to the chairman of the committee that Congress should have the benefit of any available studies which have been made concerning the unemployment problem. Having noticed that the commission appointed by the President, headed by Colonel Woods, had endeavored to make some survey of the situation, I expressed the hope that the committee would, in the course of the consideration of these measures, at some appropriate time obtain for the use of the committee and Congress such information and such recommendations as Colonel Woods's commission may have available.

Mr. McKELLAR. I think the Senator from Wisconsin is entirely right; his suggestion is well taken, and I use this occasion for the purpose of informing the Senate, if I may, that the number of unemployed will not be very greatly decreased under the terms of this bill, at least, for quite a while.

Mr. JONES. Of course there is a difference of opinion with reference to that matter, but I am not going to take the time of the Senate to discuss it.

Mr. BINGHAM. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Connecticut?

Mr. JONES. I yield.

Mr. BINGHAM. I was hoping that the chairman of the committee would state to the Senate, for its enlightenment, the information which is in the record from the Chief of Engineers and from the Chief of the Bureau of Public Roads to the effect that it will be possible to use this money in the very near future. The Senator from Tennessee [Mr. McKELLAR] implied that it might be a year before some of this money could be used. The bill, however, specifically states in regard to the road projects that the money must be used for projects to be paid for before the 1st of next September.

Furthermore the Chief of the Bureau of Public Roads has testified that a large amount of this money can be used immediately, and particularly in the Southern States the work will go forward at once.

The Chief of Engineers of the United States Army also has testified that the $22,000,000 intended for river and harbor projects can be used within the next few months. It is, therefore, unfair and unduly discouraging to those who are trying to seek employment to tell them that the money which we are now proposing to appropriate can not be used for six months or so.

Mr. ROBINSON of Arkansas. Mr. President, I wish to ask the Senator in charge of the bill a question.

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Arkansas?

Mr. JONES. Yes.

Mr. ROBINSON of Arkansas. Why is the provision inserted on page 1, "for emergency construction on certain public works during the remainder of the fiscal year 1931"?

Mr. JONES. It is really expected to have this money expended by the beginning of the next fiscal year; that is the purpose; and I suppose that is the reason the House inserted that language. I gather from discussion and debate over there that it is expected the money will be expended within the next six months.

Mr. ROBINSON of Arkansas. But assuming that the money shall not be fully expended, is it the intention of the proponents of the bill to let the work lapse and allow unemployment to recur? What is the idea?

Mr. JONES. No; the work will certainly be continued.

Mr. ROBINSON of Arkansas. But it can not be continued under this provision of the bill.

Mr. JONES. We shall provide, of course, by appropriate legislation for the continuance of the work. I have an idea that that provision was inserted in the bill to encourage the hastening of the expenditure of the money.

Mr. ROBINSON of Arkansas. But at the expiration of the present fiscal year we may not be in session. When does the Senator understand that the period of availability of the appropriation will expire?

Mr. JONES. On June 30, 1931. Of course, if we see that the work is not progressing we can take further action.

Mr. ROBINSON of Arkansas. Just a moment. On June 30, 1931, unless the President shall convene the Congress in extraordinary session we will be powerless to legislate. I think I understand the object of this provision. It is intended to treat this emergency period as limited to six months; it is to assume that at the expiration of six months the need for the relief that the bill contemplates will have terminated. What I can not understand is why the proponents of the bill put themselves in the attitude of forcing an extraordinary session of Congress in order to carry on the work which they find so necessary, and which we all believe to be necessary, by inserting in the bill a provision that all the money must be spent by June 30, 1931, or it may not be spent at all. If the emergency has not terminated by that time, why not go on with the work that has been begun during the period? Why not relate it to the emergency rather than attempt by law to limit the emergency to six months? The Senator understands what I am suggesting?

Mr. JONES. I do; but I will say to the Senator that the committee really gave that matter no consideration. I remember in the hearings before the House committee that it was expected this money should be expended within the next six months; and I gathered the impression that this language was put in really to hurry and expedite the expenditure of the money proposed to be appropriated.

Mr. ROBINSON of Arkansas. Of course it is not desired to force the expenditure of the money in a reckless or extravagant way——

Mr. JONES. No.

Mr. ROBINSON of Arkansas. But we all know how long it takes to put big machinery in operation.

Mr. JONES. If the Senator will offer an amendment at that point in the bill, I will be glad to consider it.

Mr. ROBINSON of Arkansas. I suggest to the Senator that the appropriation ought not to be limited as to its availability to the remainder of the fiscal year. Let it read, "for emergency construction on certain public works," and strike out the words "during the remainder of the fiscal year 1931."

Mr. JONES. I will say to the Senator I am perfectly willing to have that done.

Mr. ROBINSON of Arkansas. Very well; I propose that amendment.

The VICE PRESIDENT. The Senator from Arkansas offers an amendment, which will be stated.

The CHIEF CLERK. On page 1, line 6, after the word "works," it is proposed to strike out the words "during the remainder of the fiscal year 1931."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WAGNER. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from New York?

Mr. JONES. I do.

Mr. WAGNER. I should like to ask the Senator what definite information he has as to the projects upon which this money will be expended before a period of, say, five or six months from now. It is very easy to say that we will attempt to spend this money at once in order to relieve unemployment, but I think we ought to know, if the information is available, on what particular projects operations will begin so as to employ labor prior to six months from now.

Mr. JONES. Mr. President, of course, I can not tell the Senator just what particular projects will be begun under the $3,000,000 for the improvement of the national forests. The department, however, has a program in connection with the national forest to which it can apply that money.

Then, work on the highway systems will be carried on under the general highway act, and that money, of course, will be used in the various States of the Union.

With reference to the river and harbor item, I know that the projects are set forth in the hearings by the testimony of the Chief of Engineers, and the projects are enumerated.

Mr. SMOOT. I have the projects listed before me, and, if the Senator so desires, will mention them.

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Utah?

Mr. JONES. I yield.

Mr. WAGNER. Mr. President, are they projects upon which all the plans, surveys, and specifications are now ready?

Mr. SMOOT. They are now ready.

Mr. WAGNER. So that work may begin the moment the appropriation is made and labor may be thus employed upon those projects. That is the information which I should like to have verified.

Mr. SMOOT and Mr. WALSH of Montana addressed the Chair.

The VICE PRESIDENT. Does the Senator from Washington yield; and if so, to whom?

Mr. JONES. I have yielded to the Senator from Utah.

Mr. SMOOT. Mr. President, the testimony before the House committee shows the following allotments to various river and harbor projects. First comes the North Atlantic division, as follows:

Statement showing allotments from proposed emergency appropriation of $22,500,000 and probable expenditure to May 1, 1931

[Asterisk denotes project authorized by river and harbor act approved July 3, 1930]

North Atlantic division:	Allotment
*Lynn Harbor, Mass	$90,000
*New Bedford Harbor, Mass	239,000
*Fall River Harbor, Mass	200,000
*New Haven Harbor, Conn	53,000
*Bridgeport Harbor, Conn	153,000
*Hay (West) Harbor, N. Y	12,500
*Hudson River, N. Y	189,000
*Raritan River, N. J	344,000
*Washington Canal and South River, N. J	90,000
*Manasquan River, N. J	300,000
San Juan Harbor, P. R	5,000
*Delaware River, between Philadelphia and Trenton	90,000
*Delaware River, Philadelphia to the sea	682,000
*Delaware River at Camden, N. J	150,000
*Schuylkill River, Pa	400,000
*Big Timber Creek, N. J	14,000
*Wilmington Harbor, Del	100,000
*Little Machipongo River, Va	10,000
	3,141,500

The projects in the South Atlantic division are as follows:

South Atlantic division:	Allotment
*Baltimore Harbor and Channel, Md	$797,000
*Elk and Little Elk Rivers, Md	6,000
*Claiborne Harbor, Md	12,100
*Choptank River, Md	6,300
*Wicomico River, Md	75,000
*Herring Bay and Rockhole Creek, Md	6,300
*Monroe Bay and Creek, Md	15,200
*Carters Creek, Va	8,000
*Cockrells Creek, Va	59,000
*Horn Harbor, Va	6,000
*Smith Creek, Md	7,500
*Norfolk Harbor, Va	126,700
*Willoughby Channel, Va	8,500
*James River, Va	478,000
*Nansemond River, Va	92,300
*Occohannock Creek, Va	17,000
*Nandua Creek, Va	2,000
*Knobbs Creek, N. C	79,000
*Edenton Harbor, N. C	57,000
*Cashie River, N. C	5,000

South Atlantic division—Continued.	Allotment
*Roanoke River, N. C.	$46,500
*Mackay Creek, N. C.	1,100
*Far Creek, N. C.	30,000
*Silver Lake Harbor, N. C.	11,000
*Beaufort Harbor, N. C.	55,000
*Morehead City Harbor, N. C.	35,000
*Cape Fear River, N. C., at and below Wilmington	785,000
*Waterway from Cape Fear River to Winyah Bay, S. C.	530,000
*Waccamaw River, S. C.	12,500
*Shipyard Creek (River), S. C.	24,000
*Savannah Harbor, Ga.	90,000
*Brunswick Harbor, Ga.	608,000
*Waterway from Beaufort, S. C., to St. Johns River, Fla.	10,000
	4,200,000

The projects in the Gulf of Mexico division represent a total of $2,821,400; in the upper Mississippi Valley division, $8,632,060; in the Great Lakes division, $1,157,000; in the South Pacific division, $993,000; in the North Pacific division, $1,555,000. I ask that the tables showing the individual items under each of those divisions may be incorporated in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The tables referred to are as follows:

Gulf of Mexico division:	
*St. Johns River, Fla., Jacksonville to the ocean	$111,000
*Harbor at Miami, Fla.	200,000
*Charlotte Harbor, Fla.	22,500
*Tampa Harbor, Fla.	395,940
*St. Petersburg Harbor, Fla.	45,000
*Caloosahatchee River—Lake Okeechobee	50,000
*St. Marks River, Fla.	11,000
*East Pass Channel from the Gulf of Mexico into Choctawhatchee Bay, Fla.	10,000
*Intracoastal waterway from Pensacola Bay to Mobile Bay, Ala.	160,000
*Mobile Bay—Mississippi Sound Channel	55,000
*Biloxi Harbor, Miss.	52,000
*Intracoastal waterway from Mobile, Ala., to New Orleans, La.	20,000
*Mobile Harbor, Ala.	120,000
*Houston Ship Channel, Tex.	954,000
*Texas City Channel, Tex.	100,000
*Aransas Pass-Corpus Christi Channel, Tex.	515,000
	2,821,440

Upper Mississippi Valley division:	
*Illinois River, Ill.	1,200,000
*Mississippi River, between Ohio River and Minneapolis, Minn.	2,400,600
*Allegheny River, Pa., locks and dams	500,000
Ohio River—	
Lock and dam construction	800,000
Open channel improvement	400,000
*Kanawha River, W. Va.	1,000,000
*Tennessee River	50,600
Missouri River—	
Kansas City to the mouth	1,632,060
Kansas City to Sioux City	600,000
*Mill Creek and South Slough, Ill.	50,000
	8,632,060

Great Lakes division:	
Duluth-Superior Harbor, Minn. and Wis.	90,000
Fox River, Wis.	8,000
Milwaukee Harbor, Wis.	200,000
Calumet Harbor and River, Ill. and Ind.	322,000
Chicago River, Ill.	68,000
Chicago Harbor, Ill.	8,000
*Detroit River, Mich.	187,000
*Lorain Harbor, Ohio	66,000
Buffalo Harbor, N. Y.	80,000
Examinations, surveys, and contingencies—	
Duluth district	14,000
Milwaukee district	15,000
Detroit district	55,000
Buffalo district	44,000
	1,157,000

South Pacific division:	
*Redwood Creek, Calif.	26,000
*Suisun Bay Channel, Calif.	52,000
Petaluma Creek, Calif.	50,000
San Rafael Creek, Calif.	10,000
*Humboldt Harbor and Bar, Calif.	92,000
*San Diego Harbor, Calif.	$323,000
*Los Angeles and Long Beach Harbors, Calif.	410,000
*Middle River and Empire Cut, Calif.	3,000
Sacramento River, Calif.	24,000
Mokelumne River, Calif.	3,000
	993,000

North Pacific division:	
*Coquille River, Oreg.	100,000
*Coos Bay, Oreg.	125,000
*Columbia and Lower Willamette Rivers	250,000
*Willamette River between Oregon City and Portland, Oreg.	167,000
*Lake River, Wash.	3,000
*Olympia Harbor, Wash.	56,000
*Tacoma Harbor, Wash.	136,000
*Bellingham Harbor, Wash.	25,000
*Seattle Harbor, Wash.	105,000
*Quillayute River, Wash.	112,000
*Everett Harbor, Wash.	142,000
*Ketchikan Creek, Alaska	272,000
*Port Alexander, Alaska	17,000
*Harbor of Refuge at Seward, Alaska	45,000
	1,555,000

Mr. SMOOT. Mr. President, to recapitulate so that the Senate may know the allotments to the various divisions, I will say that for the North Atlantic division the total is $3,141,500; for the South Atlantic division, $4,200,000; for the Gulf of Mexico division, $2,821,440; for the Upper Mississippi Valley division, $8,632,060; for the Great Lakes division, $1,157,000; for the South Pacific division, $993,000; and for the North Pacific division, $1,555,000, a total of $22,500,000; and the money can be expended just as quickly as it shall be appropriated and the projects put in a position where work can be ordered upon them.

Mr. WAGNER and Mr. SIMMONS addressed the Chair.

The VICE PRESIDENT. Does the Senator from Washington yield; and if so, to whom?

Mr. JONES. I yield first to the Senator from New York.

Mr. WAGNER. Mr. President, may I ask the Senator from Washington if we are to draw the conclusion from what the Senator from Utah [Mr. SMOOT] has just said that of this $150,000,000 proposed emergency appropriation, only $22,000,000 of it may be used at once for the employment of labor?

Mr. JONES. I can not agree with the Senator as to that. I think $80,000,000 for road-construction work will be used very promptly, though, of course, the work can hardly start to-morrow.

Mr. WAGNER. We know as a matter of experience that money for public roads can not be expended for a period of seven or eight months after the appropriation shall have been made, because there is required first the approval by the Federal Government of the plans proposed by the States, and after that come all the preliminary steps, which anybody in authority will say will take at least six or seven months.

I do not urge these considerations, Mr. President, in opposition to the proposed legislation; I will vote for it; but I do not believe that the American public ought to be deceived into the belief that this money will be immediately available in order to put men to work. It emphasizes our unpreparedness amidst a depression. It is the very thing which the legislation I proposed a year ago was designed to avoid. If that legislation had been enacted, we would now be all prepared to check the economic depression.

Mr. JONES. I do not know how the Senator's State is; but many of the States have their road plans all ready, and will start work as soon as they get the money.

Mr. WAGNER. All the Senator needs to do is to inquire of those in authority just when this money can be used for the employment of labor. He will learn regretfully no immediate relief will result from these appropriations.

Mr. BLACK. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Alabama?

Mr. JONES. I yield to the Senator.

Mr. BLACK. May I ask the Senator whether or not the money can be spent in the States where they are not able to match it at the present time, dollar for dollar?

Mr. JONES. It can. That is provided for.

Mr. SIMMONS. Mr. President——

Mr. JONES. I yield to the Senator from North Carolina.

Mr. SIMMONS. The Senator, of course, recalls the fact that while we passed a river and harbor bill during the last session of Congress the President did not sign that bill until after adjournment. That is correct, is it not?

Mr. JONES. I do not remember whether it was signed after adjournment or not; but it was signed, all right.

Mr. SIMMONS. It was not signed in time for the Committee on Appropriations to appropriate for any authorizations carried in that bill.

Mr. JONES. No; the appropriation for rivers and harbors had been made for the current year before that bill passed.

Mr. SIMMONS. Therefore no appropriations have been made heretofore by the committee to carry out the authorizations in the rivers and harbors act of the last session.

Mr. JONES. No; but many of the items covered by this $22,500,000 are items covered by that bill. I do not know whether all of them are covered by it or not; but I know that many of the items in the last rivers and harbors bill are covered in this emergency appropriation of $22,500,000.

Mr. FLETCHER and Mr. WALSH of Montana addressed the Chair.

The VICE PRESIDENT. Does the Senator from Washington yield; and to whom?

Mr. JONES. I yield to the Senator from North Carolina.

Mr. SIMMONS. I desire to call the attention of the Senator to one matter of great importance in my State.

The last river and harbor bill appropriated for the construction of a dam in the inland waterway in the section between Virginia and North Carolina, known as the Currituck Sound Canal, or, I believe, named in the report as the Albemarle and Chesapeake Canal. The authorization was $5,000,000. That work is going on now, I think, because private interests, being very much damaged by the failure to construct that dam in that canal, are advancing the money; and I understand the Senator to say that some of the items that were authorized in that act are included in this new appropriation that is proposed.

Mr. JONES. They are; and let me say to the Senator that this $22,500,000 for rivers and harbors does not interfere with the regular river and harbor appropriation. That will be $60,000,000 for this fiscal year.

Mr. SIMMONS. But there has never been an appropriation for this particular authorization.

Mr. JONES. That may be.

Mr. SIMMONS. In the enumeration of the various rivers and harbors that are covered by the pending bill I understood the Senator from Utah not to mention this canal. In other words, it does not include anything for this canal.

Mr. JONES. I have no doubt but that if this measure does not cover that canal, the $60,000,000 does make provision for it. I have not looked it up, but I have no doubt about that.

Mr. SIMMONS. What $60,000,000?

Mr. JONES. The amount carried by the regular appropriation bill for rivers and harbors that will be available the 1st of July.

Mr. SIMMONS. There was none appropriated.

Mr. JONES. Yes; but we will appropriate during this session of Congress that estimate of $60,000,000.

Mr. SIMMONS. Then the purpose of the Senator is, in the next bill that he now promises will be introduced to enlarge this appropriation, that those items will be taken care of?

Mr. JONES. The Budget estimate for rivers and harbors for the regular current appropriation is $60,000,000. I have not any doubt but that that will be included in the Army appropriation bill. I have no doubt but that it will be included in the House. If it is not put in there, of course, we will put it in here. That will be available, then, the 1st of July. I have no doubt but that the Senator's project will be covered by that $60,000,000.

Mr. SIMMONS. Mr. President, I am not going to offer any amendment to this bill on account of the assurance given me by the Senator from Washington; but I shall insist that that item be taken care of, and some other items in my State that are not taken care of in this bill at all.

Mr. JONES. This bill was not intended to take care of all the items all over the country, as the Senator knows. That $60,000,000 will come in later.

Mr. GLASS, Mr. WALSH of Montana, and Mr. SWANSON addressed the Chair.

Mr. JONES. I yield to the junior Senator from Virginia. I think he rose first.

Mr. GLASS. Mr. President, I was unavoidably prevented from attending the meeting of the Appropriations Committee this morning; and I realize that any Senator who is cautious enough to propound questions now, and who does not enter into this feverish haste in appropriating the Treasury's money, may be regarded as inimical to the proposals made.

Mr. JONES. Not by me, Mr. President.

Mr. GLASS. Nevertheless, I am going to venture to say that we ought to inform ourselves. We ought not to fool either ourselves or the country.

For example, we have here an appropriation of $80,000,000 for the prosecution of good-roads work, and we are given to suppose that that money will be immediately available or available within the next few months. That is not so at all, Mr. President. Many of the States have biennial sessions of their legislatures. The States are required under existing law to match the appropriations of the Federal Government. Take my State: We have biennial sessions of the legislature, and the General Assembly of Virginia does not convene until next December. So there is no opportunity in the world for the State to match the appropriations of the Federal Government; and, failing to match the appropriations of the Federal Government within a given time, the money allocated to Virginia will be turned over to some State that has matched them.

Mr. JONES. No, Mr. President; the Senator is mistaken. There is an express provision in this bill that where the State has exhausted its funds, and so on, part of this $80,000,000 may be advanced to the State, to be repaid afterwards; so that there will be no delay at all on that account.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. GLASS. Just a moment, and then I shall desist. Another thing that occurs to me is this: We have had so many measures of farm relief that have not relieved anybody but have taxed and burdened all classes of people that I am getting to be a little dubious about measures of farm relief.

For example, there is an existing supposition that we are to relieve the farmers of the country by speeding up the construction of good roads. There is not a more fallacious supposition on the face of the globe, because when you strip the farm of all of its available labor by the enticing wage prices that prevail in the construction of good roads you do not relieve the farm. You damage the farmer. You may relieve a few farm hands by stripping the farms of all available labor, but I would not call that a measure of farm relief.

We are just going ahead imagining things. For example, the administration gave out a statement from the White House, pretty soon after the collapse in New York, that the captains of industry and the business men of the country had there assembled, and that there would be no reduction in the number of laborers, and there would be no reduction in the wage scale. The standard was to be kept up. The Department of Commerce the other day issued a report showing that 161 railroads alone had reduced the number of their employees 261,000 since last September, and everybody knows that there have been wage reductions all along the

line. It seems to me we are just getting into a fever of haste to apply remedial legislation that is not going to remedy anything.

Mr. JONES. It has not occurred to me that this is a farm relief bill. This is largely an unemployment bill.

Mr. McKELLAR. Mr. President——

Mr. JONES. Mr. President, if we can not get a vote on this bill now, since the Senator from Tennessee gave notice yesterday that he desired to address the Senate, I feel that I should yield the floor and let him make his speech.

Mr. HEFLIN. Mr. President, will the Senator from Tennessee yield to me for a moment?

The VICE PRESIDENT. Does the Senator from Washington yield the floor?

Mr. JONES. I yield the floor now.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. The Senator from Montana.

Mr. WALSH of Montana. I want to recur, if the Senator from Washington will give me his attention, to the matter presented by the Senator from Arkansas concerning the availability of these funds after the expiration of the present fiscal year.

We have now taken out the language on page 1, "during the remainder of the fiscal year 1931 with a view to increasing employment, namely"; but is it not a fact that if the appropriation is not exhausted during the current fiscal year it will automatically cease, and not thereafter become available? Is not that the rule in case of all appropriations? And in order to effect the purpose of the Senator from Arkansas, if the Senator from Arkansas will give me his attention, will it not be necessary to add "to remain available until expended"?

Mr. JONES. I think possibly that is true. I shall be glad if the Senator will offer that amendment.

Mr. WALSH of Montana. I offer that amendment.

The VICE PRESIDENT. The Senator from Montana offers an amendment, which will be stated.

The CHIEF CLERK. At the bottom of page 1 it is proposed to insert:

To remain available until expended.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Montana.

The amendment was agreed to.

Mr. McKELLAR obtained the floor.

Mr. HEFLIN. Mr. President, will the Senator from Tennessee yield to me?

Mr. McKELLAR. I yield.

Mr. HEFLIN. In order to have some definite plan about the expenditure of this money, I offer the following amendment:

Add a new section at the end of section 3, on page 4, as follows: "*Be it further enacted*, That the funds provided for in this bill shall be made available for use on the projects herein named within 30 days after the passage of this act."

I do not want any action taken on that amendment until the Senator from Tennessee has finished his speech.

The VICE PRESIDENT. The amendment will be considered as pending.

Mr. BLAINE. Mr. President, will the Senator from Tennessee yield?

Mr. McKELLAR. For what purpose?

Mr. BLAINE. I am not going to make a speech. I want to offer an amendment.

Mr. McKELLAR. Can not the Senator offer the amendment just a little later?

The VICE PRESIDENT. There is one amendment pending now.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. McKELLAR. If it is just for a question.

Mr. WALSH of Massachusetts. The Senator from Tennessee, I believe, is a member of the Committee on Appropriations.

Mr. McKELLAR. Yes.

Mr. WALSH of Massachusetts. I wish to inquire of the Senator if it is not a fact that annually there is included in the Army appropriation bill an item for river and harbor work recommended by the engineers of the Army?

Mr. McKELLAR. There is.

Mr. WALSH of Massachusetts. It is proposed this year that that item shall be separately adopted. There was an item in last year's bill, as there is in the bill of every year. In addition to that, by a special act of Congress, there were authorized additional river and harbor works before Congress adjourned last June. Is that true?

Mr. McKELLAR. That is my recollection, but I could not be positive about it.

Mr. WALSH of Massachusetts. Is it not a fact that, regardless of any message by the President or any claim of emergency, we would have to appropriate this money anyway to carry out the purpose of a law passed at the last session?

Mr. McKELLAR. Certainly. Now, I can not yield further, Mr. President.

The VICE PRESIDENT. The Senator from Tennessee declines to yield further.

THE PRESIDENT'S STATEMENT ON RELIEF LEGISLATION

Mr. McKELLAR. Mr. President, ordinarily when I make a speech I do so without notes, but to-day I am going to talk about an assault made by the President of the United States on every Member of the Senate of the United States, and in order to be careful I am going to use notes.

Mr. President, on yesterday the President of the United States gave out a statement to the newspapers assaulting each and every Member of this body. The cause of his assault was that he had recommended to the Congress an appropriation of $25,000,000 to be used in lending to the farmer, and he learned that a committee of the Senate had recommended a fund of $60,000,000 for that purpose and that the Senate was likely to accept it. Thereupon he gave out to the papers this assault upon the Senate, and each and every one of its Members, because each and every one of its Members voted for the joint resolution which contained the authorization of the $60,000,000 instead of the $25,000,000 as advocated by the President.

Mr. President, this assault was unprovoked, unjustifiable, unconstitutional, and untrue in fact. The Constitution of the United States, Article II, section 3, provides as follows:

He [the President] shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient.

In other words, the Constitution provides specifically how the President may transact his business with the Congress. Under well-known rules of law the expression of one method in the Constitution is the exclusion of others. The President evidently desired that the Senate should know that he disapproved of the $60,000,000 resolution. Instead of sending a message to the Senate, expressing his disapproval, he takes the undignified, unconstitutional, and angry way of running to the newspapers with his statement. Of course, I do not know that the President ever read the Constitution, and if he is ignorant of its terms, then he can not be criticized so severely, but it does seem to me that when he wants to advise the Congress he should pursue constitutional methods and send his message to the Congress direct. His denunciation of the Senate and of Senators in this way is certainly unbecoming to the dignity of the high office which he holds for the moment.

RAIDS UPON THE TREASURY

In his tirade of abuse upon Members of the Senate for appropriating a larger sum for the benefit of the farmers of the country the President says:

Prosperity can not be restored by raids upon the Public Treasury.

Thus he accuses every Senator who voted for the $60,000,000 appropriation, when he had recommended only twenty-five million, of being guilty of raiding the Treasury in the interest of the farmers of the country. With all due respect to the President, I say that his statement is untrue in fact. The joint resolution passed yesterday does not constitute a raid upon the Treasury. The figure carried in it

was arrived at after the most careful examination by a committee of the Senate composed of men of the highest type and distinction, men whose training, whose judgment, whose desire to serve the people, whose responsibility toward the people, whose knowledge of the subject are infinitely greater than those of Mr. Hoover, who has had painfully small experience with farmers, and whose every attitude toward the farmers has either been one of opposition, or, as in the case of the farm bill, dictated by him last spring, utter incapacity to deal with the farm problem.

THE PRESIDENT'S RECORD OF RAIDS

Mr. President, denying absolutely that the passage of the measure on yesterday providing for a fund of $60,000,000 was a raid upon the Treasury, I want to call the attention of the Senate and of the country to the fact that even if it constituted a raid upon the Treasury, the President is the last man in the United States, in view of his record on the subject of raids upon the Treasury, to call attention to that fact.

I have before me his message to the Congress, and notably his Budget message of December 1, 1930. He has made recommendations as to appropriations for special and favored interests that are infinitely more to be classed as raids upon the Treasury than the amount provided for by the Senate to be loaned to the farmers. I am going to take some of these up.

THE PRESIDENT'S SHIPPING BOARD RAID

In his message of December 1 the President recommended to the Congress that it appropriate $35,000,000, to be known as the Shipping Board construction fund, such $35,000,000 to be loaned out to large shipping interests at nominal rates of interest so that they can build ships and make money for themselves. The President has already recommended or approved the sale of the Government's ships to these same shipping interests at nominal prices, ships owned by the Government. After conferring this legalized graft upon the shipping interests, he has recommended the making of contracts with these same interests for carrying the mails, which are nothing more than subsidies of many millions a year more, and in the end obligating the Government in such enormous sums for these subsidies that I have no doubt it will soon develop into a national scandal.

So what will the President call his recommendation of $35,000,000 and contracts obligating the Government for hundreds of millions more for ship subsidies? What is that to be called? Is it a raid on the Treasury?

Does the President distinguish between the beneficiaries of raids? Where legislation is passed for the farmers of the country, does he call that a raid, whatever the amount, but when the same kind of bills appropriating and obligating the Government to the expenditure of hundreds of millions of dollars for a special interest, an interest which needs no help at this time, are passed, what does he call that? He has called this farmers' measure a raid upon the Treasury.

I come to the next raid recommended by Mr. Hoover, known as the "gamblers' tax raid." A little more than a year ago there was a collapse of the stock market in New York. A great many men and women who had been gambling on the market lost large sums, just as gamblers invariably do sooner or later. It makes no difference where the scene of their operations, when they gamble, it is inevitable that losses shall come.

Let me call attention to the fact that none of these gamblers in the Wall Street collapse were in want, none of them faced starvation, as many of our farmers do. But what did the President do for them? Ah, the President was very tender of them! He recommended a reduction of taxes applying largely to this class of our people, amounting to $160,000,000, this recommendation being made in their interest. The President did not regard that as a raid, yet what he did was to take away from the Treasury of the United States money that ought not to have been taken in any such enterprise.

INCREASE OF NAVY RAID

I want to call to the special attention of those who believe that the United States should have only a very small Navy the "increase of Navy raid" as given in the President's Budget message of December 1.

The President has been attempting to make people believe that he is in favor of reduction of naval armament. He brought about the celebrated London conference. I suppose we have sunk already a number of vessels in accordance with the agreement made in that congress. Yet the President comes blandly along on December 1 and recommends to the Congress an appropriation of $49,400,000. To be used for what? To be used for building ships, war vessels, in place of those which were sunk under the London conference.

By one agreement he sinks a portion of the Navy of the United States, and then by another recommendation he seeks to build additional ships. Who profits more than anyone else, Mr. President, by the sinking of ships under the system of sinking and rebuilding? It is the Steel Trust, shipbuilding people, the big interests of this country, that profit by such a system! How indefensible must be the position of the President who makes a contract in London to sink a portion of our Navy in the interest of peace and disarmament and then instantly comes before the Congress and recommends an increase of the Navy by the expenditure of $49,400,000 for building up another Navy in its stead.

Raid on the Treasury? If ever there was an indefensible raid on the Treasury, that piece of business constitutes that kind of a raid.

REFUND OF TAXES

I come to another raid on the Treasury which has been going on for years, and Mr. Hoover is keeping it up.

Oh, yes! The President gets angry with the Members of the Senate. He assaults the Members of the Senate. He denounces the Members of the Senate. All for adding $35,000,000 to the appropriation recommended for the farmers of the United States in their distressed condition, in their oftentimes starving conditions. But he is more gentle and kind when it comes to the great, rich, powerful classes in this country who need no help.

Last year he recommended $130,000,000 to be largely refunded to the rich war profiteers who made their great fortunes out of the war, who paid their taxes during the war, and now, under Mr. Hoover's administration, those taxes are being refunded to the great profiteering interests of the country; $130,000,000 refunded last year, and some hundred millions this year, with deficiency bills still to be passed. If ever any proposed legislation constitutes a raid upon the Treasury, it is this system of legalized graft by which war taxes have been refunded. More than two billions of dollars have been refunded in the last 10 years. Oh, yes! Refund these taxes to the rich and the powerful and the influential, says Mr. Hoover. Give them $130,000,000 a year; but when farmers are in distress, when farmers are facing starvation, it is a raid upon the Treasury to lend them the money with which to buy seed to make another crop.

The gifts to the great income-tax-paying classes of our population are gifts outright from the Treasury. It is being done secretly. No man can say how it is being done or whether it is being done fairly and justly or not, because it is being done behind closed doors, and not even the most meager information is given out, but there are no strings attached to that. These riches come from the Treasury with a perfect title, and they have the full approbation of the President. But, oh! what a horrible thing it is to increase the fund recommended by him for the purpose of lending the farmers so they can make a crop after nature has devastated them.

Mr. President, I have kept up with the system of tax refunds carried on by the Government since 1921, and I want to say it is the most indefensible system of legalized graft ever constituted in any nation under the sun. In the way of refunding of money and depletions it has amounted to over $4,000,000,000 in the last 10 years. But it

goes to the ruling classes, and therefore it meets the President's absolute approval; but when the Senate adds $35,000,000 to the appropriation recommended by the President for the farmers he denounces it, he denounces every Senator who votes for it, and he assaults the Senate as a body.

THE FARM BOARD

I next come to the raid upon the Treasury known as the Farm Board raid. The President has recommended that $150,000,000 be turned over to the Farm Board. What for? Apparently the only purpose is to permit that board to engage further in gambling with farm products. That board has been a complete failure. It has not done the farmer a particle of good. It has spent hundreds of millions of the people's money without any returns. Prices of everything that the farmer makes have been constantly going down since that board has been in existence. It is putting up the people's money in the gambling business and the President recommends that we give them another $150,000,000 with which to gamble. I was told by a member on the Committee on Agriculture and Forestry that Mr. Legge stated the other day before that committee that the Farm Board absolutely controlled the wheat market—and I invite the especial attention of the Senators from the wheat sections of the country to this statement—that they could put the price up or put the price down, and the reason they did not put the price up was because they wanted the millers to buy and manufacture wheat into flour at the present price so as to make bread cheaper to the consuming public.

Why, Mr. President, everyone knows that there is a spread of 70 per cent between the cost of the raw material and the price for which the baker sells his bread. Only 30 per cent goes to the wheat farmer, and yet here is the chairman of this board stating to a committee of the Senate that the board now controls the price of wheat and are controlling it downward so as to allow the miller to manufacture flour to sell bread cheaper. Everybody knows that the price of bread has no relation or very little relation to the price of wheat. Under this administration the price of wheat does not affect the cost of bread to the consumers. Oh, yes, the President is willing to recommend $150,000,000 for the Farm Board to gamble on the future markets in the interest of the millers apparently, but he is willing to lend the farmers but $25,000,000 in order to help them make a crop next year. That same Senator told me that Mr. Legge could control the cotton market, and the reason why cotton did not go up was because they wanted the spinners to get cotton at a reasonable price so they could manufacture their goods. Farm Board, indeed! I want to say I will "have to be shown" before I will vote for an appropriation for this incompetent board, this incapable board, this gambling board, this future-market board, this board is being used to crush the farmer rather than to help the farmer, this board whose chairman told the Committee on Agriculture and Forestry of the Senate that they control the price of wheat and the price of cotton, and the reason why they do not let the prices go up is because in the one instance they want the millers to make more profit and in the other instance the spinners to make more profit. Is that why we constituted the Farm Board? I say that if the Farm Board, this weak board, this incompetent board, is further maintained, it will constitute a raid on the Treasury second to none of the other raids which Mr. Hoover has approved.

OTHER RAIDS

Mr. Hoover has recommended in this message of December 1 more than $1,320,000 for a National Advisory Commission for Aeronautics, and $2,000,000 for the Porto Rico Hurricane Commission. Oh, yes; it is perfectly all right to take care of the island of Porto Rico, and I say that it ought to be done, but when the President sees that the farmers of the country and the wage earners of the country are without employment and takes this backhanded, left-handed way of communicating with the Senate, trying to defeat the bill which is before us by giving out an interview in which he virtually denounces as a raider upon the Treasury every Senator in this body, because every one of us voted for that bill, I say he is going too far.

Mr. Hoover has just recommended $2,500,000 for entomology, bug hunting, for doing something with bugs, and when the Senate proposes to increase an appropriation to be loaned to the farmers so they can make crops, he denounces and assaults the Senate. He recommends $1,800,000 for the Bureau of Biological Survey, $9,200,000 for the Bureau of Aeronautics, a contribution to the great aircraft carriers to help them along. Oh, yes; they need help. Any vested interest needs help. It makes no difference how rich they may be or how much money they have, they can always get from the President a recommendation for help from the Treasury of the United States; but when the unemployed are brought before us, when the farmers of the country are brought before us, when the war veterans are brought before us, see how quickly he begins to defend the Treasury of the United States.

Oh, Mr. President, it is all right to spend $2,500,000 of the people's money on bugs and over $10,000,000 in aid of the great air line transportation companies, but we must cheesepare when it comes to lending money to the farmers to make bread and meat for the American people.

All these recommendations are made by the President. They are down in black and white. They include $50,000,000 for increased ships in the Navy after sinking perfectly good ones, $2,500,000 for bugs, $2,000,000 for the starving in Porto Rico—and we ought to have given it—hundreds of millions to the great shipowners, scores of millions to the airplane companies. Oh, yes. But these are wealthy and need no money, so Mr. Hoover is perfectly willing to give them more. But when it comes to the farmers in their pitiful and distressing condition he goes out of his way to come out in an interview denouncing and assaulting the Senate for disagreeing with him about the amount to be loaned to the farmers.

POLITICS

The President denounces the Senate of the United States in these words: "They are playing politics at the expense of human misery." What a damnable charge, Mr. President! It is an absolutely untrue charge and I denounce it as absolutely false without the slightest foundation in fact.

WAGNER UNEMPLOYMENT BILLS

No Senator on this floor has done more, has fought harder, has worked more faithfully in the interest of lessening unemployment than the distinguished junior Senator from New York [Mr. WAGNER]. A year ago he introduced bills and sought by every means in his power to do something for the unemployed of the country. He had several bills which passed the Senate and went to the House, but what became of them? The President stepped on them over there. He stopped their consideration. He is still opposed to them. If the President even raised his finger in favor of the Wagner bills in the House, they would, no doubt, pass, and if they passed, his signature would mean they would become the law. Has he done it? Of course, he has not. He is filibustering to this good hour against those worthy unemployment bills.

Talk about playing politics. Who has been playing politics with the unemployment situation in this country? It has been known for a long time that there were millions of American people out of employment. What has the President ever done to stop it? He called a meeting of his rich and powerful friends here in Washington some time after the panic. They came and passed resolutions. They said they would not discharge their employees, and immediately they went home and began to discharge their employees and have been discharging them ever since. Some one stated figures here a few moments ago to the effect that one railroad company alone had already discharged between 155,000 and 200,000 men since its representatives were here and told the President, so he said, that they were not going to discharge any more men.

Mr. WALSH of Massachusetts. Mr. President——

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from Massachusetts?

Mr. McKELLAR. I yield.

Mr. WALSH of Massachusetts. Confirmatory of what the Senator has said, I have had some statistics presented to me, prepared by the authorities of the Federal bank in Boston, indicating that the pay rolls in New England dropped 28 per cent in the month of November as compared with the month of November a year ago.

Mr. McKELLAR. I have no doubt of it.

Mr. WALSH of Massachusetts. And November a year ago was bad. That gives some idea of the extent of the unemployment in New England.

Mr. McKELLAR. The great manufacturing companies have been discharging their employees, the captains of industry have been discharging their employees, and Mr. Hoover himself, through his various agencies, has been discharging Government employees. They have been discharged or let out in the Post Office Department, in the Navy Department, in the War Department. I remember in Memphis, my home city, some time ago I was reading in the morning paper of the wonderful steps the administration and Mr. Hoover were taking to keep men employed in the Government, and yet that very hour there were representatives of 400 men working for the Government on the levee who had been in my office protesting against having been discharged the day before. When I inquired into it, I was told that orders had been received from Washington to discharge these men, and the best assurance I could ever get for them was that they would be restored to a 3-day or 4-day week, so as to give them actual bread. Here was our President or officials under him carrying out his policy discharging Government employees. Yet he talks about doing something for the unemployed.

Mr. President, we have just had reported to us this morning what I suppose will be called the President's unemployment bill. Under the terms of that bill $110,000,000 are proposed to be appropriated to relieve unemployment, so to speak. There never was a greater misnomer. Of that sum $80,000,000 go to road projects, some $22,000,000 go to rivers and harbors, and certain other millions are to be devoted to other projects. None of that money will be spent now. I offered to wager a Senator this very morning that if this bill should pass just as it is written, just as the President sent it down here, just as his friends are advocating that it be passed, it would not give employment to 300 men in his State. I will say to my friend the Senator from Nevada [Mr. PITTMAN], that it will not add 20 men to the employed in his State.

As we all know, the unemployment situation is on us now. The months of January, February, and March will be the worst months. If we are going to do anything for the unemployed, if we are going to keep them from starving, if we are going to keep their families from starving, we ought to furnish work to them during January, February, and March. Unless we do furnish work for them during those months, there is no telling what the consequences will be. That is when they will need help most; that is when they are likely to starve; those are the months when they are likely to be hungry; but the President's plan will not give a dollar to the employment of anybody during those months.

During that time the officials in charge of the public works can not get the plans ready to use a dollar of that $110,000,000, and all that will be used, if Congress is simple enough to grant it, will be paid out for overhead charges to men and women who do not need help; none of it during the crisis will go to those who are unemployed and who never so badly needed help as they do now; and yet the President is talking about "playing politics."

The $110,000,000 is to be turned over to him and to his Cabinet without let or hindrance. Who can tell how any of it is going to be spent? The question was asked of my distinguished and beloved friend, the Senator from Washington [Mr. JONES], and all he could say was that $80,000,000 of it was going to be expended on roads somewhere. It may or may not be so expended; I hope it will; but I disagree with the Senator absolutely that any of it will be applied in time to alleviate the present situation of unemployment; at any rate, I believe only a few dollars of it will be so applied; and I imagine that the whole $110,000,000 will not provide employment for 5,000 men, certainly for not over 10,000, of the present unemployed men in this Republic; and I understand that there are at least four or five million who are unemployed.

Mr. President, while I am talking about politics let me say that the President of the United States has had some experience in spending Government funds. It will be remembered that upon his suggestion, after the World War was over, Congress in a burst of generosity and upon Mr. Hoover's suggestion, made through President Wilson, appropriated $100,000,000 for starving people among the Allies in Europe. That fund was turned over to Mr. Hoover to spend. Whether there has ever been a final accounting of the fund I do not know. The last account I saw did not show how the entire sum was expended. It accounted in the most general way for about $88,000,000. Whether there has ever been another accounting of that fund I do not know, and I doubt if any Senator on this floor knows. If there be any Senator who knows, I ask him to speak now, and I will yield to him to state whether or not Mr. Hoover has ever made a final accounting as to the expenditure of that entire $100,000,000.

Mr. Hoover bought meats which, for the most part, had been accumulated by the packers of the country and sent those meats abroad. If it had not been for that fund and for Mr. Hoover's purchasing those meats the packers had accumulated, that great store would have had to have been sold to the American people at greatly reduced prices; but the packers sold them to Mr. Hoover to be carried abroad, and the prices of meat were thereby maintained in America.

If there ever was a measure the effect of which aided the great monopoly known as the meat monopoly in this country, that measure recommended by Mr. Hoover was one. It savored much more of a raid on the Treasury than the pitiful amount to be loaned to the farmers of the country in the most dire distress they have ever suffered. Not only did he spend American money, but he kept the price of meats in this country and perhaps in other countries at an abnormal price. I shall have to be shown the accounting of Mr. Hoover for that $100,000,000 before I vote to turn over to him another $110,000,000 to be used as he sees fit.

Since preparing that statement I have seen the bill and it does not provide for his using it exactly as he sees fit, and for that reason I shall not fight the bill. O Mr. President, it is "playing politics" when the Senators in Congress seek to have a fund used for the purpose of giving the unemployed work; but the President is "playing no politics" when he asks for $110,000,000 to be turned over to him and disposed of by his Cabinet.

MR. HOOVER IN NO ATTITUDE TO CRITICIZE

Mr. President, as soon as Mr. Hoover was elected President he began a career of utter disregard of the proprieties in government. He sought and secured a battleship to take him around South America at the Government's expense. He secured it only because the Navy Department no doubt knew that it would be better for it to accede to his wishes in that regard. Such a trip made at Government expense in a Government battleship before he was President was the very height of impropriety.

Is there a man on this floor, if he were elected President, who would commit such an act of impropriety? If so, I should like for him to interrupt me and say so. I take it that no man here familiar with the Government, familiar with the proprieties which should govern officials of the Government, would for a moment think of doing it.

And since the President has undertaken to assail us, since he has denounced us, I think we might as well have another matter cleared up here and now. Another situation that has been open to public talk for a long time is that the President, in buying and building a summer residence, used the marines of the United States in the building of roads and clearing the land, and some even say in building the house. I do not know that this allegation is true. I merely know that it is on the lips of everyone. If it is true, it is an indecent and illegal use of the powers of the President in his control over the United States marines.

Mr. President, the statement given out by the President assailing and denouncing the Senate and its Members is unworthy of the Chief Magistrate of this Nation or of any nation. If he is worthy of his office, he will apologize to the Senate. If he is unworthy, he will not apologize to the Senate.

I ask unanimous consent to have inserted in the RECORD at the conclusion of my remarks an editorial entitled "Politics!" from the Washington Daily News of Wednesday, December 10; also an editorial from the Baltimore Sun of December 10 entitled "Asking for It."

There being no objection, the editorials referred to were ordered to be printed in the RECORD, as follows:

[From the Washington Daily News of Wednesday, December 10, 1930]

"POLITICS!"

The President wishes to hasten aid for the unemployed.

His notion of how to accomplish this is to fire a broadside charge of "Politics!" at all Members of Congress whose ideas on the subject differ from his.

We can think of nothing better calculated to cause delay than the printed outburst handed to the press by the President yesterday. For, naturally, the Congressmen now will take time to answer the President—time that might be used in doing the thing he wants done.

That this will happen seems inevitable. But we hope it doesn't. We hope the Congressmen may overlook the President's ill-advised attack—even his outrageous misuse of figures. By that we refer to his assertion that measures already introduced in Congress would increase his recommendations for the fiscal year by $4,500,000,000. This is a meaningless figure that can be obtained only by adding together all bills calling for appropriations. The President, of course, knows that when a dozen bills, each calling for $100,000,000, are introduced by a dozen different Members to accomplish the same thing, that only one such bill is going to get through. The net threat to the Treasury is only $100,000,000—not twelve times that amount. Yet it is a figure obtained by the latter false assumption that the President uses when he talks about $4,500,000,000.

Still we trust Congress will not be upset by the President's petulance and that the business of taking care of the present emergency may go speedily forward.

[From the Baltimore Sun of Wednesday, December 10, 1930]

ASKING FOR IT

The President must feel completely baffled. If he does not attempt to lead Congress, he is condemned. If he does attempt to lead Congress, he is repudiated. But he has company. He is no more baffled than a great many citizens who find it hard to understand why, whenever he does get to the point of opening his mouth in his relations with Congress, he must always put his foot in it. Yesterday Mr. Hoover sought to serve an entirely proper purpose. He sought to urge upon Congress a policy of caution in using public funds for relief work. But the measure of absurdity, ineptitude, and provocation Mr. Hoover managed to work into a statement of about 300 words is incredible.

He said the sums he had recommended are the extreme amounts that can be used by the Federal Government in actual relief of unemployment. Quite an assertion! But he went on to say also that these sums are the maximum that can be financed without taxes. So that you get a magical result. Figures selected by President Hoover serve, by some superhuman skill or some legerdemain, the double end of helping everybody who is out of a job that the Federal Government can help, and of stopping short at the exact point beyond which lie new taxes. Having declared that fiscal miracle of his own working, the President proceeded to lecture Congress on taxation. When you lay new taxes, you burden the workers or deprive industry of the ability to give employment. When, as a substitute for taxes, you borrow on bonds, you deprive industry of that much capital for its own use and for employment. So Congress must not go beyond the President's recommendations of relief appropriations. Authority speaks.

Congress and the public are left to understand that by some other miracle of Mr. Hoover's working the special appropriations he proposes to pile on top of the deficit will be met without taxation or without borrowing. It is hardly necessary any longer to argue that Mr. Hoover is not a worker of financial miracles. It is hardly necessary to argue that when he spends more money than the Treasury has he is going to do what any other man would do. He is going to lay new taxes, or he is going to borrow in the market, or he is going to have the Treasury kite along until better times come. Well, is there anybody so stupid as to suppose that you can put off new taxes and avoid borrowing in the open market by kiting along when the special appropriations are those Mr. Hoover favors, but that it is impossible to do so if Congress should add, say, fifty million to the sums favored by Mr. Hoover? We do not suppose there is any such ninny alive. Yet it is that doctrine which Mr. Hoover proclaims at the very moment the Senate is deciding whether to increase one of the appropriations recommended by him. And thereby he not only affronts intelligence everywhere; he convinces Congress that he is misrepresenting it to the Nation. When this is added to his talk about playing politics with human misery—talk broad enough to include all opponents—the dam is broken.

So a $60,000,000 bill for drought relief hurtles through the Senate instead of the $25,000,000 that Mr. Hoover favored! Hurtles through without a single Senator on either side standing up to fight for the President. It is a spectacle of futility almost without precedent. Whether any great harm has been done, other than the further churning up of the chaos that marks the relations between President and Congress, can not be said with finality. The House may curtail the amount allotted. Anyway, nobody seems to know how much is needed for drought relief. Mr. Hoover might have been expected, out of the wealth of his experience in relief work, to present a tangible calculation. He did not do so. Instead he first talked in generalities and then issued his worse-than-absurd statement. When in doubt, it is usually a good rule to hold down appropriations. But, after all, the Hoover administration will control the appropriation. The law will not compel expenditures; it will simply authorize the administration to make them.

If it be said that it will be hard to close the door, it should also be said that Mr. Hoover opened it. There is ordinarily very great reluctance to see the Federal Government go into the business of granting direct money assistance to needy citizens. Mr. Hoover is at one with Congress in departing from the rule, and the formal initiative is his. Once you depart it is hard to say where a new line should be drawn. Secretary Hyde's talk about doles, in the event the President's proposals should be enlarged, is hysterical idiocy. If the Government is going to lend money to farmers who are unable to borrow from banks or individuals so that they may buy seed and farm equipment, there is no logical reason why it should not lend them money to buy food while they are planting the seed and using the equipment. It is drivel to approve one and stigmatize the other. There may be considerations of practical expediency for drawing a line, but neither Mr. Hoover nor Mr. Hyde has stated them simply and directly.

The failure to do that, while such furious energy has been poured into the shallow flood of denunciation, is probably the principal reason for the present state of affairs.

Mr. McKELLAR. Mr. President, I submit the following figures, which I ask may be appended to my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

Some of the larger cash refunds reported to Joint Committee on Internal Revenue Taxation[1] fiscal year ending June 30, 1930

Name of taxpayer	Address	Refund	Interest
July, 1929			
Baldwin Locomotive Works	Philadelphia, Pa	$1,628,106.50	$500,900.03
General Electric Co	Schenectady, N. Y	530,818.41	114,877.04
Insurance Co. of North America	Philadelphia, Pa	188,455.54	71,634.14
Murphy, Margaret, estate of	do	99,352.71	19,831.07
Mutual Life Insurance Co. of New York.	New York, N. Y	674,286.93	120,214.20
Nolde & Horst Co	Reading, Pa	349,050.34	145,903.71
United Publishers Corporation	New York, N. Y	111,572.43	28,342.11
Western United Corporation	Aurora, Ill	75,946.87	22,573.94
August, 1929			
Alien Property Custodian, Tr. No. 2749, William Schmeider.	Washington, D. C	32,029.65	
American Pipe & Construction Co.	Philadelphia, Pa	110,798.64	34,216.01
Berger Manufacturing Co	Canton, Ohio	177,868.07	48,019.79
Black River Woolen Co	Ludlow, Vt	101,660.07	31,474.24
Bull, A. H., Steamship Co	New York, N. Y	28,149.44	12,507.99
Carbon Steel Co	Pittsburgh, Pa	243,564.77	95,935.78
Gans Steamship Line	New York, N. Y	163,971.67	35,357.71
Marathon Paper Mills Co	Rothschild, Wis		4,682.57
Nippon Yusen Kaisha	New York, N. Y	359,436.40	236,258.03
Sprunt, James, estate of	Wilmington, N. C	119,308.44	62,371.20
Superior Oil Corporation	Lexington, Ky	82,993.14	38,917.65
Symington Corporation	Baltimore, Md	176,736.53	93,745.17
Ware Shoals Manufacturing Co	Ware Shoals, S. C	143,726.59	42,611.77
September, 1929			
Crompton & Knowles Loom Works.	Worcester, Mass	81,056.09	45,105.21
Electric Bond & Share Co	New York, N. Y	102,854.94	20,780.49
Erie Railroad Co	do	93,371.22	17,765.79
Los Angeles Gas & Electric Corporation.	Los Angeles, Calif	34,838.38	29,798.12
Manufacturers' Light & Heat Co.	Pittsburgh, Pa	81,005.90	47,369.69
McCord Co. and subsidiary	Chicago, Ill	101,316.38	63,124.94
Reo Motor Car Co. and subsidiary.	Lansing, Mich	91,508.30	44,772.62
Studebaker Corporation	South Bend, Ind	106,948.04	14,514.92
October, 1929			
American Linseed Co. and subsidiaries.	New York N. Y	428,185.03	218,094.62

[1] Refunds are reported to the joint committee 30 days prior to payment when the total amount to be refunded and/or credited exceeds $75,000.

Some of the larger cash refunds reported to Joint Committee on Internal Revenue Taxation fiscal year ending June 30, 1930—Continued

Name of taxpayer	Address	Refund	Interest
October, 1929—Continued			
Balaban & Katz Corporation	Chicago, Ill		$34,226.05
Butler Bros	do	$140,472.00	50,339.01
Chicago, Burlington & Quincy R. R. Co.	do	140,245.01	531,966.70
Consolidated Coal Co. of St. Louis	St. Louis, Mo		9,419.90
Crown Cork & Seal Co	Baltimore, Md	180,988.30	71,773.18
Goss Printing Press Co	Chicago, Ill	14,313.76	5,595.51
Kolb, Frank C	Merion, Pa		21,942.43
Penfield, Anne W. (Mrs.)	Philadelphia, Pa	159,782.44	64,668.11
Semet-Solvay Co	New York N. Y	152,100.04	54,756.01
Strong, Henry G., estate of	Rochester, N. Y	114,600.62	18,584.56
Western Union Telegraph Co	New York N. Y	129,276.89	19,170.16
November, 1929			
Central Steel Co	Massillon, Ohio	315,709.47	83,870.60
Eno, Amos F., estate of	New York	239,979.85	130,074.85
Export Leaf Tobacco Co	do	90,023.16	53,785.75
Frick, Henry C., estate of	Pittsburgh, Pa	86,807.25	49,105.24
Genesee Pure Food Co	Le Roy, N. Y	72,666.94	7,164.97
Libby, McNeill & Libby (of Maine).	Chicago, Ill		72,540.35
Frank J. Mackay Trust	do	152,522.05	31,759.67
Middle States Oil Co. and subsidiaries.	New York N. Y	357,051.28	90,228.56
Philadelphia Electric Co	Philadelphia, Pa	775,023.36	107,898.53
Pittsburgh Steel Co. and subsidiaries.	Pittsburgh, Pa	7,705.42	51,941.32
Southern Pacific Co	New York, N. Y		254,306.80
State Mutual Life Assurance Co	Worcester, Mass	224,846.53	35,367.85
Steigerwalt, William H., estate of	Philadelphia, Pa	97,984.35	11,035.90
Travelers' Insurance Co	Hartford, Conn	190,201.58	34,531.44
December, 1929			
Air Nitrate Corporation	New York, N. Y	178,411.97	104,203.85
Allied Chemical & Dye Corporation.	do	34,244.25	43,390.00
American Maize Products Co	do	92,311.21	36,766.41
Barber & Co	do	89,686.66	57,605.01
Central Steel Co	Massillon, Ohio	434,256.42	224,284.51
Columbus Dental Manufacturing Co.	Columbus, Ohio	89,673.44	34,485.24
Dodge, Horace E., estate of	Detroit, Mich	388,820.96	166,782.86
Flinn, William, estate of	Pittsburgh, Pa	147,823.64	19,289.97
Home Life Insurance Co	New York	76,007.52	19,784.39
Metropolitan Life Insurance Co	do	771,848.64	285,153.50
The Pullman Co	Chicago, Ill	642,892.84	238,429.32
Schoonmaker, James M., estate of	Sewickley, Pa	246,779.94	19,076.42
Tobacco Products Corporation	New York	88,427.11	20,794.90
Utah Power & Light Co	Salt Lake City, Utah	92,161.95	44,955.53
January, 1930			
Allied Chemical & Dye Corporation.	New York, N. Y		24,630.81
Central Leather Co. and subsidiaries.	Kalamazoo, Mich	194,207.73	86,313.75
Dodge, John F., estate of	Detroit, Mich	466,900.15	226,734.01
Harkness, Anna M., estate of	New York, N. Y	190,948.24	21,789.02
Kansas Gas & Electric Co. and subsidiaries.	Wichita, Kans		18,798.48
Philadelphia Co. and subsidiaries.	Pittsburgh, Pa	2,291,617.20	1,117,174.01
Pittsburgh & West Virginia Ry. Co.	do	107,614.15	35,314.20
Public Service Corporation of New Jersey and subsidiaries.	Newark, N. J	811,023.41	401,912.14
United Publishers Corporation	New York N. Y	92,115.56	43,612.20
February, 1930			
Advance Rumely Co	La Porte, Ind	119,804.88	21,884.69
Archer Daniels Linseed Co	Minneapolis, Minn	188,984.57	110,072.87
Berkshire Cotton Manufacturing Co.	Adams, Mass	86,378.00	34,725.70
Brown, Paul, estate of	St. Louis, Mo	780,926.35	47,244.94
Cincinnati Milling Machine Co	Cincinnati, Ohio	86,670.25	42,419.42
Farrel Foundry & Machine Co	Ansonia, Conn	84,612.92	51,980.59
Grosvenor-Dale Co	Providence, R. I	120,517.73	55,808.55
McLaren, Peter, estate of	Perth, Ontario, Canada.	113,945.31	31,430.66
Pacific Coast Biscuit Co	Seattle, Wash	88,513.21	6,484.87
Thompson, Mary Clark, estate of	New York, N. Y	169,770.74	42,012.44
Union Twist Drill Co	Athol, Mass	199,762.65	104,514.82
United Fruit Co	Boston, Mass	92,443.66	27,620.39
United Fuel Gas Co	Charleston, W. Va	809,252.45	207,497.58
United States Steel Corporation and subsidiaries.	New York, N. Y	4,092,382.14	11,112,900.90
Willys Overland Co. and subsidiaries.	Toledo, Ohio	677,567.43	66,098.45
F. W. Woolworth Co	New York, N. Y	(1)	(1)
March, 1930			
California & Hawaiian Sugar Refining Corporation.	San Francisco, Calif	166,324.68	19,986.58
Clifton Manufacturing Co	Clifton, S. C	87,972.22	15,366.90
Eastman Kodak Co. of New Jersey.	Rochester, N. Y	2,542,501.13	875,717.43
Harrisburg Pipe & Pipe Bending Co.	Harrisburg, Pa	247,628.27	181,791.32
Philadelphia Rapid Transit Co	Philadelphia, Pa	160,234.38	353,868.98
Reading Co	do		5,498.30

[1] Unadjusted.

Some of the larger cash refunds reported to Joint Committee on Internal Revenue Taxation fiscal year ending June 30, 1930—Continued

Name of taxpayer	Address	Refund	Interest
March, 1930—Continued			
Rockefeller, John D	New York, N. Y	$356,378.34	$92,027.81
United States Industrial Alcohol Co.	do	84,218.67	27,556.78
April, 1930			
Alien Property Custodian (Tr. No. 23907) for (Chemische von Heyden).	Washington, D. C	334,621.20	
Anderson, Clayton & Co	Houston, Tex		41,385.86
Astor, John Jacob	New York, N. Y	324,395.03	138,841.88
Bankers Life Insurance Co. of Nebraska.	Lincoln, Nebr	176,081.82	64,964.54
Big Four Oil & Gas Co	Pittsburgh, Pa	171,710.07	21,641.49
Dartmouth Manufacturing Co	New Bedford, Mass	43,909.75	32,914.31
Derschug, John N	Syracuse, N. Y	89,144.03	21,602.81
Gillican-Chipley Co. (Inc.)	New Orleans, La	(?)	(?)
Hepburn, Alonzo Barton, estate of.	New York, N. Y	101,524.27	45,412.60
Kuemmerle, Gustave A., estate of.	Philadelphia, Pa	94,662.89	9,590.29
Prairie Oil & Gas Co	Independence, Kans	103,663.85	30,784.30
May, 1930			
Atlantic Refining Co	Philadelphia, Pa		8,736.09
Eastern Manufacturing Co. of Maine.	Bangor, Me		5,890.47
Fairbanks, Douglas	Los Angeles, Calif		12,391.25
Higgins Holding Corp. (Inc.)	New York, N. Y		18,397.31
Illinois Traction Co	Champaign, Ill	12,404.62	87,954.48
John Morrell & Co	Ottumwa, Iowa		6,043.90
Oceanic Steam Navigation Co. (Ltd.).	New York, N. Y	198,484.67	86,889.75
Public Service Corporation of New Jersey.	Newark, N. J	141,177.35	25,706.14
Rea, Edith Oliver (Mrs.)	Pittsburgh, Pa	75,730.58	14,858.61
June, 1930			
Bagly, J. W. F., estate of	Louisville, Ky	77,173.08	11,228.88
Brown-Lipe Gear Co	Syracuse, N. Y	139,346.11	71,564.36
Cement Securities Co	Denver, Colo	117,430.20	56,101.57
Chile Copper Co	New York, N. Y	94,892.91	61,577.34
Continental Can Co. (Inc.)	do	104,049.67	56,544.07
Corporate Investment Co	Chicago, Ill		4,358.05
Great Lakes Coal Mining Co. (New Pittsburgh Coal Co., successor).	Columbus, Ohio	77,675.13	38,328.90
Holland-American Line	New York, N. Y	64,522.86	42,075.48
Honolulu Consolidated Oil Co	San Francisco, Calif	318,812.23	152,079.55
Humble Oil & Refining Co	Houston, Tex		67,324.55
International Navigation Co. (Ltd.).	New York, N. Y	76,817.11	45,338.22
Middle West Utilities Co	Chicago, Ill	266,008.05	131,243.93
Singer Manufacturing Co. and subsidiaries	Elizabeth, N. J	194,022.85	44,625.26
Theta Oil Co	Chicago, Ill	501,096.86	68,286.63
Vanderbilt, Wm. K., estate of	New York, N. Y	242,596.70	126,401.31
Willys Overland Co. and subsidiaries.	Toledo, Ohio	225,000.00	17,540.75
Grand total		33,078,649.56	22,617,854.36

Mr. BINGHAM. Mr. President, it is easy to see that the campaign of 1932 is now under way. [Laughter.] It is also quite apparent that our friends on the other side of the aisle have made up their minds that the people of this country are going to demand that the present occupant of the White House shall be renominated, and they are engaged in making campaign material as fast as they can reel it off and the official reporters can take it down.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BINGHAM. I did not interrupt the Senator, and I hope he will not interrupt me.

The PRESIDING OFFICER (Mr. FESS in the chair). The Senator from Connecticut declines to yield.

Mr. BINGHAM. Mr. President, if I did not desire to see the business of the session go forward promptly and without any further delay, it would give me great pleasure to reply at length to many of the insinuations which I regret my good friend from Tennessee, with whom I have the most pleasant relations, has seen fit to make in the ardor of his partisanship. One can forgive a great deal, however, during the course of a political campaign, and so I forgive him, even though I am sure that many of the things he has implied and insinuated regarding the President of the United States are not worthy of being placed even in the CONGRESSONAL RECORD.

Mr. President, it has been stated by the Senator who preceded me, and by others, that the President of the United

States committed a grave indiscretion in the statement which he gave out to the newspapers yesterday. Of course, if I were to attempt to reply to that, I would be accused of mere partisanship, while those who have been speaking on the other side would claim that their motives were only those of preserving the dignity of the Senate and were not at all dictated by partisanship. Therefore, Mr. President, without myself attempting to reply, I merely ask that there may be read at the desk an editorial printed this morning in what is generally considered the leading Democratic newspaper in the United States—the New York Times—relating to this subject.

The PRESIDING OFFICER. Without objection, the clerk will read.

The legislative clerk read as follows:

IRRESPONSIBLES IN CONGRESS

President Hoover's sharp protest against the extravagant projects with which Congress is already flooded should serve to remind the country of a distinction between his office and theirs. He is at the head of the Government. He is bound by oath to see to it, so far as he is able, that the Republic take no harm. What could be more harmful than laws which would at once bankrupt the Treasury and impose heavy and cruel burdens of taxation upon all citizens? This is the point of the timely warning and rebuke which Mr. Hoover addressed yesterday to those Senators and Representatives who are piling up bills to appropriate a total of $4,500,000,000 from the Treasury under the guise of giving relief to people out of work or suffering from last summer's drought. Probably the total proposed would be even larger if all the items were added up. If it is not already, it soon will be. There is a perfect rush of Members of Congress to see who can put forward the wildest and most expensive scheme. The President is simply doing his duty in calling a halt.

He bluntly accuses certain Congressmen of "playing politics at the expense of human misery." This does not apply to the responsible leaders of either party. They, as Mr. Hoover points out, are standing for moderate and prudent policies in the matter of grants from the Treasury. But they are in danger of being brushed aside and trampled upon by Members of Congress without responsibility, who desire safely to pose as both more kind-hearted and more generous than their party leaders or the President. That such a stampede into reckless spending of the public money is not an imaginary peril may be seen in yesterday's action by the Senate. Despite the reminders of the President that it would not be safe to go beyond the limit of appropriations recommended by the Executive budget, the bill for aiding drought-stricken farmers was pushed up from $25,000,000 to $60,000,000, and in that form passed.

With such an ominous beginning before the eyes of the country it is evident that the President will need, and ought to have, strong support from the outside public in his efforts to keep Congress from making ducks and drakes of our public finance. The firmest kind of backing by popular opinion will be requisite if this threatened rake's progress is to be stayed.

FIVE-DAY WEEK FOR GOVERNMENT EMPLOYEES

Mr. WALSH of Massachusetts. Mr. President, a few days ago I introduced in the Senate a bill (S. 5100) providing for a 5-day week for Government employees. I ask that a statement issued to the press yesterday by Mr. Green, president of the American Federation of Labor, indorsing my proposal, be read at the desk.

The PRESIDING OFFICER. Without objection, the statement will be read.

The legislative clerk read as follows:

[From the American Federation of Labor—Official information and publicity service—Released for publication Wednesday, December 10, 1930]

It is most refreshing to know that there are Members of the Congress of the United States who possess a deep sense of appreciation of the seriousness of the unemployment situation and who offer real remedies for the acute economic ills from which the Nation is suffering.

Senator DAVID I. WALSH of Massachusetts proposed two remedies that call for immediate application and acceptance. One provides for a liberal appropriation of governmental funds to be used in relieving hunger, suffering, and distress. The other measure provides for the inauguration of the 5-day work week throughout the Government employment service as an emergency measure designed to open up increasing opportunities for employment.

The American Federation of Labor gives its most hearty and unqualified support to these measures. If increasing distress, intense hunger, and social suffering are to be relieved, funds must be made available. The reports which show widespread unemployment with aggravated distress call for heroic action and practical treatment.

No one can deny that the situation is serious and that it will become more serious during the winter period now approaching. The 5-day work week is practical and necessary if the opportunities for employment are to be enlarged and increased. It is not an untried experiment. It has been accepted in a very large way and has proven to be an economic and industrial success. The time has arrived when the 5-day work week should be well-nigh universally accepted and established. With our increased and perfected facilities of production it is impossible to find employment, except during peak periods, for all those who make up our laboring population.

The Federal Government should lead, instead of follow, in the inauguration of this economic reform. Senator WALSH has sounded a most constructive legislative note. His measures should be given the support of all classes of people who are actually seeking for a remedy for our acute unemployment situation. Let all those who are deeply touched by the serious situation which prevails throughout the land rally to the support of these constructive measures by petitioning Congress to enact them into law without any unnecessary delay. An emergency exists and it must be met through the enactment of emergency legislation.

Mr. WALSH of Massachusetts. Mr. President, I ask that a letter of similar character from the Jewish Sabbath Alliance of America (Inc.) and a press notice of this date be printed in the RECORD; and that this letter, together with the communication just read, be referred, in the nature of petitions, to the Committee on Civil Service.

There being no objection, the letter was ordered to be printed in the RECORD, and, together with the preceding statement, referred to the Committee on Civil Service, as follows:

[From the Washington Post, December 10, 1930]

DOAK, SWORN AS SECRETARY, APPROVES 5-DAY WEEK HERE—DISCLOSES HIS LABOR VIEWS AND DECLARES ALL INDUSTRIAL DISPUTES ARE SUSCEPTIBLE OF PEACEABLE SETTLEMENT—GREEN LAUDS WALSH MEASURE

William N. Doak, President Hoover's new Secretary of Labor, is for peaceful settlement of labor disputes and believes in the 5-day week.

This much was learned soon after the successor to JAMES J. DAVIS, now Senator from Pennsylvania, took the oath of office yesterday. Mr. Doak was to have assumed his new duties December 1, but the Cabinet change was delayed pending the consummation of Mr. DAVIS's resignation.

"In my opinion," said Secretary Doak, "there never was nor will there at any future time be any labor dispute that could not or can not be settled through negotiation without resort to conflict; that is, if the parties at interest will reason together and approach their problems in the proper spirit. This conviction is based on more than 20 years' experience as a representative of employees without having actually to engage in labor warfare."

Emphasizing that he is authorized to act as mediator and name conciliators in labor clashes, Mr. Doak said he would embrace the first opportunity to assist in settlement of the Danville, Va., strike of textile workers.

That Secretary Doak, Senator WALSH of Massachusetts, and William Green, president of the American Federation of Labor, are as one on the advocacy of a 5-day working week also was evidenced yesterday.

The Secretary said, however, that his department can do nothing about it, adding that "the gentlemen on the hill look after fixing the hours of labor here."

NEW YORK CITY, *December 9, 1930.*

Hon. DAVID I. WALSH,
Senate Chamber, Washington, D. C.

DEAR SENATOR: The undersigned, as president of the Jewish Sabbath Alliance of America, takes pleasure in communicating with you in regard to the bill which it is stated in the press you are about to introduce in the Senate. I desire to congratulate you most sincerely on this move and trust that it will find immediate and unanimous acceptance.

The Jewish Sabbath Alliance of America has been advocating a 5-day working week for many years. The undersigned proposed a movement for the bringing about of such a shortened working week at the National Convention of the Lord's Day Alliance, held in Oakland, Calif., in 1915. I was, I believe, the first to make this suggestion which was entirely new and unheard of at the time. But since then the idea has spread like wildfire and there is every prospect of it soon becoming the universal practice in this country and perhaps in the entire civilized world. My advocacy of it was based mainly on the religious and sociological grounds, as you will see from a perusal of the inclosed booklet which I am taking the liberty of sending you. But at the present time two additional mighty factors have arisen to make the adoption of the 5-day week imperative—overproduction and unemployment—both of which will be greatly lessened by its universal adoption.

I agree with you most thoroughly that employees of the Government be entitled to the shorter working week and that the adoption thereof will be a great blessing to the so-called "white collar" class whose opportunity of employment will be greatly increased thereby. The Government should have long since adopted the 5-day working week for another weighty reason. In order to be absolutely fair and impartial as between the various elements of our citizenry some of whom observe Sunday and others Saturday as holy time. That all necessary work and serv-

ices can be performed in five days of the week is convincingly shown by the educational system which has had the 5-day week for many years and has found that it is entirely practicable and in no way interferes with effective work.

The Jewish Sabbath Alliance of America will do whatever is in its power to assist you by endeavoring to arouse public sentiment in favor of the proposal by appealing to leading organizations to indorse the same.

Congratulating you again on this very timely and practical proposal which will undoubtedly do much to alleviate present difficult conditions, and wishing all success in realizing it, I remain,

Very truly yours,

BERNARD DRACHMAN,
President Jewish Sabbath Alliance of America (Inc.).

APPROPRIATIONS FOR EMERGENCY CONSTRUCTION

The Senate resumed the consideration of the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Alabama [Mr. HEFLIN].

Mr. JONES. I ask to have the amendment read.

The PRESIDING OFFICER. The clerk has not the amendment of the Senator from Alabama. Will the Senator send it to the desk?

Mr. HEFLIN. I will read it, Mr. President.

I move to add a new section on page 4, at the end of section 3, so that it will read:

Be it further enacted, That the funds provided for in this bill shall be made available for use on the projects herein named within 30 days after the passage of this act.

Making the funds available, of course, does not mean that they must be taken out and used; but the discussion here has developed the idea that it may be that some of this money will not be expended for months, and perhaps none of it will be expended during that time. This situation is rather acute, and I think is entitled to immediate consideration. The adoption of my amendment will make this money available so that wherever the Government sees that the distress is acute it can go to the rescue immediately.

Mr. JONES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Washington?

Mr. HEFLIN. I yield.

Mr. JONES. May I suggest to the Senator from Alabama that I understand that all the money appropriated by this bill will be available immediately upon its signing by the President. This is not a regular annual appropriation bill.

Mr. HEFLIN. I understand that; but the Senator from New York [Mr. WAGNER] suggested that it might not be expended for some four or five months.

Mr. JONES. Does the Senator want to require it to be expended within 30 days?

Mr. HEFLIN. Not unless it is necessary; but where people are starving, out of employment, and need something to do in order to have something to live on, the sooner we can get to them the better it will be, if it were to-morrow.

Mr. JONES. Of course that is true; and that is the reason why this money will be immediately available upon the approval of the bill by the President. Does the Senator desire that if it is not spent in 30 days it shall lapse?

Mr. HEFLIN. Oh, no.

Mr. JONES. That would be the natural inference from the Senator's language.

Mr. HEFLIN. My proposition is that it be made available within 30 days. That would be the next day.

Mr. JONES. It is available immediately upon the signing of the bill by the President.

Mr. HEFLIN. With the assurance of the Senator that that provision is in the bill, that that is his construction of it, I withdraw my amendment.

Mr. BLACK. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed to add, at the end of line 25, on page 2, the following proviso:

Provided further, That the balance of the appropriation of $1,660,000 now unpaid to the State of Alabama, appropriated for the relief of the State of Alabama as a reimbursement or contribution in aid induced by extraordinary floods, shall be paid to the authorities of that State without the requirement that the State match said expenditure except in the manner provided herein.

Mr. BLACK. Mr. President, I can explain my amendment very briefly so that I believe the Senator from Washington will accept it.

This amendment does not increase the appropriation a dollar. The appropriation was made last year. It would be available now if the State were in condition to match the expenditure. The State has matched a part of the expenditure, but it is not able at the present time, and probably will not be able without the submission of a constitutional amendment for a long period of months, to match this additional expense. All this amendment would do is to make that money available for building roads at the present time and adopt the provision in the Senator's bill that would require it to be matched at a later date. So it does not deprive the Government of anything at the present time, but it would release the money immediately.

The State of Alabama is ready to proceed with the work, but unfortunately is not able now to provide the funds necessary to match this money which was appropriated by the last Congress.

I should like to ask the Senator to agree to accept the amendment, because it does not add anything to the expense, and simply makes the money available for use now, with the provision that it shall be matched later.

Mr. JONES. Mr. President, I do not feel that we should encumber the bill with particular items with reference to particular States. I will say to the Senator that I am willing to take the amendment to conference and do the best I can with it in conference; but I can not give the Senator very strong assurance of favorable action. I will, however, do the best I can.

Mr. BLACK. If the Senator feels that way, I am sure the Senate would vote for this measure, because there is an extraordinary situation with reference to this particular fund.

Mr. JONES. I say, I am ready to take the amendment to conference and do the best I can; but we can not delay this bill very much.

Mr. BLACK. I understand that, and I would not want the bill delayed; but I feel sure that if it is necessary to make the position of the amendment stronger, the Senate would vote for it now.

Mr. HEFLIN. I understand the Senator from Washington to say that he will accept the amendment.

Mr. JONES. I am ready for the Senate to take a vote on it.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Alabama [Mr. BLACK].

On a division, the amendment was agreed to.

Mr. CARAWAY. Mr. President, I merely wish to ask a question of the chairman of the committee, who is in charge of the bill, regarding the provision on page 2 that is intended to empower the Government to make advances for the construction of highways by States which are not able at the present time to match the expenditures. I desire to ask the Senator if I am correct in my interpretation that immediately upon the passage of this bill the highway department may advance money to the States to carry on such projects as otherwise would be entitled to Federal aid if the States were able to match the Federal appropriation?

Mr. JONES. I think so. That is my understanding.

Mr. CARAWAY. And then the State may refund to the Federal Government within five years?

Mr. JONES. It is not exactly a case of the State refunding it. The United States will pay itself out of the apportionments to the States.

Mr. CARAWAY. That is the idea. In other words, for instance, if my own State should get a million dollars now which it can not match, within five years there will be

charged against it the equivalent of the amount that it gets now?

Mr. JONES. Yes.

Mr. CARAWAY. But it may get money now to carry on where it has not the funds to match it?

Mr. JONES. Yes.

Mr. HAYDEN. Mr. President, I offer an amendment, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, after line 7, it is proposed to insert the following:

For the construction and improvement of forest highways, $3,000,000.

Mr. HAYDEN. Mr. President, I desire to direct the attention of the chairman of the Committee on Appropriations to the last paragraph on page 3 of the report submitted by the House Committee on Appropriations on this bill, which reads as follows:

The recommendation of $3,000,000 for the construction of roads and trails in national forests can be used immediately and effectively for such purposes in development and protection of the approximately 160,000,000 acres of forest reserves. The improvement work of this character in national forests should not be confused with the forest-highway projects customarily appropriated for under a separate statute providing $12,500,000 annually. The roads and trails contemplated under this appropriation are forest improvements, very inexpensive in character, costing an average of $1,150 per mile for roads and $140 per mile for trails and the expenditure is very largely for labor. The roads are interior roads not surfaced and are used for administrative and fire-fighting purposes. The appropriation does not contemplate any expenditure other than for the roads and trails.

Mr. President, each year Congress has appropriated the equivalent of 10 per cent of whatever the general Federal-aid appropriation might be for the construction of roads in or adjacent to the national forests. If the Federal-aid appropriation was $75,000,000, then the forest appropriation was seven and one-half million. If it was one hundred million, the forest appropriation was ten million. That sum of money, when appropriated for use in the national forests, is divided into two funds, the forest-development fund and the forest-highway fund.

This bill adds money to the forest-development fund to the extent of $3,000,000, but does not add one cent to the forest-highway fund. It is utterly inconceivable to me that the Federal Government, having been engaged in the construction of forest highways since the passage of the first Federal highway act, can not now have ready plans and specifications whereby men can be put to work immediately on forest highways.

I ask the chairman of the Committee on Appropriations if he will not be willing to accept this amendment and take it to conference. All that I ask is that he inquire of the Bureau of Public Roads as to how much money can be properly expended during the next construction season—that is, between now and next November—for this purpose. If the appropriation is fixed at that figure, it will be entirely satisfactory to me.

I admit that the figure of $3,000,000 is an approximation. I do not know whether it is right or not. But certainly if the major portion of the regular forest fund goes to forest highways, the Department of Agriculture ought to be able to use as much money for immediately promoting that work as is used for the construction of roads and trails from the forest-development fund.

I am sure that the chairman of the committee when he takes this item to conference will have no difficulty in obtaining accurate information as to whether or not it is possible to give prompt employment to labor by providing money for this purpose.

Mr. JONES. Mr. President, I will be glad to take this to conference and look into the situation very carefully. I will do the very best I can.

Mr. HAYDEN. I ask for the adoption of the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Arizona.

The amendment was agreed to.

Mr. SIMMONS. Mr. President, I think I have a very definite opinion as to certain provisions of this bill, about which I am now going to make some inquiries of the Senator from Washington.

Eighty million dollars is to be made immediately available for the construction of highways. I find that there is some confusion of opinion, although I have none myself, as to whether this $80,000,000 will be that much in addition to the amount already authorized or already appropriated for highways.

Mr. JONES. As I understand it, this is in addition to that. There is a provision here that the $80,000,000 must be reimbursed after five years.

Mr. SIMMONS. But reimbursed how; out of moneys heretofore provided?

Mr. JONES. It reads:

Provided, That the sums so advanced shall be reimbursed to the Federal Government over a period of five years, commencing with the fiscal year 1933, by making deductions from regular apportionments from future authorizations.

In other words, it will not actually come out of the money of the States, but will come from authorizations for future appropriations to which they otherwise would be entitled under the general highway act.

Mr. SIMMONS. Then $80,000,000 is made immediately available, and that $80,000,000 is ultimately to be subtracted from the amounts which would be hereafter appropriated or have been appropriated for roads?

Mr. JONES. Yes.

Mr. SIMMONS. It is only authorizing that much money to be used now?

Mr. JONES. That is correct.

Mr. SIMMONS. Suppose a State is entitled to $3,000,000 for this fiscal year; suppose that to be its proportion.

Mr. JONES. Under the general highway act?

Mr. SIMMONS. Under the general highway act. Suppose its proportion under this measure would be $2,000,000. Then that State would get $5,000,000 for this fiscal year?

Mr. JONES. I think so.

Mr. BLAINE. Mr. President, the questions which the Senator from North Carolina has propounded have attracted my attention.

This bill has been heralded throughout the country by the President, or by Federal officials under the administration, as a hundred and ten million dollar Federal relief fund. I want to undertake to debunk that effort, and to show the hypocrisy, not only of the President but of those who are speaking for him, with respect to what the President proposes as Federal aid during this emergency period.

I have no doubt the President intended to convey the idea that the Federal Government proposes to appropriate out of the Federal Treasury $110,000,000, which fund will be entirely lost to the Federal Treasury. I have no doubt the President would like to have the people of this country believe that to be the case. So I am going to discuss this question at the risk of the President's denunciation.

Here is an appropriation bill carrying only $30,000,000 as a permanent appropriation out of the Public Treasury of the United States. As the Senator from Washington [Mr. JONES], the chairman of the Committee on Appropriations, has just indicated, the larger portion of this appropriation, $80,000,000 out of the $110,000,000, is to be charged against the State governments, and those State governments are to repay that $80,000,000 within five years through a system of deductions with respect to future, contemplated Federal aid. Yet the President of the United States and those acting under him have never indicated otherwise than that the Federal Government was going to pay out of the public funds, the Public Treasury of the United States, $110,000,000, without any reservation or qualification, and without any statement that any portion of that fund was to be returned to the Public Treasury or covered into the Public Treasury by the States.

Mr. DILL. Mr. President, will the Senator yield?

Mr. BLAINE. I yield.

Mr. DILL. What part of this $80,000,000 will it be possible to spend on road work in the United States before the spring weather comes next year, in the Senator's opinion?

Mr. BLAINE. Mr. President, I have had some experience with reference to the matter about which the junior Senator from Washington has inquired. I know, as every other Senator who comes from Northern States, which are icebound from four to five months a year, knows that it is utterly impossible in those States to expend a single dollar on highway construction while the ground is frozen solid.

Mr. COUZENS. Mr. President, will the Senator yield?

Mr. BLAINE. I yield.

Mr. COUZENS. I think I must take exception to what the Senator has said. For example, in our State we are going ahead grading and building bridges, even all through the winter months, and we are probably just as much icebound and frozen up as is the State of Wisconsin.

Mr. BLAINE. Mr. President, I am quite certain that the Senator's State will not get very far in grading highways in the State of Michigan when the frost goes down 18 inches to 2 feet. It might be possible, by using a large amount of fuel, to thaw out the ground for the purpose of building the smaller culverts and bridges. I said that not a dollar could be expended in the construction of a public highway. I referred to the highway proper. I appreciate that there will be a possibility of expending a few dollars, but only sparingly can there be an expenditure, and whatever there is will be for bridges and culverts. That is the experience of States where the frost grips the earth for several months. So, from a practical standpoint, only a very small amount of this $80,000,000 can be expended upon the highways in those States before next spring.

Moreover, Mr. President, I regard this provision as a direct insult to every State in the Union. Here is a provision, not to aid or bring relief in the present emergency, but a provision for the appropriation of $80,000,000 in the nature of loans to the States for the purpose of highway construction. Those $80,000,000 are to be covered into the Public Treasury of the United States within the next five years, and I have no doubt that if this bill passes in the present language the President of the United States and his political henchmen will broadcast through this land that the administration has come to the aid of starving men and women, in this particular instance by the appropriation of $80,000,000 out of the United States Treasury. It is not a gratuity at all; it is simply a tender of a loan of money to the respective States. And what does it do? It may be used for a certain specified time, a limited time. Thereafter for five years the amount to which a State would be entitled under the law will be reduced every year. So, instead of encouraging and promoting employment, the result of this bill, if passed, will be to bring on greater unemployment in the succeeding years even than we have to-day. That will be the tendency. Of course, it will not be the main cause of future unemployment, but it will be one of the factors making for unemployment.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BLAINE. In just a moment. My purpose in addressing myself to this bill at this time was to take off this mask of hypocrisy. I am not surprised that the President of the United States, Mr. Hoover, offered the denunciation which he did on yesterday. I am not surprised that a mediocre-minded politician presently occupying the Executive chair, would stoop to denunciation of the character contained in the President's statement.

Two years ago, in 1928, Mr. Hoover was touted all over this country as a great engineer, a superior man, a superman. He was overtouted. The experience of two years of his administration has now demonstrated that his engineering capacity is not that of a great hydraulic engineer or a great mining engineer or a great engineer of any known type. We were not told what kind of an engineer he is. But as some Member of the Senate in the cloak room suggested a few moments ago, when he wrote the denunciatory document which he issued yesterday his fountain pen must have been filled with gas. I think the comment is pertinent, his engineering experience apparently has been limited to that of a gas engineer.

Mr. President, I thought that it would not be beside the question to call the attention of the Senate, and perchance the attention of the country, to the President's clever manipulation whereby he would acquire credit for the relief of human misery.

Believing as I do, I offer the following amendment: On page 2, line 10, strike out the word "a" and in the same line strike out the words "advance of," and all of lines 13, 14, 15, 16, 17, and 18 down to and including the word "further" in line 18.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 10, strike out the word "a" and the words "advance of," and strike out all of lines 13, 14, 15, 16, 17, and 18 down to and including the word "further" in line 18, so as to make the paragraph read:

Federal-aid highway system: For apportionment to the several States under the provisions of the Federal highway act, as amended, as temporary funds to meet the provisions of such act as to State funds required on Federal-aid projects, $80,000,000: *Provided*, That the amounts advanced in consequence hereof shall be limited in each case to the sum actually paid out by a State under such advance for work performed before September 1, 1931, for the construction of Federal-aid projects: *Provided further*, That should any State fail to claim any part of its allotment hereunder the President may reapportion such unclaimed funds to States capable of using them prior to September 1, 1931.

The VICE PRESIDENT. Without objection, the question on the three amendments will be taken by one vote.

Mr. BLAINE. If that amendment be adopted, then we strike out the provision requiring the States to repay the $80,000,000 within the next five years through this system of deduction. Moreover, Mr. President, we will then have an appropriation out of the Public Treasury of the United States of $80,000,000 toward highway construction. How far it will go to aid the unemployed I do not know, but the proposal to appropriate $80,000,000 and impose that burden alone on the States of the Union is unfair. It is not aid by the Federal Government. It is a system of coercion against the States, with the Federal Government or those administering the Federal Government desiring to take credit under the guise of an appropriation for aid of the unemployed.

Mr. President, when we legislate here let us at least legislate honestly. Let us take off the mask. Let us exhibit to the keen eyes of the country these pretenses and hypocrisy in respect to the present situation and the proposals for Federal relief.

Mr. KING. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. BLAINE. I yield.

Mr. KING. I have a good deal of sympathy with the suggestion made by the Senator that this might be regarded as coercive of the States, requiring them to duplicate the amount and extending the time of repayment for five years. I was wondering what the situation would be if it were an outright appropriation. Would it interfere with the States? Would it be expended solely by the Federal authorities or would it be put into the fund where there is a like amount from the States and expended in the same manner and under the same control and by the same authorities as moneys are now expended appropriated jointly by the Federal Government and by the States?

Mr. BLAINE. If the amendment I have proposed is agreed to, the $80,000,000 will be distributed and expended in identically the same manner as is the present Federal-highway-aid money, with the limitation or restriction, if it is a restriction, with respect to which the Senator from Arkansas proposed an amendment, and that was the time within which it may be expended. Otherwise it would be identically the same as regular Federal aid for highways.

Mr. KING. Of course if the amendment were adopted it would be tantamount to a modification of the present system under which the States make a contribution of 50 per cent

or thereabouts to match the contribution made by the Federal Government.

Mr. BLAINE. It would be temporarily supplemental to the present Federal highway aid.

Mr. KING. Does not the Senator think that the effect might be to encourage some of the States, if not all, to saddle upon the Federal Government an increasing proportion of all contributions for highways? I have in mind the fact that measures have been introduced—I am not sure whether at this session, but I think so—requiring the Federal Government to build post roads, to build rural roads practically to every farm in the United States. I wonder whether this might not be an encouragement to the States to demand that the Federal Government assume entire responsibility for roads which are used as post roads by rural carriers, and to result in agitation by the States to transfer to the Federal Government the obligation to maintain highways within the States?

Mr. BLAINE. I think not. This is merely intended as temporary aid and is so understood, and I have no doubt will be so understood. Moreover, the respective States spend all the way from ten to almost twenty times as much in highway construction as does the Federal Government. I doubt if there is a State in the Union which presently is without money to meet this proposed $80,000,000 additional aid. I am quite certain, from my study of the schedules which were presented by the Senator from Iowa [Mr. BROOKHART] a few days ago respecting the expenditures for public highways, that every State in the Union presently to-day has more money than is necessary not only to meet the permanent highway aid but as well this proposed temporary highway aid.

Mr. VANDENBERG. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Michigan?

Mr. BLAINE. I yield now to the Senator from Michigan.

Mr. VANDENBERG. In the interest of complete truth respecting that particular point, I sought to interrupt the Senator a few moments ago. The State of Michigan highway authorities have specifically requested this precise aid because they are unable for the moment to proceed with the program involving three or four million dollars, which in contemplation of this legislation can be done. So far as our Commonwealth is concerned, this is a direct, specific, and, we think, immediate aid.

Mr. BLAINE. The States are going to spend it. They will have that much more to spend. But I wish to call the Senator's attention again to the fact that the State of Michigan will have to repay all of that money within the next five years and take it out of the funds allotted to that State under the Federal statute.

Mr. VANDENBERG. When the Senator says we must repay it, he means we must suffer deductions from future Federal appropriations?

Mr. BLAINE. Yes; until there is effected a repayment of the sum.

Mr. BROOKHART. Mr. President, may I interrupt the Senator?

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. BLAINE. I am glad to yield.

Mr. BROOKHART. I would like to ask the Senator just how this coercion proposition is figured out when the States, or all of them, as he said, are contributing a good deal more than their half without aid from the Government at all, without aid to that excess.

Mr. BLAINE. My attention was diverted. Will the Senator kindly state his question again?

Mr. BROOKHART. I can not understand how, under the present situation, voting aid to a State is a coercion of the State in any way when the States of their own accord are not only matching the Federal appropriation but a good deal more than matching it with their appropriations from their own treasuries.

Mr. BLAINE. The Senator evidently misunderstood me. I said the proposed bill was in the nature of a coercive measure. I did not say the general law was such a measure, but this bill coerces the States to expend money presumably for the relief of unemployment. The Federal Government says in effect, "We will let you have this money, but you will have to pay it back in five years." What I was complaining about was that the question of unemployment is a national question and the Federal Government ought directly and out of the public funds to come to the relief of the unemployed in the present situation. Here is where the Federal Government proposes to get away from that responsibility and force the responsibility upon the respective States; coerce them into that responsibility, and then those in charge of the administration of the Federal Government may make great claims of what the administration did under President Hoover for the relief of unemployment, when, as a matter of fact, so far as this $80,000,000 is concerned, the entire relief will be afforded by the respective States and not by the Federal Government at all.

Mr. BROOKHART. May I ask the Senator another question?

The VICE PRESIDENT. Does the Senator from Wisconsin yield further to the Senator from Iowa?

Mr. BLAINE. I do.

Mr. BROOKHART. That sum is to be paid back in five years by credit on the Federal aid rendered to the States. The only difference is that it is an advance in time. It is still a credit under the general law. Is not that true?

Mr. BLAINE. Oh, no. Let me suggest this to the Senator from Iowa: I have had some experience with respect to the administration of the Federal-aid law and the administration of highway construction. A State, if it is foresighted and prudent, will have laid out a program of highway construction, not from year to year, not by piecemeal, but over a period, depending upon the time the legislature is to meet, of five or six years, perhaps in some States for a longer period, but so far as my own State is concerned, for a period of six years. That program as it affects my own State, while it is not a program set down by law, is the result of certain appropriations and certain provisions of the statute. The program was outlined in 1926 for a period of six years. That program is very definite and specific. Now, if my own State, for instance, has a program for six years from 1932 to 1938, the Senator will very clearly understand that by the deduction of these funds during a 5-year period, it will very surely interfere with the well-ordered program of my State and the respective States which have been prudent and which have outlined a program for any considerable period of time.

In other words, it will bring on a disorganization of that program; it will have the effect of bringing about greater unemployment than if the present emergency shall continue. It will merely mean an accumulation of troubles and difficulties. I am opposed to that, for the reason, as I have said, if the Federal Government is going to render aid in this national crisis that aid ought to be rendered by appropriations out of the Federal Treasury without any requirement on the part of the States to repay or return to the Federal Treasury the funds so appropriated.

Of course, if the Federal Government, as the President evidently seems to be of the opinion, has no responsibility in this crisis except to appropriate something like $30,000,000 under this bill out of the Treasury of the United States, then that is the method we should pursue; but the bill clearly demonstrates the character of this administration with respect to the public welfare. It demonstrates, without the peradventure of a doubt, that this administration has no intention to permit any appreciable sum of money to be taken out of the Federal Treasury. Why? For the very reason that the Senator from Massachusetts [Mr. WALSH] on yesterday stated. The administration is not willing to confront the grave responsibility of levying additional income and inheritance taxes upon those who are best and most able to pay, and who should contribute to the Nation's welfare during this crisis of unemployment.

This is not going to be a short crisis. We heard the President predict that it would be over in 60 days, and it

was not over in six months; and again the same statement came from the White House, without the least evidence that we are even in sight of the beginning of the termination of the present economic depression that has brought on so much misery to the workingman, and likewise so much misery to the men and women upon the farms.

Mr. BROOKHART. Mr. President, will the Senator yield further.

The VICE PRESIDENT. Does the Senator from Wisconsin yield further to the Senator from Iowa?

Mr. BLAINE. Yes.

Mr. BROOKHART. I think I agree with most of what the Senator from Wisconsin is saying, but the machinery for expending this money is set up by the States and is ready to operate. Direct appropriations out of the Treasury would be delayed somewhat before effective operations could start, whereas the State machinery for building roads is already in operation.

Mr. BLAINE. Mr. President, I am in favor of the $80,000,000 being appropriated as an additional sum for Federal highway construction to be expended through the agencies that are already set up, but I think it is a mere bagatelle. I have not heard anyone state to how many people employment would be furnished.

Mr. BROOKHART. Not enough; that is certain.

Mr. BLAINE. The number would be very small, I presume. My own State would receive about $2,200,000. I know just about how many men will be employed under a highway program of $2,200,000, and I think I could state it very accurately. I know it would be certainly a handful of men in comparison with the number who are out of employment.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Montana?

Mr. BLAINE. Yes.

Mr. WALSH of Montana. I construe the effect of the amendment offered by the Senator from Wisconsin to be that the States would, as provided by the present act, be required to supply funds equal to those allotted to them under this proposed act?

Mr. BLAINE. Exactly.

Mr. WALSH of Montana. Yes; but the purpose of the Senator——

Mr. BLAINE. I think it is a very legitimate purpose, but it is quite immaterial, because the States have more than enough money in their treasuries to meet this added appropriation.

Mr. WALSH of Montana. I do not know how that may be generally, but I am obliged to say to the Senator that the State of Montana has not; it will be utterly impossible for it to avail itself of the provisions of this proposed act unless some other language shall be substituted for that which the Senator proposes shall be stricken out.

Mr. BLAINE. I have not examined the schedule offered by the Senator from Iowa, but, as I recall, every State would have more money. I do not mean presently.

Let me explain to the Senator that the highway funds that come into the State treasury come in beginning with the very 1st of December. Those funds, to a very large extent, come from automobile-license money. There is not any question in my mind but that the citizens of Montana will have the funds obtained from automobile licenses within the next 30 or 90 days, and those funds will be available to match the Federal highway funds. The Senator's State also has the proceeds of the gasoline tax, which comes in regularly every month. Those funds may be used to match Federal highway funds.

Mr. WALSH of Montana. Those funds are already pledged to match appropriations which have been made under the general act; we have arranged our tax system so that it is expected to meet the allotments that come to us from the general act. Both the automobile-license moneys and the gasoline tax are practically now all pledged. We impose upon ourselves a tax of 5 cents a gallon on gasoline in order to meet the allotment that is made to us under the general appropriation. We shall not be able to avail ourselves of a dollar of this appropriation if the amendment offered by the Senator from Wisconsin shall prevail and there shall be no other provision. As I understood the senior Senator from Arkansas [Mr. ROBINSON] to say, the situation is quite the same in his State; that the State of Arkansas will be unable to avail itself of the advantages of this act under such an arrangement as that now proposed.

Mr. BLAINE. Mr. President, that is a mere matter of detail. I say that there are or will be ample funds in the respective States to meet this additional highway appropriation.

Mr. WALSH of Montana. I speak from information given me by the present chairman of the State Highway Commission of the State of Montana.

Mr. BLAINE. But the Senator is speaking of the highway funds allotted. I am speaking of highway funds that are to be received. I understand that within my State the general statutes set up the general scheme of how these funds are to be allotted, but in the allotment of those funds, I am sure, the Senator's State provides substantially, as no doubt the other States do, that certain of those funds may be spent upon the State trunk highway system in which is included the Federal-aid system. Each State expends many times more money upon the Federal-aid system—I mean upon the mileage, upon the same miles of highway—than it receives from the Federal Government.

It may be essential for the legislature to make a readjustment of the allotment, but that does not change the status of the funds that can be used to meet this proposed additional Federal aid. It merely means a change in the allotment. Instead of putting it upon some additional miles of the Federal highway system as such, the allotment is made to match this which goes upon the same miles; there is no difference excepting with respect to the mere allotment of the money.

Mr. WALSH of Montana. Let me, then, inquire of the Senator whether this is not the situation, namely, that under his amendment, instead of the State providing for offsetting this during a period of five years commencing in 1933, the offsetting must be made immediately by the State? Is not that the effect of the amendment?

Mr. BLAINE. Will the Senator restate his question?

Mr. WALSH of Montana. The bill provides that the State is required during a period of five years, commencing in 1932, to offset by funds of its own funds now advanced by this proposed act. The effect of the Senator's amendment will be, instead of thus offsetting the amount advanced by the Federal Government over a period of five years commencing in 1933, that the whole amount will have to be immediately set off in the year 1931.

Mr. BLAINE. Oh, no; my understanding is that this is an appropriation providing for——

Mr. WALSH of Montana. If the Senator will pardon me, I thought he was arguing when he introduced the subject in the first place that this ought not to be offset by the States at all; that there ought to be an appropriation of this amount out of the Federal Treasury without any obligation.

Mr. BLAINE. I am convinced that that ought to be the provision.

Mr. WALSH of Montana. Very well; if that is the case, then, Mr. President, the Senator ought to provide a substitute in substance as follows:

Provided, That the States, respectively, shall not be required to provide any more for the purpose contemplated by the said act as a condition of the receipt of any funds hereby appropriated.

Mr. BLAINE. Mr. President, if the Senator will offer that proviso as an amendment, I will accept it.

Mr. WALSH of Montana. If the amendment of the Senator from Wisconsin shall prevail, I shall be forced to offer an amendment of this character.

Mr. BLAINE. I will be very glad, if the Senator will permit me, to offer the amendment he has suggested, and do so, with the Senator's consent. So, Mr. President, in lieu of the provision with respect to reimbursement, I offer as an

amendment the language suggested by the Senator from Montana.

The VICE PRESIDENT. Will the Senator from Wisconsin or the Senator from Montana send the amendment to the desk, so that the clerk may keep the RECORD straight?

Mr. WAGNER. Mr. President——

The VICE PRESDENT. Does the Senator from Wisconsin yield to the Senator from New York?

Mr. BLAINE. I do.

Mr. WAGNER. I should like to inquire of the Senator from Montana as to whether under his amendment the allocations would be the same as under the present Federal aid act?

Mr. WALSH of Montana. Exactly.

Mr. WAGNER. Except that the States would not be required to match them?

Mr. WALSH of Montana. Yes.

Mr. WAGNER. Of course that changes entirely the purpose of this whole proposal.

Mr. WALSH of Montana. Exactly.

Mr. WAGNER. It was designed, as I understand, merely to accelerate the work which ordinarily would be done as a result of Federal aid. Instead of the work being done, say, a year from now or two years from now, this permits the acceleration of that work so as to move it up to a time nearer the period of economic depression in order, if we can, to alleviate it in some degree. I have grave doubts about its efficacy even as to that, but, as I understand, the only purpose of the amendment is to accelerate the construction of roads. The proposed amendment suggested by the Senator from Montana is a brand new proposal from the standpoint of the Federal Government's policy in making allocations to each particular State to aid in the construction of roads without any corresponding sum being contributed by the State governments.

Mr. BLAINE. Exactly; and the present unemployment situation presents a national problem, and the appropriations ought to be made out of the National Treasury with respect to those projects as to which the Federal Government proposes to contribute money.

Mr. WAGNER. Have we not this difficulty, then, if I may suggest it to the Senator from Wisconsin, that the Federal Government makes the appropriation for the construction of the road but has no say as to where, that is, upon what particular road within the State, the appropriation is to be spent.

Mr. WALSH of Montana. By no means, if the Senator will pardon me. It has exactly the same control over it that it has over the general appropriations—exactly the same control.

Mr. WAGNER. As I understand, this appropriation is being made under the Federal-aid highway system.

Mr. WALSH of Montana. Yes.

Mr. WAGNER. That act prescribes the method of allocating funds and also requires for filing by the State with the Federal Government plans for the particular highways upon which the money is to be expended.

Mr. WALSH of Montana. This will go on in just exactly the same way. The only change is that the State does not match the amount.

Mr. WAGNER. The State does not make any contribution at all?

Mr. WALSH of Montana. Exactly.

Mr. WAGNER. It is a new Federal policy, a new venture.

Mr. WALSH of Montana. Undoubtedly, if we are to speak of it as a policy. This, of course, is only an emergency act which is supposed to take care of this particular emergency.

Mr. WAGNER. Yes.

Mr. ROBINSON of Arkansas obtained the floor.

Mr. HARRISON. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Mississippi?

Mr. ROBINSON of Arkansas. I yield to the Senator.

Mr. HARRISON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	La Follette	Simmons
Bingham	Frazier	McGill	Smith
Black	George	McKellar	Smoot
Blaine	Gillett	McMaster	Steiwer
Blease	Glass	McNary	Stephens
Borah	Glenn	Metcalf	Swanson
Bratton	Goff	Morrow	Thomas, Idaho
Brock	Goldsborough	Moses	Thomas, Okla.
Brookhart	Greene	Norbeck	Townsend
Broussard	Hale	Norris	Trammell
Bulkley	Harris	Nye	Tydings
Capper	Harrison	Oddie	Vandenberg
Caraway	Hatfield	Patterson	Wagner
Carey	Hawes	Phipps	Walcott
Connally	Hayden	Pittman	Walsh, Mass.
Copeland	Heflin	Ransdell	Walsh, Mont.
Couzens	Howell	Reed	Waterman
Cutting	Johnson	Robinson, Ark.	Watson
Dale	Jones	Robinson, Ind.	Wheeler
Davis	Kean	Schall	Williamson
Deneen	Kendrick	Sheppard	
Dill	Keyes	Shipstead	
Fess	King	Shortridge	

Mr. TOWNSEND. I desire to announce that my colleague [Mr. HASTINGS] is unavoidably absent.

The VICE PRESIDENT. Eighty-nine Senators have answered to their names. A quorum is present.

STATEMENT ON RELIEF LEGISLATION

Mr. ROBINSON of Arkansas. Mr. President, this seems an appropriate time to make clear some matters that apparently have become clouded by misrepresentation or confusion.

That the United States is experiencing an economic crisis which presents more serious difficulties than any heretofore known is probably admitted by all who are familiar with conditions. It is no part of my purpose now to attempt a discussion of the causes or the factors that have resulted in the most distressing situation the oldest Senator has ever known.

It may be assumed that everyone is desirous of being just and fair, and of demonstrating those sympathies and feelings that are reflected by peoples of culture, not only in our own land but in other parts of the world, as well as by the humblest who is often called to meet perils and distress.

To my mind, it is unfortunate that the discussion of a question about which all should agree in purpose should become, for whatever cause, the occasion of expressions which are calculated to divert us from the performance of a duty which, after all, is the obligation which rests upon us, and which can not be treated with indifference or neglect.

It is my solemn judgment, matured after a somewhat careful study of press publicity and statements made or attributed to persons who are interested in pursuing the course which is best calculated to accomplish the results we all desire, that some have not disclosed that knowledge of the conditions that prevail, and to which our efforts for remedy are directed, that should be acquired before dealing with subjects of such great importance.

We all know that unemployment has prevailed for a prolonged period and that conditions do not now indicate the speedy disappearance of that source of distress. To me there can be no more pathetic spectacle in all the range of human vision than that of a sincere and loyal citizen, upon whom wife and children depend, willing to exert his efforts and to exhaust his energies in earning a livelihood for them—a citizen who finds himself, through no fault or failure of his own, unable to obtain the opportunity to earn a living.

However we may differ as to the measures which ought to be advanced, however we may grow petulant and assert the right of independent decision as to what should best be done when that conclusion should be reached by the concentration of the energies of us all, we can not banish from our vision the picture of millions of men who are not able to secure employment with the Government, who can not stand behind the shield of the civil service, who may never hope to establish their eligibility for the performance of those duties for which, under the customs prevailing in modern times, men earn large salaries or great wages.

No language can depict the sorrow, the desolation, the despair, which cast their gloom across the way of the brave but discouraged man who can not do what necessity impels him to attempt, what tender sympathy and refined affection drive him to essay.

So let me assume that in the minds of all of us there is a common purpose, and that that purpose is to perform our duty and meet our obligations in the face of the criticism of those who are either ignorant of the true situation, or who, for some cause, may not be inspired with that appreciation for the necessities of decisive action which ought to move them.

When the Congress convened there existed the general recognition of necessity for emergency legislation, and everyone knew that proposals would be advanced, but no plans had been formulated, no measures had been drafted, or, if plans had been formulated or measures drafted, those plans and measures had not been submitted, for lack of opportunity, to those whose duty requires them to deal with this important subject.

The President, earlier in the season and during the vacation of Congress, organized committees in various States, and the organizations were extended to the smallest political units. The primary purpose of the organizations was to make a survey and obtain the information necessary to enable the Congress to deal with the emergency.

When the Congress met, numerous measures were introduced, both in the Senate and in the House. A common purpose runs through all those measures. There existed great diversity of opinion as to the best remedy, and the fact that such diversity appeared is not surprising to one familiar with legislative processes.

The President's committee assembled their data, collaborated, and reached conclusions which are expressed in resolutions which appear in the CONGRESSIONAL RECORD. They found, among other things, that approximately $60,000,000 would be required for advances or loans to farmers within the drought-stricken areas, and, so far as I am informed, none of those committees has indicated a disposition to recede from the conclusions to which I have referred.

The Senate Committee on Agriculture and Forestry gave consideration to the various measures and acted promptly. In the performance of a duty I appeared before that committee. It had become known that the Budget had recommended a reduction of the $60,000,000 proposed fund to $25,000,000. There had been no statement published, no figures had been prepared disclosing a sound financial or economic basis for the recommendation of the Budget. In my judgment, after giving such thought to that phase of the question as I am capable of, the Budget merely desired to pursue an economical course, to conserve the funds in the Treasury, and arbitrarily decided that $25,000,000 was necessary. I am speaking now particularly to the President and to those representatives of the press, as well as my associates, who have, I believe in ill temper and without fair consideration, denounced such measures as raids upon the Treasury of the United States.

Mark me, there is not the slightest sensitiveness on my own part to criticism. A long service in public life has trained me to the fact that public men may expect criticism, and that they have no ground of complaint if it is just. If this be a raid on the Treasury of the United States it is right to characterize it as such, and I am entirely content to accept the odium which attaches to such a transaction on the part of a public officer. But I have assumed this afternoon impliedly the obligation of proving that the measure was not only proper but necessary, and I wish to paint another picture and lift it into light alongside the picture of unemployment which I tried to present a few moments ago.

Probably the area which would be comprised within 12 States, for the most part contiguous to one another, has the extraordinary situation of a great drought superimposed on the general depression with which we are all familiar, so that added to the unemployment which has resulted from displacement of laborers in industry, for whatever cause in that vast area, there has occurred during the year now approaching its end such a crop failure, due to drought, as has never before been witnessed.

In order that those of you who have no sympathy or who have failed to manifest sympathy with the people in the drought-stricken regions who are in such great distress may have, if possible, some comprehension of the difficulty and distress, let me attempt an explanation in brief of how farmers habitually finance their operations within that territory.

Those who have not the cash to carry on must make arrangements with their banks or merchants to advance funds with which to make a crop. Usually such personal property as they possess, including prospective or growing crops, is pledged as security for the advancement. Did Senators ever think what a gamble is the game of farming? The farmer gambles on the elements and on the weather in planting time. Then if the seeds come up he gambles against the chance that some bug will come along and destroy the plant. If ravages by pests do not bring disaster, he then faces the season of growth and cultivation. If a drought occurs, failure of production results, notwithstanding that at the time of the drought practically all of the advances have been exhausted in efforts to grow the crop. If a complete or almost complete crop failure is experienced, the producer finds himself with his property gone, his labor wasted, his credit exhausted, and with no means with which he can carry on.

But the condition which I am trying to describe is accentuated and abnormal from two causes and their effect. First is the general depression which has reflected itself in part in the depression of prices to such a point that even large crops would scarcely yield more than the cost of production. The price of cotton within about two years has declined one-half. A similar fall in prices has taken place with respect to other commodities. Second, during 1930, from the 1st of May until approaching the 1st of October, there came no rainfall in a belt which comprises some 10 or 12 States and which embraces very fertile lands. As the result of that lack of rainfall, except as to certain small areas where because of the peculiar character of the soil there was fair production, an almost complete crop failure resulted, and it extended to hay, corn, and cotton.

To give a somewhat concrete illustration, I traveled through a county in the State of Arkansas through which winds one of the swiftest and most beautiful streams in all the world, the Little Red River. Its comparatively small bottom is composed of the most fertile land in all that section. In the summer of 1930, when the cotton and corn should have been maturing, I had the opportunity to drive through Little Red River bottom, and the result of my investigation showed that 50 acres in that territory would not produce one wagonload of corn and 30 acres would not produce one bale of cotton. In the little homes scattered over those fields and at the ends of the lanes lived men and women who had worked all the year in efforts to grow crops. They do not belong to the union. Every Senator who hears me who is familiar with conditions in that country knows that at early dawn they enter the fields and they return home in the twilight, having worked all day long. I think every man with a heart in his breast and with a brain in his head ought to feel some measure of sympathy, and reflect it in his course, for those who do their duty to themselves and their country, and who yet, because of forces which they can not control, are placed in an appalling situation of distress.

The conclusion, therefore, is that if one is to deal with the subject at all he must deal with it adequately. I do not know that one can go to the length the President went in his message to the Congress at the beginning of this session when he said:

> We have as a nation a definite duty to see that no deserving person in our country suffers from hunger or cold.

I think when the President made that statement as outlining his conception of the duty upon the Congress and upon himself that he defined an impossible task. In spite

of all we may do here, in spite of all the roads we may build, in spite of all the Red Cross flags we may lift into light, in spite of all the hands we may employ in carrying food to those who are hungry, in spite of the most liberal action we may take, there will still be people in our land who will suffer from hunger and cold. But if Senators agree with me that it is our duty to deal with this problem liberally, while having a proper regard for the general revenues, to place above the consideration of possible embarrassment to the Treasury the duty of providing adequate funds to relieve distress, they can not characterize the McNary resolution, carrying $60,000,000, which we passed yesterday, as a "raid on the Treasury."

The only way to prevent people from suffering from hunger is to provide them with the means of obtaining their own food or the opportunity to do so, or to provide them with the food. Those who are in a fortunate situation, who have merely experienced losses in the decline of stocks, but who may yet still have sufficient resources to provide for themselves and their families the comforts and necessities of life, ought to be slow to stand in the way of any policy or movement which will give adequate relief. In spite of the best spirit that we can show, there will be disagreement and discord as to what ought to be done. We may not be able to cooperate, but we ought to do it if we can.

Before the Senate Committee on Agriculture and Forestry it was my privilege to say that the issue was coming inevitably between an effort to reduce the appropriation to $25,000,000 and to maintain it at the amount which those had investigated the subject in a scientific way had found was necessary. If Senators desire to be fair, and to do justice, let them study the facts and reach their conclusions upon the facts. It will be found that instead of $60,000,000 being excessive, if it is properly and sympathetically administered, it is more than likely to prove inadequate.

I thought that additional measures relating to unemployment and distress should receive consideration and proposed in Senate bill 4786 to provide, in addition to the $60,000,000 which was carried in the joint resolution of the Senator from Oregon [Mr. McNARY], a $5,000,000 fund to be advanced to each State upon such terms and conditions as the President and the governor of the State concerned might agree upon, to be used in the construction of what are known as farm-market roads in contradistinction to Federal-aid highways. That proposition had been indorsed by numerous organizations throughout the country. The thought underlying it was that during the season when those who live in farm communities are not engaged in growing crops they might be employed in doing work of permanent benefit to the country and to the States in the way of constructing necessary highways; and the thought has met with much approval. However, this provision is essentially supplemental to and not in lieu of the $60,000,000 appropriation.

There is also a provision in the bill to which I have referred authorizing the Secretary of Agriculture to carry on agricultural extension work in those districts where local units are unable to make the contribution contemplated by law. I think that proposal would be helpful. The extension service is valuable, and a discontinuance of it will result in a backward movement as a consequence of which much of the benefit that has heretofore been obtained will be lost or minimized.

There is also a provision contemplating the distribution of the wheat acquired by the Federal Farm Board, and that provision must, if it shall be considered, be enlarged so as not to restrict it to those living within the drought areas.

When I drew that bill I knew that the question of a possible deficit in the Treasury would arise. I was willing to anticipate such a situation, and I incorporated section 5 authorizing, if the President found it necessary, the issuance by the Treasury of notes or bonds to cover the amount required in this emergency. I am perfectly willing, in order that the proper measures may be enacted and administered, to pass on to a better day, hoped for, the unusual and extraordinary costs which would be incurred under such legislation as that which the Senate is considering to-day; I would prefer to do that to seeing an increase in Federal taxes under present conditions; but I would increase taxes rather than refuse to meet the obligation, which is primary upon the Congress, to provide relief for our own people in a time of emergency and danger.

It was not characterized as "a raid on the Treasury" when we appropriated $20,000,000 to feed Russian women and children. No one characterized it as "a raid on the Treasury" when we appropriated $100,000,000 to feed the hungry in Europe except those living within the territory of our recent enemies. We thought those were acts of justice and of kindness. If the obligation was upon us to provide relief in those cases, what shall I say, and what will you say, Mr. President, when a crisis of the worst character describable confronts our own people? You may talk about precedents all you will, but there are some things that are necessary to be done in order to preserve the lives of the people; and when those things are being discussed or acted upon it is not an opportune occasion to raise technical objections.

In the recent past there has been some discussion of a statement signed by certain Democrats, a statement in which I joined. An effort has been made to make it appear that that statement was prompted either from political motives solely or from a disregard of the obligations of party loyality. The President apparently lost his temper when he issued the statement of yesterday immediately following the passage of Senate Joint Resolution 211, authorizing the appropriation of $60,000,000 for drought relief. Coming at the time it was made, the declaration that "prosperity can not be restored by raids upon the Public Treasury," and that the leaders of both political parties are cooperating to prevent that result, prompts me to a review of some facts which I think are pertinent in this discussion, facts which should be given attention by all fair-minded persons.

Believing that a serious crisis confronted this country, and recalling that in the critical days following the World War partisan influences were exerted in the Congress to embarrass President Wilson and to produce discord when harmonious action was required to safeguard the public interest, I with other Democrats joined in the statement asserting a purpose to be helpful in relieving a situation recognized as highly critical. When that statement had been published the President wired me his thanks, but declared that it needed clarification with respect to one feature, namely, would there be a filibuster against the passage of appropriation bills with a view to compelling an extra session of Congress? I replied that, speaking for myself, I had never engaged in filibusters against appropriation bills and had no expectation of doing so, but that there was certain legislation the passage of which it was my intention to secure if possible. The legislation enumerated included emergency relief measures.

I thought that correspondence should have been published, in view of the fact that its occurrence was taken as an occasion on the part of some to indicate that I had made myself a mere tool of the White House and had pledged the President support of his political policies.

It was my judgment that the country needed cooperation on the part of politicians whether Democrats, Republicans, or Progressives, in the working out and in the enactment of relief measures; and that judgment has been confirmed by the action of the President in his statement of yesterday and by the reaction to that statement which has taken place in the Senate of the United States.

The statement to which reference is made announces three principles. There is room for question whether the particular gentlemen who signed the statement had any responsibility to do so; there is room for question whether the statement was couched in appropriate language; but in my judgment there is no room to doubt the correctness of the principle underlying the declaration, and I stand on it.

I have referred to the three principles which, according to my interpretation, are incorporated in that statement:

First, nonpartisan cooperation in the Congress on every measure conducive to the welfare of the country.

Of course, that is a general statement, and inevitably questions will arise as to what measures are conducive to the general welfare, but the thought is that there are some measures which by their very nature are not of a partisan character, and those measures are well illustrated by the relief bills which have been presented to the Congress of the United States. The second proposition was—and I quote from the statement itself—

Cooperation in any sound legislation to remedy the evils that are afflicting the Nation.

The third was—

That obstructive methods will not be resorted to to embarrass the President or to defeat necessary appropriations; and that qualified appointees will not be rejected merely because the appointments are made by a President of the opposite party.

That substantially is the language of the statement to which I am referring.

I think if it were possible to carry on the work of this session of Congress in the spirit of that declaration, the country would be better off and our work would be more effectively done. The declaration or statement may be criticized as trite or unnecessary.

Who insists that it is the duty of a Senator, whether he is a Democrat or belongs to some other political party, to oppose a nomination because we may have the votes to reject it and because it is made by a President of the opposite party? There have been times when that situation has threatened; but, so far as I am concerned, I do not approve of the use of partisan influence to defeat legislation or to defeat nominations to office merely because it will give embarrassment to the leader of the opposition party or accomplish other results of a similar character.

How can anyone justify a contrary declaration? How can anyone insist that at a time when the Congress is equally divided in both branches, and the Presidency is in the control of the Republican Party, it is the duty of a patriotic Democrat to beat every nomination that he can, without regard to the qualifications of the nominee, and to defeat every measure the defeat of which will result in embarrassing the President? Of course, it is only by a process of interpretation different from that which I place upon the instrument that one can find ground for criticism.

The point I wish to emphasize is that we have proceeded to an unfortunate position. Oh, you may say, "We care nothing about that, and we care nothing about your opinion concerning it"; nevertheless, it is an important matter.

The President lost his temper and made a statement that, of course, is to be condemned. For my part, I do not propose to follow the bad example that has been set. My purpose is to try to do my duty to my party, to my people, and, most of all, to my country. I recognize that my standards of duty may be perverted or inferior and that they are subject to criticism; but I should like to see this Congress now act in a spirit of greater cooperation—and by "cooperation" I do not mean that one man shall walk away and another follow. I mean that if they are separated by a distance they shall advance to a common point and get together and work together. That is cooperation. I cooperate, and intend to continue to cooperate, in the enactment of measures which I believe will promote the welfare of the country. I intend to cooperate in the confirmation of nominees whom I believe to be fitted for office. That does not mean, and no sane man can construe it to mean, cooperation in the passage of unjust or unwholesome measures or in the confirmation of unfitted nominees to office.

Congress has a great task before it. The Nation is facing a crisis. Our responsibility is the greatest we have ever encountered. Bearing it in the spirit of true patriots, we shall not find it necessary to abandon the policies or the principles which we believe should prevail in the administration of this great Government.

I thank the Senate for its patient attention.

TAXES PAID BY NEW YORK STOCK EXCHANGE AND MEMBERS THEREOF

Mr. HEFLIN. Mr. President, I send to the desk two Senate resolutions. I ask that they may be read, and then I shall ask unanimous consent for their present consideration.

The PRESIDENT pro tempore. The first resolution will be read for the information of the Senate.

The resolution (S. Res. 366) was read, as follows:

Resolved, That the Secretary of the Treasury is hereby requested to transmit to the Senate the information showing the amount of taxes paid to the Government by the New York Stock Exchange or by members thereof in connection with exchange transactions for the years 1919, 1920, and each succeeding year up to and including the year 1930.

The PRESIDENT pro tempore. The Senator from Alabama asks unanimous consent for the present consideration of the resolution. Is there objection?

Mr. SMOOT. I ask that the resolution may go over for a day.

The PRESIDENT pro tempore. The resolution will go over under objection.

Mr. HEFLIN. Mr. President, I ask the Senator from Utah to withdraw his objection and let the resolution pass at this time. Fees are paid by the exchange. The Government collects from the exchanges every year. I want to ascertain how much was paid into this fund in taxes for 1919, 1920, and up to and including this year.

Mr. SMOOT. I did not catch all of the resolution, but I should like to have it go over and I shall look into it to-night.

Mr. HEFLIN. Very well; I shall bring it up to-morrow, Mr. President.

AMOUNT OF MONEY IN CIRCULATION

The PRESIDENT pro tempore. The Senator from Alabama submits a second resolution, which will be read for the information of the Senate.

The resolution (S. Res. 367) was read, as follows:

Resolved, That the Secretary of the Treasury is hereby requested to give to the Senate the information showing the amount of money in circulation in the United States for the years 1919, 1920, and for each succeeding year up to and including the year 1930.

Mr. HEFLIN. I ask unanimous consent for the present consideration of the resolution. It will take only a moment.

The PRESIDENT pro tempore. The Senator from Alabama asks unanimous consent for the present consideration of the resolution. Is there objection?

Mr. McNARY. Mr. President, my attention was distracted. I did not hear the full reading of the resolution.

The PRESIDENT pro tempore. The resolution will be again read.

The Chief Clerk reread the resolution.

Mr. REED. Mr. President, reserving the right to object, I do not see any necessity for the resolution, because statements showing the amount of money in circulation are published every three months; the amounts are shown in the annual reports of the Secretary of the Treasury, and the information can be compiled in 15 minutes by a clerk in the Finance Committee.

Mr. HEFLIN. It will take only a little while to get the statement from the Secretary of the Treasury; and I am sure he will be glad to give it.

Mr. REED. I do not think it is very important where we get it. I am only suggesting to the Senator that he can secure the information in less time than he can get the resolution up to the Treasury Department.

Mr. HEFLIN. I do not think so.

Mr. REED. I know it. However, I do not object.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution? The Chair hears none.

The resolution was agreed to.

ADDRESS BY E. KANN ON THE SILVER CRISIS

Mr. PITTMAN. Mr. President, I have in my possession an address by Mr. E. Kann, delivered at the Pan Pacific Con-

ference in Shanghai, China. It is a very brief and able address on the financial conditions affecting the world today. As the speaker is a distinguished writer on economics and finance and the address deals with matters which the Foreign Relations Committee is now considering, I ask leave that the address may be printed in the RECORD.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The address is as follows:

In accepting your kind invitation to speak on present-day aspects of silver I have certainly undertaken a most arduous task, for the subject itself is, under prevailing conditions, a most somber topic. That it is very dry besides and that it can not be divorced from the citation of figures makes my task doubly difficult, for figures do not lend themselves readily to rhetorical feats. On the contrary, they are liable to throttle all pathos.

While I find it impossible to omit quoting figures—for these are my witnesses in the conduct of a most difficult case—I shall avoid unnecessary statistics and confine my statements to the citation of round figures, minus decimals and fractions.

As a necessary preliminary to our study it is essential to refresh our memories as to the quantity of silver produced and as to the sources of origin. In considering the world's output of silver during the last decade, 1921–1930, we obtain an annual world production of 240,000,000 ounces, or 20,000,000 ounces a month. To many people these figures may not convey an exact measurement of what is happening. Therefore I should like to express myself more popularly: During the past 10 years the world has been producing new silver to the extent of 1,000,000 Chinese dollars a day. Although irrelevant to our topic, I might mention here, for the sake of comparison only, that simultaneously the world's production of gold during the last decade was only 8½ per cent of the silver output as far as weight is concerned, but four times as much—at present exchange levels—as regards value. (United States, $1,050,000 per diem.)

Retaining the last decade as unit of measurement, we arrive at the following distribution as regards output of silver:

	Annual production of fine ounces
Mexico, 40 per cent	96,000,000
United States, 24 per cent	58,000,000
Canada, 9 per cent	22,000,000
All North America, 73 per cent	176,000,000
South America, 11 per cent	26,000,000
Central America, 1 per cent	2,000,000
The Americas, 85 per cent	204,000,000
Asia, 5 per cent	12,000,000
Africa, 1 per cent	2,000,000
Europe, 9 per cent	22,000,000
Total world, 100 per cent	240,000,000

We possess reliable statistics as regards the production of silver since the discovery of America, i. e., since 1493. The total quantity of silver produced between that year and 1930—which means in the course of the past 438 years—aggregates in round figures 15,000,000,000 ounces. This stupendous quantity, meaning 15,000,000,000 fine ounces of silver, may have much significance to you—or else it is possible that the naked figure may remain meaningless without further elucidation.

Upon analyzing this figure it becomes obvious that it contains highly significant facts. Out of those 15,000,000,000 ounces of silver produced 9,000,000,000 have been obtained during the first 408 years, 1493–1900, and 6,000,000,000 have been obtained during the last 30 years, 1901–1930. This, in turn, means that, whereas the total world production of silver during the first 408 years averaged 22,000,000 ounces a year, the average world output, during the past 30 years, had risen to 200,000,000 fine ounces per annum.

Speaking generally, this undisputable fact has not been made clear to the public. Nevertheless the people have a feeling that there has been overproduction of silver and that, in consequence thereof, a severe crisis has broken out. However, I personally am convinced that the present crisis is not due to overproduction, that the latter is merely imaginary, and that the serious slump is due to other causes which I shall endeavor to treat in detail.

WORLD'S PROGRESS

At this stage I should merely like briefly to point to the enormous increase of the world's population, to the growth of civilization, to the creation of means of communications, the establishment of banking facilities and regulated government finance, all of which have made the demand for more silver imperative. If we go back to the Middle Ages we shall find that the use of any and all commodities was then very much restricted, not merely because of the absence of the aforementioned factors, but because these remote periods were coupled with a much lower standard of living. The output of copper, lead, iron, cotton, etc., was then infinitely smaller than to-day. There is nothing remarkable or suspicious in the steady growth of silver production.[1]

But aside from bare necessities let us consider some articles which may be viewed as semiluxuries. Take natural silk and artificial silk, the latter unknown to the world before the dawn of the current century, while the former was hardly known in the Old World when the New World was being discovered. The opinion has gained ground amongst a vast circle of society that, since rayon silk has been making such enormous strides, the use of raw silk is bound to be radically curtailed. Yet nothing is further from the truth.

In 1913 the world's output of artificial silk yarn was 36,000,000 pounds; in 1929 it had risen to 400,000,000 pounds, an increase of about 1,100 per cent in 16 years.

The consumption of raw silk in 1914 was 50,000,000 pounds; in 1929 it had risen to 150,000,000 pounds, an increase of 200 per cent in 15 years. This augmentation has taken place parallel with the stupendous increase of natural silk's rival—artificial silk. But both have found uses, due to the continually increasing standard of living.

It may be asked where the huge stock of 15,000,000,000 ounces of silver is being stored. After closely investigating I can prove the existence of 4,500,000,000 ounces in British India, 2,500,000,000 ounces in China, and about 1,000,000,000 ounces in the coinage systems of the rest of the world. How much silver has been employed in the arts during the past centuries, how much has been buried in the earth, how much has been lost in the deep sea or irrecoverably devoted to silver plating and film manufacture is not easy to ascertain.

I have deemed it essential to offer you these sober truths as a preliminary to my main topic, the real causes of the current silver crisis. Before attending to those grim realities I should like you to kindly follow me into the realm of the infinitely distant prehistoric ages. Landing in one of the romantic bays of the Ægean Sea we wind our way inland through fragrant groves of blossoming olive trees. After many hours' walk we reach a lovely valley surrounded by emerald green terraces of most fascinating meadows. Here, under the protection of patriarchal trees, we shall await the coming morn.

The midnight calm is suddenly interrupted by sounds emanating from gongs beaten at lengthy intervals. Occasionally the wind carries faint traces of singing voices to our ears—traces of songs of lamentation. A funeral procession is moving through the darkness of a somber night.

Now the new moon is casting dim rays of light through the clouds hurrying along their heavenly path. Your eagerly searching eyes begin to behold the vague outlines of slowly moving figures, an enormous army marching tardily onward, winding its way uphill and appearing from the distance like a huge chain, on the clattering links of which grim history of thousands of years is running along.

The last remains of a king and his royal consort are being carried to their eternal resting place, situated in specially prepared stone vaults in the heart of a mighty mountain group.

RATIO OF GOLD AND SILVER

Five thousand eventful years have passed since that night. As a result of excavations undertaken only five years ago near the Greek village of Dendra, the vaulted graves of a once mighty king and his royal spouse have been discovered. Lying at the breast of the skeletons were seen golden cups, and at their feet were deposited vases of heavy gold. These golden ornaments were covered at the surface with a thin layer of silver; some were inlaid with silver thread.

The discovery of those prehistoric ornaments has furnished undeniable proofs of assertions found in writings dated shortly

[1] If additional evidence was required in connection with the assertion that silver production has expanded to a lesser extent, during the past 130 years, than the other metals with which it is found associated in the ore, I like to refer to a table prepared by C. W. Merrill, of the U. S. Department of Commerce (Summarized Data of Silver Production, Washington, 1930), going to 1920. The figures for the last decade have been estimated by myself, and also the end result worked out.

Rate of increase of world production of silver, lead, copper, gold, and zinc:

Increase over preceding decade, per cent

Decade	Silver	Lead	Copper	Gold	Zinc
1801–1820	−30.5	29.4	36.6	−34.8	142.6
1821–1830	−11.4	108.2	45.1	22.8	595.1
1831–1840	28.5	25.2	38.3	40.2	33.5
1841–1850	28.4	16.3	35.5	160.2	143.4
1851–1860	18.6	38.8	93.7	277.2	112.8
1861–1870	33.3	46.1	51.4	−5.4	66.2
1871–1880	77.3	30.8	23.9	−7.4	55.8
1881–1890	40.9	40.1	74.8	−7.4	65.3
1891–1900	62.1	90.5	66.7	94.0	39.7
1901–1910	12.8	37.5	83.8	80.9	57.6
1911–1920	7.0	11.6	59.8	12.3	30.8
1921–1930 (about.)	12.0	70.0	65.0	−13.0	50.0
Average increase during 130 years	22.5	48.6	52.48	51.6	114.4

before the commencement of the Christian era, stating that thousands of years ago 1 unit of silver was valued at 10 units of gold.

Since then the position has radically been reversed, for to-day the ratio between gold and silver is 1 to 60. The change developed gradually. In the early Middle Ages the proportion was 1 unit of gold to 10 of silver. Until A. D. 1600 it was 1:11.3. Two hundred years later, in 1800, it had grown to 15. By 1900 it had further increased to 35.3, but during the World War, when the white metal experienced its last glory, the proportion had diminished to 22.5, while to-day it actually exceeds 60 units of silver to 1 of gold. In connection with this statement there is one highly interesting point to be recorded, namely, the proportion of the output of silver to that of gold. While the price ratio was almost invariably widening (against silver) that of production was frequently on the decrease. To illustrate plainly what has just been stated I would like to refer to the fact that, while the total world production of gold to-day (about 20,000,000 ounces) stands in the proportion to the output of silver (about 250,000,000 ounces a year) like 1:12½, the market prices show a ratio of 1:60.

THE COLLAPSE IN SILVER PRICES

With these basic facts before us, let us now consider the real causes of the collapse of silver prices. These are here being enumerated in the sequences and importance which I personally attach to their fate.

(1) The extra supply of huge stocks of silver derived from demonetized coin, a movement in which many countries have taken part. This incident had doubly harmful consequences: Firstly, because large extra quantities of silver were thrown on the market, irrespective of whether, when, and where these were wanted; secondly, the most derogatory moral effect caused not merely by this unprincipled action but also by the uncertainty, or rather the certainty, of more coming, perhaps, in the near future, or possibly at a later date. This has been a huge black cloud overshadowing the silver market like the angel of death.

The movement was initiated by Great Britain in 1920. At that time the British pound sterling had lost 20 to 25 per cent in value. The wounds caused by a most frightful war were still wide open. The finance minister had to hunt for means wherewith to balance the country's budget. It is reliably asserted that Mr. Winston Churchill, the then Chancellor of the Exchequer, in searching for funds wherewith to reduce his budgetary deficit, struck upon the idea of melting all of Great Britain's silver coinage (then 0.925 fine) and reminting the same, but with a basic fineness of only 0.500. This measure is supposed to have netted him £3,000,000. Large quantities of extra silver were then disposed of in 1921 and 1922, probably 90,000,000 ounces. But the sale of further supplies from the same source continued from year to year, unheralded and uncontrolled. In 1929 alone about 10,000,000 ounces were being supplied to an unwilling market.

The example of England was promptly followed by Germany and Poland, which countries both struck new silver coins with a fineness of only 0.500. Forced by the exigencies of the World War, Germany had been forced to liquidate almost all her silver stocks.

France did likewise. In 1919 and 1920 France became a large seller of silver, a considerable portion of which, derived from melted 5-franc pieces, was shipped to Shanghai. During her severe monetary troubles, extending until 1928, France abstained from minting silver coins, but instead circulated in the country 1 and 2 franc pieces made from brass and aluminium. At the present moment France is engaged in replacing her small banknote coupures by silver coins of 10 and 20 francs face amount, but these will be only 0.680 fine, in place of the old silver content of 900. Meanwhile France has constantly been figuring as a seller of demonetized silver, thereby doing irreparable harm to the reputation of the white metal.

The example of these countries was promptly followed by most of their neighbors, notably Belgium, Switzerland, and Italy, all of which have figured as potential sellers of silver at most inopportune times. While it is thought that these volcanoes have lived their most temperamental life, one must not forget that underground fires have sometimes burst out anew when least expected.

During the latter part of 1929 Indo-China sold large quantities of silver, derived from demonetized piaster coins, in preparation of her adoption of the gold-bullion standard in the spring of the current year. The quantity disposed of may be estimated at 50,000,000 ounces. As the sale was carried out just when the silver slide had set in, a veritable avalanche developed, causing panic on the world's silver markets.

BRITISH INDIA

The greatest adversary to silver's stability, however, was and still is British India. At the close of 1926 it was definitely resolved to change from the then existing gold-exchange standard to an effective gold-bullion standard and to dispose of large quantities of silver, derived from demonetized rupee coin. The total amount for sale was not fixed by law and was made dependent upon the quantities of rupee coins reverting to the treasury from circulation. A preliminary estimate was suggestive of an approximate quantity of 240,000,000 ounces of bar silver (one year's world production) to be disposed of whenever the authorities thought fit. The total amount of melted silver sold up to now by the Indian treasury is about 85,000,000 ounces. This figure in itself is not large, yet the danger is to be seen in the undefined future policy as to time and quantity of further silver stocks being disposed of. Due to the fact that most of the other sources of surplus silver will give out in the near future, there would be better prospects ahead for the white metal if it were not for the genuine threat emanating from India.

Time does not permit to present to you more than this very brief sketch on the question of extra supplies. However, I trust that the position in its deplorable simplicity has been made quite clear.

DECLINE IN WORLD COMMODITY VALUES

(2) The second cause for the heavy decline of silver is clearly to be seen in the general decline of all world commodities. While silver in China is first and foremost a medium of currency, it represents on the rest of the globe a commercial commodity. All raw material has fallen in price recently to an alarming degree, and silver has formed no exception.

It is a well-known fact that silver prices have invariably been marching parallel with commodity values. If graphic proof for this contention were needed, I should like to refer to a chart showing silver quotations, together with world commodity prices between 1914 and 1929, published in Finance and Commerce, No. 46, of April 16, 1930.

I might go a step farther by asserting from experience that almost invariably silver price movements have preceded the rise or fall of the value of world commodities. There is plausible explanation for this coincidence by pointing to India and China, whose population represents the largest holders and the largest consumers of silver. Whenever the farmer obtains good returns for his harvest, he will be able to buy silver in large quantities. On the other hand, whenever grain, cotton, and other agricultural produce is low priced, the country people can not afford to buy silver for savings.

Thus is there hope for the resuscitation of silver values as soon as there is a rise in the price level of world commodities in general, and agricultural products in particular.

WARFARE IN CHINA

(3) The third primary cause for the depression of silver values is to be seen in the long-lasting internal warfare in China, resulting not only in the interruption of means of transport but also in the impoverishment of the rural population and in the extinction of the latter's buying power. Metallic money can not be moved about, and while the seaports are overburdened with silver funds, the interior is bare of all supplies. The argument in support of my third contention is so obvious that it becomes superfluous to try to bring in further evidence.

I may possibly be required to prove that the regular world production of silver, say, 240,000,000 ounces on an average for the past decade, is not too heavy for the genuine needs of the world.

Such proofs are not difficult to produce. Taking the average of the past five years as present-day standard, we find that China and India consumed annually 85,000,000 ounces of bar silver each. This accounts for 170,000,000. The arts and industries employ 40,000,000 per annum, leaving 30,000,000 for distribution within the rest of the wide world, principally for coinage purposes which, in face of all pessimism, are still being carried on.

Add to these facts the hypothetical possibility that, as a result of a conference, India should agree to suspend sales of government silver for, say, three years on condition that other governmental treasuries agree to adhere to the identical embargo. In such an event you would see an immediate depreciation in the price of silver to an extent which one may estimate without undue optimism at about 30 per cent. The question of "overproduction" would then have disappeared altogether.

There is no possibility to-day to even touch upon the subject relative to the behavior of silver in the event of China being enabled to introduce a gold standard. The moral effect would once more destroy confidence in silver, but in practice the measure would surely be beneficial to the white metal, because China would need stupendous quantities of metallic money for circulation, and as gold would be unavailable, silver coins would have to be minted on a very large scale.

The purpose of what I have related to you hitherto is to throw light on the real causes of the disaster which has befallen silver lately and to destroy the myth that legitimate production of the white metal is much larger than consumption. If I have succeeded in expressing my views clearly and convincingly, I shall be satisfied. It is merely one phase of the important subject which I have tackled to-day.

THE POOR FISH

And now, before closing, I should like to relate to you a story, as it has been told to me by an acquaintance. When lying on the sandy beach of a northern seaside resort last summer I wondered why the beautiful bay stretching out before our eyes was so poor in catches of fish. And then my friend spoke: "Last year when swimming in this bay I suddenly felt a small fish in my left hand. I quickly brought it ashore and placed it in a small bucket filled with sea water. It proved to be a herring. The fish did well after arriving in Shanghai, but after some time the sea water gave out through evaporation. So I tried fresh water and the herring continued to thrive. Well, I thought, if it can live in fresh water, it might also exist without water.

"The experient was successful. Soon my herring moved about in the room, and shortly thereafter it followed me through the streets to the bewilderment of passers-by. One day, when crossing Chapoo Road bridge with me the poor fish fell into the Soochow Creek and was drowned."

This story may sound somewhat incredible to some of you, and frivolous to others. But on second thought you might find that in real life it has some foundation in fact.

Once upon a time the Chancellor of the Exchequer of a mighty kingdom had great worries with regard to the balancing of his budget. A red herring was chasing through the multitude of his figures. And he caught the fish. The rest of the simile becomes clear. He argued: "After having been accustomed for decades to the handling of coins made of the finest sterling silver, the public now accepts without murmur a cheap substitute looking like pewter."

And a neighboring Republic went a step farther, arguing: "If the public is satisfied with silver 500 fine, it might accept aluminium and brass alloyed coins." And the argument worked.

Far across the sea the most northern portion of a huge eastern Republic, the richest domain of the country, heard of the story and argued: "If people agree to accept money from base metal, they might be taught to accept paper without metallic cover." The argument was put into effect, and it actually succeeded. But the poor fish was drowned. * * *

Manchuria, a wonderful district with enormous resources, can not go ahead because of its deplorable currency system, based principally on irredeemable fiat money—paper without value. The hard-working population could easily be well off. Instead, the district condemns its toilers of the ground to remain beggars eternally, simply because there is no silver available to serve as cover for the floods of irredeemable bank notes, amounting to billions of dollars, forced into circulation in Manchuria. Similar conditions exist in sundry of the interior provinces of China. The poor fish is drowning through lack of * * * silver.

* * * * * * *

My story has come to an end. The romance of silver, however, is continuing and will lead, let us hope, to a happy ending.

STUDY OF BATTLEFIELDS FOR COMMEMORATIVE PURPOSES

Mr. BORAH. Mr. President, is there on the table a message from the President?

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Military Affairs:

To the Congress of the United States:

In accordance with the provisions of the act of Congress approved June 11, 1926, entitled "An act to provide for the study and investigation of battlefields in the United States for commemorative purposes," I am transmitting a communication from the Secretary of War giving a detailed report of progress made under said act, together with his recommendations for further operations.

HERBERT HOOVER.

THE WHITE HOUSE, *December 10, 1930.*

EXECUTIVE SESSION

The PRESIDENT pro tempore. There is also on the table an Executive message. Does the Senator wish to have the Senate proceed to the consideration of the Executive message?

Mr. BORAH. I do not want to have the Senate go into executive session. I ask that the message be received in open session.

The PRESIDENT pro tempore. Under the rule, the message may be received and referred without going into executive session; but it will have to be read in executive session at some time.

Mr. BORAH. Very well; I so move.

The PRESIDENT pro tempore. The Senator from Idaho moves that the Senate proceed to the consideration of executive business under the rule.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

THE WORLD COURT

The PRESIDENT pro tempore. The Chair lays before the Senate a message from the President of the United States, which will be read.

The Chief Clerk read the message, as follows:

To the Senate:

I have the honor to transmit to the Senate for its consideration and action three documents concerning adherence of the United States to the Court of International Justice. I inclose also a report of November 18, 1929, by the Secretary of State. I trust the protocols may have consideration as soon as possible after the emergency relief and appropriation legislation has been disposed of.

It will be recalled that on January 27, 1926, following extended consideration, the Senate advised and gave consent to adherence to the court with five reservations; and it gave authorization to effect their acceptance by an exchange of notes. Consent to four of these reservations was promptly expressed at a meeting of the nations members of the court, and after negotiations undertaken with the approval of President Coolidge two protocols were drawn to revise the statutes of the court in order to embody this consent and also to meet the fifth reservation. The protocol of accession of the United States and the protocol of revision have now been signed by practically all the nations which are members of the court and have also already been ratified by a large majority of those nations.

The provisions of the protocols free us from any entanglement in the diplomacy of other nations. We can not be summoned before this court. We can from time to time seek its services by agreement with other nations. These protocols permit our withdrawal from the court at any time without reproach or ill will.

The movement for the establishment of such a court originated with our country. It has been supported by Presidents Wilson, Harding, and Coolidge; by Secretaries of State Hughes, Kellogg, and Stimson; it springs from the earnest seeking of our people for justice in international relations and to strengthen the foundations of peace.

Through the Kellogg-Briand pact we have pledged ourselves to the use of pacific means in settlement of all controversies. Our great Nation, so devoted to peace and justice, should lend its cooperation in this effort of the nations to establish a great agency for such pacific settlements.

HERBERT HOOVER.

THE WHITE HOUSE, *December 10, 1930.*

The PRESIDENT pro tempore. The message of the President, with its accompanying documents, will be printed and referred to the Committee on Foreign Relations.

Mr. BORAH. I ask to have inserted in the RECORD at this point an editorial from the New York Evening Sun.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The editorial is as follows:

[From the New York Sun of Monday, December 1, 1930]

WHEN THE LEAGUE COURT PROTOCOL COMES OUT, KILL IT!

Viewed from the standpoint of national need, the President's decision to send the Root protocol to the Senate is unfortunate. The country had hoped to avoid an extra session of Congress. It expected that the short session begun to-day would be devoted to the necessary appropriation bills. No legislation beyond that needed to accelerate public works will aid employment. With an extra session avoided, the business of the country could proceed without undue worry to regain its feet. Men so conservative as LONGWORTH and SNELL showed willingness even to accede to a vote on Muscle Shoals in the short session if that would protect business from the peril of an extra session.

President Hoover's action appears to make it sure that the Seventy-second Congress will have to be called together in March as soon as the Seventy-first Congress has expired. Senator BORAH, chairman of the Committee on Foreign Relations, welcomes the President's decision. He is not inclined to sidetrack the protocol. Disregarding Mr. Hoover's implied suggestion that the matter should not be "brought up in the press of other business," Senator BORAH voices bluntly his assumption that the protocol would not be sent to the Senate "if it was not the desire to have it disposed of as soon as practicable." That is logical.

If the President had desired to make certain that the League Court issue could not clog the important business of the lame-duck session it was easy to keep the papers in their pigeonhole for a year, or even longer. He has chosen to do otherwise. He has chosen to let the Senate devote the precious days of the short session—three months that include the Christmas holidays—to discussion of the Root protocol. The advocates of an extra session, no matter what their opinion of the protocol, hail his action gladly.

Such is the dark side of the picture. Let us find the brighter one. Soon or late the protocol had to come to a vote in the Senate. It has been like a dangerous animal hibernating. The temptation has been to let it sleep, perhaps to let it die of inanition. Now that it is to be pitchforked into the open, the opportunity is at hand to kill it. Whatever delays may result from its unexpected entrance on the legislative scene, whatever temporary harm or anxiety it may bring to business, at least there will be a sigh of relief if it is disposed of forever by the simple process of annihilation. If it be done quickly, then what appears now to be an unwise movement by President Hoover may be regarded in future as a stroke of political genius.

There should be no question as to the fate of the protocol in the Senate. Accepting it would mean that the Senate was eating its own words. It was after deliberate consideration and long debate that the Senate drew reservation No. 5 and attached it to the resolution which consented to adherence to the statute for the League Court. This reservation read:

"That the court shall not render any advisory opinion except publicly after due notice to all states adhering to the court and to all interested states, and after public hearing or opportunity for hearing given to any state concerned; nor shall it, without the consent of the United States, entertain any request for an advisory opinion touching any dispute or question in which the United States has or claims an interest."

Let us say in passing that adherence to the League Court under any circumstances would be a dangerous adventure. A nation-wide referendum on that question probably would show that the people of the United States are as strongly opposed to joining the court as they are to joining the league itself, and the country had a "great and solemn referendum" on that question. But the propagandists were at work and the Senate became temporarily infected with the belief of the internationalists and idealists that the court was a palace in which the Princess of Peace lay sleeping, not to awaken until Uncle Sam's arrival. Hence the vote, nearly five years ago, to adhere to the court with reservations, the most important of which is quoted above.

The European statesmen who run the League of Nations declined to accept the terms of the Senate. When that was announced President Coolidge said:

"I do not intend to ask the Senate to modify its position. * * * Unless the requirements of the Senate resolution (the reservations) are met by the other interested nations I can see no prospect of this country adhering to the court."

Among the people the verdict was the same. It was generally believed that the case was ended and sealed. But the propagandists were not so easily beaten. With the blessing of the internationalists and the idealist the Hon. Elihu Root went to Europe to effect a compromise. He carried with him a formula of his own, but it fell before the swords of the diplomatists at Geneva. Whatever effort it made to retain the force of reservation No. 5 was eliminated by that astute British diplomat, Sir Cecil Hurst. Whether it was Sir Cecil who wrote the protocol which Mr. Root brought back, or Mr. Root himself, or these two eminent gentlemen in concert, the protocol emasculated the reservation. It did not—it does not—permit the United States to prohibit the submission to the court, for an advisory opinion, of a question in which we assert we have an interest. We may object, but if we insist on our objection we must get out of the court. Such withdrawal, says the Root-Hurst protocol, drawn at Geneva for acceptance by the Senate in Washington, "will follow naturally without any imputation of unfriendliness or unwillingness to cooperate generally for peace and good will." Never had words more sugar on the surface or more gall underneath. If we should object to the submission to the court of a request, put forward by another power, for an advisory opinion on the right of the United States to limit or forbid immigration on the ground of color, the only certain weight behind our objection, under the Root-Hurst protocol, would be a single vote. If we did not yield, if we continued to object, "the exercise of the powers of withdrawal provided for in article 8 hereof will follow naturally," etc. After that would come the storm of criticism, the accusation of selfishness, the deepening of hatreds which we have tried to dispel.

Considering these things, it is little wonder that the Root protocol has stayed in its pigeonhole for nearly two years. Its explosive possibilities are realized by most thinking Americans. As George Wharton Pepper said of it, it is "an arrangement which substitutes the remedy of withdrawal from the court after the mischief has been done for the salutary provision which prevents the mischief from arising." Some advocates of adherence to the court accepted it; they would accept almost anything to get us in. For most of these supporters are also advocates of American entrance into the League of Nations. As Colonel House said when the Senate passed the resolution with reservations, "it means that we have entered something like the League of Nations." We had not quite entered, for Europe refused our terms. Reservation No. 5 was the only thing that saved us from being ushered into the rear vestibule of the League of Nations. It was the only thing that prevented the United States from being entangled in the mesh of European political conflict. And now the Senate has to decide whether it shall comply with the desires of Europe, as expressed in the Root-Hurst compact at Geneva, or with the wishes of the American people.

Over and beyond the point directly at issue—the acceptance or rejection of the European substitute for reservation No. 5—is the larger issue of membership in the league court under any circumstances. Nearly five years have passed since the Senate voted for adherence with reservations. Meanwhile the peril of joining a subsidiary of the League of Nations, as Lord Robert Cecil called it, has not diminished. Conditions for peace abroad are, regrettably, no more favorable now than they were in 1925; indeed, many observers see in overproduction, national aspirations, and racial animosities the making of serious trouble. Seemingly peace is more talked of than thought of. There never was a good time for the United States to join the league or its court; this is perhaps the very worst time. We have our own problems, which none of the machinery at Geneva can help us to solve. The league and its court are thoroughly European in character. It is impossible to separate them in any consideration of the future.

It is scarcely necessary to remind informed Americans of the relationship of the court to the league. It was created by the league. It is the legal adviser of the league. Its statutes are drawn with the consent of the league. Its judges are chosen, paid, and pensioned under league auspices. Its supreme law is the covenant of the league. In the words of Representative TINKHAM, it is the bureau, organ, political instrumentality, agent, and servant of the league. It is amazing that any nation whose people rejected, by a majority of 7,000,000, a proposal to enter the League of Nations should still be faced with a proposal to enter the league court. For, as the league is a supergovernment, so is the court. David Jayne Hill passed his measured judgment on that feature of it:

"A court which judges without defined and accepted law, merely in accordance with its own sense of fitness or the decrees of a political body, is in its very nature a supergovernment, for it does not merely declare the law, which is the proper business of a court, but makes the law by its own unregulated action."

We might make friends for a day by entering the league court. We should make enemies for a generation when the time came—and it inevitably would come—when circumstances compelled us to withdraw. Let us keep what friendships we have abroad by refusing to adhere, by conducting only one government—our own—and by giving aid and counsel to others when we can do so without entangling ourselves or alienating our friends. When the league court protocol comes out of its pigeonhole and into the Senate Chamber it should meet its death. And, to make assurance doubly sure, the Senate should rescind the resolution which Geneva rejected, thus clearing the air completely of the smoke of danger.

The PRESIDENT pro tempore referred to the appropriate committees sundry nominations this day received from the President of the United States.

The PRESIDENT pro tempore. Reports of committees are in order. If there be no reports of committees, the Executive Calendar is in order.

TREATY WITH CHINA

The Chief Clerk proceeded to read Executive Q, Seventy-first Congress, second session, treaty of arbitration between the United States of America and China.

Mr. BORAH. Mr. President, this is really a routine matter, the treaty being exactly the same in terms as treaties we have negotiated with a great number of countries.

Mr. KING. Mr. President, is there any provision in the treaty with respect to tariffs?

Mr. BORAH. No; this is purely an arbitration treaty.

The Senate as in Committee of the Whole proceeded to consider the treaty.

The treaty was reported to the Senate.

The PRESIDENT pro tempore. The question is, Does the Senate advise and consent to the ratification of this treaty?

Two-thirds of the Senators present having voted in the affirmative, the treaty was ratified, as follows:

To the Senate:

To the end that I may receive the advice and consent of the Senate to its ratification, I transmit herewith a treaty of arbitration between the United States of America and the Republic of China, signed at Washington on June 27, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *June 28, 1930.*

The PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a treaty of arbitration between the United States of America and the Republic of China, signed at Washington on June 27, 1930.

Respectfully submitted.

H. L. STIMSON.

DEPARTMENT OF STATE,
Washington, June 27, 1930.

The United States of America and the Republic of China,

Determined to prevent so far as in their power lies any interruption in the peaceful relations now happily existing between the two nations;

Desirous of reaffirming their adherence to the policy of submitting to impartial decision all justiciable controversies that may arise between them; and

Eager by their example not only to demonstrate their condemnation of war as an instrument of national policy in

their mutual relations, but also to hasten the time when the perfection of international arrangements for the pacific settlement of international disputes shall have eliminated forever the possibility of war among any of the Powers of the world;

Have decided to conclude a treaty of arbitration and for that purpose they have appointed as their respective Plenipotentiaries:

The President of the United States of America:

Mr. Henry L. Stimson, Secretary of State of the United States of America; and

The President of the National Government of the Republic of China:

Mr. Chao-Chu Wu, Envoy Extraordinary and Minister Plenipotentiary of the Republic of China to the United States of America;

Who, having communicated to one another their full powers found to be in good and due form, have agreed upon and concluded the following articles:

ARTICLE I

All differences relating to international matters in which the High Contracting Parties are concerned by virtue of a claim of right made by one against the other under treaty or otherwise, which it has not been possible to adjust by diplomacy, which have not been adjusted as a result of reference to the Permanent International Commission constituted pursuant to the treaty signed at Washington September 15, 1914, and which are justiciable in their nature by reason of being susceptible of decision by the application of the principles of law or equity, shall be submitted to the Permanent Court of Arbitration established at The Hague by the Convention of October 18, 1907, or to some other competent tribunal, as shall be decided in each case by special agreement, which special agreement shall provide, if necessary, for the organization of such tribunal, shall define its powers, shall state the question or questions at issue, and shall settle the terms of reference.

The special agreement in each case shall be made on the part of the United States of America by the President of the United States of America by and with the advice and consent of the Senate thereof, and on the part of China in accordance with its constitutional law.

ARTICLE II

The provisions of this treaty shall not be invoked in respect of any dispute the subject matter of which

a) is within the domestic jurisdiction of either of the High Contracting Parties;

b) involves the interests of third Parties;

c) depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions, commonly described as the Monroe doctrine,

d) depends upon or involves the observance of the obligations of China in accordance with the Covenant of the League of Nations.

ARTICLE III

The present treaty, in English, Chinese and French, shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by the National Government of the Republic of China in accordance with Chinese constitutional law. The English and Chinese texts shall have have equal force, but in case of divergence the French text shall prevail.

The ratifications shall be exchanged at Washington as soon as possible, and the treaty shall take effect on the date of the exchange of ratifications. It shall thereafter remain in force continuously unless and until terminated by one year's written notice given by either High Contracting Party to the other.

In faith whereof, the respective Plenipotentiaries have signed this treaty, in duplicate, in the English, Chinese and French languages, and hereunto affixed their seals.

Done at Washington this 27th day of June, one thousand nine hundred and thirty, corresponding to the 27th day of the sixth month of the nineteenth year of the Republic of China.

[SEAL] HENRY L. STIMSON

[SEAL] CHAO-CHU WU

BOARD OF MEDIATION

The Chief Clerk read the nomination of Samuel E. Winslow, of Massachusetts, to be reappointed a member of the Board of Mediation.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed, and the President will be notified.

INTERSTATE COMMERCE COMMISSION

The Chief Clerk read the nomination of Frank McManamy, of the District of Columbia, to be a member of the Interstate Commerce Commission.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed, and the President will be notified.

UNITED STATES TARIFF COMMISSION

Mr. GEORGE. Mr. President, I direct the attention of the Senator from Utah to the fact that we have reached the Tariff Commission nominations.

Mr. SMOOT. I ask that the nominations may go over.

The PRESIDENT pro tempore. Is there objection?

Mr. BORAH. The Tariff Commission nominations are to go over?

Mr. SMOOT. I have asked that they go over.

Mr. BORAH. Very well.

The PRESIDENT pro tempore. Without objection, the nominations will be passed over.

BUREAU OF NARCOTICS

The Chief Clerk read the nomination of Harry J. Anslinger, of Pennsylvania, to be Commissioner of the Bureau of Narcotics.

Mr. COPELAND. I ask that this nomination may go over.

The PRESIDENT pro tempore. The nomination will be passed over.

PUBLIC HEALTH SERVICE

The Chief Clerk proceeded to read sundry nominations in the Public Health Service.

Mr. SMOOT. These nominations are all regular promotions, and I ask that they be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc, and the President will be notified.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. PHIPPS. I ask that the nominations be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc, and the President will be notified.

APPROPRIATIONS FOR EMERGENCY CONSTRUCTION

Mr. JONES. Mr. President, I move that the Senate return to the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business, the unfinished business being the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Wisconsin [Mr. BLAINE], the Chair understanding that three amendments proposed by the Senator from Wisconsin have been combined, to be acted upon in a single vote.

Mr. McKELLAR. Let the amendments be read.

The PRESIDENT pro tempore. The amendments will be read for the information of the Senate.

The CHIEF CLERK. The junior Senator from Wisconsin [Mr. BLAINE] offers the following amendment: On page 2, line 10, to strike out the word "a" before the word "temporary," and following the word "temporary" to strike out the words "advance of"; and, on line 12, after the numerals "$80,000,000" and the colon, to strike out the proviso down to and including the word "supplemented," in line 18; and, in line 18, to strike out the word "further" following the word "*Provided.*"

The PRESIDENT pro tempore. The question is upon agreeing to the amendments by a single vote.

Mr. WALSH of Montana. Mr. President, I ask that the provision of the bill be now read as it would read if the amendments were adopted down to the second proviso.

The PRESIDENT pro tempore. The clerk will read.

The Chief Clerk read as follows:

Federal-aid highway system: For apportionment to the several States under the provisions of the Federal highway act, as amended, as temporary funds to meet the provisions of such act as to State funds required on Federal-aid projects, $80,000,000.

Mr. WALSH of Montana. Is that the way the Senator from Wisconsin desires that it should read? It does not mean anything to me in that language.

Mr. BLAINE. I was about to suggest that the Senator's proposed amendment be added.

Mr. WALSH of Montana. I could understand that, if the Senator would strike out everything after the word "amended" in line 10, down to and including the word "projects" in line 12, but I do not understand the significance of the bill as it would read as amended, "As temporary funds to meet the provisions of such act as to State funds required on Federal-aid projects." That necessarily implies that the State is to provide its portion of the funds, and my amendment would negative that idea.

It occurs to me, if I may make the suggestion to the Senator, that his purpose would be accomplished by striking out all of the paragraph commencing with the word "as" in line 10, down to and including the word "projects" in line 12, and then if that should prevail, if the Senator desired, he might add the amendment suggested by me, as follows:

Provided, That the States respectively shall not be required to provide any sum for the purposes contemplated by the said act as a condition of the receipt of any funds hereby appropriated.

Mr. BLAINE. Mr. President, in view of the Senator's suggestion made some time ago, I am quite in agreement with his suggestion now that the words to which he calls attention be stricken out and that the words he has read should be added.

The PRESIDING OFFICER (Mr. FESS in the chair). The Senator accepts the amendment?

Mr. BLAINE. I accept the suggested amendment proposed by the Senator from Montana.

Mr. COPELAND. Mr. President, if this amendment now suggested should prevail, would it mean that $80,000,000 would be given to the States?

Mr. BLAINE. Eighty million dollars will go to the States on Federal-aid projects, to be administered by State authority under the Federal aid act. It is a temporary appropriation, presumed to be in the interest of unemployment, of course.

Mr. COPELAND. Of course that is a part of the bill as it is here written. Is the Senator seeking to amend the bill so that there will be no obligation on the part of the State to make up for that advance by a decrease in future appropriations?

Mr. BLAINE. The Senator is not seeking any such purpose. The purpose of the Senator is to do what public officials have been pretending they intended to do; that is, to afford public funds out of the United States Treasury for the purpose of construction of public works. That is the purpose. I assume that each State will make its own provision with respect to that and other matters.

Mr. COPELAND. Mr. President, frankly, I do not understand this measure. As it is written and as it passed the House, $80,000,000 would be advanced in the usual way to the States and matched by them. But in the apportionment for each State in the future the money received under this arrangement would be accounted for, and the amount of the appropriation received by each State decreased; in other words, the National Treasury would be reimbursed for the advance. Does the plan of the Senator contemplate now an outright gift of $80,000,000, regardless of its purpose? I am in harmony with the purpose. Does the Senator propose to provide for a gift of $80,000,000 to the States?

Mr. BLAINE. Very frankly, I propose to have the Federal Government discharge its obligation in the present crisis; that is, to appropriate money out of the United States Treasury for the purpose of advancing public works. I am not discussing what the States should do or what they should not do. I am emphasizing what the Federal Government should do. We are pretending to do it, but I am proposing that the Federal Government actually do it.

Mr. COPELAND. I can not see, to be frank, what the difference is, so far as the immediate relief is concerned, whether it is done the way the Senator proposes or whether it is done in the way the bill proposes. If I grasp the intention of the Senator, it is to give to the States $80,000,000, but with no obligation in the future on the part of the States to return the $80,000,000.

Mr. BLAINE. Mr. President, it is not a gift to the States in any manner whatever. This is an appropriation, as proposed by the amendment, of $80,000,000, to be used on Federal-aid projects in the respective States. The States or the Federal Government have the machinery already set up for the administration of this fund, and it is merely a proposal that the Federal Government discharge its obligation, so far as this provision could discharge it in the present crisis.

Mr. COPELAND. If the Senator had offered no amendment, if this legislation were to go through the Senate as it passed the House, under exactly the same operation of the machinery of administration, there would be spent $80,000,000 in the various States, but what the Senator proposes is not to be more generous with the States as regards appropriating the $80,000,000, but what he proposes is that the States shall not be held responsible for that in the future, and that in the future they will get exactly the same amount as if they had not had this appropriation.

Mr. BLAINE. I am not discussing the degree of generosity to the States. I am discussing the Federal Government's obligation in the present crisis, and if the Federal Government, as indicated by the President and the administration, is to render aid, we ought to render aid, and not simply compel the States to render aid. Under the bill as originally drafted, not a single dollar would be appropriated out of the Federal Treasury which would not be returned to the Federal Treasury; in other words, the Federal Government would do nothing except to say, "We will lend the States this money. You must meet it, and you can administer it under the Federal aid law, but you must return it by way of deduction of future allotments." So that, as a matter of fact, the Federal Government, under the bill as reported by the committee, would contribute nothing whatever.

Mr. COPELAND. Let me ask the Senator a question. If this measure should be amended as he suggests, would there be any obligation on the States to match this $80,000,000?

Mr. BLAINE. I can not answer for the several States. I know my own State expended in the last fiscal year something like $50,000,000 on highways, an amount almost equal to the sum proposed here to be loaned to the States. In one year the State of Wisconsin, as I recall the figures, spent nearly $50,000,000 on highways. Here the Federal Government is going to spread all over the 48 States an expenditure of only $80,000,000. That is all my amendment provides.

Mr. WAGNER. Mr. President, will my colleague yield?

The PRESIDING OFFICER. Does the senior Senator from New York yield to his colleague?

Mr. COPELAND. Certainly.

Mr. WAGNER. I think the answer to the inquiry of my colleague is that the States under the proposed amendment are not obligated to match the $80,000,000. The $80,000,000 is an outright appropriation by the Federal Government for aid in the construction of State roads, to be allocated as the Federal highway law provides, except that it removes the obligation of the States to match by an equal sum whatever sum the Federal Government contributes.

Mr. COPELAND. I want to call my colleague's attention to the fact that if the bill passes with the amendment proposed by the Senator from Wisconsin, the State of New York will pay $25,000,000 of it in addition to future sums

which are allocated in the usual way for the improvement of highways.

Mr. WAGNER. There is no doubt about that.

Mr. WALSH of Montana. Mr. President, if the Senator will pardon me before we pass from that matter——

Mr. COPELAND. I yield to the Senator from Montana.

Mr. WALSH of Montana. I take very distinct exception to the characterization of this matter as a gift to the States. Under the provisions of the general Federal law we have declared the policy to be that the Government of the United States as well as the States owe an obligation in the matter of the construction of post roads and military roads. That is the basis. Under the existing law the obligation of the Federal Government in that matter has been recognized to be substantially 50 per cent. That is the settled policy of the Government.

In view of a particular emergency which now exists it is suggested that the Federal Government ought to assume a little larger proportion of the burden of constructing these post and military roads. It is not a matter of a gift to the States any more than under the present law a gift of 50 per cent is made to the States. Nobody ever thought of that statute as providing a gift to the States. It contemplates the joint action of the Federal and the State Governments in the construction of those necessary roads, necessary by reason of the development of a means of transportation and the necessities of our people. Here is a crisis just now, and in this particular crisis and for this particular purpose it is suggested by the Blaine amendment that there ought to be a little further contribution toward the general end by the Federal Government.

Another thing, Mr. President, of course we have heard at all stages of this legislation, as well as at all stages of legislation in relation to the income tax, that the State of New York is discriminated against; that it pays a very heavy proportion. So it does. But so good an economist as either of the Senators from that great State will, of course, recognize that that is distributed over the whole country, although it originally comes from taxpayers who happen to reside and make their income-tax returns in the State of New York. Furthermore, they will equally realize that when an industry grows rather large in any one of the States its headquarters are immediately transferred to the city of New York. That has been the case with any number of industries which have been developed in my State and in the neighboring States, and they pay their income taxes not infrequently in the city of New York instead of in the State in which they are domiciled.

I think we ought not to be deterred from doing the right thing in this matter by reason of the fact that in the first instance a very large proportion of the tax is paid in the collection district of the State of New York or the State of Pennsylvania or any other Eastern State.

Mr. WAGNER. Mr. President, will my colleague yield further?

Mr. COPELAND. Certainly.

Mr. WAGNER. The Senator from Montana has not heard me utter a single word of opposition by reason of the fact that New York would be called upon to pay a larger share of the appropriation than it would receive. The generous manner in which the citizens of my State have responded to the call to help the hungry and unsheltered should convince anyone that they stand ready to carry their full portion of the burden of this emergency.

Mr. WALSH of Montana. I was replying to a suggestion made in the course of the debate, but I do not recall whether by the Senator or his colleague, that the State of New York would have to pay $25,000,000 of the $80,000,000.

Mr. WAGNER. No doubt that is true, but that is no ground for opposition. What we are trying to do, as I understand it, is to accelerate, if we can, the construction of public works in order to take up the slack of the economic depression.

Mr. WALSH of Montana. Quite so.

Mr. WAGNER. If we make this $80,000,000 contribution a matter of State aid, so the State would have to match it, are we not going to accelerate the construction of public roads to the amount of $160,000,000 instead of getting only the amount now proposed by the Senator from Wisconsin [Mr. BLAINE] and limiting it possibly to $80,000,000?

Mr. WALSH of Montana. I again insist that the States themselves ought to be permitted to exercise their own discretion about that matter, but the bill itself provides that it need not be met by the States until during a period of five years after 1933, so it does not contemplate the expenditure of $160,000,000 at all, as the bill now stands.

Mr. WAGNER. I am sure the Senator does not mean to make that statement.

Mr. WALSH of Montana. Of course I do.

Mr. WAGNER. It contemplates eventually the expenditure of $160,000,000.

Mr. WALSH of Montana. Not at all.

Mr. WAGNER. The States have to match this amount sooner or later.

Mr. WALSH of Montana. Later it will be taken away from the amount they would be obliged to contribute, so it does not increase the total amount at the end of the period at all.

Mr. WAGNER. It takes from the States the allocation which they otherwise would get.

Mr. WALSH of Montana. At that time they will get just $80,000,000 less, so the aggregate amount will be the same in the end. It simply advances the $80,000,000 which will be spent now instead of being spent in the 5-year period after 1933.

Mr. SMOOT. That is the case if the House provision remains as it is, but if the amendment of the Senator from Wisconsin is adopted, then the States are relieved from that requirement.

Mr. WALSH of Montana. I was simply addressing myself to a statement made by the junior Senator from New York that the bill standing as it is means the expenditure of $160,000,000 instead of $80,000,000. That is not correct.

Mr. SMOOT. No; that is not correct.

Mr. BLAINE. Mr. President, will the Senator from New York yield?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Wisconsin?

Mr. COPELAND. Certainly.

Mr. BLAINE. The Senator made the suggestion that his State would be called upon to pay $25,000,000 of the $80,000,000. If that is an objection on the part of the senior Senator from New York, then the same objection would apply in the same way to the $80,000,000 appropriation as proposed by the committee report. New York will receive its proportionate share under either proposal. It will pay the same amount toward Federal aid under either proposal.

Mr. COPELAND. Mr. President, I am familiar with the argument which I have just heard made in response to a statement of the Senator from New York to the effect that New York pays this large percentage of the taxes. I have heard that argument every time such a suggestion has been made. But what is proposed now is that the States shall get $80,000,000, and there is to be no credit to the Federal Government in the future for this advance. I want the Senate to understand that that is the proposal. It is not an advance to the States. It is a gift to them. If it came to the question of relief of unemployment or an advance such as the bill proposes, I would not object to any amount the Senate might choose to insert in the bill, whether $80,000,000 or $180,000,000; but I think we ought to realize that if we accept the amendment of the Senator from Wisconsin we are taking that much money out of the Treasury which will never be replaced.

Mr. COUZENS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Michigan?

Mr. COPELAND. I do.

Mr. COUZENS. I would like to have the Senator explain how it is a gift, because all other money advanced by the Federal Government for State aid on roads is not returned to the Federal Government. It is simply matched. If it is

a gift under the pending bill, then it is a gift in every appropriation bill. As a matter of fact, it is a gift in either case because the money is never returned to the Federal Government.

Mr. COPELAND. There may be States that will do no work at all and not take advantage of the situation, but they will be taxed just the same and have to pay their proportion. The issue is clear. It is for the Senate to decide whether it will make a free gift of $80,000,000 to the States of the Union or whether it will follow the terms of the bill and have such States as make use of their proportion of the fund charged against future appropriations.

The PRESIDING OFFICER. The amendment as modified will be stated.

The CHIEF CLERK. The Senator from Wisconsin [Mr. BLAINE] proposes to strike out, on page 2, line 10, all after the word "amended," down to the numerals "$80,000,000," in line 12, and to strike out the proviso following the numerals "$80,000,000," and insert the following proviso:

Provided, That the States respectively shall not be required to provide any sum for the purposes contemplated by the said act as a condition of the receipt of any funds hereby appropriated.

So as to read:

For apportionment to the several States under the provisions of the Federal highway act, as amended, $80,000,000: *Provided*, That the States respectively shall not be required to provide any sum for the purposes contemplated by the said act as a condition of the receipt of any funds hereby appropriated.

Mr. JONES. Mr. President, I can only emphasize practically what the Senator from New York [Mr. COPELAND] said. We need not call this a gift to the States. It is a direct appropriation of $80,000,000 to be distributed among the States in accordance with the terms of the highway act, and that is all there is to it. As I said, we need not call it a gift or anything of the kind. It is a direct appropriation to the States of $80,000,000 to be apportioned among them according to the terms of the general highway act. The question is whether the Senate desires to do that.

Mr. GEORGE. Mr. President, may I ask the Senator from Washington a question?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Georgia?

Mr. JONES. Certainly.

Mr. GEORGE. Is it not a mere advance against future appropriations?

Mr. JONES. Not at all. It is a direct appropriation now.

Mr. GEORGE. Is not that the substance of it?

Mr. JONES. That is the proposed amendment.

Mr. GEORGE. It is a direct appropriation, but really in the nature of an advance?

Mr. JONES. According to the amendment which is proposed, the $80,000,000 would simply be a direct appropriation to be apportioned among the States according to the national highway act.

Mr. GEORGE. Oh, according to the amendment proposed by the Senator from Wisconsin?

Mr. JONES. Yes.

Mr. GEORGE. I think the Senator is entirely correct. I thought he was speaking of the original bill.

Mr. JONES. Oh, no; I was speaking of the Blaine amendment.

Mr. GEORGE. Under the original bill is it not a mere advance against future appropriations?

Mr. JONES. That is true; to be immediately available to meet the unemployment situation.

Mr. GEORGE. May I ask the Senator if the actual effect of the bill as it stands will not be the expenditure of as much money as the States are required to spend during the period intervening between 1933 and 1938, five years after 1933, unless the States should voluntarily see fit to contribute?

Mr. JONES. As I understand that statement, I think it is a correct statement of the situation.

Mr. GEORGE. As I interpret it, this advance as made in the bill as reported might result in the expenditure of $80,000,000 less upon Federal-aid highways of the country during the period.

Mr. JONES. After 1933 it is being repaid, not from State treasuries but out of money that we might appropriate under the Federal highway act for the various States.

Mr. GEORGE. Whether the amendment is accepted or rejected, the $80,000,000 becomes immediately available to the States without any action upon their part so far as present matching is concerned?

Mr. JONES. Oh, yes.

The PRESIDING OFFICER. The question is upon agreeing to the amendment proposed by the Senator from Wisconsin.

Mr. BLAINE. Let us have the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. DENEEN (when his name was called). On this vote I have a pair with the junior Senator from North Carolina [Mr. OVERMAN]. I transfer that pair to the junior Senator from California [Mr. SHORTRIDGE] and will vote. I vote "nay."

The roll call was concluded.

Mr. BLEASE. I have a pair with the Senator from Maine [Mr. GOULD]. If he were present, I should vote "yea."

Mr. SIMMONS. I have a general pair with the junior Senator from Massachusetts [Mr. GILLETT], who is absent. I do not know how he would vote if present, but I will transfer my pair to the Senator from Kentucky [Mr. BARKLEY] and vote "yea."

The PRESIDENT pro tempore (after having voted in the negative). The present occupant of the chair has a general pair with the junior Senator from Louisiana [Mr BROUSSARD]. He transfers that pair to the senior Senator from Vermont [Mr. GREENE] and permits his vote to stand.

Mr. WALSH of Montana. My colleague [Mr. WHEELER] is absent on account of illness. If present, he would vote "yea."

Mr. FESS. I desire to announce the general pair of the Senator from Rhode Island [Mr. HEBERT] with the Senator from Maryland [Mr. TYDINGS]. I am not advised as to how either of those Senators would vote on this question were they present.

I also desire to announce the general pair of the Senator from Oklahoma [Mr. PINE] with the Senator from Virginia [Mr. SWANSON].

Mr. SHEPPARD. I wish to announce that the Senator from Kentucky [Mr. BARKLEY] and the Senator from Iowa [Mr. STECK] are necessarily absent from the city.

I also desire to announce that the Senator from Louisiana [Mr. RANSDELL], the Senator from Missouri [Mr. HAWES], the Senator from Florida [Mr. TRAMMELL], and the Senator from Maryland [Mr. TYDINGS] are absent from the Senate on official business.

The result was announced—yeas 32, nays 43, as follows:

YEAS—32

Ashurst	Dill	La Follette	Sheppard
Black	Frazier	McKellar	Shipstead
Blaine	Harris	McMaster	Simmons
Brookhart	Harrison	Norbeck	Smith
Caraway	Hayden	Norris	Stephens
Connally	Heflin	Nye	Thomas, Idaho
Couzens	Howell	Pittman	Walsh, Mont.
Cutting	Kendrick	Robinson, Ark.	Williamson

NAYS—43

Bingham	George	Keyes	Robinson, Ind.
Brock	Glass	King	Schall
Bulkley	Glenn	McGill	Smoot
Capper	Goff	McNary	Steiwer
Carey	Goldsborough	Metcalf	Townsend
Copeland	Hale	Morrow	Vandenberg
Dale	Hastings	Moses	Wagner
Davis	Hatfield	Oddie	Walcott
Deneen	Johnson	Patterson	Walsh, Mass.
Fess	Jones	Phipps	Watson
Fletcher	Kean	Reed	

NOT VOTING—21

Barkley	Gould	Ransdell	Tydings
Blease	Greene	Shortridge	Waterman
Borah	Hawes	Steck	Wheeler
Bratton	Hebert	Swanson	
Broussard	Overman	Thomas, Okla.	
Gillett	Pine	Trammell	

So the amendments proposed by Mr. BLAINE were rejected.

Mr. COUZENS. Mr. President, I send an amendment to the desk, which I ask to have the clerk read. It should come in following the word "appropriations," in line 13, on page 4.

The PRESIDENT pro tempore. The Senator from Michigan offers an amendment, which will be stated.

The CHIEF CLERK. On page 4, line 13, after the word "appropriations," it is proposed to insert:

Provided, That every contract made under the provisions of this bill to which the United States, any Territory, or the District of Columbia is a party, and every such contract made for or on behalf of the United States or any Territory or said District which may require or involve the employment of laborers or mechanics shall contain a provision that the contractor or any subcontractor contracting for any part of said work contemplated shall employ as laborers or mechanics only persons who have been living for at least 90 days prior to the commencement of said work of the district, city, town, or village within which such work is being done, if being done within a district, city, town, or village, or of the State or Territory within which the work is being done if outside the limits of a district, city, town, or village, if such laborers or mechanics are available within such district, city, town, village, State, or Territory.

Every such contract shall further provide that any such contractor or subcontractor shall pay to each laborer or mechanic doing any part of the work contemplated by the contract in the employ of the contractor or any subcontractor contracting for any part of said work contemplated not less than the highest rate of wages for the class of work to be done by said laborer or mechanic prevailing in the district, city, town, or village within which said work is being done, if within a district, city, town, or village, or in the State or Territory (outside of cities, towns, and villages therein) if the work is not being done within a district, city, town, or village. The word city shall include any incorporated city and its suburbs.

That the provisions of section 1 of the act of June 19, 1912 (37 Stat. 137), commonly known as the 8-hour law, as to penalties, reports of violations by inspectors, withholding of penalties, and appeals shall apply in all cases of violations of the provisions of this bill.

That the provisions of section 2 of the act of June 19, 1912 (37 Stat. 137), shall apply to the provisions of this bill.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Michigan.

Mr. COUZENS. Mr. President, if the Senator from Oregon desires that the Senate take a recess or adjournment soon, I should like to have him make the motion now rather than go ahead with the pending amendment.

Mr. McNARY. Mr. President, the Senator from Washington [Mr. JONES] is in charge of the bill, and it is far from my desire to have it taken away from him. I should like to have his view regarding the suggestion.

Mr. JONES. Whatever the Senator from Oregon would like to do is entirely agreeable to me. I had hoped that we would be able to dispose of the pending measure to-day, but I assume, from what the Senator from Michigan says, that his amendment will require some considerable time, and, if the Senator desires a recess at this hour, well and good.

Mr. McNARY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Michigan yield to the Senator from Oregon?

Mr. COUZENS. I yield.

RECESS

Mr. McNARY. I understand the Senator from Michigan is not prepared to go forward to-night with the discussion of his amendment, but desires to have it printed and lie on the table. Therefore, I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 30 minutes p. m.) the Senate took a recess until to-morrow, Thursday, December 11, 1930, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate December 10 (legislative day of December 9), 1930

SECRETARY IN THE DIPLOMATIC SERVICE

George D. Andrews, jr., of Tennessee, now a Foreign Service officer, unclassified, and a vice consul of career, to be also a secretary in the Diplomatic Service of the United States of America.

DISTRICT ATTORNEY OF THE CANAL ZONE

Joseph J. McGuigan, of Pennsylvania, for appointment as district attorney of the Canal Zone, provided for by the Panama Canal act, approved August 24, 1912, as amended, vice Charles J. Riley, resigned.

REGISTER OF THE LAND OFFICE

Henry A. Morgan, of Arizona, to be Register of the Land Office at Phoenix, Ariz. (Reappointment.)

RECORDER OF DEEDS, DISTRICT OF COLUMBIA

Jefferson S. Coage, of Delaware, to be recorder of deeds, District of Columbia, to succeed Arthur S. Froe, resigned. (Mr. Coage is now serving under a recess appointment.)

CONFIRMATIONS

Executive nominations confirmed by the Senate December 10 (legislative day of December 9), 1930

MEMBER OF THE BOARD OF MEDIATION

Samuel E. Winslow to be a member of the Board of Mediation.

MEMBER OF THE INTERSTATE COMMERCE COMMISSION

Frank McManamy to be a member of the Interstate Commerce Commission.

PUBLIC HEALTH SERVICE

Clinton T. Messner to be senior dental surgeon.
Robert L. Robinson to be dental surgeon.
Ralph E. Tarbett to be sanitary engineer.
Leslie C. Frank to be sanitary engineer.
Edgar B. Scott to be assistant pharmacist.
Edwin M. Holt to be assistant pharmacist.
William C. Billings to be medical director.
Gustave M. Corput to be medical director.
John S. Boggess to be medical director.
John T. Burkhalter to be medical director.
Edward R. Pelikan to be passed assistant surgeon.
Ralph B. Snavely to be passed assistant surgeon.
Langdon R. White to be passed assistant surgeon.
Joseph F. Van Ackeren to be passed assistant surgeon.
Warren F. Draper to be senior surgeon.
Lewis R. Thompson to be senior surgeon.
William C. Parker to be passed assistant dental surgeon.
James F. Lewis to be assistant dental surgeon.
Charles Wardell Stiles to be medical director.
William S. Terriberry to be medical director.
Joseph A. Le Prince to be senior sanitary engineer.
Thomas H. D. Griffitts to be surgeon.
William L. Smith to be surgeon.
Oswald E. Denney to be surgeon.
Oliver C. Wenger to be surgeon.
Stephen A. De Martini to be surgeon.
John M. Lowrey to be surgeon.
Egbert M. Townsend to be surgeon.
Norman Y. Hooper to be dental surgeon.
Alf Einar Nannestad to be dental surgeon.
Robert C. Stewart to be dental surgeon.
William T. Wright to be dental surgeon.
Frank C. Cady to be dental surgeon.
Ozias Paquin, jr., to be dental surgeon.
Daniel B. Newell to be dental surgeon.
Charles W. Wekenman to be dental surgeon.
Eugene C. Stamm to be dental surgeon.
Stanmore P. Marshall to be dental surgeon.
Willam O. Boss to be dental surgeon.
H. Trendley Dean to be dental surgeon.
Carl Pickett to be passed assistant dental surgeon.
Frederick W. Harper to be passed assistant dental surgeon.
Allen M. Perkins to be passed assistant dental surgeon.
John K. Hoskins to be sanitary engineer.
Harold W. Streeter to be sanitary engineer.
Harry R. Crohurst to be sanitary engineer.
Harry B. Hommon to be sanitary engineer.
Abraham W. Fuchs to be sanitary engineer.
William H. W. Komp to be sanitary engineer.

Lawrence M. Fisher to be sanitary engineer.
Howard N. Old to be sanitary engineer.
Frank R. Shaw to be sanitary engineer.
Leonard Greenburg to be sanitary engineer.
Arthur L. Dopmeyer to be passed assistant sanitary engineer.
Edmund C. Sullivan to be passed assistant sanitary engineer.
Arthur P. Miller to be passed assistant sanitary engineer.
Frederic J. Moss to be passed assistant sanitary engineer.
John R. Murdock to be passed assistant surgeon.
Elmer A. Carberry to be passed assistant surgeon.
Roy R. Jones to be passed assistant surgeon.
Calvin C. Applewhite to be passed assistant surgeon.
Roy E. Bodet to be passed assistant surgeon.
Frank V. Meriwether to be passed assistant surgeon.
Walter G. Nelson to be passed assistant surgeon.
Hiram J. Bush to be passed assistant surgeon.
Houston G. Foster to be passed assistant surgeon.
Samuel J. Hall to be passed assistant surgeon.
Edgar W. Norris to be passed assistant surgeon.
Donald P. Ross to be passed assistant surgeon.
Aubrey E. Snowe to be passed assistant surgeon.
Richard B. Holt to be passed assistant surgeon.
Henry A. Johnson to be passed assistant sanitary engineer.
Omar C. Hopkins to be assistant sanitary engineer.
William L. Stearns to be assistant pharmacist.
Frank L. Gibson to be assistant pharmacist.
Newton C. Comfort to be assistant pharmacist.
Carl Stier to be assistant pharmacist.
Clarence H. Bierman to be assistant pharmacist.
Walter H. Keen to be assistant pharmacist.
Raymond D. Kinsey to be assistant pharmacist.
Thomas C. Armstrong to be assistant pharmacist.

POSTMASTERS

GEORGIA

Gladys E. Love, Marshallville.

MAINE

Edward H. Snow, Blue Hill.
Harland G. Hoffses, Jefferson.
Nettie A. True, New Gloucester.

RHODE ISLAND

Oscar R. Parr, Chepachet.
James F. Harrod, Wallum Lake.

WISCONSIN

Edgar Leissring, New Butler.

HOUSE OF REPRESENTATIVES

WEDNESDAY, DECEMBER 10, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, the creator of all things holy and eternal, we would learn of Thee. Teach us, Father, that there is no way to a higher and nobler life except the path of duty and the fulfillment of the offices of a good man and an honest citizen. Make these our passion and our pride, for if we fail our labor will be like a cast-off scroll—unread forever. Do Thou protect us as a nation from blind drift and the sunless gulfs of anarchy, and fortify us with wisdom and the knowledge of the truth. Subdue and defeat the misguided and rebellious aliens of our country who would substitute for our representative government the false network of communistic vagaries and cause the social order to be overwhelmed and cast into fresh confusion. O God, stay Thou the elements in our land whose purpose is godless and whose plans are perilous. We are so grateful to-day for the symbolic teaching of our flag—with its stars of light, with its bars of white, and with the red of our Nation's sacrifice. We lift it to-day as an emblem of all that is great and holy in the magna charta of our Christian faith, and may it become an abiding reality at the very heart of the Republic. Amen.

The Journal of the proceedings of yesterday was read and approved.

DROUGHT-RELIEF RESOLUTION

Mr. ASWELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ASWELL. Mr. Speaker, in view of the fact that the Senate has passed the drought-relief resolution, the House Committee on Agriculture has reported it; and in view of the pressing emergency which exists, would it not be the proper course for the House to take up the Senate resolution and table the House report at this time.

The SPEAKER. It could only be done by unanimous consent.

Mr. ASWELL. Will the Speaker recognize any Member other than the chairman to make that request?

Mr. SNELL. Is not that rather unusual?

Mr. TILSON. In the absence of the chairman of the Committee on Agriculture, I do not think the gentleman from Louisiana ought to press this matter. The gentleman from Iowa seems not to be on the floor just at this moment.

Mr. ASWELL. Does not the gentleman recognize the emergency and the importance of immediate action?

The SPEAKER. As a matter of fact, the Senate bill is not before the House.

Mr. ASWELL. Is that the Speaker's ruling?

The SPEAKER. The bill has not been messaged over.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 211. Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States.

Mr. ASWELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. ASWELL. To make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ASWELL. Is the Senate bill now before the House?

The SPEAKER. The Senate bill is on the Speaker's table.

Mr. ASWELL. Will the Speaker recognize any Member other than the chairman to make a request to take up the Senate bill now?

The SPEAKER. The Chair has always endeavored to maintain the dignity of Calendar Wednesday in so far as possible, and, therefore, would not be inclined to recognize any gentleman to make such a request, in view of Calendar Wednesday business.

CALENDAR WEDNESDAY

The SPEAKER. To-day is Calendar Wednesday, and the Clerk will call the committees.

Mr. SANDERS of New York (when the Committee on the Post Office and Post Roads was called). Mr. Speaker, I call up the bill (H. R. 6603) to provide a shorter workday on Saturday for postal employees, and for other purposes, which bill is on the Union Calendar.

The SPEAKER. The gentleman from New York calls up a bill, which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER. This bill is on the Union Calendar.

Accordingly the House automatically resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6603) to provide a shorter work day on Saturday for postal employees, and for other purposes, with Mr. HOOPER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6603, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That hereafter when the needs of the service require supervisory employees, special clerks, clerks, and laborers

in first and second class post offices, and employees of the motor-vehicle service, and carriers in the City Delivery Service and in the village delivery service, and employees of the Railway Mail Service, to perform service in excess of four hours on Saturday they shall be allowed compensatory time for such service on one day within five working days next succeeding the Saturday on which the excess service was performed: *Provided*, That employees who are granted compensatory time on Saturday for work performed the preceding Sunday or the preceding holiday shall be given the benefits of this act on one day within five working days following the Saturday when said compensatory time was granted: *Provided further*, That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime for service in excess of four hours on the last three Saturdays in the calendar year in lieu of compensatory time: *And provided further*, That for the purpose of extending the benefits of this act to railway postal clerks the service of said railway postal clerks assigned to road duty shall be based on an average not exceeding 7 hours and 20 minutes per day for 306 days per annum, including a proper allowance for all service required on lay-off periods as provided in Post Office Department circular letter No. 1348, dated May 21, 1921; and railway postal clerks required to perform service in excess of 7 hours and 20 minutes daily, as herein provided, shall be paid in cash at the annual rate of pay or granted compensatory time, at their option, for such overtime.

With the following committee amendments:

On page 1, in line 3, strike out the word "hereafter."

On page 2, in line 20, strike out the figures "21" and insert "12."

On page 3, after the word "time," in line 1, insert: "This act shall take effect at the beginning of the second quarter after its passage."

And amend the title.

Mr. MEAD. Mr. Chairman, before we go into this matter I would like to have some arrangement made as to time.

The CHAIRMAN. Under the rule there are two hours for general debate, one hour to be controlled by the gentleman from New York and one hour to be controlled by whoever may be in opposition to the bill and who desires recognition, preference, of course, being given to members of the committee.

Mr. MEAD. There are no members of the committee here who are opposed to the bill, and as the ranking minority member of the committee I ask for recognition.

The CHAIRMAN. Is there any member of the committee who is opposed to the bill and who desires recognition under the rule? If not, the Chair will recognize the gentleman from New York [Mr. MEAD].

Mr. MEAD. For how long?

The CHAIRMAN. For one hour, under the rule.

Mr. SANDERS of New York. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY. Mr. Chairman and members of the committee, this measure provides for a 44-hour week in the Postal Service. At present postal employees work on a basis of 8 hours a day 6 days a week, or 48 hours a week.

There has been no change in hours of labor for postal employees for 18 years. In 1913 the measure known as the "8 hours in 10" went into force.

Under this measure postal employees who are required to work on Saturday afternoons will, wherever possible, be given a compensating period of leisure during the next five days. Thus there will not be curtailment of service and yet each worker will have a working week four hours shorter than at present.

Since 1924 the Post Office Department has encouraged the practice of granting a half day off on Saturday wherever the postmaster decided it could be effected. The last regulation on the subject was issued on March 18, 1930, and was as follows:

Postmasters at first and second class offices are requested to arrange such curtailment of work on Saturdays as is consistent with the lesser amount of mail received Saturday afternoons and the custom of early closing by local business houses.

In many offices it has been found possible to maintain adequate service on Saturdays with clerical and carrier schedules reduced to 4, 5, and 6 hours, thus by good management providing a partial half holiday without any material increase in operating expense.

A study of each section in these offices will reveal that while no uniform hours of service on Saturdays can be established, it is possible to arrange schedules so as most employees can be given a shorter tour. In communities where it is the custom of business houses to close at noon on some day of the week other than Saturday postmasters should curtail accordingly and require full time on all other days.

ARCH COLEMAN,
First Assistant Postmaster General.

With discretion in the hands of many individuals varying conditions were inevitable. In perhaps one-fourth of the offices affected the employees were granted the half holiday on Saturday. Complaints from those who did not have the same schedule as these more fortunate workers have been coming in. There is but one way to equitably and permanently deal with the situation, and that is by legislation which gives to every worker what some enjoy as a matter of favor.

The expense involved will depend upon the number of additional employees needed to absorb the time which can not be covered by granting compensatory time. No one can accurately estimate that expense. The fact that one-fourth of the offices have established the system without any additional cost would indicate that when the entire service is covered the expense will not be great.

However, every dollar spent will go as wages to those who would not otherwise be employed. If the estimate of a former First Assistant Postmaster General is correct, it will require $6,000,000 to give every worker in the service a 44-hour week and pay the additional employees necessary to perform all the service required.

Mr. Chairman, there are two unanswerable arguments for the enactment of this bill without delay. One is that through increased efficiency and productivity these workers have well earned this reduction in hours. That argument I stressed especially in my report on a similar bill when it was placed on the House Calendar in the Seventieth Congress, February 9, 1929.

Another argument now is just as compelling. That is that shorter hours in all industry is an economic necessity and the United States Government should set the example now.

As to the increased productivity, a marvelous showing has been made by postal workers in the past 17 years. It can be calculated through comparison of revenues and also pieces handled.

In 1913 the total postal personnel, including all having contractual relations, was 301,714. These employees brought in $266,619,000.

In 1930 exactly the same number of workers produced $580,000,000 in revenue.

Thus, measured by revenues, the postal worker of 1930 produced more than twice as much revenue as in 1913. In other words, the average worker in 1930 did as much in one hour as the postal worker of 1913 accomplished in two hours. A 24-hour work week in 1930 would have meant more production than a 48-hour week 17 years earlier. Surely everyone will admit that such a record is warrant for at least a reduction of four hours per week.

Perhaps some will argue that conditions in 1913 were so different that they should not be compared with 1930. The fact is that in 1913 the speed, precision, and efficiency with which the mails were handled made a record which amazed all who observed the system in operation.

However, that was under pre-war conditions, so let us take a later date. Charles F. Trotter, superintendent of post-office service, in a public address in 1929 said:

Eight years ago, on July 1, 1921, there were 66,789 employees in first and second class post offices, including clerks, supervisory employees, but not including letter carriers or motor-vehicle service employees. That was one employee for every $6,050 of postal receipts. On the same date in 1928 there were 78,133 employees, or one for every $7,930 of postal receipts. In other words, in 1928 each employee, through greater industry and increased efficiency, and there can be no other explanation of it, was turning out 31 per cent more work than in 1921.

Let me state it another way. If the output per capita had been the same in 1928 as it was in 1921, then in 1928, instead of having 78,133 employees, we would have needed 102,354, or 24,221 more than were actually used to carry on the work. That means we made a saving of 24,221 employees on account of increased efficiency. That great saving can not be ascribed to the introduction of labor-saving devices introduced into the service in those seven years. The credit belongs to the men and women of the service.

Mr. Chairman, that is a clear-cut statement from a postal administrator with many years of personal contact with the service. If his calculations had covered the entire postal personnel the results would have shown the same tremendously increased productivity.

Gen. Herbert M. Lord, Director of the Budget for seven years, added his testimony to the remarkable record made by the service in the postwar period. Here is what he said:

> During the Budget period prodigious economies have been made by the Postal Service. For instance, revenues at first and second class offices increased from $404,000,000 in 1921 to $632,000,000 in 1928, a rise of more than 55 per cent. The clerical man power to take care of this increase was increased less than 17 per cent.
>
> Fifty-five per cent increase in business handled by a 17 per cent increase in personnel is a pretty good record, it seems to me, a record some of our big private institutions would be glad to make.

It must be remembered that this increase in production was due to human efficiency not automatic machinery. In other industries the increased use of power and mechanical aids is given as the main reasons for greater production. Inventive genius has not yet evolved any mechanical contrivance which will read the addresses on letters and postal cards, and the power which handles and distributes mail matter is still man power.

Yet if we consider all increases in compensation since 1913 and count in this reduction of working hours contemplated by this bill, the increased productivity of postal workers has paid for it all.

Quietly and with marvelous accuracy these workers have joined hands in the task of producing an all-inclusive service for every American. They have absorbed added costs without spectacular display but as a matter of course. In all justice they should have what they have so well earned. The laborer in the Postal Service is worthy of his hire and his fair share of the benefits of his increased production.

Shall we hesitate at estimates of cost? The only reason we do not now have an army of 750,000 postal employees is that every worker has doubled his output in the past 15 years. There are 371,000 postal workers in 1930 and the savings involved should be shared with those who did the work.

Nor should anyone hesitate to take this worthy action because of a so-called deficit. Congress has wisely acted in the past upon the fundamental policy that the Post Office Establishment is for service and not for profit. It has established new services which meant greater benefits to every American, but they did not pay for themselves. One act alone would wipe out the entire so-called deficit—the elimination of the Rural Free Delivery Service. It means the loss of more than $50,000,000 a year. Yet not one Member of Congress would vote for such a destructive proposal. There are other losing services which could be eliminated, but no such action will be taken or should be taken.

Then let us not permit a so-called deficit in postal finances to bar postal workers from the possession of the shorter hours they have so faithfully earned.

Mr. Speaker, this measure has been before the Post Office Committee for a number of years. In the last Congress it was passed by the Senate and then favorably reported by the House committee. It was not voted upon in the House but remained on the calendar when the Seventieth Congress adjourned.

In this Congress the bill was favorably reported early in the last session. Among the determining factors in the action of the committee was one of the most comprehensive arguments for the 44-hour week that has ever been printed. It was the brief prepared under the direction of Thomas F. Flaherty, representing the National Federation of Post Office Clerks; William M. Collins, representing the National Railway Mail Association; and Edward Gainor, representing the National Association of Letter Carriers. Every possible objection was considered and carefully weighed. Finally, as a measure of justice, it was agreed that it should be enacted. The committee believes that there can be no valid objection to this measure.

Mr. CLARKE of New York. Will the gentleman permit a question?

Mr. KELLY. Certainly.

Mr. CLARKE of New York. Do I understand that this bill, in shortening the hours of work, will not mean any increased cost to the Government? I am sympathetic toward the measure, but I would like to ask the gentleman that question.

Mr. KELLY. It will certainly mean increased cost in the operation of the Postal Service.

Mr. CLARKE of New York. Has there been any estimate made of that?

Mr. KELLY. I already mentioned that; but I will say that the Post Office Department estimated that by putting on additional workers to cover the four hours decrease the cost would be approximately $13,000,000. The committee has controverted that estimate and has pointed to the fact that the Saturday half holiday is now given in about one-fourth of these offices without a cent's additional cost. I believe this worthy and progressive step can be taken without any necessity for expending more than $6,000,000 and without the slightest curtailment of present service. Also every additional dollar goes to a worker who is now either unemployed or without sufficient employment to enable him to live on a proper standard.

Mr. O'CONNELL. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. O'CONNELL. As a matter of fact, are we not following the methods now employed by the great commercial industries of the country?

Mr. KELLY. Yes; we are getting in line with modern industrial progress and setting an example to nonprogressive industry as well.

Mr. LANKFORD of Virginia. Will the gentleman yield?

Mr. KELLY. Certainly.

Mr. LANKFORD of Virginia. I am in favor of the gentleman's bill and I think it ought to pass, but will this mean additional employment or will it mean additional overtime for the men in the department who work on Saturdays?

Mr. KELLY. It will mean additional employment and not additional overtime.

Mr. LANKFORD of Virginia. What happens to the man who is already in this employment and works on Saturday by request?

Mr. KELLY. By the terms of the bill he gets compensatory time off within the next five days wherever that is possible.

Mr. LANKFORD of Virginia. He does not get any additional money?

Mr. KELLY. Not if the compensatory time is granted him; and, of course, that will be carried out wherever possible.

Mr. LANKFORD of Virginia. Is all this additional work to be done by new men or by additional employees?

Mr. KELLY. It will be performed by substitutes now on the eligible list, who are in most instances working only a few hours. This will benefit a great many of these apprentices of the Postal Service.

Mr. GIBSON. Will the gentleman yield for a question?

Mr. KELLY. Yes.

Mr. GIBSON. What are the hours of employment for the departmental employees here in Washington now?

Mr. KELLY. The work week for departmental employees in Washington now is 42 hours. Even under the terms of this bill postal employees in the field service will work 44 hours.

Mr. GIBSON. Is it not true that at certain periods four hours are taken off for holidays?

Mr. KELLY. Yes; during the summer season the Saturday half holiday reduces the working hours of departmental employees here in Washington.

Mr. IRWIN. Will the gentleman yield?

Mr. KELLY. Yes; I yield.

Mr. IRWIN. This bill relates to the carriers in cities and villages, but not to the rural carriers?

Mr. KELLY. It can not be applied to rural carriers since they are not on an hourly basis.

Mr. HALE. Will the gentleman yield?

Mr. KELLY. Certainly.

Mr. HALE. I want to say that I am in favor of the bill, but I would like to ask the gentleman how many men will this measure give employment to—25,000?

Mr. KELLY. Yes; it will mean additional hours to that number of substitutes. If the cost is $6,000,000, you can see that it will give additional work to a large number and every dollar goes to a worker.

Mr. SNELL. Will the gentleman yield?

Mr. KELLY. I will be glad to yield to the gentleman.

Mr. SNELL. The Post Office Department will have a deficit of $98,000,000, will it not?

Mr. KELLY. The postal deficit for 1930 is $58,000,000.

Mr. SNELL. I thought there was a report that it was $98,000,000.

Mr. KELLY. There is confusion because of the fact that there is segregated the amount of $40,000,000, which is expended for various nonpostal and free services. The actual deficit is $58,000,000.

Mr. SNELL. Has the gentleman taken into consideration where this money is to come from?

Mr. KELLY. If the gentleman will remain with us he will see how zealously the Post Office Committee has worked to increase postal revenues by the bills which follow this one. We have measures ready which will raise approximately the amount to cover this cost if we can secure their passage.

Mr. SNELL. Briefly, what are they?

Mr. KELLY. We have additional fees for receipt cards in registered mail matter; charges for inquiries as to C. O. D. registered mail and money orders; an additional charge for money orders paid at other than the office specified; a new service as to directory service and a charge therefor and others. These measures have the unanimous support of the Post Office Committee, and I hope the gentleman will help us enact them into law.

Mr. CLARKE of New York. Will the gentleman yield further?

Mr. KELLY. Certainly.

Mr. CLARKE of New York. The gentleman does not include the raise to 2½ cents on first-class mail?

Mr. KELLY. No; I do not, and I am confident that Congress will not adopt any such suggestion. [Applause.]

Now, Mr. Chairman, I have proved that the workers engaged in the vital industry of furnishing postal service to the people have earned a reduction in their working hours by their increased productivity. If nothing else were involved than rendering a just award to a group of workers who have faithfully earned it, there should be no hesitation in establishing the 44-hour work week in this great service.

However, there is another reason which is all compelling. Any government which is worthy of the name must be deeply interested in the solution of the most tragic problem of to-day—that of unemployment. The spectacle of three and a half million men, able and willing to work, but denied the opportunity, is one which challenges every official in public place.

Unemployment lies at the root of every social problem. Society demands labor and it imposes penalties for beggary and pauperism. Then there is responsibility for making every possible effort to make sure of a job for every man.

Judging from statements appearing in newspapers, magazines, and books, it is a case of writing your own ticket as to the causes of the present unemployment. I have tabulated some seventeen different reasons given by economists and near economists. Some are sound and some are fantastic.

One fact, however, is accepted by everyone who has thought about this question at all. You will hear it stated by every worker in the land as well as by the writers of books. It is that the displacement of men by machines has led to unemployment.

Of course, that is no new thing in itself, but never in the history of the world has the process been so rapid as in the last 12 years. To-day it is a fundamental and permanent factor, and all the thoughtless optimism that in the long run it will work itself out is simply heartless disregard of human needs. Nor will such remedies as labor exchanges, unemployment insurance, stabilization, or confidence entirely meet the situation.

Increased production with decreased working force has reached the danger point. Shorter hours with no reduction in wages is a step which must be taken.

Think of the record. Between 1919 and 1925 the available per capita production in all industries in the United States increased 39 per cent. Between 1925 and 1929 it increased another 25 per cent.

At the same time the number of workers in factories was 1,250,000 less in 1928 than in 1923. Taking in farming, railroading, and mining, there were 2,300,000 fewer workers in 1928 than in 1923.

Production mounted side by side with employment decreasing. These are the factors which demand adjustment.

The results of such a situation face us in every city and hamlet. There is a vicious circle which affects every American. The workers who are dropped from the pay roll can not buy the products of their own and other factories. That means the dismissal of other men who join the ranks of those without purchasing power. The merchant can not sell goods and therefore can not buy from wholesaler and manufacturer. Round and round it goes, bringing increasing injuries with every revolution.

Mr. Chairman, we can produce much more than we now consume. Here is no question of famine as in the olden days—it is the problem of plenty. But it does not follow that we can produce more than Americans need and want. The trouble is that potential buyers do not have the money to purchase the products they really want and need.

Nothing will cause an effective demand for the products of American farms and factories, upon which employment depends, except money in the hands of the workers.

We know that we have the power to produce in this country all the necessaries and comforts required to enable every American to maintain a reasonable scale of living. We are not doing it because so many do not have the purchasing power to secure those products.

The only way to restore that purchasing power is through jobs. And the way to make jobs for more men is to cut the working hours of those engaged in production to the point where consumption will balance production.

The great task is to start the upward spiral toward genuine prosperity. That is done by giving employment to workers who have been idle. That newly employed man spends his wages with retail dealers for the things he needs for himself and family. The dealers buy more goods from the wholesalers, who in turn buy more goods from manufacturers. They hire more workers to produce the goods. This means the purchase of more raw materials, which takes more labor to produce and more men and women to pack and ship. Freight-car loadings increase, which means more men on the railroads, more clerks to keep records. All these people with jobs have money to spend on food and clothes and other necessaries and comforts. As they spend they increase the demand, giving employment to more and more workers.

Every additional worker required by shortening hours, under our present system of mass production, automatically becomes a force to start this upward spiral and keep it in motion.

Shorter working hours mean additional leisure, and this is an important factor in balancing production and consumption.

The committee on recent economic changes, which was headed by President Hoover, then Secretary of Commerce, made a valuable report covering many features of the present industrial system.

Walter F. Brown, now Postmaster General, was second man on this committee, and without doubt aided in the preparation of the report and agrees to its conclusions.

Here is one statement from that report which bears directly on this great question of shorter working hours in the Postal Service and in industry as a whole:

Closely related to the increased rate of production-consumption of products is the consumption of leisure.

It was during the period covered by the survey that the conception of leisure as "consumable" began to be realized upon in business in a practical way and on a broad scale. It began to be recognized not only that leisure is "consumable," but that people can not "consume" leisure without consuming goods and services, and that leisure which results from an increasing man-hour productivity helps to create new needs and new and broader markets.

During the period covered by the survey the trend toward increased leisure received a considerable impetus. The work week was shortened in the factory by better planning and modern machinery; and the work day was shortened in the home by the increased use of time and labor saving appliances and services.

Few of the current economic developments have made such widespread changes in our national life or promise so much for the future as the utilization of our increasing leisure.

Mr. Chairman, the work week in the Postal Service has not been shortened during the entire period of these recent economic changes. At the least, we should do what we can to help the development which "promises so much for the future."

Let us suppose that our action will be followed by all industry and governmental subdivisions.

There were, in 1927, 31,797,000 wage and salary earners in private industry. There were 2,819,000 public employees in Federal, State, and municipal governments. The total of all workers was 34,616,000.

In some industries working hours still remain much above the mark of 48 per week and in some industries they are lower than that figure. If we assume that all these workers are now employed 8 hours a day for six days a week, the change to the 44-hour week would reduce the working time by 8.35 per cent. If the working force were increased to make up for this reduction the increase in employment would be 2,608,000 in private industry and 235,000 in public employment, or a total of 2,843,000.

These additional employees would have new purchasing power demanding added production. The average yearly earnings for all salaried and wage workers in private industry in 1927 was $1,379. At that same average the new employees would earn approximately $3,000,000,000 a year. The average yearly earnings of all public employees in 1927 was $1,585. At that same average the new workers would receive $362,475,000, making a total increase for all new employees of $3,362,475,000.

Of course, whatever number of new public employees were required, there would be no increase in production of goods to offset the new buying power. Their earnings would mean an equal reduction in the existing volume of so-called overproduction. However, in the long run, judging from past experience, reduction in working hours would not decrease production.

But while the adjustment was being made there would be no great increase in production, and with a better adjustment of distribution generally the standard of living could be moved up to the level of increased efficiency. This would use up a part of the surplus which is now such a problem and point the way which should be taken to deal with it in the future.

Mr. Chairman, the old-time economists taught that the welfare of the worker could only be secured at the expense of the welfare of the employer or the consumer. That was not an economic law but an economic lie.

President Hoover has repeatedly assailed such a doctrine of despair. Let me quote his words:

During these past years we have grown greatly in the mutual understanding between employer and employee. We have seen a growing realization by the employer that the highest practicable wage is the road to increased consumption and prosperity, and we have seen a growing realization by labor that the maximum use of machines, of effort, and of skill is the road to lower production costs and in the end to higher real wages. (Address of acceptance, August 11, 1928.)

I wish to lay down the proposition that the very prerequisite, the very foundation, of economic progress to our industrial and business employees is full and stable employment. A continued surplus of unemployed workers means decreasing wages, increasing hours, and fear for the future. To protect labor, to maintain its prosperity, to abolish poverty, we must so organize our economic system as to provide a job for all who have the will to work.

The new economic doctrine is urged by President William Green, of the American Federation of Labor. Here is what he says:

As the worker's productivity increases his wages first of all must increase in proportion in order that they shall help to absorb this increased output. Secondly, there must be a progressive reduction of the hours of labor, so that men and women may have time to rebuild exhausted physical energies. This is more than ever important in the highly specialized processes of modern industry, where speed and monotony tax physical resistance to the utmost. With these two safeguards the physical resistance of the workers can be conserved and the foundation laid for the higher development of spiritual and intellectual powers.

America has had repeated experience with industrial depressions to which wage reductions have contributed. We have been often confronted with the challenging situation of workers clamoring for work on one hand and on the other hand manufacturing establishments, equipped for work and with materials in supply, but no orders because there was no purchasing demand. In the face of this situation wage reductions seem to indicate lamentable intellectual inadequacy.

But in the past decade a different policy has been proving itself. America is now known as the land of high wages and industrial efficiency. It should also be known as the land of short hours, for short hours and efficiency go together wherever the right adjustment has been made.

Mr. Chairman, shorter hours are an economic necessity. There will be no permanent cure for unemployment until this step is taken. The army of unemployed will remain, even under the best of conditions, unless this step is taken by industry. And the sooner that step is taken the better it will be, not only for the unemployed but also for those leaders in industry who now have control of the great industrial system. Unless they earnestly attack this great problem of making better opportunities for working and living decently on the part of the common man in America, they must be branded as failures.

This Congress also has its responsibility. Here is a chance to set the example of shorter hours as applied to the workers in the biggest single enterprise in the world, the United States Postal Service. Refusal to act is proof of incompetence. Our action will prove that we do not propose to sit supinely by while the great mechanical system that has been built up works injury to men and women and little children. I believe this bill will be passed without a single dissenting vote.

Let us here and now establish the shorter work week in this industry in our charge. Then we may confidently expect private industry to follow in the path toward the goal every right-thinking American seeks, the time when there shall be a job for every man able and willing to work. [Applause.]

Mr. SANDERS of New York. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. HOGG].

Mr. HOGG of Indiana. Mr. Chairman and Members of the House, the Personnel Classification Board reported to the Seventieth Congress (H. Doc. No. 602) that it had investigated the practices of 1,372 firms employing 446,623 workers, and found that—

There is a marked tendency to work short hours on Saturday throughout the entire year. Some offices close for the entire day in the summer months. Seventy-three per cent of the offices, employing 85 per cent of the total number of employees reporting, close at or before 1 o'clock Saturday afternoon. Only a little over 10 per cent of the employees received no time at all off on Saturday.

The American Management Association recently made a survey covering 304 establishments with a total of more than 174,000 office employees, and discovered that the working day on Saturday averaged slightly over four hours. Only 51 per cent of the offices worked longer hours in winter than in summer. Several reported closing all day Saturday in summer.

The Bureau of Labor Statistics of the Department of Labor has compiled the following facts showing the working hours of various kinds of union labor in the United States in 1928:

Average hours per week and per cent of trade-union members, by trade groups, working each classified number of hours per week, May 15, 1928

Trade group	Average hours per full-time week	Per cent of members whose hours per week were—									
		40 and under	Over 40 and under 44	44	Over 44 and under 48	48	Over 48 and under 54	54	Over 54 and under 60	60	Over 60
Bakers	47.4		12.3		3.8	80.0	0.8	3.1			
Building trades	43.5	15.3		82.3	1.1	.9	.3	.1			
Chauffeurs, teamsters, and drivers	54.8			1.4	4.3	14.6	11.3	20.5	14.0	31.8	2.1
Granite and stone trades	44.0	.1		99.6			.3				
Laundry workers	48.0					100.0					
Linemen	45.7	2.0		59.0	1.9	26.7	9.4	.7	.4		
Longshoremen	44.6			86.7		12.1			.9	.1	.1
Printing and publishing:											
Book and job	44.3	.1	.2	91.5		8.3					
Newspaper	45.1	5.7	11.6	9.8	41.4	31.4					
Total	44.9	10.6	.7	70.2	2.8	7.1	1.4	2.2	1.5	3.2	.2

As compared with the general population, post-office workers suffer from more impairments than the average in a number of respects. The United States Public Health Service determined this when they examined 985 postal employees a few years ago. The workers who volunteered for examination were actively employed and apparently in good health. Nevertheless the Public Health Service found the following physical defects per 1,000 men:

Defects	General population	Postal employees	Excess in post office
			Per cent
Heart disturbances	97	187	93
Rupture (hernia)	51	80	57
Dilation of scrotal veins (varicocele)	81	110	36
Flat feet	164	220	34
Hardening of the arteries	195	250	28

It has been more than 17 years—March 1, 1913—since Congress last adjusted the working hours of post-office clerks in first and second class offices and letter carriers in the City Delivery Service.

The productivity of these groups, measured in dollars and cents, has increased tremendously in the meantime. These figures tell the story.

The following statement by the Post Office Department shows the cost during the past eight years in producing $1,000,000 of postal revenue:

1921	$1,181,231
1922	1,148,831
1923	1,069,731
1924	1,039,899
1925	1,077,695
1926	1,051,276
1927	1,042,327
1928	1,048,099

To-day it costs $133,000 less to produce a million dollars in revenue than it did in 1921. In other words, the increased cost in salaries has been more than absorbed by increased efficiency in the service.

Mr. W. R. Spilman, late superintendent of Post Office Service Division, before the Appropriations Committee considering the 1930 Post Office appropriation bill, said:

> Let me call attention to the fact that in 1921 the man power per each $1,000,000 of revenue was 165 men, working eight hours a day. The man power for $1,000,000 of revenue has steadily decreased until 1927, when only 126 men of eight hours a day were employed. The same number were employed in 1928, when the revenues increased only 1.91 per cent over 1927. Further, the number of additional regular clerks employed in 1928 is only 1.62 per cent over the number employed in 1927, as compared with increases in 1928 of 2.99 per cent; in 1926, of 3.07 per cent; and in 1927, 2.44 per cent.

Eight years ago, on July 1, 1921, there were 66,789 employees in first and second class post offices, including clerks, supervisory employees, and laborers, but not letter carriers or motor-vehicle service employees. That was one employee for every $6,050 of postal receipts. On the same date in 1928, seven years later, there were 78,133 employees, or one for every $7,930 of postal receipts. In other words, in 1928 each employee, through greater industry and increased efficiency—and there can be no other explanation of it—was turning out 31 per cent more work than in 1921.

During the Budget period prodigious economies have been effected by the Postal Service. For instance, revenues at first and second class post offices increased from $404,000,000 in 1921 to $632,000,000 in 1928, a rise of more than 55 per cent. That meant an increase of 55 per cent in work, too. The clerical man power to take care of this increase rose from 66,789 in 1921 to 77,901 in 1928, an increase of less than 17 per cent.

Fifty-five per cent increase in business handled by a 17 per cent increase in personnel is a pretty good record, it seems to me; a record some of our big private institutions would be glad to make.

The Post Office Department has gone as far as it can go without legislation to give the employees shorter hours per week. The employees in some offices are given the benefit of the order of the department, while those of another office are unable to enjoy those benefits. This bill provides for the equal treatment of all postal employees, while at the same time providing against any curtailment of service.

Some of the largest business enterprises in the country have carried out the purpose of this measure and it has been found to be beneficiary from a production standpoint. The employees of the Post Office Department in the executive offices in Washington now have a basic 42-hour week. Even with the enactment of the 44-hour-week bill the postal employees in the field service will be working longer hours than the postal employees at the executive offices.

The average hours of work at a building trade throughout the Nation is 43.7. The present measure provides that whenever the needs of the office require the employment of postal employees on Sunday afternoons they shall be given compensatory time on one of the five working days following.

It is the purpose of this measure that postal employees shall be given four hours off on Saturday where no injury will be done to service, but in case such curtailment would have a detrimental effect upon the service, then the work shall be performed on Saturday and a compensatory four hours be allowed on one of the following five days.

In the report of the Hon. Walter F. Brown, Postmaster General, for the fiscal year ended July 30, 1930, there is the following statement of items in the postal deficit which are not, in fact, postal charges. That report is as follows:

	Revenue equivalent	Expense
Distributable loss		$98,448,782.80
Penalty matter for branches of the Government other than the Post Office Department, including free registration	$9,347,505.00	
Franked matter for:		
1. Members of Congress	718,060.00	
2. Others than Members of Congress	154,545.00	
Total franked matter	872,605.00	
Publications going free in county	753,263.00	
Free mail for the blind	63,779.00	
Differentials in second-class postage favoring religious, educational, scientific, philanthropic, agricultural, labor, and fraternal organizations	414,388.00	

	Revenue equivalent	Expense	
Excess cost of airplane service over the postage revenues derived from air mail		$13,863,174.10	
Differentials favoring vessels of American registry		14,355,004.29	
Nonproductive and extraordinary items	$11,451,540.00	28,218,178.39	$39,669,718.39
Net operating deficit, exclusive of nonproductive and extraordinary items			58,779,064.41

The rural mail free delivery should be exended as rapidly as possible, but it occasions a loss of more than $50,000,000 each year.

On June 30, 1930, there were 43,278 rural routes in operation, supplying 6,875,321 families, or 25,471,735 individuals. It is indeed a most necessary service, but I am not so sure that it is fair to stress it as a postal deficit. Rather, it is payment for an urgent agriculture service.

In all walks of life better organized effort brings bigger and more satisfactory results. No employer would to-day permit the employee to work as long hours as the employee was required to work 25 years ago. Such hours would not be permitted because the employee can do more and better work in shorter hours and in many instances because of a real humanitarian motive. The 12-hour day with the oil lamps and dirt roads has given place to the 44-hour week with more effective work and a greater enjoyment of life.

Efficient work is the order of the day in America. Unless a man works he does not command the respect of his fellows. Those who do not work have different names in the various countries of the Old World, but here they are generally known as tramps. Therefore, with the desire to work so characteristic and universal in America, shorter work hours naturally follow.

Many able leaders think that America shall have a 5-day work week. There are many unanswerable arguments for it. The only permanent thing in the world is change.

By the enactment of this bill Congress will give the dignity and benefit of legislation to a great economic humanitarian forward movement. The Postal Department is the largest and most efficient organization in the world. Gen. Walter F. Brown and his exceedingly able assistants are entitled to the gratitude of the Nation. For the benefits of this legislation has come the patient and unanswerable proofs by representation of the postal employees' associations.

The facts and brief submitted to our committee by Mr. Thomas F. Flaherty, of the National Federation of Postoffice Clerks, which brief covers 16 pages of the report of the hearings of the committee, is a most comprehensive statement. It is worth the careful study of anyone interested in the progress of better working and health conditions. The brief represents a vast amount of thought and shows that the cost of the change, which would not be great in any case, could be largely neutralized by further gains in efficiency and decreases in absenteeism, which has been proved to follow reductions in hours in many other instances.

The National Association of Letter Carriers, by its president, Mr. Edward Gainor, and Mr. M. T. Finnan, its secretary, presented to the committee reasons that can not be answered why the 60,000 carriers which they represent would be helped by this legislation with little or no additional cost to the department. Their brief is exhaustive and the information contained is most pertinent. Excerpts are printed in this report of the committee.

There also appeared before the committee representatives of the other organizations of employees who do the actual work of handling the mails.

Mr. Chairman, it was never intended that the Post Office Department should be a profit-making institution. It was created for service and not for profit. This legislation will not in any event cost a large amount. It will be worth many times its cost, not alone in more effective service which can be measured in terms of dollars but in better health and a fuller enjoyment of life. [Applause.]

Mr. SANDERS of New York. Mr. Chairman, I yield five minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, no time is more opportune for the passage of this measure than the present. I hope that before the holidays this measure will have been passed by the Senate so that it can become a law and be a Christmas present to this large army of deserving employees. I defend my position in favor of shortening the hours not alone upon the ground of its humanitarian principle, but also upon the ground that no measure can do more to meet the conditions of unemployment than this measure for the Postal Service. Here is a real remedy for unemployment. By shortening the hours it will provide additional help for the substitutes, and there is a large number of substitutes in the respective services of the Postal Department who have been employed for only fractional-time service.

I wish also to direct attention to a companion bill (S. 471), which provides like consideration to the large army of department clerks throughout the country, both in Washington and in the field. That bill was on the Unanimous Consent Calendar of the House and was objected to and removed from consideration under Unanimous Consent Calendar rule. This is a Senate bill. All that is required now, as we are going to pass this Postal Service bill virtually unanimously, is that before the holidays we shall pass the companion bill granting a Saturday half-holiday privilege to the vast army of employees in the departments, both here in Washington and in the field.

May I say now that I remember as a boy 45 years ago the policy adopted by that far-seeing merchant, John Wanamaker, of Philadelphia, when he established for the first time, I believe, in the commercial world the policy of closing his store at noon on Saturdays. That policy has spread until it is almost nation-wide.

Certainly in Philadelphia all of the large department stores throughout the year close on Saturday afternoon. Then, again, may I refer to that leader of industry, Henry Ford, who not only established a high rate of wages for the men he employed but shortened the days of employment to five days a week. One of the great problems besetting industry to-day and the entire American employing class is to find work for the employees which has been taken up by the production of labor-saving devices. Years back we adopted the 8-hour law. We are coming to the policy of shortening that schedule of hours.

So, to be consistent in our policy, not only do I expect this bill to be passed and to become a law before the holidays as a present to the postal employees, but I hope likewise the companion bill to which I referred will have become a law and will become a Christmas present to the large army of departmental workers in the Government.

Mr. CLARKE of New York. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. CLARKE of New York. I wonder if the gentleman is familiar with the fact that Mr. Wanamaker opened his store with prayer, and that they have an organ recital in the morning. Also, that John Wanamaker was the head of the largest Sunday school in Philadelphia.

Mr. STAFFORD. I am well acquainted with his being the head of the Bethany Sunday School in Philadelphia for nearly 50 years, and I have heard the wonderful organ recitals in his store in Philadelphia. I was not advised that he had opened his store with prayer, as we open our meetings here; but if that was the policy originated by him, it is a commendable one, so far as his institution is concerned.

Mr. O'CONNELL. We followed the very same course this morning before taking up this humanitarian measure, by starting our session with prayer. We are on an equality with Mr. Wanamaker there.

Mr. STAFFORD. I hope the gentleman is not citing that in disparagement of the memory of that great merchant prince, John Wanamaker.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. MEAD. Mr. Chairman, I take it that everybody present is in favor of this bill. I presume the only opposition is from Members of the House and Senate who believe we are not going far enough, those who favor the 5-day

week for all employees of the Government. I rise merely to explain the history of this bill and my reasons for supporting it. I would gladly vote for a better bill if such a measure was before us for consideration.

I had the honor to introduce the first 44-hour bill for postal employees in Congress. This fight for a shorter working week was started in the Seventieth Congress. A companion bill to mine was introduced in the Senate by Senator LA FOLLETTE, of Wisconsin.

Hearings were held on the La Follette bill by the Senate Post Office Committee on April 19, 1928. Hearings were held before the subcommittee of the House Post Office Committee on the Mead bill on May 10, 1928.

The Senate passed the La Follette bill on May 11, 1928. Opposition to the measure was voiced by Postmaster General New. Finally, on February 8, 1929, the La Follette bill, as passed by the Senate, was reported favorably to the House. The La Follette bill was reached in the House on the unanimous consent calendar on February 25, 1929. Its passage was objected to and it failed to reach a vote, despite an overwhelming favorable House sentiment.

In the present Congress practically the same measure has been introduced in the House by my colleague, Representative KENDALL, of Pennsylvania. It is before us now to consider and I earnestly urge its speedy enactment. Although the Post Office Department has by permissive order reduced work on Saturday afternoons the fact remains that thousands of postal employees are still working on a 48-hour weekly schedule. There are compelling reasons for a reduction in these schedules to 44 hours.

It has been 17 years since the Congress by legislation readjusted the working hours of the postal clerks and city letter carriers in first and second class offices. During this time the productivity of these workers has increased more than 100 per cent. In his speech to the American Federation of Labor convention in Boston on October 6 President Hoover said:

> Both the directors of industry and your leaders have made great progress toward a new and common ground in economic conceptions, which, I am confident, has had a profound effect upon our economic progress during the last few years. That is the conception that industry must be constantly renovated by scientific research and invention; that labor welcomes these labor-saving devices; that labor give its full and unrestricted effort to reduce costs by the use of these machines and methods; that the savings from these reduced costs shall be shared between labor, employer, and the consumer. It is a philosophy of mutual interest. It is a practice of cooperation for an advantage that is not only mutual but universal. Labor gains either through increase of wage or reduction of cost of living or shortened hours.

Putting into practical application the ideas of President Hoover, the postal workers are clearly entitled to shorter hours, having reduced greatly the labor costs in the Postal Service.

GREATER PRODUCTIVITY

The following statement shows the cost during the past eight years in producing $1,000,000 of postal revenues:

1921	$1,181,231
1922	1,148,831
1923	1,069,731
1924	1,039,899
1925	1,077,695
1926	1,051,276
1927	1,042,327
1928	1,048,099

From these figures furnished by the Post Office Department there has been a substantial reduction in the cost of producing revenues. To-day it costs $133,000 less to produce a million dollars in revenue than it did in 1921. In other words, the increased cost in salaries has been more than absorbed by increased efficiency in the service.

The following statement was made by the representative of the department, the late W. R. Spilman, superintendent of Post Office Service Division, before the Appropriations Committee considering the 1930 Post Office appropriation bill :

> Let me call attention to the fact that in 1921 the man power per each $1,000,000 of revenue was 165 men, working eight hours a day. The man power for $1,000,000 of revenue has steadily decreased until 1927, when only 126 men of eight hours a day were employed. The same number were employed in 1928, when the revenues increased only 1.91 per cent over 1927. Further, the number of additional regular clerks employed in 1928 is only 1.62 per cent over the number employed in 1927, as compared with increases in 1925 of 2.99 per cent, in 1926, 3.07 per cent, and in 1927, 2.44 per cent.

VIEWS OF THE DIRECTOR OF THE BUDGET, H. M. LORD

General Lord, known as a watchdog of the Treasury, made this complimentary reference to the economies in the Postal Service:

> During the Budget period prodigious economies have been effected by the Postal Service. For instance, revenues at first and second class post offices increased from $404,000,000 in 1921 to $632,000,000 in 1928, a rise of more than 55 per cent. That meant an increase of 55 per cent in work, too. The clerical man power to take care of this increase rose from 66,789 in 1921 to 77,901 in 1928, an increase of less than 17 per cent.
>
> Fifty-five per cent increase in business handled by a 17 per cent increase in personnel is a pretty good record, it seems to me, a record some of our big private institutions would be glad to make.

BARTLETT FAVORS LEGISLATION

In a notable speech at the New Orleans convention of the American Federation of Labor on November 26, 1928, former First Assistant Postmaster General John H. Bartlett indorsed the 44-hour bill, saying:

> It has been my purpose to be as considerate of the men in their aspirations to better conditions as I possibly could. We have done something in the way of giving them the Saturday afternoon. Perhaps we have gone as far as we can without legislation, but personally—not speaking here for the Government, because I can not do that—but personally, I am heartily in favor of all men in the Postal Service having Saturday afternoon or its equivalent; in other words, the 44-hour week. [Prolonged applause.]

LEGISLATION URGED BY NATIONAL FEDERATION OF POST-OFFICE CLERKS

At its last national convention held in New York City, September, 1929, the National Federation of Post Office Clerks, with a membership of 50,000 clerks in first and second class offices, made the 44-hour legislation its paramount objective. In his report to the convention Secretary Thomas F. Flaherty said:

> It is not necessary to argue in this report as to the economic soundness of the proposed postal 44-hour week. The industrial trend is rapidly in the direction of shorter working hours. Instances of this could be quoted at great length. The vanguard of the working army, in fact, has already reached the 5-day-week objective—one that we, too, will approach by successive steps. Post Office Department employees in Washington, whose salaries are paid from postal revenues, have a 7-hour day with Saturday half-holidays in the summer months. In the face of these facts, together with the gradual increase in productivity—a larger output per employee—on the part of the postal workers, there is no justification for further executive opposition to this economically sound proposition.
>
> In recognition of the importance and value of this legislation it is recommended the legislative representative be instructed to center attention upon the speedy enactment of the La Follette-Mead bill as our paramount legislative objective.

[Editorial from the Union Postal Clerk for November, 1930]

HOOVER VERSUS BROWN

Very unfortunately for the postal employee there is a wide divergence in the economic views of President Hoover and Postmaster General Brown.

Said the President to the American Federation of Labor Convention, speaking of greater production of labor:

"That the savings from these reduced costs shall be shared between labor, employer, and the consumer. It is a philosophy of mutual interest. It is a practice of cooperation for an advantage that is not only mutual but universal. Labor gains either through increase of wage or reduction of cost of living or shortened hours."

In sharp contrast to the above view, in which we concur without reservation, is the opinion of the Postmaster General as expressed to the House Post Office Committee at a hearing on the 44-hour bill on February 12, 1930:

"In industrial employment the law of supply and demand, in a considerable measure, regulates compensation. If there is a long cue of applicants for work outside of the employment office, the institution does not raise wages. It raises wages to get competent, skilled workmen. The Post Office Department has a long cue waiting. We would have little, if any, difficulty in filling most of the places we have very promptly if they should be vacated."

The Postmaster General made no mention of the right of postal employees to a share in their increased earnings—in the form of reduced hours. He ignored entirely the fact there has been no substantial adjustment of working hours for the larger groups of postal employees for 17 years, during which period their productivity, measured in dollars and cents, has increased 100 per

cent. He seemingly clings to the archaic view that labor is a commodity to be purchased as cheaply as possible and when it is plentiful, as at present, there is no need to improve employment conditions. Hence his opposition to the 44-hour bill. Furthermore, Mr. Brown pointedly implies, if you don't like it you can quit the job.

What we need is some law requiring a Postmaster General to make practical application of his President's economic views, even though they may differ from his own.

This country is in a serious and critical condition at this hour. We are going through hard times the like of which our country has never been forced to endure in the past. The winter ahead of us will certainly be known as the winter of want, trial, and tribulation. Surely an emergency exists in America to-day, and this Congress and this administration, in keeping with statements officially made in the past, should devote every moment possible to the consideration of this serious problem and to the expeditious passage of legislation such as contained in this particular bill which we are now considering. In no better way can we contribute to a return of prosperity than by increasing employment. The most effective way in which we can bring that about is by reducing the hours of service of those who are employed, in order that those without work might enjoy employment in the near future. [Applause.]

Mr. O'CONNELL. Mr. Chairman, will the gentleman yield?

Mr. MEAD. Yes; I yield to my colleague.

Mr. O'CONNELL. Might not the adoption of this legislation open up an avenue to some of the substitutes that are hanging around the post offices of the country and an opportunity to get some kind of work?

Mr. MEAD. It certainly will. In view of the drastic curtailment of service and the reduction of the personnel resulting from the policy of the present postal administration, substitutes are almost entirely without work or hope of work at the present time.

I intend to discuss this matter at greater length later on, for I believe every Member of Congress is vitally concerned in maintaining the highest standard of service in this department and in according the employees working conditions that will give them some hope of future advancement.

The gentleman [Mr. O'CONNELL] is familiar with that situation, and it is very serious. As a matter of fact, my information is that it is almost impossible, under the present ruling of the Postmaster General, for a substitute to receive a regular appointment for four or five years to come.

Mr. HASTINGS. Will the gentleman yield?

Mr. MEAD. I yield gladly.

Mr. HASTINGS. I wish to congratulate the gentleman on the splendid address he has made, but I do not think we should apologize for this legislation. I am supporting it because I believe it is economically sound. I am not supporting it as a temporary measure. This is not temporary legislation. I do not think we should hide behind the unemployment situation as an argument in favor of this bill. I think we should argue that it is economically sound, that it is not a temporary measure, but that it is permanent legislation, and I think that the gentleman in his splendid address has thoroughly justified the economic soundness of this legislation.

Mr. MEAD. I thank the gentleman from Oklahoma [Mr. HASTINGS] and I agree with him thoroughly. My only apology for the bill is that it does not go far enough.

Mr. Chairman, I yield back the balance of my time

Mr. SANDERS of New York. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Chairman and gentlemen, it is rather restful to be able to say that I agree with the committee, and I am going to vote for the bill.

However, I do not place my support of this bill on the ground of sentimentality or on the yuletide spirit. It is simply an economic necessity, and something which Congress should have done several months ago.

We are approaching the time when we must face the problems that are confronting the country, and this is the first effective, constructive attempt to meet this unemployment crisis, which is not temporary but which will be permanent until we adjust ourselves to the changed conditions under which we are living.

I look on this bill as the Government's approval of a system of shortening the hours of labor preliminary to shortening the working week. That is the only method by which you can extend to all the people of the country the enjoyment and benefit of the improved methods of production and the progress in science and mechanics.

You can not talk about labor-saving devices and you can not talk about overproduction unless you stop to consider the necessity of a readjustment of the relations between labor and capital. An entire new deal—new conditions of labor—is necessary.

Now that Congress provides the 44-hour week, it is up to the Post Office Department to adjust itself by giving more work to substitutes. I have taken this matter up with the Postmaster General, and I am glad to say that the Postmaster General has stated to me and has written to me that he would approve of a bill or a law which would guarantee a certain amount of annual pay to a substitute who is awaiting permanent appointment.

I submit that to the committee, and I am going to hand the letter of the Postmaster General to my good friend from Pennsylvania, Mr. KELLY, who is persona gratissimo and spokesman extraordinary for the department and for his party. It will then come before your committee under the most auspicious circumstances.

Mr. Chairman, as I said before, I am sorry that this bill was not passed months ago. It is the first small step in the right direction. [Applause.]

Mr. SANDERS of New York. I yield five minutes to the gentleman from Indiana [Mr. LUDLOW].

Mr. LUDLOW. Mr. Chairman, I believe this bill, which seeks to establish by law a 44-hour week for postal employees, is a just and humane measure and because I so believe I am giving to it my unstinted support. I want to be frank in telling why I am for this bill. I am for it not only because of its merit per se, but even more because of the example it affords of governmental sanction of the shorter week of labor. I am for it because I believe it sets the pace for a better social order. "Live and let live" is an axiom that reflects the highest conception of Christian philanthropy. It measures the broadest reaches of catholicity in human relations. Interpreted in every-day terms it means that those who have wealth and leisure and amusements should be willing to concede to those who are less fortunately circumstanced their right to furloughs from the grind, their hours for rest and recreation, their opportunities to cultivate the uplifting things of the spirit. "Live and let live" is a good foundation on which to build the legislation of a commonwealth.

I do not believe the Congress can possibly go wrong if it passes this measure. It is an echo of what is going on in the business world. It is in complete harmony with the best thought of the master minds whose marvelous vision is solving the industrial problems of the twentieth century. Thomas A. Edison, whose genius has done so much to unlock the secrets of the universe, has declared that "The hours of labor should be reduced to not more than eight per day and not more than five days a week." Henry Ford finds the 5-day week a profitable innovation. Among leaders of industry there is a growing recognition that the shortened week justifies itself in the happiness it brings and the morale it creates, as well as in sustained if not actually increased productivity. The bill before us is not as far reaching as the ideal of Ford and Edison and others whose vision is charting the future course of industry. As against their 5-day standard for industrialists it proposes a five and a half day week for postal workers. When we compare the bill before us with the views of such conservative and far-seeing men it can hardly be charged that this is reckless legislation. Under this bill there will be no crippling of the indispensable activities of the Postal Service. The proponents of the measure realize that the Postal Service is a continuing service and under this legislation it will function in a reduced way but for all necessary purposes on

Saturday afternoons, and employees who are thus deprived of their Saturday afternoons will be given compensatory time off other days of the week.

It is argued that this bill, if it passes, will increase the postal deficit. It seems to me that point has been greatly magnified by the opponents of the bill. I believe that a worker who is refreshed and invigorated by rest and recreation will turn out more work per hour while he toils than one who is not so refreshed and invigorated, and that on account of increased productivity part of the anticipated deficit will never materialize. In many post offices the employees of certain grades already enjoy short Saturday working hours through administrative action of the postmasters. Of course, it will be necessary to employ some additional workers, or give more work to substitutes, but that will not be without its compensations in these days when public policy dictates that as many jobs as possible be found to relieve the widespread unemployment.

But suppose this legislation does result in a slight increase of the postal deficit. What of it? There is really no reason to be horrified because the annual statement of the Post Office Department is written in red ink. The postal system is our greatest public utility. It is not a money-making institution. It is a public service. So long as it is administered honestly, economically, and efficiently the people of this country will never complain. They appreciate the service; they approve its expansion; they want to enjoy its maximum benefits; and they do not demand that it be taken "out of the red." Perhaps this bill will add a few million dollars per annum to the national expense, but it will be money well invested.

This is a worth-while measure. It is a logical part of the historic movement toward the shorter working week. Its passage means a happy and contented personnel in the Postal Service. Only this year the Congress of the United States appropriated $1,500,000 to buy some old books for the Library of Congress. As a member of the Committee on the Library I did not object to reporting this legislation, although I was not exactly gleeful over it. I believe in those things which make for culture and education, but I submit that Congress, having spent $1,500,000 for a collection of old books to be kept in Washington, should not object to spending some millions for a purpose so splendid, so humane, so conducive to an improvement of social relations, so beneficial to thousands of our fellow beings as the purpose which underlies the Kendall 44-hour week bill, on which we shall soon pass our judgment. [Applause.]

Mr. MEAD. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. FITZPATRICK].

Mr. FITZPATRICK. Mr. Chairman and members of the committee, I am in favor of the bill now before the House. The splendid work of our postal employees, which has raised the service to its present high efficiency, entitled them to the 44-hour week. In all kinds of weather these loyal public servants pursue their daily tasks. They are the arteries of our social and business life. Any breakdown would cripple our business and leave us impotent and dismayed. The Members of the House appreciate this devotion to duty, and that is why we are eager to vote this legislation, anxious to grant this boon to the men and women of our postal system. I shall always look back with satisfaction to the small part I was permitted to play in making the half-holiday bill the law of the land. Last week I introduced a 40-hour bill for all Federal employees, and, as I stated at the time, I believe that less hours and shorter weeks is the only solution of the present unemployment situation. It has been stated by a number of prominent public officials and business men throughout the country that they believe that less hours is the only solution. Just before election there was a statement published in the New York newspapers, alleged to have been made by President Hoover, in which he stated that the invention of machinery and our mass production were greatly responsible for the present unemployment situation in our country. Now, if that be true, the only solution is less hours and shorter weeks. The distinguished chairman of the Appropriations Committee only last week drew a beautiful picture of what President Hoover did a year ago when he called the men representing capital and labor to Washington and asked them to help out on the unemployment situation. The representatives of capital and labor promised the President to do everything to help improve the unemployment conditions in our country. Now, what really happened? The president of the New York Edison Co. returned to New York and discharged a large number of employees. The presidents of the New York, New Haven & Hartford Railroad, the Railway Express Co., the New Jersey Central Railroad, and Henry Ford did the very same thing. Did President Hoover send for those men and ask them why they had broken their promise or pledge to him? He did not. He could not well have called them back, because the very thing he would again ask them to do the Government was failing to do itself; on the contrary, the Federal Government deprived men of employment in the navy yards, issued an order in the Postal Service whereby they reduced deliveries of mail, that meant doing away with the services of a number of employees, and at the same time have refused to fill these vacancies that exist in the post office.

To-day throughout the United States there are over 5,000 vacancies, and in the city of New York over 600. So you can readily see, Mr. Chairman, ladies and gentlemen of the House, that the President should not ask private capital to do what the Federal Government has failed to do. The President at the time he called this conference asking the business men not to reduce wages of their employees at the same time asked the representatives of labor not to look for increases and cause any disturbance. The representatives of our working classes carried out their promise, but what has the Federal Government done toward paying the prevailing rate of wages. In the Labor Committee, of which I am a member, we reported out a bill at the last session of Congress which provided that the Federal Government on all its public works should pay the prevailing rate of wages. That bill has been held in the Rules Committee; it never came before the House, and to-day throughout the United States there are buildings being constructed by contractors who are using cheap labor where those buildings are being constructed and are not paying the prevailing rate of wages. Was the President sincere when he asked private capital to keep up wages and stimulate employment? When the Federal Government failed to authorize the prevailing rate of wages, and also failed, as I have pointed out, to keep the men employed in the navy yards and Postal Service. What Congress should do is pass a 40-hour week bill, and the message would be sent across the country that Congress has at last taken action, and if the States will follow in our footsteps it will be only a few months when the large unemployment personnel will be helped. The working people of our country are not looking for charity; they would spurn it; they are not looking for a dole; they want justice and employment. We can bring this about by enacting the proper laws to make less hours and shorter weeks for Federal employees, and if that is followed by the States we will be able to compete with the machinery and mass production throughout the country. We are suffering from mass production and the invention of great machinery. You have appropriated millions of dollars only on yesterday for roadways. This will bring only temporary relief to certain sections of our country. If you would have permanent relief, then let us have less hours and shorter weeks. I am not concerned with who gets the credit for it or how the country votes in 1932, what I want is something to relieve this unemployment situation and bring prosperity back to our country. [Applause.]

Mr. MEAD. I yield five minutes to the gentleman from New York [Mr. O'CONNELL].

Mr. O'CONNELL. Mr. Chairman, ladies and gentlemen of the committee, it is very gratifying, after all of these years, to find the House at last in a position to vote on this very meritorious legislation.

In the last hours of the recent session we were about to pass this bill, and the postmen of the country would have

been enjoying the privilege of what the law would have allowed during these several months during the recess of the Congress.

I said then, and I repeat now, that it is very unfortunate that legislation of this kind, which practically has the unanimous sentiment of the Congress, has been prevented being enacted because of certain rules which the House has adopted, which permit one or two men to prevent the enactment of legislation. I am particularly happy, on the eve of the passage of this bill, because, as my colleague from New York [Mr. LAGUARDIA] said a few moments ago, it opens the avenue to every branch of governmental service. It will give an opportunity to those men and women who man the services of the United States to enjoy the privilege of this half-holiday legislation.

In the early part of 1927 I had the pleasure of introducing a similar bill to the one now under consideration; in fact, the very first bill. Perhaps it was given to better hands and to greater minds, such as the distinguished gentleman from Pennsylvania [Mr. KENDALL], who now brings the child forth in its effulgent glory in the evening of a long-distinguished and useful life.

If this 44-hour-week program is adopted, would it not be possible to give consideration to the applications of many more men whose services we could employ in the post office, following the suggestion of the President of the United States, as he made it to the commercial representatives of the great industries at a recent conference here in Washington? "More work, better pay; constant work."

Now, Mr. Chairman and gentlemen, in giving consideration to employment standards the two factors of major moment are wages and hours of labor. The effect of those two items on the worker's life and well-being is so profound and far-reaching as to defy overstatement. Moreover, there exists an intimate and apparently interdependent relationship between wage rates and hours of labor. Long hours and low wages go hand in hand. Strangely, too, and as an historical review will fully disclose, advancing wages and declining hours of toil have kept step together. Forecasting the future, the prediction can be safely made that, as the hours of labor go downward, the course of real wages will be upward.

My purpose is to give consideration to the continuing trend toward a shorter work week throughout industry, with particular regard to the institution and observance of a shorter work day on Saturday in post offices. Almost eight years have elapsed since former Postmaster General Work, on July 13, 1922, issued the original order concerning the observance of a shorter work day on Saturday in post offices, which, in a restricted way, gave this innovation its initial trial. This trial proved a complete success; so complete, in fact, that on December 1, 1922, former Postmaster General Work issued an order supplementing and confirming the original order, and making its terms applicable throughout the year. Later, on May 4, 1924, and again on September 3, 1924, former Postmaster General New issued orders which in substance invested postmasters with discretionary authority to limit work on Saturday afternoons during all the months of the year in keeping with imperative service requirements.

Behind the shorter work day on Saturday are now eight years of invaluable experience. Introduced in a limited way and largely as an experiment, it has made remarkable progress both in scope and observance. Under varying auspices and for varying periods of time city letter carriers and other postal employees have been granted respite from duty on Saturday afternoons, while service efficiency has been maintained at a high level.

The progress thus made is highly encouraging. The future is bright with promise. It is plain, however, that the time has arrived when serious consideration should be given to a further expansion and liberalization of this observance, so as to assist the Postal Service to keep step with social and economic progress on the one hand and permit a more general participation in its benefits on the other.

The shorter workday on Saturday in post offices is no longer on trial. Seven years' experience has confirmed, and abundantly confirmed, its practicability and usefulness. It has proven itself on every count. Its initial trial occurred at a timely hour. Throughout business and industry Saturday half-holiday observance, long established, has developed to a point where it is well-nigh universal. The trend of progress now tends steadily toward the 5-day work week. Public opinion with unmistakable voice has registered its approval of the shorter workday on Saturday in post offices. Through broad-scale cooperation this observance during the past six years has served to stimulate service efficiency and enthusiasm, and the innovation has resulted well in every item and particular. Prompt deliveries on the succeeding Monday morning have been the invariable rule, and service morale and employees' health and well-being have been greatly enhanced thereby with little, if any, added cost. Every service requirement has been fully answered. Moreover, the Saturday half-holiday idea is fundamentally and economically sound. Wisdom insistently counsels its wider acceptance.

There is no special virtue in any certain number of labor hours per day. Time was when 10 and 12 hours or more was the daily average. The advent of the 8-hour workday, the adoption of which was long and bitterly resisted, marked another notable social advance. Now the 8-hour day no longer satisfies. Progress has passed that point. More than one-half the organized crafts now observe a 44-hour schedule, or less, per week, with the number of workers thus affected growing steadily.

Primarily this progress has been achieved because society could afford it. In the crude-tool days much of the workers' waking hours were devoted to providing for the essential needs of food, clothing, and shelter. Then one new tool succeeded another until there is now no longer a problem of production. A problem of plenty now confronts us, a problem in many ways as perplexing as that of scarcity. To maintain a proper balance between production and consumption and to keep these forces healthy and active, and thus sustain and diffuse the blessings of national prosperity, compels the progressive adoption of the shorter work week.

I want to commend the chairman of the committee [Mr. SANDERS]. I want to commend the gentleman from Pennsylvania [Mr. KELLY]. I desire to commend the gentleman from Illinois [Mr. SPROUL] of the committee, and my colleague from New York [Mr. MEAD] for the splendid work they have done in bringing this bill to its present state of fruition.

It is gratifying for me to say as a Member of Congress that the representatives of the postal clerks and carriers of the United States Postal Service and the personnel of their executive officers in Washington must be very much pleased as we approach the end of this debate. They are always bound to receive consideration because of the manner in which they approach Members of Congress and because of the splendid and efficient way in which they present their causes. I must commend in the highest terms the loyalty of C. P. Franciscus, the energetic president of the United Association of Post Office Clerks in Washington, who interested me in the original 44-hour bill which I am sure the House is about to pass. Then, too, I offer my congratulations to Thomas H. Flaherty, secretary of the National Federation of Post Office Clerks, for his constructive suggestions to the Post Office Committee in the formation of this very salutary legislation. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MEAD. Mr. Chairman, I yield five minutes to my colleague [Mr. OLIVER of New York].

Mr. OLIVER of New York. Mr. Chairman and members of the committee, I am happy to have been here to-day and listened to Congressman FITZPATRICK make his first speech on the floor. I can account for the earnestness with which he spoke because of his own life. Here was a man who was a miner when a boy, and now he makes his first speech for reasonable living conditions for those who labor. No wonder his whole soul was in what he said. Perhaps his life and his rise can be taken as the measurement of the rise of labor. He has seen the time when a laborer was a

slave, where time off did not amount to anything but just an opportunity to recover from exhaustion. Now he stands in the Congress of the United States pleading for reasonable hours for those who labor. I can understand the fierce pride with which he spoke. I can understand the wrath in his voice when he made a demand that this bill pass, because what he said is but an echo of the things in which he has lived and which he believes. So to-day I congratulate my colleague from the Bronx, my neighbor and my old-time friend, for having made his first utterance in the Congress in behalf of a cause for which he has lived and which he so devoutedly loves.

Of course, I am for this bill. I am for it, whether there be unemployment in the country or not. I am for it just to give the postmen a square deal. Here we have the most popular service in America, but somehow or other we forget that the postmen and the postal employees could not go anywhere on Saturday afternoon except to work; we forgot they had families; we forgot they needed recreation; we had subordinated the welfare of the postmen to the welfare of the mail. We had to rush the delivery of a lot of magazines, a lot of letters, which are thrown into the waste basket, and we forgot all about the man who was compelled to do that under the compulsion of law. I am for the postmen because the postmen have been loyal to their service. They have never neglected anything, and if there is a service which has a spirit of 100 per cent loyalty to the tasks that have been imposed upon it it has been the Postal Service. I am for the postman's wife. I think that if a postman's wife can run a family on the little amount that is given to the postman she ought to be President of the United States. I am sure she could cut down deficits and run this Government in an economical manner and have a surplus left over.

But I can not understand the attitude of the Postmaster General. He is opposed to this bill. Who is this great statesman out of sympathy and out of harmony with all the trend of the times? In his own department, as Congressman FITZPATRICK pointed out, he has 5,000 vacancies at this very moment. Why does he not fill those jobs? If I were he, I would step out of my office at this dreadful hour in the history of our country if I were to leave those jobs unfilled for 24 hours more. We have Col. Arthur Woods calling up governors and calling up mayors asking them to please give men jobs. I will tell Arthur Woods, my old-time friend, that if he wants 5,000 jobs, let him go into the Postmaster General's office and bang his fist on his desk and say, "Mr. Postmaster General, the President has appointed me head of an emergency committee on unemployment and I demand that you fill these jobs or resign your own job." In the city of New York every human agency is giving charity to the unemployed. Everywhere in the country the movement is going on splendidly. We condemn doles, but this is lower than doles. We feed them in soup lines; we give them little wooden plates and they go to one window and get a sandwich and we give them a cup in which to get some coffee. We are feeding thousands of men at a time in that manner. Doles at least give a man a permanent income, so that he can live with his family, but we are giving them the lowest kind of a hand-out three times a day.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MEAD. Mr. Chairman, I yield the gentleman one additional minute.

Mr. OLIVER of New York. I say that the Postmaster General who has 5,000 jobs vacant in his department now is doing the most defiant, the most heartless, and the most cruel and indefensible thing in keeping those jobs vacant when he has the men to fill them and the money with which to pay them. I can not find any vindication for his conduct. I say to him now, "Fill those jobs or step out and give some one else with a human heart, with a desire to be in step with the trend of the country an opportunity to guide the destinies of the Post Office Department."

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. MEAD. Mr. Chairman, I yield three minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, I am supporting this bill providing a 44-hour week for postal employees in spite of the adverse report of the Postmaster General. I must also disagree with the Postmaster General on another of his recommendations, and that is with respect to his proposal to increase the postal rates on first-class mail. I can not agree with him about that, and I hope this Congress will turn him down when he brings that measure before the House.

I believe that every person who works should have at least a half day during the week for recreation and for relaxation, and I am hopeful that the passage of this measure will be an influencing example and inspiration to the merchants of the country and the business men of the country to give every employee in their establishments at least a half day off during the week. I would like to see every clerk in every grocery store and every clerk in every dry-goods establishment and every clerk in every insurance office and in every law office and in every public-utility office in the United States have a half day off in each work week. I think ultimately we are coming to this. It is needed for family shopping. It is needed for fishing, for huniting, for a week-end trip once in a while, and for proper, wholesome recreation.

By giving this half day off to the postal workers, this will bring the question directly before every business man in the United States, because they will take notice of the fact in all of our districts back home that the postal employees of the United States Government enjoy it. I think eventually every employee in private business will be accorded a half day off each work week. I know that all of these other employees generally would be thus favored if they were well organized. The only reason they do not enjoy this now is that they are not organized, and I am in favor of them having a proper organization to secure for them needed privileges and benefits.

I am glad to give my vote to the postal clerks and all postal employees in support of this measure. I think they are entitled to it. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MEAD. Mr. Chairman, I yield four minutes to the gentleman from Georgia [Mr. RAMSPECK].

Mr. RAMSPECK. Mr. Chairman and members of the committee, it gives me peculiar pleasure to support this legislation because I feel that in a way I have some knowledge of the problems that beset the postal worker. It so happens that about 19 years ago this month I was employed in the House post office over here in the House Office Building. So I have some personal knowledge, I may say to you, of the stress that is faced by the postal worker in getting the mail out on time. The men who serve us in our Postal Service work against time always. There are times, of course, when the mail is light and they have an easier time than at other times; but it often happens that the mail is very heavy, and, regardless of the volume of the mail, they must handle it in the same length of time.

There is another reason I take peculiar pleasure in supporting this legislation. The men who work in the Postal Service in my district have no time for recreation under the present law except at night. We do not have theaters and such recreation facilities in Atlanta on Sundays. The passage of this legislation will give those men an opportunity on Saturday afternoon, or some other afternoon in the week, to enjoy some recreation.

I hope, my friends, this bill will be followed by the passage of the McCormack bill applying to other employees of the Government and extending to them the same 44-hour schedule. It seems to me the time is peculiarly fitting for us to shorten the hours of labor.

I do not want to make a speech on unemployment, but we all know that the tendency of the times has been for many years to speed up the work of the Nation. Men now perform more work in the same number of hours than they did years ago. They ought to get some benefit in shorter

hours from this speeding-up process. It is a great pleasure for me to see this bill on its way to passage, and I know it is going to bring comfort and happiness to thousands of men throughout the country. [Applause.]

Mr. MEAD. Mr. Chairman, I yield to the gentleman from Missouri [Mr. COCHRAN.]

Mr. COCHRAN of Missouri. I extend thanks to the leaders of this House who has at last permitted this bill to come before us for a vote, and to my colleague, JIM MEAD, of New York, who sponsored the original bill, as well as to Mr. KENDALL, of Pennsylvania, whose name is attached to the pending measure, I offer my congratulations. I feel that I can speak not only for myself, but also for the postal employees of St. Louis, who I know are most grateful to all who have fought for this legislation. This indeed will be a Christmas present for them. No group of men in the Government service are more faithful or work harder than those who handle the mail. Why should they not receive this recognition? Time and again on Saturday afternoons I have been in my office and the only visitor would be the mail carrier. Business suspended, no one to read the letters they bring, but still they carry out their schedule while the patrons of the service are enjoying an afternoon off. Many of our leading labor organizations have adopted a 5-day week. The shops and offices are likewise closed on Saturday, and at the present time this extends to some of our railroad offices. Heretofore they have always enjoyed the 44-hour week, but they have gone further and adopted the 5-day week. When this bill passes the Senate, which it is sure to do at this session, the postal employees will simply be placed upon a parity with those employed by private corporations.

I can not but indorse the views of my colleague, Mr. FITZPATRICK, of New York, who urges that the thousands of vacancies in the Postal Service be filled. My city is affected the same as the great city of New York. The vacancies caused by death, resignation, and retirement have not been filled. A resident of my district, an ex-service man, passed the examination for carrier, attained an average of 100 per cent, is first on the register, still he can not be appointed. The postmaster would welcome a man of his ability, but rules and regulations coming from Washington prevent appointments. In this time of unemployment surely the Government should be last to fail to fill vacancies that occur among the personnel. The work has naturally increased. Some deliveries have been curtailed, this in the outlying districts, but the willingness of the men to perform the duties assigned regardless of the additional burdens is exemplified by the fact that during my service in Congress I have had but two complaints from my constituents relative to the delivery and collection of mail. This speaks for itself. The credit belongs to the men—the men who you are to-day granting by your votes a half holiday on Saturday. Regardless of the feeling of those at the head of the Postal Service, I say this legislation is just and our action will be commended by the public. [Applause.]

Mr. MEAD. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. McCORMACK of Massachusetts. Mr. Chairman, after many years of hope, expectation, and effort, an opportunity is presented to the House to pass upon a bill providing for a 44-hour work week for those in the service of the Post Office Department of our Government. The dreams of many thousands of persons who are affected by this bill and their many friends in and out of the Congress are about to be attained. If there is any class of Federal employees who are entitled to consideration, particularly along the lines as outlined in the pending bill, it is those who will benefit by its passage and enactment into law. While all persons in the Federal service give to the Government, their employer, the best that is in them, none surpasses the high character of service to Government and to the public rendered by those affected by the pending bill. There are few classes, if any, in the Federal service whose duties are harder and whose responsibilities are greater than those in the Postal Service. The activities of this great department extends everywhere, and its success has been dependent upon the sterling services given by its employees. There is no department that calls for greater adherence to one's work and the acquiring of experience and the application of loyalty and experience for the public's benefit than the Post Office Department. Such services are appreciated by the general public. If this bill could be submitted to the people of the country on a referendum it would carry practically unanimously—in any event, overwhelmingly. It should pass the House in the same manner. I can see no logical argument, either theoretical or practical, that can be properly advanced against the passage of the pending legislation.

At the present time, while technically working 48 hours each week, those in the Postal Service actually work much longer. I know of many friends of mine employed in that department who directly or indirectly work on an average in excess of nine hours each day. They get in earlier than they are supposed to in order to prepare and sort their mail; they cut down their lunch hour for the same and other purposes connected with their work, and at night they remain longer, doing it willingly, but at a sacrifice to themselves and their families in order that the public might receive the service that it is entitled to. While such conditions exist, and the employees meet them willingly, it is only natural and proper that they should expect that they should some day be remedied. This bill will remedy such conditions to some extent.

I have seen many employed in the Boston district work six and seven years as temporary substitutes or as permanent substitutes, or both, either clerk or carrier, before receiving an appointment as permanent employees. I assume that such conditions exist elsewhere throughout the service. During this period of service, before receiving a permanent appointment, their work and salary is uncertain, and for a good part of that period their salary is small. However, they carry on, giving the best that is within them. I am informed that one of the reasons for this long period of temporary employment, of the failure to make permanent appointments as vacancies occur, is because of economy. Such economy is false and unfair to the employee. The relevancy of this argument to the bill under consideration is to show the loyalty of those in the service of this department and the character of service that they render.

The pending bill is of greater significance than heretofore. We are confronted by an unemployment condition that is without parallel in the history of our country. While we have had similar periods and experiences in the past, in none of them were we confronted with some of the fundamental causes which contribute to the present situation. One of the underlying reasons which led up to the acuteness of the present conditions, and which will always remain with us, is the evil or harmful effect which has flown from the substitution of machinery for human labor. It is true that the human race has benefited from mass production through the use of machinery, but it is also true that the benefits derived have not been distributed so as to prevent great evils arising therefrom.

One of the evils, and the great one, is the number of persons that have been and will continue to be thrown out of their employment and onto the street called "unemployment" as a result of machinery taking their places, and with no increased industrial activity or new business to reabsorb them into industry. It is conservatively estimated that throughout the country the number of displaced workers is approximately 2,500,000, and that number will keep increasing unless something is done to minimize this condition. The machine era has brought benefit to mankind, but it has also brought conditions of a harmful nature.

With the return to normalcy this evil will continue to exist; it is a progressive condition. It is the duty and obligation of industry and government to consider ways and means of removing the evil effects that have followed the substitution of machinery for man power. Within their own spheres of activity they should both strive for a more equitable distribution of the benefits of mass production, and this should be done in a manner consistent with our

theory of government. Tremendous industrial activity would only be a temporary relief, leaving the problem still open, which would have to be met some day. Judging by present conditions the industrial activity necessary to give work to displaced workers is something that can not even be predicted to-day. One other way to reabsorb displaced workers would be by the creation of new industries. Judging existing conditions, that is also out of the question. Here and there a new business is and might in the future be created, but nothing appears on the horizon from which we might expect that millions of displaced workers might secure employment. We are confronted with the duty and responsibility of trying to solve this problem, based upon existing conditions.

One of the means through which this condition can be minimized—not completely removed—is by a shorter work week for public and private employees without a reduction in wages or salary. It is apparent to me that in the near future the 5-day work week will prevail generally. This movement has the support of many persons and organizations who feel that existing conditions, if continued much longer, are likely to enter the stage where people out of employment are likely to think and act irrationally. Such would be the ultimate results of economic slavery. Employment is necessary for the spiritual and material welfare of not only people but of a nation.

The harmful effects of machine substitution for human labor has reached the stage where government should act, and act quickly. Before government interferes in the present situation with the orderly conduct of private business it should exhaust all means of persuasion and influence. If necessary, then it will have to act. If such an occasion should arise, I would feel constrained to vote for legislation that I would never vote for under ordinary conditions.

If necessary, which time I hope will never arrive, I would vote for practically any legislation that would hold intact our present system and theories of government, even at the expense of some of our classes of citizens. However, the Federal Government can lead the way toward the 5-day work week for its employees, which would go a long way toward reducing the harmful conditions following machine substitution. Other means can also be considered and devised, which in conjunction with the 5-day work week would practically remove these evils. This action by the Federal Government would have great influence on private industry.

The passage of the present bill is a step in that direction. Irrespective of existing conditions, those in the Postal Service are entitled to this legislation. In view of present conditions we should speedily pass this bill and its companion measure, the Saturday half-holiday bill, affecting practically the remainder of those in the Federal service. By doing this we will show the country that we appreciate the evils that have followed the substitution of machinery, and that within our own jurisdiction we are in part meeting it by providing for a shorter work week for our employees. By doing this we will tend to influence business to the consideration of a 5-day work week, an influence which would be greater if we were to inculcate such a principle into law. The welfare of the people—all of us, individually and collectively—and the best interests of our existing institutions of Government, which all true Americans love, require a solution of this great evil. [Applause.]

Mr. MEAD. Mr. Chairman, I yield five minutes to my colleague from New York [Mr. BOYLAN].

Mr. BOYLAN. Mr. Chairman, ladies and gentlemen of the committee, I congratulate the committee, first, on reporting out this very meritorious measure. I am particularly glad that they have at last realized the importance of helping our postal employees.

You know that the Post Office Department is the most popular department of the Government. It is close to our hearts. There are other departments of the Government that we are not so keen about. Of course, sometimes the Treasury Department, through the Internal Revenue Bureau, gives us some very painful moments; and we are not altogether in love with that department, or, again, the Prohibition Department is not so popular with many of our citizens. There is not a man, woman, or child in the country to whom the Postal Service of this Government does not render some service, whether it be a letter sought at home from the absent member of the family or whether it be a member of the family in a great city looking for a message from the old home or the old farm—in all these instances the post office has a human touch, a touch that brings it close to our hearts.

As one having some experience in both State and National Legislatures I have always marveled at the slowness of the State and Nation to respond to the trend of the times. The trend now is for a shorter week, for a 5-day week. The great captains of industry agree on this. All we ask here is for a 5½-day week. So we should not be hesitant or reluctant in granting it.

I can remember, and you can remember, in the large cities when the merchant thought he would not do a good holiday business unless he kept an open store until 10 o'clock at night, keeping the poor employees working from 8 o'clock in the morning until 10 o'clock at night. When all stores closed at 6 o'clock it was found that the same volume of business was transacted in the shorter time.

You know in the country districts where the fellows who sit around on the cracker barrels entered a protest because the country storekeeper wanted to close a little earlier, but after he had done so the Nation still survived. You know that when we tried to curtail the Sunday work how in the large cities we prohibited the barber shop and shoe-shining places from keeping open everybody predicted that the male populace would be wearing whiskers and going about with muddy shoes, and yet their fears were not realized.

In conclusion I want to say that this is a just bill; that it is a slight effort to give justice to a loyal and devoted force of public employees, and I sincerely trust it will have your unanimous approval. [Applause.]

Mr. MEAD. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. GREENWOOD].

Mr. GREENWOOD. Mr. Chairman, the Postal Service of our Government enters into every working corner to serve all classes of our people. When any improvement can be made to better social or economic conditions, I am glad to see the Government take the lead.

I want to congratulate the committee on reporting out a measure that has so much of human interest and improvement as this bill. It pleases me to see the Government take this advanced stand. The legislation will shorten the hours of labor and undoubtedly will lead to a 5-day week.

One of the most menacing things in this age with which we have to contend is the invention of machines for taking the place of the laboring man. I have observed for many years how capital uses machines to displace labor, which increases the profits of business and contributes but very little to those who labor. It would seem to me in this great age of invention and discovery that some of the cumulative advantage of machines should go to the men and women who work with their hands, and that there should be a better distribution of the profits of the machines, so that the laboring man could participate and have a portion of that advantage. Otherwise, the inventive genius of mankind will eventually destroy the opportunity of men to earn a livelihood. That is one of the problems of this day.

I am glad to see that in this period of depression those who employ labor show a tendency not to compel the laboring man to carry the great burden of these distressing times. I hope that wages may stay up in order that the purchasing power of our laboring classes may not be destroyed or reduced. One way to help in this matter of keeping the purchasing power at a high stage is to reduce the hours of labor and spread the volume of employment to a greater number. I am glad to see the Government take this advance stand, and I hope that other lines of endeavor, whether private or public, will eventually fall in and follow this example. I would like to see the laboring man have a 5-day week. This will provide for working people one day of

diversion and self-improvement besides the day of rest. I think that it would increase their purchasing power and their efficiency. I always like to see these movements of improvement that will advance the welfare of men and women who work with their hands. It often appears that in the distribution of the blessings of this life the producer has not always shared in the economic progress as he should. I think one of the solutions of the present-day depression is to allow labor to have the benefit both of higher wages and a wider distribution of the available employment to a larger number. The Postal Department may well lead in this economic advancement. It is a satisfaction to extend my support to what I believe is a very humane and wholesome piece of legislation. [Applause.]

Mr. MEAD. Mr. Chairman, I now yield to the gentleman from Illinois [Mr. IGOE].

Mr. IGOE. Mr. Chairman, in the contemplation of this legislation, which I favor so heartily, I believe it advisable to draw from the experience of the experts of Government service. I therefore desire to present at this time the speech at the last convention of the National Federation of Post Office Clerks of Charles F. Trotter, superintendent of Post Office Service Division, who tells us that—

Eight years ago, on July 1, 1921, there were 66,789 employees in first and second class post offices, including clerks, supervisory employees and laborers, but not letter carriers or motor-vehicle service employees. That was one employee for every $6,050 of postal receipts. On the same date in 1928, seven years later (I don't happen to have the figures for 1929), there were 78,133 employees, or one for every $7,930 of postal receipts. In other words, in 1928 each employee, through greater industry and increased efficiency (and there can be no other explanation of it), was turning out 31 per cent more work than in 1921. [Applause.]

GREATER PRODUCTIVITY

Let me state it another way. If the output had been the same per capita in 1928 that it was in 1921, then in 1928, instead of having 78,133 employees, we would have needed 102,354, or 24,221 more than we found necessary to carry on the work, a saving of 24,221 employees in one year on account of increased efficiency. That great saving of man power can not be ascribed to the introduction of labor-saving machinery, for there were almost no labor-saving devices introduced into the service during those seven years. The credit for it belongs to you men and women of the service. [Applause.]

LORD PRAISES SERVICE

Let me state the matter in a still different form by quoting a man who knows, and whose duty it was to know, Gen. Herbert M. Lord was Director of the Budget for seven years, 1922 to 1929, and how he did keep our noses down to the grindstone during those years in the matter of economy, but it was worth while and we acknowledge it now that it is over. The next seven years will be easier, now that we are used to it.

Since General Lord went out of office about three months ago he has published a series of very interesting articles on the operations and accomplishments of the Budget system. In one of his articles near the end of the series he paid a tribute to the Postal Service that made all of us who went through the fight with him feel mighty good, especially so because the Post Office Department was the only one of all the departments of the Government singled out by him for special commendation. He said:

"During the Budget period prodigious economies have been effected by the Postal Service. For instance:

"Revenues at first and second class post offices increased from $404,000,000 in 1921 to $632,000,000 in 1928, a rise of more than 55 per cent. That meant an increase of 55 per cent in work, too. The clerical man power to take care of this increase rose from 66,789 in 1921 to 77,901 in 1928, an increase of less than 17 per cent.

"Fifty-five per cent increase in business handled by a 17 per cent increase in personnel is a pretty good record, it seems to me, a record some of our big private institutions would be glad to make." [Applause.]

Mr. Chairman and members of the committee, I heartily favor the bill under consideration by the committee providing for a shorter Saturday workday in the Postal Service, and respectfully urge favorable consideration and an early report. I consider the postal employees very properly are asking the Congress to reduce their working schedules from 48 hours to 44 hours weekly. The nature of work performed by postal employees is severe and constitutes a great strain on the human system. The high rate of efficiency maintained by the department is amazing and, naturally, pleasing, and this is due to the sincerity and accuracy with which the work is done by those in the Postal Service. Congress has already recognized, by the provisions of the retirement law whereby persons in the Postal Service can retire at an earlier age than practically all other Federal employees, that the nature of the work is arduous. I consider such recognition as an important piece of evidence, and it should receive great weight.

There is much more that could be said that I will not refer to at this time. The whole subject was ably discussed by the distinguished gentleman from New York [Mr. MEAD] in an eloquent speech delivered in the House on January 23, 1930. I subscribe to his brilliant presentation of the facts and the reasons advanced by him for the enactment of such legislation into law. [Applause.]

Mr. SANDERS of New York. Mr. Chairman, I yield to the gentleman from Illinois [Mr. WILLIAM E. HULL].

Mr. WILLIAM E. HULL. Mr. Chairman, I am speaking on this bill from the experience of a post-office clerk. When I was 18 years old I was assistant postmaster and clerk, and when I was 19 years old I was a railway mail clerk. When I was 26 years old I was postmaster of Peoria, and remained so for eight years. Consequently I have had some experience in the Postal Service. There is nothing, in my judgment, that would do more to bring about a good feeling with the clerks and the carriers and those employed in the post-office service than the passage of this bill. I really believe that if we could have made a 40-hour bill out of it it would have been better; but, on the other hand, I think we are starting in the right direction. When I look back to my experience in the post office at Peoria and see now men that I appointed as carriers, who then were only 23 years old, when I see their condition to-day, with their feet worn out, their backs humped over, having no pleasure to speak of during all of these 30 years, it brings to my mind the thought that you can not do too much for the post-office clerk and the carrier. He is on the job rain or shine. He has the mail to carry, small or large. He must convince people that he is doing his work satisfactorily continually, or he is reported and is demoted or laid off. When a man enters the Post Office Service he is a young man, because he takes the civil-service examination; but he is no different than the soldier who goes into the Army. When that man goes into the Post Office Service he goes in for life, and when he retires at 60 or 65 years of age, whatever the retirement age is, he retires as an old man. He is fit for nothing else. He has never had any education in any other line of business. Consequently, it seems to me that what ought to be done for him is to give him the least possible work you can give him by shortening his hours and giving him Saturday afternoon off. I do not believe that there is anything that can be done for the post-office employee that should not be done by the Congress of the United States. You should consider that these men average only about $1,800 a year for a whole lifetime serving the people of the country. It is all very well to say if they do not like their jobs they can get out of it; but if you did not have good men you would not have good service. The reason the service is successful is because these men are all proficient. It is seldom that you can go through any post office and find any man who is either a drone or who is not on the job all of the time.

Away back before we had any of these hours, those of us who worked in the Post Office Service worked as long as 15 hours a day, but now the day has come when other people are not working that way, and there is no reason in the world why this bill should not receive the unanimous vote of every man on the floor of the House. I am strongly for this bill and would support a 40-hour bill. [Applause.]

Mr. SANDERS of New York. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. KENDALL], the author of the bill.

Mr. KENDALL of Pennsylvania. Mr. Chairman, I happen to be the author of this bill. I am delighted to see the support that it has received from the membership of the House. I only wish the postal employees throughout the country might have had an opportunity to sit in the gallery of this House and hear the favorable comments they have received in the splendid addresses made here to-day. The bill has been so thoroughly discussed that I feel it is useless to add much to what has already been said.

The postal employees have worked 48 hours per week since 1913, and during that period have had but 15 days' leave with pay and 10 days' sick leave with pay per year, while the Government employees in all the departments in Washington work but 42 hours per week and receive 30 days' leave with pay and 30 days' sick leave with pay. In addition to that, during the summer months they are granted Saturday half holidays. It therefore seems entirely unfair that the postal employees throughout the United States should be penalized by working longer hours than the Government employees, including the postal departmental employees in the city of Washington.

We hear much nowadays about unemployment and the need for Government aid in solving this most difficult problem. Improved machinery and labor-saving devices have been responsible for increased productivity and largely decreased labor, and for that reason the country has been fully supplied with all the necessary commodities of life at a violent reduction of labor. To-day there are three and one-half million idle men in this country and one and one-half million idle women who are compelled to work for a livelihood but for whom there are no positions. It is therefore up to Congress to do all it can to solve the unemployment problem. I see no better way than shortening the hours of labor. While this bill has only reduced the hours of labor in the Postal Service by four hours per week, it is my conviction that the Government should fix a 40-hour week for all the governmental employees which would give employment to hundreds of thousands of people who are now unemployed and, in a great measure, would solve the unemployment situation. The 44-hour bill, which will cost approximately $6,000,000 additional per year, will give employment to more than 5,000 substitute clerks who are now without employment and will solve the unemployment situation to that extent.

I might say here that the postal substitute employee situation is a disgrace. The Post Office Department has failed to fill thousands of vacancies with regular appointments. In the opinion of competent experts the service is undermanned and the employees are speeded beyond reasonable limits. The department made a so-called survey in 21 of the largest cities in the country and put into effect petty economies that are harmful to the service morale and are directly responsible for a curtailment of service to the public and the elimination of work opportunities for thousands of substitutes. In the 21 cities surveyed, from one to two deliveries of mail and collections of mail have been curtailed, thereby throwing out of employment thousands of substitutes who should have been kept on the pay roll in this period of unemployment.

There is no finer class of honest, conscientious, and devoted employees than those who carry on the great work of the Post Office Department. Mail is carried promptly and safely to all sections of the country. Postal clerks and carriers are so reliable and responsible that rarely is the mail miscarried or delayed. The employees have the service at heart and surely are entitled to have their work reduced from 48 to 44 hours per week.

I feel that this bill should be speedily enacted into law. [Applause.]

The CHAIRMAN. No further time being asked on general debate, the Clerk will read the bill for amendment under the 5-minute rule.

The Clerk read as follows:

Be it enacted, etc., That hereafter when the needs of the service require supervisory employees, special clerks, clerks, and laborers in first and second class post offices, and employees of the motor-vehicle service, and carriers in the City Delivery Service and in the village delivery service, and employees of the Railway Mail Service, to perform service in excess of four hours on Saturday they shall be allowed compensatory time for such service on one day within five working days next succeeding the Saturday on which the excess service was performed: *Provided*, That employees who are granted compensatory time on Saturday for work performed the preceding Sunday or the preceding holiday shall be given the benefits of this act on one day within five working days following the Saturday when said compensatory time was granted: *Provided further*, That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime for service in excess of four hours on the last three Saturdays in the calendar year in lieu of compensatory time: *And provided further*, That for the purpose of extending the benefits of this act to railway postal clerks the service of said railway postal clerks assigned to road duty shall be based on an average not exceeding 7 hours and 20 minutes per day for 306 days per annum, including a proper allowance for all service required on lay-off periods as provided in Post Office Department circular letter numbered 1348, dated May 21, 1921; and railway postal clerks required to perform service in excess of 7 hours and 20 minutes daily, as herein provided, shall be paid in cash at the annual rate of pay or granted compensatory time, at their option, for such overtime.

With the following committee amendments:

Page 1, line 3, after the word "that," strike out the word "hereafter."

Page 2, line 20, after the word "May," strike out the figures "21" and insert "12."

Page 3, line 1, after the word "time," insert "This act shall take effect at the beginning of the second quarter after its passage."

The committee amendments were severally agreed to.

Mr. SABATH. Mr. Chairman, I move to strike out the last word. I am not opposed to the bill. I think it is deserving legislation and hope that it will receive the unanimous vote of the House. I only regret that we can not go a little further and aid the thousands upon thousands of other employees and the millions of those who are out of employment.

I believe that we should reduce the working hours of Government employees in order to give more of the unfortunates who are now out of employment an opportunity to earn an existence or a living. To this end I would be willing even to reduce the number of days that they be employed.

At all times I have supported legislation that would be helpful to the employees, and I am ready to do so now; but, Mr. Chairman, ladies and gentlemen, my attention has been called to conditions which exist in certain districts, where many of the Government employees are not deserving of consideration because of the fact that there are two or three members of one family employed in Government service. I am of the opinion that during these hard times we should not encourage such unjustifiable practice, and therefore we should ascertain how many of such families have two or three of their members on the pay roll. Not that I begrudge them their employment but because I am desirous of aiding those that are now out of employment and who are seeking work for at least one or two days a week so that they can exist.

I wonder whether Congress could act in this respect, and I believe it should. We have the power, and I think we should not hesitate therefore to create ten or fifteen or twenty thousand additional positions for these out-of-work unfortunates.

On yesterday we appropriated $110,000,000 to relieve the unemployment condition. Unfortunately, only those in the rural sections of the country will be aided and helped, but the people in the large cities, in which exists the most suffering, will not be aided, helped, or relieved. I feel it is time that we should not only talk about the conditions that exist, but that we should extend real assistance to the starving millions of American citizens.

I withdraw the pro forma amendment.

The pro forma amendment was withdrawn.

Mr. CROSSER. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Ohio is recognized for five minutes.

Mr. CROSSER. Mr. Chairman, ladies, and gentlemen, contrary to the opinion held by many people, that we ought not to reduce hours of labor while so much unemployment exists, I think that one of the remedies for unemployment is a general reduction in the hours of labor. It must be clear to any thinking person that if the efficiency of labor increases by reason of the constant development and use of improved machinery, the time will come when a very few people employed to operate automatic machinery will be able to produce all of the material needed to supply the material things required by mankind. Surely it will not be claimed that the many millions of those whose labor has

been saved by such improved machinery must be compelled to vanish from the earth. Surely it will not be urged because the labor needed to produce the wealth of the country may be reduced to a tenth of what it now is, that the nine-tenths of the people must jump into the ocean.

Sooner or later we must recognize the fact that as improved methods of production are devised, and as improved machinery is adopted and therefore the efficiency of labor is increased, we must make a corresponding reduction in the amount of time devoted by labor to the production of the things required by the American people.

So, while this bill applies in only a small degree the principle of reducing the hours of labor of employees, it is a step in the right direction. I am in favor of a more comprehensive effort to reduce the hours of labor of those employed by the Government, because it will lead to a reduction in every line of work, whether private or public, and help to prevent the recurring evil of unemployment, which brings so much disaster and suffering to the American people.

The pro forma amendment was withdrawn.

Mr. ALMON. Mr. Chairman, I am heartily in favor of this legislation. I think it is meritorious. I believe when enacted into law it will inure not only to the benefit of the postal employees but to the Postal Service.

The bill now under consideration is known as the Kendall bill for a 44-hour week in the Postal Service.

Private industry is leading us toward shorter working hours and Saturday half holidays. Some of the largest business enterprises have carried out the purposes of this measure and have reported that it was beneficial from a production standpoint. I believe that the postal employment should be kept in line as far as possible with private employment. I believe the same good results will follow. The employees in the Post Office Department in executive offices in Washington now have a basic 42-hour week and during the summer months have a half holiday by order of the President, so with enactment of this law postal employees in the field service will be worked longer hours than the postal employees in Washington.

The enactment of this bill into law will make it necessary to use the services of substitutes to make up part of the compensatory time granted regular employees who work in excess of four hours on Saturdays. This will mean additional expense, but will help relieve unemployment of substitutes. Many of them are receiving a very small income. The use of these substitutes will make the postal workers a more efficient body.

When the needs of the service require employment of the postal employees on Saturday afternoons they will be given compensatory time on one of the five working days following. This bill will not have the effect of closing the doors of the post office on Saturday afternoons, but only provides that postal employees be given four hours off on Saturday where no injury will be done to the service.

It is impossible to estimate the cost of this measure. Many postmasters have reported that the cost will be absorbed in their offices. Estimates of the cost range from $2,000,000 upwards. However, every dollar spent will go as wages to substitutes who are now unemployed to a very large extent. In this way it will aid in relieving the unemployment situation which is so widespread all over the country. I am not concerned so much about the additional cost as I am in the service and the postal employees.

This bill does not apply to rural letter carriers for the reason that they are on an hourly basis. During my entire service in the Congress I have always favored legislation in behalf of the postal employees, including the rural letter carriers, and in doing so I feel that I not only rendered them service but rendered service to the people whom they serve. We have the best Postal Service of any country in the world and we are indebted very largely to the faithful and efficient services of the postal employees for the same. I urge that this bill be enacted into law at the earliest possible date. I trust that it will pass the House unanimously. [Applause.]

Mr. SANDERS of New York. Mr. Chairman, I move that the committee do now rise and report the bill with amendments back to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HOOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 6603) to provide a shorter work day on Saturdays for postal employees, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

Mr. SANDERS of New York. Mr. Speaker, I move the previous question on the bill and the amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded upon any of the amendments? If not, the Chair will put them in gross.

The committee amendments were agreed to.

The question was taken; and the bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The title was amended to read: "A bill to provide a shorter work week for postal employees, and for other purposes."

ALLOTMENT OF FEDERAL AID FUNDS FOR THE STATE OF ALABAMA

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent to have incorporated in the RECORD a letter from the Chief of the Bureau of Public Roads with reference to the present status of the allotment of Federal-aid funds for the State of Alabama.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The letter is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF PUBLIC ROADS,
Washington, D. C., December 8, 1930.

Hon. W. B. BANKHEAD,
House of Representatives.

DEAR MR. BANKHEAD: I have your letter of December 5 asking for certain information relative to Federal aid and flood relief funds for the State of Alabama.

Under the law Federal-aid funds are apportioned to the States not later than January 1 next preceding the commencement of the fiscal year for which authorized. These funds remain available for obligation on specific projects through formal agreement with the Secretary of Agriculture for a period of two years following the fiscal year for which they are authorized. Funds not so obligated at the end of this extra 2-year period must be reapportioned among all the States.

The following statement shows the status of the unobligated balances of Federal aid funds apportioned to the State of Alabama as of December 1, 1930:

Fiscal year	Unobligated balance	Availability expires
1930	$64,472.96	June 30, 1932
1931	2,395,620.00	June 30, 1933
1931 [1]	7,015.00	Do.
1932	2,615,434.00	June 30, 1934
	5,282,541.96	

[1] Reapportionment of $326,864.96 of lapsed Hawaii Federal-aid funds.

The total appropriation for flood relief in Alabama amounted to $1,660,000, of which $326,287.13 had been disbursed to December 1, 1930. Of this amount, $325,468.66 have been paid to the State as a reimbursement for restoration work done prior to the passage of the flood relief act (March 12, 1930). On December 1, 2 miles of road were under construction and an additional 20.3 miles had been approved for construction on flood-relief projects. The act appropriating the flood-relief funds made them available to June 30, 1931. The estimates of the Department of Agriculture for the fiscal year 1932 carry an item making the unexpended balances of these funds available until June 30, 1932.

Similar inquiries have been received from other members of the Alabama congressional delegation as a result of letters from Mr. J. A. Rountree, director general United States Good Roads Association, Birmingham, Ala. We also received the same inquiry direct from Mr. Rountree.

Very truly yours,

THOS. H. MACDONALD,
Chief of Bureau.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On December 3, 1930:

H. J. Res. 393. Joint resolution making an appropriation for the United States Massachusetts Bay Colony Tercentenary Commission; and

H. R. 10387, Au act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of Denver, Colo., the ship's bell, plaque, war record, name plate, and silver service of the cruiser *Denver* that is now or may be in his custody.

On December 4, 1930:

H. J. Res. 384. Joint resolution making appropriations available to carry into effect the provisions of the act of the Seventy-first Congress entitled "An act to fix the salaries of officers and members of the Metropolitan police force and the fire department of the District of Columbia.

On December 5, 1930:

H. R. 9267. An act for the relief of John A. Fay.

On December 8, 1930:

H. R. 736. An act to authorize the cession to the city of New York of land on the northerly side of New Dorp Lane in exchange for permission to connect Miller Field with the said city's public sewer system.

TO PERMIT RAILROAD AND ELECTRIC-CAR COMPANIES TO PROVIDE MAIL TRANSPORTATION BY MOTOR VEHICLE IN LIEU OF SERVICE BY TRAIN

Mr. SANDERS of New York. Mr. Speaker, I call up the bill (H. R. 12412) authorizing the Postmaster General to permit railroad and electric-car companies to provide mail transportation by motor vehicle in lieu of service by train, and ask for its immediate consideration. This bill is on the House Calendar.

The SPEAKER. The gentleman from New York calls up a bill, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General is hereby authorized, in his discretion, to permit railroad and electric-car companies to provide mail transportation by motor vehicle over highways in lieu of service by train, the compensation for such service to be at a rate not in excess of the rate that would be allowed for similar service by railroad or electric car, payment therefor to be made from the appropriate appropriation for railroad transportation and mail messenger service or electric and cable car service.

The SPEAKER. The gentleman from New York [Mr. SANDERS] is recognized for one hour.

Mr. SANDERS of New York. I yield five minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY. Mr. Speaker, just a word in explanation of the measure. This bill simply meets an actual necessity of modern transportation. Railroad trains are being taken off and that means that the mail service on those trains can not be continued and that there must be other means provided. The Postmaster General recommends that he be permitted to enter into contracts with those railroads or street-car companies in order that they may transport the mail by motor busses at no higher rates than are covered in the contracts with the railroad companies.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. LAGUARDIA. The gentleman just stated that this would not permit a higher rate, but will the gentleman accept an amendment which will insert after the word "train" the words "proper adjustment of the compensation for such service to be made in each instance, but in no case at a higher rate in excess"? The gentleman will realize that where you have this new mode of transportation in all likelihood the overhead is not as great as that for a railroad, and the Government ought to get the advantage of the cheaper rate of transportation. I believe that in each case where a railroad carrier seeks to change the mode of transportation there should be an adjustment so that the figures would be presented to the department, and if the department can get a lower rate all right, and then provide, but in no case in excess of the present rate. The gentleman can readily see that if the railroads are going to take obsolete lines and hold them dead, go into the motor transportation business, and charge all of their overhead to the operation of the motor lines we will never get any advantage.

Mr. KELLY. Of course, the gentleman understands the mode of payment. It is not on operation of capital or overhead, but the payment is made on a fixed-space basis, the lowest space being 3 feet and up to an entire mail car.

Mr. LAGUARDIA. The gentleman also knows that the rate is fixed by the Interstate Commerce Commission, and they take all of these factors into consideration. Now, in order not always to carry the load of antiquated and obsolete lines it seems to me that in each case we should have an adjustment which the Post Office Department can invoke, during the life of the contract, of course, and that in no case should the rate be in excess of the present rate, and in all likelihood in many instances they will be able to get a lower rate. As the gentleman knows, this is one of the largest expenditures we have.

Mr. KELLY. I am inclined to believe the amendment will do no harm to the measure. The only point is that the Interstate Commerce Commission fixes a regular space rate for all railroads, the lowest space being 3 feet, and leading up to a 60-foot mail car.

Mr. LAGUARDIA. Exactly. They fix the rate for the transportation of mail by the railroads, but during the life of the contract the railroads come in and seek to change their mode of transportation. In that instance I say they should make an adjustment of the contracts and in no case in excess of the rates now paid.

Mr. KELLY. If the gentleman will permit, I think that point is covered in the bill, but if there is any value in the gentleman's suggestion I am sure the committee would not object to an amendment. However, the fact is that the rate is fixed uniformly now, and there will be adjustments, of course, under that provision.

Mr. LAGUARDIA. I want to provide for this rate adjustment.

Mr. HOGG of Indiana. Will the gentleman yield?

Mr. KELLY. Yes.

Mr. HOGG of Indiana. I think the amendment offered by the gentleman from New York [Mr. LAGUARDIA] is well in point. However, I do believe it is covered in the bill, but the gentleman's amendment simply states the intent more fully. That being so, I would suggest that the committee agree to it.

Mr. LAGUARDIA. At the proper time I will offer it, and I can not do any more.

Mr. COLE. Will the gentleman yield?

Mr. KELLY. Yes.

Mr. COLE. Does this legislation apply only to busses operated by railroads and electric companies?

Mr. KELLY. Where those motor busses are operated for the transportation of any mail which has previously been carried on trains but which can no longer be carried by trains.

Mr. COLE. No man operating a bus outside of a railroad company or an electric company could carry those mails?

Mr. KELLY. Not over the routes where the railroads formerly carried the mail, unless the Postmaster General thought it best to open the route for bids.

Mr. SANDERS of New York. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Speaker, I have serious doubts whether we should pass this bill. It places no restriction upon the Postmaster General in the payment for the transportation of mail over routes covered by motor busses other than the rates can not exceed those now paid for such car-

riage by train. The purpose of this bill is to give the railroads a preferential advantage over competing bus lines. It is to take the carriage of mail by busses outside of the competitive field and make it a monopolistic affair, to be arranged by the Postmaster General and the railroads. When we had only railway mail transportation, of course, there was no competition. That was a monopoly service, because the Post Office Department needed the advantage of the expeditious character of the fast mail trains. It was the only means of conveyance, and even then, the department had means of transporting the mails by star routes under competitive bids for four years.

Now, wake up, gentlemen! What does this bill do?

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. STAFFORD. Yes; I will be pleased to yield to the gentleman in just a moment.

This bill gives a preferential advantage to the railroads in the carriage of the mail where bus service has been installed. Why should we single out the railroads that operate a special bus-line service and give them special consideration to receive whatever rate the Postmaster General may determine upon when it is an established principle of the Postal Service and of the star-route service, and has been for three-quarters of a century to my knowledge, that the carriage of mail by star routes, which is by motor service, shall be by competitive bids.

This is a bill designed to favor the railroads and to give them an exclusive privilege, and I am not in favor of it. Let us be frank about it. I now yield to the gentleman from Alabama.

Mr. BANKHEAD. Was the gentleman well advised when he made his preliminary statement that there is no necessity for this proposed legislation, and that under existing law there is no restriction upon the Postmaster General in making these contracts if he should see fit to do so?

Mr. STAFFORD. The Postmaster General to-day has authority of law to enter into contract for the transportation of mail by bus service between any points he desires to establish such service.

Mr. BANKHEAD. If that is true, I will ask the gentleman from Pennsylvania what is the necessity for this bill, if the gentleman from Wisconsin is well advised with respect to existing law?

Mr. STAFFORD. I will say to the gentleman, in answer to that statement, that for four terms, during my first four terms in Congress, back in 1903 to 1911, I served on the Committee on the Post Office and Post Roads, and during those eight years I served on Subcommittee No. 1 that in those days had charge of the preparation of the Post Office appropriation bill, and I think I know whereof I speak; otherwise, I would not have been so positive in my assertion with respect to this measure.

I will now yield to the gentleman from Pennsylvania.

Mr. BANKHEAD. Let us have some clarification by the gentleman in charge of the bill of this controversy.

Mr. STAFFORD. I will yield to the gentleman for that purpose if I can get a little more time, and I am sure I can.

Mr. BANKHEAD. The gentleman from Wisconsin takes the flatfooted position that there is no necessity for the passage of this bill inasmuch as the Postmaster General under existing law has authority to carry out the proposals of this bill. Is that admitted or is it denied, may I ask the gentleman from Pennsylvania?

Mr. KELLY. That is not admitted, and if the gentleman will allow me a word, I will show the necessity of this measure.

Mr. BANKHEAD. That is the very purpose of my inquiry.

Mr. KELLY. If the gentleman from Wisconsin states the Postmaster General can now ask for bids on routes of various kinds, that is absolutely true.

Mr. STAFFORD. Now, the gentleman concedes my point. He says that the Postmaster General has the authority to ask for bids on any route he so desires and he confirms my position. Now, why should we give preferential advantage to the railroads in the carriage of the mails when there is competitive bus service between the same points?

Mr. KELLY. The gentleman will admit, I am sure, that there were two questions asked. The gentleman from Alabama asked one question and the gentleman from Wisconsin asked another question. The situation is that these railroads have been carrying the mails under the rates fixed by the Interstate Commerce Commission and the traffic has become such that the mail trains are being taken off. The department desires to allow that railroad to carry the mail by bus over the line where it had previously carried it and at the same rate.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. I will ask the gentleman to yield me three minutes more.

Mr. SANDERS of New York. I yield the gentleman three minutes more.

Mr. STAFFORD. I then ask the gentleman why should not that service be open to competition just as is the case in the comparative service on the star routes? The gentleman says that the Post Office Department has the authority to-day to contract for the service of carrying the mails by bus lines, why restrict it?

Originally, as I said in my prefatory statement, there was no competition for the carriage of the mail by the railroads. It was a monopoly service from point to point and it was an expeditious service, and where there was not competitive service there were star routes. Now we have competitive conditions in the bus lines. Why should the railroads be singled out for preferential treatment? Why should they not be subjected to the same competitive rates as the star-route service?

Mr. KELLY. May I interpolate a statement there?

Mr. STAFFORD. Surely.

Mr. KELLY. Under the law a railroad is a common carrier, compelled to carry the mail at rates fixed by the Interstate Commerce Commission. This bill does not permit the Postmaster General to put a new route under railroad control, but where mail has been taken off the railroad it provides that he may have it carried by bus line under railroad management, that is all.

Mr. STAFFORD. O Mr. Speaker, the gentleman refers to the rate fixed by the Interstate Commerce Commission; that is merely a vagary. There is no competitive rate fixed by the commission. When we created the Parcel Post Service, if I may digress a moment, we authorized the Interstate Commerce Commission to fix the rates. They did not do anything at all. They just approved the action of the Post Office Department. We know nothing of the rates that could be fixed by the Interstate Commerce Commission.

These rates should be determined on a competitive basis. Bus line after bus line is operating, and now you want to give an exclusive privilege between competitive points to the railroads.

I am not against the railroads, but I do not want them to be singled out for a higher rate that has no application to bus line carrier service, and that is what I am contending this bill gives—a preferential rate to the railroads, to be fixed not by competitive conditions but by the ipse dixit of the Postmaster General.

Mr. HASTINGS. In other words, as I understand it, if the railroad discontinues carrying the mail and it is to go to a bus line, the gentleman wants to have competitive bids from the bus lines?

Mr. STAFFORD. From the bus lines; yes.

Mr. HASTINGS. And not have it given to the bus line run by the railroad?

Mr. STAFFORD. No; certainly not.

Mr. HASTINGS. But let it be done by competitive bidding between them.

Mr. STAFFORD. Yes; and the Postmaster General has authority to do that. He only wants to have the rates for that character of service determined as if it was carried by the railroads. There are lines and lines, and I could take up

the time of the House by enumerating them, but that is not at all applicable, and I submit to the determination of the House the question of whether this bill should be adopted or not.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. SANDERS of New York. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. MEAD].

Mr. MEAD. Mr. Speaker, I hold no brief for the railroads as against the bus and truck lines of the country, but I would call this to your attention: The railroads have accomplished a great deal in the upbuilding of this country. They have a very efficient and well-organized personnel. They employ high-class men, and in many instances and in many States they are regulated as to the number and character of their employees. Railroad companies own their own lines; contribute to the taxes of every town, city, and hamlet throughout the country. They are regulated by the Interstate Commerce Commission, while on the other hand the bus and truck lines are without these same regulations. The railroad employees undergo annual physical and mental examination. So I believe the railroads and their employees deserve some consideration.

Now I want to clear up a statement that was made that we are permitting the railroads by this bill to monopolize the mail service. Not only has the Post Office Department recommended this bill but it was considered by your Post Office Committee. Hearings were held by the committee and much time was given by the membership of the committee to the bill. It comes to you from the House Post Office Committee with their unanimous report.

The matter was referred to the Comptroller General, who has often been referred to as the watchdog of the Treasury, for a ruling as to whether there was any legal objection to authorizing payment to railroads and electric-car companies to provide mail transportation by motor vehicle in lieu of service by train.

The Comptroller General advised in effect that when mails for local points are transported, not by train but by bus and the service is performed by a subsidiary of the railroad or by an independent bus company, there is considerable doubt whether, as to such mail, the route retains its character as a "railroad route" within the meaning of the appropriation for railroad transportation and mail messenger service. In conclusion he stated further that his office will not for the present question otherwise proper payments to railroad companies for transporting mail when a part of the service is performed by means of busses, but if the practice is to continue beyond the fiscal year ending June 30, 1931, there should be specific statutory authority therefore by change in the wording of the appropriation or otherwise.

Under the legislation requested it is proposed to continue the use of the bus facilities provided by the railroad companies in lieu of train service for the transportation of the mails. It should be understood that these facilities will only be utilized in cases where the service is more satisfactory and cheaper at railroad rates than could be obtained otherwise by star route under formal contract.

So, as I see it, Mr. Chairman, this bill does not give the railroads, the bus lines, or star-route contractors a monopoly in the delivery of mail, but, on the other hand, it continues the competitive methods of the past. [Applause.]

Mr. LAGUARDIA. Mr. Speaker, this bill presents a matter of sound business administration. It has nothing to do with whether you favor the railroads or favor the busses. Under existing law the rates for the railroad are fixed by the Interstate Commerce Commission, and in fixing those rates they take as a guide the freight rates, all the factors that go into making and fixing reasonable rates.

Now, then, with the capitalization of the railroad and its overhead expenses, all the factors go into determining a reasonable rate fixed for railroad companies and mail contracts. After the railroads obtained these contracts on that basis it changes to bus transportation, and it says here that—

The compensation for such service to be at a rate not in excess of the rate that would be allowed for similar service by railroad or electric car.

Of course they would.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. STAFFORD. Is the gentleman aware that in the transportation of mail there is one character of service paid for by space used, and there is the other, known as R. P. O. Service, where the mail clerks distribute the mail en route. The service contemplated by this bill is for carrying the mail in bags on the busses.

Mr. LAGUARDIA. Not only that, but this will give, as the gentleman from Wisconsin [Mr. STAFFORD] says, an absolute monopoly to the railroads in the operation of busses, because with this advantage of coming in and getting the mail contract, as a matter of course, and then shifting it to the busses, it precludes and shuts out every possible competition for bus transportation on that route.

You can not justify that in any sense of the word. It is not a question of favoring the railroads or not, but it is giving the Government the benefit of new and cheaper means of transportation, and we should protect the Government to that extent and say to the railroads, "If you desire to transport by bus, then you come in with your offer of bus transportation and we will fix the rate as bus transportation and take into consideration other business, and in competition with other lines," but not under the present law which gives the railroads the contract, as a matter of course, and then let them shift to the bus, thereby shutting out forever real mail competition in bus transportation.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. MICHENER. As a matter of fact when these mail trains are discontinued to-day and a star route is established and advertised for the railroad is in no wise discriminated against. Its bus line has the same privilege of bidding on this work exactly the same as the other man has. If the railroad has the contract, it has the right to discontinue the rail service under the direction of the Interstate Commerce Commission.

Mr. LAGUARDIA. I hope the gentleman will not take all of my time.

Mr. SANDERS of New York. I yield the gentleman from New York two minutes more.

Mr. MICHENER. The railroad determines to take off a train; it notifies the Post Office Department that on a certain date it will discontinue this train, which is a mail train. The department then attempts to make temporary provision for the service.

They put a star route in operation at once, if necessary, which continues until they may settle the matter. Then they advertise for star-route service; and if the railroad company is running a bus, it has the same right to bid that an individual has.

Mr. LAGUARDIA. If that were so, there is no necessity for this bill.

Mr. MICHENER. That is what I am saying to you. The only thing this bill does is to permit the railroad to conduct a star route at railroad mail prices without being obliged to engage in competitive bidding. We have heretofore enacted legislation permitting the railroad company to make certain subvention contracts for the purpose of aiding indirectly the air service and for the purpose of aiding indirectly the merchant marine. We now permit the Postmaster General to make contracts at exorbitant prices, more than he could get the same work done for, for the purpose of subsidizing—we may as well be frank about the matter—and if we want to subsidize the railroads in a like way, let us come out and say so. Under existing law the railroad has the same opportunity to bid for star-route service as anyone else, and I know of no reason why we should change the situation, and I am opposed to the bill. [Applause.]

Mr. LAGUARDIA. I thank the gentleman. Now, let us stand by our guns and vote this bill down.

Mr. YON. Mr. Speaker, will the gentleman from New York [Mr. SANDERS] yield?

Mr. SANDERS of New York. Yes.

Mr. YON. Do I understand by this bill that the railroad goes out of business and they substitute a motor-bus service between the same communities, and that they will be permitted under this act, if it becomes a law, to make a deal with the Post Office Department whereby they will be permitted to carry the mail without bidding for the contract?

Mr. KELLY. There seems to be the idea that the passage of this bill would automatically compel a grant to the railroads without bids. The situation is that unless we take some action like this, on the 30th of June, 1931, the Post Office Department can no longer do what it has been doing in some instances—permit the railroads to carry the mail that otherwise was carried by train by motor bus. If this bill is not passed, it will be impossible for the Post Office Department to permit the railroad to carry the mail by motor bus, although they have been carrying it by train.

Mr. YON. I have in mind a section of my territory where the railroads were running trains on a tri-weekly schedule. The patrons of this service were not satisfied. Private individuals were interested in getting a better service. The question was taken up by the Post Office Department and the Post Office Department advertised for bids. The Government got the mail carried on this star-route service right alongside the railroad at a much cheaper rate than the railroad was paid.

Mr. KELLY. That will apply exactly the same after this bill is passed. It does not prevent using the cheapest form of transportation.

Mr. YON. There is another thing in connection with the mail service on railroads, where they have been carrying mail crews with mail clerks. Do you think it will be possible for them to put on mail clerks to distribute the mail?

Mr. KELLY. Trucks are under design right now for that very thing; that is, to have a distributing clerk inside the motor bus and the space is provided. There is no contract by the Post Office Department at the present for that, but busses are being constructed for such use in the future.

Mr. LaGUARDIA. Busses operated by the railroads?

Mr. KELLY. They are simply being designed, but they will be in use by both railroad companies and bus companies under other control.

Mr. HOGG of Indiana. Mr. Chairman, as I understand this bill it is designed to hold the railroads to their contract, provided the Government can not make a cheaper rate by the star-route bids.

Mr. KELLY. That is exactly correct.

Mr. STAFFORD. Oh, no; your bill is directly the opposite. The department has that privilege to-day. This bill seeks to raid the Government.

Mr. DOWELL. They are compelled to advertise for bids.

Mr. HOGG of Indiana. This gives the Government the right to continue the contract with the railroad if it desires to do so.

Mr. DOWELL. Yes.

Mr. MICHENER. Without bidding.

Mr. HOGG of Indiana. I am not through. We have here the word of the Postmaster General that he does not intend to invoke this law unless after the bids are submitted on the star routes they are higher than the rates which he is getting from the railroads.

Mr. MICHENER. Let us put that in the law.

Mr. HOGG of Indiana. I am introducing an amendment to that effect.

Mr. DOWELL. Put that in the law.

Mr. MICHENER. This bill says to the railroad companies: "You may continue at the present rate, and we have authority to permit you to continue at the present rate without you being compelled to bid in competition with the others."

Mr. HOGG of Indiana. The committee did not think that we needed to watch the Postmaster General quite so closely.

Mr. MICHENER. I believe it is the duty of this Congress to at all times guard against everything which may eventually or at any time inure against the Government.

Mr. LaGUARDIA. And we may not always have the same Postmaster General.

Mr. YON. Are you proposing this legislation in order that the highways might take the place of the railroads and that the railroads could go out of business and then to exercise the same rights and privileges that are being given on the railroads by their mail contracts? That is, do you figure on the railroads going out of business and putting on a bus line to carry the mail?

Mr. KELLY. If the gentleman will permit, there are continually coming to the attention of all of us cases where local passenger traffic no longer justifies the carrying on of regular passenger service, and these trains are taken off. The mail car goes with them, and the space that has been used goes with them. Then it becomes necessary for the Post Office Department to provide for the transportation of that mail. In the past they have been permitting the railroad company, if they had bus service, to carry it by that method, and the rate paid was the rate paid under the railway mail act. Now, if we do not pass this bill, that no longer can be done after the end of this fiscal year. It will then be necessary to throw open every single point between local stops for bids by star route, and the lowest bidder will get it.

Mr. LaGUARDIA. What is wrong about that?

Mr. KELLY. I say that this will permit the Postmaster General, where he can get better service at a cheaper rate, to be enabled to allow the railroad to carry the mail that had been previously transported by train.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. CHINDBLOM. Under what law or authority may the Postmaster General indulge in this practice until the end of the fiscal year and not thereafter?

Mr. KELLY. That is a matter that has been before the Comptroller General. The Postmaster General has done it, and the Comptroller General says he will permit it until the end of this fiscal year, but no longer.

Mr. CHINDBLOM. Mr. Speaker, may I be recognized to make a point of order?

The SPEAKER. Yes.

Mr. CHINDBLOM. I make the point of order—and I submit that this point of order, under the precedents, may be made at any time before the conclusion of the consideration of a bill—that this purely legislative bill makes an appropriation out of existing appropriations, and I refer to the last four lines of the bill, reading:

> Payment therefor to be made from the appropriate appropriation for railroad transportation and mail messenger service or electric and cable car service.

In so far as this language may provide for future appropriations, to be applicable, if made after the passage of this act, of course, the point of order would not lie, but, in so far as this act makes available, for this new purpose, existing appropriations not now available for that purpose, I submit that the bill makes an appropriation, and, therefore, it is subject to the rule which prohibits a legislative committee from reporting legislation containing appropriations.

I will say that I think perhaps the matter can be cured so as to be applicable after the 1st of July, but it can not be made applicable to appropriations for the present fiscal year.

The SPEAKER. The Chair would like to know against exactly what language the gentleman is making the point of order?

Mr. CHINDBLOM. It is the last four lines of the bill, which read as follows:

> Payment therefor to be made from the appropriate appropriation for railroad transportation and mail messenger service or electric and cable car service.

The SPEAKER. The point of order is good.

Mr. CHINDBLOM. Whatever the effect may be upon the balance of the bill, I am not pretending to say.

Mr. DOWELL. Will the gentleman yield?

Mr. CHINDBLOM. I yield.

Mr. DOWELL. Purely as a matter of parliamentary procedure, it occurs to me that this part of the bill is authorization for an appropriation to be made, and it is a legislative proposition in the last four lines, instead of an actual appropriation. There is no appropriation until the proper appropriating committee makes its report and secures passage of a bill making the appropriation.

Mr. CHINDBLOM. Is there not an appropriation now for railroad transportation and mail-messenger service and electric and cable car service?

Mr. DOWELL. Not from this bill.

Mr. CHINDBLOM. But any appropriation now existing for this purpose is made available.

Mr. DOWELL. Shall be made from the appropriation for railroad transportation, and it occurs to me that, purely as a parliamentary proposition, it is authorization for an appropriation when the appropriating committee is desirous of making it so, and no payment will be made until a proper appropriation is made. That does not indicate that I am in favor of the bill.

Mr. CHINDBLOM. Of course, I will say that if that were the actual effect of the language, this language would not be needed at all. There must be some purpose in using the language. You do not need to say "hereafter appropriations may be made" to carry out the purpose of this bill. The purpose of this language evidently is to make the present appropriations available for this purpose.

Mr. KELLY. I will say frankly that, of course, the idea is that the appropriation for railroad transportation and mail messenger service will be used for the payment of service performed under the terms of this bill.

Mr. CHINDBLOM. Mr. Speaker, I submit that concedes the point of order.

The SPEAKER. The only question for the Chair to determine on the point of order as made by the gentleman from Illinois [Mr. CHINDBLOM] is as to whether the language referred to is or is not an appropriation.

Mr. CHINDBLOM. May I interrupt the Speaker to state that the gentleman from Pennsylvania [Mr. KELLY] just said, and I do not know whether the Speaker heard it or not, that he conceded, in a spirit of frankness, which characterizes the gentleman, that the intention is to use existing appropriations at once for this purpose.

Mr. KELLY. No. I did not concede it was a direct appropriation.

Mr. CHINDBLOM. No; but it was the intention to use existing appropriations for this purpose.

Mr. KELLY. Certainly. I made that statement.

Mr. CHINDBLOM. The purpose of the language is to use present appropriations?

Mr. KELLY. Yes.

The SPEAKER. The language complained of by the gentleman from Illinois [Mr. CHINDBLOM] is as follows:

> Payment therefor to be made from the appropriate appropriation for railroad transportation and mail messenger service or electric and cable car service.

It occurs to the Chair that this language refers directly to an appropriation already made, not an appropriation for the future or an authorization for the future. It is apparent that the existing appropriation to-day is only for the purpose of railroad transportation and mail messenger service and electric and cable car service.

This bill proposes that the payment for transportation by bus lines can be made out of this existing appropriation.

In Cannon's Precedents, section 9156, is found the following syllabus of a decision analagous to the situation presented here:

> A proposition to reappropriate or make available an appropriation previously made or to divert such appropriation to any other purpose than that for which originally made is equivalent to a direct appropriation and is not in order in connection with a bill reported by a committee without authorized jurisdiction to report appropriations.

Also, in section 9157, is found the following:

> Legislative direction that funds previously appropriated be used for a purpose not specified in the original appropriation was held to be an appropriation in contravention of section 4 of Rule XXI.

Again, in section 9961, is found the following:

> Direction to departmental officers to pay determinable amounts from unexpended balances is equivalent to an appropriation.

It has been held (Cannon's Precedents, sec. 9153) that—

> The point of order that a bill reported by a nonappropriating committee contains an appropriation is properly directed to the item of appropriation and not to the act of reporting the bill. If the point of order is directed to the item of appropriation, that item only is eliminated.

It seems quite clear to the Chair that this is a direct appropriation, and a point of order against those words having been made by the gentleman from Illinois, the Chair, following the decision just given, will rule that those words go out, but the rest of the bill stands.

Mr. KELLY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KELLY. The Speaker having ruled on that point, I understand that in line 8, after the word "car," the remainder of the bill would be stricken out under the point of order.

The SPEAKER. That is correct.

Mr. KELLY. So that the bill would end with the words "electric car."

The SPEAKER. Exactly.

Mr. LaGUARDIA. Mr. Speaker, if the gentleman from Illinois makes a point of order against certain words he is privileged to do so, but I make a point of order against the whole bill in that the committee had no jurisdiction over the subject matter contained in the bill, and that is to direct appropriations for something not heretofore authorized by law.

The SPEAKER. The Chair does not think he is called upon to rule on the merits of the suggestion, as the Chair thinks the gentleman's point of order comes too late, inasmuch as the bill has been regularly reported by the committee and taken up by the House, and the objectionable words having been stricken out.

Mr. LaGUARDIA. As a matter of fact, have they been stricken out?

The SPEAKER. The Chair so ruled. The Chair ruled that those words went out, but the rest of the bill stood.

Mr. KELLY. Also, this is an authorization which no other committee of the House would have authority to report.

The SPEAKER. That question is not directly involved.

Mr. BLANTON. Will the gentleman from Pennsylvania yield?

Mr. KELLY. I yield.

Mr. BLANTON. On the merits of the bill. If I understood the gentleman, in reply to questions asked, he claimed that this bill would not compel the Postmaster General to grant a monopoly to railroads, but that it would merely permit the Postmaster General to do so. Was that the substance of the gentleman's statement?

Mr. KELLY. I did not use any such words as that, I will say to the gentleman.

Mr. BLANTON. But that was the substance, as I understood the gentleman's reply.

Mr. KELLY. Here is what I did say: That the Postmaster General finds himself in a position where he desires to allow railroads which have been carrying the mails on trains to carry them on busses, at not above the regular rate fixed by the Interstate Commerce Commission. It is a Post Office Department measure.

Mr. BLANTON. My idea of the characteristics of the service of the distinguished gentleman from Pennsylvania is that he does not want to grant any monopoly to any railroad.

Mr. KELLY. My friend is right. I certainly do not want to do that.

Mr. BLANTON. In my State a trunk line, the Texas & Pacific Railroad Co., which runs 900 miles from El Paso to Texarkana through my State, and which is the only railroad in my State which has a Federal charter, has been discontinuing various stations along its line, and not permitting its passenger trains to stop at these little stations, and putting on bus lines which are using our highways. Those busses are crowding passenger cars off the highways into the ditches if they do not get out of the way. Is not that going to be the result of this bill? Is not railroad after railroad going to discontinue passenger service and their mail trains and use the highways with bus service?

Mr. KELLY. If my friend will permit, I will say that the committee had before it the express statement of Postmaster General Brown stating that in no case would he allow a railroad to carry mail under this provision unless it was at a cheaper rate and a more satisfactory service.

Mr. BLANTON. But the gentleman can not agree with the Postmaster General on many of his proposals. The gentleman can not agree with his proposal to increase the rate on first-class mail.

Mr. KELLY. That is right.

Mr. BLANTON. And your committee can not agree with him, nor can the gentleman from Pennsylvania agree with him on his proposals in other bills which the Post Office Committee is going to bring up, one proposal being to tax the business men and people generally of the United States 5 cents on directory service.

Mr. KELLY. I find myself gratified when I can agree with him on anything. I do agree with him on this provision.

Mr. BLANTON. It does look as though this would permit him to grant a monopoly to the railroads of the country.

Mr. KELLY. That was not the intention of the committee.

Mr. BLANTON. I do not believe I can support this bill. I believe that it should be defeated.

Mr. HOCH. Will the gentleman yield?

Mr. KELLY. Yes.

Mr. HOCH. In a case where there are two bus lines operating between the same points and one of these bus lines is owned and operated by a railroad and the other is not, is it not true that under the language of this bill the Postmaster General would be authorized to grant the contract to the railroad bus line in spite of the fact that the other bus line was willing to carry the mail at a lesser rate?

Mr. KELLY. He would have that authority, unless he did what he told us he intended to do, namely, get a cheaper rate under the railroad contract.

Mr. HOCH. But as far as the statute is concerned, there is nothing which would compel him to let the contract to the other bus line, which would be willing to carry the mail at a lesser rate.

Mr. KELLY. As far as the committee knows, there has never been any complaint about the present situation, and the railroads have been permitted to carry the mail on busses in certain instances.

Mr. DOWELL. And that, of course, is because he has not had this authority.

Mr. KELLY. He has been exercising it.

Mr. DOWELL. This law was not in effect.

Mr. KELLY. No.

Mr. DOWELL. He has authority to request the submission of bids, and he has given the contract to the one submitting the most favorable bid?

Mr. KELLY. No; that is not the situation. He has allowed the railroad companies to carry it in some cases.

Mr. DOWELL. I mean, where there was no transportation by rail.

Mr. SANDERS of New York. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

Mr. LaGUARDIA. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LaGUARDIA. Under the rule, would I be recognized to submit a motion to recommit?

The SPEAKER. At the proper time the Chair will recognize the gentleman.

Mr. LaGUARDIA. I ask for such recognition.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. LaGUARDIA. Mr. Speaker, I move to recommit the bill to the Committee on the Post Office and Post Roads.

The SPEAKER. The Chair understands the gentleman is opposed to the bill?

Mr. LaGUARDIA. I am.

The SPEAKER. The gentleman from New York submits a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. LaGUARDIA moves to recommit the bill (H. R. 12412) to the Committee on the Post Office and Post Roads.

Mr. LaGUARDIA. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The question was taken; and on a division (demanded by Mr. SPROUL of Illinois) there were—ayes 71, noes 37.

So the motion to recommit was agreed to.

A motion to reconsider the vote by which the bill was recommitted was laid on the table.

RETURN RECEIPTS FOR DOMESTIC REGISTERED AND INSURED MAIL

Mr. SANDERS of New York. Mr. Speaker, I call up the bill (H. R. 8649) to authorize the Postmaster General to collect an increased charge for return receipts for domestic registered and insured mail when such receipts are requested after the mailing of the articles.

The Clerk read the title of the bill.

Mr. SANDERS of New York. Mr. Speaker, I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

Mr. BLANTON, Mr. LaGUARDIA, and Mr. BANKHEAD objected.

The SPEAKER. This bill is on the Union Calendar.

Accordingly the House automatically resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 8649) to authorize the Postmaster General to collect an increased charge for return receipts for domestic registered and insured mail when such receipts are requested after the mailing of the articles, with Mr. HOCH in the chair.

The Clerk read the title of the bill.

Mr. KELLY. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

Mr. STAFFORD. Mr. Chairman, I object. It is a short bill and I think it should be read.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 3928 of the Revised Statutes, as amended by section 210 of Title II of an act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925 (43 Stat. 1068; U. S. C., title 39, sec. 386), is amended to read as follows:

"SEC. 3928. Whenever the sender shall so request, and upon payment of a fee of 3 cents at the time of mailing or of 5 cents subsequent to the time of mailing, a receipt shall be obtained for any registered mail matter, showing to whom and when the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery: *Provided further*, That upon payment of the additional sum of 20 cents at the time of mailing, a receipt shall be obtained for any registered mail matter, showing to whom, when, and the address where the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery."

SEC. 2. Paragraph (a) of section 211 of Title II of an act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925 (43 Stat. 1069; U. S. C., title 39, sec. 245), is amended to read as follows:

"SEC. 211. (a) The fee for insurance shall be 5 cents for indemnification not to exceed $5; 8 cents for indemnification not to exceed $25; 10 cents for indemnification not to exceed $50; and 25 cents for indemnification not to exceed $100. Whenever the sender of an insured article of mail matter shall so request, and

upon payment of a fee of 3 cents at the time of mailing, or of 5 cents subsequent to the time of mailing, a receipt shall be obtained for such insured mail matter, showing to whom and when the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery: *Provided further*, That upon payment of the additional sum of 20 cents at the time of mailing by the sender of an insured article of mail matter, a receipt shall be obtained for such insured mail matter, showing to whom, when, and the address where the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery."

With the following committee amendments:

On page 2, line 9, after the word "delivery," insert a colon and the following:

"*Provided further*, That upon payment of the additional sum of 20 cents at the time of mailing, a receipt shall be obtained for any registered mail matter, showing to whom, when, and the address where the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery."

On page 3, line 4, after the word "delivery," insert a colon and the following:

"*Provided further*, That upon payment of the additional sum of 20 cents at the time of mailing by the sender of an insured article of mail matter, a receipt shall be obtained for such insured mail matter, showing to whom, when, and the address where the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery."

Amend the title so as to read: "A bill to authorize the Postmaster General to collect an increased charge for return receipts for domestic registered and insured mail when such receipts are requested after the mailing of the articles, and for other purposes."

Mr. LAGUARDIA. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. LAGUARDIA. In the event no member of the committee seeks recognition in control of the time in opposition to the bill, I want to claim such time.

The CHAIRMAN. The Chair will inquire whether there is any member of the committee in opposition to the bill; if not, the Chair will recognize a member of the Committee of the Whole in opposition to the bill.

Mr. LAGUARDIA. Mr. Chairman, I ask for recognition in opposition to the bill.

The CHAIRMAN. The Chair will recognize the gentleman from New York.

Mr. SANDERS of New York. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY. Mr. Chairman and members of the committee, the Post Office Committee of the House has felt some responsibility as to making such corrections in postage rates and service rates as were justifiable in order to raise the revenues which are needed in the conduct of the Postal Service. We have reported a number of measures that have been given the most careful consideration possible, and this is one of them.

This bill deals with registered and insured mail, in both of which there is a loss of a large sum. The Post Office Department called the attention of the committee to the fact that the mail user in mailing the registered letter or article asks for a receipt from the addressee and pays 3 cents. However, the mail user sometimes does not pay the 3 cents but has the article registered, and afterwards comes in and asks if it was delivered. It was believed that it would be proper to fix a charge for the subsequent inquiry, which is really unnecessary, because the payment of 3 cents would get the card back with the signature of the addressee. So it is provided that a 5-cent rate shall be charged where the person mails a registered letter or package and afterwards desires the receipt card. It is believed that this will work no hardship on anyone but will be an added service.

Now where it is desirable to get the forwarding address for the mail sender there is a special fee of 20 cents—a high rate, but one, it was believed by the committee, the mail users would be willing to pay.

There is no addition as far as proof of delivery is concerned. At the present time the law provides that a fee for which 3 cents is charged shall be prima facie evidence in court of the delivery. It is believed that this new service will raise a considerable sum of money. The Post Office Department can not estimate definitely, but it is suggested that it may amount to around $2,000,000.

Mr. JONES. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. JONES. I notice here the provision that the receipt shall be received in the court as prima facie evidence.

Mr. KELLY. Yes; the present law reads as follows:

SEC. 3928. Whenever the sender shall so request, and upon payment of a fee of 3 cents, a receipt shall be taken on the delivery of any registered mail matter, showing to whom and when the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery.

So, that there is no change as far as that is concerned.

Mr. JONES. Does that apply to all letters?

Mr. KELLY. No; it only applies to receipt cards of registered mail matter.

Mr. TILSON. What about the paragraph following the provision that the gentleman has just read?

Mr. KELLY. That is an amendment to the bill.

Mr. TILSON. That is an addition.

Mr. KELLY. Yes; that is an amendment added by the committee.

Mr. MORTON D. HULL. There is no 5-cent fee now?

Mr. KELLY. No.

Mr. MORTON D. HULL. Then the committee has not complied with the rule to put that in italics.

Mr. KELLY. That is in the report.

Mr. PATTERSON. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. PATTERSON. The gentleman has no defense for this measure except that the Postmaster General wants it to raise revenue—it is a revenue-raising measure?

Mr. KELLY. I would not say that the Postmaster General is in favor of the 20-cent fee. He did recommend the 5-cent fee. The committee added the 20-cent fee.

Mr. PATTERSON. Then this is the committee's plan?

Mr. KELLY. Yes; the committee has added that.

Mr. PATTERSON. Then it is not for the service of the people but is a measure for raising revenue?

Mr. KELLY. I think no mail user is opposed to the fee. It will not be paid except by those who desire the service and believe it worth the price.

Mr. PATTERSON. But you say that the receipt shall be prima facie evidence in the court?

Mr. KELLY. I think the gentleman does not understand what I said a moment ago.

Mr. PATTERSON. I understand about that address feature. I have read the bill.

Mr. STAFFORD. Will the gentleman take us into the confidence of the committee and tell us how the committee arrived at the 20 cents as a reasonable charge for this service? Did the committee have the services of an accountant or is the figure merely a guess?

Mr. KELLY. That was the result of the meeting of minds. The Post Office officials knew that we desired to have such a service inaugurated. Some witnesses came before the committee and said that they would pay more than 20 cents. Others insisted that it be 10 cents. Finally, in conference with Post Office officials, when they learned that we were going to put in this provision, the sum of 20 cents was arrived at as the rate that would produce the greatest amount of revenue.

Mr. STAFFORD. Did any member of the Post Office Department charged with the responsibility recommend the rate of 20 cents?

Mr. KELLY. The matter was originated in the committee, and when the Post Office Department learned that we intended to put such a provision in, then, in a conference, the rate was fixed at 20 cents.

Mr. STAFFORD. I reiterate the question: Did any member of the Post Office Department recommend the rate of 20 cents for this additional service?

Mr. KELLY. I could not put the responsibility on them, because this originated in the committee.

Mr. STAFFORD. Did any member of the Post Office Department recommend any definite rate whatsoever for this service; and if so, what was the rate?

Mr. KELLY. I have said they did not recommend this provision.

The Post Office Committee takes responsibility for the idea itself. The rate was agreed on at a conference between the Post Office Committee and the Post Office Department.

Mr. STAFFORD. Even if the Post Office Committee originated the idea I can still conceive how some member of the Post Office Department may have been asked to suggest a reasonable rate for that character of service, and for the fourth time I ask whether any member of the Post Office Department made any recommendation whatever as to the reasonableness of the rate of 20 cents.

Mr. KELLY. I have told the gentleman that there is no responsibility on the Post Office Department, and the Post Office Committee takes the responsibility and the credit, if any there be.

Mr. SLOAN. As a matter of practical effect, in reference to this prima facie evidence, does that apply to the State as well as to the Federal courts, or is it intended to impress it upon the State courts? Will it apply only to the State courts?

Mr. KELLY. The gentleman is more of an authority on legal procedure than I am. This feature has been in force for many years.

Mr. SLOAN. What is the purpose and what has the effect been? These little matters do not often get into the Federal courts. The establishment of facts is usually in the State courts as a rule. I thought the gentleman might have some practical suggestion.

Mr. KELLY. For many years these receipt cards have been accepted in the courts as prima facie evidence of the delivery of a registered letter or article.

Mr. SLOAN. In the State as well as in the Federal courts?

Mr. KELLY. I understand so; yes.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. KELLY. Yes.

Mr. LAGUARDIA. A few days ago I received a letter, as I suppose every Member of Congress did, containing an offer to send six neckties. Let us suppose they were sent by registered mail, and that then my secretary signed a receipt for them. I know nothing about it. Then I suppose they could go into court and prove the delivery by presenting a receipt and hold me liable for the six neckties.

Mr. KELLY. Oh, the gentleman is mistaken about the purpose of this provision. Of course, they can not make the gentleman pay for articles that he never ordered, even though they were delivered. We had that practice up for consideration for many months.

Mr. LAGUARDIA. Just look at this, gentlemen. On the payment of 20 cents we will send out an investigator to find out when it was delivered, where it was delivered, and to whom it was delivered. Are you going to put the Post Office Department into the detective business?

Mr. KELLY. It requires no investigator. The gentleman knows that this only applies to forwarding addresses, where a man moves away from an address previously given. The registered letter is forwarded on and the employee of the post office writes in the address where delivery is made.

Mr. LAGUARDIA. It says that upon the payment of an additional sum of 20 cents at the time of mailing a receipt shall be obtained for any registered mail matter showing to whom it went, and the address where the same was delivered, and the receipt shall be returned to the sender.

Mr. KELLY. The gentleman will agree that now the receipt card shows to whom the registered letter has been delivered. The signature and time of delivery has been on these cards for many years. The address of delivery is the new feature.

Mr. MICHENER. Is it not true that this matter originated possibly from collectors of bills, and they are perfectly willing to pay any kind of a price to find the location of certain debtors?

Mr. LAGUARDIA. That is exactly what I am saying.

Mr. MICHENER. To-day, as a matter of fact, you can send a letter. The letter possibly never comes back, but it goes to a forwarding address, and the postal authorities are prohibited from giving to the sender the forwarding address. If this legislation goes through, you will be able to locate the forwarding address of any person. That is all there is to it.

Mr. LAGUARDIA. For 20 cents, and that is exactly what I said.

Mr. MICHENER. Yes.

Mr. LAGUARDIA. It is using the Post Office Department as an investigating bureau.

Mr. STAFFORD. As an aid to the collection agencies and shyster lawyers.

Mr. LAGUARDIA. May I ask the gentleman the necessity for the amendment on page 3 and almost the same on page 2? What is the difference between the two provisos, and why must it be repeated?

Mr. KELLY. One applies to registered mail, and the other to insured mail. As far as the collecting agency proposition is concerned, we had before our committee representatives of a great many business organizations that without doubt would find it a benefit. We also had statements from library associations that portrayed a situation where they send books out and the person receiving them may have moved away.

It is then impossible to get the address of the person and get the book back. Public libraries find it necessary frequently to send out what they call overdue notices, when books have not been returned on time, and it also frequently happens that the persons to whom these notices have been sent have moved, so that the record of the residence on file at the public library is incorrect. This has caused a great deal of petty annoyance and additional clerical work. If a letter carrier in delivering the registered notices would place on the return slip the address to which the notice was delivered, this annoyance would be eliminated. The statement further says that all public libraries are undermanned, and this additional service on the part of the Postal Service would help to relieve some vexatious situations. It would apply to many such cases as that. We believe there is nothing hidden about the proposition. It only applies to services actually given. No man should be afraid of having his address known. I can not conceive that any honest man would object to having his address known, and that is the information given in this receipt.

Mr. LAGUARDIA. I agree with the gentleman that every honest man should have his address known, but I do not want to put the Post Office Department in the business of locating crooks.

Mr. BLANTON. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. BLANTON. Under the very excellent administration of the Hon. Albert Sidney Burleson, when the Post Office Department paid its own way, you could, for 10 cents, have a letter or package registered and also could get a return receipt on a registered letter or package.

Mr. KELLY. It never was 10 cents.

Mr. BLANTON. Ten cents is what it was under the Burleson administration. Then it was raised to 15 cents, with 3 cents extra for a return card.

Mr. KELLY. The gentleman is talking about the fee.

Mr. BLANTON. Yes. For 10 cents you could then have a letter registered and get a return receipt. It was then raised to 15 cents and then to 18 cents to get a return card. Why could they not, on the return card, which is printed, have a place for the addressee's address, and when he acknowledges receipt of the letter he will sign his name and put in his address, and there is no necessity to charge an extra 20 cents?

Mr. KELLY. But if the mail users are willing to pay 20 cents for it——

Mr. BLANTON. Ah, but the real mail users are not willing to pay it, for they are the poor farmers and the poor

workingmen all over the United States. They are the ones who send registered letters just as well as the business men of the country.

Mr. KELLY. The individual mail user does not need this service.

Mr. BLANTON. But the people out in the country everywhere are sending registered letters every day, and they want their return receipts, and they want the addresses sometimes. Why charge them 20 cents when we are charging them now 8 cents more than we used to charge them or should charge them?

Mr. KELLY. It is an endeavor to raise a little money for the post-office establishment.

Mr. BLANTON. I am surprised that the gentleman from Pennsylvania would do it at the expense of 120,000,000 people of the United States.

Mr. KELLY. The gentleman is mistaken. This will only be used, I will say to my friend, by large concerns, by libraries, which send out many books, and companies which have great lists for registered mail, the department stores who send out packages, and so forth, and they should pay a reasonable fee for this service. It is an optional service.

Mr. LAGUARDIA. The gentleman has another bill for directory service. That is in addition to this?

Mr. KELLY. That is an entirely different proposition.

Mr. LAGUARDIA. But that is also for the benefit of these mail users.

Mr. KELLY. Of course, if this committee does not desire to assist in raising any money whatever for the Postal Service; all that is necessary is to kill these bills and I will not shed a tear. The committee can destroy out all these efforts of ours to raise a little revenue with these bills. We have provided for raising five or six millions dollars, and that without injuring the service. If in the judgment of the committee it is not desirable to follow such a policy, let us kill these bills and be done with it.

Mr. LAGUARDIA. Does the gentleman believe that we will make any money in giving directory service, in collecting long mailing lists of thousands and thousands of names at the rate provided for in this bill?

Mr. KELLY. This 20-cent rate?

Mr. LAGUARDIA. No; the other bill.

Mr. KELLY. That is another bill. Let us take that up when we reach it. This bill will raise, I believe, about $2,000,000 in addition to what is now being raised.

Mr. BLANTON. Will the gentleman yield again?

Mr. KELLY. I yield.

Mr. BLANTON. Is there not a proper revenue-raising committee in the House that has made a study of raising all revenues for the Government? Why should not the Ways and Means Committee look after the question of raising revenue for the Government?

Mr. KELLY. In general, I do not know that the gentleman and I are very far apart; but I am in favor, where we can raise additional revenues without injuring the service, of doing it. The Post Office Committee has that responsibility, and we have the bills here to do it.

Mr. SLOAN. And make the department pay its way?

Mr. KELLY. As nearly as possible without curtailing proper service.

Mr. STAFFORD. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. STAFFORD. I would like to inquire, in all candor, whether the Committee on the Post Office and Post Roads has made inquiry as to the need of increasing the rates of postage on parcel-post matter? Parcel-post carriage in the first zone, since it was established, has been regarded as grossly unremunerative to the Government. Its benefits are obtained by merchandising houses of the country. I repeat, has the gentleman's committee given any consideration to revising the parcel-post rates where it is acknowledged we are carrying mail below compensatory rates and where, if it were raised to a proper rate, there would be obtained not only a few hundred thousand dollars but millions of dollars?

Mr. KELLY. That has not been neglected at all. Under the law the Postmaster General has the authority and is actually required to have the Interstate Commerce Commission establish rates which will make parcel post self-sustaining. That action was not taken from the establishment of the parcel post in 1913 down to 1930.

However, at the present time the Postmaster General has before the Interstate Commerce Commission a request under that law, stating that in the first three zones there are losses on the rates, and in some of the wider zones there is a gain, and asking for an adjustment. I have information that that adjustment will be ordered in due time by the Interstate Commerce Commission and a substantial addition to revenue will be received as a result. So that matter has been looked after. We are endeavoring to properly adjust rates in all the ways possible.

Mr. BANKHEAD. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. BANKHEAD. I am much inclined to support the gentleman's measure, but before I do so, I want to see if I fully understand the practical purposes of this bill.

As I understand from statements made, the gentleman does not propose any change whatever in the existing postal regulations with reference to the amount of the charges for registered mail matter, where a return receipt is requested at the time of the initial mailing?

Mr. KELLY. No. It is exactly the same as at present.

Mr. BANKHEAD. But the gentleman does say that numerous instances arise where, if a man has waived his privilege of requesting a return receipt, he desires after that to send a tracer, so to speak, to determine whether or not that package was delivered, and if he desires to incur that additional and entirely optional privilege, it is provided in this bill that he shall pay the Government 20 cents for making that inquiry?

Mr. KELLY. Five cents for the regular receipt, and if he desires the forwarding address, 20 cents. That is all there is to it. It is an optional service. It will be paid by those who believe it is a fair charge, but it in no way affects the charges of present facilities.

Mr. LAGUARDIA. I yield 15 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, I doubt whether any of these other bills on the committee's calendar ought to pass. I do not see any necessity for them. Every one of these bills places an additional burden upon the people who use the Postal Service of the United States. I can not see where it is necessary to charge the people of the United States 5 cents for directory service on each letter that is sent with 2 cents postage on it. That is a bill which is coming up right after the one that is now under consideration.

The business men all over my section of the country have been against that bill ever since it was first proposed in this House. They are still against it, and it is not a wise measure. If we need more revenue for the Postal Service, let it come out of the general revenues of the Government. There are certain features of the Postal Service which are not self-sustaining. It has always been the policy of the Congress to provide whatever extra was necessary out of the general revenues of the Government by granting the Post Office Department whatever appropriations it needs to meet its running expenses.

We have our Ways and Means Committee that has been enlightened through years of study on the question of raising revenue. It is a much better committee to raise revenue for the country than this Post Office Committee. It has all the facts and statistics of the country before it. It knows how to raise it, and I am more willing for that committee to raise the revenue of the country than the Committee on the Post Office and Post Roads.

This directory service bill is a bill which is going to make itself felt as an added burden upon every citizen of the United States. A person who lives in the country mails a letter to some acquaintance who lives in a city. That person does not know the exact address many times, and it

causes very little trouble and expense to the post office in that city to give it directory service. The distributing mail clerk in the post office knows the address of practically 75 per cent of the people of the city already and he can distribute it without giving it directory service. The people are entitled to that service without extra charge, and to charge them 5 cents additional would be a postal rate of 7 cents on every letter. That service is now given for 2 cents and ought to be continued to be rendered for 2 cents, and if it should cost a little to give that service, the cost should be paid out of the general revenues of the Government.

Now, this 20 cents extra charge for getting the address of a party to whom registered mail is delivered is wholly unnecessary. The department, when it prints the return card, could have the address of the addressees in it and the party receiving the registered letter or registered package could just as well write in his address at the time he receives it. Such procedure would not cost the Government an added penny. I can not see why that service could not be rendered for the 18 cents we now charge. Up until the time Postmaster General Burleson went out of office there had never been charged more than 10 cents for a registered letter, which also covered the cost of a return receipt. We have increased the rate since the Burleson régime from 10 cents to 18 cents, and now they want to charge an additional 20 cents for getting information for the sender. I do not believe it is wise legislation, with all due respect to this committee. I think that the committee, when it passed the first bill which it brought in here to-day, should have called it a day, stopped at that good work, and not brought in all of this unwise chicken feed which will place an added burden upon the people of this country.

I would like for the gentleman from Pennsylvania to rise in his seat and tell us one single policy which Postmaster General Brown has promulgated during his régime which has been of any benefit to the people of the United States. I have not found a policy of his that has benefited a single constituent in my country. He has closed up post office after post office in the State of Texas. He has changed postal route after postal route, to the detriment of the people who live in the country, and he has done that over the protest of many constituents of mine. I do not know of a policy which he has inaugurated that has been beneficial to the people. Every single proposal he has made to this Congress has been an added burden upon the shoulders of the already overburdened people of the United States.

That is all I have to say about it. [Applause.]

Mr. LAGUARDIA. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, I rise for the purpose of obtaining information as to the additional information that will be secured on registered packages upon the payment of the additional fee of 20 cents. As I understand it, to-day anyone upon paying a fee of 3 cents at the time of mailing will be accorded the right of a return card showing to whom and when the registered letter or registered package was delivered. Now you are proposing that an additional fee of 20 cents shall be paid, at the request of the sender, for some character of service. Will the gentleman inform the committee what additional service the Government is going to furnish for that additional 20 cents, other than what is received upon the return card showing the name and the time when the registered article was delivered?

Mr. KELLY. At the present time, as the gentleman knows, for the 3-cent fee the mail user can have a return receipt showing the signature of the addressee and the time of delivery. By the payment of 20 cents addition, as provided in this bill, he will also receive on that card the final address to which the mail was forwarded, so that he will have information as to the present address of the addressee.

Mr. STAFFORD. That causes me to submit to the attention of the committee a situation which very likely has been called to the attention of all the members, off and on, and that is the policy of certain merchandising houses of sending merchandise to certain people throughout the country without the request of the person to whom it is sent. That policy has arisen by reason of a great abuse of the Postal Service. Certain large merchandising houses or individuals will deliberately send to you and send to large numbers of the people of the country merchandise which has never been ordered. They are the illegitimate mail-order houses of the country.

They put the burden or the onus upon the person to whom the merchandise is delivered of paying the postage in many instances to return it or else if they keep it they are liable to be charged with the payment of the reasonable value of the article.

Now, I have a suspicion, ladies and gentlemen of the committee, that the real purpose of this 20-cent fee is to improve the practices of what I call these illegitimate mail-order concerns that are sending out merchandise without the request of the addressee, and seeking to impose upon him the purchase of the article unless he returns it.

Mr. KELLY. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. KELLY. I want to state, in all fairness, that this measure, of course, can have no connection whatever with firms sending out material which has never been ordered, and the giving of the address of the addressee would be of no aid to such a firm.

Mr. STAFFORD. I can see where it would have a direct pertinency in aiding such an individual. Let us be frank about this. Everyone of us from time to time has received publications and other merchandise which we have never ordered with the request that we return it, and we are obliged sometimes to even pay the postage in order to return it. If we keep it we are obliged to pay for it. Do we want to aid in that kind of practice by allowing these mail-order houses the privilege of knowing the exact address by paying a fee of 20 cents, in order to begin a lawsuit and perhaps have evidence to produce in the court, so that unless the book or the merchandise is returned we will be brought into a justice-of-the-peace court to pay the full value of the article which the original sender has charged?

Mr. DICKSTEIN and Mr. HOGG of Indiana rose.

Mr. STAFFORD. I yield to the gentleman from New York, who was first on his feet.

Mr. DICKSTEIN. In the last few months there have been quite a number of cases where persons have received articles that they never ordered.

Mr. STAFFORD. That is what I am complaining about.

Mr. DICKSTEIN. How is that connected with this 20-cent fee?

Mr. STAFFORD. I am saying that it will aid a person who is engaged in such a nefarious practice. Constituents of mine have written to me during the last term and have asked me to use my best efforts to stop this practice, which has become a grave abuse. If they did not return the merchandise, then these houses would be furnished with evidence to compel them to pay its value. If this 20-cent fee is not going to redound to the benefit of such illegitimate practitioners, I want to know why. I now yield to the gentleman from Indiana.

Mr. HOGG of Indiana. Will the gentleman be good enough to tell the House just what he did when he received that unsolicited merchandise?

Mr. STAFFORD. What I did with it? I put it in the mail and returned it.

Mr. HOGG of Indiana. The gentleman was under no obligation whatever to do anything with it.

Mr. STAFFORD. No; but if I had retained it and the sender had proved by a 20-cent return card that I had received it, he could have given the evidence to some cheap, shyster attorney—and there are plenty of them throughout the country—to bring an action against me for its full value. There are many instances where persons have refused this kind of merchandise who have never ordered it, and I have served on the Post Office Committee long enough to know that the mail-order houses are only desirous of trying to use the Postal Service to improve their own practices.

Mr. HOGG of Indiana. Does not the gentleman believe that simply receiving the article implies no obligation on the part of the addressee to pay for it?

Mr. STAFFORD. If the person who sends it can prove that the addressee has opened and retained it, there is a legal obligation to pay a quantum valuabit for that book or other merchandise.

Mr. HOGG of Indiana. But there is no legal obligation.

Mr. BOX. Will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from Texas.

Mr. BOX. This measure is presented as a revenue measure. It requires some additional service on the part of the Post Office Department. Has the gentleman been able to ascertain what additional cost this will impose on the department in order to obtain and furnish the information requested to the person mailing the package?

Mr. STAFFORD. I was very solicitous in the three questions I put to the gentleman from Pennsylvania, who has charge of the bill, as to how the committee arrived at the 20-cent fee. He said it was an idea—I will not say a caprice, I will not say a whim, but an idea—of the Committee on the Post Office and Post Roads. I then asked the gentleman whether any accountant of the Post Office Service was called upon to fix what he regarded as a reasonable fee, and the gentleman said no, that it was just a conclusion of the committee.

I am not opposed to this 5-cent fee that is recommended where a person sends registered mail in the ordinary course and fails to ask for a return card, and then later wants to have the return card service. I am not opposed to that 5-cent fee. I think 5 cents would be a reasonable fee for such a service, but I am skeptical, indeed, as to the real reason for this 20-cent fee. The department does not recommend it. It is an idea, and it may be a flighty idea, or it may be a sound idea, in deference to the Committee on the Post Office and Post Roads.

Mr. GLOVER. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. GLOVER. With reference to these packages the gentleman has spoken of that are frequently sent through the mails to individuals who have not ordered them, is it not also true that they frequently fix a date upon which you are to return them, and if they got this receipt, then they could go after you if you did not return it within that time.

Mr. STAFFORD. All of us will recall that almost all of them have a certain definite statement on the label stating you are supposed to return it within a certain, definite time. Many people are imposed upon by this kind of practice. I do not want to have the Government a party in aiding them to carry on such practices.

Mr. Chairman, I yield back the balance of my time.

Mr. MAPES. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Michigan rise?

Mr. MAPES. To ask the chairman of the committee or the gentleman in charge of the bill a question.

Mr. KELLY. I yield to the gentleman.

Mr. MAPES. A colleague of the gentleman from Pennsylvania, the gentleman from Pennsylvania, Mr. WATSON, has introduced a bill which would prohibit the sending through the mail of unsolicited merchandise, which practice, in some places, has become a great nuisance. My understanding is that the Post Office Department recommends the passage of such legislation, and I would like to ask the gentleman from Pennsylvania, or any other member of the Committee on the Post Office and Post Roads, if there is any prospect of that bill being reported out of the committee in the near future?

Mr. KELLY. I will say in answer to the gentleman from Michigan that that matter has been given most extensive attention by the Post Office Committee. Two hearings taking several days have been held within the last four years. The committee desired to deal with an admitted evil and went into it with that purpose in view. Members of Congress appeared on both sides of the question. We finally decided that it is impossible at the present time to write a law which will not do a grave injustice to innocent parties, representatives of charitable organizations, religious organizations, and those who send out stamps for tuberculosis leagues, those seeking to raise funds for churches by souvenir postal cards, and so forth. It is impossible under our present state of knowledge to write a bill which will deal properly with the merchandise proposition alone, and therefore, as far as this session of Congress is concerned, I can not lend much encouragement to the hope that such a bill will be brought out. However, it will probably be taken up again in the next Congress in an effort to deal with the question.

Mr. MAPES. It is true, is it not, that the department has recommended some such legislation?

Mr. KELLY. The department recommended a measure which would have been impracticable.

Mr. MAPES. And it is also true, is it not, that this privilege of sending unsolicited merchandise through the mail has become a great nuisance in a great many parts of the country?

Mr. KELLY. I think it is a decided nuisance, and if it can be prevented it should be.

Mr. BLANTON. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. BLANTON. Does the gentleman think it is wise for the Committee on the Post Office and Post Roads to permit preachers in Connecticut, Texas, Nebraska, or Oregon to write Members of Congress from other States soliciting subscriptions for their particular church? Did the committee have that in mind in refusing, after four years' consideration, to not report the Watson bill?

Mr. KELLY. The bill referred to does not deal with that question. It deals with sending out Christmas cards without an order and asking the addressee to pay for them or send the cards back.

Mr. BLANTON. The committee has had four years on this Watson bill, and will it take four years more to prepare and draft a bill?

Mr. MAPES. I want to say to the gentleman that, so far as I am concerned as one Member of the House, I hope the committee will be able to work out some satisfactory legislation which will prevent this practice and abuse of the mails.

Mr. HOUSTON of Delaware. Why is it that a limit of time is fixed for mailing the package but no provision is made under the 20-cent fee?

Mr. KELLY. That special receipt card is for the purpose only of getting the final address of the addressee.

Mr. LAGUARDIA. How long after the package has been mailed has the sender the right to get this address?

Mr. KELLY. Subsequent to the mailing of the package by the payment of the 5-cent fee he can get the receipt card back.

Mr. LAGUARDIA. There ought to be some time limit in which he can call for the information.

Mr. KELLY. That will be regulated by the Post Office Department, as it does at present on the ordinary receipts.

Mr. SABATH. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. SABATH. I want to ask the gentleman a question: I received a communication from a gentleman whom I have known for many years, inclosing a pamphlet, which I think is more detrimental to the public than the receiving of merchandise that is not ordered. I want to know whether the funds that would be derived from the increase of these fees would help the department in enforcing and precluding from our mail the fraudulent, racketeering pamphlets sent out by the unscrupulous agencies, by brokers, or Wall Street vultures like the one I just received, and portions of which I will now read:

MARKET'S REACTION PROVES PROFITABLE FOR PROFESSIONAL TRADING

Trading on the short side of American Waterworks again results in profit making by—

I will omit the name so as not to advertise these schemers—

participants of syndicate profit through trade.

The short position which was taken on November 18 was entirely justified, as events proved.

Now, there are hundreds of such parasitical agencies throughout the United States who use the mails for the purpose of robbing unsuspecting and honest people by putting out such literature, which is fraudulent, and should be stopped. Have the post office authorities the power to stop it under the law now or will it require additional legislation to preclude these racketeers from robbing thousands and thousands of innocent men who are victimized by their alluring publicity to the effect that tremendous sums of money can be made by selling short on the stock exchange? This letter was received only five or ten minutes ago from a man who for 20 years has had experience on the board of trade and the stock exchange and well recognizes this infamous practice.

Mr. KELLY. I will say in answer to the gentleman that I am in agreement with him in criticizing selling short on the stock exchange. However, this particular bill does not deal with anything of that kind.

Mr. SABATH. I know that; I did not ask the gentleman whether this particular legislation would do it, but whether the post-office authorities had the power to stop this abuse, as millions of pieces of similar literature are sent by these parasites to the people in all sections of our country to lead them with the deliberate and vicious intent to mulct them out of their savings.

Mr. KELLY. There is abundant legislation on the statute books, and has been for years, to deal with any fraudulent company in the United States.

Mr. SABATH. Then, why does not the Post Office Department stop this practice? Mr. Chairman, I ask unanimous consent that I be permitted to embody this pamphlet in my remarks.

Mr. SPROUL of Illinois. I object to the pamphlet being printed, but not to the extension of the gentleman's own remarks.

Mr. LAGUARDIA. The gentleman from Illinois does not want to use the CONGRESSIONAL RECORD to advertise this, does he?

Mr. SABATH. Indeed not. What I want is to put a stop to these schemers, preying upon the public.

Mr. Chairman, I ask unanimous consent to extend my remarks by the insertion of this pamphlet.

The CHAIRMAN. Is there objection?

Mr. SPROUL of Illinois. I object.

Mr. KELLY. Let me say to the gentleman from Illinois [Mr. SABATH] that if he will on his own responsibility as a Member of Congress send that pamphlet to the Post Office Department, declaring it, in his estimation, to be a fraudulent enterprise, I promise him that an inspector will be sent out to investigate; and if it is found to be fraudulent, it will be barred from the mails. Of course, it must be proven to be a fraud.

Mr. SABATH. That is a splendid position which the gentleman takes, much more so than the position taken by my colleague from Illinois [Mr. SPROUL]. Whenever I try to stop these corrupt practices or these infamous gamblers, somehow or other, somewhere, either I am denied further time or an objection is raised preventing me from familiarizing the country with these practices. This is but one of the many similar agencies guilty of using the mails to defraud, and I exceedingly regret that objection has been raised to embody this pamphlet in the RECORD, so that the House may be informed as to the abuses permitted by the post-office authorities.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. SABATH] has expired. There being no further time desired in general debate, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That section 3928 of the Revised Statutes, as amended by section 210 of Title II of an act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925 (43 Stat. 1068; U. S. C., title 39, sec. 386), is amended to read as follows:

"SEC. 3928. Whenever the sender shall so request, and upon payment of a fee of 3 cents at the time of mailing or of 5 cents subsequent to the time of mailing, a receipt shall be obtained for any registered mail matter, showing to whom and when the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery."

With the following committee amendment:

Page 2, line 9, after the word "delivery," insert:

"*Provided further*, That upon payment of the additional sum of 20 cents at the time of mailing by the sender of an insured article of mail matter, a receipt shall be obtained for such insured mail matter, showing to whom, when, and the address where the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. Paragraph (a) of section 211 of Title II of an act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925 (43 Stat. 1069; U. S. C., title 39, sec. 245), is amended to read as follows:

"SEC. 211. (a) The fee for insurance shall be 5 cents for indemnification not to exceed $5; 8 cents for indemnification not to exceed $25; 10 cents for indemnification not to exceed $50; and 25 cents for indemnification not to exceed $100. Whenever the sender of an insured article of mail matter shall so request, and upon payment of a fee of 3 cents at the time of mailing, or of 5 cents subsequent to the time of mailing, a receipt shall be obtained for such insured mail matter, showing to whom and when the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery."

With the following committee amendment:

Page 3, line 8, after the word "delivery," insert: "*Provided, further*, That upon payment of the additional sum of 20 cents at the time of mailing, a receipt shall be obtained for any registered mail matter, showing to whom, when, and the address where the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prime facie evidence of such delivery."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The question was taken; and on a division (demanded by Mr. GLOVER) there were—ayes 47, noes 7.

So the committee amendment was agreed to.

Mr. SANDERS of New York. Mr. Chairman, I move that the committee do now rise and report the bill with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HOCH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 8649 and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

Mr. SANDERS of New York. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? [After a pause.] If not, the Chair will put them en gros. The question is on agreeing to the amendments.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

THE 44-HOUR BILL FOR THE POST OFFICE DEPARTMENT

Mr. MAAS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the 44-hour bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. MAAS. Mr. Speaker, in the present unemployment crisis the post office is not only doing nothing toward setting an example for other employers by giving work to needy men, but is juggling the tours of duty of regular employees so as to prevent the employment of the regular substitute employees.

The 44-hour week bill will go a long step toward correcting the situation so far as employment in the Postal Service is concerned. It is also necessary for the proper, efficient handling of the mails. The Government should be the leader in progressive movements to improve working conditions, so as to serve as a model for private business to follow. In this case the 44-hour week has been general in private industry for many years, and the Government should at least bring itself into conformity with this practice.

It is learned from reliable sources that at least 40 vacancies in the regular clerical and carrier forces exist at this time in the St. Paul post office, and apparently there is nothing being done to fill these positions. There are regular tours that have been vacated by the retirements, deaths, or resignations of clerks and carriers. As each vacancy occurred the work has been spread out among the other employees who are now driven at top speed under threat of penalties leading to demotion or dismissal.

In order to avoid the employment of auxiliary clerks at the hours of heaviest mails and on heavy days such as the first of the month, the tours of duty of the regular clerks are set back and changed frequently to meet changing conditions. This means that veteran clerks with many years' service are shunted back to later hours and have their regular habits as to meals and sleep interfered with to the detriment of health.

The policy of not filling vacancies is laid at the door of the Post Office Department administration at Washington. This is a national policy, and a survey made by reliable sources shows that there are 5,000 vacancies that should be filled for the efficient as well as humane administration of the Postal Service.

The President, the Congress, and every right-thinking person is urging the necessity of regular employment, the maintaining of wages, and the urgency of buying. Unemployed substitute postal employees can not buy. The postmaster who thus contrives to keep them unemployed is sadly out of step with the administration of which he is presumably a representative.

EXPEDITIOUS HANDLING OF CERTAIN MAIL

Mr. SANDERS of New York. Mr. Speaker, I call up the bill (H. R. 10676) to restrict the expeditious handling, transportation, and delivery of certain mail matter where local contractual conditions are inadequate.

The SPEAKER. The gentleman from New York calls up the bill H. R. 10676, which the Clerk will report.

The Clerk reported the title of the bill.

Mr. SANDERS of New York. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

Mr. BANKHEAD. Mr. Speaker, I object.

The SPEAKER. The bill is on the Union Calendar. The House, therefore, will automatically resolve itself into the Committee of the Whole House on the state of the Union, and the gentleman from Kansas [Mr. HOCH] will take the chair.

The House accordingly resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10676, with Mr. HOCH in the chair.

The Clerk read the title of the bill.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the committee amendment in the nature of a substitute be read in lieu of the original bill and that it be considered by paragraphs.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the committee amendment be considered in lieu of the original bill for the purpose of amendment. Is there objection?

There was no objection.

The Clerk read the committee amendment, as follows:

Strike out all after the enacting clause and insert:

"That the Postmaster General is authorized to provide and issue special-delivery and special-handling stamps of such denominations as he may consider necessary.

"SEC. 2. To procure the most expeditious handling and transportation practicable and the immediate delivery of mail matter at the office of address special-delivery stamps shall be affixed thereto, in addition to the regular postage, in accordance with the following schedule: Matter weighing not more than 2 pounds, if of the first class, 10 cents, if of any other class, 15 cents; matter weighing more than 2 but not more than 10 pounds, if of the first class, 20 cents, if of any other class, 25 cents; matter weighing more than 10 pounds, if of the first class, 25 cents, if of any other class, 35 cents: *Provided*, That, under such regulations as the Postmaster General may prescribe, ordinary postage stamps of equivalent value may be accepted in lieu of the special-delivery stamps herein specified.

"SEC. 3. For making special delivery there may be paid to the messenger or other person making such delivery 9 cents, for matter of the first class weighing not in excess of 2 pounds, 10 cents for matter of other than the first class weighing not in excess of 2 pounds, 15 cents for mail matter of any class weighing more than 2 pounds but not in excess of 10 pounds, and 20 cents for mail matter of any class weighing in excess of 10 pounds.

"SEC. 4. To procure the most expeditious handling and transportation practicable of mail matter of the fourth class, special-handling stamps shall be affixed thereto, in addition to the regular postage, in accordance with the following schedule: Matter weighing not more than 2 pounds, 10 cents; matter weighing more than 2 but not more than 10 pounds, 15 cents; matter weighing more than 10 pounds, 20 cents: *Provided*, That, under such regulations as the Postmaster General may prescribe, ordinary postage stamps of equivalent value may be accepted in lieu of the special-handling stamps herein specified.

"SEC. 5. Section 212, Title II, of the act of February 28, 1925, reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes (43 Stat. 1069; U. S. C., title 39, secs. 166, 170), and so much of section 207 of Title II of said act as relates to the expeditious handling, transportation, and delivery of mail matter of the fourth class (43 Stat. 1067; U. S. C., title 39, sec. 294), as amended (sec. 8, act of May 29, 1928; 45 Stat. 943, 944; U. S. C., Supp. III, title 39, secs. 166, 294), and all acts and parts of acts inconsistent herewith are hereby repealed."

Mr. BANKHEAD. Mr. Chairman, I reserve the point of order against the bill for the purpose of securing some information. Does this bill conform to the Ramseyer rule with reference to amendment to existing law?

Mr. KELLY. Yes. That is met most thoroughly in the report. We have covered it in several ways, and Mr. LAGUARDIA, who is an expert on that subject, agrees with me in that statement.

Mr. BANKHEAD. I withdraw the reservation of the point of order.

Mr. KELLY. There is nothing in this bill that need worry anyone. All that is provided is to reenact the present law as to special-delivery and special-handling services, with the exception that it covers those cases where first-class service can not be given to fourth-class matter.

In the act of 1925 we created a new service. That service was called special handling, and we provided that any mail matter bearing a stamp of 25 cents would get the same expeditious handling and transportation as is given to first-class matter. That was a service which we hoped would develop considerable patronage and did result in a great deal of support.

However, with the change in transportation, which has already been called to our attention this afternoon, the taking off of trains between local points, we have reached a place where the present law can not be carried out. For instance, the usual parcel-post package that is put in a mail car and sent on a train is now taken past a local station, whereas the first-class mail is delivered by means of a closed pouch thrown off at the station. The parcel-post matter can not be thrown off at that station and the train does not stop.

So that it has become necessary, in order to have the actual practice conform to the law, to change the provision so that instead of making it compulsory that first-class service shall be given a parcel, if a special-handling stamp is

affixed, we provide that "wherever practicable" the Postmaster General shall give it the same treatment as is given first-class mail.

That is all that this bill seeks to do, to bring the actual present practice into line with the law. That will be done by the inclusion of the phrase "to provide the most expeditious handling and transportation practicable."

That is all there is to the law, and I feel certain that no Member will object to it.

Mr. BOYLAN. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. BOYLAN. Does this increase the rates in any manner?

Mr. KELLY. It does not. The rate is written exactly in this bill as under the present law.

Mr. STAFFORD. I rise for information. I notice by section 2 of the bill special rates are provided for special-delivery service "for immediate delivery at the office of address." I assume that that refers to delivery of special-delivery matter in all post offices?

Mr. KELLY. That has always been the purpose of special delivery, to expedite it after it reaches the office of address.

Mr. STAFFORD. Now, it is provided that in addition to the present rates of regular postage there shall be on a package weighing not more than two pounds 10 cents, and it is provided that for that special-delivery service the messenger shall receive 9 cents and the Government shall receive 1 cent. Does the gentleman believe there is any compensation whatsoever to the Government for the special service, where a charge of 10 cents is made on a small package for special-delivery service and 9 cents is paid to the special-delivery messenger?

Mr. KELLY. Well, that has been the law for years.

Mr. STAFFORD. I am not asking as to that. The question is not whether it has been the law. I am asking whether the gentleman believes there is any revenue to the Postal Service where we receive a package for special delivery with a postage of 10 cents, and 9 cents of that 10 cents is paid to the special-delivery messenger?

Mr. KELLY. The gentleman from Wisconsin understands, of course, that the regular postage is affixed as well as the special-delivery stamp. This is for the additional service only.

Mr. STAFFORD. I ask the gentleman again—I direct my inquiry to the character of the service, special delivery. For that service there is a charge of 10 cents, and there is paid to the special-delivery messenger 9 cents of the 10 cents.

Mr. KELLY. So that is 1 cent additional to the Government, for which no additional service is given, other than is performed by the special-delivery messenger.

Mr. STAFFORD. Does the gentleman think that is compensatory for the additional service given?

Mr. KELLY. I do.

Mr. STAFFORD. I must take issue with the gentleman from Pennsylvania, that 1 cent will compensate the Government for the special-delivery service performed in the special handling that is required.

Mr. KELLY. The gentleman from Wisconsin knows that the placing of the special-delivery stamp on the package does not impose a single additional cost upon the Government, except the cost of delivering it by special messenger.

Mr. STAFFORD. The gentleman from Wisconsin knows that it does incur additional obligation upon the service to have that character of service. The gentleman from Wisconsin does know that the special-delivery service is a different character of service entirely, which requires the maintenance in our post offices of a special section for that character of service.

I do know, from my little knowledge of the Postal Service, that 1 cent is not compensatory for that additional service. The gentleman is prating about raising revenue, and here is a chance where the Postal Service could raise revenue, but they are frittering it away for the benefit of those commercial houses which want to use special-delivery service.

Mr. KELLY. My friend from Wisconsin knows that if we made such a change all we would do would be to take pay away from some poor messenger boy, who needs every penny he now gets, and give it to the Government instead.

Mr. STAFFORD. Oh, the poor messenger boy! Some years back all of this service was performed by messenger boys, but now it is performed by men, and in many instances their salaries are compensatory. I have not examined their schedule of pay lately, but I know they maintain automobiles for this character of service, and they do get, in some instances, a very good wage for that service.

Mr. KELLY. Of course, they get no salary at all. All these messengers get are the fees, and for years we have given them 9 cents out of the 10 cents.

Mr. STAFFORD. They are no longer boys; they are men who are performing this service. The department is to be complimented for employing men and arranging it so that they do make a living wage.

Mr. KELLY. They get no salary at all; they get a fee only, and for years we have been giving them 9 cents out of the 10 cents. We ought to give them a living compensation. The additional 1 cent, in addition to the regular postage, fully compensates the Government for rendering this service. The regular postage covers the transportation of the article itself. I will also state to the gentleman that the boys are now compelled to furnish automobiles.

Mr. PATTERSON. Will the gentleman yield?

Mr. KELLY. Yes.

Mr. PATTERSON. What about section 5? How is that different from the law which is at present in force?

Mr. KELLY. There is no change there. This is simply for the purpose of dealing with the acts of 1925 and 1928, both of which deal with this special delivery and special handling charge.

Mr. PATTERSON. There is no change at all?

Mr. KELLY. There is no change at all.

The CHAIRMAN. There being no further time requested in general debate, the Clerk will read the bill for amendment under the 5-minute rule.

The Clerk read the bill for amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the committee by way of substitute.

The committee amendment was agreed to.

Mr. SANDERS of New York. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HOCH, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee, having had under consideration the bill H. R. 10676, had directed him to report the same back with an amendment, with the recommendation that the amendment be agreed to and the bill as amended do pass.

Mr. SANDERS of New York. Mr. Speaker, I move the previous question on the bill and amendment thereto to final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended.

A motion to reconsider was laid on the table.

FEE FOR INQUIRIES CONCERNING REGISTERED, INSURED, OR COLLECT-ON-DELIVERY MAIL, AND FOR POSTAL MONEY ORDERS

Mr. SANDERS of New York. Mr. Speaker, I call up the bill (H. R. 5659) to authorize the Postmaster General to charge a fee for inquiries made for patrons concerning registered, insured, or collect-on-delivery mail, and for postal money orders.

The Clerk read the title of the bill.

The SPEAKER. This bill is on the Union Calendar.

Mr. SANDERS of New York. Mr. Speaker, I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

Mr. STAFFORD. Mr. Speaker, I object.

Accordingly the House automatically resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 5659, with Mr. HOCH in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 5659, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General is authorized to provide by regulation for making such inquiries as he may consider proper concerning registered, insured, or collect-on-delivery mail upon the request of the sender or addressee thereof, or his agent, or concerning postal money orders upon request of the remitter, payee, indorsee, or his agent, and for the payment of such fees as he may prescribe for such service.

Mr. SANDERS of New York. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. KELLY] such time as he may require.

Mr. LAGUARDIA. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from New York rise?

Mr. LAGUARDIA. Mr. Chairman, if no one else asks for time in opposition, I shall ask for such time, although I would prefer for some one else to ask it.

Mr. SANDERS of New York. I will yield the gentleman from New York all the time he may want.

Mr. KELLY. Mr. Chairman, this measure is an endeavor, in some degree, to bring up a little closer in relationship the revenues of certain special services and the cost of rendering such service.

There are decided losses in the services which are covered by this measure. For instance, I think we should take into consideration the fact that the Post Office Department reports that the registry service at the present time is giving us a loss of $7,213,000 every year. On collect-on-delivery the loss is reported as $4,225,000. On special delivery the loss is $154,117. On money orders the loss is $10,432,876. In other words, a great part of the so-called deficit of the Post Office Department is covered in the losses on certain special services.

This bill undertakes to provide a way by which a certain amount of revenue can be received through a charge for inquiries as to these special services after the services have been received by the mail user.

It is a practice in many of the large offices at the present time for firms, corporations, and individuals using the money-order system and the registry system and the collect-on-delivery service to refuse to pay the 3-cent fee which is demanded for a return receipt but instead to come into the office and inquire as to where that particular money order or where a particular registered package is, thus avoiding the payment of the 3 cents. This bill would permit a charge to be assessed, so that there will be a smaller number of such inquiries, which in most cases are entirely unnecessary.

Mr. STAFFORD. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. STAFFORD. I was under the impression we had made provision for that special service by charging a fee of 5 cents under the bill which we passed a little while ago.

Mr. KELLY. No; that is for the return card. That permits any one, subsequent to the time of mailing a registered letter, to get a receipt. This is where an inquiry is made without any payment whatever at present.

Mr. LAGUARDIA. That is, if the gentleman please, if an old lady mails a registered letter and then becomes anxious about not having received a reply, she goes to the postmaster and says, "I mailed a registered letter to my daughter," and the postmaster will say, "If you give me a nickel I will tell whether it was delivered or not." Is not that about what it amounts to?

Mr. KELLY. That is not the purpose of the bill. I would like to paint another picture for the gentleman. A huge corporation with plenty of funds to pay expenses makes the Post Office Department do its accounting business by furnishing them a record of all the money orders, all the registered letters, and all the collect-on-delivery mail sent out without paying a cent for it.

Mr. LAGUARDIA. The gentleman has no limit to the charge to be made under the provisions of his bill?

Mr. KELLY. The bill as it stands leaves it to the Postmaster General, who will fix the fees, perhaps in accordance with the fee in the international mail, where there is a provision of this kind.

Mr. PATTERSON. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. PATTERSON. Does the gentleman think it would be well to leave this to the Postmaster General, in view of his enthusiasm in raising revenue at this time? Does the gentleman think it would be well to risk that entirely to his discretion?

Mr. KELLY. We have had this bill up once before in the House and in order to be perfectly fair I agreed then to accept an amendment making the fee 5 cents.

Mr. LAGUARDIA. Will the gentleman accept an amendment that he can prescribe for such services an increase not exceeding 5 cents?

Mr. KELLY. I shall offer an amendment myself if no one else does that the fee shall not exceed 5 cents for such service.

Mr. STAFFORD. Will the gentleman yield?

Mr. KELLY. I yield to the gentleman from Wisconsin.

Mr. STAFFORD. I know that inquiry should be limited to the bill; but if no further inquiry is to be made on the bill itself the committee would be interested in knowing more specifically as to the reason for the deficits in the respective services the gentleman has referred to. He cited certain figures—one where the indemnification service had caused a loss of a million dollars. Will the gentleman repeat the figures and specify the services where these large sums have been lost?

Mr. KELLY. I want to say that the authority is the Third Assistant Postmaster General, and the registry service has lost $7,213,000.

Mr. STAFFORD. What is the basic reason for such a large deficit in that service?

Mr. KELLY. Simply because the expense of handling it is greater than the income derived from it.

The collect-on-delivery loss is $4,225,000.

Mr. STAFFORD. That is for the benefit of the merchandizing firms.

Mr. KELLY. And there is no excuse for the loss of a penny on such a service; yes.

Mr. STAFFORD. Has the department made any recommendation to cure that?

Mr. KELLY. The department is preparing——

Mr. STAFFORD. Oh, preparing. The department takes a great deal of time in pointing out to the country that one reason for the large deficit in the Postal Service is the fact that it carries frankable mail, when, as a matter of fact, the cost for that service is less than a million dollars.

Mr. KELLY. That is true.

Mr. STAFFORD. Here is an instance where the department has performed services for merchandising firms and yet they have not come before the committee and made any recommendation for increasing the rate.

Mr. KELLY. The department could not well make any recommendation on one service without making them on all.

Mr. STAFFORD. Why not; we have just raised the rate on registered mail.

Mr. KELLY. These different services are interlocked, and should be considered as a whole.

Mr. STAFFORD. Oh, this service for the merchandising firms is not related; it is independent.

Mr. KELLY. Now, the loss on the money-order service is $10,432,000.

Mr. STAFFORD. Is that loss traceable to the issuing of money orders for small or large amounts?

Mr. KELLY. That is the total for the money-order service.

Mr. STAFFORD. I wish to inquire whether it is because the rates are not sufficiently compensatory for the issuance of small or the issuance of large money orders.

Mr. KELLY. That has not been segregated. This is the total loss of the money-order service.

Mr. PATTERSON. We seem to be coming in with these little bits at a time, and is this necessary and essential? Is it going to accomplish the purpose of the gentleman to help Mr. Brown get his department out even? Let me go back to the widow mentioned by the gentleman from New York, who makes an inquiry. She will come in and make an inquiry at the post office about some registered mail that she has sent, and in the course of time the clerk will look it up and come back and say, "Five cents, please." You can imagine how the woman will feel. Probably she will not have a nickel with her at this time. This will not accomplish much to amount to anything. Why does not the gentleman wait and get his program made out, by which he is going to try to raise the postage receipts, and have it all at one time and let this House pass upon its merits?

Mr. KELLY. The gentleman knows that the deficit in the postal department is due in part to service not compensated for at all, and these unnecessary inquiries cost a considerable amount of money. The old lady who seems to have the gentleman's commiseration to such a degree will be told that this inquiry will cost her so much—2 or 3 cents or 5 cents—and she will know whether it is worth while to pay it.

Mr. PATTERSON. And the clerk will continue to lean on his arms right there at the window and will not move a step toward going and looking up for her because she does not want to spend 5 cents. I oppose this and other similar measures.

Mr. LAGUARDIA. Is the committee also considering at this time a charge for a citizen who walks into the post office and asks what time it is?

Mr. KELLY. Oh, the gentleman is now sarcastic and facetious. We are giving millions of dollars of service without any charge at all.

Mr. LAGUARDIA. I know, and the post office is the most popular department now, and I don't want to make it odious by these petty charges. Does not the gentleman believe that the mailer of a registered letter has a right to find out whether his letter has been delivered?

Mr. KELLY. He has the right if he pays 3 cents for a return card with a signature. He should not continue to come in and try to get the Post Office Department to keep an accounting department for him?

Mr. BOYLAN. Does not the gentleman think that this great era of efficiency which is sweeping over the Post Office Department, mulcting the people here and there and elsewhere, is going a little bit too far? Does the gentleman not think that with 2 cents for this receipt and 5 cents for looking in the directory, and I suppose you will be charged 25 cents if the clerk licks the stamp for you, and things of that sort, the very next bill we will have will be one putting a charge on one who writes a letter to the postmaster? Then, I suppose there will be an additional charge if you telephone to him.

Mr. PATTERSON. Oh, you need not say that. They do not keep a telephone now in places.

Mr. BOYLAN. Or if you go to the inquiry window and make an inquiry it will cost you 11 cents. Where is this thing going to stop? There is no end to it. The only thing that many of our people get free from the Government is a little bit of postal service. They get nothing else. Now you are going to make it so onerous for them that they will not be able to pay. A man registers a letter. In the ordinary course that letter should be delivered. But suppose the letter is not delivered, the department falls down. Then you have the inconceivable audacity to tell that man that he has got to pay a nickel to find out what became of his letter. The same is true with the money orders.

Mr. KELLY. The gentleman is not quite accurate. All the mail user has to do when he puts in a registered package is to say that he desires a receipt from the addressee and pay 3 cents for it. He will then receive it.

Mr. BOYLAN. That is true, but how about the money orders?

Mr. KELLY. The same thing applies. He can get full information on that.

Mr. BOYLAN. Yes; but he has got to pay for it. If you go to a bank and draw a check and the check is not paid, the bank will find out where the check has gone without any cost.

Mr. KELLY. Does not the gentleman think that we are conservative with a $10,000,000 reported loss on money orders, when we provide that a person who makes unnecessary inquiries, adding to costs, shall compensate for it in a small way?

Mr. BOYLAN. But who is to say whether it is necessary or unnecessary? It might be very necessary to the individual making the inquiry.

Mr. KELLY. That individual can get a receipt with all the information for a very small fee.

Mr. BOYLAN. You are making it more and more expensive for the public all the time.

Mr. KELLY. I do not disagree with the gentleman's philosophy entirely, but I also believe that there are some of these services costing so much more than we get in revenues where we are justified in getting a little more revenue in directions that will not injure the Postal Service.

Mr. LAGUARDIA. Assume that a mailer asks for a return receipt and pays for it and he does not get his return receipt, then if he goes to the post office he has to pay an inquiry fee, a nickel, to find out why he does not get his return receipt, for which he has already paid.

Mr. KELLY. He will not. That mailer will not pay another fee. The organization of the Postal Service will be directed to getting that receipt back to the man who paid for it. We have an army of employees to get that information for him, and they get it, too.

Mr. LAGUARDIA. The bill reads:

That the Postmaster General is authorized to provide by regulation for making such inquiries as he may consider proper concerning registered, insured, or collect-on-delivery mail, upon the request of the sender or addressee thereof or his agent—

And so forth. Upon the payment of certain fees.

It seems to me that if he makes a proper inquiry to ascertain as to why he did not get his return receipt they will say, "Fill out this blank, pay a nickel, and we will tell you."

Mr. KELLY. This service is in force in the Foreign Mail Service, and there has never been anything but commendation for it. No such difficulties as that suggested have arisen.

Mr. LAGUARDIA. Will the gentleman say it is not the intent of the House in passing this bill to charge for an inquiry concerning a return receipt for which the service has heretofore been paid?

Mr. KELLY. I will say that if the Post Office Department should undertake to charge for such inquiry as that it would be a violation of the purpose of this bill.

Mr. STAFFORD. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. STAFFORD. I notice the language is rather awkward. Of course, I will acquit the gentleman from Pennsylvania of authorship of this bill.

Mr. KELLY. The gentleman is very kind and flattering.

Mr. STAFFORD. I think the gentleman will agree that I am more than kind when I point out some of the awkward phraseology.

The Postmaster General is authorized to provide by regulation for making such inquiries—

What inquiries?—

as he may consider proper.

Mr. KELLY. As the Postmaster General may consider proper as the subject of charge.

Mr. STAFFORD (reading):

Such inquiries as he may consider proper.

The bill, as I look at it, refers to inquiries which the Postmaster General may make. He is authorized to provide for making such inquiry. That is, he is going to make some inquiry. It is very awkward phraseology.

Mr. KELLY. I agree with the gentleman. However, it was written in the Post Office Department, and it will carry out what is intended—that the Postmaster General may make regulations for the inquiries which are appropriate as the subject of charge.

Mr. PATTERSON. In other words, he wanted to emphasize always "the Postmaster General."

Mr. STAFFORD. This is not the first instance where some one in the department has been shown to be rather obtuse in his ability to express his ideas.

The Clerk read as follows:

Be it enacted, etc., That the Postmaster General is authorized to provide by regulation for making such inquiries as he may consider proper concerning registered, insured, or collect-on-delivery mail upon the request of the sender or addressee thereof, or his agent, or concerning postal money orders upon request of the remitter, payee, indorsee, or his agent, and for the payment of such fees as he may prescribe for such service.

Mr. KELLY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KELLY: In line 9, after the word "of," strike out "such fees as he may prescribe" and insert in lieu thereof "a fee of not exceeding 5 cents."

Mr. STAFFORD. Mr. Chairman, I ask for recognition in opposition to the amendment.

What does this mean? As I say, I do not recall a bill that has been prepared in such wretched language as this to carry out the idea intended. I wish I had time to prepare a substitute to carry out the idea. This bill reads, "The Postmaster General is authorized," and so forth, "and for the payment of a fee of not to exceed 5 cents." What does it mean? We do not want to make ourselves ridiculous by passing a bill that is incongruous.

Mr. KELLY. It means that in no case shall he prescribe a fee of more than 5 cents.

Mr. STAFFORD. Oh, that does not carry out the idea of the gentleman. Let us analyze it from a critical standpoint. "The Postmaster General is authorized to provide by regulation," and so forth, "for the payment of a fee not exceeding 5 cents."

Mr. KELLY. "For such service."

Mr. STAFFORD. That was not included in the amendment offered by the gentleman.

Mr. KELLY. Yes; I left those words in.

Mr. STAFFORD. I beg your pardon. May the amendment be again reported?

The CHAIRMAN. The Clerk will again report the amendment.

The Clerk read the amendment, as follows:

Amendment offered by Mr. KELLY: In line 9, after the word "of," strike out "such fees as he may prescribe" and insert in lieu thereof "a fee of not exceeding 5 cents."

The question was taken, and the amendment was agreed to.

Mr. SANDERS of New York. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to, and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HOCH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 5659) to authorize the Postmaster General to charge a fee for inquiries made for patrons concerning registered, insured, or collect-on-delivery mail and for postal money orders, had directed him to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to and the bill as amended do pass.

Mr. SANDERS of New York. Mr. Speaker, I move the previous question on the bill and amendment to final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. LAGUARDIA. Mr. Speaker, I move to recommit the bill to the Committee on Post Office and Post Roads.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. LAGUARDIA. I am.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. LAGUARDIA moves to recommit the bill to the Committee on the Post Office and Post Roads.

The SPEAKER. The question is on the motion of the gentleman from New York to recommit the bill.

The question was taken; and on a division (demanded by Mr. LAGUARDIA) there were—ayes 10 and noes 37.

So, the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the bill was passed.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT—BATTLEFIELDS IN THE UNITED STATES

The SPEAKER laid before the House the following message from the President, which was read, and, with the accompanying papers, referred to the Committee on Military Affairs:

To the Congress of the United States:

In accordance with the provisions of the act of Congress approved June 11, 1926, entitled "An act to provide for the study and investigation of battlefields in the United States for commemorative purposes," I am transmitting a communication from the Secretary of War giving a detailed report of progress made under said act, together with his recommendations for further operations.

HERBERT HOOVER.

THE WHITE HOUSE, *December 10, 1930.*

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. J. Res. 211. Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States; to the Committee on Agriculture.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1759. An act for the relief of Laura A. DePodesta;

H. R. 1825. An act for the relief of David McD. Shearer; and

H. R. 10198. An act to repeal obsolete statutes and to improve the United States Code.

The SPEAKER also announced his signature to an enrolled bill of the Senate of the following title:

S. 328. An act for the relief of Edward C. Dunlap.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 1759. An act for the relief of Laura A. DePodesta;

H. R. 1825. An act for the relief of David McD. Shearer; and

H. R. 10198. An act to repeal obsolete statutes and to improve the United States Code.

Mr. STAFFORD. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Wisconsin makes the point of order that there is no quorum present. Evidently there is no quorum present.

ADJOURNMENT

Mr. SANDERS of New York. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 30 minutes p. m.) the House adjourned until to-morrow, Thursday, December 11, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Thursday, December 11, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

War Department appropriation bill.

State, Justice, Commerce, and Labor Departments appropriation bill.

JOINT CONGRESSIONAL COMMITTEE ON INTERNAL REVENUE TAXATION

(10 a. m., room 321, House Office Building)

To consider depletion of mines.

COMMITTEE ON NAVAL AFFAIRS

(11 a. m.)

To authorize the construction of certain naval vessels (H. R. 14688).

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

(10 a. m.)

To enable the Secretary of the Treasury to expedite work on the Federal building program authorized by the act of Congress entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926, and acts amendatory thereof (H. R. 14041).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

695. A letter from the Secretary of the Interior, transmitting copy of a letter from the Commissioner of the General Land Office, dated December 8, 1930, transmitting report of the withdrawals and restorations contemplated by the statute; to the Committee on Expenditures in the Executive Departments.

696. A letter from the Secretary of the Navy, transmitting a draft of a bill for the relief of Dr. M. M. Brayshaw, of Loma Linda, Calif.; to the Committee on Claims.

697. A letter from the Secretary of War, transmitting a draft of a bill to repeal certain obsolete parts of statutes relating to the strength of detachments at the United States Military Academy; to the Committee on Military Affairs.

698. A letter from the Secretary of War, transmitting a draft of a bill to authorize funds for the construction of a building on Government-owned land in the Canal Zone to house the radio-transmitter equipment of Albrook Field and France Field; to the Committee on Military Affairs.

699. A communication from the President of the United States, transmitting a deficiency estimate of appropriation pertaining to the legislative establishment, House of Representatives, for the fiscal year 1925 to 1931, in the sum of $816.68 (H. Doc. 676); to the Committee on Appropriations and ordered to be printed.

700. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on preliminary examination and survey of Indian River, Del.; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. LEAVITT: Committee on Indian Affairs. H. R. 13053. A bill to authorize the Secretary of the Interior to accept donations to or in behalf of institutions conducted for the benefit of Indians; without amendment (Rept. No. 2088). Referred to the House Calendar.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 12871. A bill providing for the sale of isolated tracts in the former Crow Indian Reservation, Mont.; without amendment (Rept. No. 2091). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILL of Alabama: Committee on Military Affairs. H. R. 14266. A bill authorizing and directing the Secretary of War to lend to the Governor of Alabama 250 pyramidal tents, complete; fifteen 16 by 80 by 40 foot assembly tents; thirty 11 by 50 by 15 foot hospital-ward tents; 10,000 blankets, olive drab, No. 4; 5,000 pillowcases; 5,000 canvas cots; 5,000 cotton pillows; 5,000 bed sacks; 10,000 bed sheets; 20 field ranges, No. 1; 10 field bake ovens; 50 water bags (for ice water); to be used at the encampment of the United Confederate Veterans, to be held at Montgomery, Ala., in June, 1931; without amendment (Rept. No. 2092). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. BUTLER: Committee on the Public Lands. H. R. 2339. A bill for the relief of Ivan H. McCormack; without amendment (Rept. No. 2087). Referred to the Committee of the Whole House.

Mr. COCHRAN of Pennsylvania: Committee on Military Affairs. H. R. 5792. A bill for the relief of Walter Goulette; with amendment (Rept. No. 2089). Referred to the Committee of the Whole House.

Mr. GARRETT: Committee on Military Affairs. H. R. 6935. A bill for the relief of Ira N. Saffell; with amendment (Rept. No. 2090). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 13295) granting a pension to Mary M. Carr, and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LINDSAY: A bill (H. R. 14906) to purchase a site for the erection of a post-office building in the section of the Borough of Brooklyn, city of New York, N. Y., known as Greenpoint; to the Committee on Public Buildings and Grounds.

By Mr. PATTERSON: A bill (H. R. 14907) providing for building of public buildings in the different cities and towns of the United States; to the Committee on Public Buildings and Grounds.

By Mr. BACON: A bill (H. R. 14908) to amend the act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustments, and other purposes; to the Committee on the Post Office and Post Roads.

By Mr. ENGLEBRIGHT: A bill (H. R. 14909) to add certain lands to the Modoc National Forest, in the State of California; to the Committee on the Public Lands.

By Mr. EVANS of Montana: A bill (H. R. 14910) to provide for the payment to veterans of the face value of their adjusted-service certificates on and after March 1, 1931; to the Committee on Ways and Means.

By Mr. CORNING: A bill (H. R. 14911) to provide for the construction of a vessel for the Coast Guard designed for ice breaking and assistance work; to the Committee on Interstate and Foreign Commerce.

By Mr. JAMES of Michigan (by request of the War Department): A bill (H. R. 14912) to authorize an appropriation for construction at Randolph Field, San Antonio, Tex., and for other purposes; to the Committee on Military Affairs.

By Mr. MOORE of Virginia: A bill (H. R. 14913) to amend an act approved February 24, 1925, entitled "An act to provide for the construction of a memorial bridge across the Potomac River from a point near the Lincoln Memorial, in the city of Washington, to an appropriate point in the State of Virginia, and for other purposes"; to the Committee on Public Buildings and Grounds.

By Mr. O'CONNELL: A bill (H. R. 14914) for postal employees' longevity; to the Committee on the Post Office and Post Roads.

By Mr. SUMNERS of Texas: A bill (H. R. 14915) to authorize appropriations for construction at Hensley Field, Grand Prairie, Tex., and for other purposes; to the Committee on Military Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 14916) for the relief of the Uncompahgre reclamation project, Colorado; to the Committee on Irrigation and Reclamation.

By Mr. WELCH of California: A bill (H. R. 14917) to amend section 19 of the World War veterans' act, 1924, as amended; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 14918) to amend section 200 of the World War veterans' act, as amended; to the Committee on World War Veterans' Legislation.

By Mr. BURDICK: A bill (H. R. 14919) to amend the World War veterans' act, 1924, as amended; to the Committee on World War Veterans' Legislation.

By Mr. McSWAIN: A bill (H. R. 14920) to authorize the leasing of the Muscle Shoals property upon certain terms and conditions, to provide for the national defense, and for the regulation of interstate commerce, and for other purposes; to the Committee on Military Affairs.

By Mr. HOGG of West Virginia: A bill (H. R. 14921) to provide for the acquisition of a site and the erection thereon of an addition to the Federal building at Huntington, W. Va.; to the Committee on Public Buildings and Grounds.

By Mr. ZIHLMAN: A bill (H. R. 14922) to amend the acts approved March 3, 1925, and July 3, 1926, known as the District of Columbia traffic acts, and so forth; to the Committee on the District of Columbia.

By Mr. HARTLEY: Joint resolution (H. J. Res. 430) declaring Armistice Day to be a legal public holiday; to the Committee on the Judiciary.

By Mr. BOYLAN: Joint resolution (H. J. Res. 431) to consult the people upon the question of retaining or repealing the eighteenth amendment to the Constitution; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLGOOD: A bill (H. R. 14923) granting an increase of pension to John A. Shannon; to the Committee on Pensions.

Also, a bill (H. R. 14924) granting a pension to Estelle Foster; to the Committee on Pensions.

By Mr. ARNOLD: A bill (H. R. 14925) granting an increase of pension to Elizabeth Hunter; to the Committee on Invalid Pensions.

By Mr. BACHARACH: A bill (H. R. 14926) granting a pension to Ida May Forbes; to the Committee on Invalid Pensions.

By Mr. BAIRD: A bill (H. R. 14927) awarding a medal of honor to Henry G. Mehling; to the Committee on Naval Affairs.

By Mr. BARBOUR: A bill (H. R. 14928) granting a pension to Stephen D. Graves; to the Committee on Pensions.

By Mr. BLOOM: A bill (H. R. 14929) to extend the benefits of the employees' compensation act of September 7, 1916, to Mary Elizabeth O'Brien, a former employee of the United States Veterans' Bureau; to the Committee on Claims.

By Mr. BRITTEN: A bill (H. R. 14930) for the relief of Dr. M. M. Brayshaw; to the Committee on Claims.

By Mr. CABLE: A bill (H. R. 14931) granting an increase of pension to Cecelia A. Burns; to the Committee on Pensions.

Also, a bill (H. R. 14932) for the relief of John Otto Albright; to the Committee on Naval Affairs.

By Mr. CANFIELD: A bill (H. R. 14933) granting an increase of pension to Margaret McElfresh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14934) granting a pension to Josie Siessly; to the Committee on Invalid Pensions.

By Mr. CARTER of California: A bill (H. R. 14935) for the relief of Joshua L. Bach; to the Committee on Claims.

Also, a bill (H. R. 14936) extending the benefits of the emergency officers' retirement act to Harry C. Boyden; to the Committee on World War Veterans' Legislation.

By Mr. CHIPERFIELD: A bill (H. R. 14937) for the relief of Abraham Lincoln Harper; to the Committee on Claims.

By Mr. CONNOLLY: A bill (H. R. 14938) granting a pension to Charles J. Bradley; to the Committee on Pensions.

By Mr. DEMPSEY: A bill (H. R. 14939) granting a pension to Adele Yates Taylor; to the Committee on Pensions.

By Mr. DORSEY: A bill (H. R. 14940) granting an increase of pension to Mary F. Wells; to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 14941) granting a pension to Harvey Ledbetter; to the Committee on Invalid Pensions.

By Mr. HANCOCK of New York: A bill (H. R. 14942) granting a pension to Ellen B. Stewart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14943) granting an increase of pension to Caroline Appelt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14944) granting an increase of pension to Rachel A. Booth; to the Committee on Invalid Pensions.

By Mr. HOFFMAN: A bill (H. R. 14945) for the relief of Joseph Silverman and Samuel Silverman, copartners, trading as Star Trading Co.; to the Committee on War Claims.

By Mr. JENKINS: A bill (H. R. 14946) granting an increase of pension to Adaline Roberts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14947) granting a pension to Cora Turner; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Illinois: A bill (H. R. 14948) for the relief of Emma Shelly; to the Committee on Claims.

Also, a bill (H. R. 14949) for the relief of Rosamond B. McManus; to the Committee on Claims.

By Mr. JOHNSON of Indiana: A bill (H. R. 14950) granting an increase of pension to Cora Kaylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14951) granting a pension to William Blair; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14952) granting a pension to Minnie J. Miles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14953) granting a pension to Ellen J. Owens; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 14954) granting an increase of pension to Charles L. Shaeffer; to the Committee on Pensions.

By Mr. LUDLOW: A bill (H. R. 14955) granting an increase of pension to Lulu K. Stout; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14956) granting an increase of pension to Anna S. Duffner; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 14957) granting an increase of pension to Alice Phelps; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14958) granting an increase of pension to Isabelle Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14959) granting a pension to Christina M. Rockwell; to the Committee on Invalid Pensions.

By Mr. MOUSER: A bill (H. R. 14960) granting an increase of pension to Elizabeth Simpson; to the Committee on Pensions.

Also, a bill (H. R. 14961) granting an increase of pension to Allie E. Fleming; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14962) granting an increase of pension to Sara P. Bowen; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 14963) granting a pension to John Charles Inglee; to the Committee on Pensions.

By Mrs. RUTH PRATT: A bill (H. R. 14964) authorizing the President of the United States to posthumously present in the name of the Congress a congressional medal of honor to Lieut. Wilbert W. White, jr.; to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 14965) granting an increase of pension to Elizabeth Mitchell; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 14966) granting a pension to Radah Stout; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 14967) granting a pension to Marie Geiger; to the Committee on Pensions.

Also, a bill (H. R. 14968) granting an increase of pension to Ameliza Drake; to the Committee on Invalid Pensions.

By Mr. SOMERS of New York: A bill (H. R. 14969) granting an increase of pension to Deborah J. Harris; to the Committee on Invalid Pensions.

By Mr. SPEAKS: A bill (H. R. 14970) granting an increase of pension to Eliza J. Bowers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14971) granting an increase of pension to Amelia Ann Keith; to the Committee on Invalid Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 14972) granting an increase of pension to John O. Lind; to the Committee on Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 14973) granting an increase of pension to Hannah L. Bliler; to the Committee on Invalid Pensions.

By Mr. SWING: A bill (H. R. 14974) for the relief of Mrs. E. L. Babcock, mother and guardian of Nelson Babcock, a minor; to the Committee on Claims.

By Mr. TABER: A bill (H. R. 14975) granting an increase of pension to Clarinda J. Gannon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14976) granting an increase of pension to Oraetta Bloomfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14977) granting an increase of pension to C. Victoria Northrup; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14978) granting an increase of pension to Mary Lamphere; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14979) granting an increase of pension to Mary E. Mills; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14980) granting a pension to Lewis E. Gardner; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 14981) granting a pension to Harvey E. Rodgers; to the Committee on Pensions.

Also, a bill (H. R. 14982) granting a pension to Jesse Carl Arnold; to the Committee on Pensions.

By Mr. THATCHER: A bill (H. R. 14983) for the relief of William Hill; to the Committee on Military Affairs.

By Mr. THURSTON: A bill (H. R. 14984) granting an increase of pension to Susan Boardman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14985) granting an increase of pension to Louisa M. Tuttle; to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 14986) granting a pension to Hattie M. Hartshorn; to the Committee on Invalid Pensions.

By Mr. TUCKER: A bill (H. R. 14987) authorizing the President to order William H. Sage, jr., before a retiring board for a hearing of his case, and upon the findings of such board determine whether or not he be placed on the retired list with the rank and pay held by him at the time of his resignation; to the Committee on Military Affairs.

By Mr. WELCH of California: A bill (H. R. 14988) for the relief of David and Edith Stadtner; to the Committee on Pensions.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 14989) granting an increase of pension to Annie A. Moneypenny; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14990) granting a pension to Lloyd Shaver; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred, as follows:

7856. By Mr. ALDRICH: Petition of 28 voters in second congressional district of Rhode Island, urging passage of House bill 7884, a bill for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

7857. By Mr. BARBOUR: Resolutions of Woman's Christian Temperance Union, of Visalia and Earlimart, Calif., urging Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

7858. By Mr. BLOOM: Petition of the members of the International Conference for the Investigation of Vivisection, urging the passage of House bill 7884 promptly and without amendment; to the Committee on the District of Columbia.

7859. By Mr. BRUMM: Petition of evidence in support of House bill 14829, granting a pension to Maria C. Gallagher; to the Committee on Invalid Pensions.

7860. By Mr. CANNON: Petition of veterans of the World War residing at Wellsville, Mo., favoring legislation providing for immediate payment of World War adjusted-service compensation certificates; to the Committee on Ways and Means.

7861. By Mr. HALL of Mississippi: Petition signed by J. W. Pittman and other citizens of Forrest County, Miss., urging favorable action on House bill 3722, authorizing an appropriation for cooperation with States granting old-age and disabled-persons pensions; to the Committee on Pensions.

7862. By Mr. HOOPER: Petition of evidence in support of House bill 14853 granting a pension to Harry M. Snow; to the Committee on Pensions.

7863. Also, petition of evidence in support of House bill 14852 granting a pension to Ellen J. Ludlow, and also evidence in support of House bill 14854 granting an increase of pension to Evvah A. Dickson; to the Committee on Invalid Pensions.

7864. By Mr. JOHNSON of Indiana: Petition of numerous citizens of Terre Haute, Ind., for an amendment to the Constitution excluding unnaturalized aliens from the count of the population of the Nation for apportionment of congressional districts among the States; to the Committee on the Census.

7865. By Mr. HARCOURT J. PRATT: Petition of Mrs. W. A. Chandler, president of the Home Missionary Society and the Foreign Missionary Society of the Methodist Episcopal Church, of Liberty, Sullivan County, N. Y., and 65 members of the organization, praying for passage of House bill 9986; to the Committee on Interstate and Foreign Commerce.

7866. By Mr. STRONG of Pennsylvania: Petition of ex-service men of Indiana County, Pa., favoring the immediate cash payment of adjusted-service certificates; to the Committee on Ways and Means.

7867. By Mr. WASON: Petition signed by 109 residents of the second congressional district of New Hampshire, favoring the enactment of legislation prohibiting experiments upon living dogs in the District of Columbia as set forth in House bill 7884; to the Committee on the District of Columbia.

SENATE

THURSDAY, DECEMBER 11, 1930

(Legislative day of Tuesday, December 9, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 5659. An act to authorize the Postmaster General to charge a fee for inquiries made for patrons concerning registered, insured, or collect-on-delivery mail, and for postal money orders;

H. R. 6603. An act to provide a shorter work week for postal employees, and for other purposes;

H. R. 8649. An act to authorize the Postmaster General to collect an increased charge for return receipts for domestic registered and insured mail when such receipts are requested after the mailing of the articles, and for other purposes; and

H. R. 10676. An act to provide for the special delivery and the special handling of mail matter.

LIBRARY OF CONGRESS REPORTS

The VICE PRESIDENT laid before the Senate a communication from the Librarian of Congress, transmitting, pursuant to law, his annual report for the fiscal year ended June 30, 1930, together with the annual report of the Register of Copyrights for the same fiscal year, which, with the accompanying reports, was referred to the Committee on the Library.

CORPORATION CONTRIBUTIONS FOR CHARITABLE AND RELATED PURPOSES

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the revenue act of 1928 for the purpose of authorizing corporations in computing net income to take as deductions from gross income amounts contributed for charitable, social welfare, or unemployment relief purposes made during the period from July 1, 1930, to June 30, 1931, which, with the accompanying paper, was referred to the Committee on Finance.

DISPOSITION OF USELESS PAPERS

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of Commerce, reporting, pursuant to law, relative to an accumulation of documents and files of papers which are not needed or useful in the transaction of the current business of the department and appear to have no historic value and asking for action looking to their disposition, which was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSON and Mr. FLETCHER members of the committee on the part of the Senate.

RELIEF TO DRAINAGE DISTRICTS

Mr. KING. Mr. President, I present a petition signed by numerous citizens of Millard County, Utah, favoring the passage of Senate bill 4123 granting relief to drainage districts.

The bill, as I recall, has passed the Senate and is now pending in the House of Representatives, and for the information of Members who may be interested in the matter I ask unanimous consent that the body of the petition, with one signature, may be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the petition was referred to the Committee on Agriculture and Forestry, and the body thereof, with the first signature, was ordered to be printed in the RECORD, as follows:

To the Hons. REED SMOOT, WILLIAM H. KING, DON B. COLTON, and FRED C. LOOFBOUROW:

Whereas during the second session of the Seventy-first Congress of the United States of America a certain bill known as Senate bill 4123, granting certain relief to drainage districts, was passed by the Senate of the United States of America and is now pending before the House of Representatives of the United States; and

Whereas during the year 1917 four drainage districts were organized in Millard County, Utah, for the purpose of draining and reclaiming approximately 84,000 acres of land, which said land was drained and reclaimed largely as a matter of patriotic duty during the World War, as a means of increasing the food supply of the Nation, and at the instance of the reclamation department of the United States Government, and same were sponsored and largely organized through the efforts of drainage engineers of the United States of America; and

Whereas as a result of the organization of the said drainage districts the said land was drained and reclaimed and is now productive, and approximately 4,000 persons have settled upon said drained lands and constructed homes and improvements thereon and depend upon the products of the said land for their livelihood; and

Whereas the principal crop produced upon said land is alfalfa seed, and the production of said alfalfa seed is essential to the welfare of the Nation, due to the fact that at the present time the Nation is not producing sufficient alfalfa seed to care for its needs; and

Whereas during the last four years, due to conditions of drought, numerous insect pests have developed in the alfalfa fields of the lands within said drainage districts, which have resulted in crop failures, making it impossible for the landowners to pay the annual assessments levied against said land for the purpose of paying the bonds issued for the purpose of constructing said drainage systems, and as a result the landowners are threatened with the loss of their lands and improvements, which lands and improvements represent the total assets of said landowners as well as years of toil and work; and

Whereas the condition of drought seems to be broken and said lands can be made a source of revenue to the Nation if the landowners can receive some assistance in meeting the assessments to be levied for the purpose of paying off the bonded indebtedness against the land in said districts:

Now, therefore, the undersigned citizens of Millard County, Utah, respectfully request and petition you to use your best efforts to have the said Senate bill 4123 enacted into law.

Dated at Delta, Utah, and respectfully submitted this 8th day of November, 1930.

Mrs. INGA BLACK, *Deseret, Utah.*

REPORTS OF THE COMMITTEE ON COMMERCE

Mr. FLETCHER, from the Committee on Commerce, to which was referred the bill (H. R. 7119) to authorize the establishment of a Coast Guard station on the coast of Florida at or in the vicinity of Lake Worth Inlet, reported it without amendment and submitted a report (No. 1174) thereon.

Mr. JOHNSON, from the Committee on Commerce, to which was referred the bill (H. R. 5708) for estimates necessary for the proper maintenance of the flood-control works at Lowell Creek, Seward, Alaska, reported it with an amendment and submitted a report (No. 1175) thereon.

He also, from the same committee, to which was referred the bill (H. R. 12121) to provide for a survey of the Salmon River, Alaska, with a view to the prevention and control of its floods, reported it without amendment and submitted a report (No. 1176) thereon.

REPORTS OF POSTAL NOMINATIONS

Mr. PHIPPS. As in executive session, from the Committee on Post Offices and Post Roads I report sundry postoffice nominations.

The VICE PRESIDENT. The nominations will be placed on the Executive Calendar.

GRACE LOUISE GOODWIN AND MABEL HALL GOODWIN

Mr. DENEEN, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported favorably without amendment the resolution (S. Res. 336), submitted by Mr. HALE on the 2d instant, and it was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay out of the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1930, to Grace Louise Goodwin, widow, and Mabel Hall Goodwin, daughter, of Edward C. Goodwin, late the librarian of the Senate, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

CATHERINE T. SMITH

Mr. DENEEN, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported favorably without amendment the resolution (S. Res. 349), submitted by Mr. WATSON on the 3d instant, and it was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1930, to Catherine T. Smith, widow of Frank M. Smith, late the janitor of the Senate, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES:

A bill (S. 5250) to extend the south and east boundaries of the Mount Rainier National Park, in the State of Washington, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. DAVIS:

A bill (S. 5251) to convert into a diagnostic center United States Veterans' Bureau Hospital No. 49 at Philadelphia; to the Committee on Finance.

By Mr. CUTTING:

A bill (S. 5252) to authorize and direct the Secretary of War to issue a lease to the Veterans' Bureau covering the grounds and property at Fort Bayard, N. Mex., necessary to the operation of Veterans' Hospital No. 55; to the Committee on Military Affairs.

By Mr. BROCK:

A bill (S. 5253) to authorize the appointment of Ira Partin, now a master sergeant, United States Army, as warrant officer, United States Army; and

A bill (S. 5254) to authorize the appointment of Arthur F. Cooley as a warrant officer, United States Army, and to place him on the retired list as a warrant officer; to the Committee on Military Affairs.

By Mr. TYDINGS:

A bill (S. 5255) to extend the time for the construction of a bridge across the Chesapeake Bay; to the Committee on Commerce.

By Mr. WALSH of Montana:

A bill (S. 5256) granting an increase of pension to Anthony L. Barnabo (with accompanying papers); to the Committee on Pensions.

A bill (S. 5257) for the relief of James F. Coyle; to the Committee on Claims.

By Mr. DILL:

A bill (S. 5258) for the relief of Mick C. Cooper; and

A bill (S. 5259) for the relief of Naomi L. Thompson; to the Committee on Claims.

A bill (S. 5260) granting a pension to Thomas J. Harris; to the Committee on Pensions.

By Mr. DENEEN:

A bill (S. 5261) granting a pension to David H. Black (with accompanying papers);

A bill (S. 5262) granting a pension to Elwood Richardson (with accompanying papers); and

A bill (S. 5263) granting a pension to Effie Compton (with accompanying papers); to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 5264) to amend title 1, subtitle B, section 22 (b) of the revenue act of 1928;

A bill (S. 5265) to amend section 25 (a) of the Federal reserve act; and

A bill (S. 5266) to amend section 25 (a) of the Federal reserve act; to the Committee on Banking and Currency.

By Mr. SHORTRIDGE:

A bill (S. 5267) authorizing the Secretary of Commerce to convey certain lands to the county of Los Angeles, Calif., for park purposes; to the Committee on Commerce.

A bill (S. 5268) granting a pension to Frank P. Smith;

A bill (S. 5269) granting an increase of pension to James R. Ready;

A bill (S. 5270) granting a pension to Bert Partridge;

A bill (S. 5271) granting an increase of pension to John F. Martin;

A bill (S. 5272) for the relief of Nellie Trapp;

A bill (S. 5273) granting an increase of pension to Emma C. Campbell; and

A bill (S. 5274) granting a pension to Emma E. Hudelson; to the Committee on Pensions.

A bill (S. 5275) for the relief of John Elliot Taylor;

A bill (S. 5276) for the relief of Harry F. Miller;

A bill (S. 5277) for the relief of Sprague B. Wyman; and

A bill (S. 5278) for the relief of Joseph Gottlieb; to the Committee on Military Affairs.

A bill (S. 5279) for the relief of George Lloyd Laraway; to the Committee on Naval Affairs.

By Mr. CAPPER:

A bill (S. 5280) to amend section 8 of the act entitled "An act making appropriations to provide for the expenses of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes," approved March 4, 1913, as amended; to the Committee on the District of Columbia.

A bill (S. 5281) granting a pension to Mary A. Runnion (with accompanying papers); and

A bill (S. 5282) granting an increase of pension to Annie M. Logan (with accompanying papers); to the Committee on Pensions.

A bill (S. 5283) authorizing the Secretary of the Treasury to refund to the so-called assistant directors in the public schools of the District of Columbia, divisions 10–13, all that portion of their salaries erroneously and illegally deducted and withheld under the provisions of the act of June 20, 1906; to the Committee on the District of Columbia.

By Mr. BINGHAM:

A bill (S. 5284) to amend section 4 of the immigration act of 1924, as amended; to the Committee on Immigration.

A bill (S. 5285) to amend the organic act of Porto Rico, approved March 2, 1917; to the Committee on Territories and Insular Affairs.

By Mr. SHIPSTEAD:

A bill (S. 5286) granting an increased annuity to Thomas A. Kelly; to the Committee on Civil Service.

A bill (S. 5287) granting a pension to Harriet E. Delay (with accompanying papers); to the Committee on Pensions.

By Mr. HALE:

A bill (S. 5288) to authorize the construction of certain naval vessels, and for other purposes; to the Committee on Naval Affairs.

By Mr. McNARY:

A bill (S. 5289) for the relief of O. E. Brooks; to the Committee on Claims.

By Mr. WHEELER:

A bill (S. 5290) authorizing the purchase and installation of a mechanical fish screen on the Sun River Canal, in the State of Montana; to the Committee on Commerce.

A bill (S. 5291) granting compensation to the widow and minor children of Alton W. Burlingame; to the Committee on Finance.

By Mr. HARRIS:

A bill (S. 5292) for the relief of Ella Edmondson; and

A bill (S. 5293) for the relief of Miles Jane B. Stuckey; to the Committee on Claims.

A bill (S. 5294) granting a pension to Catherine Murray; to the Committee on Pensions.

By Mr. CAREY:

A bill (S. 5295) authorizing an additional per capita payment to the Shoshone and Arapahoe Indians; to the Committee on Indian Affairs.

A bill (S. 5296) to provide for the application of net revenues from the operation of the Shoshone power plant, Wyoming; to the Committee on Irrigation and Reclamation.

By Mr. CAPPER:

A bill (S. 5297) to permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products; to the Committee on the District of Columbia.

By Mr. HAWES:

A bill (S. 5298) granting a pension to Mary Bell Hoggins (with accompanying papers);

A bill (S. 5299) granting an increase of pension to Jane Graham (with accompanying papers);

A bill (S. 5300) granting a pension to Martha E. McPherson (with accompanying papers);

A bill (S. 5301) granting a pension to Katharine Mertz (with accompanying papers);

A bill (S. 5302) granting a pension to William Matlock (with accompanying papers);

A bill (S. 5303) granting a pension to Lucy Maxwell (with accompanying papers);

A bill (S. 5304) granting a pension to William D. Matlock (with accompanying papers);

A bill (S. 5305) granting an increase of pension to Nancy Copen (with accompanying papers);

A bill (S. 5306) granting an increase of pension to John Shuler (with accompanying papers); and

A bill (S. 5307) granting an increase of pension to Ruth T. Guffin (with accompanying papers); to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 5308) granting an increase of pension to Roscoe Morrow (with accompanying papers); to the Committee on Pensions.

CHANGES OF REFERENCE

On request of Mr. ROBINSON of Indiana, and by unanimous consent, the Committee on Education and Labor was discharged from the further consideration of the bill (S. 5229) to provide for relief of unemployed former service men in the District of Columbia, and for other purposes, and it was referred to the Committee on the District of Columbia.

On request of Mr. TYDINGS, and by unanimous consent, the Committee on the Library was discharged from the further consideration of the joint resolution (S. J. Res. 78) for the establishment of a commission for the construction of a Washington-Lincoln Memorial Gettysburg Boulevard connecting the present Lincoln Memorial in the city of Washington with the battlefield of Gettysburg in the State of Pennsylvania, and it was referred to the Committee on Agriculture and Forestry.

On request of Mr. NORRIS, and by unanimous consent, the Committee on Public Buildings and Grounds was discharged from the further consideration of the bill (S. 5021) to expedite the construction of public buildings and works outside of the District of Columbia by enabling possession and title of sites to be taken in advance of final judgment in proceedings for the acquisition thereof under the power of eminent domain, and it was referred to the Committee on the Judiciary.

APPROPRIATION FOR CONSTRUCTION OF MAIN ROADS ON PUBLIC LANDS AND FEDERAL RESERVATIONS

Mr. ODDIE. I submit an amendment intended to be proposed by me to the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment. It is to be inserted in the bill after the amendment of the Senator from Arizona [Mr. HAYDEN] which was agreed to. I ask that the amendment may be printed, printed in the RECORD, and lie on the table.

There being no objection, the amendment was ordered to be printed, to be printed in the RECORD, and to lie on the table, as follows:

On page 2, line 7, following Mr. HAYDEN's amendment, to insert: "To carry out the provisions of the act approved June 24, 1930 (Public, No. 426, 71st Cong.), providing for the construction of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, there is hereby appropriated for the fiscal year of 1931 the sum of $5,000,000, said sum to be available until expended."

STUDY OF BATTLEFIELDS IN THE UNITED STATES FOR COMMEMORATIVE PURPOSES (S. DOC. NO. 229)

Mr. REED. Mr. President, I send to the desk and ask to have printed as a Senate document a message from the President of the United States submitting the report of the Secretary of War on the study and investigation of battlefields in the United States in accordance with the act of Congress. It has been the practice to have similar reports printed. I ask to have this report printed.

The VICE PRESIDENT. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. WAGNER obtained the floor.

Mr. JONES. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. JONES. I desire to ask the parliamentary status of the pending bills. Is the unfinished business, Senate bill 255, still temporarily laid aside and is the appropriation bill, House bill 14804, still before the Senate?

The VICE PRESIDENT. That is the situation.

Mr. McKELLAR. Mr. President, will the Senator from New York yield to me for the purpose of enabling me to suggest the absence of a quorum?

Mr. WAGNER. I yield for that purpose.

Mr. McKELLAR. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Kendrick	Schall
Bingham	Frazier	Keyes	Sheppard
Black	George	King	Shipstead
Blaine	Gillett	La Follette	Shortridge
Blease	Glass	McGill	Simmons
Borah	Glenn	McKellar	Smith
Bratton	Goff	McMaster	Smoot
Brock	Goldsborough	McNary	Steiwer
Brookhart	Gould	Metcalf	Stephens
Broussard	Greene	Morrow	Swanson
Buckley	Hale	Moses	Thomas, Idaho
Capper	Harris	Norbeck	Thomas, Okla.
Caraway	Harrison	Norris	Townsend
Carey	Hastings	Nye	Tydings
Connally	Hatfield	Oddie	Vandenberg
Copeland	Hawes	Patterson	Wagner
Couzens	Hayden	Phipps	Walcott
Cutting	Hebert	Pine	Walsh, Mass.
Dale	Heflin	Pittman	Walsh, Mont.
Davis	Howell	Ransdell	Waterman
Deneen	Johnson	Reed	Watson
Dill	Jones	Robinson, Ark.	Wheeler
Fess	Kean	Robinson, Ind.	Williamson

Mr. SIMMONS. I wish to announce that the junior Senator from North Carolina [Mr. OVERMAN] is necessarily detained from the Senate by illness.

The VICE PRESIDENT. Ninety-two Senators have answered to their names. A quorum is present.

RELIEF OF UNEMPLOYMENT

Mr. WAGNER. Mr. President, only a short month ago the people of the United States spoke their mind on the great national questions that confronted them. They expressed themselves through their choice of candidates. With unanimous agreement observers have concluded that one of the most clearly legible expressions to be found in the election returns is widespread public disapproval of the administration's method or rather lack of method of dealing with unemployment.

There was a time not so long ago when it was my custom to apologize for intruding with a discussion of that subject on the floor of the Senate. The calamitous events of the past year have made such apologies entirely superfluous. Unemployment is to-day beyond any peradventure, topmost in the thoughts of our people and foremost in the deliberations of Congress. By its action on unemployment this Congress will be judged.

Under the circumstances it seems to me eminently proper that we take time not only to consider the various emergency measures now pending for the relief of the suffering, but also to determine our bearings with respect to the entire problem so that we may give unified direction and purpose to our several acts of amelioration.

There are, to my mind, two principal ways of addressing the problem. One way is to regard every spell of unemployment as an unexpected accident to be received with surprise, nursed with first-aid methods, and borne stoically until nature has taken its course and destruction has taken

its toll. The other way is to treat enforced idleness, whether seasonal, cyclical, or technological, as a recurrent event which can be anticipated, controlled, and prevented.

The alternative is not merely a rhetorical one. The choice of one or the other will, of necessity, shape the work of this Congress.

The President, in his annual message, has stated his attitude. He said:

> It is as yet too soon to constructively formulate [such] measures * * * to remove the governmental influences which make for instability and to better organize mitigation of the effect of depression.

That is not the statement of a new policy. It is rather the President's definite formulation of a policy he has pursued in practice ever since he entered his exalted office.

During the last session of Congress the Senate passed legislation which is directly in conflict with the policy now announced by the President. The unemployment bills passed by the Senate were founded on the premise that the time had fully arrived for the creation of machinery and the construction of methods of a permanent nature to stabilize employment and to reduce the incidence of unemployment.

The President's message is corollary to the emergency theory of unemployment. The action of the Senate during the last session was, on the contrary, an expression of belief in the theory that unemployment will not defy intelligence and organization.

In view of the President's declaration, we ought now to restate our position in our own minds and determine whether we shall adhere to the program of the Senate which has received the sanction of the electorate or whether we shall repudiate our former course and adopt as our own the attitude of the President which has been unequivocally rejected and condemned by the people we represent.

All around us we see the meaning and effects of the emergency doctrine of unemployment to which the President now lends his support. Here, for instance, is a newspaper summary of what is going on in one city in a single day:

[From the New York Times, Sunday, November 30, 1930]

WHAT IS BEING DONE FOR UNEMPLOYMENT

Emergency Employment Committee, 40 Wall Street: Organized to raise $5,000,000 to be used in paying heads of families $5 a day for three days' work a week in the parks and in non-profit-making organizations. The work is supplied by the Emergency Work Bureau, conducted by the Charity Organization Society, Association for Improving the Condition of the Poor, Jewish Social Service Association, and Catholic Charities.

Mayor's Committee on Unemployment Relief, 346 Broadway: Obtains funds from donations by municipal, county, borough, and judicial employees and public gifts, relief being distributed weekly to needy persons canvassed by the police. Gifts are in foodstuffs given out at police stations and in checks delivered by policemen after investigation.

Salvation Army, 122 West Fourteenth Street: Feeds the hungry in bread lines and at food stations, affords shelter to the homeless, supplies the emergency requirements of penniless families, and seeks jobs for the workless.

City Free Employment Bureau, 2 Lafayette Street: Seeks jobs for men and women who crowd into its offices daily.

State Labor Department, 124 East Twenty-eighth Street: Has three free employment bureaus on the lookout for jobs.

Social Service Exchange, 151 Fifth Avenue: Clearing house for the names of all applicants to social and welfare agencies, to the police and mayor's committee. This organization advises whether such applicants are "known" to social agencies or whether they have never before applied for assistance. The replies are transmitted daily to the agencies whence they emanate.

Board of Education, Park Avenue and Fifty-ninth Street: Collects funds from the teaching and education staffs, feeds hungry children, and forwards what is left to the mayor's committee.

Regular agencies: Include the four organizations cooperating with the emergency employment committee as well as all other agencies which are carrying on their usual unemployment programs, such as the Y. M. C. A. and Y. W. C. A., the settlement houses, men's and women's clubs and family and relief agencies.

Emergency bread lines: These comprise some 53 bread lines, food stations, and "handout" agencies of various kinds, some established and others opened for the emergency.

Coordinating all these agencies—

Welfare Council, 151 Fifth Avenue: Not directly engaged in relief and social work but made up of several hundred affiliated agencies, which have formed a coordinating committee to unify public and private relief work.

I shall read but a few of these items: The mayor's committee distributes food at police stations; the Salvation Army feeds the hungry in bread lines; the board of education feeds hungry children.

These bulletins require no comment. They tell their own unhappy tale of protracted unemployment; of exhausted savings; of the bitter struggle that was fought in the heart of each and every one of these American men before he took his place in line to receive the bounty of his city or the generosity of his neighbors. These bulletins constitute in 1930, as similar ones have in the past, the ugly climax of the emergency method of fighting unemployment.

The consequences of that approach to the problem are visible in Congress. Out of about a dozen bills introduced on the first day of the session in both Houses in reference to the depression, at least half provided in one form or another for the distribution of relief. I am not offering any criticism of these bills. Many of them will receive my support. We are compelled to resort to such measures because we are uninformed, unorganized, and unprepared. But we ought to realize that the necessity which drives us to adopt these expedients is the necessity we ourselves created by our failure to be prepared. I am not opposed to the emergency proposals now pending, but I plead for a better way in the future. A place on the bread line is, after all, an unkind and ungenerous reward to the workmen who have made our country—in the language of the President—"stronger and richer in resources and equipment than ever in its history."

We can not permit the chaos, which sends the workmen back into that line with increasing frequency, to continue. We ought to take a solemn vow that never again shall we leave our country as exposed to the ravages of an economic storm as it was in 1930.

During the last session the Senate took appropriate action which laid the groundwork for a program of preparedness against unemployment. The Senate passed a set of bills calling for precise and uncolored information on unemployment conditions in every field of economic effort; the establishment of a country-wide system of employment exchanges operated by local initiative, under local responsibility, and cooperating with each other through the intermediation of the Federal Government; and it affirmed the policy and created the machinery for the advance planning of public works and the timing of their construction so as to start a flow of jobs when private sources were dry. That was not an emergency program. It involved the creation of a permanent tool of government to do the job it was intended to do. In part that program has been enacted into law. In large part it still awaits the action of the House of Representatives.

These bills have almost reached the end of their legislative journey. But now the President, in his annual message, bids us wait—"It is as yet too soon," he says.

Very naturally, Mr. President, and very properly, I believe, I should like to inquire why is it too soon? Is it that the program of legislation adopted by the Senate is the hasty and immature conclusion of some conference called together during the hysteria of a panic? Let us consider briefly the history of that legislation. I shall not go back to the very beginning. It will suffice if I start with the history of Mr. Hoover's own contacts with these proposals.

In 1920 the Second Industrial Conference called by President Wilson, of which Mr. Herbert Hoover was vice chairman, reported that planning of public works was one of the most useful approaches to the general problem of unemployment, and advocated enactment of legislation by Congress making provision for a clearing house under Federal control to cooperate with the State employment offices.

In 1921 the President's Conference on Unemployment, of which Mr. Hoover was chairman, recommended an adequate system of employment officers and the expansion of public works during periods of depression.

In 1923 the committee on business cycles and unemployment appointed by Mr. Hoover reported as follows:

> The essential steps in any general program are to plan construction work, private or public, long in advance with reference to the cyclical movement of business, and in the case of public works to pass the necessary legislative appropriations when facts about the trend of business show that it is sound policy to

spend money for such purposes. * * * The need for fixing the responsibility for the preparation of such plans in advance, the importance of securing the release of the projects at the right time by legislation, and the provisions for financing should be considered with special relation to the obstacles, legal and others, which the particular public authority would have to overcome. * * * A national system of employment bureaus was recommended by the President's Conference on Unemployment, and the committee gives hearty approval to that recommendation.

Mr. Hoover wrote the foreword of that report and he said concerning it, "I am confident that it represents a definite advance in economic thought and offers practical constructive suggestions that should make for progress." I should like particularly to underscore for your attention the words "practical" and "constructive." The suggestions for long-range planning of public works and a nation-wide system of employment offices were practical and constructive in 1923—what has happened to make them premature and impractical in 1930? Let us look at the subsequent history of those proposals.

In 1924, in the report of the committee on seasonal operations in the construction industries, Mr. Hoover said in his foreword:

The efforts to encourage long-range planning of public works deserve the support of the public, legislators, and administrative officials.

In 1929 a committee of the Senate, of which the distinguished Senator from Michigan [Mr. COUZENS] was chairman, after an investigation which has won the applause of all students of the subject, reported to the Senate as follows:

The Government should adopt legislation without delay which would provide a system of planning public works so that they would form a reserve against unemployment in times of depression. The Federal Government should provide the agency to coordinate State public employment bureaus and to assist in any national functioning of the employment exchanges.

Finally in 1930 the Senate Committee on Commerce, of which the distinguished Senator from California [Mr. JOHNSON] is chairman, recommended that the bills carrying these proposals into effect should be passed by the Senate, and after a thorough debate the Senate acted in accordance with that recommendation. The program was deliberate, mature, carefully conceived, artfully executed, rooted in long study, and refined in thorough debate. In view of this history and this record I confess my astonishment when I read in the President's message:

It is as yet too soon to constructively formulate such measures.

Is there some other reason to justify the President's conclusion? Have we perhaps abolished poverty and, therefore, have no further need for such measures? The President suggests the advisability of waiting until we can look back at this depression in retrospect. Is our experience with depressions so meager that we must delay until this one has spent its force upon us before we take action? Within little more than a score of years we have lived through four major economic catastrophes. Have they taught us nothing? It is to be expected that in time and with the application of research we shall know more of the economic phenomena that make for unemployment. But is that any reason why we should not lay the fundamental groundwork for a program of prevention upon the knowledge we already possess?

To me it seems that this plea for delay is but an apology for previous inaction. It must not deter the Congress from completing the enactment of the unemployment bills which were passed during the preceding session.

The plan which those bills embody has been examined and reexamined by everyone who has a right to speak on the subject. It has received the unfailing indorsement of economists, industrialists, and labor leaders. It has received the approval of every student of government. The press of the entire country supports it and from the election results I am persuaded that the people of the United States as a whole want to see the bills written into law.

The program outlined is fundamental in the sense that until we have adopted that all else is impractical. It is truly the foundation upon which the structure of all future devices for the regularization of employment must rest.

According to the latest estimates public construction amounts normally to about three and a half billion dollars a year and represents over one-third of all construction, public and private. A goodly proportion of this public work can be intelligently timed. It can be deferred or advanced so as to contribute employment opportunities when private effort is slack and withdraw opportunities when private demand for labor is brisk. Intelligently organized this accumulation of public construction can be turned into a huge balance wheel to lend stability and steadiness to the entire economic machine. The peaks of boom time can be lowered and the troughs of depression can be raised. All of that can be accomplished without cost to the taxpayer and with benefit to the entire Nation. It requires for its success a permanent organization supplied with uncolored economic information and a system for the advanced planning of public works so that when the need arises the projects to be undertaken are ready and available on short notice.

Suppose we had had the information that will hereafter be made available under one of the bills that has already passed and become a law. Is it at all conceivable that the country would have spent itself as completely as it did in the orgy of speculation? Suppose we had been equipped with a proper organization for the advanced planning of public works, would we have adjusted our construction program in the manner that we did? The following figures given me by the Treasury report expenditures by the Federal Government for all classes of public improvements:

Expenditures for public works of all kinds, 1928	$202,948,801.25
Expenditures for public works of all kinds, 1929	253,417,466.19
Expenditures for public works of all kinds, 1930	254,179,193.70

In prosperous 1929 we increased construction $47,000,000 above 1928 and in depressed 1930 we increased expenditures for public improvements less than $4,000,000 over 1929. Is there doubt in anyone's mind but that with proper information and adequate preparation we should have increased construction in 1930 by several hundred millions of dollars. Then, when business first began to shrink and before unemployment rose to fever-high levels, was the time to inject a living stream of jobs into the economic body and thus to restore the vitalizing influences of renewed purchases. Of course we did no such thing. We did not possess the simple, obviously necessary apparatus which would make such action almost automatic. The public did not possess the necessary information and the administration did not exhibit the courage to match the remedy to the gravity of the ailment.

Instead, the year 1930 was largely devoted to what Mr. Gifford, president of the American Telephone & Telegraph Co., called "rose-tinting the truth." We have since learned that that was not a gainful occupation. Such, however, is the force of official habit that it has not yet been entirely abandoned. Thus, for instance, the President in his message measures the current depression, in part, by comparing the volume of employment with that of 1928, although he must be aware that, according to the Bureau of Labor Statistics, 1928 was in that respect, the worst year of the 7-year period from 1923 to 1929. Again he reports that last April the number "wholly" out of employment was two and a half million and that there has been "some decrease" in employment since that time. One would scarcely gather from that language that the census figure of two and a half million did not take account of the huge number "wholly" without wages because laid off, although not dismissed; nor would one infer that "some decrease" in employment since April actually amounted to a decline of 10 per cent in volume of employment and 17 per cent in the total paid out in wages.

The program of the administration is represented by two bills which have been introduced in this session. The first provides for an appropriation of $150,000,000 to accelerate the construction of public works heretofore authorized by Congress, the money to be allocated by the President upon the recommendation of a committee of his Cabinet. The second bill is that introduced by Senator KEYES, chairman of the Committee on Public Buildings and Grounds, which

provides in part that the Secretary of the Treasury is empowered—

To restrict the competition in bidding on the construction of public buildings to such persons, firms, or corporations only as possess the qualifications which he deems necessary and proper in the public interest to require. * * * In special cases where the Secretary of the Treasury deems such procedure to be to the interest of the Government in the expedition of projects, he is hereby authorized and empowered to select the contractor therefor without competition, and at such fees or lump-sum price as he deems just and proper.

Many of the safeguards that have been established to protect the public purse in public construction are thus wiped away. The bill is not even limited to the period of the emergency.

What reason does the President offer for not presenting a more ambitious program, a program more conformable to the size of the problem we now face? His answer is very explicit and very true. He says, "Any kind of construction requires, after its authorization, a considerable time before labor can be employed in which to make engineering, architectural, and legal preparations." No answer, however, is provided for the next logical question, which is, why have not additional projects been authorized and the engineering, architectural, and legal preparations made in advance? The answer is, of course, that we are now paying the price of delay and procrastination in the past. Must we again be guilty of the same offenses?

The objective which the President designates as the goal of our effort after his suggested period of delay is, frankly, not one to fire the imagination.

Mr. McKELLAR. Mr. President, would it discommode the Senator for me to interrupt him at this point?

Mr. WAGNER. No; I yield to the Senator.

Mr. McKELLAR. Perhaps the reason why we have not any program from the President is that Congress has not yet created a commission to look into the matter for him. Perhaps if the Congress would constitute a commission, and have the commission examine into the subject, and let the commission advise the President what to do, through that means we might get a concrete program. Does not the Senator think that somebody ought to suggest a commission to the President?

Mr. WAGNER. There have been so many excuses for inaction emanating from the White House that perhaps the Senator has stated another one.

After the depression the President would have us consider what action may be taken "to remove possible governmental influences which make for instability and to better organize mitigation of the effect of depression." Is that the sole service the Government can render? Can it do no more than to withdraw its disturbing influence? Is its function purely negative? Can it not be made into a positive force for the stabilization of employment? Shall the Government refrain from taking its natural place of leadership in an effort to accomplish that purpose? No employer of labor is as favorably situated as the Federal Government to contribute to stability. It is the largest single employer of labor in the world. It has no competitors. It is not concerned with profits. It is in a position not only to act itself so as to affirmatively contribute to the regularity of employment but to stimulate coordinate action by others. I am fully satisfied that the Government must do much more than withdraw its disturbing influence. It must press forward along every possible avenue to secure to our workers steadiness of employment. Of course business is under obligation to steer the same course, but that does not reduce the responsibility of the Federal Government.

As a matter of fact, the whole notion that when the depression is over we shall be able to sit back and leisurely speculate of unemployment is unsound and unreal. The problem is now a continuing one. Its permanence is indicated by President Hoover's own reference to the constant million of workers who are regularly out of work in the shift from job to job. Of a more serious nature is the kind of unemployment which is graphically revealed in the short table which I ask leave to have printed at this point of my remarks.

The PRESIDING OFFICER (Mr. JOHNSON in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

[From Federal Reserve Bulletin, November, 1930]

Year	Index of the volume of industrial production	Index of the volume of factory employment
1923	101	104.2
1924	95	96.2
1925	104	99.6
1926	108	101.4
1927	106	98.8
1928	111	97.2
1929	118	101.1

Mr. WAGNER. Between 1923 and 1929 the index of production moved up from 101 to 118 and the index of employment moved down from 104.2 to 101.1. The tragedy of technological unemployment is told in these figures.

How long will it be before we realize that the problem is one calling for continuous application alike in times of prosperity and depression? We can never sit back and wait. Each day we must take the most advanced step in the direction of regularizing employment that science and research make available.

We opened this session under the happy auspices of promised cooperation between the two sides of this Chamber and between the Legislature and the Executive. To me that meant joint effort in making a lasting contribution to the overshadowing problem of our generation. It did not occur to me that it might mean acquiescence in a policy of further delay and inaction.

I returned to Washington cherishing the hope that the administration, chastened by the last election, would willingly cooperate in the endeavor to do something to-day. Instead, in the very first message of the President, I am greeted with the old refrain, "To-morrow, to-morrow, it is too soon to act to-day." That is not the temper of our people who are out pounding the pavements. That is not the temper of the people who fear that their turn may come next to join the idle.

We are not facing the ancient problem of famine. We are not suffering the pangs of scarcity. Ours is the problem of plenty. Our workers, farmers, and business men are aware of that fact. They have learned to call it underconsumption. They know quite well that "the fundamental strength of the Nation's economic life is unimpaired"; that we are richer in resources than ever before in our history. And because they know it they are more mystified than ever that we must nevertheless contend with want, with poverty, with insecurity of employment. Our people do not want charity. They want an opportunity to earn a fair living. They expect us to time the flow of jobs even as Joseph in ancient Egypt timed the flow of food. The least we can demand of the Government is that it regulate its own construction and allocate its own opportunities for work during periods when they will do most good. And, further, we rightly expect of the Government to organize the effort of job finding and to eliminate the cruel waste of men and money that is now a regular part of it.

Into every home that the problem of unemployment has entered it has brought with it a doubt as to the validity of an economic system which permits such catastrophies to happen. It is as yet only a doubt but if we do not take the action that seems obvious and essential that doubt will mature into an adverse conviction.

Throughout the United States hundreds of millions of dollars are being expended on charitable relief. America does not stint toward its unfortunates. The depth of American generosity has not yet been plumbed, but that is not and ought never to become America's manner of dealing with those whom the bolt of unemployment has struck. America's intelligence, capacity, and inventiveness are competent to find a more satisfying manner of treating this malady. The program which the Senate has adopted represents without question the opening of the door to a better

way. Surely it were more desirable that instead of spending millions on relief we had spent millions or hundreds of millions on road building, on river improvement, on slum clearing. Then we should not only have enriched this country but we should have saved and sustained the most valuable of our assets—the independence and self-respect of American character.

Regularity of employment is not a luxury but a necessity if the standard of living is to be maintained and advanced and the production of our efficient methods given an outlet in profitable consumption.

America will never be satisfied with the statement that her unemployment is not quite as severe as that of other countries. We shall never become accustomed to the bread line. We shall not complacently accept the million normally unemployed.

Now, when the emotions, aroused by the sight of hungry men, begging mothers, half-clad and undernourished children, are driving us to action, is the time to act. It is not too soon. When that emotion shall have been dissipated it will be too late. That has been our experience in the past. There is no reason to suppose it will not be the event in the future. This is the psychological moment to give legal recognition to the principle that it is part of the essential function of government to provide regularity of employment. If we fail now, what excuse shall we offer? Shall we simply say that our President bade us delay?

My plea is not a sectional one, nor is it my object to benefit one particular class of our citizens. The effects of unemployment may be most visible in the industrial centers. Its blight may be most apparent on working men and working women. Its invisible effects upon the business men and the farmers are just as destructive. Unemployment shuts off the dynamos of purchasing power which energizes alike the farmers' and merchants' prosperity.

The idleness of the men and women about us who are willing and anxious to work is part of the general cost of running our high-speed civilization. It ought not to be an individual burden. In its modern interpretation the anciently stated first law of nature becomes the right to work. If we deny our people that right, we have denied them everything. If we fail them in preserving that right, we have failed them in everything.

APPROPRIATIONS FOR EMERGENCY CONSTRUCTION

The Senate resumed the consideration of the bill (H. R. 14304) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment.

Mr. ODDIE. Mr. President, is there an amendment pending?

The PRESIDING OFFICER (Mr. JOHNSON in the chair). The amendment offered by the senior Senator from Michigan [Mr. COUZENS] is pending.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Kendrick	Schall
Bingham	Frazier	Keyes	Sheppard
Black	George	King	Shipstead
Blaine	Gillett	La Follette	Shortridge
Blease	Glass	McGill	Simmons
Borah	Glenn	McKellar	Smith
Bratton	Goff	McMaster	Smoot
Brock	Goldsborough	McNary	Steiwer
Brookhart	Gould	Metcalf	Stephens
Broussard	Greene	Morrow	Swanson
Bulkley	Hale	Moses	Thomas, Idaho
Capper	Harris	Norbeck	Thomas, Okla.
Caraway	Harrison	Norris	Townsend
Carey	Hastings	Nye	Tydings
Connally	Hatfield	Oddie	Vandenberg
Copeland	Hawes	Patterson	Wagner
Couzens	Hayden	Phipps	Walcott
Cutting	Hebert	Pine	Walsh, Mass.
Dale	Heflin	Pittman	Walsh, Mont.
Davis	Howell	Ransdell	Waterman
Deneen	Johnson	Reed	Watson
Dill	Jones	Robinson, Ark.	Wheeler
Fess	Kean	Robinson, Ind.	Williamson

The PRESIDENT pro tempore. Ninety-two Senators having answered to their names, a quorum is present. The question is upon agreeing to the amendment proposed by the senior Senator from Michigan [Mr. COUZENS].

Mr. COUZENS. Mr. President, this amendment in language is rather lengthy, but, reduced to a simple statement of the purport of the amendment, it means that wherever the Federal Government enters into a contract in part or in whole the contract must provide that the contractor employ local labor. That is the first provision.

It is a notorious fact that many Federal contracts have been let to contractors who keep what may be called a floating organization, taking their employees from one locality to another. There might, for instance, be a contractor in New York who might get a contract for the erection of a building in Detroit, or in Cleveland, or in some other city outside of New York. He takes his employees from New York to that particular center and oftentimes maintains them in tents and uses them to carry out the contract he has made with the Federal Government.

The result is, of course, that the many thousands of unemployed in such localities find themselves unable to get jobs, even in the cities where they live. So this amendment provides that every contract entered into by the Federal Government for construction work must carry a provision that the contractor must employ local laborers—provided such laborers are available—before he will be permitted to employ laborers from other communities. In other words, a laborer, in order to be employed, must have lived in the community, the city, or town for 90 days, so as to have established his residence in that community, in order to be eligible for employment on the work to be done in the particular community.

Mr. JONES. Mr. President, will the Senator yield?

Mr. COUZENS. I yield.

Mr. JONES. How will the contractor show that local labor is not available, and to whom will he make his showing, in case he thinks there is not an adequate supply of local labor?

Mr. COUZENS. To the Treasury Department, or other department with which he makes his contract. The Senator will observe on page 2, starting with line 24, this language:

> That the provisions of section 1 of the act of June 19, 1912 (37 Stat. 137), commonly known as the 8-hour law, as to penalties, reports of violations by inspectors, withholding of penalties, and appeals shall apply in all cases of violations of the provisions of this bill.

Mr. JONES. Yes; I noted that.

Mr. COUZENS. That is a provision in the 8-hour law.

Mr. JONES. Does that cover the showing he must make as to the availability of labor? It provides penalties for violation, and so forth, but how can he proceed to show the Secretary of the Treasury or other Government official that there is no available local labor?

Mr. COUZENS. It will be assumed that no action will be taken unless some one protests that the contractor is employing what might be termed "foreign labor" when local labor is available. I assume the complaining party will have to make his case before the Treasury Department or the contractor would not be penalized. It would seem to me the onus is upon the complainant to prove that the contractor is importing labor in violation of the provision.

Mr. JONES. That is, when there is local labor available?

Mr. COUZENS. Yes.

Mr. VANDENBERG. Mr. President, will my colleague yield?

The PRESIDENT pro tempore. Does the Senator from Michigan yield to his colleague?

Mr. COUZENS. I do.

Mr. VANDENBERG. A case in the State which the Senator and I have the honor to represent came to me this morning by long-distance telephone which personifies the precise thing the Senator has in mind. The contractor constructing the public building at Benton Harbor, Mich., has within the last few days discharged local Benton Harbor labor and

imported labor from Gary, Ind., precisely the type of situation the Senator attacks and certainly should attack.

Mr. COUZENS. I thank my colleague. It is an evil which has been growing and becoming worse as the result of the increase of unemployment.

Mr. WALSH of Montana. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Michigan yield to the Senator from Montana?

Mr. COUZENS. I yield.

Mr. WALSH of Montana. The contractor constructing the public building at Havre, Mont., he residing in St. Paul, has brought laborers from St. Paul to construct the building, paying wages to them contrary to the union scale prevalent in that Montana community.

Mr. COUZENS. This is not an imaginary evil. It is an existing evil. If the Government is sincere in its desire to help unemployment, the administration itself should have proposed such a provision. There have been a great many statements, releases, and interviews, and crocodile tears have been shed because of unemployment and the miseries attendant thereto, but there has been very little effort on the part of either State or Federal Governments in my judgment to help out the real unemployed who have homes and are residents in certain local communities. It is not enough to let these contracts and to make appropriations, Federal and State, to help the unemployed, if there is not an attempt to help those who are residents of communities and are obligated by ownership of their homes to pay taxes.

Mr. PHIPPS. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Michigan yield to the Senator from Colorado?

Mr. COUZENS. I yield.

Mr. PHIPPS. I would like to ask the Senator from Michigan if it is not his understanding that contracts for road construction are made by the State highway commissions of the various States or some one in a similar capacity, with the approval of the Good Roads Bureau of the Department of Agriculture? Is it not true that, in many States at least, the contractors must observe the State laws regulating employment?

My belief and my understanding is that in the State of Colorado all such contracts are made subject to the requirements of the State law which covers the matter the Senator desires to have incorporated as an amendment to the pending bill. I am not opposing the Senator's amendment, but am desirous simply of clarifying and understanding his proposal as to the proceeding. I instance the fact that proceedings in the State of Colorado, which I think are probably followed in many other States, would govern as to the employment of local labor and also the prevailing rate of wage.

Mr. COUZENS. If the Senator will read the amendment, he will see that it does not provide that it shall apply to any contract that is not entered into by the Federal Government. In other words, where the State of Colorado enters into an agreement for road building, this amendment does not apply even though Federal money is used.

Mr. PHIPPS. Where Federal money is used the Federal Government is not going to make these contracts. This money is to be used in accordance with the provisions of the Federal road legislation.

Mr. COUZENS. That is the point I am making. I am not attempting to say this will have any effect upon a contract made by a State. I know the road contracts are made by State authorities. This amendment applies only to contracts which might be made by the Federal Government direct under certain provisions of the act making provision for the building of roads.

Mr. PHIPPS. I now understand the matter more clearly than I did before.

Mr. COUZENS. That is what is provided by my amendment.

Mr. PHIPPS. I notice reference is made to the provisions of section 2 of the act of June 19, 1912, and that they shall apply. Will the Senator kindly state, just in a word, what those provisions are? No doubt they should apply, but I am not informed as to what they are.

Mr. COUZENS. This has reference to what is generally known as the 8-hour day law, which provides:

> That every contract hereafter made to which the United States, any Territory, or the District of Columbia is a party, and every such contract made for or on behalf of the United States, or any Territory, or said District, which may require or involve the employment of laborers or mechanics shall contain a provision that no laborer or mechanic doing any part of the work contemplated by the contract, in the employ of the contractor or any subcontractor contracting for any part of said work contemplated, shall be required or permitted to work more than eight hours in any one calendar day upon such work.

Mr. PHIPPS. That is the language of section 1 of that act?

Mr. COUZENS. Yes.

Mr. PHIPPS. I was inviting the Senator's attention to the language of his amendment on page 3, line 4, that the provisions of section 2 of the same act of June 19, 1912, shall apply. Those provisions are not stated at length in the Senator's amendment.

Mr. COUZENS. Section 2 applies just the same as section 1. In the first part of my amendment it refers only to the provisions of section 1, but wherever it is applicable section 2 of the 8-hour law also applies.

Mr. PHIPPS. My present inquiry is to what is contemplated in section 2 of that act.

Mr. COUZENS. I can read it to the Senator if he desires. It is to be found on page 138, volume 37, part 1, of the United States Statutes at Large.

Mr. PHIPPS. I merely want to get the purposes of section 2 to which the Senator's amendment makes reference.

Mr. COUZENS. Section 2 exempts transportation companies, those who transmit intelligence, and similar work. I have not read the whole section, to be perfectly frank.

Mr. PHIPPS. I thank the Senator.

Mr. COUZENS. The other provision of the amendment I think is the most important of all.

Mr. BLAINE. Mr. President——

The PRESIDING OFFICER (Mr. HEBERT in the chair). Does the Senator from Michigan yield to the Senator from Wisconsin?

Mr. COUZENS. I do.

Mr. BLAINE. Before the Senator enters upon a discussion of the other provision I want to ask him how he can justify a proposal to give a monopoly to the unemployed in a very few and restricted areas as against all other unemployed under the same circumstances, men who have paid their taxes and must support their families even though they do not happen to live in the city where there may be a post office or some other public work to be constructed. I would like to have the Senator state wherein lies the justification for discrimination against those who, by reason of their residence, do not get employment.

Mr. COUZENS. The answer to the Senator from Wisconsin was made in effect by the statements of the Senator from Montana [Mr. WALSH] and of my colleague [Mr. VANDENBERG] with reference to the transporting of men from one section to another to do work on Federal contract. Such a contractor is creating a monopoly of the work for that group of men when he takes them from one city to the other and puts them in tents and houses them in such manner. He, by that procedure, is creating a monopoly of work for his particular employees.

But entirely aside from that fact, the second provision of the amendment is that any contract which the Federal Government enters into must contain a provision that the contractor, wherever the work is to be done, must pay the highest prevailing wage for the class of work to be done in that particular community. In other words, because of the helplessness of the unemployed, because of the human misery spoken of by the President, many contractors are able to browbeat the unemployed, if you please, when they have such human misery presented to them in the form of applications for jobs. That is to say, they ruthlessly beat them down to the lowest possible wage.

When a contractor gets a contract he obviously should know under what conditions he is supposed to perform that contract. In other words, a contractor may get a contract to construct a Federal building in Columbus, Ohio, or in Detroit, Mich. In figuring his bid he figures the prevailing wage—in all probability the highest prevailing wage. That does not mean the highest wage by any means, but the highest prevailing wage. Having received the contract he then takes advantage of the unemployed, and while he may have figured a job for common labor at 50 cents an hour, he takes advantage of the situation and depresses the labor market so that he employs these workers at 25 or 30 cents an hour. The Federal Government thus is not getting any advantage whatever of the depression in wages, but the contractor is because he takes advantage of this human suffering.

Such a provision as is contained in the amendment is not an unknown thing. It prevails in many cities of the Nation. I know it prevails in Detroit, because I have operated there under such a provision of law. I understand it prevails in St. Paul and other cities where attempts have been made, and properly so, to maintain a decent standard of wages. My amendment provides that the administrative power entering into a contract shall enter a provision in the contract that "such contractor or subcontractor shall pay to each laborer or mechanic doing any part of the work contemplated by the contract in the employ of the contractor or any subcontractor contracting for any part of said work to be contemplated, not less than the highest rate of wages for the class of work to be done by said laborer or mechanic prevailing in the district, city, town, or village within which said work is being done." There are many ways of finding out what is the highest prevailing wage.

If the contractor having secured a contract pays the highest prevailing wage there will be no trouble. It will accomplish what the President has attempted to accomplish by his private interviews with big business in obtaining from them a pledge not to reduce wages. In the contracts themselves for Government work we are, under the present system, doing more harm in depressing wage conditions than the President is doing good by helping to keep industrialists to the agreement to maintain wages. What I have stated is in substance the purport of the amendment.

Mr. FESS. Mr. President, will the Senator from Michigan yield?

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Ohio?

Mr. COUZENS. I do.

Mr. FESS. I agree fully with what the Senator from Michigan has said with reference to the prevailing wage; but I was wondering if the Senator had looked into the question whether the contractor would be in any way embarrassed as to a certain type of skilled labor that he might not be able to obtain in a particular community?

Mr. COUZENS. There is no penalty imposed on the contractor. If he is not able to get such labor in a particular locality, he may get it anywhere; and, as I stated in answer to the Senator from Washington [Mr. JONES], it is up to anyone who complains to prove that the contractor is violating the law.

Mr. FESS. Does the Senator know whether it is the practice of the Government generally to employ from the locality in which public buildings are erected rather than to bring labor from the outside?

Mr. COUZENS. The Treasury Department officials contend that they have no voice in the selection of the contractors; in other words, if a responsible contractor from Atlanta, Ga., wishing to erect a building in Columbus, Ohio, is the lowest bidder, they have no choice under the law but to grant the contract to him; and if such contractor wishes to bring his help from Atlanta, Ga., to do the work in Columbus he may do so. That I wish to prohibit.

Mr. WALSH of Massachusetts. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Massachusetts?

Mr. WALSH of Massachusetts. I should like to have the floor when the Senator from Michigan shall have concluded.

Mr. COUZENS. I am through, if there are no further questions to be asked me.

Mr. BLAINE. I wish to make an inquiry.

Mr. GEORGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield; and if so, to whom?

Mr. COUZENS. I yield first to the Senator from Wisconsin.

Mr. BLAINE. Mr. President, I want to inquire of the Senator from Michigan if his purpose could not be attained by a provision using the language of the first part of the amendment, requiring the contractor and subcontractors to pay the highest standard of wages prevailing in any town, city, or village within the State where the contract is to be executed, and further providing that the standard or conditions of employment shall be equal to the highest standard prevailing in the State in which the construction of public works is to be carried on. That would prevent a contractor from bringing in a crew and housing them in tents.

Mr. COUZENS. The amendment does so provide.

Mr. BLAINE. Yes; but the amendment, as the Senator has proposed it, if adopted, would prevent the employment of citizens from Jonesville, who may be just as much in distress as the citizens in Rushville, if in Rushville a post office is going to be erected, while in Jonesville no construction work is going to be undertaken. Although men in Jonesville may be without employment, and although they live in the same community and in the same State, pay the same taxes, live under the same Government and the same flag, they are not to be given employment because the people of Rushville——

Mr. COUZENS. But what object is to be gained by keeping people in Rushville out of jobs so as to give work to people in Jonesville?

Mr. BLAINE. I was merely wondering if they could not be placed on an equality, so that every workman would have an equal opportunity for employment; at the same time requiring the wages paid to be the highest standard of wages prevailing in any town, city, or village in the State, and providing that the conditions of employment shall be according to the highest standard prevailing in the State. That would prevent the gangs, so called, who are engaged in the construction of public works, from going from one State to another.

Mr. COUZENS. I contend the amendment as drawn accomplishes that very purpose, and that was certainly my intention. If the Senator from Wisconsin can frame the amendment in any plainer or better language, I certainly have no objection, but I shall object to workmen being carried from one community to another, because where a man is out of a job and owns a home any effort to take him away from his home and plant him in another State, in my judgment, is wrong.

Mr. BLAINE. I desire to ask another question. Would not the effect of the Senator's proposal, if adopted, be to enact a domestic exclusion act? In other words, if one out of employment lives in a city or a community where no public works are being constructed, the Government would say, "You can not have employment."

Mr. COUZENS. Oh, no; the Government would not say that. The Government would say that those living in the place where the building is to be constructed shall have the first chance to be employed on such construction.

Mr. BLAINE. Exactly, and that is a denial of the opportunity to the unemployed in an adjoining town, city, or village.

Mr. COUZENS. If the Senator will tell me what advantage there is in leaving a local man out of a job and importing a laborer for the work to be done, then I shall be able to understand the sense of his proposal.

Mr. BLAINE. I was merely propounding the question in order to ascertain the philosophy or basis of the attempt to create this discrimination.

Mr. COUZENS. There is no discrimination. It is perfectly absurd to make such a contention. Any place where a building is being constructed has a perfect right to expect to have its home people employed before the contractors doing Government work import others.

Mr. BLAINE. I will say to the Senator that I heard that argument made repeatedly while I had the honor of serving my State as governor. I thought it was unsound. The people of my State, the working men and other taxpayers who were contributing to the public funds were all entitled to an equal opportunity for employment within the State, and I thought that no community should exercise the privilege of monopoly in connection with any public undertaking.

I am in hearty accord with the Senator's provision relating to the standard of wages and conditions of employment; but in order to carry out my own feeling about the matter I propose to offer an amendment to the Senator's amendment striking out the provision with reference to discrimination, providing, however, that the contract shall contain provisions with respect to the maintenance of the highest standard of wages and the highest standards of conditions of employment.

I beg pardon of the Senator from Michigan. I did not intend to discuss the question, and will reserve the discussion until I offer the amendment.

Mr. GEORGE. Mr. President, may I ask the Senator from Michigan a question?

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Georgia?

Mr. COUZENS. I yield.

Mr. GEORGE. I did not hear all the explanation made of the amendment by the Senator from Michigan. I observe that the amendment by its terms applies only to contracts made by the United States or its Territories or the District of Columbia.

Mr. COUZENS. That is correct.

Mr. GEORGE. And therefore the amendment would not relate, for instance, to an appropriation for highway construction?

Mr. COUZENS. That is true.

Mr. GEORGE. Although the Federal Government, of course, does approve the highway projects to be undertaken under Federal aid.

Mr. COUZENS. That is true.

Mr. GEORGE. And I think, perhaps, the Federal Government goes so far as to approve the contracts for such improvements. The Senator does not intend to apply it to that particular item in the bill?

Mr. COUZENS. Absolutely not. In a colloquy between the Senator from Colorado [Mr. PHIPPS] and myself I pointed out that the States made such contracts and this amendment applies only where the Federal Government itself makes a contract.

Mr. GEORGE. Where it is the principal and sole awarder of the contract?

Mr. COUZENS. Absolutely.

Mr. GEORGE. I understand the Senator.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Utah?

Mr. COUZENS. I yield.

Mr. KING. There are some sections of the United States, I am advised, where with respect to highways there are short distances between two given points, the Federal Government completes the highway itself without the intervention of the State. That is particularly true in some of the South Atlantic States. The whole system of work, whether it be in conjunction with the State or whether the Federal Government is doing the work itself, with respect to a small segment of road, is done under the general highway act and with reference to the standard of wage payments, and so forth, which prevail in the given locality. It seems to me, in view of the Senator's object, it might be well to add a proviso to the effect that this act shall not apply to the construction of highways.

Mr. COUZENS. I want it to apply to the construction of highways, roads, and trails wherever the Federal Government itself enters into the contract, because it is what the Federal Government has done by letting contracts all over the Nation under which workers have been imported to do the work that has created the condition to which I have objected.

Mr. KING. I thought the Senator stated, however, that the amendment would have no application to highway construction.

Mr. COUZENS. It has no application where the State makes the contract, but where the Federal Government makes the contract I want the provision to apply.

Mr. KING. Where there is such close correlation and cooperation between the State and the Federal Government, for instance, with respect to the small segments to which I have referred, it might be a little difficult to differentiate and say, "This work is being done purely by the Federal Government" rather than by the State in cooperation with the Federal Government.

Mr. WALSH of Massachusetts obtained the floor.

Mr. GOFF. Mr. President, if the Senator will yield for just a moment, I wish to add to what the Senator from Michigan has stated, that I understand it is the attitude of the Treasury Department and the disposition of the Government at the present time to urge every contractor to comply with the provisions of the Senator's amendment by employing, wherever possible, local labor in the performance of such contract; but, without the amendment which the Senator from Michigan has offered incorporated in the law, the Treasury Department, representing the Federal Government, will have no authority to bind the contractor to such terms. For that reason I think the amendment offered by the Senator from Michigan is not only timely but that it should receive the consideration of the Senate and should be adopted.

I have had brought to my personal attention, Mr. President, in the last few days——

Mr. WALSH of Massachusetts. Mr. President, I do not think I will yield to the Senator to make a speech.

The PRESIDING OFFICER. The Senator from Massachusetts has been recognized.

Mr. GOFF. I am not going to make a speech, and I will stop in a very few moments.

I have had brought to my attention during the last few days several cases where the Government has entered into public contracts which, being let to the lowest responsible bidder, were let to bidders living in distant States, who, in the performance of those contracts, are bringing in their "floating" employees, as the term has been used, for the performance of those contracts, and at the expense of the employment of local labor. That has happened in my State, much to my distress, and I am very anxious, for that reason, to see this proposed law enacted as soon as possible in order that its moral effect may be impressed upon those contracts which have already been entered into.

Mr. WALSH of Massachusetts. Mr. President, the proposition presented by the Senator from Michigan is not a new one. A general bill has been pending before the Congress for two sessions, indeed, a general bill proposing the character of legislation suggested by the Senator from Michigan actually was reported favorably by the Committee on Labor of the House of Representatives. A bill somewhat similar but wider in scope was introduced by me in the Seventieth Congress and again in the Seventy-first Congress and has been pending before the Committee on Education and Labor of the Senate. That committee has not yet acted upon the bill due to the length of time given in the last session to the tariff.

The abuses which the Senator from Michigan has pointed out were so numerous and so extensive that practically every organized unit of laborers in the country petitioned the Congress for some general law. In my own State of Massachusetts it has been almost impossible for local contractors to receive any public-work contracts because they have been underbid invariably by contractors from other sections of

the country, who pay a lower rate of wages, and who refuse to obey the requirements exacted of contractors in my own State. The heads of departments have been either indifferent to the harmful labor conditions on public works or powerless to inaugurate a remedy.

Some of these abuses have been so extensive as even to prevent contracts being awarded locally for such trivial work as painting, repainting post offices, and plumbing work in public buildings. The suggestion is particularly timely now because only within a day or two did I hear a Senator upon this floor state that drivers of trucks in some parts of this country are to-day being paid 80 cents per diem wage! What does that mean? That means that the contractors who are willing to pay that very insignificant wage will get all this public work, and the general public at large will receive little benefit whatever from these appropriations. It will put a premium during the time we ought not to have a premium upon conditions tending to lower the morale, lower the wages, and harm the conditions of the working class, who will be driven to accept any wage and to live under any conditions in order that they may obtain the necessities of life.

I want to commend the Senator from Michigan for bringing this matter to the attention of the Senate at this time, in connection with this appropriation bill. I hope that we can get action upon the general law during this session. There ought to be a general law covering this matter. We would have gotten action on the pending bill except for some technical legal questions that have been raised and that were thought to be of sufficient importance to delay action in the committees. I think it is worth while to know that the Committee on Labor of the House of Representatives have unanimously reported a bill which in substance carries out some of the provisions of the amendment offered by the Senator from Michigan; and, without delaying the Senate, I think it worth while to have the clerk at the desk read a few paragraphs that are contained in the report of the Committee on Labor of the House of Representatives, Seventy-first Congress, second session. I might add that the bill similar to the bill introduced by me upon which the report is based was introduced by Representative BACON, of New York, who was actuated to do it by reason of the facts which were brought to his attention in connection with the building of a veterans' hospital on Long Island.

The bill which I introduced is S. 148, and is now pending before the Committee on Education and Labor. I ask that the bill be printed in the RECORD in connection with my remarks, and that the report I have sent to the desk be read. It is very brief.

The VICE PRESIDENT. Without objection, the bill will be printed in the RECORD, and the report will be read.

The bill is as follows:

A bill (S. 148) to require contractors and subcontractors engaged on public works of the United States to give certain preferences in the employment of labor

Be it enacted, etc., That the first sentence of the act entitled "An act limiting the hours of daily service of laborers and mechanics employed upon work done for the United States, or for any Territory, or for the District of Columbia, and for other purposes," approved June 19, 1912, is amended so as to comprise several sentences, to read as follows:

"That every contract to which the United States, any Territory, or the District of Columbia is a party, and every such contract made for or on behalf of the United States, or any Territory, or said District, which may require or involve the employment of laborers or mechanics shall contain a provision—

"(a) That no laborer or mechanic doing any part of the work contemplated by the contract, in the employ of the contractor or any subcontractor contracting for any part of said work contemplated, shall be required or permitted to work more than 8 hours in any one calendar day upon such work.

"(b) That, in the employment of laborers or mechanics by any such contractor or subcontractor to perform any part of the work contemplated by the contract, preference shall be given in the following order:

"(1) To citizens of the United States and of the State, Territory, or District in which the work is to be performed who have been honorably discharged from the military or naval forces of the United States, and who are available and qualified to perform the work to which the employment relates—

"(2) To citizens of the United States who are bona fide residents of the State, Territory, or District in which the work is to be performed and who are available and qualified to perform the work to which the employment relates—

"(3) To citizens of the United States.

"(4) To aliens.

"(c) That the contractor or subcontractor shall, by advertisement and through employment agencies, give effect to the preferences under paragraphs (1) and (2) of this section before employing any person under paragraphs (3) and (4) of this section.

"(d) That every such contractor or subcontractor shall keep a list of the names of the laborers and mechanics employed by him upon such work, setting forth their citizenship and place of residence. Such list shall be available for examination by any officer or employee of the United States. Every such contract shall stipulate a penalty for each violation of such provisions in such contract of $5 for each laborer or mechanic for every calendar day in which he shall be required or permitted to labor upon such work in violation of such provisions. Any officer or employee designated as inspector of the work to be performed under any such contract or to aid in enforcing the fulfillment thereof shall, upon observation or investigation, forthwith report to the proper officer of the United States, or of any Territory, or of the District of Columbia all such violations of the provisions of this section directed to be made in every such contract, together with the name of each laborer or mechanic who has been required or permitted to labor in violation of such provision and the day of such violation. The amount of the penalties imposed according to the stipulation in any contract to which the United States, any Territory, or the District of Columbia is a party and every such contract made for or on behalf of the United States, any Territory, or the District of Columbia shall be directed to be withheld for the use and benefit of the United States, the Territory, or the District of Columbia by the officer or person whose duty it shall be to approve the payments of the money due under such contract, whether the violation of the provisions of such contract is by the contractor or any subcontractor."

SEC. 2. Any amendment made by this act to such act of June 19, 1912, shall not apply to any such contract made prior to the enactment of this act.

Mr. KING. Mr. President, before the report is read, may I ask the Senator a question?

Mr. WALSH of Massachusetts. I yield to the Senator.

Mr. KING. Does the Senator favor a measure that would discriminate against residents of the same State? Does it limit the employees to those in the same city or town or village? It seems to me that perhaps that is localizing the matter a little too much.

Take my own State. We are about to construct a Federal building——

Mr. WALSH of Massachusetts. I can understand that there might be a hardship in case a public building were being built upon the border of two States. I should like to have provision made that under those circumstances the applicants for work from both States might be included; but when we attempt to phrase such an amendment we begin to get into difficulties, and I think, on the whole, the language proposed by the Senator from Michigan is the better.

Mr. KING. I am not quite decided in my mind as to the propriety of the amendment without modification. It did seem to me that to discriminate against residents of the same State was carrying the limitation rather far.

Mr. WALSH of Massachusetts. I think it ought to be done. I think if there is one State where the rate of wages is a dollar a day and in the adjoining State it is $4 a day the first State ought to be discriminated against. Let the contractor who has the Federal contract in the State where the wages are cheap and the hours of labor long have the benefit of that, pay that wage; but when he undertakes to construct a public work in a State where progress has been made in advancing the living conditions of the working class the Federal Government ought not to come in and attempt to retard that progress and by its own contracts and by its own action destroy the advantages that labor enjoys by reason of high wages and better working conditions.

Mr. KING. I am afraid I did not make my position clear. I was not objecting to the proposition that labor should not be brought in from another State. I was wondering if we were not localizing it too much if we discriminated against residents of the same State.

For instance, there is a Federal building being erected in Lowell or Boston. Would it be wise, would it be proper, to say that no person should be employed upon those buildings who did not live in Lowell, if the building was there, or in Boston, if the building was constructed there? Ought

not the limitation to be that persons should not be brought in from outside the State—that is to say, give all residents of the State the same right of employment?

Mr. WALSH of Massachusetts. I understand the Senator's objections. I am inclined to agree with the Senator. The point that is important to me is that the wage and the working conditions and the hours shall be those that are provided for by local law and local statute; and I understand that the Senator agrees with me upon that principle. I am inclined to agree with the Senator that if that fundamental principle is accepted the question of whether an American comes from one city or another or from an adjoining State is immaterial. I am inclined to agree that the Senator has called our attention to a matter that might well be corrected; and I hope he will propose an amendment to the amendment offered by the Senator from Michigan, so that at least we may give it consideration.

I ask now that the report to which I have referred may be read.

The VICE PRESIDENT. Without objection, the report will be read.

The legislative clerk read as follows:

[House Report No. 1162, Seventy-first Congress, second session]

TO REGULATE THE RATES OF WAGES TO BE PAID TO LABORERS AND MECHANICS EMPLOYED BY CONTRACTORS AND SUBCONTRACTORS ON PUBLIC WORKS OF THE UNITED STATES AND OF THE DISTRICT OF COLUMBIA

Mr. KOPP, from the Committee on Labor, submitted the following report (to accompany H. R. 9232):

The Committee on Labor, to whom was referred the bill H. R. 9232, having duly considered the same, report the same with an amendment and recommend that the amendment be agreed to, and that the bill as amended be passed. The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof:

"That on and after the passage of this act no laborer or mechanic who is or may be employed by any contractor or subcontractor on the construction, alteration, or repair of any public work of the United States in any city or town in any State of the United States shall be paid a less wage rate for any services rendered by him in such city or town to such contractor or subcontractor while so employed than the then lowest existing wage rate established for such services in private industry in such city or town, either by the joint action of private employers and an organization of employees belonging to or affiliated with the American Federation of Labor, or by the acceptance of such wage rate by private employers and an organization of employees belonging to or affiliated with the American Federation of Labor, if there be such an established wage rate for such services in effect at said time in such city or town.

"SEC. 2. That on and after the passage of this act no laborer or mechanic who is or may be employed by any contractor or subcontractor on the construction, alteration, or repair of any public work of the United States or of the District of Columbia, in the District of Columbia, shall be paid a less wage rate for any services rendered by him in the District of Columbia to such contractor or subcontractor while so employed than the then lowest existing wage rate established for such services in private industry in the District of Columbia, either by the joint action of private employers and an organization of employees belonging to or affiliated with the American Federation of Labor, or by the acceptance of such wage rate by private employers and an organization of employees belonging to or affiliated with the American Federation of Labor, if there be such an established wage rate for such services in effect at said time in the District of Columbia.

"SEC. 3. The provisions of section 1 hereof shall be incorporated in every contract to which the United States is a party and to which the provisions of section 1 hereof apply, and said provisions shall be a part of every such contract; and if any laborers or mechanics are paid less by any contractor or subcontractor than the wage rate required by section 1 hereof then, in that event, there shall be deducted from the contract price of the contractor, on account thereof, for each laborer and each mechanic so paid less than the wage rate required by section 1 hereof, a sum in dollars equal to five times the number of days he has been so paid less than the wage rate required by section 1 hereof, and the contract shall so stipulate. The whole amount so deducted shall revert to the Treasury of the United States.

"SEC. 4. The provisions of section 2 hereof shall be incorporated in every contract to which the United States or the District of Columbia is a party and to which the provisions of section 2 hereof apply, and said provisions shall be a part of every such contract; and if any laborers or mechanics are paid less by any contractor or subcontractor than the wage rate required by section 2 hereof then, in that event, there shall be deducted from the contract price of the contractor, on account thereof, for each laborer and each mechanic so paid less than the wage rate required by section 2 hereof, a sum in dollars equal to five times the number of days he has been so paid less than the wage rate required by section 2 hereof, and the contract shall so stipulate. When the United States is a party to the contract the whole amount so deducted shall revert to the Treasury of the United States. When the District of Columbia is a party to the contract the whole amount so deducted shall revert to the Treasury of the United States for the benefit of the District of Columbia.

"SEC. 5. The provisions of this act shall not apply to contracts which were entered into prior to the passage of this act and shall not affect contractors or subcontractors performing work under such contracts."

The purpose of this bill is to require contractors and subcontractors in constructing, altering, and repairing public works of the United States in any city or town in any State of the United States, and contractors and subcontractors in constructing, altering, and repairing public works of the United States or of the District of Columbia in the District of Columbia, to pay the union wage rate where such wage rate has been established in private industry.

The National Government has entered upon a large and expensive building program which will continue for a period of 8 or 10 years. The policy that the Government pursues in connection with said building program will have a far-reaching effect. The Government is in a strong position and it can use its strength to depress the price of labor or it can aid in maintaining existing wage rates.

When the President met the leaders of private industry some months ago they assured him that they would not reduce wages. This attitude on their part met with universal commendation. This committee believes that the Government should not be less considerate of labor than private employers.

Labor is in favor of the proposed law, but is by no means alone in its support. The fair contractors of the country who believe in fair wages and in decent standards of living also support it. They heartily indorse and approve it, for it will place all contractors on the same fair basis.

The proposed law will also be beneficial to the communities in which public works are to be constructed, altered, or repaired. It will give the local contractors and local labor a chance. It will prevent the construction of public works from breaking down and destroying the local wage scale and the local standards of living.

The proposed law does not require the Government to establish a new and higher wage rate in any community. It simply requires the Government to recognize wage rates established by employers and employees.

It has been repeatedly said that the Government should set a good example as an employer. It is equally true that the Government should set a good example as a builder.

Mr. WALSH of Massachusetts. Mr. President, I call the attention of Senators interested in this bill to the report of the hearings before the Committee on Labor, House of Representatives, Seventy-first Congress, published March 6, 1930. The report is headed "Employment of Labor on Federal Construction Work."

I also have in my files innumerable letters indorsing legislation of this kind from social workers and labor organizations throughout the entire country.

I sincerely hope that the amendment will be adopted and that we can have the principle incorporated in a general law before the present session ends.

Mr. BRATTON. Mr. President, if I may have the attention of the Senator from Michigan, my understanding is that the Senator from Michigan declared, in response to interrogation from the Senator from Georgia, that he does not intend that the provision in regard to the 8-hour law shall apply to road construction.

Mr. COUZENS. It already applies where the Federal Government makes the contract.

Mr. BRATTON. I have in mind Federal-aid highway construction, that being a case where the State makes the contract with the contractor, but the Federal Government is indirectly a party, inasmuch as it pays a part of the cost and must approve the contract. Does the Senator intend that this amendment shall apply to a contract of that class?

Mr. COUZENS. I do not, because I do not think we can make it apply.

Mr. BRATTON. I agree with the Senator. I am not at war with him about that. So, to make certain that the Senator's view is reflected in the measure, would he accept this amendment: Following the word "bill," in line 3 of page 3, add this language:

Except in cases involving contracts for the construction of roads.

Mr. COUZENS. The Senator from Utah made some such suggestion as that. I disagree with it, because I intended that this amendment should go as far as it was humanly possible to make it go. I did not want to except roads and trails in the national parks, where there is an appropria-

tion of a million and a half; neither did I want to except the work in the national forests, where roads and trails and bridges may be constructed under a contract with the Federal Government.

Mr. BRATTON. As a means of meeting the views of the Senator, let me suggest that we add this language:

Except in cases involving contracts for the construction of Federal-aid highways.

That would make it definite, and would limit the exception to Federal-aid highways.

Mr. COUZENS. I think that is already in the bill, Mr. President. Under the heading on line 8, page 2, the appropriation for that work is provided for under the Federal-aid highway system; and my amendment does not affect that in any way, because the Federal Government does not make the contract.

Mr. BRATTON. I am inclined to agree with the Senator; but the Federal Government is an indirect party to that sort of a contract, because it pays thirty-odd per cent of the cost; and that sort of a contract must be approved by the Federal Government. In the administration of this act it might be thought by those in charge of its administration that the provisions of this amendment should apply because the Federal Government is a party in fact, although not technically so. That kind of an exception, "except in a case involving the construction of a Federal-aid highway," would accomplish exactly what the Senator has in mind.

Mr. COUZENS. As long as it is not interpreted to affect the contracts made by the Federal Government in the national forests, parks, and so on, for which provisions are made in this particular bill, I think it is unnecessary; but if the Senator thinks otherwise, I do not object.

Mr. BRATTON. I thank the Senator. I think it would accomplish what both he and I have in mind.

The VICE PRESIDENT. The Senator from New Mexico proposes the following amendment to the amendment.

The CHIEF CLERK. On page 3, line 3, after the word "bill" and before the period, insert a comma and the words "except in cases involving contracts for the construction of Federal-aid highways."

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

Mr. WALSH of Montana. Mr. President, let me inquire of the Senator from Michigan if the word "of" in line 4 on page 2 should not be "in"?

Mr. COUZENS. I think that is perhaps true.

Mr. WALSH of Montana. I think the draftsman in the first place had an idea of expressing it this way, "the residents of the district," but he did not use that language.

Mr. COUZENS. I cut that out on purpose, because there were so many interpretations of the word "residents." I put the words "living in" into the amendment.

Mr. WALSH of Montana. When that was done, then, "of" should have been changed to "in."

Mr. COUZENS. That is, "who have been living for at least 90 days prior to the commencement of said work in the District," and so forth.

The VICE PRESIDENT. Does the Senator modify his amendment to that effect?

Mr. COUZENS. I am agreeable to that.

Mr. WALSH of Montana. I want to suggest another thing to the Senator from Michigan.

The VICE PRESIDENT. The Chair might state that the amendment to the amendment proposed by the Senator from New Mexico has not yet been acted upon. Will the Senator from Montana suspend while action is taken on that amendment?

Mr. WALSH of Montana. I will be glad to. I wanted to call to the attention of the Senator from New Mexico the fact that he suggests the continuation of next to the concluding paragraph of the bill by saying "except," and so on and so on. That paragraph is the penal section of the bill, and it would seem to me that the amendment suggested by the Senator is entirely inappropriate at that part of the bill. Perhaps he will give further thought to that while I address myself to the Senator from Michigan.

At the bottom of page 2 the language occurs, "the word 'city' shall include any incorporated city and its suburbs." That is followed by the penal provision of the bill. The paragraph provides that the contractor shall pay the highest rate of wages that prevails in the district, city, town, or village within which the work is to be done. Then it is provided that the word "city" shall include any incorporated city and its suburbs.

When there is an attempt to enforce the penal provisions of the bill against a man said to live not in a city but in the suburbs of a city that is too expansive and too indefinite a term to be the basis of a criminal prosecution, certainly. Take the city of Washington, for instance. One might properly regard the suburbs of the city as extending clear out to Falls Church. Others would contract them within a very much more limited area. When there is an incorporated city, town, or village, we know the definite limits of that area.

Mr. COUZENS. But there is much territory, for instance, surrounding the large cities, such as Detroit, which does not come within any incorporated village or town. It may be a block outside of the city limits, may belong to the township, may not be within any incorporated city. Yet I intend to have such territory included and not discriminated against, even though it is not within an incorporated city, town, or village.

Mr. WALSH of Montana. I share the Senator's thought, and I appreciate the necessity, but I simply call attention to the fact that the language is too indefinite in character to be the basis at least of criminal prosecution.

Mr. COUZENS. I am willing to let it go, as far as I am concerned, and take whatever consequences there may be. If the Senator has any better language, let him suggest it.

Mr. WALSH of Montana. I was going to suggest to the Senator that he might make a definite limit, make it apply to a certain distance surrounding a municipality.

Mr. COUZENS. That might lead to an overlapping with another incorporated village or town.

Mr. WALSH of Montana. In which case it would fall within either of them, then. I am just making the suggestion to the Senator, because I feel perfectly confident that the word "suburbs" will be useless.

Mr. COUZENS. That may be so; but I think it will also be harmless. It may be helpful in case there is a controversy, but there are so few people whom that will reach that I think it is rather immaterial, because those affected will be mostly in an incorporated village or town.

Mr. FLETCHER. Mr. President, that might be corrected by providing that it shall apply to territory within so many miles.

Mr. WALSH of Montana. That is the suggestion I have made.

Mr. FLETCHER. Within 10 miles or 5 miles.

Mr. COUZENS. The objection I have to that is that there are within these big cities other municipalities, incorporated villages or towns, which might be included in this overlapping if the distance were specified. I do not think the question of suburbs will make much difference when it comes to the enforcement of the law. In other words, there are not enough, usually, outside of an incorporated village or town or city, who may live in a suburb, to make a substantial complaint against a contractor for going into that suburb and violating the law.

Mr. BRATTON. Mr. President, I quite agree with the suggestion made by the Senator from Montana, and, with the consent of the Senator from Michigan, I shall withdraw the amendment I offered a few moments ago and offer another, to constitute section 2 of the bill, to read thus:

Nothing in this act shall apply to contracts for the construction of Federal-aid highways.

Mr. COUZENS. Mr. President, I prefer that the Senator change that amendment so that it will read "under the provisions of the Federal highway act" instead of "Federal highway system." It is provided, on page 2, "For apportionment to the several States under the provisions of the

Federal highway act." If the Senator made his exception to the Federal highway act, I would not object.

The VICE PRESIDENT. Does the Senator from New Mexico modify his amendment?

Mr. COUZENS. Let it be read the way the Senator proposed it.

The VICE PRESIDENT. The clerk will read.

The CHIEF CLERK. On page 2, add a new section, as follows:

SEC. 2. Nothing in this act shall apply to contracts made for the construction of Federal-aid highways.

Mr. JONES. Mr. President, I want to ask the Senator a question. This is a proposed amendment to an act. The Senator uses the words "nothing in this act." That would apply to every phase of the act. Does he intend it to do that?

Mr. BRATTON. It was my intention to except the provisions of the 8-hour law.

Mr. JONES. I thought the Senator intended it purely as an amendment to the amendment of the Senator from Michigan.

Mr. BRATTON. I do.

Mr. JONES. But when he puts that clause in, reading as it does, it applies to every provision of the act.

Mr. BRATTON. Then I shall change the word "act" to "amendment," so that it will read that "Nothing in this amendment shall," and so forth.

Mr. KING. Mr. President, I ask the attention of the Senator from Montana, if I may challenge his attention. Would not the object the Senator is seeking to accomplish be brought about, and go a little further, which I regard as necessary, by adding these words, "Nothing herein shall be construed to apply to any State or to any State agency," to make it clear that we are not seeking to intrude into the States and determine the character of contracts into which a State or its agents may enter?

Mr. WALSH of Montana. I am quite in accord with the view expressed by the Senator from Michigan, that it is quite unnecessary to use the one or the other. But I apprehend that all the Senator from New Mexico is concerned about is that some of the administrative officers might give an erroneous construction to the act. I think the language offered by the Senator now would scarcely be any better than the language of the bill itself, because, as I take it, the language of the bill excludes a contract made by a State for highway construction.

Mr. KING. There might be other contracts made by the State not relating to highways.

Mr. WALSH of Montana. Oh, yes; and I know the possibility of such a contract as that. The Senator from New Mexico is afraid that the administrative officers may construe a highway contract as falling within it because the highway contract is made with the approval of the Bureau of Public Roads. As I take it, he is satisfied that the language does not extend that far, but he is only afraid that some administrative officer may so construe it.

Mr. BRATTON. That is my position, and I am endeavoring to make clear what we are intending to do.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. BRATTON] to the amendment of the Senator from Michigan [Mr. COUZENS].

The amendment to the amendment was agreed to.

Mr. STEIWER. Mr. President, I would like to invite the attention of the Senator from Michigan to page 3 of the proposed amendment. The language there used is to the effect that the provisions of the 8-hour law shall apply in all cases of the violations of this bill.

The 8-hour law, I am quite certain, carries no penalties. Therefore there is nothing to apply in case of violations. The provision of the 8-hour law is merely that a civil penalty shall be written into the contract, and when that civil penalty is written into the contract, the penalty may be had under the contract itself in case of violation.

This language would make the 8-hour law applicable only in case of violation. It seems to me that if there is to be sanction at all in this law, and any penalty at all, the language ought to be a little different. There ought to be added language to the effect that the 8-hour law shall apply with respect to violations of the provisions of the bill, rather than that those provisions shall apply in cases of violations of this bill.

It is not a matter with which I am particularly concerned, but I suggest to the Senator from Michigan that he will have a bill without sanction at all, and without any chance of enforcing a penalty at all, unless some clarifying language is used so that the bill will harmonize with the provisions of the 8-hour law.

If the Senator desires to make an amendment of that kind, it can be done by the simple process of removing from line 2 of the words "in all cases" and from line 3 the word "or," and substituting in lieu of those words the words "with respect to."

Mr. WALSH of Massachusetts. Mr. President, may I ask the Senator a question?

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Massachusetts?

Mr. STEIWER. Certainly.

Mr. WALSH of Massachusetts. Would the amendment proposed have in the Government all the rights that prevail in the individual who makes a contract to have work performed for him?

Mr. STEIWER. I do not know that I understand the Senator's question.

Mr. WALSH of Massachusetts. If a private citizen makes a contract with some one to construct a building or perform some work for him, he has that contract and relies upon it and can repudiate it if its terms are violated.

Mr. STEIWER. Assuredly.

Mr. WALSH of Massachusetts. So the Federal Government, if it has incorporated in its contract this provision, can call the contractor to task for violating the provisions of it.

Mr. STEIWER. The point is that there is no provision in the law requiring this to be written into the contract as there is in the 8-hour law.

Mr. WALSH of Massachusetts. It is assumed it will be written in the contract.

Mr. STEIWER. That is a very violent assumption when the law does not require it. I am suggesting that we change it so the law would require it.

Mr. WALSH of Massachusetts. The officials of the Government say they would do it now if there were a provision of law that permitted it. If this language is enacted into law there would be opportunity for them to incorporate it in their contracts.

Mr. STEIWER. I am not sure that that would be a sound conclusion.

Mr. WALSH of Massachusetts. Then it is of no value.

Mr. STEIWER. I am not sure that that would be a sound conclusion unless we amend the language so as to make the 8-hour law applicable. In that case it would be mandatory upon the Government to write it in the contract.

Mr. BLAINE. Mr. President, I desire to offer an amendment.

The VICE PRESIDENT. Does the Senator from Wisconsin desire to offer an amendment to the amendment of the Senator from Michigan?

Mr. BLAINE. Yes.

The VICE PRESIDENT. It will be reported.

The CHIEF CLERK. The Senator from Wisconsin offers the following amendment to the amendment proposed by the Senator from Michigan: Strike out the language beginning on page 2, line 1, after the word "contemplated," down to and including line 23, and insert in lieu thereof the following:

Shall pay wages to laborers and mechanics engaged in the construction of public works or buildings equal to the highest

standard of wages for the class of work to be done within the State where such laborers or mechanics are employed, and that the conditions of employment shall be equal to the highest standards prevailing in any such State.

Mr. BLAINE. Mr. President, I dislike very much to prolong the discussion unnecessarily, and I shall endeavor to limit my discussion to a brief statement of the reasons why I think my proposed amendment to the amendment of the Senator from Michigan should be adopted. I do not subscribe to the discriminations set forth in the amendment offered by the Senator from Michigan.

Every workingman in the country has an equal responsibility to the Government with every other workingman. That is admitted by all. Every workingman in America should have an equal opportunity with every other workingman in America. The question comes down to the proposition of giving equal opportunity to the workingmen of America who do not happen to live within a town, city, or village where there are public works to be constructed and paid for out of the Treasury of the United States. All workingmen have paid taxes into the Treasury of the United States. With some of them it may have been an income tax. With all of them it has been a tax in the form of a tariff, and other taxes under the internal revenue law. So all of them have contributed toward the public fund. They owe that responsibility under the law and as citizens of our Republic. By the amendment proposed by the Senator from Michigan [Mr. COUZENS] we are to deny an equal opportunity of employment to the unemployed men of the country, all of whom have discharged an equality of responsibility.

Perhaps there may be situations where the provisions of the amendment offered by the Senator from Michigan might undo an evil, but the undoing of such evils in a few instances will bring a long train of abuses and unfair treatment to a larger number of unemployed.

By the amendment of the Senator from Michigan it is proposed in principle, for example, that if a post office is to be erected in Jonesville and there are laborers and mechanics available in Jonesville to carry on that construction, they must be employed to the exclusion of all other laborers and mechanics. Over in the next town of Rushville, perhaps five or six miles away, where the unemployment situation may be even more desperate than in Jonesville, there reside laborers and mechanics who have contributed their full share in discharging the equality of responsibility to the Government, but they can not be employed under the proposal of the Senator from Michigan in the construction of the post office in Jonesville. That is a peculiar doctrine to which I can not subscribe.

Mr. COUZENS. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Michigan?

Mr. BLAINE. I do.

Mr. COUZENS. Is it any more peculiar than providing that a citizen who lives in another State and pays an income tax should not have the same opportunity as the man within the State? I understand the Senator wants to limit this to the geographical boundaries of the State. Is that correct?

Mr. BLAINE. No; I am not advancing that doctrine.

Mr. COUZENS. I understood that the Senator's amendment provides limitations within the State.

Mr. BLAINE. Oh, no; my amendment will prevent the very evil which the Senator from Michigan is attempting to prevent and at the same time will preserve equality of opportunity to the workingmen of the country.

Let us examine for a few moments the proposition of constructing a post office in Jonesville, by way of illustration. There is unemployment in Jonesville. The town may be of considerable size. Many of the workers—those classified under the amendment as laborers and mechanics—are out of employment, but they have contributed no more toward these responsibilities which they have with respect to their Government than have the workers in Rushville, a few miles away. They have contributed their equal share in taxes in some form. They are to be given a monopoly of employment in Jonesville on a public building to be paid for out of public funds, a part of which has been contributed by the workers and mechanics of Rushville. It is proposed by the amendment of the Senator from Michigan to declare affirmatively that this inequality of opportunity shall prevail as between the workers of Jonesville and Rushville.

Apply the illustration to the whole country, to any town, any city, any village, wherein there are public works to be constructed, whatever the nature of those public works may be. For the simple reason that a man lives within the town, city, or village wherein those public works are to be carried on and for that reason alone—that being the only reason assigned in the amendment of the Senator from Michigan—they are to be given a monopoly of that employment. That is a strange doctrine, indeed, a doctrine to which I can not subscribe.

Mr. KING. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. BLAINE. I yield.

Mr. KING. I invite the attention of the Senator to the fact that in many cities where there is great congestion many of the laborers, many of those who earn their living, come into the cities in the daytime. They can not find suitable houses in the city or must live outside because rents are too high in the city, so they go into the villages and communities not very far away from the city and come into the city for their daily labor. Under the amendment of the Senator from Michigan as now proposed it would exclude those men from obtaining employment in the city if the Federal building is to be constructed in the city.

Mr. BLAINE. Why, certainly; a discrimination for which there can be no justification whatever.

Mr. KING. Take my own city, so I may illustrate the point. Many of those who would work in Salt Lake City upon the Federal building live in Murray or in another county which adjoins Salt Lake City. The distance from where they live to the place where the post office is to be constructed would be, perhaps, not more than 10 miles, but it would be in a different village and in one instance in another county. They would be excluded from opportunity to work on this building. It seems to me to be unfair.

Mr. BLAINE. It is identical with the simple illustration I gave of Jonesville and Rushville, two communities in close proximity, and yet the discrimination is to be brought about by this arbitrary rule of 90 days living in a city, town, or village. I can not see the justice of such a provision.

Mr. FESS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. BLAINE. I yield.

Mr. FESS. I have had some trepidation about the practical workings of the amendment of the Senator from Michigan. There comes, however, to my mind a situation as to which I should like to have the Senator's opinion whether or not it could be corrected. Take the city of Dayton. During the last few years it has had a great stimulus, and a large number of people have come in there because of the opportunities for employment afforded. In the existing depression, however, an unusual number of people have been out of employment, as was inevitable. The Government has built a hospital there, where, as Senators know, a branch of the National Home for Disabled Soldiers is located. The contractor brought most of the labor for that work from outside into Dayton, although there was much unemployment in Dayton. That created a feeling of great bitterness on the part of the people of Dayton, on the ground that many laborers who really did not belong in Dayton had come in heretofore from the outside who were largely dependent on the charity of the people. I should like to have that situation remedied if it could be done.

Mr. BLAINE. Let me inquire if the real cause of complaint was not that the contractor who imported those laborers did not pay the standard of wage that prevailed in that city?

Mr. FESS. I think that element is involved in the situation.

Mr. BLAINE. I think the situation to which the Senator from Ohio has referred would be remedied by the adoption of my amendment, if it were enacted into general law.

I merely want to carry the argument a little beyond Jonesville and Rushville. We have large industrial centers, such, for instance, as the city of Detroit, the city of Cleveland, the city of Boston, the city of New York, the city of Portland on the Pacific coast, and the city of Milwaukee in in Wisconsin. Those cities have certain defined boundary lines; yet, surrounding all of them have grown-up communities, some under the organization of a village, others under the organization of a city government, and some of them without any organized municipality other than a township. In each case those cities and the outlying communities constitute a single economic group. So far as employment is concerned—transportation, street-car service, water, light, sewerage—the entire area constitutes an economic unit; yet, under the amendment of the Senator from Michigan, men living within that economic unit but immediately outside of the boundary line of the specific municipality in which the public works are to be constructed are going to be denied employment. A man has his home within such economic unit, he has lived there a lifetime, he has paid his taxes, he has supported the schools and all other local institutions, he has contributed his full share to the Government of the United States; and yet, by the amendment of the Senator from Michigan, it is proposed to deny to such a man the opportunity to work upon the construction of Federal works in a city in which he is not living, though to all intents and purposes he is an individual part of that entire economic unit.

Mr. President, I never heard of a grosser discrimination than is proposed by this amendment. The comments I have just made as to the economic unit apply to most of the industrial cities of the country.

Then there are other units—governmental units. I know of one city in my own State where under the terms of this proposed amendment if it were enacted into a general law the workers within the city limits would have the monopolization of every job afforded by the Federal Government through the construction of public works. That city is surrounded by municipalities, small cities, and villages, all of which constitute, in a large degree, an economic unit; yet the carpenters, the plumbers, the painters, and other workingmen who do not happen to live within the city where the public work is being constructed, but do live only a few blocks or a few feet away from the boundary line, are to be deprived of the opportunity of employment upon that public work. That is a gross discrimination. Apply it to whatever unit one may choose, to the individual cities by comparison, to the economic units to which I have referred, and there will be found the same denial of equality of opportunity.

Let us see what the evil about which complaint is made is and how it should be suppressed. I am in entire sympathy with the purposes intended by the Senator from Michigan. When he outlined those purposes he suggested that there were contractors who had construction crews coming from various sections of the country, and that such construction crews would go to communities of which they were not a part and would be employed at a low wage. He described how they were living, which was under conditions that ought not to prevail in this country. They were living in tents; living under conditions unfit for human existence; and they come in and take the job of the men who own their own homes and who are supporting their Government. One can not overdraw the picture with respect to that evil. The problem is how are we going to prevent that evil without doing an injustice and an unfair thing toward the workingmen of the country.

My amendment proposes that such contracts for public works shall provide that the contractor shall pay wages to the laborers and mechanics engaged in the construction of public works or buildings equal to the highest standard of wages prevailing in the State in which the construction is proceeding; not only the highest standard of wages prevailing in the community in which the building is being erected but the highest standard of wages prevailing in the State.

Mr. President, that provision will bring into operation the restrictive and protective labor laws which the advanced and progressive States of the country have enacted. It will bring into force and effect those laws with respect to the construction of public works and public buildings under the jurisdiction of the Federal Government that will prevent contractors bringing crews of men into a given State and paying them a wage less than the highest wage that prevails any place in that State for the class of work to be done.

My amendment further provides that conditions of employment—a consideration quite as important as the standard of wage—shall be equal to the highest standards prevailing in any such State. Thereby the laws providing for the protection of life, health, and the welfare of our workingmen will be brought into force and effect with respect to the public works and public buildings under Federal jurisdiction, not only as affecting health and sanitation but every condition of employment. Every safety device that is required by the State law, every safeguard with reference to the housing of workingmen that is required by the State law, every precaution with reference to sanitation of working places and the living quarters of workingmen brought by contractors must be in compliance with the State laws. Contractors could never bring a crew of workingmen from another State under such conditions. The amendment which I have proposed to the amendment offered by the Senator from Michigan will effectively prevent the very evils about which complaint has been made—and justly made—by the Senator from Michigan.

So, Mr. President, I hope the Senate will not do the unjust thing of denying equal opportunity of employment to the workingmen of America, who have discharged their full and equal responsibility to the Government, simply because they may live outside some municipal limits. We can accomplish the proper purpose in the highest degree by requiring that Federal contracts shall provide, as my amendment prescribes, that the highest standard of wages prevailing for the class of work to be done within the States where the construction is going on shall be paid, and that the conditions of employment shall be equal to the highest standards prevailing in any such State. Because of the miserly appropriation made by the bill, it may not be material whether the Couzens amendment or my amendment be adopted. I protest against the indefensible discriminations proposed. I hope my amendment will be adopted.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Wisconsin [Mr. BLAINE] to the amendment offered by the Senator from Michigan [Mr. COUZENS].

Mr. BORAH. Mr. President, I desire to ask a question of the Senator in charge of the bill. What is the construction which the Senator places on section 2?

Mr. JONES. I construe it to mean that if the President should deem it wise to use any part of the money for a particular object set out in the bill, he has authority to transfer it from some other item provided for in the bill. I know that that gives pretty broad authority, but I can not conceive of the Executive using that authority, when Congress has specifically named the different amounts for particular things, unless there are some very urgent and very exceptional circumstances arising. I think it is very plain, from the language of the bill, that it permits him to transfer these appropriations if he thinks the occasion warrants it.

Mr. BORAH. In other words, the President has the power, whether he uses it or not, to make any transfer of funds that he sees fit from one project to another?

Mr. JONES. I think that is right.

Mr. BORAH. That practically makes it a lump-sum appropriation; does it not?

Mr. JONES. Except that when Congress specifically designates certain amounts for particular purposes, the President would have to have a much stronger case, I think, to transfer any of the money to another item than if he had the dis-

position of an entire lump sum, without any distribution being specified by Congress.

Mr. NORRIS. Mr. President, I should like to ask the Senator from Washington something further about this language. Is not the legal effect of it such that it simply means that the entire amount appropriated by the bill could be transferred by the President to any one particular item mentioned in the bill?

Mr. JONES. I think that is right. I thought I stated that a moment ago.

Mr. NORRIS. I thought the Senator said, or at least intimated, that the President would not have authority to eliminate an appropriation where the bill specifically stated that a specific amount should go for a specific purpose.

Mr. JONES. No, Mr. President. What I intended to say, anyhow, was that the President, if he deemed the circumstances warranted and justified it, could transfer part of the appropriation, or if he deemed it necessary could transfer all the appropriation, for one item named in this bill to other items named in the bill; but that I did not believe he would do it, except under very exceptional and urgent circumstances.

Mr. NORRIS. Has the Senator knowledge of any of the items appropriated for in this bill that causes him to think there ought to be such a provision put in the law, which, so far as I know, we never have put in any appropriation bill before?

Mr. JONES. I will frankly say that I do not believe it is necessary one way or the other. That is a provision that the House put in the bill.

Mr. NORRIS. Yes; I understand.

Mr. JONES. And I frankly tell the Senator that I do not think it is necessary.

Mr. NORRIS. The effect of it is that the bill will be just the same as though we had said, using a lump sum, in one sentence, that there is so much money appropriated and placed in the hands of the President that he can divide up as he sees fit among these various items, naming them.

Mr. JONES. I do not think that. I think that when we specify the different amounts for different items, that is a direction to the President that he, of course, is expected to follow, unless some very exceptional circumstances arise to warrant him in exercising the discretion that this sentence imposes upon him.

Mr. NORRIS. That probably would be the moral effect of it. I do not anticipate that the President would do what I have suggested; but, as I understand, the legal effect would be just exactly as I have stated it. There may be some exceptional condition which would make it necessary for this kind of a provision to go in, but I have not heard it pointed out yet; and if we are going to put this sort of a provision in appropriation bills we ought to put it in all of them, it seems to me.

Mr. JONES. I do not think we have any right to assume that the President is going to go contrary to the specific provisions of an act of Congress, even though he has the discretion to do it, unless there are very urgent circumstances that he feels justify him.

Mr. NORRIS. I do not suppose so, either. Then why give him the authority to do it?

Mr. JONES. As I said to the Senator, I see no particular merit in the provision one way or the other; but it was put in by the House, and I assume the reason I have given for their putting it in was the reason why they felt justified in doing it.

Mr. ROBINSON of Arkansas. Mr. President, I inquire if the Senator from Nebraska has offered an amendment?

Mr. NORRIS. I have not.

Mr. ROBINSON of Arkansas. I had intended to offer an amendment to strike out that section. It is a most unusual provision.

Mr. PHIPPS. Mr. President, will the Senator yield to me for a moment?

Mr. ROBINSON of Arkansas. Certainly.

Mr. PHIPPS. I think section 3 should be read in connection with section 2. Section 3 provides for a report at the coming session, showing how the money has been allocated. Already the $80,000,000 for road-building purposes, to illustrate, has been allocated among the several States, 17 of which to-day are not in position to take up their full allotment out of last year's allocation to them. Assume that certain States do not take up the full amount allotted to them out of this $80,000,000. Then, under the provisions of the bill, that money would be available for other States which could take it up immediately, or it could be made available for the other items.

Mr. ROBINSON of Arkansas. Will the Senator pardon me in that connection?

Mr. PHIPPS. Certainly.

Mr. ROBINSON of Arkansas. I do not think that is true. I do not think the intention or the effect of section 2 is to give the Executive power to use a fund which has been allocated to one State for road building in another State. The language is:

> The sums herein appropriated shall be available interchangeably for expenditure on the objects named in this act upon order of the President stating the amounts and the appropriations between which such interchanges are to be made.

That seems to me to contemplate that, for instance, the $3,000,000 that is appropriated for the national forest system may be used for some other purpose than that contained in the first part of section 1. It relates to the objects and not to the distribution of the fund that is appropriated for highway purposes.

Mr. PHIPPS. No; but if it were found that all of the $3,000,000 is not required for roads and trails to be built at once but that part of it could be used on roads and trails in the national parks, for instance, it could be transferred there.

Mr. ROBINSON of Arkansas. Under that theory of law the $80,000,000 authorized for the Federal highway system could be used for the construction and maintenance of roads, trails, bridges, and fire lanes in national forests. I just wonder why such a broad power is necessary when the bill attempts to specify the projects for which the appropriation shall be available. I think it is bad legislation. I think it would be better to appropriate a lump sum, and leave to the President the distribution of it, than to distribute the fund and then say that the President should use it differently from the way we have provided.

I move to strike out the section.

The VICE PRESIDENT. There is an amendment pending.

Mr. ROBINSON of Arkansas. Of course, I will withhold the amendment, then.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Wisconsin [Mr. BLAINE] to the amendment of the Senator from Michigan [Mr. COUZENS].

Mr. McNARY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	Jones	Robinson, Ark.
Bingham	Fletcher	Kean	Robinson, Ind.
Black	Frazier	Kendrick	Schall
Blaine	George	Keyes	Sheppard
Blease	Gillett	King	Shipstead
Borah	Glass	La Follette	Simmons
Bratton	Glenn	McGill	Smith
Brock	Goff	McKellar	Steiwer
Brookhart	Goldsborough	McMaster	Stephens
Broussard	Gould	McNary	Thomas, Idaho
Bulkley	Greene	Metcalf	Thomas, Okla.
Capper	Hale	Morrow	Townsend
Caraway	Harris	Moses	Tydings
Carey	Harrison	Norbeck	Vandenberg
Connally	Hastings	Norris	Wagner
Copeland	Hatfield	Nye	Walcott
Couzens	Hawes	Oddie	Walsh, Mass.
Cutting	Hayden	Patterson	Walsh, Mont.
Dale	Hebert	Phipps	Watson
Davis	Heflin	Pittman	Wheeler
Deneen	Howell	Ransdell	Williamson
Dill	Johnson	Reed	

The VICE PRESIDENT. Eighty-seven Senators have answered to their names. A quorum is present. The question is on the amendment offered by the Senator from Wisconsin

[Mr. BLAINE] to the amendment of the Senator from Michigan [Mr. COUZENS].

Mr. BLAINE. Mr. President, I ask that the amendment to the amendment be reported.

The VICE PRESIDENT. The clerk will state the amendment to the amendment.

The CHIEF CLERK. The Senator from Wisconsin proposes the following amendment: On page 2, line 1, to strike out all after the word "contemplated" down to and including the word "suburbs" in line 23, on page 2, and to insert the following:

Shall pay wages to laborers and mechanics engaged in the construction of public works or buildings equal to the highest standard of wages for the class of work to be done within the State where such laborers or mechanics are employed, and that the conditions of employment shall be equal to the highest standards prevailing in any such State.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

Mr. BLAINE. Mr. President, I observe that the author of the amendment to which I have offered an amendment is absent. I wanted to ask for a roll call on my proposed amendment to his amendment.

Mr. BORAH. Mr. President, as I understand it, the amendment upon which we are about to vote is the amendment of the Senator from Wisconsin?

The VICE PRESIDENT. That is the pending amendment.

Mr. BORAH. That amendment simply provides that the pay shall equal the highest wages prevailing in the community at the time. I do not know what that means.

Mr. VANDENBERG. Mr. President, may I inquire whether this amendment in effect removes the provision requiring the localization of labor?

Mr. BLAINE. The amendment which I propose strikes out that provision in the Couzens amendment that the labor must have resided for 90 days in the town, city, or village where the public works are to be constructed. I would cut that out.

Mr. TYDINGS. Mr. President, I would like to ask the Senator from Wisconsin a question. As I understand it, these Government projects are built by private contractors who secure contracts upon competitive bidding. If we require the contractor who gets a contract to pay the highest standard of wages for mechanical labor paid in the State in which the building is to be erected, it occurs to me that one contractor will submit his bid upon a standard of wages which exists in his end of the State, and another will submit his bid upon wages which exist in other parts of the State, and that there will be no general fair plane upon which competitive bids will be tendered. Am I right in that assumption?

Mr. BLAINE. The Senator is not right in the assumption that the contractors would do anything of the kind. The contractors know very well in what cities there is a standard of wages for carpenters and bricklayers and plumbers, and all other skilled laborers. They would make their bids necessarily on that basis.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from Maryland allow me to ask the Senator from Wisconsin a question?

Mr. TYDINGS. I yield.

Mr. ROBINSON of Arkansas. Is the purpose and effect of these provisions to require the payment of plumbers' wages to persons who work in the construction of highways; perform the ordinary labor upon highway building?

Mr. BLAINE. No; highway construction is entirely excluded from the measure. This has nothing to do with highway construction whatever.

Mr. TYDINGS. If the Senator will permit me, I shall pursue my question.

Mr. BLAINE. It refers to the highest wage for the character and class of work to be done.

Mr. TYDINGS. It is a well-known fact that wages of plasterers in Baltimore city greatly vary, as they do in New York, Chicago, and Detroit, and the wages of all general mechanics vary between a minimum and a maximum point. If a man wishes to bid on the building of the Baltimore post office, for example, this would require him to take into consideration the highest wages paid to mechanics in the State in tendering his bid. It occurs to me that one contractor would make his bid assuming that $8 a day was the wage paid to plumbers, and that another contractor would make his bid on the same building assuming that $8.50 a day was the highest wage paid to plumbers in Maryland, and that there would be a great deal of room for skullduggery and for dischimination of one kind or another, which would plague the committee very much, and probably lead to an investigation of the work itself after it had been done.

There is too wide a range in the Senator's amendment, leaving that question wide open. One contractor will submit his bid upon one scale of wages, and another upon another scale of wages, because there is no way of ascertaining what is the highest scale of wages paid to plumbers in Chicago, for example, where racketeering and other practices prevail. There is no way of telling what the highest wage scale paid to carpenters in Chicago may be. The Senator could not tell me now, nor, I imagine, could anybody tell, what is the highest wage scale paid to carpenters in Chicago. Yet, if I wanted to build a post office in Chicago, I would have to submit a bid based upon the estimates of paying my carpenters the highest scale of wages paid to carpenters in Chicago.

Mr. BLAINE. Let us be perfectly frank about the situation. If the Senator from Maryland were bidding on a post-office building in the city of Chicago, the first thing the Senator would do, I know, because he is cautious and prudent, would be to ascertain what the highest scale of wages was there prevailing under organized labor. That is what he would do, and he would put his bid in accordingly.

Mr. TYDINGS. I do not think that is so. I think what the prospective builder would do would be to find out the lowest price at which he could obtain carpenters or masons or plumbers and base his bid upon that figure. But the Senator compels him to find out the highest wage and to base his bid upon that figure.

Mr. BLAINE. I am saying what the Senator from Maryland would do as a careful, cautious business man in bidding on that post office, if this amendment were the law. He would ascertain what was the prevailing wage made effective by organized labor in the city of Chicago and he would base his bid upon that. If another contractor made an error in that, he would simply be in hard luck, that is all.

Mr. TYDINGS. If the Senator said that the wage scale should be the union scale or if the Senator said it should be the minimum scale at which you could get ordinary labor, that would be one thing; but I am sure that the wages of mechanics generally in large cities vary greatly, and that while one bidder may assume that such and such a price is the highest price paid to that class of labor another bidder would take a different wage scale for the purpose of getting the contract.

Mr. BLAINE. Mr. President, I can see the Senator's difficulty. I am following the President in this. The President said at some conference that there should not be a reduction in wages; that the prevailing wage, having reference to the wages that are fixed, and are only fixed by reason of the force and power and influence of organized labor, should prevail. The trouble with the Senator from Maryland is that he is leaving the President and I am following the President in this proposition.

Mr. FLETCHER. Mr. President, will the Senator yield to me?

Mr. BLAINE. I yield.

Mr. FLETCHER. I think I might help speed things along a little by suggesting that there is not a single provision in this bill for putting up public buildings. What is the use of talking about wages and contracts with reference to buildings? There are no provisions here for buildings. There will not be any buildings under the river and harbor work in cities.

Mr. BLAINE. It says "public works."

Mr. FLETCHER. Here are the items in the bill: "River and harbor work." What river and harbor work takes place in any city, community, town, or village?

Mr. BLAINE. I assumed that the harbor work was mainly in the cities.

Mr. FLETCHER. Not at all. I do not know of any harbor that is in a city. But let us go on.

Mr. BLAINE. I assumed that harbors were in cities.

Mr. FLETCHER. No. "Flood control on the Mississippi River." That does not involve any city or town or community. There is no building to be done under that; no public buildings are to be erected under either of those items.

"Federal aid to highways." The highways do not lead through cities or towns.

Mr. BLAINE. The highway provision is not included.

Mr. FLETCHER. I do not see that there is anything included here that would involve any buildings. We are talking about buildings, but there is not a single provision in this bill for putting up buildings.

Mr. ROBINSON of Arkansas. Mr. President, the Senator from Florida is expressing the thought I had in mind when I interrupted the Senator a few moments ago.

Mr. FLETCHER. "Roads and trails for national-forest development." They do not lead into villages, towns, or communities.

"Roads and trails in national parks." They do not lead into towns and cities and villages.

I am not out of sympathy with the amendment offered by the Senator from Michigan or the amendment offered to that amendment by the Senator from Wisconsin, but it seems to me that we are wasting time over imaginary things, imaginary works. There is no appropriation made in this bill for putting up buildings or contracting work in cities, towns, or communities. It is all outside of towns and villages.

Mr. BLAINE. Mr. President, evidently the Senator has not heard the discussion. The discussion has been with respect to public works, public improvements. Oftentimes reference has been made to post-office buildings merely by way of illustration, that is all, not intending to convey the idea that this bill relates to the construction of post offices. That served as an illustration.

Mr. FLETCHER. I have heard the discussion, and I was amazed at most of it.

Mr. BLAINE. Most all harbor work is in cities.

Mr. FLETCHER. Will we not be confined to the specific items in the bill about which we are talking?

Mr. COUZENS. The Senator from Florida evidently has not read the amendment.

Mr. FLETCHER. Yes; I have read it half a dozen times.

Mr. COUZENS. It provides, "within the town or village within which such work is done, if within the district, city, town, or village, or in the State or Territory." It is not confined to a city or a village; it says "State or Territory." Work done in States or Territories, outside of villages, towns, or cities, would be included under this amendment.

Mr. FLETCHER. Then the provision is that we must be governed by the highest wages fixed in towns, cities, or communities in which work is done, and none of the work is to be done in the towns or cities.

Mr. COUZENS. No; but it refers to States or Territories.

Mr. FLETCHER. The Senator's amendment, it seems to me, is more applicable if it refers to the State. Of course, some of the work will be done in the States.

Mr. COUZENS. There are appropriations made for the National Park Service for bridges, roads, and trails in the national forests. They are included under the term "State or Territory."

The VICE PRESIDENT. The question is on the amendment of the Senator from Wisconsin to the amendment of the Senator from Michigan.

Mr. BLAINE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. JONES (when his name was called). The senior Senator from Virginia [Mr. SWANSON] is necessarily absent for the day. I promised to take care of him for the day with a pair. I have been unable to obtain a transfer and so I am obliged to refrain from voting. If at liberty to vote, I would vote "nay."

The roll call was concluded.

Mr. DENEEN. I have a pair with the junior Senator from North Carolina [Mr. OVERMAN]. Not knowing how he would vote, I withhold my vote. If permitted to vote, I would vote "nay."

Mr. JONES. I am informed that the junior Senator from California [Mr. SHORTRIDGE] is necessarily absent. I transfer to him my pair with the Senator from Virginia [Mr. SWANSON] and am at liberty to vote. I vote "nay."

Mr. SHEPPARD. I wish to announce that the junior Senator from Florida [Mr. TRAMMELL] is necessarily detained from the Senate on official business.

Mr. FESS. I desire to announce the following general pairs:

The Senator from Indiana [Mr. ROBINSON] with the Senator from Mississippi [Mr. STEPHENS];

The Senator from Colorado [Mr. WATERMAN] with the Senator from Kentucky [Mr. BARKLEY]; and

The Senator from Oklahoma [Mr. PINE] with the Senator from Iowa [Mr. STECK].

I am not advised how any of these Senators would vote on the pending question.

Mr. SHEPPARD. I wish to announce that the senior Senator from North Carolina [Mr. SIMMONS] is necessarily detained from the Senate on official business.

I also wish to announce that the junior Senator from North Carolina [Mr. OVERMAN] is necessarily detained by illness.

Mr. KING. Mr. President, this may be rather irregular, but I hope I may be indulged for a moment. The discussion proceeded——

The PRESIDENT pro tempore. That may not be done. No debate is in order.

Mr. KING. I ask unanimous consent to make an inquiry of the proponent of the amendment to determine whether or not the understanding which he had is that which some of us had.

The PRESIDENT pro tempore. Is there objection? The Chair hears none. The Senator may propound his inquiry.

Mr. KING. May I have the attention of the Senator from Wisconsin [Mr. BLAINE]? The amendment, as I understood, was discussed upon the theory that it would permit the employment of laborers and mechanics from anywhere within the State, but not from without the State, and that the amendment which the Senator offered merely related to the localization provided for in the amendment offered by the Senator from Michigan, and struck out the provision that the laborers must be from some precinct or some municipality.

My understanding was that that provision was stricken out, but that the amendment offered by the Senator from Wisconsin provided that though it was stricken out the employees must be from within the State. With that understanding I voted for the amendment, but if it permits laborers or mechanics to be brought from without the State I would feel constrained to change my vote, with the permission of the Senate.

Mr. BLAINE. The amendment which I proposed would strike out the provision in the Couzens amendment relating to the requirement that the laborer or mechanic must have resided at least 90 days in the city, town, village, or district, and provided that only the highest standard of wage prevailing in the State where the public works are to be constructed should be provided for in the contract and that the conditions of employment should equal the highest standard prevailing in that State.

Mr. KING. Then evidently some of us were discussing——

Mr. WALSH of Montana. Mr. President, I think I shall be obliged to object to debate on the subject.

The PRESIDENT pro tempore. Objection is heard.

Mr. KING. In view of that misunderstanding I desire to change my vote from "yea" to "nay."

The result was announced—yeas 16, nays 66, as follows:

YEAS—16

Ashurst	Connally	Howell	McKellar
Black	Copeland	Johnson	Ransdell
Blaine	Fess	Kendrick	Shipstead
Bulkley	Hayden	McGill	Thomas, Okla.

NAYS—66

Bingham	George	Kean	Schall
Blease	Gillett	Keyes	Sheppard
Borah	Glass	King	Smith
Bratton	Glenn	La Follette	Steiwer
Brock	Goff	McMaster	Thomas, Idaho
Brookhart	Goldsborough	McNary	Townsend
Broussard	Gould	Metcalf	Tydings
Capper	Greene	Morrow	Vandenberg
Caraway	Hale	Moses	Wagner
Carey	Harris	Norbeck	Walcott
Couzens	Harrison	Nye	Walsh, Mass.
Cutting	Hastings	Oddie	Walsh, Mont.
Dale	Hatfield	Patterson	Watson
Davis	Hawes	Phipps	Wheeler
Dill	Hebert	Pittman	Williamson
Fletcher	Heflin	Reed	
Frazier	Jones	Robinson, Ark.	

NOT VOTING—14

Barkley	Pine	Smoot	Trammell
Deneen	Robinson, Ind.	Steck	Waterman
Norris	Shortridge	Stephens	
Overman	Simmons	Swanson	

So Mr. BLAINE's amendment to the amendment of Mr. COUZENS was rejected.

The PRESIDENT pro tempore. The question recurs upon the amendment proposed by the Senator from Michigan [Mr. COUZENS].

Mr. ROBINSON of Arkansas. Mr. President, I ask the attention of the Senator from Michigan. The purpose of the amendment is to make certain that local laborers who are out of employment shall have the opportunity to secure employment in connection with works to be carried on in the community in which they live.

Mr. COUZENS. That is correct.

Mr. ROBINSON of Arkansas. There is much ground for sympathy with that proposal. I wish to invite the Senator's attention—and I am doing it now because in just a few moments I shall be compelled to leave the Chamber to attend a committee meeting—to the provision requiring that laborers must live at least 90 days in the district, town, or village before the commencement of the work in order to qualify them to receive employment.

The thought which I now wish to suggest to the Senator from Michigan is that it would probably be adequate for the purposes underlying the amendment to change that language so as not to require 90 days' residence but to prescribe residence at the time of the beginning of the work, or some such provision as that. It will work a hardship, it seems to me, to deny employment to a citizen who might have moved into a community where the work is to be performed and yet might not have been there for 90 days. It seems to me it would be a great hardship on him to say that he could not secure employment merely by reason of the fact that he had not been living in that neighborhood for 90 days. I think the Senator from Michigan understands my point. I should like to have him discuss the matter, but I am compelled to leave the Chamber to attend a committee meeting.

Mr. COUZENS. My answer to the Senator from Arkansas is that my sympathy goes out largely to the residents of any community who have been seeking work for months and months, as the Senator knows is true of many communities in the country.

Mr. ROBINSON of Arkansas. Will the Senator permit me to interrupt him in that connection?

Mr. COUZENS. Yes.

Mr. ROBINSON of Arkansas. But the Senator also knows that in nearly all the States there are men who have gone from one neighborhood to another and from one town to another seeking employment. It seems to me that it would be a questionable practice to say that merely because such a man has been more diligent than somebody else and has moved about trying to get work he shall not be permitted to receive employment. I think such a man ought to have a chance to obtain employment if he is a bona fide resident of the community where the work is to be performed.

Mr. COUZENS. How would the Senator determine whether or not such a man is a bona fide resident of the community?

Mr. ROBINSON of Arkansas. That could be determined by the same process by which it would be determined whether or not he had been living there 90 days; and I do not think as a matter of law or of actual practice it would be any more difficult to determine that a man was living in a town at the time work was commenced than it would be to determine that he had been living there for 90 days.

Mr. PITTMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Nevada?

Mr. ROBINSON of Arkansas. I yield the floor. I do not desire to depart if the Senator wishes to interrogate me.

Mr. PITTMAN. I merely wish to say that those who are compelled to live in a community because they have families there and are out of employment are more handicapped than are those who have no families and who can move around; but, on the other hand, I do not admit that this provision, if adopted, in any way would prevent the employment of the idle man who has not been in a community for 90 days. It expressly provides that before the contractor employs others he shall give an opportunity to those who have been in the community for 90 days.

Mr. ROBINSON of Arkansas. Will the Senator from Nevada yield to me?

Mr. PITTMAN. Yes; I yield.

Mr. ROBINSON of Arkansas. The Senator assumes that there will be employment on the particular work for everybody who happens to be there at the time the work is commenced, and that this proposed legislation will merely give precedence to everyone who has lived there for 90 days?

Mr. PITTMAN. That is all; and I think such laborers ought to have precedence, because they have families to keep them there.

Mr. ROBINSON of Arkansas. The man who moves about looking for work also sometimes has a family, and the fact that he has a family dependent on him often prompts him to exert himself to go abroad from his home to look for work.

The PRESIDENT pro tempore. The parliamentary situation is that the question now pending is the amendment proposed by the Senator from Michigan [Mr. COUZENS]. In view of what the Senator from Arkansas [Mr. ROBINSON] has stated, the Chair asks if there is any objection now to considering the amendment proposed by the Senator from Arkansas and temporarily laying aside the pending question, which is the amendment proposed by the Senator from Michigan?

Mr. COUZENS. I have no objection.

Mr. ROBINSON of Arkansas. That is the amendment to strike out section 2 of the bill, which gives the President the power, after the Congress shall have specified the work to which these appropriations shall be applied, to issue an order under which the whole of one appropriation may be used for a distinctly different purpose from that provided for in the bill. I think that is a bad practice in legislation, and that certainly it ought not to be pursued in this bill.

The PRESIDENT pro tempore. By unanimous consent, the question is upon agreeing to the amendment proposed by the Senator from Arkansas [Mr. ROBINSON].

Mr. COUZENS. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. COUZENS. What became of the proposed amendment with respect to removing the restriction providing for a 90-day residence?

The PRESIDENT pro tempore. That amendment was rejected. The question is on agreeing to the amendment proposed by the Senator from Arkansas [Mr. ROBINSON].

The amendment was agreed to.

Mr. HARRISON. Mr. President——

The PRESIDENT pro tempore. The question, under the unanimous-consent agreement, now recurs on the amendment proposed by the Senator from Michigan [Mr. COUZENS]. On that question the Senator from Mississippi [Mr. HARRISON] is recognized.

WORLD'S WORK INDORSEMENT OF THE PRESIDENT

Mr. HARRISON. Mr. President, it is well at times that the Congress be in session in order that the people may be advised as to what is going on in Washington.

There is now and has been for some time a most subtle and well-organized scheme to exaggerate the accomplishments of the President and minimize the work of Congress. The other day when the President issued his statement, intemperate in character and impassioned in expression, charging that over here we were "playing politics at the expense of human misery," it was a part of that highly organized and well-oiled plan of reflecting upon the Congress of the United States.

There has just come to my hand such an example of that scheme as to be ludicrous. I want to call the attention of the Senate to it and inform the country so that when this cheap propaganda bursts upon the world on New Year's Day they will know how it came about. I want to have their hearts attuned and their minds inspired with such enthusiasm that they will be longing and looking for this great event in the history of our country.

It is going to be a memorable document. It is going to be paid for by the few sympathizers with the President of the United States who may be corraled from one end of the country to the other. The effort is being made now to gather them together; an appeal is going out to them, and tactics are being employed that even the most notorious racketeers would not employ. The distinguished gentleman who now occupies the White House is going to be put upon a pedestal unapproached by any other President in all the history of the country. Those who are back of this movement are going to bedeck his brow with a coronet of praise and warm his heart with every complimentary expression.

I am wondering when I read this remarkable document how many of my good friends on the other side of the aisle are going to listen to this siren appeal, go down into their pockets, and "cough up" a hundred dollars and engage in the fraud. If they are not that enthusiastic about their President, then I am wondering how many of them, even if it should not cost anything, would jeopardize their political existence by attaching their signatures to it. If they would not pay to sign it, I am further wondering how many of them, when I shall have closed my feeble remarks, will rise in their places in the Senate and say that they indorse the enterprise inaugurated by the World's Work—I should say "World's Worse"—and that they hope success for it. I dare say there will not be one of the distinguished political figures on the other side of the Chamber, some of whom emerged by hair lengths in the last campaign and some of whom look to the future with fear and trembling, who will have the courage to rise up and say that in their hearts they indorse these sentiments and expressions contained in this remarkable document.

It just shows, however, Mr. President, how propaganda works in this country. It shows to what extent sometimes reputable magazine managers and owners will go in trying to depopularize—I will not say "popularize"—their own publications and to win favor and become sycophants of the President of the United States.

Mr. CARAWAY. Mr. President, will the Senator yield to me for just a moment?

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Mississippi yield to the Senator from Arkansas?

Mr. HARRISON. I yield.

Mr. CARAWAY. Of course this scheme was never thought of until the President said he was against a tax raise, although people might starve if they got no relief. Has the Senator ever thought that that might have been the source of the inspiration?

Mr. HARRISON. It may have been.

Mr. CARAWAY. And that the appeal to contribute is to those who are to escape tax increases?

Mr. HARRISON. It may be that the expression of the President of the United States the other day, when he said he was against appropriating $60,000,000 to provide for the relief of drought sufferers and against increasing taxes, even though the demands of the Nation in the effort to take care of the economic distress here justified it, was occasioned by the circumstance to which the Senator from Arkansas alludes. It may be that that had something to do with the general scheme between the President of the United States, or some one at the White House—his hireling, may it be said—or some one speaking for him and the great magazine writers of the country, and more particularly with the "World's Worse" of America. It will not be forgotten that it was only a short time ago when there was called a conference here, under the auspices of the White House, by Mr. French Strother, who is as close to the President, perhaps, as any man in the country, unless it be my amiable friend from California [Mr. JOHNSON], who honors me with his presence [laughter], and who, it is said, even goes to the extent of preparing for the President data which sometimes may resemble a report or a speech as much, according to the statement the other day before the Finance Committee, as the sugar report written by Mr. Brossard as a member of the examining force of the Tariff Commission resembled the actual report of the commissioners who were for high-tariff duties on sugar. Everyone knows how close Mr. Strother is to the President of the United States. They know how facile he is with his pen, and adept in conception as well as in execution of real propaganda. He writes well; and we are very familiar with some of the expressions he employs in some of these great State documents that now grace the CONGRESSIONAL RECORD. They are not always under his name, but the earmarks are there. And so Mr. Strother, this close friend of the President, had this conference of magazine writers here only a few weeks ago; and now we find the birth of the idea that perhaps was concocted and conceived at that particular meeting. When the people of America read this message on New Year's Day, as is proposed, they will understand how it was published, with whose money it was paid for, and who fathered the fraud.

This is sent out by Mr. Russell Doubleday, editor of the World's Work. Mr. Strother, who now is administrative assistant and very close to the President and the White House and helps prepare documents for messages, was at one time an editorial writer on the World's Work. Indeed, I believe he left that great publication to perform his present service at the White House. He is very close to Mr. Doubleday, the editor of the World's Work. Mr. Doubleday is sending these letters out over the country to those who have a little money or Federal jobs or those who desire certain special favors and who want to be welcomed at the White House.

This letter is sent out in confidence. I am betraying no confidence when I read it here and include it in the CONGRESSIONAL RECORD. Mr. Doubleday, for the World's Work, is sending out this document. It goes in the same envelope in which the letter goes, and he says:

> A number of the most important business leaders have already enthusiastically indorsed this plan.

It would be enlightening if we knew who they were.

Let us just imagine that my friend the senior Senator from California [Mr. JOHNSON] should receive one of these; so I will insert the name of "Hon. HIRAM JOHNSON, Washington, D. C. My Dear Senator." That is a violent assumption. [Laughter.]

Mr. JOHNSON. Mr. President, will the Senator yield for just an instant?

Mr. HARRISON. I yield to the Senator.

Mr. JOHNSON. Is this a humorous recitation or are these documents real? Have they been promulgated and sent out?

Mr. HARRISON. They are so real that they do appear to be humorous. They are real, however; they are cold facts.

Mr. JOHNSON. The reason why I ask the Senator that question is that the larger document was shown to me this noon for the first time. I thought somebody was playing a joke. I could not conceive that even in this day of propaganda there would be any endeavor such as is made by that particular document in the United States of America.

Mr. HARRISON. Of course, the American people are going to accept it as a joke; but it was not sent as a joke to the gentlemen to whom these letters are addressed, to whom this document was sent to which they are requested to attach their signatures.

Here is the letter:

A number of the most important business leaders have already enthusiastically indorsed this plan.

To distribute the cost of the campaign each indorser will be requested to contribute his proportional share, in no case to exceed $100.

Mr. CARAWAY. They may get off with 30 cents.

Mr. HARRISON. Maybe a dime with a hole in it.

The expense of the initial promotion has been underwritten—

It is already underwritten, says Mr. Doubleday.

The expense of the initial promotion has been underwritten, and every dollar pledged by the indorsers will be used for the purpose indicated.

We are sure that you appreciate the great importance and timeliness of this project.

A great project! These are expressions employed by engineers—"projects."

It needs your support, since the strength of this publicity depends chiefly upon the influence of the names attached to it. May we ask you, therefore, to mail the authorization for the use of your signature at your very earliest convenience.

Yours very truly,

——— ———.

Here is the letter. They have already had it printed, so that these gentlemen can send it back to them.

To the EDITOR WORLD'S WORK,
Garden City, N. Y.

GENTLEMEN: You are hereby authorized to indorse in my name the open letter of confidence—

That is, this document—

addressed to President Hoover.

I agree to contribute my proportional share (not to exceed $100) of the actual cost of publishing this letter with its signatures in leading American newspapers.

Then there is a place for the name and the address.

A bill, payable upon receipt, will be rendered after publication.

Here is the remarkable document to which they are requested to attach their signatures. They follow the old line of sending out confidential stuff. They put that admonition up at the top in order for it not to be exposed, so that the people will remain in the dark until New Year's Day, when glad tidings of good news will float around the world and everybody will be taken by surprise by this remarkable indorsement of the President of the United States, paid for by innumerable—or a small number, as the case may be—sympathizers with the President in all the great newspapers of the world. They are going to spread it on at one time, on one day. They are going to hit the people with a full volley, so that it will impress them. They know how to use propaganda. They are experienced in the practice. They have been unable to impress them with these little fulminations that have broken loose up at the White House, such as we read the other day, saying to us that we are "playing politics" down here "at the expense of human misery." They evidently do not believe that the people will take the President seriously, that they might doubt him, that they might not accept that statement 100 per cent; so they are going to come to his rescue. They are going to indorse the proposition that he is a great man, and in order to force the thought upon the American people they are willing to go down into their "jeans" and pay for it. So this remarkable confidential document, with blank places there for the people to sign it, is going to be another Declaration of Independence. It is going down into history as one of the great and immortal documents of all time.

Mr. CARAWAY. Mr. President, will the Senator pardon me just a minute? I wonder if they let my friend J. A. Arnold in on that. You know, he was a rather good lobbyist and propagandist and collector for them. I hope they did not deprive him of an opportunity to participate.

Mr. HARRISON. No doubt Arnold will be given an opportunity, but I doubt if he will have the money to put up.

Up at the top, so that it might not be published, but should be kept a dark secret, they say to the people who receive this, to the newspapers, in big black type, "Important." This is up at the top:

Editors and publishers are requested to regard this letter and the accompanying information as strictly confidential until the day of publication.

They did not want the news to leak out. They wanted to keep it quiet until the 2d day of next January, when Mr. Hoover will have just started on the new year, when he will have received all these millions of telegrams that are going to come from the poor farmers of the West and the humble laborers of the South, the poor people of this land who are now almost on the brink of starvation or in destitute circumstances, who are going out to borrow a penny from somebody in order to send him a little postal card of congratulations and good cheer and good wishes. Just at that particular time he is to see this in all the newspapers; and then I can visualize my friend Walter Newton going down to the news stands and buying up all the newspapers that come here from all over the land, and going over to the Congressional Library and seeing the Librarian, and gathering together all of the newspapers from every city that pour into that great institution, and then hauling them up to the White House, and walking in and saying, "Mr. President, see how you stand with the American people"—New Year's Day!

"Confidence," it says, in still bigger and blacker type, "confidence." Whether it is a "confidence game," I do not know; but it looks to me very much like that. Talk about prosecuting racketeers! Why, these fellows are the worst in the world, trying to bludgeon innocent people over the country into contributing and getting their signatures to that document!

I imagine they can get the names of some of the people whose nominations are before us here for confirmation. I can imagine that my good friend Brossard, from Utah, of sugar fame, whose name now is before the Senate to help constitute the reorganized Tariff Commission, whom we have looked to for real service, will be glad to go down and contribute his $100 and sign his name to that document; and there are a few others like that. But as I look into the benign countenances of my friends over there, even my good friend from Maine [Mr. HALE], who does not come up for reelection for four years, would not dare to sign this document. Why, it would haunt a politician the rest of his life.

My friend ODDIE back there, who is looking now to the next election out in Nevada—you could not get him with a lasso to sign this document.

Of course, nobody would expect my good friend from Nebraska [Mr. NORRIS] to sign it, and he will not be requested. He is one of those who did not get it.

I do not suppose the two Senators by his side received one of these requests either, nor the next Senator over there, nor the next Senator, nor the next Senator.

I would not say so much for my friend from New Hampshire [Mr. KEYES]. He may have received one. He may have been appealed to. He has just queezed through—no; he did not squeeze through. He came through with a good majority. He is the New England political curiosity at this time, because he is one of the few who did come back to the Senate after the ides of last November. But do you think he would sign that document? Even though he knows that his State is overwhelmingly Republican, he is not going to risk his political life six years from now, even in New Hampshire, by indorsing that instrument.

"Confidence!"

Of course, my friend from Colorado [Mr. PHIPPS], whom we will miss in the future—fine fellow that he is—might sign the document, and he might give his $100; but he is through with politics. He does not care; but, if he should consider it, he would know that that would be the worst political trick he could possibly turn. Then, too, he has invested in so many bad enterprises, he might say, "Well, here goes for another!"

It would not be possible to get the assistant leader on the other side to sign that letter. I refer to my friend the Senator from Washington [Mr. JONES]. He is too smart for that. So I do not see a single Senator over there who is going to indorse it. Yet the World's Work is sending this out broadcast, imposing upon innocent people, racketeering them into signing this remarkable document.

It says in big type:

President HOOVER,
White House, Washington, D. C.
DEAR SIR—

This is the immortal document—

Dear Sir—

Then there are many spaces.

Mr. CARAWAY. Mr. President, before the Senator commences to read that, let me ask, did I understand him to say that it was sent out by the World's Work?

Mr. HARRISON. No; the "World's Worse."

Mr. CARAWAY. That is what I thought.

Mr. HARRISON. Just listen to this:

The American people have just passed through a trying 12 months——

Mr. CARAWAY. Eighteen.

Mr. HARRISON. Yes. Eighteen, they should have said—

with a courage and cool determination of which they may justly be proud. They have converted what might have been an economic disaster—

"They have converted what might have been an economic disaster!" The World's Work does not realize yet that there is economic disaster in this country, notwithstanding the fact that in the very city in which it sells most of its publications, in the very State in which its offices are located, there failed to-day—and, of course, we all regret it—one of the biggest banks in the great metropolitan city of this Nation, a bank with resources amounting to over $200,000,000. Yet the World's Work says here, "They have converted what might have been an economic disaster into a triumph of sound readjustment."

Who believes that? Is there a Senator over on the other side now who will rise up in his place and say, "You, Mr. Hoover, and distinguished leaders, and the American people, have converted what might have been an economic disaster into a triumph of sound readjustment"? You know it is not true. Nothing is readjusted yet. We hope things will soon be readjusted, but they will not be readjusted through such policies as the President has pursued. They will not be readjusted by such indecision as he has manifested, by such a negative policy as he has displayed by such impotent and weak leadership, as has characterized his whole incumbency of the Presidency.

This remarkable document continues—

In consequence our financial and industrial foundations stand broader and firmer to-day than at any other time in our history.

They covered a big ground there. They did not say that they stood firmer and broader or grander than during the tenure of any other Republican administration, or during this generation, or during this decade, but at any time in all the history of this country.

I wonder whether Mr. Strother, who used to write editorials for the World's Work, and who had a conference with the magazine writers in the White House not long ago, applied his facile pen in framing this wonderful document.

We believe—

Says the document—

that the American people owe this achievement—

This sound readjustment they are talking about—

We believe the American people owe this achievement in great measure to the fact that their constructive efforts unified under your sane and progressive leadership—

That is what brought it about, "Under your sane and progressive leadership, Mr. Hoover, we have come to this great economic, healthy condition, that is prevalent all over the country now," the leadership which he employed when, during the 14 months and more when we grappled here with the tariff question, we pointed out to him that if he did not speak out and take sides and assert his leadership, the group on the other side headed by Mr. Grundy and Mr. SMOOT, and a few other lesser luminaries, would frame such a bill as to cause every nation in the world to retaliate against us, as to decrease our exportations, our commerce would be wiped out, and an economic debacle would come upon this country. That is the sane and progressive leadership spoken of here, the time when we appealed to the President to get into the fight and take a side either with the progressive element in the Congress or with the reactionary group, and he said, "No; I am going to let the Congress finish the job." That is the kind of leadership he displayed.

Mr. CARAWAY. I did not think the President and those who trained with him thought the Senate and progressivism went together.

Mr. HARRISON. I think he is still of that opinion. I think Mr. Strother made a mistake in this immortal document.

Mr. McKELLAR. Mr. President, I hope the Senator will not forget the leadership of Mr. Hoover in the matter of the Farm Board and Mr. Legge.

Mr. HARRISON. Yes; his leadership in the Farm Board matter, his leadership in the matter of Muscle Shoals, which has been an orphan child on the doorsteps of Congress since he has been President, and was long before, and which he does not try to solve for us; and innumerable other propositions I might mention. It was the kind of leadership displayed when he said he was going to give to the country a tariff commission in which the country might have confidence, and when he named the Tariff Commission, he gave to us one man who, the record will show—and none know it better than the distinguished leader on this side of the aisle—contradicted himself directly, made such a contradiction as makes him, in my opinion, unworthy to be a member of the Tariff Commission. Such conduct was displayed by him in favoring the sugar interests of this country as to reflect upon the personnel of the commission should he ever be confirmed by the Senate of the United States.

That is the kind of leadership there has been, the kind that says the Members of Congress are playing politics at the expense of human misery, when last November he would go to a convention of bankers, or to a convention of soldiers in Boston, or the dedication of something or other, and at that time would take his side swipes in playing politics on such occasions.

"Playing politics at the expense of human misery!"

This article says:

When the crisis came it found at the head of our Government—

And I am just wondering how the distinguished gentleman who now graces and presides over this body as Vice President will feel about this expression. I am sorry the distinguished leader from Indiana [Mr. WATSON] is not here, and I am sorry others are not here whose aspirations turned their faces toward the direction of the Republican nomination for President. I am wondering what they think about such an expression as this. It is a criticism which they do not deserve. It is praise that is ridiculous. This is what it says:

When the crisis came it found at the head of our Government—

This letter is addressed to Mr. Hoover—

as if Providence had forseen the need—

I am wondering whether the distinguished Vice President thought Providence had anything to do with that proposi-

tion. Is there anybody here who thinks that Providence would treat us so badly as to give us Mr. Hoover under such circumstances? Yet this immortal document says that Providence played a part in putting him at the head of this Government.

As if Providence had foreseen the need.

Do not blame that on Providence. [Laughter.]

I wonder if there is anybody who doubts but that if the distinguished gentleman who now presides over this body had been nominated by the Republican Party and elected President of the United States things could possibly be as bad as they are to-day. No; the Vice President will admit that is not possible. [Laughter.]

As if Providence had foreseen the need, a man seasoned in the ways of business.

Yes; he has had great experience in China and some other places. Too much so to be familiar enough with domestic affairs.

Mr. CARAWAY. He has been thoroughly seasoned.

Mr. HARRISON. Thoroughly "seasoned in the ways of business and skilled in coordinating vast enterprises." Some one has said that he was such a great engineer that in less than 18 months he not only had ditched the United States but that he had drained the whole world. [Laughter.] Another said he was the greatest engineer since Casey Jones.

This article continues:

Your counsel, your example—

Speaking to Mr. Hoover—

the calm judgment with which, on the one hand, you availed yourself of the assistance of other experienced leaders.

I see on the other side gentlemen laughing at that expression. The way he had availed himself of other experienced leaders! Can you imagine whom they had in mind when they wrote into this memorable document, this eulogy of Mr. Hoover, a reference to these experienced leaders with whom he surrounds himself up at the White House? Mr. Strother, Mr. Burke, Mr. Newton.

Mr. McKELLAR. Mr. Huston.

Mr. HARRISON. Yes; I had forgotten Mr. Huston, our politcally deported friend; and there are others I might name, experienced leaders, with whom those on the other side are on such friendly terms, whom they can so easily approach, to whom they never have to take off their hats when they go up to see them about an official matter, who advise the President so correctly just when to make the statement and just how to give expression to it when he makes that statement! These experienced leaders come in for praise. He showed such fine judgment in the selection of these experienced leaders with whom he surrounded himself up at the White House.

And the calm judgment he has displayed! I wonder if there is a correspondent who graces the Executive Offices at the White House, and who has seen the President at work, and especially the other day when he was speaking of the Senate and the body at the other end of the Capitol, about political activities, about playing politics, who would attest the calm judgment he manifested on that occasion! He was intemperate, you will all admit, impassioned as he was. Cool judgment!

On the other hand, quietly turned aside destructive criticism before it had a chance to spread groundless fears.

Whoever heard of the President turning aside from criticism? He is more sensitive to criticism than any other man that ever held high public office. He winces under it every time criticism is poured upon him.

Mr. CARAWAY. Because he has had more of it.

Mr. HARRISON. Yes; but he has not become hardened. His skin ought to be as thick as that of an elephant by now. Criticism has come not only from this Chamber but from all over the country.

These have been prime factors in our victory.

This is said by these gentlemen who have stood by him, these gentlemen who are going to "cough up" $100 a piece and subscribe their names to this document.

We sign this letter—

It says in conclusion—

therefore to express—

To Mr. Hoover—

our deep gratitude for what you have accomplished during the past year.

No one in this Chamber or in the other body of Congress ever has the courage to rise in his place and praise Mr. Hoover's achievements and his accomplishments. They require too much time to offer excuses and apologies for his policies and his actions, and yet, these gentlemen who are going to subscribe to this document say:

We sign this letter, therefore, to express our deep gratitude for what you have accomplished during the past year and to assure you that you will have, in the continuation of your policies of readjustment, the unqualified support of all Americans who, regardless of party or special interests, have the Nation's prosperity at heart.

That is the document to be signed by the people who contribute their $100 and which is to be published in all the leading newspapers of the country on next New Year's Day! A greater fraud was never conceived; and, if it shall be carried to conclusion, a greater fraud will never have been practiced upon the public.

Mr. CARAWAY. I wonder if we could not get them to delay it until the 1st day of April? [Laughter.]

Mr. HARRISON. I know that April fools' day would be more appropriate for its publication. [Laughter.] But I doubt that it will ever be published, because I can not conceive that they can get enough men or women so deluded, so unacquainted with and unaccustomed to his record as to fill with their signatures even the few lines on this particular page. This is a poor time to raise money for such a cause, and the American people will universally condemn such a fraud.

Mr. President, I ask that the Doubleday letter and the letter addressed to President Hoover, to which I have referred in the course of my remarks, may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

A number of the most important business leaders have already enthusiastically indorsed this plan.

To distribute the cost of the campaign each indorser will be requested to contribute his proportional share, in no case to exceed $100.

The expense of the initial promotion has been underwritten and every dollar pledged by the indorsers will be used for the purpose indicated.

We are sure that you appreciate the great importance and timeliness of this project. It needs your support, since the strength of this publicity depends chiefly upon the influence of the names attached to it. May we ask you, therefore, to mail the authorization for the use of your signature at your very earliest convenience.

Yours very truly,

RUSSELL DOUBLEDAY, *Editor.*

President HOOVER,

White House, Washington, D. C.

DEAR SIR: The American people have just passed through a trying 12 months with a courage and cool determination of which they may justly be proud. They have converted what might have been an economic disaster into a triumph of sound readjustment. In consequence, our financial and industrial foundations stand broader and firmer to-day than at any other time in our history.

We believe the American people owe this achievement in great measure to the fact that their constructive efforts were unified under your sane and progressive leadership. When the crisis came it found at the head of our Government, as if Providence had foreseen the need, a man seasoned in the ways of business and skilled in coordinating vast enterprises. Your counsel, your example, the calm judgment with which, on the one hand, you availed yourself of the assistance of other experienced leaders and, on the other hand, quietly turned aside destructive criticism before it had a chance to spread groundless fears—these have been prime factors in our victory.

We sign this letter, therefore, to express our deep gratitude for what you have accomplished during the past year and to assure

you that you will have in the continuation of your policies of readjustment the unqualified support of all Americans who, regardless of party or of special interests, have the Nation's prosperity at heart.

APPROPRIATIONS FOR EMERGENCY CONSTRUCTION

The Senate resumed the consideration of the bill (H. R. 14304) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Michigan [Mr. COUZENS] as amended.

The amendment as amended was agreed to.

Mr. NORBECK. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 2, line 7, strike out the period after the numerals "$3,000,000," insert a comma, and add the following:

Provided further, That the President, in allocating funds for road construction on Indian reservations and on Government lands not in a national forest, shall not require contributions from the States in which such reservations are located.

Mr. JONES. Mr. President, I am familiar with the amendment offered by the Senator from South Dakota and am willing to take it to conference and do the best we can with it in conference.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from South Dakota.

The amendment was agreed to.

Mr. WALSH of Montana. Mr. President, I hope I may have the attention of Senators to the matter of the language of the act which was the subject of some consideration on yesterday. It will be recalled that a colloquy ensued between myself and the junior Senator from New York [Mr. WAGNER] concerning whether the bill means an expenditure of $80,000,000 or of twice $80,000,000, $160,000,000. I am very sure that everybody believes and understands the bill to mean that the $80,000,000 thus appropriated shall become immediately available for the purpose indicated in the bill, and, particularly with reference to road construction, that it shall not await any further action either by the States or by the Federal Government. But I am forced to the conclusion that the language of the bill will not so operate and I am very much of the opinion that it will not be presently available. Let me invite attention to the language as it reads:

For apportionment to the several States under the provisions of the Federal highway act, as amended—

So far it is all right; but it continues—

as a temporary advance of funds to meet the provisions of such act as to State funds required on Federal-aid projects, $80,000,000.

That is to say, the language of the bill contemplates that the States are not able now to put up their share of the money which will be appropriated toward highway projects and that the Federal Government is going to advance to the States the amounts which they would be called upon to meet as their share of the contribution. Accordingly this means, as I take it, that when the general bill is passed for highway appropriations the States will not be required to go into their own treasuries to make up the $80,000,000, but that they will use this $80,000,000 to make up their share of what is necessary under the general road bill. In other words, this $80,000,000 will not become available at all until after the general road appropriation bill is passed; at least the language is easily susceptible of that construction.

Mr. CARAWAY. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Arkansas?

Mr. WALSH of Montana. I yield.

Mr. CARAWAY. I am interested in that statement because I asked the Senator in charge of the bill, and his understanding of the language was that the money was to be made immediately available.

Mr. WALSH of Montana. Yes.

Mr. CARAWAY. I hope, if there is any doubt in the mind of anyone, the language will be so clarified that there will be no doubt about it.

Mr. WALSH of Montana. I have conferred with the Senator in charge of the bill about the matter and I am proposing the following amendment to put the matter past doubt:

Strike out all after the word "amended" in line 10, page 2, down to and including the word "projects" in line 12, and after the numerals "$80,000,000" in line 12 insert "which sum shall be immediately available for road construction under said act, anything therein or in any amendment thereto to the contrary notwithstanding," so it will read:

For apportionment to the several States under the provisions of the Federal highway act, as amended, $80,000,000, which sum shall be immediately available for road construction under said act, anything therein or in any amendment thereto to the contrary notwithstanding.

Mr. PHIPPS and Mr. GEORGE addressed the Chair.

The VICE PRESIDENT. Does the Senator from Montana yield; and if so, to whom?

Mr. WALSH of Montana. I will yield first to the Senator from Colorado.

Mr. PHIPPS. Mr. President, in the debate yesterday the question arose as to whether the amounts that could be expended would be limited to $80,000,000 or to $160,000,000. My own feeling and my belief at that time was that the States would have the $80,000,000 allotted to them pro rata and could use that money immediately in lieu of their own State money for the purpose of matching Federal appropriations already made. They have been allotted. Many of the States have not taken up the full amount allotted to them, which money is already available, having been appropriated.

If the Senator from Montana is in doubt as to the $80,000,000 being made immediately available, I would suggest that it might be better to amend by writing that language in without eliminating the phrase already included "as a temporary advance of funds" to be immediately available to meet the provisions of such act as to State funds. That is to say, the Federal $80,000,000 temporarily takes the place of the $80,000,000 which under the provisions of the general act would have to come from the States.

Mr. WALSH of Montana. Let me remark, if that is the view the Senate takes with respect to the matter, then those States which have already matched will not come in under this measure. If it is only intended to reach the case of the States which have been unable to match the Federal funds, I undertake to say that was not the purpose of the bill, but that all States should participate in the usual proportion in the $80,000,000 fund, whether they have already matched or whether they have not yet matched.

Mr. PHIPPS. True, but the coming Agricultural Department appropriation bill, in which we always carry the road appropriation, will appropriate the Federal money necessary.

Mr. WALSH of Montana. My idea is that we ought not to defer the utilization of this $80,000,000 until we subsequently appropriate under the general road act.

Mr. PHIPPS. No; we should not. I am in accord with the Senator in that respect, but I fear that the form of the amendment which the Senator has suggested would complicate the situation. I think what the Senator desires to accomplish would be better cared for by simply writing in the words "*Provided*, That this $80,000,000 shall be immediately available."

Mr. JONES. Mr. President, may I suggest to the Senator that if the amendment of the Senator from Montana is adopted, the whole matter will be in conference, and I think it would work out very satisfactorily. There is no difference between the Senator from Montana and the rest of us, I think, as to the purpose and object of the $80,000,000 appropriation. I think there is some uncertainty about the House language, although I have no doubt as to its meaning, but it seems to me the wise course to follow is to take the whole matter to conference and let the conferees work it out there.

Mr. PHIPPS. I am desirous of having assurance that the $80,000,000 will be immediately available.

Mr. JONES. I do not think there will be any question about that.

Mr. GEORGE. Mr. President, I rose at the time the Senator from Colorado [Mr. PHIPPS] addressed the Chair to make the same suggestion to the Senator from Montana. The fact is that a great many of the States—I do not say all of them, but a great many of them—have not yet received their appropriations under the general Federal aid law. For instance, the State of Georgia has to its credit $4,000,000, I believe, which it has not been able to match, and many other States are similarly situated because of the fact that their legislatures have not been able to match the last Federal appropriation. Officials of the Bureau of Public Roads have indicated that under this particular language the pro rata part of the $80,000,000 going to any State which has not matched the Federal appropriation already made would not only be immediately available to that State, but under this language would be available as against the prior general Federal appropriation, as I am advised. Everyone has full sympathy with the Senator's suggestion, and I hope the Senator will so frame his suggestion as not to eliminate this particular language.

Mr. WALSH of Montana. Take the case of the State which has already matched the Federal fund and has now in its treasury not only its own contribution but the Federal moneys as well.

Mr. GEORGE. I do not think this excludes it. It is not intended to exclude it.

Mr. WALSH of Montana. But what other construction can be given to it? If this is to be applied simply for the purpose of meeting the Federal fund, it could not be available to the State which had already met the Federal fund.

Mr. GEORGE. I see the Senator's objection to it, but the language is as follows:

> As a temporary advance of funds to meet the provisions of such act as to State funds required on Federal-aid projects.

That is equally as applicable to funds that may be hereafter authorized as it is to funds already authorized and not matched by the States.

Mr. WALSH of Montana. Quite true, but with respect to that State where the Federal funds have been met, the $80,000,000 would not be available until some time in the future when the general road act is passed and another allotment made.

Mr. GEORGE. No; I think it would be immediately available. The language is intended to meet the situation in the State which has not been able to meet and match appropriations already made, but it is not intended to deny its pro rata part to the State which has matched the Federal appropriation.

Mr. WALSH of Montana. If that is correct, I have misconceived the entire purpose of the bill, because my understanding was that the $80,000,000 was to go to the States to be used by all the States regardless of anything that was done.

Mr. GEORGE. Exactly; that is true.

Mr. WALSH of Montana. For the purpose of relieving the present situation of affairs, the amount to be reimbursed later on by all the States.

Mr. GEORGE. That is true, as I understand it.

Mr. WALSH of Montana. But now the Senator presents it as a case of relief to those States that have not been able in the past to match the Federal appropriation.

Mr. GEORGE. No; the Senator misapprehends. It is in the nature of relief to those States that have not been able in the past to match the Federal appropriation; but the pro rata portion of the $80,000,000 is equally available to the States that have matched it. The State that has not matched it may use it, so to speak, for a double purpose; it gets its pro rata part of the $80,000,000, and it may by the use of that pro rata share also get the Treasury to release to it the money heretofore appropriated, and standing now to its credit.

Mr. WALSH of Montana. Let us put it in a concrete shape. Here is a State which is applying for its share of the Federal funds; it has satisfied the Bureau of Public Roads that it has in its treasury available for the purpose an equal amount of money, and accordingly it has received the entire amount; and the State now has the entire amount in its State treasury. Now, when it calls upon the Bureau of Public Roads for the purpose of getting its share of this appropriation, will not the Bureau of Public Roads say to them, "There is nothing coming to you"?

Mr. GEORGE. I do not think so; I do not so interpret it. The Bureau of Public Roads will say, "Here is your part of the $80,000,000 which has been appropriated.

But now let us go a step further. Take the case of a State that has not been able to match its appropriation made under the general law.

Mr. WALSH of Montana. That seems simple enough.

Mr. GEORGE. Yes; that seems simple enough; that is the reason for the language which, at first glance, seems to be somewhat confused. Of course, that State will have the advantage not only of the appropriation, but may use it for the purpose of procuring the release of the appropriation already standing to its credit.

I may not altogether disagree with the Senator's view about it, but I do express the hope that he will not move to take out this language, but will seek to accomplish his purpose in a different way.

Mr. WALSH of Montana. Then let me have the benefit of the judgment of the Senator from Georgia with respect to what the bill would signify if it read as proposed, namely:

> For apportionment to the several States under the provisions of the Federal highway act, as amended, $80,000,000, which sum shall be immediately available for road construction under said act, anything therein or any amendment thereto to the contrary notwithstanding: *Provided*, That the sums so advanced shall be reimbursed—

And so on.

Does not that express the idea we have in mind?

Mr. GEORGE. That would simply be an advance to the State, and I do not know that the bureau would construe that as authorizing the release of any portion of the fund already appropriated which the State has not been able to use because it could not match it. Quite a number of Senators have been interested enough to approach the bureau and ask its construction of this provision. They have been advised that under this language the construction which I have indicated would be given to it, as I am informed.

Mr. WALSH of Montana. But has the Senator any information as to what attitude the Comptroller General will take about the matter?

Mr. GEORGE. No; I have not. I do not know whether the bureau itself has any. I think the Senator from Montana may accomplish what he wishes by the use of additional language, and I hope that he will so frame his amendment without interfering with this provision as it stands.

Mr. WALSH of Montana. The amendment will, I think, as the Senator from Washington [Mr. JONES] has suggested, put the whole matter in conference, and, perhaps, will subserve the purpose which we have in mind.

Mr. GEORGE. Perhaps it would, if by giving it such direction it would not be understood that the Senate is expressing a disapproval of the policy of permitting this appropriation also to be used as a part of the State's contribution——

Mr. WALSH of Montana. I confess that I see no purpose whatever in the language which I seek to strike out. It does not seem to me to have any purpose except to postpone the utilization of this $80,000,000 until there shall be a general road appropriation act.

Mr. JONES. Mr. President, will the Senator permit me to interrupt him?

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Washington?

Mr. WALSH of Montana. Yes.

Mr. JONES. I wish to assure Senators that the conferees will confer with the Public Roads Bureau, and, so far as

possible, with the Comptroller General, and see that a proper provision is framed to carry out the idea that all of us have.

Mr. WALSH of Montana. I suggest, then, to the Senator from Georgia that he allow the amendment to stand as it is, so that the whole matter will be put in conference and the advisability of eliminating the provision that I suggest will be before the conferees.

Mr. GEORGE. Then, I take it, that by the acceptance of the amendment we shall be expressing no view contrary to the policy which I have indicated in regard to this provision of the bill?

Mr. WALSH of Montana. Certainly not. I think we are in full agreement about that.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Montana [Mr. WALSH].

The amendment was agreed to.

Mr. ODDIE. Mr. President, I should like to call up the amendment which I sent to the desk this morning, providing an appropriation of $5,000,000 for carrying out the provisions of the bill which was passed at the last session of Congress, known as the Oddie-Colton bill, which provides for the construction, reconstruction, and maintenance of main roads over the unappropriated public domain and Indian reservations.

Mr. President, the Association of State Highway Officials has indorsed this appropriation very strongly, and Members of the House and of the Senate from the public-land States and other States having Indian reservations within their borders are strongly in favor of the appropriation. I hope that the amendment will be adopted.

Mr. JONES. Mr. President, of course the matter suggested by the amendment has not been presented, I think, either to the committee of either House, but I am perfectly willing that it should go to conference, and assure the Senator that it will there have the most careful consideration. Whether we will be able to hold it in the bill I do not know.

Mr. ODDIE. I should like to have the amendment follow the amendment which was adopted yesterday on motion of the Senator from Arizona [Mr. HAYDEN], providing an appropriation for highways in the national forests.

The VICE PRESIDENT. The amendment offered by the Senator from Nevada will be stated.

The CHIEF CLERK. On page 2, line 7, after the amendment offered by the Senator from Arizona [Mr. HAYDEN] and heretofore agreed to, it is proposed to insert the following:

To carry out the provisions of the act approved June 24, 1930 (Public, No. 426, 71st Cong.), providing for the construction of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, there is hereby appropriated, for the fiscal year of 1931, the sum of $5,000,000, said sum to be available until expended.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Nevada.

The amendment was agreed to.

Mr. PITTMAN. Mr. President, I offer an amendment, which I should like to have read.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 2, after the numerals "1931," in line 25, it is proposed to insert the following:

Or may expend such unclaimed funds or any part thereof in the States of such allotment in the survey, construction, and maintenance of any highway or highways over lands owned by the United States as, in his judgment, will be in the public interest, without the approval or cooperation of the State and without regard to the terms of the Federal highway act.

Mr. JONES. Mr. President, I will say to the Senator I am willing to make the same statement which I made with reference to the amendment submitted by the Senator from Nevada [Mr. ODDIE]; that I am willing that the amendment should go to conference where it will be carefully considered.

Mr. PITTMAN. It is very kind of the Senator to make that suggestion, but I would prefer to have it acted upon by the Senate than to have it accepted under the kindly suggestion of the chairman of the committee.

Mr. President, this amendment comes in at the bottom of page 2, where it proposes to strike out the period and insert a comma and the words indicated. This is what it means. There is a provision in the bill as follows:

Provided further, That should any State fail to claim any part of its allotment hereunder the President may reapportion such unclaimed funds to States capable of using them prior to September 1, 1931.

Mr. JONES. Now, will the Senator read his amendment.

Mr. PITTMAN. My amendment comes right in there. I will ask the clerk again to read it.

The VICE PRESIDENT. Without objection, the clerk will read, as requested.

The CHIEF CLERK. On page 2, line 25, after the numerals "1931," it is proposed to insert the following:

Or may expend such unclaimed funds or any part thereof in the States of such allotment, in the survey, construction, and maintenance of any highway or highways over lands owned by the United States as in his judgment will be in the public interest, without the approval or cooperation of the State and without regard to the terms of the Federal highway act.

Mr. PITTMAN. I am afraid the State of Nevada is going to be unable financially to take advantage of its allotment, and if it can not take advantage of its allotment, I do not wish those who are suffering from unemployment in that State to continue to suffer by having the money go to some other State that is financially able to accept it. Therefore, I propose simply to provide, after the language now in the bill, that if the allotment is not used, the President may reallot it to some other State or he may expend such part of the allotment in building roads or parts of roads over lands of the United States within the State of Nevada as may be in the public interest.

It means simply this, that if we can not on our 7 per cent highways meet this condition and there happens to be in the State of Nevada in an Indian reservation a desire to connect up a road through that reservation the President may use a portion of these funds for that purpose.

Mr. JONES. As I understand this bill, the allotment that is due to the State of Nevada under the general highway act will be allotted to the State even though it can not meet it by a similar amount; that will be expended, and then will be repaid after 1933 over a 5-year period out of the regular appropriations to carry out the apportionment to the State of Nevada. So I do not think there is any question about the State of Nevada getting the benefit of its proportionate share of the $80,000,000.

Mr. PITTMAN. Then what is the use of the other provision in the bill that if the fund shall not be claimed by one State it may be apportioned to another State?

Mr. JONES. Perhaps some State might say, "We do not want it."

Mr. PITTMAN. That is true. Then if a State, for instance, has, as has Nevada, selected to date all of its 7 per cent highways, if it has reached the limit of its indebtedness and does not desire to bind itself to a further indebtedness five or six years from now, because it has got to pay it back——

Mr. JONES. The State does not have to pay it back out of its treasury; the State may pay it back over the 5-year period by deductions from its pro rata share of the appropriations made by Congress. So the State does not have to repay the money out of its treasury at all.

Mr. PITTMAN. As I take it, the State has to put up a larger proportion during the period of five years, as against the Government's proportion, than it otherwise would.

Mr. JONES. No; I think not.

Mr. PITTMAN. That is the way I construe it. On the other hand, here is only a permission, another discretion that this amendment would grant to the President of the United States. That is, he could do this if he wanted to in the event the money is unclaimed. Of course, if it is claimed the provision that it shall be reallotted to other States means nothing. But if for any reason any part of the money is unclaimed by the States, then there is a surplus, and under this bill that surplus may be allotted to other States. I

simply wish to add the other discretion to the President of the United States that if there is any unallotted surplus he may, in his discretion, instead of allotting it to other States utilize such portion of it as he wants to utilize for the purpose of building roads on Government-owned lands in the States.

I can conceive of some places where that authority would be very beneficial, indeed. I may say to the Senate right now that we are tied up in the State of Nevada. A year ago, at the time the Secretary of the Interior made his speech announcing that the Boulder Dam act had gone into effect, he stated that the very first piece of essential work to be done was the building of a highway paralleling the Union Pacific Railroad to the dam site so that everything would not have to be transported by rail, so that express and matter of that kind could be carried rapidly to the dam site. When the matter came up finally, however, what happened? The Comptroller General gave it as his opinion that none of the Boulder Dam funds could be used for building this road. Therefore, they have no road. The State can not build it, because the State has selected all the Federal-aid highways, so it can not be built under the Federal highway act. It can not be built under the Boulder Dam act. There is no way on earth in which it can be built, apparently, and yet practically every bit of the land is public land and most of it is reserved under the Boulder Canyon act. It is reserved Government land, and yet there is not any power on earth by which the Government can build a road there. The Comptroller General says none of these funds can be used, and yet the Secretary of the Interior says it is imperative to have a road there. We can not build it under the Federal highway act because we have exhausted our selection of Federal-aid roads. It is all Government land. It is practically all reserved Government land, reserved to protect this dam site. If the President of the United States sees fit to utilize a part of these unclaimed funds, in the event they are unclaimed, why should we not allow him that discretion?

Mr. JONES. I am willing to take the amendment to conference.

Mr. PITTMAN. I want to be serious about this. This is not a mere pro forma amendment.

Mr. JONES. I want to assure the Senator that I can not promise to retain any item in conference.

Mr. PITTMAN. I have not asked the Senator to do anything like that.

Mr. JONES. I know; but I shall do the very best I possibly can. I always keep my promise, as a conferee on the part of the Senate, to hold out for the action of the Senate just as long as it seems to be possible.

Mr. PITTMAN. I realize that.

Mr. JONES. And that is what I will do on this amendment.

Mr. PITTMAN. The amendment simply places this matter in the President's discretion. It does not compel him to use this part of the fund, if there is any, for the purpose I know he desires to use it for and for the purpose the State desires him to use it for, an essential purpose in connection with the dam, although the Comptroller General said no fund could be used for that purpose. That is what I mean by it.

We have more unemployment to-day, in proportion to population, in that part of the country than exists anywhere else in the United States. Why? Because thousands of people have flocked there expecting to get work. The local people in the town are paying for their gasoline, and so forth, to get them out, if possible. The Salvation Army have reported that they are feeding more people there proportionately than anywhere else in the United States. The unemployment situation there is intense. The Secretary of the Interior, a year ago in June, said that one of the first things that had to be done was to build a road down there, and he still wants a road built there; but the Comptroller General has held that the funds can not be used for that purpose, although it is an essential part of the building of the dam, as a matter of economy. The State can not do it because they have used up all their selections. There is only one chance on earth to have it done, and that is to place it in the power of the President to do it if he sees fit.

The VICE PRESIDENT. The question is on the amendment of the Senator from Nevada.

The amendment was agreed to.

Mr. GEORGE. Mr. President, I offer the amendment, which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. It is proposed to add, at the proper place, the following proviso:

Provided further, That the balance of the appropriation of $506,067.50 now unpaid to the State of Georgia, appropriated for the relief of the State of Georgia as a reimbursement or contribution in aid induced by extraordinary floods, shall be paid to the authorities of that State without the requirement that the State match said expenditure except in the manner provided herein.

Mr. GEORGE. Mr. President, permit me to say that this is precisely the same amendment offered yesterday and voted upon by the Senate as to another State.

Mr. JONES. Yes; I understand that it incorporates substantially the same principle as the amendment offered yesterday and put on the bill. I am perfectly willing to take the amendment to conference, and we will do the very best we can for it.

Mr. GEORGE. I thank the Senator.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Georgia.

The amendment was agreed to.

Mr. CONNALLY. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 2, line 13, after the word "That," insert "one-half of," so that it will read:

Provided, That one-half of the sums so advanced shall be reimbursed—

And so forth.

Mr. CONNALLY. Mr. President, the amendment proposes that the States shall be required to reimburse only one-half of this amount.

If this legislation has any purpose at all, it is to stimulate road building immediately. The States, under the law now, are required to put up 50 per cent of the total sum. Loaning them more money to be reimbursed in whole in future years will not have the effect of stimulating very greatly their desire to build now. It will simply mean that they are building now at the expense of the programs two or three years hence. But if, at the present time, the States know that by building roads now they will have to reimburse only one-half instead of the entire amount, we are offering a very substantial inducement, a very substantial urge, to the States to take advantage immediately of this opportunity of getting three-fourths of the money from the Federal Government rather than one-half. That is my purpose in offering the amendment.

The difficulty now lies, not in the Federal money but in the inability of many of the States to match, not simply the money but the conditions imposed with reference to Federal-approved roads. We have money in the Treasury now for my State and other States that they can not utilize because the Federal Government will contribute only one-half of the cost of a road, and will not contribute more than $15,000 a mile; so, if a road costs $40,000 a mile, the Federal Government contributes only $15,000, and the State is under the necessity of paying $25,000. There are a number of conditions that hedge about the approval of these Federal roads that make it hard for the States to match this money.

If we want more road building immediately, if we offer substantial inducements to the States to take advantage of this provision now and limit them to this appropriation, we will substantially increase the urge of the States to do so. They will say, "Let us put on the road campaign that we have been thinking about for a good while. If we do it now we will get three-fourths of the money from the Federal Government." Simply loaning them this money, to take it back from them two or three years hence, is no substantial inducement to the States, because that might paralyze

their programs over the period of the next two or three years.

I submit the amendment, and insist that if the Senate really wants to offer an inducement to the States this amendment will accomplish that purpose in a large degree.

Mr. JONES. Mr. President, on yesterday a proposal was made to appropriate the $80,000,000 directly to the States, to be apportioned under the highway act. That amendment was very decisively defeated. This is the same proposition, except that it proposes to donate half of the $80,000,000 to the States; and I hope it will be defeated.

Mr. THOMAS of Oklahoma. Mr. President, when I first returned to Washington and saw in the public press a proposal to help the unemployed by increasing the Federal aid to the States, I got the impression from some source that it might be possible for the Government to appropriate additional money under existing law. Believing that that was what the administration had in mind, I sent to the State highway engineer of my State asking for information as to how much money we could use there immediately if it could be made available. I received a telegram from the engineer stating that the engineering work has been done in Oklahoma on road mileage that would cost approximately $25,000,000. Therefore the State of Oklahoma could use the sum of $12,000,000 as Federal aid, and if that were made available the State could meet that much, making a total expenditure in the next 12 months of $25,000,000.

In my State the counties vote bonds to meet the Federal aid. The State does not raise the money directly. Numerous counties have already had elections, and those counties have their bonds voted totaling several million, and the money is now ready to meet such Federal aid as may be made available by the Congress.

This bill does not propose to help Oklahoma in any particular. The $80,000,000 this bill carries in the way of an appropriation is not Federal aid to the State; it is simply a fund to be loaned to the State for the purpose of enabling the State to comply with the Federal law in matching Federal aid. If this $80,000,000 item is approved, it will not help Oklahoma a particle, because we now have millions of bonds sold and the money collected to meet all the Federal aid Congress will make, in all probability, and more. So that if this money is made available, we will not borrow the money, because there is no object in borrowing money when we have plenty of money in the Treasury to meet the Federal aid.

I wanted to make this statement because in some quarters there is an opinion that this is a straight-out Federal-aid appropriation, exactly such as was made during the last Congress, and such as will be made in future Congresses, an appropriation made by the Government to meet an appropriation made by the State. It is not that at all. Yet in some places, and even in the minds of some Members in the other body of the Congress who have already voted for this item, there is the opinion that this $80,000,000 is an additional Federal-aid sum appropriated by the Congress to be allocated to the States on condition that the States need it. This item would only help in such States as are unable to raise money by taxation or otherwise to meet the money already appropriated for Federal aid or which may be made available during the next immediate few months.

I wanted to make this statement because I do not wish the impression to get out that, so far as I am personally concerned, I am in the dark about this one item.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Texas.

Mr. CONNALLY. I ask for the yeas and nays.

The yeas and nays were ordered and taken.

Mr. REED (after having voted in the negative). I have a general pair with the senior Senator from Arkansas [Mr. ROBINSON]. I transfer that pair to the senior Senator from Vermont [Mr. GREENE] and allow my vote to stand.

Mr. JONES (after having voted in the negative). I have a pair with the senior Senator from Virginia [Mr. SWANSON], who is necessarily absent. I find that the junior Senator from California [Mr. SHORTRIDGE] is absent, so I transfer my pair to the Senator from California and allow my vote to stand.

Mr. BINGHAM. I have a general pair with the junior Senator from Virginia [Mr. GLASS]. Not knowing how he would vote, I transfer that pair to the junior Senator from Maine [Mr. GOULD] and vote "nay."

Mr. ROBINSON of Indiana (after having voted in the negative). I have a general pair with the junior Senator from Mississippi [Mr. STEPHENS], who I understand is unavoidably absent this afternoon. I transfer that pair to the junior Senator from Connecticut [Mr. WALCOTT] and allow my vote to stand.

Mr. FESS. I desire to announce the following general pairs:

The Senator from Illinois [Mr. DENEEN] with the Senator from North Carolina [Mr. OVERMAN];

The Senator from Massachusetts [Mr. GILLETT] with the Senator from North Carolina [Mr. SIMMONS];

The Senator from Colorado [Mr. WATERMAN] with the Senator from Kentucky [Mr. BARKLEY]; and

The Senator from Oklahoma [Mr. PINE] with the Senator from Iowa [Mr. STECK].

I am not advised as to how any of these Senators would vote upon this question if they were present and permitted to vote.

Mr. SHEPPARD. I desire to announce that the Senator from Florida [Mr. FLETCHER], the Senator from Mississippi [Mr. STEPHENS], and the Senator from Nevada [Mr. PITTMAN] are detained on official business.

I also desire to announce that the Senator from South Carolina [Mr. BLEASE] is detained attending the funeral of a friend.

The result was announced—yeas 32, nays 42, as follows:

YEAS—32

Ashurst	Dill	La Follette	Shipstead
Black	Frazier	McGill	Smith
Blaine	Harris	McKellar	Thomas, Idaho
Brookhart	Harrison	McMaster	Thomas, Okla.
Broussard	Hayden	Norris	Trammell
Caraway	Heflin	Nye	Walsh, Mont.
Connally	Howell	Ransdell	Wheeler
Couzens	Kendrick	Sheppard	Williamson

NAYS—42

Bingham	Goff	King	Schall
Borah	Goldsborough	McNary	Smoot
Bulkley	Hale	Metcalf	Steiwer
Capper	Hastings	Morrow	Townsend
Carey	Hatfield	Moses	Tydings
Copeland	Hawes	Norbeck	Vandenberg
Dale	Hebert	Oddie	Wagner
Davis	Johnson	Patterson	Walsh, Mass.
Fess	Jones	Phipps	Watson
George	Kean	Reed	
Glenn	Keyes	Robinson, Ind.	

NOT VOTING—22

Barkley	Fletcher	Pine	Stephens
Blease	Gillett	Pittman	Swanson
Bratton	Glass	Robinson, Ark.	Walcott
Brock	Gould	Shortridge	Waterman
Cutting	Greene	Simmons	
Deneen	Overman	Steck	

So Mr. CONNALLY's amendment was rejected.

The VICE PRESIDENT. The bill is still open to amendment. If there be no further amendment, the question is, Shall the amendments be engrossed and the bill be read a third time?

The amendments were ordered to be engrossed, and the bill was read the third time and passed.

The title was amended so as to read: "An act making supplemental appropriations to provide for emergency construction on certain public works with a view to increasing employment."

WELFARE OF MOTHERS AND INFANTS

Mr. JONES. Mr. President, I ask that the unfinished business be laid before the Senate. Of course, I do not expect to proceed with its consideration to-night.

The Senate resumed the consideration of the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

RELIEF OF UNEMPLOYMENT

Mr. BLAINE. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Washington Daily News of yesterday entitled "Politics!" and an address by William Hard delivered last evening over the National Broadcasting Co. network.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News of Wednesday, December 10, 1930]

"POLITICS!"

The President wishes to hasten aid for the unemployed.

His notion of how to accomplish this is to fire a broadside charge of "Politics!" at all Members of Congress whose ideas on the subject differ from his.

We can think of nothing better calculated to cause delay than the printed outburst handed to the press by the President yesterday. For, naturally, the Congressmen now will take time to answer the President—time that might be used in doing the thing he wants done.

That this will happen seems inevitable. But we hope it doesn't. We hope the Congressmen may overlook the President's ill-advised attack—even his outrageous misuse of figures. By that we refer to his assertion that measures already introduced in Congress would increase his recommendations for the fiscal year by $4,500,000,000. This is a meaningless figure that can be obtained only by adding together all bills calling for appropriations. The President, of course, knows that when a dozen bills, each calling for $100,000,000 are introduced by a dozen different Members to accomplish the same thing, that only one such bill is going to get through. The net threat to the Treasury is only $100,000,000—not twelve times that amount. Yet it is a figure obtained by the latter false assumption that the President uses when he talks about $4,500,000,000.

Still we trust Congress will not be upset by the President's petulance and that the business of taking care of the present emergency may go speedily forward.

ADDRESS BY WILLIAM HARD

Ladies and gentlemen, the big debate in Washington just now is on the point of how far financially the Federal Government should go in the enactment of measures for the relief of distress and for the restoration of prosperity.

On the one hand there is the sincere conviction that no expenditure should be undertaken for the relief of distress, or for the giving of employment with a view to the restoration of prosperity, if those expenditures would require an increase in taxation. Thus the President said yesterday.

"The gross sums which I have recommended to be applied in emergency employment and relief are the maximum which can be financed without increase in taxes. Prosperity can not be restored by raids upon the Public Treasury."

On the other hand, there is the sincere conviction illustrated, for instance, in the resolution introduced into the United States Senate yesterday by Mr. LA FOLLETTE, of Wisconsin, as follows:

"Whereas millions of American citizens are in destitute circumstances due to unemployment and are faced with privation and suffering; and

"Whereas the President has indicated that consideration for the interests of income-tax payers necessitates restriction on governmental relief measures:

"*Resolved*, That it is the sense of the Senate that the relief of human suffering in this emergency should take precedence over consideration of the interests of wealthy income-tax payers."

Mr. LA FOLLETTE'S resolution is really an expression of general principle in the field of ethics. It is a sort of paraphrase of the ancient Christian doctrine, taught by the fathers and doctors of the early church, to the effect that the possessor of goods is morally obliged to share them with the person who otherwise would lack the means of actual physical sustenance—a doctrine which was in turn associated, perhaps rather mystically, with the mandate of the Apostle Paul: "Bear ye one another's burdens."

It remains to be seen if this effort by Mr. LA FOLLETTE to turn Federal income-tax payers into early Christians will have any profound effect upon Federal appropriations. The emergency relief appropriations, so far effectively proposed, would indicate that the ultimate excess cost to Federal income-tax payers will be extremely small. These proposed appropriations fall under four main heads:

Drought, buildings, roads, waterways.

Under the head of drought the Senate yesterday passed a bill authorizing the appropriation of $60,000,000 for the relief of drought sufferers. In the House of Representatives the official leadership has felt that instead of $60,000,000 the appropriation should be $30,000,000. In any case the ultimate cost to Federal income-tax payers will be tiny. The money given to drought sufferers will be given only as a loan. The Secretary of Agriculture, when he gives a hundred dollars to a drought sufferer, is empowered to take a lien on all his coming crops in order to be sure that the Federal Government gets the hundred dollars back, with—if precedent is followed—interest. Experience teaches us that in such cases the Federal Government has so far recovered some 80 per cent of the money risked. If therefore $60,000,000 is now advanced, the Federal Government will in all probability get at least $48,000,000 of it back; so that the net cost to the Federal income-tax payers will not be more than $12,000,000. This will be $8,000,000 less than the $20,000,000 which, during the depression of 1921, we appropriated for the relief of people suffering from failure of crops in Russia. It can not accordingly be regarded as a novel excursion into prodigality.

Under the head of buildings I have heretofore drawn your attention to the fact that in the last year of full prosperity in the United States our total expenditure, public and private, upon construction was in the neighborhood of $7,000,000,000. Last Thursday on the floor of the House of Representatives Mr. WILLIAM R. WOOD, of Indiana, chairman of the House Appropriations Committee, a worthy successor of the many extraordinarily diligent and well-informed chairmen whom that committee has had, stated that the building projects now actually under contract and under way on behalf of the Federal Government in the United States outside the District of Columbia were to the amount of $45,000,000. The report of the Bureau of the Budget shows that in the next fiscal year, as contrasted with this fiscal year, the public buildings appropriations under the office of the Supervising Architect of the United States are scheduled to go up from $77,000,000 to $88,000,000, an increase of $11,000,000. All buildings built will be built primarily because it is cheaper for the Federal Government to build than to rent. Our Federal building operations are an extremely modest contribution to the total vast bulk of our normal national building operations; and, on the whole, instead of representing an ultimate extravagance for Federal income-tax payers, they represent for the most part an ultimate actual economy.

Under the head of roads our present normal annual appropriation for Federal aid to the road-building enterprises of the States is $125,000,000. The total spent on roads by the State authorities and by local authorities within the States in the year 1929 is alleged in tabulations presented to the Senate by Senator BROOKHART, of Iowa, from official sources to come to more than $1,500,000,000. In the Congress at this time in that connection, besides the drought relief bill, there is one other large relief bill under effective consideration. That is the $110,000,000 unemployment relief bill. Eighty million dollars of the $110,000,000 is for Federal aid to roads. This $80,000,000 must not be regarded, however, as a new gift. It is in reality, just like the money to be advanced to drought sufferers, only a loan. It is, all of it, to be gotten back from the States through deductions in future years from their annual allotments out of the normal annual $125,000,000 Federal-aid appropriation.

It would seem quite manifest accordingly that under the head of drought and under the head of buildings and under the head of roads our proposed new Federal emergency efforts do not represent any new drastic dangers of any important bulk whatsoever to Federal income-tax-paying pocketbooks. Or, to put it in other words, the principle of not exceeding our present Federal revenue and of not increasing our present Federal taxation limits us federally to efforts which are restrained, indeed, in comparison with the State governmental and local governmental and general private existing efforts and needs.

We come then to waterways.

Waterways are peculiarly the province of the Federal Government. The Federal Government constitutionally asserts, as against the States, a supreme jurisdiction over navigable rivers, and also over interstate and foreign commerce issuing from navigable rivers and ports. Here it is not a question so much of cooperation with the States as it is of supreme single responsibility. The Bureau of the Budget has proposed that our rivers and harbors appropriation for the next fiscal year be increased from $55,000,000 to $60,000,000. The $110,000,000 emergency unemployment relief bill proposes a temporary additional appropriation for this fiscal year of $22,500,000. The total projected cost of all authorized rivers and harbors improvements comes to some $500,000,000. The Rivers and Harbors Congress of private citizens interested in waterway development, meeting here to-day, resolved in favor of the completion of all authorized waterway projects within a term of five years. To render that accomplishment possible Senator SHIPSTEAD, of Minnesota, has introduced a bill for the issue of $500,000,000 of United States bonds repayable to investors in 20 years. A corresponding bill has been introduced into the House of Representatives by Mr. JOSEPH J. MANSFIELD, of Texas, ranking Democratic member of the House Rivers and Harbors Committee. The general 5-year purpose of the Shipstead-Mansfield proposed legislation is earnestly supported, though without commitment to its financial details, by the Democratic House leader, Mr. JOHN N. GARNER, of Texas. His energy will doubtless give to the proposal a strong momentum. The bonding principle invoked is the same that was used in the construction of the Panama Canal. At that time President William Howard Taft in messages to Congress said:

"The policy of paying for the construction of the Panama Canal not out of current revenue, but by bond issues, was adopted in the Spooner Act of 1902. It may well be submitted to the serious consideration of Congress whether the deepening and control of the channel of a great river system, like that of the Ohio or of the Mississippi, should not be provided for the same way."

It is argued by Senator SHIPSTEAD—and to-day at the Rivers and Harbors Congress here it was also argued by Mr. C. C. Webber, a most eminent business man of Minneapolis—that the completion of our waterway projects continuously and rapidly, instead of piecemeal and protractedly, would save scores of millions of dollars in construction costs and during the next five years would directly or indirectly give employment to some 500,000 men. Mr. Webber,

with an authority drawn from more than 50 years of highly successful business experience, said:

"I want to emphasize the need for action now. When the human body is sick we do not hesitate to spend money to speed recovery. Then, when the body is strong again, its earning power returns and obligations are repaid. When the Nation is sick we must spend to make it well. To economize now may be fatal. When the Nation's economic wounds are healed, its former earning power will soon be restored, and with it will come the purchasing power necessary to revive national prosperity. Therefore, I say to you that a definite courageous businesslike financial program, such as is embodied in the Shipstead-Mansfield bill, will greatly aid in healing our wounds by now employing idle labor and idle capital."

That capital is idle is sadly true. The New York Times recently published an anticipation of its annual summary of dividends paid by certain numerous outstanding American corporations. Those dividends last year amounted to $4,488,000,000. This year, to a corresponding date, they amounted to $4,414,000,000—only some 10 per cent less. The New York Times concludes:

"Statisticians estimate that the aggregate of dividends, after the record for December has been completed, will be fully as impressive as last year."

Money is so plentiful and so cheap that borrowings are made by the Federal Government for its temporary financial readjustment needs at rates of interest astoundingly low. The country is soaked with money. The thing obviously lacking is the drills and pipes for getting down to that money in the ground and for drawing it up and out to promote the welfare of the country and its people. Upon this problem the most competent financial and industrial and governmental brains, not only of the United States but of the world, have been laboring for a year—largely in vain. We have a President who for economic experience has not been equaled by any of his predecessors and who for sensitiveness to people's sufferings and for humane ardor to alleviate those sufferings has certainly not been surpassed among recorded rulers anywhere. We have a Congress which includes a large number of men who would have shone by merit in any Congress that we have ever had. We have an American business community which has accomplished more for the welfare of the average man than any other business community in history. I have pointed out to you to-night that our present Federal official emergency relief projects, restrained by present taxation limits, are an infinitesmal additional burden to Federal income-tax payers and, further, in comparison with the sum total of our industrial necessities, do relatively little to put our titanic idle capital to work. I have mentioned to you a proposal for putting more of it to work on our vital waterways plans through the device of borrowings on bonds. I have mentioned it not to solicit your specific approval of it, but simply to intimate to you the gathering conviction of Washington that it is only by listening in a genuinely nonpartisan and nonprejudiced and open-minded manner to presidential suggestions, to congressional suggestions, to private suggestions, to all suggestions, that we shall ultimately once more release to the general good the almost incredibly colossal stores of money which our American industrial system, the most productive and profitable in the world, is now obliged, through no fault of its own, to hold stagnant among us.

Good night.

CAMPAIGN AGAINST TUBERCULOSIS

Mr. RANSDELL. Mr. President, on the 9th of this month the senior Senator from New York [Mr. COPELAND], under the auspices of the Anti-Tuberculosis League, delivered a very important radio address in the campaign against tuberculosis. I ask permission that it may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The address is as follows:

Under various names, tuberculosis has been the dread of mankind for centuries. Not long since every seventh funeral in the United States was that of a consumptive. Such was the toll of this disease only 25 years ago. Hardly a family escaped it. It was feared by everybody. Many a husky lad and many a fair maiden whitened and withered and died because of its ravages. It killed its millions. No wonder tuberculosis was dubbed the "great white plague."

Until recently nobody believed it could be cured. Health officials were powerless to cope with it. The doctors frankly confessed their inability to help its victims.

A good many years ago, when I lived in his State, I was asked by the Governor of Michigan to serve on a commission to locate and build a State tuberculosis hospital. When he wanted to know why I declined to serve I said it was because I had no faith in the curability of tuberculosis. He replied, "I know more about that than you do." The governor telephoned again in about two hours, and when I repeated my refusal said, "It's too late now. I have sent your name to the senate and the appointment has been confirmed."

In the course of the commission's work we went to Saranac Lake, met dear old Doctor Trudeau, visited various institutions, including the ones at Liberty and Otisville in New York and others in Massachusetts and Connecticut. My viewpoint was reversed. I went home enthusiastic, having discovered that my governor had found out far more about the modern treatment of tuberculosis than I had known.

We have done well since those old days. According to the report of the New York Tuberculosis Association, the deaths from this disease have decreased 60 per cent since 1900. That is a wonderful record; but because we have been successful in the past is no reason to think the job is finished.

As a result of the increased knowledge of tuberculosis and its menace to the public in general we have progressed. This has happened particularly because the doctors know more about it; now we have early diagnosis, better institutions, and constant education of the public in the means of prevention. Such public-health education is essential.

One of my collateral ancestors was a pioneer physician in Michigan. In that remote day only two diseases were known—malaria and "liver complaint." Every patient had malaria or didn't have malaria. If it was malaria, he got well. If he died, the popular idea was that liver complaint had killed him.

This ancestor was called to see a young woman. He examined the patient, and as he left the house the father said to the doctor, "Is it pretty bad?" "Yes," was the reply, "it's pretty serious. Your daughter has what we call consumption." When the father heard this new word "consumption" he looked relieved and said, "Well, thank God, Doc, she hasn't liver complaint!"

It has taken all these years for us in the profession to learn about tuberculosis, and it has taken a much longer time to educate the public. But as a result of these educational methods no longer, fortunately, does the victim feel that it is shameful to have the disease. It is known that it isn't something like getting a divorce or stealing sheep. We know now it isn't an hereditary gift, but is due to accidental infection, an infection which any one of us may have.

We have made great progress, but there is no use talking about the past. What we want to know now is what they are going to do in 1931. What is the prospect of tuberculosis in 1931?

I am sorry to say I think the prospect is mighty bad. We have economic conditions that mean as sure as fate that the tuberculosis death rate will increase. Essential to its prevention are good food, fresh air, sunlight, and rest. How are people to get these if they haven't any money?

We have had a period of economic prosperity in America, coinciding with improvement in conditions as regards tuberculosis. With better living conditions the disease has been decreasing.

But the sound and economic conditions are all changed. The poor are badly housed, and when people huddle around the stove, a whole family sitting in one room, you have all the makings for the spread of tuberculosis. How many men, women, and children are going to do that this winter? Millions of them! We have not anything very comfortable to look forward to in 1931.

There is a striking relationship between wages and tuberculosis. We have at the present time a tremendous amount of unemployment. Out of every 1,000 persons, 165 are unable to find anything to do. In my own city of New York the police have located 50,000 families absolutely without work or income. This is characteristic of conditions everywhere, and the effect of unemployment will surely reflect itself in the tuberculosis rate.

There are several things we have to do as citizens interested in the disappearance of tuberculosis. First of all we must solve the economic problem. Next, we must continue every method for the education of the public in the means of protection against the great white plague.

Tuberculosis thrives among the young. It attacks everybody's child. There is an old saying that everybody's business is nobody's business. I suppose everybody's child is nobody's child. But when a child contracts tuberculosis he becomes everybody's child.

There are many social and medical ailments of little importance to the public. They are purely personal, like starvation, paralysis, anemia, Bright's disease, blindness, mutism, even most cases of cancer. We may be respected citizens of a cruel world and neglect the victims of these troubles. As regards these we are responsible only to God.

But as regards tuberculosis we are dealing with something entirely different. The child with tuberculosis creates a community hazard. The tubercular child is indeed everybody's child. The tuberculous person and his disease are of community importance.

Tuberculosis is like kindling wood. If you have one case of tuberculosis in a community, it is just exactly as if you put kindling wood and shavings and tinder against a frame building. The danger is imminent.

Every case of tuberculosis is at the apex of an ever-widening social triangle of infection. Each one infects others. They in turn reach still more.

The child with tuberculosis is everybody's child. Every family is menaced. This disease is no respecter of persons or of homes. You have it on First Avenue and on Fifth Avenue, in the lowliest home and in the White House. Every citizen in the community has a direct personal interest in what is done with the child with tuberculosis.

Any parent who fails to appreciate the truth of what I say about this menace is described by a little colored boy strolling through a cemetery reading the inscriptions on the tombstones. He came to one which read, "Not dead, but sleeping." Scratching his head, the boy muttered, "He sure ain't foolin' nobody but hisself." Any parent who thinks his home is free from danger is like this man in his grave.

Doctor Nagoli, the great Italian pathologist, examined 600 bodies in the order in which they reached his laboratory. Five hundred and ninety-seven had evidence of active or healed tuberculosis. Hardly a person lives who hasn't had at some time a tubercular infection. But nature is kind, and our powers of recuperation are so great that comparatively few cases develop.

But unless the public and the individual are eternally vigilant any one of us may fall a victim to this disease. To escape it there must be a definite program of action. In the face of present-day conditions, what are the important factors in a successful campaign?

As I view it, three things are essential:

First. The problem of unemployment must be solved without a moment's unnecessary delay.

Second. Education of the public must go on more vigorously than ever.

When a fire is under control a little effort will keep it down. When it flares up the whole force is needed. In the face of the positive danger of a marked increase in tuberculosis all our resources must be marshaled. The most intensive campaign possible must be planned at once.

Third. The clinics, hospitals, and sanatoria must be supported, enlarged, and increased in number. Every community must have its special institution. The Federal Government must lead the way by hastening the completion of the projected Washington sanatorium. Every community and State must follow this example.

These are the essentials: Money must be supplied in generous amounts, to the end that there shall be no needless deaths from a preventable disease. Every man, woman, and child in America has a direct, personal, selfish interest in this matter. Let us exert every effort and make every sacrifice to end the ravages of dread tuberculosis. It is your responsibility; it is my responsibility.

RELIEF OF UNEMPLOYMENT

Mr. CONNALLY. Mr. President, I ask unanimous consent to have printed in the RECORD a letter addressed to me by the People's Legislative Service, together with the inclosed statement relating to unemployment.

The VICE PRESIDENT. Without objection, it is so ordered.

The matters referred to are as follows:

PEOPLE'S LEGISLATIVE SERVICE,
Washington, D. C., December 10, 1930.

Senator TOM CONNALLY,
Senate Office Building, Washington, D. C.

DEAR SENATOR CONNALLY: Realizing the deep personal concern and strong sense of official responsibility that you must feel in the present unemployment crisis, I am sending you the inclosed article. Since it has not been published, you may consider it as a part of this letter and make such use of it as you see fit. I shall be grateful if its facts and figures and its analysis of the situation furnish some slight contribution toward an effective solution of a situation that is now inflicting such great suffering on the working people of our country, in particular, and is causing such deep general concern

Very sincerely yours,

RICHARD W. HOGUE,
Associate Director.

[Inclosure]

Public opinion is fast crystallizing on the subject of unemployment. It is convinced that this is no time for orthodox Republican optimism to engage in the juggling of statistics that represent human misery and despair. It is no time for Democratic cowardice and self-seeking. It is a time for facing the facts as they are and finding the most effective remedy possible.

What are the facts as to the number of unemployed? Contary to President Hoover's statement in his recent message to Congress, the administration confesses that it does not know the facts and that it has no provision for ascertaining them. It has made this confession by requesting a private insurance company to estimate the number of the unemployed in the country. For the administration to surrender this responsibility into the hands of a private business is an open admission of incompetence and a deliberate betrayal of duty. There might be some excuse if the present unemployment situation were in the nature of a sudden crisis precipitated by unforeseen causes. It is nothing of the sort.

As a matter of fact, there were as many unemployed during the worst month of last winter as there are now. The steady displacement of men by labor-saving machinery has been going on for decades. Under the same industrial system that exists to-day periods of acute and widespread unemployment have persistently recurred. History shows that unemployment is always a serious problem during the readjustment period that follows war. That it was bound to become a major problem when the full effects of the World War came into being was absolutely certain. During the 12 years that have passed since the close of that war the Government has made no plans for meeting this problem, with all its tragic human sufferings and its vast economic waste and damage. It has not even set up machinery for ascertaining the facts. It can furnish regularly complete statistics covering the number of bushels of wheat, the number of cattle, sheep, and hogs in the country. It has no way of telling the number of human beings who are facing starvation and despair because they can not obtain work. Shameful as this fact is, it does not tell the whole story.

For more than two years there has been an insistent demand that the Government should take steps to meet this great problem. To say that it has done nothing is to fall far short of the truth. It has done worse than nothing. Through that department which is charged with the most direct responsibility in the matter, the Department of Labor, it has sought to minimize the gravity of the situation by issuing at frequent intervals grossly inaccurate statistics. These statistics have been repeatedly indorsed by the Chief Executive. Through another member of its Cabinet, the Secretary of the Treasury, it deliberately built up false public confidence only to leave it betrayed and facing bankruptcy amid the ruins of falling stocks and the desolation of a general business depression.

Despite the administration's repeated assurance that the inevitable could not happen, the inevitable did happen. It was called the Wall Street "crash." It was no more a crash than the setting sun is a crash of daylight into darkness. It was a culmination, foreseen not only by economists but by side-stepping politicians who "did not choose" to run toward the coming catastrophe. When it came, how was it met by the Chief Executive and the party in power? What constructive program was formulated by the experienced engineer at the head of the Government? None whatever. From the great god of efficiency in the White House issued daily bulletins of magnificent bunk. I am mistaken, they were not magnificent, they were not even original. They were merely parrotlike repetitions of the old Pollyanna platitudes about "sound business conditions" and "abiding prosperity."

When neither business depression nor the public temper subsided he sought advice. From whom? From able economists, nonpartisan statesmen, outstanding industrial experts? No. The adviser whom he sought was Julius H. Barnes, vice president of the American Chamber of Commerce. Acting on his advice, he called a series of White House conferences. He placed the shaping of the policy of these conferences partly in the hands of those largely responsible for the business practices and market manipulations that helped produce the catastrophe. Picked men from the Power Trust were there, along with other plutocratic exploiters of the public and labor. By some oversight, Henry Ford, the industrialist, was invited. This unorthodox employer proposed a practical suggestion, backed by his long experience and unbroken success. It called for shorter working hours and a living wage. Such a program was beyond the intent and the intelligence of the White House gathering, and was instantly dismissed.

The business executives proceeded to shape the conference to their own end. That end was to constitute themselves the saviors of a panicky public and the restorers of a misinid prosperity, while retaining their control over labor, the Government, and profits. They drew up high-sounding paper pronouncements of "business as usual," perhaps on a larger scale. They made paper promises to maintain existing wage scales—provided that labor would promise to make no new demands for more adequate wages. A number of labor officials were invited by the President to agree to this provision. They did so. Mr. Julius Barnes was then placed in charge of a continuation committee to bolster up prosperity, sustain public confidence, and, presumably, to prevent unemployment. I say presumably, while realizing that there was no recognition by President Hoover of existing unemployment and no anticipation of future unemployment, when he followed the advice of Mr. Barnes in calling the White House conferences last November. This fact is taken from a politically nonpartisan source, the United States Daily. The White House conferences convened on November 19 of last year. On the preceding day, November 18, the United States Daily announced that "the administration holds that the situation has not yet developed anything approximating or promising an unemployment problem."

This position of the administration at the time it was taken was wholly indefensible in the face of the facts. It could only arise from inexcusable ignorance or callous indifference toward the workers of this country. But those White House conferences did accomplish something definite, thanks to the guiding hand of the Chief Executive. They resulted in fulfilling his expressed purpose. That purpose, in the language of the President himself, was "the demonstration of the confidence of the administration by undertaking tax reduction." Under the pressure of the administration, with its majority control of both Houses, Congress voted to remit $160,000,000 from the taxes for 1929. The chief benefit of this Government bounty went to business corporations and higher-salaried individuals. It meant nothing to the workers or the great mass of the American people. This retroactive diversion of public funds, this dole to the discontented rich, this bonus demanded by business interests represented at the White House conference was successfully put over by the use of the unreliable calculations and unsound predictions of the Secretary of the Treasury.

This high official has now changed his tune—and his figures—in the face of a nation-wide demand to meet a national crisis by direct relief to its involuntary victims. He is not one of these victims, nor are his fellow millionaires in the Cabinet and the White House. Neither are the Members of this Congress. Their salaries have not been cut off. While many of them are not prosperous, none are facing the panga of poverty and the helplessness, the hopelessness, and the desperation that are engulfing millions of their fellow countrymen with their dependent families. Whether or not the Members of Congress acknowledge the unemployed as their brothers, they are their responsible representatives,

charged with the duty of enacting legislation for the public good. That good includes these victimized millions, their distress, their needs, their labors, and their just share of the security and wealth which they help to produce. Their lives are an organic part of the life of this Nation, their well-being an integral part of its well-being, their labors an essential element of its very existence. Even those public officials who may be deaf to the dictates of humanity and devoid of a sense of moral obligation can not escape their official responsibility.

That responsibility calls for no misstatement of the facts, either by those who would minimize or by those who would exaggerate the seriousness of the situation. Its seriousness can hardly be exaggerated. Most of us here have first-hand knowledge of just how serious it is among the people of our home States, on the farms, in small communities, and large industrial centers. The President's inability or unwillingness to see any "promise" of an unemployment problem; the paper promises and continuing program of his White House conferences; the $160,000,000 tax rebate to favored interests and individuals; the eleventh-hour election-time appointment of a party-Cabinet unemployment committee and a special promoter for the great "buy now" campaign—not one of these, nor all of them together, could keep the facts concealed or can prevent the Congress from dealing with these facts.

What are some of the outstanding facts? There is probably no more reliable, nonpartisan source of accurate statistics than the Standard Statistics Co. (Inc.). It reports for the year 1929 the loss in wages in the United States as approximately $9,000,000,000, exclusive of the lost earnings of agricultural workers and Government employees. This report adds that "unemployment is by far the dominant factor in intensifying and prolonging the current depression." Yet it was at the close of that very year 1929 that the White House Executive declared that there was no unemployment problem and no prospect of one.

Take the report of an organization in a peculiar position to furnish first-hand knowledge. By its very nature and constitution it is politically nonpartisan in the strictest sense. The personal affiliations of its officials and its membership are divided between the Republican and Democratic Parties. I refer to the American Federation of Labor. During the past two years that organization has repeatedly emphasized the serious extent of unemployment throughout the country. Its most recent report was issued on December 4, just three days after the convening of the present session of Congress. That report estimates the number of unemployed (exclusive of agricultural and office workers) at approximately 5,000,000. There are probably about 2,000,000 office employees and farm laborers out of work. Let us be very conservative, cut that figure in half, and add only 1,000,000 to the 5,000,000 industrial workers. Then there are certainly 2,000,000 who have only half-time jobs or less. This is equivalent to another million of unemployed, making a total of 7,000,000 idle workers. With an average of only 3 to a family, we have 21,000,000 victims of unemployment to-day. This recent report of the American Federation of Labor adds that "if unemployment continues to increase at the usual rate, we shall have 50 per cent more out of work by February."

The city of New York alone has set a minimum of $6,000,000 as the sum necessary for immediate relief of distress there. Police investigation in that city showed 32,000 families victimized by the unemployment of their members. Street kitchens to feed the hungry have been established by the A. E. F. and the Franciscan Fathers. Armories have been opened for shelter and for protection from freezing. For the first time in history college sports are being asked to contribute their receipts to unemployment relief. The following is taken from a news dispatch in the press of December 8:

"En route to the million mark, the ticket sale for the Army-Navy benefit game passed $600,000 to-night.

"Liberty-bond days and scenes reminiscent of war time were reenacted in Wall Street and Times Square as the public sale of tickets began.

"The steps of the Subtreasury Building at Broad and Wall Streets were used as a sales rostrum by Joseph P. Day, noted auctioneer. The First Division Band from Governors Island played their most stirring music, and Salvation Army girls circulated through a curious crowd of several thousand in an effort to sell tickets."

The New York Times of December 6 reveals the following statement:

"Unemployment has caused a decline in the consumption of milk and milk products here amounting to more than 1,000,000 quarts a week. At the same time Health Commissioner Wynne warned that the decreased consumption represented 'a serious menace to the city's health.'"

What is happening in New York is undoubtedly happening on a certain scale in every other large city. The workers and their children are the chief victims. They always are the chief victims of business depression and industrial ills.

Abundant additional evidence might be given to sustain the facts and figures here presented. It does not need the exaggeration of a partisan or the cry of a radical to point out the evils and dangers of the situation and to call for immediate, practical, and effective remedies. No one will accuse the Methodist Board of Bishops of being a radical body. On November 25 the members of that board met in Philadelphia for the express purpose of considering the unemployment situation. After a full discussion they adopted a resolution urging a shorter working day and working week, made necessary by the increased output and decreased employment caused by machine production. They went on record in a statement containing the following language:

"We can not escape the conviction that there is something basically unjust in a system that allows an industry to absorb the surplus earnings of its employees in prosperous periods and to cast them aside for society to care for when their labors are no longer profitable.

"Those who receive the benefits of labor in good times should bear their fair share of labor's maintenance in the 'lean' times."

The hopes of the unemployed rest largely upon the action of Congress at this time. In deciding what that action shall be the Members of Congress should be guided, at least in part, by the voice of the people who placed them in office. Public opinion must always be a potent factor in democratic government. On November 4, in the midst of the present crisis, public opinion spoke in no uncertain tones. From many quarters it speaks again to-day. Here are some of the things it is urging upon its representatives in the halls of Congress:

1. All wisdom does not emanate from the White House, with its warning of "hands off" the sacred Budget of the Treasury. Human life and social security are more sacred than any fiscal budget.

2. The administration's so-called program for unemployment relief is nothing more than an executive order for a deficiency appropriation. It will not relieve the situation. (1) The money will not be spent if the administration can avoid it—as it has done in the past. Previous appropriations have not yet been expended. Buildings for which Congress has already provided have not been erected. In many cases sites have not even been selected. (2) Even if the administration intended to spend the money it would not do so in time to relieve the distress this winter. (3) The so-called "emergency relief fund" proposed by the President is neither emergency nor relief in fact. It covers such Government items as the Coast Guard, Government hospitals, West Point Military Academy, Howard University, the Reserve Officers' Training Corps, the Weather Bureau, plant quarantine, and White House secret service.

3. Warnings against direct relief and the dole are not justified in the light of the facts. What about the $160,000,000 direct relief to the needy rich last year? What about direct relief to sufferers from earthquake, famine, and war-time poverty in all parts of the world? The working people of America have a sovereign claim for direct relief in their great distress and destitution. To meet that claim will not rob them of self-respect. It will rescue them from that which inevitably breeds loss of self-respect—idleness. It will restore them to strong citizenship and useful service to the country that recognizes their worth and its own responsibility.

FEDERAL POWER COMMISSION NOMINATIONS

Mr. FRAZIER. Mr. President, I ask permission to have printed in the RECORD a statement by the People's Legislative Service, of Washington, D. C., with reference to the nominees of President Hoover for the Federal Power Commission.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement is as follows:

Mercer G. Johnston, director of the People's Legislative Service, authorizes the publication of the following statement sent to Members of the United States Senate bearing upon the confirmation of the nominees of President Hoover for the Federal Power Commission.

The President of the United States is now apparently engaged in consolidating the Executive usurpation of the right of Congress to declare the policy of the people of the United States for the conservation of their water-power resources, estimated to be worth many billions of dollars.

The movement for the declaration of such a national policy by Congress began under President Roosevelt. In 1920, under President Wilson, the policy (so far as it was politically possible to do so, in view of the fight of selfish private interests against the measure) was incorporated in the Federal water power act, which created the Federal Power Commission.

The same private interests, which succeeded in forcing a compromise water power act upon Congress, so successfully fought the honest administration of the act under Presidents Harding and Coolidge as to reduce its value greatly from the standpoint of public interests.

Encouraged by their success in frustrating the conservation features of the Federal water power act during the past 10 years these private interests (whose determined policy it is to possess themselves of the Nation's water power rights forever) are now openly staging a fight to destroy the act itself.

In this final fight the present administration is clearly on the side of the exploiting interests against the people.

At this critical juncture President Hoover names the following gentlemen as members of the new Federal Power Commission: George Otis Smith, of Maine; Frank R. McNinch, of North Carolina; Ralph B. Williamson, of Washington; Marcel Garsaud, of Louisiana; and Claude L. Draper, of Wyoming.

Before the law authorizing the new Federal Power Commission was passed at the last session of Congress the Interstate Commerce Committee of the Senate looked into the administration of the

Federal water power act under the old Federal Power Commission, headed by Secretary Wilbur. As a result of this investigation the chairman of this committee, Senator JAMES COUZENS, declared: "The whole set-up of the commission is so incomprehensible that it is one of the rottenest exhibitions of government I have ever heard of."

Presumably the purpose of creating a new commission was to put an end to the growing scandal of the administration of the Federal water power act under the original commission.

Yet not a single appointee for the new commission is known to be in favor of upholding the policy declared by Congress in the Federal water power act. There is not a single one of these appointees to whom the people can look with confidence to defend their vast water power rights. There is good reason for believing that the President in making these appointments has signified his intention of going through with his policy of flouting the Federal water power act in behalf of selfish private interests.

CONSTRUCTION OF WATERWAYS—ADDRESS BY C. C. WEBBER

Mr. NYE. Mr. President, I ask permission to have printed in the RECORD an address by C. C. Webber, president of the Upper Mississippi Barge Line Co., delivered before the National Rivers and Harbors Congress on the 9th instant. Mr. Webber is a prominent citizen of Minneapolis, Minn.

The VICE PRESIDENT. Without objection, it is so ordered.

The address is as follows:

Mr. Chairman and gentlemen, at the outset I want to acknowledge the conspicuous service which the National Rivers and Harbors Congress has rendered to the country in steadily advancing the cause of inland waterway and harbor improvement. Its slogan, "Not a project but a policy," characterizes the national scope of its work and its purpose to guide public opinion through principles adopted and publicly proclaimed after mature deliberation by its constituent members from all sections of the country. After 25 years of service well performed the National Rivers and Harbors Congress stands to-day on the threshold of an opportunity for service to the country such as comes seldom to any organization. It is for the delegates here present to determine the manner in which they will meet that opportunity.

We hear much these days of the prostration of agriculture, of industrial and commercial depression, and of unemployment. These conditions we find exist in the midst of an abundance of foodstuffs, of raw materials such as oil, coal and minerals, and of manufactured products; in fact, largely because of a surplus of all of them. To state that these are conditions which naturally occur in cycles and must be cured by the slow working of time is to beg the question and to shirk the duty that lies before us, for there is ample evidence of outside influences which have greatly aggravated the difficulties in which we find ourselves and, likewise, an abundance of evidence that there are men who are willing to face the facts as they are and who are not willing to leave to future generations the solution of problems which put our present business and investments to the hazard of loss or annihilation.

Let us briefly examine the causes which have contributed to our present depressed economic condition. Overproduction—some say underconsumption—the saturation of world markets, and the urge to stimulate business, including agriculture, in order to continue mass production, which seemingly is so essential to maintain our present-day prosperity. Then there is the urge for a higher return to our railroads for their services. Communities and businesses which have stood secure under rate adjustments of long standing, the very foundation of invested capital, are constantly threatened under the Interstate Commerce Commission's formulas for rate making. This had its inception in the enactment of the fifteenth section of the transportation act of 1920, with its direction to the commission to determine the valuation of railroad property, fix a fair rate of return upon it, and then go to work to mold rate adjustments so as to secure for transportation investors this return. The working out of this plan has left little firm ground under the feet of communities, commerce, or industries. All of these elements have conspired to aggravate our difficulties. The natural and irresistible result of these conditions and tendencies is the merging or concentration of industry; in fact, of every form of business. The dislocation, unemployment, and turmoil of these momentous readjustments of trade and industry accounts for much of our present pessimism.

Permit me to speak for a few moments of conditions in the upper Mississippi Valley, with which I am naturally most familiar. In doing so I submit that the conditions confronting us are in varying degrees typical of those existing in other sections of the country, and, further, that our problems are of concern to the peoples on the seaboards, for no section can long prosper if another and important part of this great country is in distress.

We speak feelingly of "building up industry in the midst of agriculture," not only for the purpose of creating home markets for agriculture, but for the purpose of dispersing our surplus population in our already overcrowded industrial centers. But nothing could be more remote from the practical effect of these recent developments. The tendency of present railroad rate adjustments is to locate the major industries in the center of consuming population, creating worse congestion than already exists, with its consequent aggravation of unemployment and distress. This is borne out by the United States Department of Commerce in its Census of Manufactures. This report shows the manufacturing establishments in the Midwestern and Northwestern States of Minnesota, Illinois, Iowa, Missouri, Montana, Nebraska, North Dakota, South Dakota, and Wisconsin. It covers the period of 29 years, beginning in 1899 and including 1927. The number of manufacturing establishments in each of these States was steadily increasing up to 1919. From and after that year the number of these establishments, in spite of a normal increase of population, shows a consistent decline in all of these States, until to-day the number of such industries in the group is actually smaller than 30 years ago. The actual figures for the whole group of nine States are, in 1899, 41,043; 1919, 55,968; 1927, 37,174. This tendency, which has resulted in a decrease in invested capital and men employed, as well as a loss in home markets to agriculture, is due in part to the operation of the Panama Canal, the present railroad rate-making tendencies of the Interstate Commerce Commission, and the land-locked condition of this great mid-west region. The freight-rate adjustments forced upon the railroads conform to a mathematical formula, but are disastrous to industry, especially in the Mid West, which must have an expanding rather than a contracting market. The railroads accept these adjustments because their owners are demanding higher rates, without considering the necessity for increased tonnage that would result from greater industrial development, and the public of necessity looks for relief to other and cheaper forms of transportation, appreciating the fact that in the end industrial development will contribute to our prosperity and to the prosperity of the railroads.

We are entering a new era in the agricultural Mid West. We can not continue as we have in the past. If we are to restore our prosperity and continue to grow with the rest of the country, we must not only hold the industries we now have but we must make economic conditions so inviting to capable business interests in America that no major concern could afford to be without a manufacturing plant located in the Mississippi Valley. We should develop our foreign markets, particularly South America and the Orient, which holds for the Mid West the greatest field for the development of export business. These objectives can only be attained through the completion of our inland waterways. In their speedy development lies the economic salvation of the Mississippi Valley.

That, in brief, is the case of the Mississippi Valley. We are not underestimating our economic plight, nor do we fail to measure the disastrous effect upon the rest of the country unless heroic steps are taken immediately by the Government to remedy, in so far as it can, the handicaps which it has placed upon this great mid-west empire through its construction and operation of the Panama Canal. We of the Mid West supported and aided in the construction of the Panama Canal, as we have every river and harbor project in other sections of the country, and we will continue to support worthy projects wherever they may be. All we ask is that we be accorded like treatment by other sections of the country, so that we, too, may use the Panama Canal and thereby be relieved of our throttling, landlocked condition.

We have heard much of late of the psychology of fear, the feeling of uncertainty of the future which permeates business and retards our economic recovery. What more forceful example could be given the business men of the United States of the Government's confidence in the future than a forthright, a definite, a courageous program for the construction of our authorized river and harbor projects within a definite short term of years?

All of us know that there is a feeling amongst business men, farmers, and the public generally that substantial relief from present conditions through a great interior waterway system is too remote to be worth active consideration. It still remains in the public imagination something for succeeding generations to be interested in, but holds little for the present. A program for the construction of our river and harbor prdojects in 15, 20, or 30 years makes little impression upon those whose economic condition is menaced by present growing inequalities. Were we to dispel this uncertainty by securing and offering to the public some assurance that our inland waterways and our harbors could and would be brought to completion within five years, apathy would immediately yield to enthusiastic support. A comprehensive program of river and harbor improvements has been planned by the Government, sanctioned by Congress, and only awaits suitable financial arrangements to carry them into execution.

We have given a great deal of time and thought to a sound governmental program of financing our river and harbor projects, having especially in mind the financial condition of our country. We must face the fact that these waterways can not be built in time through direct appropriations without an increase in taxation. The announced forthcoming deficit is fair warning of that fact. To increase taxes at this time would unduly burden business, industry, and the public generally. To further delay a comprehensive and continuing program which will complete our waterways within the shortest period of time, not exceeding five years, would be fatal to our economic recovery. Senator SHIPSTEAD, of Minnesota, and Congressman MANSFIELD, of Texas, have recently introduced a bill in both Houses of Congress which provides a sound, businesslike plan which will build these waterways in five years. It provides for the issuance of internal improvement bonds in the amount necessary to complete the authorized program in an orderly and businesslike manner. Senator SHIPSTEAD has ably summarized the advantages of the financial plan embodied in his bill, which every man in public or business life must, if he gives the subject thought at all, heartily indorse. His summary follows:

"First. The depressed condition of trade, industry, and agriculture calls for relief now through the savings which will be available from transportation on improved waterways.

"Second. Economy in Government financing. The present piecemeal method of prosecuting the work on these projects under the handicap of uncertain annual appropriations will require 20 years for their completion. Conservative calculations disclose that piecemeal methods of the past increase the cost at least 40 per cent over original estimates and authorizations—witness the Ohio River, which was estimated to cost $63,000,000, and actually cost, after 20 years of piecemeal work, in excess of $100,000,000. A 5-year program on already authorized river and harbor projects would, therefore, save in first cost approximately $330,000,000.

"Third. Savings in interest on capital unproductive during the average period of construction of some 20 years under present piecemeal methods will amount to $162,500,000.

"Fourth. The relief of unemployment. Directly or indirectly, 500,000 men will be given employment during the next five years.

"Fifth. Industry would, if a definite short term of years was officially established for the completion of our inland waterways, anticipate their completion, as it did on the Ohio, and construct plants and facilities now, thus employing added labor and capital."

In conclusion I want to emphasize the need for action now. When the human body is sick or stricken we do not hesitate to spend money to heal the wounds to speed recovery, even to the extent of borrowing money for that purpose. Then, when the body is virile and strong again, its earning power soon returns and obligations are soon repaid. So it is with the body politic. When the Nation is sick we must spend to make it well, especially when we know what should be done. To save, to economize now may be fatal. When the Nation's economic wounds are healed, when it is again virile and strong, its former earning power will soon return. And with renewed earning power will come the purchasing power necessary to restore national prosperity. Therefore, I say to you that a definite, a courageous, a businesslike financial program for the completion of our waterways, which is embodied in the Shipstead-Mansfield bill, will greatly aid in healing our wounds by employing now idle labor, idle capital, and idle industry.

A determined leadership on the part of the National Government and a spirit of patriotic cooperation now will carry this plan through to successful completion and thus aid in speedily restoring the Nation to normal health and prosperity.

It is the opportunity of the National Rivers and Harbors Congress to show the way.

RETIREMENT OF PUBLIC DEBT

Mr. BLACK. I send to the desk and ask to have read a short editorial from the Gadsden Times of Tuesday, December 9, entitled "Gross Indifference to Human Welfare."

The VICE PRESIDENT. Is there objection? The Chair hears none, and the editorial will be read.

The Chief Clerk read as follows:

GROSS INDIFFERENCE TO HUMAN WELFARE

Never in the history of this Nation has it been governed by an administration so indifferent to the condition of the great mass of citizens.

From top to bottom the Government is moved by the spirit of the very rich and seems utterly incapable of real consideration for the multitudes.

The spirit of Andrew Mellon has become the spirit of the administration. Vast wealth looks down upon vast need and is unmoved.

When the tragic consequences of unprecedented drought conditions has been summarized and the magnitude of the needs ascertained, it was recommended that $60,000,000 be provided to meet this great emergency. The administration blandly concludes that $25,000,000 should be sufficient and attempts to proceed accordingly, thus providing additional proof of the Dives spirit by which it is actuated.

And at the very time when this heartless course is being advocated the Treasury Department, backed by the executive department, insists upon the restoration of the income tax to the former figure, indifferent to the fact that conditions now are much worse than when the temporary reduction was made.

Not only is it planned to increase taxes in this wise, but broad hints are thrown out that other increases may be in the offing. The excuse is that the Government owes money.

The war debts of the United States have been liquidated at the amazing rate of a billion dollars a year, and it is proposed to continue this large-scale reduction regardless of the condition of the country or the ability of the people to pay. Mellon, rolling in hundreds of millions, has no mercy upon those not so happily situated, and Mellon bends Hoover to his wishes.

Were this Government to reduce its war-debt payments by half for a year or two and give the public the benefit of the temporarily reduced payments—which would mean the use of a half billion dollars—it would have a tremendous effect in lifting burdens and enabling the country to move forward with quickened pace, but, as with all other practical means of relief, it is scorned. "To —— with the people; let 'em pay!" is the attitude.

The same attitude is displayed when it is suggested that the severe money shortage be relieved of an increase in circulation through the Federal Reserve banks. Not one constructive step is taken while every constructive suggestion is rejected.

There are those who suspect that Mellon, whose vast wealth has been practically doubled in purchasing power as a result of the great decline in commodity prices, is deliberately seeking permanently to reduce the standard of living in this country; is shrewdly planning to make the very rich permanently richer and the poor permanently poorer, and developments in Washington tend to confirm this idea.

It is high time for Congress to take a more vigorous hand in these matters; to see that the people are given a fair deal and that any plot to establish a lower standard of living in this Nation is defeated.

The spirit of Shylock must be routed from the National Capital.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on Post Offices and Post Roads:

H. R. 5659. An act to authorize the Postmaster General to charge a fee for inquiries made for patrons concerning registered, insured, or collect-on-delivery mail, and for postal money orders;

H. R. 8649. An act to authorize the Postmaster General to collect an increased charge for return receipts for domestic registered and insured mail when such receipts are requested after the mailing of the articles, and for other purposes; and

H. R. 10676. An act to provide for the special delivery and the special handling of mail matter.

ADJOURNMENT

Mr. McNARY. I move that the Senate adjourn.

The motion was agreed to; and the Senate (at 5 o'clock p. m.) adjourned until to-morrow, Friday, December 12, 1930, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, DECEMBER 11, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God, it is Thy rod and Thy staff on which we would lean. If sorrow or disappointment cloud the day, Thou art our song and gladness. Here in this Chamber do Thou dignify and bless our fellowship one with another. Thou alone knowest what is best; do Thou help us and guide us, not according to our judgment but according to Thy infinite wisdom and goodness. Remember those who belong to us and are not with us. As the wind bloweth where it listeth and we know not whence it cometh or whither it goeth, so we know not how; but Thy Holy Spirit can make every home a sanctuary and every human heart an altar. Father of mercies, be pleased to do this. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks by including in the RECORD a letter to the Secretary of the Treasury proposing the payment of 25 per cent of the adjusted-service certificates.

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from New York if he has introduced a bill touching that subject. I made inquiry at the document room this morning and was informed that no such bill was pending.

Mr. FISH. That was the purpose of the letter—to get some help from the Secretary of the Treasury in framing this bill. I stated that in the letter.

Mr. BANKHEAD. The gentleman has not as yet formulated any bill on the subject?

Mr. FISH. I am formulating such a bill, and I hope to get some views from the Secretary on the subject.

Mr. HOWARD. Mr. Speaker, until the gentleman shall have introduced his bill, I shall have to object.

ORDER OF BUSINESS

Mr. GARNER. Mr. Speaker, may I have the attention of the gentleman from Connecticut [Mr. TILSON]? A number of gentlemen on this side of the Chamber have asked what the program is going to be for the balance of the week. Would the gentleman mind outlining at this time what is to be the program?

Mr. TILSON. The pending appropriation bill will probably take to-day and to-morrow, and that will leave Saturday open. Whether the next appropriation bill will be ready at that time or whether we would wish to take up a controversial matter on Saturday is a question. It is possible that we may ask the House to adjourn over Saturday.

Mr. GARNER. Let me suggest to the gentleman that when he brings in this farm relief bill, or whatever title you want to give that bill, do not come in and say, "Now, we do not want much debate on this matter, we want to hasten it through the House." As I understand, this matter has been ready to report this entire week, and the gentleman agreed the other day that with the exception of the appropriation bills these emergency measures should come up.

Mr. TILSON. That is correct.

Mr. GARNER. I want to suggest again to the gentleman that he ought not to try to cut off debate on a very important measure on the ground of wanting to hasten it through, when he has had the entire week to bring up such legislation.

Mr. TILSON. I do not know how much of this week will remain at the conclusion of the consideration of the pending bill, and Saturday may be necessary to conclude consideration of this bill. I do not know whether the Committee on Agriculture has its bill ready or not. We might have general debate on Saturday if the House wishes it.

Mr. GARNER. Is that bill ready now?

Mr. TILSON. I do not think so.

Mr. GARNER. Can not the gentleman find out?

Mr. TILSON. The gentleman understands what has taken place in connection with this bill. The House Committee on Agriculture reported out one bill and the Senate passed another bill. The Committee on Agriculture had reported out the House bill before the Senate bill arrived and was referred to that committee. So there is a House bill now on the calendar and there is a Senate bill referred to and pending before the House committee. That is the situation at the present moment.

Mr. JONES of Texas. Will the gentleman yield?

Mr. TILSON. Yes.

Mr. JONES of Texas. I called up the chairman of the committee to-day and he said that that bill had not yet been referred to the committee.

Mr. TILSON. It came over from the Senate yesterday, and I assumed had been referred to the committee.

Mr. JONES of Texas. I communicated with the chairman yesterday morning and he told me we would probably have a hearing of the committee or a meeting of the committee this morning to pass on that matter. I called up this morning to know why the committee was not meeting, and the chairman informed me that the bill had not yet been referred to the committee.

Mr. TILSON. I am informed by the parliamentarian that the bill was referred to the committee on yesterday afternoon.

Mr. GARNER. Mr. Speaker, may I ask the gentleman this question in order to get the matter straight? The gentleman, I know, does not want to do anything out of the way. Next Monday is suspension day, and I do not assume the gentleman would ask the Speaker to take up an important piece of legislation like that and suspend the rules and pass it.

Mr. TILSON. I am not on the Committee on Agriculture, and I shall not personally make a request of that kind. The Committee on Agriculture is now considering one of the bills and has already acted upon the other.

Mr. GARNER. Has there been any discussion with the Committee on Agriculture or with the steering committee, or anyone else, with respect to any such procedure?

Mr. TILSON. The steering committee has not considered any such matter.

Mr. GARNER. Let me say for the RECORD that I trust the Speaker will not suspend the rules on an important piece of legislation like that.

Mr. JONES of Texas. Will the gentleman yield further?

Mr. TILSON. Yes.

Mr. JONES of Texas. If the Committee on Agriculture should take action in the morning, is there any reason why this bill should not be taken up to-morrow and disposed of?

Mr. TILSON. It would have to be done by unanimous consent, because otherwise it would not be in order; or it would require a rule, and that would have to lie over one day.

Mr. JONES of Texas. I do not think there would be any objection to taking it up unless the gentleman through his organization should object.

Mr. ASWELL. Will the gentleman yield further?

Mr. TILSON. Yes.

Mr. ASWELL. The gentleman ruled me out yesterday because the chairman had not come over and was not present; but if our chairman should submit a unanimous-consent request to take up the Senate bill, would the gentleman support that request now?

Mr. TILSON. I should make no objection to any request that the gentleman from Iowa [Mr. HAUGEN] might make.

Mr. ASWELL. The chairman of the Committee on Agriculture is standing there now; what is the chairman going to do?

Mr. TILSON. The gentleman's committee has not yet acted, as I understand it, upon the Senate bill.

Mr. ASWELL. Why has it not acted? He has not called a meeting of the committee.

Mr. HAUGEN. I will answer the gentleman's question.

Mr. JONES of Texas. I wish the gentleman would answer that question.

Mr. HAUGEN. The chairman of the committee proposes to proceed in the regular and orderly way.

Mr. JONES of Texas. Does the chairman intend to have a meeting in the morning to take action on this measure?

Mr. HAUGEN. It was my intention to call a meeting to-day, but the bill was not referred to the committee until this morning. I shall now confer with the members of the committee and determine what the action shall be.

Mr. ASWELL. We are members of the committee; will the gentleman confer with us?

Mr. JONES of Texas. Will the gentleman confer with all of us?

Mr. ASWELL. Will the gentleman call a meeting of the committee to-morrow?

Mr. HAUGEN. If it is necessary to call a meeting.

Mr. CLARKE of New York. Regular order, Mr. Speaker.

THE WHEAT SURPLUS

Mr. CHIPERFIELD. Mr. Speaker, I ask unanimous consent for leave to extend my remarks in the RECORD by inserting a brief article, not to exceed a dozen lines, on the proper disposition to be made by the Farm Board of the great volume of wheat that has been accumulated.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. ASWELL. Reserving the right to object, who is the author of the statement?

Mr. CHIPERFIELD. It is an editorial from the Daily Register Mail, of Galesburg, Ill., based on the President's remarks that no person should go hungry. Furthermore, it has been suggested that the wheat should be fed to the hogs and cattle. The editor suggests that it should be fed to human beings in the United States.

Mr. ASWELL. With that statement the gentleman does not need leave to extend.

The SPEAKER. Is there objection?

There was no objection.

Mr. CHIPERFIELD. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following

brief article from the Daily Register Mail, of Galesburg, Ill., on the proper disposition to be made by the Farm Board of the great volume of wheat that has been accumulated:

WHY NOT USE IT?

The United States Farm Relief Board has accumulated some 90,000,000 bushels of wheat through purchase by Government funds. The outlook is that the Government will stand a heavy loss on it anyway. Why not then have it converted into flour and distributed as necessity compels among the unemployed? The President has said that no one in this country should be allowed to go hungry. It would appear incongruous for one to starve in a country whose Government has 90,000,000 bushels of wheat on hand. With this surplus out of the way there would be some chance for next year's crop. The board has advised that the wheat be fed to hogs and cattle, and we are simply suggesting that it be fed to human beings.

THE PASSAGE OF THE FIRST BONUS BILL

Mr. MURPHY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein an article that was printed in the Stars and Stripes in 1920, giving an account of the passage of the first bonus bill. Gentlemen will recollect that there were 65 bills in the Sixty-sixth Congress to pay a bonus of some kind to the World War veterans. The bills were scattered through the House to various committees. All were assembled finally by the steering committee and placed in the hands of the Ways and Means Committee with instruction to report one bill out that everyone could support. In the estimation of those who had charge of the legislation they said they would not report that bill out, and a group of Members of the House on both sides of the aisle decided that the time had come when something should be done. Finally, through a filibuster, in which I took part, and the gentleman from Michigan [Mr. CRAMTON] and a number of others took part, the bill did finally reach the floor of the House and passed by the votes of both Democrats and Republicans. An account of the passage of that bill was published in the Stars and Stripes on the 5th of June, 1920.

Mr. BANKHEAD. Reserving the right to object, does the article give an account of any unusual participation by the gentleman from Ohio?

Mr. MURPHY. Yes; it gives me some credit.

Mr. RANKIN. Reserving the right to object, does the article have any reference to what is known as the adjusted compensation?

Mr. MURPHY. It deals entirely with the passage of the first bonus bill that ever came before the House.

Mr. RANKIN. That was the bonus of $60 and has nothing to do with what is known as the adjusted compensation?

Mr. MURPHY. It was the very beginning of the legislation in the interest of the soldiers of the World War.

Mr. RANKIN. I understand; but the gentleman knows that what is known as the adjusted compensation bill, or bonus bill, was not passed for several years after this article was published.

Mr. MURPHY. This gives an account of Members of Congress at that time in an effort to do something for the soldiers of the World War.

Mr. RANKIN. As a matter of fact, the article can have no bearing on the ultimate passage of what is commonly known as the bonus bill, or the adjusted compensation bill.

Mr. MURPHY. I would not go that far, for I think the gentleman is in error about that. Everything has to have a beginning, and the gentleman knows there is an effort, for instance, in the House to take care of Muscle Shoals——

Mr. CRAMTON. Mr. Speaker, I shall have to ask for the regular order. I am anxious to get into committee on the appropriation bill.

Mr. RANKIN. And I am anxious to get the adjusted-compensation certificates paid off.

Mr. CRAMTON. But the gentleman can not do it by delaying the appropriation bill.

Mr. BYRNS. Mr. Speaker, reserving the right to object, I fail to see the pertinency of this. It does not refer to any legislation before the House. Does this account, to which the gentleman refers, contain any statement relative to the effort made by Members of the House, including myself, to have that bonus paid in cash rather than by these certificates?

Mr. MURPHY. I will say that if the gentleman will permit my remarks to go into the RECORD in the way I have sought, he will be perfectly satisfied with the statements I make.

Mr. RANKIN. Mr. Speaker, for the time being I will object, in order to expedite the business before the House.

ADVERTISING PRACTICES OF THE AMERICAN TOBACCO CO.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in reference to the Cremo cigar spit tobacco advertising campaign of the American Tobacco Co.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his own remarks in the manner indicated. Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, as I understand it, this request has something to do with an advertising campaign. If a Member on this side of the House who seeks permission to extend a brief article with reference to his own work is denied that permission on the other side, as was the gentleman from Ohio [Mr. MURPHY], it seems to me that we are going pretty far for gentlemen on that side to ask to put in some story about advertising.

Mr. CELLER. These are my own remarks.

Mr. CRAMTON. That increases their importance.

Mr. CELLER. I thank the gentleman.

The SPEAKER. Is there objection?

Mr. MENGES. Mr. Speaker, reserving the right to object, this matter pertains very largely to my district. These cigars are manufactured very largely in the district which I have the honor to represent. Mr. Speaker, let me ask the gentleman a question. Is this advertising done by the people who have been trying to damage the hand-made 5-cent cigar industry which I have the honor to represent?

Mr. CELLER. This advertising is by a large monopoly which is trying to drive out independents from the cigar-manufacturing business.

Mr. MENGES. And introduce machine-manufactured cigars?

Mr. CELLER. Partly so; yes. This is a campaign which is now being examined by the Federal Trade Commission to determine whether or not the American Tobacco Co. is justified in using this type of advertising in fostering its own Cremo machine-made cigars, and thereby by its insidious advertising seek to destroy the small manufacturers of cigars who make them not by machine but by hand.

Mr. MENGES. I shall not object.

The SPEAKER. Is there objection?

Mr. CLARKE of New York. I would like to ask the gentleman a question.

The SPEAKER. The Chair desires to know whether there is objection to the request?

Mr. CLARKE of New York. In the Christmas spirit I shall not object.

The SPEAKER. Is there objection?

There was no objection.

Mr. CELLER. Mr. Speaker, under leave granted me to extend my remarks in the RECORD, I submit the following with reference to the Cremo cigar spit tobacco advertising campaign of the American Tobacco Co.

Under date of November 7, 1930, I addressed the following communication to the chairman of the Federal Trade Commission:

Hon. EDGAR A. MCCULLOCH,
Chairman Federal Trade Commission,
Washington, D. C.

MY DEAR MR. CHAIRMAN: I invite your attention and that of your colleagues on the Federal Trade Commission to certain unfair practices on the part of the American Cigar Co. in the advertising and sale of its "Cremo" brand of cigars.

In this company's advertising of "Cremo," they employ such phrases as "Spit is a horrid word," "Avoid spit-tipped cigars," and other phrases which by fair implication make the public believe that all handmade cigars are spit-tipped and therefore unsanitary and dangerous to health.

Not only is advertising of this character unfair, as being contrary to the provisions of the Federal Trade Commission act and other similar statutes, but such advertising contains a strong element of untruth. Prior to the introduction of machinery, I am informed that all cigars were made by human hands. Never before has it been said, directly or indirectly, or by inference, that handmade cigars were a menace to health. Even to-day the better brands of cigars are all made by hand. Machinery has not yet been devised to make a cigar that will satisfy fastidious smokers.

This advertising is eminently unfair, because a stigma or bar sinister is placed upon manufacturers of handmade cigars. They constitute a very substantial industry, involving many employees, with considerable capital investment.

I am informed by the National Cigar Leaf Tobacco Association and from other reputable sources that it is not true that every cigar made by hand is spit upon in the forming of the head. I, from personal knowledge, can testify to conditions in various cigar manufactories where cigars are made by machine and by hand, and I have never yet seen in modern up-to-date factories the use of spit in the forming of the tip of the cigar or any other unsanitary practice in connection therewith.

With justification and with righteous indignation, resolutions of the Leaf Tobacco Board of Trade of the city of New York, the National Cigar Leaf Tobacco Association, the Associated Cigar Manufacturers and Leaf Tobacco Dealers, and other associations, have been passed condemning this unfair advertising of the American Cigar Co.

The American Cigar Co. is a subsidiary of the American Tobacco Co., and the latter offended once before with reference to unfair advertising in their presentation of Lucky Strike cigarettes. Then, as now, they attempted greater sales of their products by harming competitors. The American Tobacco Co., by this deplorable method, loses much morally, and their financial gain, if any, is but temporary. Such despicable operations will not pay in the end. One only hurts one's self by thus sowing ill will and hatred. I might say that anyone who spits in the wind spits upon himself. The American Tobacco Co. is spitting in the wind.

As soon as Congress convenes in December, I shall make an issue of this unfair-advertising practice and vigorously protest it on the floor of the House. In the meantime, your kindly consideration of this matter is requested.

Yours very truly,

EMANUEL CELLER,
Representative Tenth New York Congressional District.

As a result of my complaint and the complaint of the National Better Business Bureau (Inc.), as well as other interested organizations of tobacco dealers, manufacturers, and so forth, the Federal Trade Commission inaugurated an investigation and hearings are being held before the board of review of the commission to give the representatives of the American Cigar Co., subsidiary of the American Tobacco Co., an opportunity to exculpate themselves from the charge of unfair trade practices in connection with the "Cremo" spit-tipped cigar advertising.

This company is an old offender on the question of contemptible and mean advertising practice. In January, 1930, the Federal Trade Commission published a statement to the effect that the American Tobacco Co. in its use of the advertising claims that appeared in the "Lucky Strike" advertising was acting contrary to fair dealing. After much controversy the company stipulated to modify the words "reach for a Lucky instead of a sweet." But subsequently it came forward with another advertisement equally obnoxious, which conveyed the same idea. Such advertising was and still is destructive of legitimate industries, the candy and cigar industries, the inference being that if you avoid sweets, you escape obesity, and that the more cigarettes you smoke the thinner you will become. Apparently this company is as slippery as an eel. The Federal Trade Commission attempts to hold it down in one way, but it slips out of its grasp.

They very likely will pursue the same tactics with reference to the "Cremo" spit-tip campaign. They probably will agree to stop the use of the word "spit" but will then invent some phrase equally unfair, equally shocking.

The American Medical Association is on record as opposing the dragging of the health element into advertising and is particularly opposed to the obnoxious use of the word "spit" in this new campaign of the American Tobacco Co. But this company disregards the protests of the Medical Association as it will continue to disregard all moral suasion. Only the strong arm of the law will cower it.

I am reliably informed that the American Tobacco Co. will agree to some sort of stipulation with the Federal Trade Commission and stop the use of the word "spit" in the Cremo advertising, and I am also reliably informed that it is prepared to use something more detrimental and that it will amend its advertising of Cremo by advertising the fact that machinemade cigars like Cremo can not be contaminated with floor sweepings, dirt, or dust, with the implication that handmade cigars in the small factories contain floor sweepings, dust, and dirt. In other words, this company will simply change the "disgust feature" of their advertising. That the Cremo advertising is unfair to industry is beyond question. It undoubtedly has a tendency to induce readers to believe that spit-tipping and unsanitary conditions are prevalent in most factories and that the country is threatened with a menace which can only be avoided by smoking Cremos.

This matter was thoroughly investigated by the National Better Business Bureau (Inc.), and reports from State and city authorities through a nation-wide survey conducted by the bureau did not support these claims. Therefore the Cremo advertising is a libel upon a lawful and growing industry.

At the beginning of the campaign the National Better Business Bureau (Inc.) communicated with Lord & Thomas & Logan, the advertising agency handling the account of the American Tobacco Co., and pointed out that this type of advertising disparaged other cigars and that the advertising, by fair intendment, led the public to believe that cigar smokers would be safe from danger only if they smoked Cremo. Mr. L. Ames Brown, president of Lord & Thomas & Logan, said that a great many cigars are manufactured under unsanitary conditions and that this contention could be verified by a brief walk about New York City, but he did not and would not refer to any specific manufactory. The National Better Business Bureau advised Mr. Brown that in view of his assertion it would request the New York City Health Department to conduct an investigation into the alleged unsanitary conditions obtaining in cigar manufactories in New York City.

The New York health authorities made an investigation, and its findings are conclusively to the effect that handmade cigar factories in New York are conducted under the most sanitary conditions. The department of health reported that a survey representing a group of 53 cigar factories in boroughs of Manhattan and the Bronx had shown good sanitary working conditions on the whole. The department stated that the workrooms were never found to be overcrowded and that their general cleanliness was observed. It was stated that the hands of those observed were clean and free from rashes. "Spit-tipping" was stated to be a prevalent habit in some factories, although forbidden by those in charge and although entirely unnecessary. The report concluded with the statement that the facts pointed to a vast improvement in the sanitary conditions in this industry.

Preceding upon the premise that the spit-tipped cigars are dangerous germ carriers, the Cremo advertising has set forth that there is a "spit menace" in the cigar-manufacturing industry and has told the American public that millions of spit-tipped cigars were being sold daily. It has incorporated in its advertising pictures of cigarmakers in the process of "spit-tipping" cigars, and has asked readers:

How often have you been disgusted with the filthy germ-breeding places where some cigars are made—dark, stuffy factories, warm, dingy shops and windows, where cigars are rolled by careless, dirty lips and fingers and spit on the ends?

The Cremo campaign has not attacked any particular brand or brands of cigar as "spit-tipped," nor in their many advertisements has there been any indication that any brand of cigars except Cremo is made under insanitary conditions.

The advertising was not directed to smokers of 5-cent cigars only, but was apparently intended for all cigar smokers, and the conditions condemned presumably pervaded the entire industry. I quote from statements which have appeared in Cremo advertising:

The word "spit" stops you * * * and so should the danger of "spit-tipped" cigars. Beware * * * Smoke Cremo—it's certified.

For safety's sake smoke certified Cremo.

Many a "spit-tipped" cigar is dressed in a fancy band. Price alone doesn't indicate cleanliness.
* * * the war against spitting is a crusade of decency * * * join it. Smoke certified Cremo.

The National Better Business Bureau, in view of the failure of the American Tobacco Co. to supply the information to support the Cremo claims, conducted a nation-wide investigation into the cigar-manufactory situation.

The bureau directed inquiries to the departments of health of the 48 States, requesting that they advise them of the facts relative to the cigar-manufacturing industry within their jurisdiction, particularly with reference to whether cigars of the type referred to in the Cremo advertising as "spit-tipped" were manufactured, and if there was an existing "spit menace."

Twenty-nine State departments replied to this inquiry.

Four States reported that they had practically no cigar manufactories, and three others that they had no information on cigar-manufacturing conditions.

Eighteen State departments declared that their investigations had uncovered no "spit tipping" of cigars, or that they knew of none within their territory, and that sanitary conditions were generally satisfactory. These States were Alabama, Connecticut, Idaho, Indiana, Kansas, Maine, Massachusetts, Missouri, Nebraska, New Hampshire, New Jersey, North Carolina, Pennsylvania, Rhode Island, South Dakota, Virginia, Washington, and Wisconsin.

The State of Kentucky, reporting on conditions as of November, 1928, stated that "spit tipping" existed at that time. On December 18, 1929, the department of public health of the State of Tennessee reported that some "spit tipping" existed, but that the practice was unnecessary because the workers were supplied with paste.

The State of Ohio reported that following a special investigation they could say that all of the plants visited were clean, well lighted, and it was apparent that the manufacturers were making every effort to conduct their plants on as clean and sanitary a basis as was possible, and that in many factories contact with the tongue and lips had been absolutely eliminated. They stated that they had seen some instances of "spit tipping," although in every case the practice was against the rule of the factory.

The department of health of Maryland, after conducting a special investigation, reported that sanitary conditions were generally satisfactory. Sixty-four establishments were visited. In three of them some persons were observed placing cigars in their mouths in the course of manufacture. In the other factories inspected "spit tipping" was not in evidence.

A further check up was made by the National Better Business Bureau (Inc.) by directing inquiries to a number of chambers of commerce and to local better-business bureaus requesting that they get in touch with their departments of health and check up on local cigar-manufacturing conditions.

Eighty-three replies were received from chambers of commerce, 43 of them reporting that they had no cigar manufactories in their cities.

Forty chambers of commerce reported that they did have cigar manufactories, and in 38 cases either asserted definitely that they had no knowledge of "spit tipping" being employed in the factories, or made the general statement that sanitary conditions were satisfactory.

One city health official stated that all cigar manufacturers with whom he had come in contact make every effort to prevent "spit tipping" and penalize offending employees, but that he would swear that no cigar company could attain 100 per cent perfection.

Another city denied "spit tipping" in four factories, but found it in two others. A subsequent investigation by the State board of health revealed that this condition had apparently been remedied.

In addition, reports were received from 10 better-business bureaus located in cities where cigars are manufactured, and each of these reported that so far as was known cigar-manufacturing conditions were satisfactory.

The information obtained through these channels was helpful in supplementing the reports received from State departments of health and in supplying information on cigar-manufacturing conditions in those States where State officials did not reply to the National Better Business Bureau's inquiry.

No report has been obtained from the State Health Department in Florida, but information was obtained concerning cigar-manufacturing conditions in three cities of that State, all reporting that there was no knowledge of "spit tipping" in local cigar manufactories, and that sanitary conditions were excellent. Among these was the city of Tampa, which alone makes more than 10 per cent of all the cigars manufactured in the United States, two-thirds of these being machine made.

Similarly in New York State reports obtained from the cities of Rochester, Jamestown, Ithaca, and Newburgh were all to the effect that conditions in cigar manufactories were satisfactory.

A report obtained from Chicago stated that there was a reasonable compliance with the health ordinances, and three other cities in Illinois reported that there was no "spit tipping" in local cigar factories and that sanitary conditions were satisfactory.

Other cities located in Arkansas, California, Colorado, Georgia, Iowa, Michigan, Montana, Oregon, and Texas submitted favorable reports without exception. Many other cities confirmed the reports of State officials.

The American Federation of Labor declared that they had no knowledge of the conditions set forth in the Cremo advertising in union plants, the president of the Cigar Makers' International Union stating:

I repeat that, so far as our knowledge goes, the country is not threatened by any "spit-tip menace." We issue our union label to all cigar manufacturers who employ members of our organization, which label certifies to the fact that cigars bearing that label are made under sanitary conditions. If our attention were called to the fact that cigar makers were placing the cigars in their mouths we should withdraw the union label from any manufacturer who permitted such a condition to exist.

Labor officials asserted that for the first 11 months of the fiscal year ending June 30, 1929, approximately 6,000,000,000 cigars were manufactured in the United States, of which number less than 25 per cent were manufactured entirely by hand, approximately 25 per cent being manufactured in part by machine and approximately 50 per cent being manufactured entirely by machinery.

According to United States internal-revenue statistics for the year 1929, 96 per cent of all the cigars smoked throughout the country during the year were made in the United States.

The conclusions that are inescapable from the investigation made by the National Better Business Bureau (Inc.) are to the effect that the Cremo advertising is utterly unfair because of the reflection it casts upon cigars in general and handmade cigars in particular, that most cigars are now machinemade, and that handmade cigars can be produced, and are being produced, under conditions which are just as sanitary as those under which machinemade cigars are produced.

The Cremo campaign is a dangerous campaign in the sense that it gives misinformation, if not false information. The underlying theory is that cigars are dangerous germ carriers. For information on this point, the National Better Business Bureau communicated with a number of leading physicians and asked them, first, whether a cigar would have the effect of holding germs dormant and contagious, and, secondly, whether, in their opinion, in the ordinary course of time elapsing between the manufacture of a cigar and its ultimate use by the consumer, the germs applied to the cigar would survive.

Replies received were about evenly divided, half of the physicians answering both questions in the affirmative and half in the negative. In most cases, the physicians stated that they did not feel themselves competent to answer such an inquiry, because so far as they knew this point had

never been satisfactorily established. The American Medical Association pointed out an article published in the New York Medical Journal for May 11, 1918, regarding a bacteriological examination of cigars purchased from 28 different stores, indicating that the investigators had found abundant bacterial growth on the cigars, but in no case discovered virulent pathogenic or pyogenic organisms. (Pathogenic means disease causing; pyogenic means pus developing or secreting.)

Inquiries were also directed to numerous medical contacts asking whether they had ever heard of a case where an individual had contracted a disease from smoking an alleged insanitary cigar. Replies received were all in the negative. A survey conducted by the Medical Information Bureau of the New York Academy of Medicine revealed no record of an individual contracting disease from smoking a so-called insanitary cigar.

It is pertinent to insert at this point a statement of the Journal of the American Medical Association, bureau of investigation, dated March 15, 1930, entitled "Tobacco Advertising Gone Mad."

TOBACCO ADVERTISING GONE MAD—THE HEALTH ANGLE, AS EXPLOITED BY LUCKY STRIKE CIGARETTES AND CREMO CIGARS

The modern tendency for advertisers of all kinds of merchandise to drag the health angle into their advertisements is one of the most disturbing features in the modern advertising field. The medal for the most horrible example would seem to go to the American Tobacco Co. In the spring of 1927 the advertising agency for this concern circularized a large number of American physicians in the interests of Lucky Strike cigarettes. Each physician received a carton of 100 cigarettes and a questionnaire consisting of a card carrying two questions. The first of these questions read:

"1. In your judgment is the heat treatment, or toasting process, applied to tobacco previously aged and cured, likely to free the cigarette from irritation to the throat?"

Obviously, not one physician in ten thousand is or could be competent to answer this question. Yet the exploiters of Lucky Strike cigarettes have claimed that over 18,000 physicians answered that question in the affirmative. If this claim is not grossly false, it does not redound to the credit of the 18,000. But that is not all. There was then started the campaign, "Reach for a Lucky instead of a sweet," in which—either directly or by implication—young women were urged to smoke Lucky Strike cigarettes when they had a desire to eat candy or pastry. Trade protests brought a discontinuation of the "Reach for a Lucky instead of a sweet" slogan, but the present advertising practically carries with it the same suggestion. In it are shown pictures of a young girl in profile, casting a shadow in which a double chin is the main feature, and suggesting the use of a Lucky Strike as an aid to moderation in eating.

Another branch of the American Tobacco Co.'s business—the American Cigar Co.—has been carrying on an advertising campaign of its product, the Cremo cigar, in which the public is led to believe that most cigars are handmade and have their tips finished off with the saliva of the individual workman. This campaign features a testimonial from Alfred McCann, who "emphatically states" that Cremo cigars are not "spit tipped." This is the same McCann who, graduating from an advertising man to a "food expert," a few years ago was boosting the old, discredited nostrums, "Russell's Prepared Green Bone" and "Russell's Emulsion," that were for some time exploited on the basis of the so-called lime-starvation theory as the cause of tuberculosis.

There is evidence that the Cremo-cigar people are about to attempt to do to the medical profession what the Lucky Strike concern did a year or two ago. A physician receives a circular letter which details the horrific menace of the "spit-tipped" cigar. He also receives "five certified Cremo cigars."

The facts just given are of importance to the medical profession in its function as guardian of the public health. Physicians will readily admit that many young women eat more candy than is good for them, but they will certainly not agree that the substitution of cigarettes in such cases is in the interest of public health. Physicians may also admit that theoretically it is possible for disease to be transmitted by means of cigars. But when one considers the millions of cigars that are consumed annually, and that it is extremely difficult to find in medical literature any real evidence of the transmission of pathologic bacteria by means of cigars, the campaign of the Cremo concern stands condemned.

But physicians have a further interest in this problem—at least, many physicians do—not as physicians, but as men who enjoy a good cigar or cigarette. Advertising of this sort is pernicious from the social standpoint. If kept up persistently enough, it is likely to result in an attempt by the antitobacco fanatics to get on the statute books legislation prohibiting the sale and manufacture of tobacco products. The result would probably be another "holy war" that will make the scientific discussion of the tobacco problem as difficult as the scientific discussion of the alcohol problem is to-day.

THE AMERICAN TOBACCO CO. MUST PUT ITS OWN HOUSE IN ORDER

The American Tobacco Co. directs the public's attention to the danger of "spit-tipped" cigars in its advertising "crusade of decency." Despite this public admonition, the investigation of the National Better Business Bureau (Inc.) discloses very definite evidences that the American Cigar Co., as late as February, 1930, was itself not free of this practice. It is somewhat unbecoming, therefore, for the American Tobacco Co. to cast the first stone. It should clean its own house. "Why beholdest thou the mote that is in thy brother's eye, but considerest not the beam that is in thine own eye?"

In the investigations made by the National Better Business Bureau (Inc.) reports were received from Ohio and Kentucky to the effect that "spit tipping" was practiced in the American Cigar Co.'s factories. Two handmade cigar factories in Kentucky were inspected and there was observed the practice of "spit tipping" in both of them. The Federal Trade Commission is possessed at this time of an affidavit by a Kentucky State inspector as to the truth of these facts.

I give below some interesting data concerning the "spit-tipped" practices of the American Tobacco Co. These incidents will show the utter lack of good faith on the part of this company in its advertising campaign and in its attack upon the property rights of cigar manufacturers. No good can come from any campaign that seeks to give the impression that a competitor's product is repulsive. It is said that the American Tobacco Co. expended approximately $19,000,000 for advertising in the year 1930. Should that large sum of money again be used in 1931 so as to deceive the public and injure an honest business?

Certain of the Cremo advertisements have incorporated fake photographs of cigar manufacturers allegedly "spit-tipping" cigars. If the American Cigar Co. were sincere in its crusade and actually had the interest of the public at heart and desired to eliminate effectually so-called "spit tipping" in the cigar industry, it appears to me that they would have referred their evidence to the proper health authorities in order that the conditions alleged might be corrected. Never once have they reported to the health authorities anywhere the insanitary conditions claimed to have been discovered in cigar factories.

There have been some interesting revelations in this connection. I have been informed, for example, that on July 23, 1930, one Jacob M. Kartub, of Pittsburgh, Pa., filed a suit for $50,000 damages against the American Cigar Co. He claimed that a picture was taken of him in his shop under the representation that it would be used in an article or prospectus of the cigar-making industry in its advancement. Instead, he charged, his picture appeared in one of the "spit" advertisements.

On August 13, 1930, an attorney from New Haven, Conn., stated that he had been retained by a small cigar manufacturer of that city to bring action against the American Cigar Co. The attorney stated:

Through misrepresentation they obtained a photograph of my client, informing him that they were going to use the photograph in promoting his business and advertising his brands without charge to him. Thereafter they used the photograph and claimed that they had an affidavit of a photographer to the effect that he had seen Mr. Englander use spit in the making of cigars. This is an absolute falsehood, and I have written to the American Cigar Co. for a copy of the affidavit, which they have thus far refused to show.

I know of other people who have asked them to send them copies of the affidavit, but have had the same result. I am informed by cigar manufacturers of this city that the advertisement is untrue and that they do not use spit in the making of any cigars.

If the American Cigar Co. is sincere in its condemnation of handmade brands of cigars, it is difficult to understand how it defends its continued sale of its own handmade brands. For example, it recently placed upon the market a new handmade brand called the "Pell Mell" and labeled as a "Faultless cigar." How does the crusading American Tobacco Co. justify describing as "faultless" a product made under the conditions which they ostensibly condemn?

It is important to remember that the unfair advertising practices of the American Cigar Co. and of the American Tobacco Co. are not characteristic of the cigar industry as a whole. Cigar manufacturers everywhere have subscribed to an advertising code in which they go on record to the effect that cigar advertising shall "justify consumer belief" and "be fair to competition." That code is as follows:

Whereas cigar manufacturers adopting the following standards agree that in so far as is possible and practicable it is their desire to promote voluntarily fair-play methods of competition in the advertising and selling of cigars; and

Whereas it is further agreed by cigar manufacturers adopting these standards that they desire and will welcome the cooperation of the National Better Business Bureau (Inc.) as their agency of assistance in carrying out the purposes of these standards, and toward this end it is agreed by each manufacturer that the compliance of his firm to the standards shall be sincere and complete; and

Whereas cigar manufacturers adopting these standards agree to cooperate fully with the National Better Business Bureau in the voluntary maintenance of these standards: Therefore be it

Resolved, That the following standards be adopted to govern the advertising and selling of cigars:

1. Cigar advertising shall justify consumer belief.
2. Cigar advertising shall be fair to competition.
3. Cigar manufacturers will submit proof of claims made in advertising upon request of the National Better Business Bureau.

To date approximately 60 of the more prominent firms, representing by volume more than one-half of all cigars made in this country, have subscribed to this resolution.

METHANOL—WOOD ALCOHOL

Mr. DYER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the subject of the change announced by Doctor Doran in connection with denaturing industrial alcohol, and to include a statement by Doctor Fuller, formerly Chief of the Bureau of Chemistry and a former assistant to Doctor Wiley. Doctor Doran has announced a substitute for wood alcohol as a denaturant. At this time of the year there is very great danger to the public in the use of wood alcohol, particularly around the Christmas season, as stated by Doctor Doran. Dr. Henry W. Fuller has written a short article from the standpoint of health in relation to the use of wood alcohol. I think it would be of great benefit to the public if the contents of that article could be known as generally as possible. It would probably save many lives that otherwise might be lost through the use of this dangerous ingredient.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Reserving the right to object, will the gentleman also include some information concerning Doran's Special Garlic Aroma?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, the gentleman from Missouri speaks of the position formerly held by Doctor Fuller. What is his present interest in this question? Is he connected with some concern that has a financial interest in some product he wishes to advance?

Mr. DYER. None whatever. Doctor Fuller was formerly assistant to Dr. Harvey W. Wiley.

Mr. CRAMTON. It is not a propaganda for some particular product?

Mr. DYER. Not at all. I would not make such a request.

Mr. MENGES. Mr. Speaker, reserving the right to object, I noticed this morning in the paper that Doctor Doran has finally succeeded in getting a denaturant which can be used instead of wood alcohol for the purpose of denaturing industrial alcohol. I think we may as well not publish anything further until we have some definite information from Doctor Doran in regard to has denaturant. For the time being I shall object.

Mr. DYER. I ask the gentleman to withhold his objection for a moment. Doctor Doran has announced that he has found a substitute, but it will be probably some months before it is in use. In the meantime wood alcohol will be used, and in order to prevent its possible use as a beverage, to the detriment of many people, I ask that this scientific article be published. I shall show it to the gentleman, and if he has any objections to it I shall not even have it published. I know the gentleman is a great scientist. He knows Doctor Fuller and his reputation. There is nothing in the article that criticizes anybody. I seek to do this just to give some information on public health.

Mr. MENGES. With that understanding, I withdraw my objection for the time being.

The SPEAKER. Is there objection?

There was no objection.

Mr. DYER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following article on Methanol (Wood Alcohol)—Its Control a Public Health Problem, by Henry C. Fuller, B. S., formerly chemist, Bureau of Chemistry, United States Department of Agriculture, and assistant to the late Dr. Harvey W. Wiley in food and drug investigations:

ITS CONTROL A PUBLIC-HEALTH PROBLEM

They call it methanol now, the same liquid with its subtle effects that for years has been a danger signal to health in the mind of the public and known to the layman as wood alcohol, and human ingenuity can not change the actions that nature has given a substance, no matter by what name it is designated. It is the same insidious poison under the name of methanol as when it was given its first appellation, wood spirits, subsequently termed "wood alcohol," "methyl alcohol," "Columbian spirits," "colonial spirits," "wood naphtha," "methyl hydroxide," "methyl hydrate," "greenwood spirits," depending on the degree of commercial purity under which it was sold.

But no matter how pure it was from a chemical standpoint (and the commercial methanol—wood alcohol—now on the market is practically chemically pure), it has always possessed the same physiological action, intensified to some extent by the amount and character of the impurities present. For methanol—wood alcohol—is methyl alcohol, and all of its commercial ancestors were methyl alcohol of various grades of refinement; by that I mean, with extraneous substances in greater or less quantity.

How did methyl alcohol come into the picture of our economic life? It is interesting to delve a bit into its history. It is something that has not come down from the alchemists, nor was it known to the Arabic school that was responsible for many valuable additions to chemistry and medicine and which pointed the way for the preparation of a fairly pure grade of ethyl alcohol by Arnold, of Villanova. The age of methyl alcohol dates back scarcely a century, and it would appear that the development of the steel industry in the first half of the nineteenth century was indirectly responsible for placing methyl alcohol on the map. It came about because the increasing demand for wood charcoal, to make highly resistant steel, caused the abandonment of the primitive method of charcoal burning and established the retort process, whereby the wood was converted into charcoal in a closed container. By the old method, the gases and vapors produced by slow burning passed into the atmosphere and were lost, but in the retort process, they come off through a pipe and may be burnt under the oven or condensed. The condensed material was found to contain a variety of substances and among them was methyl alcohol. Hence, from its source and method of production it was given the name "wood alcohol." It was long about the close of the Civil War, in 1865, that methyl (wood) alcohol may be said to have had its introduction into the chemical family. From that time until the present it has been an article of commerce, in one form or another, and in various degrees of purity it has been a factor in the arts.

Methyl (wood) alcohol has had its ups and downs just like the stock market. In a state of high purity, known as Columbian spirits and colonial spirits, it was featured as a substitute for grain alcohol and its use was extended to the manufacture of medicines and toilet articles. But it was not long before serious reactions to the public health followed. A curb on its widespread distribution followed and its popularity took a downward trend.

Within very recent years new processes for the manufacture of methyl (wood) alcohol have been developed, and now it is not wholly made from wood but is synthesized from carbon monoxide, or water gas, and carbon dioxide, and has blossomed out as methanol, the term by which it was known to the systematic chemist as the first member of the alcohol family. So, while there may be a "selling argument" against calling it wood alcohol, it is, from the public standpoint, the same substance and produces just the same physiological reactions and has the same effect on the public health as when it was entirely distilled out of wood during the preparation of charcoal for our steel manufacturers.

After methyl (wood) alcohol got into the trade and since there were no cautions or warnings about its insidious character, and as it got into medicines and bay rums, perfumes and toilet waters, it naturally began to influence, in a deleterious way, the health of people with whom it came in contact. Soon the medical fraternity began to report cases of severe illness and death under peculiar circumstances, and in many instances the conditions were accompanied by disturbances of the occular system. People went blind in a mysterious manner, and it was not long before systematic studies of these cases, checked with statistics relative to the composition of the offending agents, pointed to methyl (wood) alcohol as the element causing the trouble.

Beginning in 1904, Casey Wood, the celebrated Chicago eye specialist, and Buller reported 153 cases of blindness and 122 deaths

due directly to methyl (wood) alcohol, and Wood subsequently followed this article with others on the same subject. Casey Wood did everything thoroughly, and since his retirement from active practice he has pursued ornithology with the same avidity that he pushed his ophthalmic researches, and recently journeyed to England and went down to Surrey for the express purpose of hearing the nightingales sing during the mating period. The literature since that time has been replete with reports of poisonings by wood alcohol. The toxicity has resulted not only from the internal consumption of articles in which methyl (wood) alcohol featured as the solvent but from local application and inhalation. Instances of severe cases of intoxication from methyl (wood) alcohol have occurred with workmen who were using shellac to varnish the interior of beer vats and who inhaled the vapor of methyl (wood) alcohol which was used as a solvent for the varnish. Wholesale poisonings occurred in Berlin, and there are instances of damage from methyl (wood) alcohol to the population of foreign countries noted in the literature. In 1914, 12 persons died and 30 others were rendered dangerously ill in Vermont from drinking wood-alcohol whisky. The Journal of the American Medical Association in 1914 issued a statement that nearly 1,000 cases of poisoning attributed to wood alcohol had been reported in the literature since 1893. It is unnecessary to amplify this list. The statistics are appalling. To anyone interested in individual references, it is impressive to run through the compilation of reports of cases of (wood alcohol) poisoning in the files of the Hygienic Laboratory of the United States Public Health Service, an index which was inaugurated by Reid Hunt.

When reports on the deleterious effects of wood alcohol began to appear, those who were responsible for its promotion sought to minimize its lethal nature by placing the blame on the impurities it might carry. It was suggested that acetone, methyl acetate, allyl alcohol, and other components were really to blame. Systematic studies, however, showed that it was the methyl (wood) alcohol itself, the methanol, which composed from 80 to 99 per cent of the various grades of commercial articles, that was producing certain characteristic combinations of symptoms, including headache, nausea, abdominal cramps, difficulty in breathing, conjunctivitis, and serious disturbances of the retina and optic nerve. The difficult breathing and the affections of the retina and optic nerve were particularly characteristic of the injuries sustained by the individuals who were exposed to the action of methyl (wood) alcohol. The saddest thing, of course, is the blindness that it causes and which is the reason for emphasizing its dangers; because blindness is looked upon by the insurance companies, handling accident policies, as equivalent to loss of life, and the compensation clauses offer the same returns to the individual for the loss of his eyesight as they do to his beneficiaries if he is killed.

Let us quote the opinions of some of the authoritative workers on the pharmacology and pathology of methyl (wood) alcohol: Reid Hunt, in 1902, published the results of some researches conducted on animals which showed that while methyl (wood) alcohol, when taken in a single dose, is, as a rule, no more dangerous (at least to the lower animals) than an equal amount of ethyl alcohol, when its use is continued for even a short time it is an extremely dangerous poison. * * * Methyl (wood) alcohol given in small doses every other day was tolerated but for a few weeks; the animals remained comatose for days, did not eat, and died, although the administration of the alcohol was discontinued. Extensive fatty degeneration of the liver was always found. (Ethyl alcohol * * * could be given to animals (dogs and rabbits) in doses sufficient to cause intoxication for months and even for almost a year without causing marked functional disturbances.)

Hunt goes on to describe some work of Hirchfeld, who investigated the effects of methyl (wood) alcohol upon the retina and optic nerve, and commented on the difficulty he experienced in keeping the animals alive for even short periods when small doses of methyl alcohol were administered at short intervals.

The experiments of Birch-Hirschfeld upon monkeys are of especial interest, since these animals react toward narcotic poisons in much the same way as does man, and also because the effect of the poison upon the eye can be studied to far better advantage upon monkeys than upon dogs and rabbits. Birch-Hirschfeld describes experiments upon three monkeys; pure methyl (wood) alcohol diluted with several times its volume of water was given in doses of from 3 to 6 or 7 cubic centimeters every one or two days. When it became evident that the animals were at the point of death they were killed in order that the eyes and optic nerves could be obtained in good condition for microscopical study. * * * Two of the monkeys had marked degenerative changes in the retina and one was totally blind. Similar histological changes were found in the retinas of three dogs poisoned by methyl alcohol, although it had not been possible to detect disturbances of vision during life.

Pohl, in his well-known work on the oxidation of alcohol in the animal body (Archiv. f. Exper. Path. u Pharm., 31, p. 281; 1893), stated that chronic poisoning by methyl (wood) alcohol is markedly different from that caused by ethyl and other alcohols of this series.

Hunt's experiments on the subacute effect of methyl alcohol on animals may be summarized in his own words, as follows:

"In all of these experiments the dog which received the methyl alcohol died, while those which received equal or larger doses of ethyl alcohol in exactly the same way recovered. The differences between the action of the two alcohols could probably have been brought out still more strikingly if more attention had been given to the dosage. The results of the experiments upon rabbits agree entirely with those obtained in the experiments upon dogs and show how toxic methyl alcohol is when its administration, in suitable doses, is continued for even a few days. The great difference between the toxicity of methyl and ethyl alcohols might be overlooked entirely in experiments in which only the effects of single large doses were studied."

Hunt, in discussing the effect of the inhalation of wood alcohol, again compares the two alcohols when, in 1925, he said:

"Methyl alcohol is more volatile than ethyl alcohol and the inhalation of its vapors by painters and others has frequently caused death and blindness, one author reporting 68 such cases."

The experiments on which the above comments were made were conducted with methyl alcohol that came from wood distillation. Reid Hunt reports as follows on the physiological action of the synthetic methyl alcohol which is now being sold under the designation methanol (Journal of Industrial and Engineering Chemistry, volume 17, No. 7, page 763, July, 1925):

"I have performed a number of experiments upon animals with the German (synthetic) methanol which you sent me. The results were the same (qualitatively and quantitatively) as those obtained with pure methyl alcohol obtained from wood distillates. The synthetic methanol showed the same characteristic differences from ethyl alcohol. When the two alcohols were given in equal doses the animals receiving a single (large) dose of ethyl alcohol were more profoundly affected, showing a greater degree of incoordination and a greater depth of narcosis, than did those that had received the methanol. When, however, these doses were repeated a few times at 24-hour intervals the differences between the action of the two alcohols became very striking. The animals receiving the ethyl alcohol became less powerfully affected (tolerance), whereas those receiving the methanol became more deeply poisoned with each dose (cumulative action). Thus after the third or fourth administration of a comparatively large dose of methanol the animals passed into a state of coma, in which they died, whereas similar doses of ethyl alcohol had a progressively less effect and could apparently be continued indefinitely without obvious harm.

"Although the lower animals can tolerate somewhat larger single doses of methyl than of ethyl alcohol, it is known that this is not true of man; the more highly developed nervous system of man is more seriously affected by methyl alcohol than is that of the lower animals and permanent blindness has often been reported from single, sometimes small, doses of methyl alcohol, whereas such results are unknown in the case of ethyl alcohol.

"I did not perform experiments to determine the effect of the synthetic methanol upon the eyes of the lower animals. Such experiments seemed unnecessary, for it was shown years ago that it is the methyl alcohol in wood alcohol which causes the injuries to the eye, and since synthetic methanol is simply methyl alcohol and has the characteristic physiological action of the latter, there is no reason to suppose that it would spare the eye.

"It can confidently be predicted that the use of the synthetic methanol as a beverage or as an adulterant will be followed by the same disastrous effects to life and vision as have characterized such uses of wood alcohol. Those who are circulating the report that the synthetic methanol is not poisonous are not only stating an untruth but are assuming a grave responsibility, for death or blindness will inevitably be the fate of a number of those who may be misled by such statements and attempt to use synthetic methanol as a beverage."

Lecturing on "Wood Alcohol" before New Jersey health and labor authorities, on March 11, 1930, Dr. R. H. Price, assistant medical director of E. I. du Pont de Nemours & Co., said:

"Research work was conducted under the direction of Dr. G. H. Gehrmann, of the du Pont Co., in regard to the toxicity of wood alcohol, crude and refined preparations being used as well as both natural and synthetic products. The experimentation upon animals was conducted by Dr. H. F. Smyth. All animals used for testing were kept under observation for at least two weeks before exposure to the alcohol in order to determine their physical health. In tests for absorption by stomach, rabbits were used. In tests for absorption through the skin and for inhalation of vapors, guinea pigs were employed. The conclusions as a result of this work were corroborative of those of Dr. Reid Hunt and other investigators that wood alcohol is capable of producing death, degeneration of kidneys and liver, or blindness, if taken into the body through stomach, skin, or lungs, in sufficient dosage."

One could go on almost indefinitely quoting the results of pharmacologists and physiologists of authority who have worked on the problem of methyl (wood) alcohol from one angle or another. I have before me a digest of the work of some 40 authors other than those quoted, but we must pass on to the consideration of the research work and studies of others who were observing the effects of methyl (wood) alcohol in the hospitals and in private medical practice. As an example, we will quote Tyson, surgeon to the Knapp Memorial Eye Hospital, New York City, who made a report before the American Medical Society for the study of alcohol and narcotics in December, 1915:

"When its vapor is inhaled in a confined space it is just as poisonous as if the same quantity had been imbibed, as evidenced by the many cases of partial or total loss of vision and death observed in workers varnishing the interior of beer vats, in closed rooms, lead pencil varnishers, hatters, metal workers, and others. While a greater number of cases of poisoning have resulted from drinking cheap whisky, etc., where methyl had been substituted for ethyl alcohol on account of its lessened cost, its poisonous effect will assume greater importance in the near

future on account of the occupational health insurance laws about to be enacted, which will concern every industry in which it is used, on account of the possible danger of poisoning from inhalation or absorption while handling it.

"Most drugs after absorption into the blood appear to have a specific action on special tissues; some undergo a chemical change in the liver, while others are retained for a time in the blood stream. Methyl alcohol apparently possesses all three characteristics, manifesting a selective action for the nervous elements, and it is especially observable in those of the eyes. While 90 per cent of the ethyl alcohol absorbed is oxidized into carbonic acid and water in 15 hours, and the remainder being completely oxidized later, only about 40 per cent of absorbed methyl alcohol is oxidized in 48 hours, forming formic acid, 25 per cent is eliminated in the urine, perspiration, and breath, the remainder requiring a longer time for oxidation circulates in the blood stream producing a continuous toxic effect. The organism endeavors to eliminate a considerable part of it through the bile, which after entering the intestines is reabsorbed, thus forming a vicious cycle.

"The difference in the intoxication produced by ethyl and methyl alcohol is that the one produced by ethyl commences quicker and subsides more quickly, while that produced by methyl is slower in its incipiency, more profound and persistent, and slow in recovery, and is decidedly more toxic."

Dr. Carey P. McCord, Industrial Health Conservancy Laboratory, Cincinnati, Ohio, 1929, stated that the toxicity of methanol (wood alcohol) is well recognized. It may enter the body, he says, in toxic quantities through the portals of the skin, the nose in inhalation, the mouth in ingestion.

Dr. David I. Macht, Johns Hopkins University, 1929, says:

"Poisoning from wood alcohol has been known for many years on account of its extensive use in the arts as a solvent for paints, varnishes, etc. * * * In addition to its destructive effects on the optic nerve and the central nervous system, wood alcohol is also very depressant for the heart and blood vessels."

Dr. Raphael Isaacs in the Journal of the American Medical Association, September 11, 1920, says:

"Methyl alcohol appears to act as a respiratory poison, the rate of breathing in severe cases being reduced to six or fewer times per minute and quite shallow. * * * A characteristic feature is dilatation of the pupils which, however, may react somewhat to strong light. With the return of full consciousness the patients usually complain of blurring of vision, noted in from 1 to 12 hours."

Dr. Alexander Comora, reporting seven definite cases of methyl-alcohol poisoning, in the New York Medical Journal, April 3, 1920, emphasized that Dr. Camac of Gouverneur Hospital cautioned the staff to be on the lookout for methyl (wood) alcohol poisoning, and so every unconscious patient brought to the hospital was closely observed for symptoms and signs of wood-alcohol poisoning. He concludes his paper as follows:

"1. A definite clinical diagnosis of methyl-alcohol poisoning is not always possible.

"2. In every unconscious patient due consideration should be given to wood-alcohol poisoning.

"3. A specimen of stomach contents should be taken immediately for a clinical analysis of wood alcohol."

Thus by the pharmacological and clinical investigations of the past 30 years it has been definitely established that wood alcohol, methyl alcohol, methanol, is a violent poison, and an insidious poison, a treacherous substance that reveals its dangerous character by no warning odor or taste, as do some other common toxic agents, like carbolic or prussic acids. In a state of high refinement, such as characterizes the synthetic methanol (wood alcohol) of recent vintage, its odor and taste are unobjectionable and carry no warning of its inherent dangerous properties.

Methanol (wood alcohol) may be classed as a true poison, the toxic-amentum ideal, of which the number is limited. At first thought it might appear that the term "poison" is capable of simple definition and example, but there is hardly any term that baffles explanation as does "poison." Even strychnine and arsenic, which must bear the red label with skull and crossbones, are not at all poisonous under certain conditions of dosage and administration; in fact, they may be distinctly beneficial when properly used. But to the layman they are poisons. We employ bichloride of mercury as a typical application, and at one time, in the form of antiseptic tablets, it was probably the most widely used of any substance for personal hygiene. And there are many other so-called poisonous substances in common use, carbolic-acid ointment, iodine in the form of tincture, atropine to control excessive nasal secretion. The list might be extended, but enough has been cited to demonstrate the difficulty of giving an example of a poison that is always toxic.

In methanol (wood alcohol), however, we have an example of a sure and certain poison, no matter how it is used. Toxic effects come from breathing its vapors, from absorption through the skin when it comes in contact with the body, and, of course, when consumed by mouth, innocently or accidentally. And it is a poison for which there is no known antidote.

As a bearing on the classification of wood alcohol as a poison, it is of interest to record a decision of Hon. Gilbert Bettman, attorney general of Ohio, handed down November 24, 1930, in which, referring to his State law on poison, he states:

"It must be borne in mind that although methyl alcohol is the chemical name for wood alcohol, the term 'wood alcohol' is more commonly used and understood. The statute is, in my opinion, particularly clear in providing that methyl alcohol must be labeled in letters not less than 1 inch in height, 'Wood alcohol.' The obvious purpose of this law is to advise the layman, who perhaps knows nothing of chemical terms, in generally understood language that he is purchasing a substance which he knows is a poison. There may be many persons who might confuse the term 'methyl alcohol' with the term 'ethyl alcohol,' which latter substance is nonpoisonous."

Since the advent of synthetic methanol, cases of methyl (wood) alcohol poisoning have increased to an alarming extent. The wholesale distribution of the substance as an antifreeze has this fall (1930) been responsible for unprecedented outbreaks of typical methyl (wood) alcohol toxemia all over the country in localities where the commodity is sold.

The situation has begun to attract the interest of public-health officials—municipal, State, and national—and the legislators of our Commonwealths and National Congress. Some actions, more or less local, have been taken to educate the public to the dangers attending the use of methanol (wood alcohol), to regulate its traffic, and to curb an epidemic which, if present conditions are allowed to prevail, may assume very serious proportions.

As an example of educational activity, attention is called to the warning issued in poster form by the Wisconsin State Board of Health and the Industrial Commission of Wisconsin in October, 1930, which, after a heading in red letters and a list of names by which methanol is known, continues as follows:

"1. Exercise care in the use of this product as an antifreeze mixture or otherwise.

"2. It is poisonous when swallowed, inhaled, or absorbed through the skin.

"3. Authorities advise that it is a cumulative poison. Frequent repeated small doses induce blindness and larger doses, whether by stomach or lungs, may cause death.

"4. The toxic dose is not large and is easily reached even when amount absorbed daily is too small to induce a noticeable initial effect.

"5. Methyl alcohol boils at 150.8° F., a moderate engine temperature, and therefore vaporizes readily in automobile radiators.

"6. Garage employees and automobile owners should be particularly careful in the use of this product.

"7. Containers should be labeled 'poison' and users instructed as to its hazards."

The question is whether there are any purposes for which methanol (wood alcohol) is now employed that can not be just as well served by solvents that are comparatively innocuous. Of course, methyl (wood) alcohol has an important place in chemical manufacturing as it furnishes the methyl group for developing synthetic bodies, just as ethyl alcohol furnishes the ethyl group where it is needed. But aside from such uses and as the basic substance for the preparation of formaldehyde, it would seem that in our economic life the public health can best be conserved by dispensing with its use to the minimum limit.

Its traffic ought to be regulated as rigidly as is the traffic in other poisons. Where it has to be handled for manufacturing purposes it might be properly denatured and sold under restrictions similar to those which now surround the traffic in the Federal Government's specially denatured ethyl alcohol. Such measures might properly be under national control. In some of our Commonwealths and municipalities there are laws and ordinances limiting the sale of methyl (wood) alcohol and preparations containing it, and providing for certain requirements in labeling, which will set forth its danger as a poison. But there is little or no uniformity in the scope and character of these regulatory measures, and what we need for the protection of the public health are uniform State laws and uniform ordinances in the cities and towns to control the local sale and dispensing.

Such regulatory measures may be obtained when the legislators and city councils have been fully awakened to the seriousness of the situation, and realize the necessity for its control. Without such legislation we may expect widespread outbreaks of methanol (wood alcohol) poisonings, and perhaps epidemic conditions, and it is by resolutions from properly qualified medical societies and health associations that we may hope to impress the authors of our laws with the necessity for protecting the public and to take prompt and proper action of a remedial nature.

In conclusion, and with a bearing on the topic under discussion, it may be of interest to quote an editorial in the Washington Post, November 2, headed "Deadly Wood Alcohol":

"The menace of wood alcohol is attracting the attention of health authorities in all sections of the country at the season when the motorist is preparing his radiator against freezing weather. That this poison is as dangerous to human life when inhaled in the form of gaseous fumes or absorbed through the pores of the skin as it is when taken as a beverage seems to be recognized by health authorities everywhere. The latest warning is from the pen of Dr. Morris Fishbein, editor of the Journal of the American Medical Association, in an article in the Scientific American:

"'If this substance (wood alcohol) is to be used as an antifreeze mixture in the coming winter, employees of garages who will inhale large amounts are likely to suffer injury as a result.

"'Cases have already been reported in which women and children, who have used quick-drying shellac or varnishes made with methanol in closed rooms have suffered harm as a result. In the great spray process used in automobile factories the spraying is done under hoods and employees wear masks, so that they are protected against the hazards. As is usual in modern industries,

the name of the product has been concealed by the bestowing of fanciful names and the average person does not recognize, under the fanciful title, the old, old hazardous wood alcohol.' "

The next paragraph in that editorial refers to the warning of the Wisconsin State Board of Health, which I have already quoted, and the editor concludes with the following significant paragraph:

" 'The Industrial Alcohol Division of the Treasury Department should be given control over the making and distribution of wood alcohol for the protection of the public.' "

INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. CRAMTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Interior Department appropriation bill, with Mr. CHINDBLOM in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14675, which the Clerk will report by title.

The Clerk read the title of the bill.

The CHAIRMAN. At the conclusion of the last consideration of the bill in the Committee of the Whole House on the state of the Union the Clerk had read the bill for amendment to line 18, page 14. There being no amendment offered now, the Clerk will read.

The Clerk read as follows:

For the payment of newspaper advertisements and printing locally of posters of sales of Indian lands, $500, reimbursable from payments by purchasers of costs of sale, under such rules and regulations as the Secretary of the Interior may prescribe.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word.

I do so for the purpose of inquiring under what circumstances are these advertisements made for the sale of Indian lands. It is my impression that the Government sought to protect the sale of Indian lands and to rather discourage it. Are the Indian lands subject to seizure for debt?

Mr. CRAMTON. Oh, no. That is not what is involved. Generally speaking, lands owned by restricted Indians can not be alienated.

Mr. LAGUARDIA. That was my impression.

Mr. CRAMTON. They can not be sold, but there are some cases where heirship lands may be sold, and there might be special cases where Indian lands might be sold, and in such case a public sale is required, and this permits advancing the money to pay for the advertising. The money may have to be paid before the sale, and then after the sale it is reimbursed. It is a small appropriation, and even less than that is used.

Mr. LAGUARDIA. Am I right in believing that the sale of land is rather discouraged than encouraged?

Mr. CRAMTON. Absolutely.

I might take just a minute to make a statement to answer what the gentleman from New York has in mind.

The general policy of the Government now is to hold down on the disposition of their lands by the Indians. From time to time there come waves of a sort of idealistic hysteria that the Government is bureaucratic and arbitrary in its treatment of the Indian, will not let him handle his own property, and they want the restrictions removed. Very well meaning people, very well meaning officials are sometimes affected by that, as was Secretary Lane when he was Secretary of the Interior. So the restrictions are removed from a great number of Indians, as in the case of certain of the Chippewas of Minnesota, and as soon as the restrictions are removed and they have the power, too often they sell the land, waste the money, and soon they are destitute. We have those cycles. Occasionally that idealistic outcry becomes effective, but I think I am justified in saying that the present policy of the Secretary of the Interior, the Commissioner of Indian Affairs, and the policy which our committee entirely agrees with, is to proceed with great caution in removing the restrictions, so that they may not lose their lands.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For the purchase of lands, including improvements thereon, not exceeding 80 acres for any one family, for the use and occupancy of the full-blood Choctaw Indians of Mississippi, to be expended under conditions to be prescribed by the Secretary of the Interior for its repayment to the United States under such rules and regulations as he may direct, $6,500.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word.

I wish to take this opportunity to say just a few words, because later on in the bill there will be some controversial questions, and perhaps the atmosphere may be somewhat tense. Other speakers, during general debate, have taken time to express their tribute for the splendid services rendered by the gentleman from Michigan [Mr. CRAMTON], the chairman of the subcommittee. They were all friends of the gentleman, believing in all things as he does. The RECORD would not be complete unless something is said by a foe, in a political sense, of course. I wish to say, though the gentleman from Michigan and I have differed on one big controversial question, no one can doubt his sincerity and his belief in the righteousness of the cause which he espouses. [Applause.]

I respect his sincerity and his right to advocate his views as we on the other side claim for ourselves. I want to say to the new Members that they can get no better and liberal legislative education in the matter of appropriations and in the functioning of the Department of the Interior than to sit and listen to the gentleman from Michigan as he carries on his legislative duties from day to day in this House. [Applause.] Not only in the material matters of this department, in ditches, canals, dikes, dams, and docks, but in the human side, the care of the Indians, the care of the charges of the Government, education, and up until recently the great Pension Bureau, which came under this department.

I simply want to state publicly and for the permanent RECORD that it will be a distinct loss to the legislation of this House when the gentleman from Michigan leaves us.

Now, with reference to the big question on which we differ, everyone fighting for a cause likes to have able, clean, and fearless opponents. I salute you, Mr. CRAMTON, as a fearless and relentless hard-hitting opponent, but always a clean and fair fighter. [Applause.]

Mr. BLANTON. Mr. Chairman, in my judgment, the United States Government has suffered a distinct loss in the failure of our colleague from Michigan [Mr. CRAMTON] to be reelected to the next Congress. His far-away constituents certainly could not have been aware of his splendid services here, most valuable to all of the people of the United States. I have never in my life seen a public servant work harder, more zealously, or more faithfully in the performance of his duty than Mr. CRAMTON has done.

When I have incensed the Republican leaders from time to time by things I have said on the floor, and they have retaliated by attempting to punish me, the gentleman from Michigan, being a regular Republican, has with only one notable exception always voted with the Republican organization against me; but, notwithstanding that fact, I have been his friend; I have been one of his followers and one of his great admirers.

There has not been a man in this Congress who has been baselessly cussed more by the Washington newspapers than has Mr. CRAMTON, and yet there has not been a man who has ever served in this Congress who has done more for the District of Columbia and for the people of Washington in a constructive way than has Mr. CRAMTON. He has worked tirelessly and jealously to make Washington the most beautiful city in the world. He is a man who has been absolutely fearless in the discharge of his duties. He has been condemned from time to time by the selfish Washington newspapers because he would not wear their yoke and obey

their orders, because he stood for the best interests of the people of the United States. He stood their vitriolic abuse alone sometimes, and yet he has done it fearlessly and he has never quailed. When many Members have been on vacations in the hot summer time, recuperating and relaxing, Mr. CRAMTON has been traveling over the United States studying Government projects in the interest of the people.

I want to add my little tribute to him. I hope that some day in the near future he will come back here. Our Government needs him. Something has been said about providing now a position for him. There is not any position within the gift of the administration to-day that is too good for him and which he could not worthily fill. He is most competent. I hope he will get the very best there is to be given out, and I also hope that some day he will come back and again help serve his country. [Applause.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

For purchase of land, city water service connection, installation of pipe and hydrants, and erection of standpipe with necessary protective structure for the Indian colony near Ely, Nev., as authorized by and in accordance with the act of June 27, 1930, $1,600.

Mr. ARENTZ. Mr. Chairman, I move to strike out the last word. I notice on page 19, line 18, the language:

For purchase of thresher, binder, hay baler, and other farm equipment.

I am rising to my feet at this time for the purpose of directing the attention of the Commissioner of Indian Affairs and everyone in the Bureau of Indian Affairs to the fact that there are Government farmers employed on nearly every reservation, who should be directed in their efforts so they may be of greater use to the Indians—the people these Government farmers are hired to direct and assist. These items bring to mind the fact that there are farmers on Indian reservations who would like to get a little encouragement from such Government farmers. I visited several Indian reservations during this past summer, and I find that a change should be made in some instances and in others these Government farmers should be directed in their efforts so that they may be of greater use to the Indians, exert greater interest in their jobs, and be supervised to the end that real service to the Indian farmers or herdsmen will be accomplished. I saw immediately in front of the superintendent's house on several reservations which I visited and I saw in front of the general store on the reservations a plot of ground that at one time was in alfalfa but which is now spotted like an old carpet, indicating to the average visitor that it might have been alfalfa at one time, but has not received any notice from anybody in, possibly, a 10 or 15 year period. I think the Government farmers on Indian reservations should do something for the Indians. I think they should, at least, show the Indians how to work. I dare say, however, that on most of the reservations in the United States the Government farmer lacks either the incentive or the direction. I think some of these farmers have lost interest in their jobs. Some one in authority in the Indian Service should be able to discern this state of affairs and either shift, disconnect from the service, or instill some measure of spirit in the Government farmer.

I am saying these things for the purpose of directing the attention of the Commissioner of Indian Affairs to the fact that something must be done to encourage the Government farmers to do something which will help the Indians. If the commissioner does not do it, I hope I will be able to offer an amendment to the next appropriation bill which will eliminate some of these Government farmers from these Indian reservations. I think some good can be done by these farmers. I think these farmers can encourage the raising of livestock. On one Indian reservation which I visited there was not a hog. I saw few chickens and few milch cows, yet the farmer is there to try to do something for the Indians. I want all these farmers to do what they are hired to do, and I suggest they may learn a great deal by watching the operations of Farm Bureau agents.

I am a friend of the Indian. I want to be an active friend to these Government farmers, but I insist that they "deliver the goods." I want to see the Indian helped, and I hope the Commissioner of Indian Affairs and everyone who is associated with him, when they make a trip to the Indian reservations, will see that the Government farmer is doing something along the line for which he was hired.

Mr. CRAMTON. Mr. Chairman, speaking in opposition to the pro forma amendment, since this particular paragraph has been mentioned, I think I should explain that the money involved in this Nambe Pueblo item results from decisions made by the Pueblo Lands Board, which has held certain moneys due these Indians, and after those decisions the money is held in the Treasury until appropriated in some manner for their benefit. This expenditure as to those Pueblo lands is in accordance with the desire of the Indians.

As to the much wider question which the gentleman from Nevada has discussed, there is a great deal of force, of course, in what he says. With his knowledge of conditions in the West he has general knowledge of the subject. The Indian Bureau, however, has already taken steps to correct the situation complained of.

There were formerly farmers supposed to teach the Indians how to farm. In the visits of our committee to the West we got the impression that while some of those farmers had capacity and were effective and were producing results, others did not have enough ability themselves to be able to teach the Indian anything. As a result, two or three years ago our committee provided an appropriation for a better-trained class of agricultural instructors, more nearly of the type that is found in the extension work generally in the country with other farmers.

This year the Indian Service urged upon our attention the need of more funds to give more emphasis to this work, not only through better-qualified men but also to give them enough money for clerks at field agencies so the farmer could do the work he is supposed to do instead of acting as a clerk. For some years we have cut down so closely on administration funds that the farmer in many cases was allowed no time to do that work, but instead was performing some clerical function, and this bill carries additional money so that we expect in the year 1932 that anyone who is on the roll as a farmer will be devoting his time to that work and not to something else; and in the hearings the gentleman will find quite a considerable discussion of this very problem.

The only other thought I want to present, suggested to me by the gentleman from Nevada [Mr. ARENTZ], is this: What the gentleman says about not finding hogs or cows or chickens on an Indian reservation does serve to emphasize not only the responsibility that is on the farmer who is trying to teach them and lead them, but also emphasizes the difficulty of his job in many cases. One trouble about the Indian keeping stock like cows and chickens that need care and attention is that so often the Indian, when he hears about a medicine powwow or a dance or a rodeo, or something of that kind, he and his family pack up and go off and leave whatever livestock they have, and if he had a dozen milk cows on the place he would just go on off to the rodeo and be away for a week, and his stock, of course, would suffer accordingly. There are many reservations where this would not happen and where the gentleman will find some good stock, but in the cases where they have not advanced enough so that they are willing to stay home and take care of their stock there is not much use urging them to buy it or lending them money with which to buy.

Mr. SNELL. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I have been a little disturbed about the position the House took on the Wood amendment in the last appropriation bill. I understand the same amendment is coming up on the present bill.

I am one of the Members of the House that always follows the Committee on Appropriations, or practically always, and I presume I would follow them in this matter to the last ditch if it were absolutely necessary; but when that

amendment was before the House last week I did not fully understand it.

While I do not know that it is necessary or a good thing at this time to increase salaries, on the other hand, when we are appropriating money as lavishly as we appear to be doing at the present time, I do not know that it is a mistake to increase some poor fellow in the Government service $5 a month. I am not quite sure but what we went too far when we said they could not use the lapses that come about in the service for the adjustment of salaries within the grades, and I wish the members of the Committee on Appropriations themselves would reconsider this question to a certain extent and take into consideration all the conditions that exist at the present time and see if they can not be a little more liberal and at least allow the different bureaus to use the lapses for the increasing and readjusting of salaries within the different grades.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. SNELL. I will be very pleased to yield to the gentleman.

Mr. CRAMTON. While I hope we will not get into any lengthy discussion of this feature of the bill until it is reached, in view of the gentleman's suggestion I think I should bring to his attention the effect of what he suggests, not as an argument for or against it, but to let the House know what is the effect of what the gentleman has suggested, which sounds like a very simple and innocent matter.

Mr. SNELL. I think that is exactly what we ought to know.

Mr. CRAMTON. If the gentleman follows that course and does not provide any money for increases, but allows the various bureaus in the Government to increase salaries where funds are available through lapses, this will be the effect: What a lapse means is that if there is $100,000 in a certain item of the bill for pay roll in a certain bureau and there are a certain number of employees to take up that $100,000 and one of those employees dies or resigns or is retired, his $1,500 or $3,000 or $5,000, or whatever the salary is, lapses until somebody is appointed to succeed him; and if no one is appointed, under the gentleman's suggestion the bureau chief in that case could use that $3,000 or $5,000 to give various employees an increase of salary out of that item. The trouble with this is twofold. First, there is a direct encouragement to the bureau chief not to make the needed appointment in order that he may have money to raise some salaries out of that item.

The second one is this: There are items that are large—if an item has three or four hundred thousand dollars in it for salary the chance of somebody dying or resigning is much greater than in an item where six or eight men are employed. They have for years after this reclassification act been raising salaries out of some lapses, and the item where it is possible to increase salaries through lapse sums are the fellows who are getting the best salaries now. The fellows who are not getting a square deal to-day, this year and last year, are the fellows who have to be paid out of some small item or pay roll where there are no lapses.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CRAMTON. I ask that the gentleman be given five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CRAMTON. Now, in these cases where there are only a few on the pay roll and there are no lapses, they are the fellows most deserving who should get some increase in pay, and they are the ones who, under the gentleman's suggestion, would have to go without.

Mr. SNELL. But has the committee remedied the situation by not allowing them to do anything? There are always injustices, and always will be as long as man is fallible.

Mr. CRAMTON. My disposition is to give the first consideration, if there is to be any distinction, to those most deserving.

Mr. SNELL. I agree with the gentleman.

Mr. CRAMTON. If the gentleman will give consideration to those most deserving, if the Congress wants to stop salary increases—it said the other day that it did—let it apply to everybody. If they want to give salary increases—I have not gotten to the point where I am in favor of withholding them from those who are deserving and increasing the salaries of those who are less deserving.

Mr. SNELL. As a matter of fact, if you appropriate the same amount of money this year as you appropriated last year, you would not give any increase?

Mr. CRAMTON. Absolutely; yes.

Mr. SNELL. If they want to do the same work with less men and let other men get more pay, I am willing.

Mr. CRAMTON. That is not quite correct. If you have a lapse of a salary of $5,000 on a certain pay roll, and they need to refill the position, they give this man $200 increase and that one $200 increase and use it up, and then come to Congress—these salaries are only for one year—they come to Congress and say, "We have not enough men to keep up the work, and we have to have another man." So the next year you pay the bill.

Mr. SNELL. I appreciate the fact that there will always be some inequalities and some injustice as long as you leave it to an individual man to decide the amount. But, according to our plan of things, you have to do it that way.

Mr. CRAMTON. You do not have to do it in that way.

Mr. SNELL. You can not have a statutory limit for every individual salary.

Mr. CRAMTON. I think Congress made a tremendous mistake when it passed the reclassification act.

Mr. SNELL. But it has passed it, and it is on the statute books, and I think we should be governed by it.

Mr. CRAMTON. They might have passed an act applying the act to salaries of $3,000 or less, $4,000 or less, but when they let it apply to all alike it was a great mistake.

Mr. SNELL. The men who are getting four or five thousand dollars, some of them, are getting less than they can receive for the same services outside, and so they go into private employ. We do not want to lose them. I am willing to take the statement of the gentleman from Michigan; he has given more study to the subject than I have. I expect to stand by the committee, but I do hope the committee will give this proposition further consideration and see if they are not willing to be more liberal.

Mr. CRAMTON. I understand the item is in this bill because of the general policy adopted by the full committee.

Mr. SNELL. I appreciate that.

Mr. CRAMTON. When the item is reached, then, I should hope the chairman of the committee, Mr. WOOD, will be present, and that he would perhaps debate it with the gentleman. That is one reason why I prefer it should come up in that place in the bill instead of at this time.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LAGUARDIA. Mr. Chairman, I rise in opposition to the pro forma amendment.

I am glad this matter came up in this manner just now. It is very encouraging to hear the distinguished gentleman from New York [Mr. SNELL] take the stand that he did. I was greatly encouraged up to the time he said he would vote with and stand by the committee if it went to a vote. I am sure it will go to a vote, and I hope the distinguished gentleman will then be voting with us.

Mr. SNELL. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. SNELL. We must have an organization here. The real responsibility is on the Appropriations Committee, and I think we should support them as far as possible. I have explained my position, and I hope the committee will relent. I think perhaps it will.

Mr. LAGUARDIA. I am only doing what the gentleman has been telling me and preaching to me for 12 years. I am standing by the party and the President, and the Appropriations Committee is not. I am standing by the administration, and the committee is not.

Mr. SNELL. I hope the gentleman always will.

Mr. LAGUARDIA. I can not promise that.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. TAYLOR of Colorado. This clause is in the bill 100 pages from where we are reading now.

Mr. LAGUARDIA. Please do not take my time on that.

Mr. TAYLOR of Colorado. It seems to me we should not be compelled to argue it for three days here. Why does the gentleman not wait until we come to the section of the bill where the item is contained, and have this general debate all at one time?

Mr. LAGUARDIA. Because I want it to soak in.

Mr. TAYLOR of Colorado. Does the gentleman think it will require two days to soak in?

Mr. LAGUARDIA. It will perhaps take all of this session, but it is going to soak in eventually, because the position of the committee is wrong, and it can not be made right by shutting off debate.

Mr. TAYLOR of Colorado. Does the gentleman want to argue it on every section of the bill?

Mr. LAGUARDIA. I intend to argue it until the vicious section is taken out of the bill; until I make a nuisance of myself, if necessary, because I know I am right and the gentleman is wrong, and nothing can change the situation.

Mr. TAYLOR of Colorado. The gentleman can not take it out of the bill before we get to it.

Mr. LAGUARDIA. Very well. I just want these figures to soak in.

A great deal was said about the four and five thousand dollar employee. Permit me to say that in this bill—the Interior Department appropriation bill—there are right here in Washington 1,181 employees who are getting from $1,620 down. In this department in the field service there are 5,868 Government employees who are getting from $1,620 down. Those figures can not be contradicted, because they come from the Department of the Interior. So this talk about $4,000 and $5,000 men is simply to becloud the issue.

Permit me to give more figures. I am glad of the opportunity to do so. In the entire Government service there are 47,377 employees in Washington and 98,659 in the field, and, in Washington, 38.7 per cent, almost 39 per cent of the 18,251 employees, are getting $1,620 or less. Let the committee contradict those figures if it can. In the field service 39,594, or 40 per cent of the total employed, are getting $1,620 or less.

Now, those are the figures from the gentleman's own department. I want to say to my Republican friends right now, not only is this recommendation of the committee of doubtful legality but it is not ethical.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LAGUARDIA. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

Mr. CRAMTON. Mr. Chairman, reserving the right to object, which I regret I shall be obliged to do, this item will not be reached for 100 pages. It may not be reached today. The Members who are here now may not be here to vote——

Mr. LAGUARDIA. I will relieve the embarrassment of the gentleman by withdrawing the request.

The CHAIRMAN. The gentleman from New York withdraws his request for additional time.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Industrial assistance: For the construction of homes for individual members of the tribes; the purchase for sale to them of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support, and Indians having irrigable allotments to assist them in the development and cultivation thereof, payable from tribal funds on deposit as follows: Fort Apache,. Ariz., $50,000; Fort Lapwai, Idaho, $25,000; Yakima, Wash., $25,000; in all $100,000; and the unexpended balances of the appropriations under this head contained in the Interior Department appropriation act for the fiscal year 1931 are hereby continued available during the fiscal year 1932: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1937, except in the case of loans on irrigable lands for permanent improvement of said lands in which the period for repayment may run for not exceeding 20 years, in the discretion of the Secretary of the Interior, and advances to old, disabled, or indigent Indians for their support, which shall remain a charge and lien against their land until paid: *Provided further*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1932 shall be credited to the respective appropriations and be available for the purposes of this paragraph.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

I wish to inquire of the chairman of the subcommittee as to the extent to which this appropriation is availed of for the education of the Indian youth in colleges and universities?

I might say in that connection that it was represented to me at home, following the election, that the Menominee Indians have great difficulty in securing higher education for their youth, and they advanced that as an argument for a bill that they are supporting to incorporate the Menominee Indian Reservation.

After the gentleman has answered the first question I would like to have the gentleman give to the House the benefit of his views as to whether we should create private corporations for the government of Indian reservations which are still maintaining their tribal relations and allow them to work out their own destiny.

Mr. CRAMTON. May I answer the more important question first——

Mr. STAFFORD. The more important is the education of the youth.

Mr. CRAMTON. No; because that is embraced within the other.

I am absolutely opposed to any incorporation scheme that has yet been advanced, as every scheme of that kind that I have seen proposed has been so framed that sooner or later, with the passage of time, somebody else other than the Government or the Indians would be running the property of the Indians for them, and if anyone except the Indians themselves are to have charge of Indian property, I think it would better be the United States Government.

Mr. STAFFORD. I thought the gentleman meant under the two or three bills that have been introduced providing for the incorporation of all the affairs of a tribe, the Indians themselves would have the privilege of governing themselves and a determination of their own affairs.

Mr. CRAMTON. There has been no bill drafted for the Menominees. A bill was drafted for the Klamath Indians, and I think there is scarcely anybody now who favors that. That was so framed as to have bad results.

Mr. STAFFORD. I may say that there was submitted by a representative of the Menominee Indians the Klamath bill, substituting the tribe of Menominee for the Klamath Indians.

Mr. CRAMTON. If the gentleman will study that bill, I am sure he would not think it wise.

Mr. STAFFORD. Did the gentleman state it had bad results?

Mr. CRAMTON. Oh, no. I think it would have bad results. I think that the more people study it the more they are against it. I think there are more against it than there are in favor of it.

Mr. STAFFORD. The League of Women Voters of my city, as I have been advised by a friend of mine who attended the meeting—I was not invited; I was very likely overlooked—had a representative or two of the tribe of Menominee before them, in which the orator pressed strong consideration of this incorporation bill, and I am informed that the good women attending that assemblage were rather favorably impressed.

Mr. CRAMTON. Oh, yes; I think they would do it, because it is presented with a glamor that is hardly well

founded, but that kind of a presentation did not reveal the defects of the plan.

Mr. STAFFORD. It was at that meeting that the representation was made by this representative of the Menominee tribe that they can not even give their youth higher education under the present practice of the department.

Mr. CRAMTON. Let us answer that. The Menominees have this undivided fund that belongs to the tribe, amounting, as I understand it, to four or five million dollars, beside large timber interests that are bringing in a constant income. The timber should be so administered that the tribe should have that income for a long time to come. At the suggestion of the gentleman from Wisconsin [Mr. SCHNEIDER] last year in the deficiency bill this language that we now refer to was inserted, or similar language, in the tribal funds provision, so that in the discretion of the Indian Bureau any Menominee boy or girl who is prepared to go to a higher institution of learning for education, industrial or otherwise, can borrow money belonging to the Menominees from the tribal funds, get his education, and then repay that money within eight years after he has established himself and is self-supporting. I believe that is a splendid provision.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CRAMTON. It was the gentleman from Wisconsin [Mr. SCHNEIDER] who called the matter to my attention, and I had this language prepared for the tribal item, and it seemed to me it might very well also appear in this reimbursable industrial assistance item. It is one way of providing for their industrial independence.

Mr. STAFFORD. How generally has this or any other fund been used for higher education, college or university education, of the Indian youth?

Mr. CRAMTON. In my judgment, it can not at an early date wisely be very widespread. In the first place, the number who have the education to qualify them for admission to such institutions is not large, and of them it should be extended only to those that in the judgment of the bureau will make good use of it and repay the money.

Mr. STAFFORD. In recent years it has not been the policy of the Bureau of Indian Affairs to provide so-called college and university education for Indian youth?

Mr. CRAMTON. No; it is only the exceptional case. As I stated in my statement Monday, under this particular provision two are now in such institutions, one of them Ben Reifel, from the Rosebud Reservation, who is majoring in agriculture at the Agricultural College at Brooking, S. Dak., and Emily Phillips, of the Colville Reservation, who is taking a general college course at the Washington State College. The practice will not be large, but I think real progress is made when even those two are found to be availing themselves of this provision.

Mr. STAFFORD. Then there has not been any general demand during the supervision by the gentlemen of Indian affairs appropriations for the higher education of the Indian youth?

Mr. CRAMTON. This is probably the first definite step in that direction; but this, the gentleman will note, is in the nature of a loan, to be repaid within eight years.

Mr. STAFFORD. Similar to the policy that is in vogue in our universities of advancing money to be repaid by students after they get out into the world and are able to repay?

Mr. CRAMTON. And similar in this case to the provision that has obtained for many years of advancing money with which Indian farmers buy seed or tools and repay the money within five years. In this case we provide for industrial independence in a different way, but I think it is wise.

Mr. STAFFORD. I see my colleague from Wisconsin [Mr. SCHNEIDER], who is responsible for the incorporation of this provision, rising, and perhaps he can give us some information, particularly as to whether there is much demand from the youth of the Menominee Reservation to avail themselves of this fund.

Mr. SCHNEIDER. There is such a demand by those Indian boys and girls who are graduates from the high schools. Unfortunately there is but a small number of Indians who have high-school education. Adjacent to the Menominee Reservation there are two high schools, which these young Indians attend. When they get out of the high school many of them want to go to a university. They want to take agriculture or forestry or some other course, and they have not the money themselves, and hence we have provided in the appropriation bill to permit them to use this reimbursable fund.

Mr. STAFFORD. Does the Menominee Tribe look with favor upon advancing this money for this purpose?

Mr. SCHNEIDER. They do; but I call the attention of the gentleman to the fact that there are very few Indian boys or girls anywhere who ever get a high-school education, because of the fact that there is no provision for that higher education, and there are hundreds of Indian children in Wisconsin who are getting no education at all, so far as the Bureau of Indian Affairs is concerned.

Mr. STAFFORD. That is a startling statement made to the membership of this House, that the Indian youth of this country have not had the advantage heretofore of even securing a high-school education.

Mr. CRAMTON. Oh, I think it is not a remarkable thing when we know that very generally the Government is providing the fundamentals and has been gradually building the institutions up so that there are many that run to the tenth grade and several that go to the twelfth grade.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. CRAMTON. Mr. Chairman, I will ask for recognition in opposition to the gentleman's pro forma amendment. It is quite easy to make statements here and throw up your hands in holy horror in criticism of the Government, but a little knowledge of the facts takes some of the edge off. In the first place, those Indian children in Wisconsin, if they are in reach of any public high school, ought to be admitted there. In the second place, the policy of the Government is to encourage such attendance where it is possible and feasible. Furthermore, though we are conducting these boarding schools, I do not believe that in Wisconsin either of those schools goes beyond the tenth grade.

Mr. SCHNEIDER. About the eighth grade.

Mr. CRAMTON. Yes. But the fundamentals have been the first thing sought, and the system is developing.

Mr. STAFFORD. Are the high schools at Shawano and other near-by cities open to the Indian youth?

Mr. SCHNEIDER. Surely.

Mr. STAFFORD. That being so, why are not these Indian youth availing themselves of the public high schools?

Mr. SCHNEIDER. Because these Indian youth live several miles away and have no way of getting there.

Mr. STAFFORD. In Wisconsin we are providing bus service for our public-school pupils.

Mr. SCHNEIDER. But I call the gentleman's attention to the fact that those schools are not going to furnish vehicles for the transportation of Indian children who are living on reservations.

Mr. STAFFORD. Why does not the Menominee Tribe provide a vehicle with which to take them there?

Mr. CRAMTON. I will say in my own time, since these gentlemen from Wisconsin are so much interested, that the biggest service which the congressional delegation from Wisconsin could render the Menominee Indians is to urge that there be more of law enforcement in the community adjacent to the reservation. I will not go into details, but I will content myself with that statement. I could supply more details.

Mr. STAFFORD. I think the gentleman owes it to the House to supply them, because no one here is in favor of vile conditions surrounding Indian reservations. I may say to the gentleman that the Menominee Indian Reservation is a couple of hundred miles from the district I represent.

Mr. CRAMTON. That is so; and hence I am not including the gentleman's district; but I will say that I do not know of any situation that has been worse in territory adjacent to an Indian reservation than that adjacent to the Menominee Reservation in Wisconsin.

Mr. BRIGGS. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. BRIGGS. I understood the gentleman in his remarks in general debate a day or two ago to indicate that these advancements were open to all deserving and worthy Indian youth approved by the Indian Bureau, without regard to tribal funds. In other words, as I understand, they come out of gratuities.

Mr. CRAMTON. There are two items with reference to industrial assistance, reimbursable. One is from the Treasury of the United States for those Indians who do not have tribal funds, and the other is from tribal funds, where such funds exist.

Mr. BRIGGS. In other words, it is open to both.

Mr. CRAMTON. Yes. But manifestly in its administration the bureau must use discretion in the approval of applications.

Mr. BRIGGS. I understand that.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For reconstruction and repair of the fence along the international boundary line between Mexico and the Papago Indian Reservation, Ariz., $15,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Here is a novel provision. I did not know we had any fences along the boundary line, either on the Mexican border or the Canadian border. The only border line I have ever gone across was not marked by any character of construction.

Mr. CRAMTON. The gentleman was wise in the selection of a place to cross.

Mr. STAFFORD. The railroads selected my crossing. I did not even travel like the gentleman does, by automobile.

Mr. CRAMTON. On the Mexican border I do not know whether it is all fenced, but there is considerable fencing. I remember an item some time ago for the town of Nogales. The main street of that town is the boundary line, and a little while ago we made an appropriation of money to build that fence in the middle of the main street.

Mr. STAFFORD. What is the character of the fence—is it of steel or wood construction?

Mr. CRAMTON. It is a fence to keep people out and it is effective for that purpose.

Mr. STAFFORD. Not barbed wire?

Mr. CRAMTON. The gentleman from Arizona [Mr. DOUGLAS] could give the details.

Mr. STAFFORD. We do not have any such character of construction trying to keep out the Canadians, I am quite sure, on the Canadian border.

Mr. CRAMTON. I may say as to this item, there was a fence here and it is to be reconstructed. The Indians are interested in it. Their stock is involved, and they are furnishing the labor and we are furnishing the supervision and material.

Mr. STAFFORD. Then the committee is led to believe that there is need for a fence along the Mexican border to keep out the greasers and other undesirables?

Mr. CRAMTON. It is the boundary of the Indian reservation.

Mr. STAFFORD. The gentleman can not say how extensive that international boundary fence is?

Mr. CRAMTON. This has to do with about 15 miles. The whole fence is about 65 miles in length.

Mr. STAFFORD. That is very interesting information.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For all purposes necessary to provide an adequate distributing, pumping, and drainage system for the San Carlos project, authorized by the act of June 7, 1924 (43 Stat. p. 475), and to continue construction of and to maintain and operate works of that project and of the Florence-Casa Grande project; and to maintain, operate, and extend works to deliver water to lands in the Gila River Indian Reservation which may be included in the San Carlos project, including not more than $5,000 for crop and improvement damages and not more than $5,000 for purchases of rights of way, $600,000, reimbursable as required by said act of June 7, 1924, as amended, and subject to the conditions and provisions imposed by said act as amended.

Mr. CRAMTON. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: On page 30, line 22, after the word "amended," insert a colon and the following:

"*Provided*, That with the exception of $150,000 for the maintenance and operation of the project, no moneys herein appropriated shall be available unless and until a repayment contract, as required by the San Carlos act (act of June 7, 1924, 43 Stat. 475–476), shall have been entered into in which repayment contract there shall be included only sums appropriated after the approval of the San Carlos act, and such of the costs of the Florence-Casa Grande project as may be payable as costs of the San Carlos project, due to effecting by the Secretary of the Interior, in whole or in part, a merger of the two projects as authorized by the act of March 7, 1928 (45 Stat. 200)."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment for the purpose of allowing the gentleman to explain this rather complicated amendment.

Mr. CRAMTON. I thank the gentleman, and I am glad to explain the amendment to the gentleman. I do not admit it is subject to a point of order, but I am pleased to make this statement.

The San Carlos project has to do with about 100,000 acres of land in southern Arizona, approximately 50,000 acres white-owned land and about 50,000 acres of Pima land. The Pima Indians are farmers. They were irrigationists before the whites saw America. They were in desperate condition, and the law authorizing construction of this project passed Congress in 1924, and as a part of that project what is known as the Coolidge Dam has resulted. The construction of the project is pretty nearly complete. There only remains certain canals and laterals.

At the time the act of 1924 was passed, when the gentleman from Arizona, now Senator HAYDEN, was a Member of the House, I was permitted to draft some amendments that very largely rewrote the provisions of that act, and my familiarity with it began naturally then.

This act provided that before the project should serve the white lands the white districts should execute a repayment contract under certain terms, and it will interest the gentleman from Wisconsin to know that in that case the law provided amortization of the cost by these white lands in 40 years, with interest. This is an exception in our irrigation projects, in that these white lands under that contract must agree to repay with interest.

The construction was commenced. Of course the dam, the reservoir, and the main canals serving Indian lands as well as white lands, the construction could not well be deferred just because the whites had not given a contract. So the construction has gone on year by year.

I think in 1928 the department suggested some language that went in the bill that authorized the Secretary of the Interior to consolidate this new San Carlos project with an existing project known as the Florence-Casa Grande. If I am incorrect, the gentleman from Arizona [Mr. DOUGLAS] will correct me.

Mr. STAFFORD. Do I understand that a contract was entered into at that time?

Mr. CRAMTON. No contract as yet. There was the old project, the Florence-Casa Grande, and in 1928, since that was to be entwined with the new one, there was authority that they should consolidate them and provide for repayment accordingly. Last year the committee inquired why there was no contract, and the committee said if there was not a contract pretty soon we would shut down on the money. This year we took up the item and found that there was still no contract with the white lands. We went into it at some length. We found that the fault was not at all with the white district, that the Interior Department had been unable to agree in itself as to the terms of the contract

in question. The legal representative in the field, who has been in touch with these problems for several years, held that the original act, the act of 1928, required one thing and the solicitor of the department made a finding of a different result.

I want to call attention to the statement in the hearing in the form of a letter signed by Senator HAYDEN and the gentleman from Arizona [Mr. DOUGLAS]. The statement they make covers the situation.

The language in controversy in the Interior Department revolves around the question of what charges shall the whites be required to pay. They have got about half of the land, and they have to make about half of the payments.

There is a good deal of history connected with it which I will not state, but will give you the nub of it. There are expenditures of a large amount which have been made in the past that were exclusively for the benefit of these Indian lands. Other works have been constructed that were for the joint benefit of the whites and the Indians. Some of the works constructed by private enterprise were exclusively for the white land.

The proposition on one side was that as to some of these existing charges, aggregating something over a million dollars, originally expended for the benefit of the Indian lands, not of any present value to those lands, and never intended to serve the white lands, should be included in the charges against the white lands.

Now, it was not my theory, and I think I am justified in saying it was not the theory of the committee, that the contract with the whites should include this "dead horse" with reference to Indian lands. The question the Congress has to-day about the "dead horse" is for Congress to decide in reference to this contract. So our committee asked the Indian Bureau to consult with the solicitor and other gentlemen, including Mr. Truesdale, and tell us what they thought ought to be done, regardless of technicalities which might have occurred in the act of 1928.

As a result they recommend two things: First, as to the white contract, that this language should be clarified and make it clear that the white contract is not to include the "dead horse," on the Indian lands. Secondly, they recommend that the Indians be relieved of certain past payments that are not of any present value. This item, we think, is a proper limitation and we are proposing it at this time. The other provision with reference to the adjustment of Indian charges we did not feel was proper to include here, and it is my understanding that the gentleman from Arizona [Mr. DOUGLAS] has introduced a bill to accomplish that part of it, and that bill will go in the regular way to the Indian Affairs Committee, and in due time be considered by the House.

Now, may I be permitted to make a further statement: It does happen that ever since 1924 I have given a great deal of attention to the project, and it did seem to me that this is the proper limitation, and that we were justified in bringing it in, and because of my familiarity with the whole proposition I wanted to see it closed up before I retired from the scene.

Mr. STAFFORD. Mr. Chairman, the amendment seems rather intricate as read from the Clerk's desk. Is the purpose to permit the bureau to enter into some agreement with the owners of the "white lands" so that they may take water from the Coolidge Reservoir?

Mr. CRAMTON. Yes. That was the original purpose of the reservation. It was originally intended that that dam and reservoir should serve about 50,000 white acres and 50,000 Indian acres.

Mr. STAFFORD. So the gentleman stated, and that has not been used for that purpose, because the white users did not enter into the contract?

Mr. CRAMTON. Yes.

Mr. STAFFORD. Has any of the water been used by the white owners of the land?

Mr. DOUGLAS of Arizona. If the gentleman from Michigan will permit, by the use of the irrigation ditches existing prior to the construction of the San Carlos Dam a certain amount of water has been used.

Mr. STAFFORD. They have not received the benefits of any additional water by virtue of the building of the reservoir?

Mr. DOUGLAS of Arizona. I would not like to state definitely yes or no with respect to that question, but it is my understanding that the amount of money that has been used by the white lands along the San Carlos is that amount which has been conducted by ditches or canals in existence prior to the passage of the act of June 7, 1924.

Mr. CRAMTON. There has been no new construction that was solely for the purpose of furnishing water to the white lands. The Indian lands lie well below the white lands, and, of course, in building the dam and the main canal that went by the white lands to the Indian lands, we could not stop the construction without holding up the Indians as well as the whites. I started in the hearings thinking the whites were responsible, and I was prepared to take drastic action against them, but we found that they are not at all responsible. No contract has yet been presented to them. What we propose is construction of language more than anything else. It does just what I believe the existing law requires, but the solicitor from the department does not agree as to that.

Mr. STAFFORD. Do the owners of the white lands avail themselves now of the additional water from the San Carlos project?

Mr. DOUGLAS of Arizona. Not until the repayment contract as provided for in the act of authorization; that is, the San Carlos act of June 7, 1924, shall have been entered into as provided in that act.

Mr. CRAMTON. But as I understand it, if this qualification of language goes through and the snarl in the department is disposed of and a contract like this is presented to the white, they will immediately sign it.

Mr. DOUGLAS of Arizona. Exactly. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. DOUGLAS of Arizona. This language meets with the approval of the department and is what the department wants. Or, as I understand it, this language would permit the department to do exactly what the department wants to.

Mr. STAFFORD. And that the users will avail themselves and enter into an agreement under the 1924 law?

Mr. DOUGLAS of Arizona. Exactly.

Mr. STAFFORD. Mr. Chairman, after the lucid explanation of the gentleman from Michigan [Mr. CRAMTON], I withdraw the reservation of a point of order.

The CHAIRMAN. The reservation of the point of order is withdrawn. The question is on the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The Clerk read as follows:

For operation and maintenance of the irrigation systems on the Flathead Indian Reservation, Mont., $18,000; for continuation of construction, Camas A betterment, $10,000; beginning construction of Lower Crow Reservoir, $90,000, together with the unexpended balance of the appropriation for completing the Kicking Horse Reservoir contained in the Interior Department appropriation act for the fiscal year 1931; beginning Pablo Reservoir enlargement, $85,000; lateral systems betterment, $25,000; miscellaneous engineering, surveys and examinations, $5,000; purchase of reservoir and camp sites, $55,000; for the construction or purchase of a power-distributing system, $50,000; in all, $338,000: *Provided*, That the unexpended balance of the appropriations for continuing construction of this project now available shall remain available for the fiscal year 1932 for such construction or purchase of a power-distributing system: *Provided further*, That in addition to the amounts herein appropriated for such construction or purchase of a power-distributing system the Secretary of the Interior may also enter into contracts for the same purposes not exceeding a total of $200,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for such purposes shall be considered available for the purpose of discharging the obligation so created: *Provided further*, That the funds made available herein for continuation of construction shall be subject to the reimbursable and other conditions and provisions of said acts: *And provided further*, That upon execution by the Jocko and Mission districts of repayment contracts in pursuance to existing law the operation and maintenance charges for those districts for the irrigation season of 1931 shall be covered into construction costs.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph just read.

Mr. CRAMTON. Mr. Chairman, I desire to offer an amendment to that paragraph. Will the gentleman state the point of order?

Mr. STAFFORD. Mr. Chairman, I reserved the point of order primarily for the purpose of securing information as to whether we have heretofore authorized the construction of any power-distributing system.

Mr. CRAMTON. Yes. This language, with reference to the power-distributing system, is a continuation of the language from the current year. If the gentleman desires, I shall go a little further with my statement, and since it will apply to the amendment I propose to offer I think it well to make it at this time.

Mr. STAFFORD. The gentleman will appreciate my purpose in making reservations of points of order. I recognize the distinct loss that the House suffers in the retirement of the gentleman from Michigan from this Chamber, especially in connection with this bill, which he has had charge of for many years. I think it is valuable to have incorporated into the RECORD by him explanations of some of these projects with which he is so thoroughly conversant and with which he has been intimately identified.

Mr. CRAMTON. I appreciate very much the statement the gentleman makes. I ask unanimous consent to have the amendment read that is on the desk. Possibly the gentleman may want to make a point of order against that also. I think it should be read for information, and then I will make my statement about this project, and that will cover the whole situation.

The CHAIRMAN. Without objection, the Clerk will read the amendment proposed to be offered by the gentleman from Michigan without prejudice to the reservation of a point of order.

There was no objection, and the Clerk read as follows:

Amendment by Mr. CRAMTON: Page 39, in line 11, after the word "acts," insert the following: "*Provided further*, That in any district in this project which has or may hereafter execute a repayment contract in pursuance of existing law, the first payment of construction charges may, in the discretion of the Secretary of the Interior, be required in the calendar year 1935, but in any event the total repayment of such construction charges shall be required in not more than 40 years from the date of public notice heretofore given."

Mr. STAFFORD. I reserve a point of order if this amendment is being reported. Is the amendment being reported or just being read for information?

The CHAIRMAN. It is being read for information only.

Mr. CRAMTON. If I may be pardoned, I will make a statement to meet the gentleman's request.

This is an important item. It is not only one of the most important items in the "irrigation for the Indians" part of the bill, but it is an item to which I have given possibly more time in the last five years than to any other item. I hope, with the adoption of the amendment which I have sent to the desk, that the attention of Congress with reference to this project will have been pretty well completed.

When I was handling this bill several years ago I noted that we were making appropriations for construction. There was a considerable acreage settled, but no repayments were being made and so the committee decided that before they would make any more appropriations for construction they would make a study on the ground. After a year we were able to do that. The members of our subcommittee, the Commissioner of Indian Affairs, a representative of the Budget, and the gentleman from Montana, Mr. EVANS, and the gentleman from Montana, Mr. LEAVITT, were all present and made an intensive study of the problems of the project.

The Government had then invested about $5,000,000 in this project, which, instead of being one project, is a series of projects. As we went to the various projects we found that there was no part of it that really had a sufficient water supply. While $5,000,000 had been spent it had been handled in such way that no settlers were assured of a water supply throughout the season. By reason of that fact they could not resort to the crops that are necessary to make irrigated lands pay.

We found that one part of the project, the Camas division, would be charged for construction costs $50 more than other parts of the project near the railroad. I am speaking only in a general way. The Camas division was only 20 miles farther from the railroad than these lands, but still they were asked to pay $50 more than the more advantageously situated lands. They wanted an adjustment. It was manifest that we would not get the money on that basis.

I have a deep-seated objection to wiping off charges, extensions of time, and so forth. We found there was a tunnel that had been built nearly 20 years before, known as the Newell Tunnel, which cost over $100,000, that was intended to divert some of the ordinary normal stream flow of the Flathead River to a small power plant to be operated in connection with the project. We found there was need for that power on the project by the farmers. There was need of such power in the communities——

Mr. SABATH. Will the gentleman yield?

Mr. CRAMTON. I will yield.

Mr. SABATH. Who was responsible for this inefficiency, this expending of large sums of money and providing these reservations with proper water facilities when the gentleman states that most of those reservations were suffering from lack of water, and the projects were not efficiently operated?

Mr. CRAMTON. Of course, just at present I am speaking of this Flathead irrigation project, which was a series of several projects, as I have stated. I am not familiar enough with the history to place the blame, or even to say that blame is to be attributed to anybody. I am stating the facts as we found them.

Mr. SABATH. I have voted for these irrigation projects for many years; voted for all of them, in the hope that they would relieve and aid and benefit these people, but year after year we receive reports that very little benefit is derived by the people on account of the projects, notwithstanding that we have expended millions and millions of dollars and there is no chance of ever receiving any return on those investments.

Mr. CRAMTON. I will be glad to take this up a little later, but I want to make a connected statement with reference to this particular project, if I may.

Mr. STAFFORD. The gentleman was speaking of a tunnel.

Mr. CRAMTON. Yes. That was for a power plant that would only develop about 7,000 horsepower.

As a result, our committee worked out a program which was accepted by these people by which the construction account of the Camas division was adjusted. I may say that these lands belonging to the Indians had been sold and white settlers had come in under a promise of certain things, and they had been waiting there with great spirit and fortitude for 20 years, when we were on the scene.

Our program proposed that the construction account of the Camas division be adjusted, and they be put on the same basis as other parts of the project. That would mean about $500,000, not to be wiped off but to be put in a suspended account, and other parts of the project agreed to that. They agreed that this small power plant should be built, using the ordinary stream flow of the river; that the power from that plant should be furnished to the settlers and the small towns at some profit, and that profit should be used, first, to pay the cost of construction of the plant, and, second, to retire the suspended account, and later to apply on the construction cost of the whole project. Also, that certain construction should follow. But, we said, "Before we will enter on that construction program, before we will do any of these things, the lands involved, the people there must sign a contract agreeing to make repayment of the costs," which had not been done. There were many complications, and it took two or three years before they were able to get a vote approving such a contract. Finally they got approval and the contract was entered into and certain construction items have gone forward for the last two or three years.

The power plant, however, occasioned a great deal of controversy. It seemed that certain power interests had been

considering the development of power at Flathead Lake, above the point I spoke of, at a lake which was capable, through a reservoir, of providing one of the largest power sites in America.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent to proceed for an additional five minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CRAMTON. Fortunately or otherwise, they really did not get wise to this proposal to erect a small power plant on the river. I did not meet all the opposition I expected at that time.

This item for the power plant appropriation was approved by the Budget, was approved by the House, and was finally accepted by the Senate. Then the Montana Power Co., or its subsidiary, the Rocky Mountain Power Co., made application for a permit. They first suggested to the Indian Service that instead of the Government building that small plant they be given a permit at Flathead Lake and that if they secured such a permit they would sell power to the project cheaper than the project could make it. Inasmuch as they could develop 100,000 or 200,000 horsepower at Flathead Lake it was, of course, reasonable to believe that they could sell a small amount to the project cheaper than the project could make it. When I was asked about it I stated that if they could actually and would actually do what I thought they could it was immaterial to me. They finally made a definite proposition in writing which was very favorable to the project. They sought a preliminary permit and secured it. Then they later sought a permit to develop this power. Another applicant appeared, Mr. Wheeler, from Minneapolis, an engineer of some standing. There was a good deal of hurrah raised by certain uplifters and professional friends of the Flatheads, with the result that this matter was delayed. During that time we provided each year an alternative authorization, that certain money could be used either toward building the small plant or toward the construction of a distributing system for power which might be purchased.

Throughout all of this consideration our committee never sought to interfere with the authority given by law to the Power Commission as to the granting of a permit at Flathead Lake. We only limited their authority in two respects. First, in an amendment which I drafted—and which was included by the Senate on motion of the Senator from Montana, Mr. WHEELER—it was provided that although the lessors of sites generally had to pay the Power Commission something like 25 per cent of their rentals toward the expenses of administration by the commission, that these Indians should not be charged anything; and, second, we provided that whoever received this permit must take care of this irrigation project with power on the terms agreed upon.

During all the time this application was pending before the commission I never suggested who ought to have such a permit. I did finally state, however—and it is in the RECORD—that if they were to grant a permit—and I urged them to proceed with some diligence—they grant it, because every year of delay was not only causing suffering to these settlers but a loss of $100,000 or $200,000 a year to the Indians in rentals; and, second, that they should grant it to some one who would use the permit to construct the project and not to somebody who would be obliged to go out and try to find some one to buy it. The Senator from Montana, Mr. WALSH, went farther in the Senate and made a direct statement urging that the commission grant such permit to the subsidiary of the Montana Power Co. He urged that very logically on the basis of the conditions existing.

Now, that permit was finally granted and they are proceeding with the construction, so that the situation has just now become definite as to that. We have the contract signed and the Northern Pacific is carrying on effective settlement work there.

Hence the item before you does not carry anything that is new which slants toward a legislative character. Whatever is reported in the bill is a continuation of what we have been doing for several years.

The amendment which I have sent to the desk is to meet the situation. While we have been building some works they still, because of the increasing settlement and increasing development, are suffering from the lack of a full water supply. The bill refers to certain reservoirs which are being constructed, one to be completed in 1932 and another completed in 1933. I hope the second one referred to will be completed by an appropriation made for 1933. In addition, there are certain pumping projects connected with it for a supplemental water supply. They can only come into being when this power situation results in an actual delivery of current. Hence it will be two, three, or four years before this water-supply situation is fully met and fully worked out.

We require in the bill the giving of public notice. We expected this thing to be farther advanced in 1931 than it will be. So in the amendment I have sent to the desk we do this: Public notice was issued which requires for the first payment on construction charges the making of the levy in November, 1931, but the actual payment to the Government will come the 1st of February, 1932, the first payment under this public notice now issued, and the other half the 1st of August, 1932.

It now appears, for the reason I have stated, that the plant will not be far enough developed to make that entirely just. It will not be as far developed as that. Hence, the settlers presented their case. Now, the amendment which I propose does not change the time provided for in the public notice now issued. That will remain as of the 1st of November, 1930. Under the law they must complete their payments within 40 years from the 1st of November, 1930. Under the proposed amendment they must still complete their payments within 40 years from the 1st of November, 1930, but during these first 2, 3, or 4 years they will not be called upon to pay construction charges, but in the next 35 or 36 years the charges will be made a little stiffer, so as to absorb the charges which are now being deferred until the plant is completed.

Mr. STAFFORD. When will the settlers have the advantage of any of the water that is being conserved at this irrigation project?

Mr. CRAMTON. I do not know whether it is clear or not, but understand the dam that will be built for power purposes at Flathead Lake does not, so far as water supply is concerned, enter into the Flathead project at all. The Flathead irrigation project will have its other reservoirs and its other source. However, for a supplemental water supply through power they buy from this power development, they will pump some of their land where gravity flow is not possible.

Mr. STAFFORD. Here we are deferring the payment of these charges for four years. It is not the first instance where we have deferred payment of charges on reclamation projects. It seems to be the policy of the Government to always postpone and postpone the payment of charges and never have the Government receive the full payment. I realize that the amendment as drafted does not provide for that condition other than excusing them from immediate payment in the first few years.

Mr. CRAMTON. They have been there about 20 years or maybe 25 years. Some of these settlers have been there that long.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five additional minutes.

The CHAIRMAN. Without objection, the gentleman from Michigan is recognized for five additional minutes.

Mr. CRAMTON. When we fixed the public notice for the 1st of November, 1930, we supposed that the project would have reached a certain point. It develops now that the

project has not reached that point, but, nevertheless, the law requires the public notice, and it has been issued.

Mr. STAFFORD. How far advanced did the gentleman think the work would be completed, as based upon giving notice in 1930?

Mr. CRAMTON. The notice has now been given.

Mr. STAFFORD. Yes; but how far did the gentleman think the project would be completed at the time that was determined upon?

Mr. CRAMTON. Oh, we expected that the land under cultivation would have a sufficient water supply to take care of the acres through the season. The gentleman will understand the importance of that. The crops that pay the smaller return, like wheat, mature fairly early in the season, so that if the water supply disappears in July it does not hurt them; but sugar beets is a very important crop on this project, as well as on others, and require the water throughout a longer season, and if we do not provide them enough water to run them through the season, we make it impossible for them to derive their largest income from their acres.

Mr. STAFFORD. Here we are deferring the payment for four years. Why should it be four years? Are we not establishing a dangerous precedent?

Mr. CRAMTON. No.

Mr. STAFFORD. Why can not all the water users come before the Congress and say, "You have granted these people the right to defer their payment until 1935; why should we not be treated accordingly?"

Mr. CRAMTON. Because, in the first place, it is very rarely that this situation would ever occur. Generally, the public notice is not posted until after the construction is completed, and we might under that practice have deferred this for 5 or 10 years and still be in harmony with many other projects.

Mr. STAFFORD. This project is going to be completed within the next year?

Mr. CRAMTON. Oh, no.

Mr. STAFFORD. The year following?

Mr. CRAMTON. All the construction will not be completed probably for four or five years, or maybe more.

Mr. STAFFORD. I mean completed in the sense that the water users will have the advantage of the use of the water.

Mr. CRAMTON. I did not feel it safe to advance the date much before that date named in the amendment. I was hopeful that by 1933 or 1934, yes, but there have been such delays I did not feel it safe. I did desire, I am frank to say to the gentleman, before I pass off the stage to see the history of this thing completed.

Mr. STAFFORD. Does the gentleman know of any other instance where we have deferred so far in the future the payment of charges for the use of water?

Mr. CRAMTON. I think we can approach it from the other angle, that in many cases the general policy has been not to issue the public notice, and you understand there is no collection of construction charges until the public notice is issued, even though they may be getting the water, and I know of cases where public notice has been deferred and they have not given it for 10 years after the works were completed. Generally the public notice was not given until after the construction work was completed. In this case, because we wanted to get this project definitely committed before we went ahead with other construction, we took a chance on what we thought would be a fair date. Now, it happens, with all the delays, the work has not progressed as rapidly as we thought it would, so that fact takes this out of the ordinary case; but, notwithstanding that, so firmly am I opposed to more than 40 years being given for the repayment of charges, I have insisted that there should not be a postponement of this for five years, but that it should in no case extend the final time for repayment more than the 40 years they now have.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Michigan may be extended five more minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STAFFORD. The gentleman is quite sure this will not be cited as a precedent to plague us as to other projects?

Mr. CRAMTON. It should always be kept in mind that this is based upon the facts of the case, which are that the construction work is not far enough advanced to have really, in fairness, justified the public notice this last November, and that statement of fact takes it out of the general appeal for extensions.

Mr. STAFFORD. I do not want any policy adopted here that is going to come back and plague us hereafter.

Mr. CRAMTON. That is what I am trying to avoid.

Mr. TAYLOR of Colorado. I want to say that it is absolutely impossible to use any yardstick or any rule or regulation for these 28 reclamation projects. Every one is absolutely different from every other. Some are practically bankrupt and some are almost in the throes of dissolution. If the Government is going to salvage anything out of the vast sums that have been invested in them, it must be put on such a basis that will encourage new people to come in and settle on them. We have to investigate the actual conditions of each project on the ground. The gentleman from Michigan and Mr. FRENCH and I spent a great deal of time and earnest work in trying to learn the conditions of each, and tried to make the best arrangements we could so that the people can work it out and get Uncle Sam's money back some time. If the Federal Government can gets its money back in 75 years, it is better than never getting it back.

Mr. STAFFORD. Sometimes it is a good thing to take the loss once and for all. Money has been put into reclamation projects under Director Newell that never should have been invested.

Mr. CRAMTON. This is going to be a successful project; with the completion of the work it will succeed. The salvage of the $5,000,000 we have got in it will be promoted through this change.

Mr. STAFFORD. Mr. Chairman, I have every confidence, and so has the House, in the judgment of the gentleman from Michigan that this is the best proposition. I am impressed, also, by the statement of the gentleman from Colorado [Mr. TAYLOR]. Some of these projects should never have been started. I remember that in my first term in Congress the late distinguished leader, Mr. James R. Mann, requested me to attend a conference with Director Newell. Newell had been running wild with Government money and was bankrupting the reclamation fund. From that time I have seen many projects wet-nursed that never should have been started. However, I will not set up my judgment against the expert opinion of the gentleman from Michigan, and I withdraw the reservation of the point of order to the paragraph.

Mr. CRAMTON. Mr. Chairman, I now offer the amendment.

The Clerk read as follows:

Page 83, line 11, after the word "acts" insert the following: "*Provided further*, That in any district in this project which has or may hereafter execute a repayment contract in pursuance of existing law, the first payment of construction charges may, in the discretion of the Secretary of the Interior, be required in the calendar year 1935, but in any event the total repayment of such contract charges shall be required in not more than 40 years from the date of public notice heretofore given."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Lake Andes, S. Dak., spillway and drainage ditch: The unexpended balance of $48,612.76 of the appropriation for the construction of a spillway and drainage ditch to lower the level of

Lake Andes, S. Dak., contained in the act of September 22, 1922 (42 Stat. 1051), and covered into the surplus fund by the act of March 7, 1928 (45 Stat. 215), which was reappropriated for the same purposes during the fiscal year 1930 in the act of March 4, 1929 (45 Stat. 1641), is hereby continued available for the same purposes during the fiscal year 1932: *Provided*, That no part of this appropriation shall be expended until the Secretary of the Interior shall have obtained from the proper authorities of the State of South Dakota satisfactory guaranties of the payment by said State of one-half of the cost of the construction of the said spillway and drainage ditch.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. This provision has been carried in this exact language for some years. Is this the project where the Government in 1922 provided for lowering a lake level of some shallow lake in South Dakota? I see it is Lake Andes. Is it really as pretentious as the name would signify?

Mr. CRAMTON. The appropriation was made in 1922. In the meantime that appropriation had gone back into the Treasury and was not available, and so they came in and an appropriation was made, but it is limited to the expenditure of half the cost of the construction. The other half has to be obtained, the gentleman will note, from the proper authorities of the State of South Dakota. It is my thought that the original legislation in 1922 provided for expenditure entirely from the Federal Treasury.

Mr. STAFFORD. Has the State of South Dakota manifested any disposition to avail itself of this gratuitous service of the National Government.

Mr. CRAMTON. Yes. It was at their suggestion that this matter was reappropriated, and Mr. Clotts, representing the Indian Bureau, stated to us that the form of the proposed contract between the United States and the officials of the State Game and Fish Commission of South Dakota has been prepared and submitted to State officials for signature and that as soon as the contract is executed construction work will be undertaken and prosecuted as rapidly as conditions will permit.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

EDUCATION

For the support of Indian day and industrial schools not otherwise provided for, and other educational and industrial purposes in connection therewith, $3,518,000: *Provided*, That not to exceed $10,000 of this appropriation may be used for the support and education of deaf and dumb or blind or mentally deficient Indian children: *Provided further*, That $4,500 of this appropriation may be used for the education and civilization of the Alabama and Coushatta Indians in Texas: *Provided further*, That not more than $475,000 of the amount herein appropriated may be expended for the tuition of Indian children enrolled in the public schools under such rules and regulations as the Secretary of the Interior may prescribe, but formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (U. S. C., title 41, sec. 16), for payment of tuition of Indian children in public schools or of Indian children in schools for the deaf and dumb, blind, or mentally deficient: *Provided further*, That not less than $6,500 of the amount herein appropriated shall be available only for purchase of library books: *And provided further*, That not to exceed $10,000 of the amount herein appropriated shall be available for educating Indian youth in stock raising at the United States Range Livestock Experiment Station at Miles City, Mont.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word for the purpose of inquiring how general is the policy of the Bureau of Indian Affairs in providing special education as is provided in the last proviso of the paragraph for educating Indian youth in stock raising at the United States Range Livestock Experiment Station at Miles City, Mont.

Mr. CRAMTON. The desire of the Indian Office and our committee now is to make the Indian education as practical as possible to meet the problems that he will encounter in life. The gentleman from Montana [Mr. LEAVITT] two or three years ago made the suggestion that Indian boys properly qualified be permitted to attend the United States Range Livestock Experiment Station of Miles City, and that has been carried. It is stated now that there are boys there from Montana and other near-by States. It is experimental as yet. It has been going only two or three years. It is stated in the hearings that some of those that went in at first, even after careful selection, were found not to be qualified for that type of work, and the pupils sent there from a State are selected for their interest in stock raising.

Mr. STAFFORD. This is not a reimbursable fund?

Mr. CRAMTON. No. This is really maintaining him at a school, but we put up the quarters there and we let them live there. I would be glad to have the gentleman from Montana [Mr. LEAVITT] explain that.

Mr. STAFFORD. Before the gentleman from Montana does that let me inquire of the gentleman as to whether it would not be advisable to have a general provision to permit Indian youth to attend our State universities and get technical education in agriculture. I do not know whether the State of Michigan at the university at Ann Arbor gives a special course during the winter months that farmers generally avail themselves of, but that is the case in the State of Wisconsin at our university. If this has been a success in Montana, so far as allowing Indian youth to avail themselves of training at the range livestock experiment station, why not let it be general throughout the country?

Mr. CRAMTON. The gentleman will understand that we have erected quarters for the personnel, and it is practically as if they were going to our school, except that the staff of teachers is not paid out of this fund.

Mr. STAFFORD. I will be glad to yield now to the gentleman from Montana [Mr. LEAVITT], who is the author of this provision.

Mr. LEAVITT. Mr. Chairman, this range livestock experiment area was formerly an old military post and is located near Miles City, Mont. When the question arose as to what would be done at the time of the abandonment of the military post by the Army it occurred to some of us that the best use that could be made of this, since it was characteristic of much of the West, would be to make it a range livestock experiment station. That having been accomplished, it occurred to me, through the suggestion—and at this time I want to make it a part of the RECORD—of an Indian named Eugene Fisher, who is a Northern Cheyenne, located on the Tongue River Indian Reservation, that here was an opportunity to give to the Indian youth of that section of the West the opportunity of taking part in the experiments that were being carried on in raising cattle and sheep and other kinds of livestock in a territory that is practically the same as that of most of the Indian reservations of that section.

Mr. STAFFORD. Will the gentleman acquaint the House as to how successful that experiment has been?

Mr. LEAVITT. It has only recently been under way. There are a number of buildings there that were used by the Army as part of the old military post.

Mr. STAFFORD. How generally have the Indian youth availed themselves of the advantages?

Mr. LEAVITT. Many members of the tribal councils have spoken to me of their desire that this be expanded as rapidly as possible to bring the Indians in in greater number. We hope that it will become one of the large Indian educational institutions, and that it will ultimately do what the gentleman is proposing—that is, become a great center of Indian education of their young men in the doing of the things that will make them self-supporting on their own reservations.

Mr. STAFFORD. How many have availed themselves of this institution?

Mr. LEAVITT. They have been selected by the Indian Service from such places as Haskell and other places where boys have been developed to the point of understanding these experiments.

It is now a matter of only a dozen students, but we hope to build it into an institution that will take several hundred.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For subsistence of pupils retained in Government boarding schools of all classes during summer months, $105,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word, to inquire why this appropriation has almost been

doubled. It has been increased more than one-third over the appropriation of last year. What is the occasion for such increase? The item carried $64,000 last year, and this year it is increased to $105,000.

Mr. CRAMTON. That is for subsistence of pupils. That has to do with subsistence of pupils who remain at the boarding schools through the summer vacation. The allowance for boarding schools is on a per capita basis on the theory of school from September to June. Of course, any pupils who remain through the summer entail an additional burden. Not much attention has been paid to that. At some schools where there were only a dozen or so pupils it did not matter much, but in others, where conditions were a little different, they have had quite a number of pupils, and not much attention was paid until last year.

Last year in the deficiency bill there was a large additional amount, in addition to the annual appropriation, and the real increase is not this year, but it was last year, because, upon a study of the situation, it was found they really needed more money on account of the circumstances under which the children stayed at the school during the summer. We prefer that they should not. We prefer that they keep in touch with their people. But where a child is an orphan and there are no decent homes to go to in some cases it seems desirable to keep them at the school.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Chilocco, Okla.: For 900 pupils, including not to exceed $2,000 for printing and issuing school paper, $305,000; for pay of superintendent, drayage, and general repairs and improvements, $22,000; for boys' dormitory, including equipment, $90,000; for quarters for employees, $10,000; in all, $427,000: *Provided*, That the unexpended balance of the appropriation of $80,000 for girls' dormitory, including equipment, fiscal year 1931, is hereby continued available until June 30, 1932.

Mr. BLACK. Mr. Chairman, I move to strike out the last word. I ask unanimous consent to proceed out of order for three minutes.

Mr. CRAMTON. Reserving the right to object, I trust the gentleman is not going to speak on a controversial subject, not related to this bill.

Mr. BLACK. No. I just want to pay the respects of Congress to the President.

Mr. CRAMTON. If the gentleman is going to speak on a controversial subject that would arouse debate and some delay to the passage of this important bill, I should be compelled to object.

Mr. BLACK. I think the entire House will be with me on this.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for three minutes out of order. Is there objection?

There was no objection.

Mr. BLACK. The White House is getting superheated. When a gentle soul tries to be a Napoleon he looks ridiculous. In the campaign the President tried to discipline the New York World on the oil exposures, and he went [illegible] board. Now, in his disagreement with the Congr[illegible] essays a little demagoguery about human misery.

The present depression is the economic crime of the century, Hoover is chargeable with it. The Federal Reserve Board, acting under him, brought about the deflation that caused the depression. The conspirators thought the economic scale should drop, believing they could artificially elevate in time for the next national election. But the misery they caused is beyond their power to substantially alleviate. The administration can not make restitution. For years the Republican Party has been artificially toying with our economic system for campaign purposes. They have played politics with human welfare. The White House pulled the plug that caused the running out of prosperity. The Congress is trying to bring about substantial help to the people, even surrendering power to bureaucrats to bring quick aid.

Hoover is not going to help by getting mad. Let him keep his head and by cooperation with Congress, he may keep himself from being entirely suffocated in the quicksands of the panic.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Wheelock Academy, Oklahoma: For 120 pupils, $42,900; for pay of superintendent, drayage, and general repairs and improvements, $7,000; in all, $49,900.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word.

The last appropriation bill carried an appropriation of $35,000 for the Mekusuky Indian School in the Seminole mission. After that amount had been carried the Commissioner of Indian Affairs, upon the recommendation of one of his officials, who claimed to have made a survey, closed the school some time in August of this year. It was probably justified to some extent on the ground that the building was in bad repair, but it has been in that condition for a number of years.

The Seminole Indians are divided into bands now, and they have never been able to agree upon any one thing except this one proposition. They all agree that they want this school reopened. They are willing for the money to be appropriated out of their funds to reopen the school and to repair this school.

I think it is the duty of the Commissioner of Indian Affairs to make a survey to see what will be the probable cost of the repair of the building to put it in shape where these full-blood children may go to school. I would suggest that it be confined, first, to the orphan and the fatherless children of the Seminole Tribe, with the provision that those who are well to do and desire their children to go to that school can contribute in the way of some tuition for their children to go there.

This is an old school, and many of the present Seminoles have gone to that school. To close that school down—you may get some idea of the effect on these Indians if the announcement were made that you were going to close down Harvard University or the University of Chicago or any of the great universities in this country, because the men who went to that school would rise up immediately. That is what took place in the Seminole Nation. These people who went to school are now the band chiefs and band leaders.

While the full-blood child will always do better if you can get him to stay in a white school and go along side by side of his white neighbor, he is timid, and, in the first place, as my colleague said the other day, they are poor. They do not have the money to properly clothe them, or to clothe them in the manner in which they think they should be clothed. They do not have the money to furnish the kind of food to their ch ldren to carry for lunches.

He is timid, and if he goes to a white school and some little remark is made about his clothes or his appearance it hurts his feelings, and he goes home and his parents will not try to force him to go back, because they are very gentle with their children. They raise their children evidently without any physical force. I never heard of an Indian whipping his child. They raise them under a very good process of their own, and if they were not beset by many of the evils of our race they would be pretty well raised.

Mr. STAFFORD. Will the gentleman yield?

Mr. McKEOWN. I yield.

Mr. STAFFORD. In listening to the remarks of the gentleman's colleague the other day I gained the impression that the Indian youth did not do as well in the public schools as he would in the schools given over exclusively to their own use. Now the gentleman is making a different statement.

Mr. McKEOWN. I will state to the gentleman that the child trains all right where you can get him to go to a white school, but, as my colleague said the other day, it is hard to get the full-blood child to go to the white school. Our mixed-blood children make great progress in the white schools, but the little full-blood child is reticent; he is timid, and if he is brought into school and there is some remark made about his clothing or something like that he goes home

and he will not come back, and his father and mother will not make him come back.

Mr. STAFFORD. The service does not provide any truancy officers to compel them to attend school?

Mr. McKEOWN. In some places the State has them, and I think the department furnishes some, too. But here is the difficulty, I will say to the gentleman, who I know is very familiar with the Indians, that these full-blood children are very reticent and, as I have said, any remarks about them will cause them to refuse further attendance in the schools. They need a nurse also to instruct them in their own language. Also some help during the time required by the survey.

Mr. STAFFORD. We have few full-blood Indians in Wisconsin.

Mr. McKEOWN. Very many of our Indians are full-blood Indians.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Tomah, Wis.: For 350 pupils, $116,500; for pay of superintendent, drayage, and general repairs and improvements, $18,000; for shop building, including equipment, $18,000; in all, $152,500.

Mr. HOWARD. Mr. Chairman, I move to strike out the last word. I would like to ask unanimous consent at this time to return to page 44, with reference to the appropriation for the Genoa Indian School.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to return to line 13 on page 44. Is there objection?

Mr. CRAMTON. Mr. Chairman, reserving the right to object—and I greatly regret that I will be obliged to object—we have passed that item by 5 or 6 pages; and if I do not object to this request, I can not very well object to similar requests, and that would make the handling of an appropriation bill a very complicated thing. I am therefore obliged to object.

Mr. HOWARD. Mr. Chairman, there are not many of us here, just a few of us, and I just want to make a little statement to the committee regarding the appropriation for the Genoa Indian School.

Mr. CRAMTON. I shall not object to the statement at all.

The CHAIRMAN. The gentleman asks unanimous consent to proceed for five minutes out of order. Is that the purpose of the gentleman?

Mr. HOWARD. That is right.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HOWARD. Mr. Chairman, I want to call your attention to a sad situation in connection with this school. I think it is managed by perhaps one of the best superintendents of such schools that we have in our country—Mr. Sam Davis.

I want to ask you to visualize a scene which I witnessed out there the other day in that school, when I counted 542 children crowded into the only assembly room they have there, the largest one, and 226 of them were unable to find seats and were compelled to stand.

I call your attention to the fact that our bill provides sustenance for only 500 children, but there were 542 there the other day when I was present.

I am going to make my word good, and I am not going to offer an amendment to this section of the bill—my statement regarding the conditions at the Genoa school, but if it is true, possibly it may be true as to a number of others. I do not know. I only speak that which I do know of my own personal knowledge.

I would like to ask the committee itself to provide a little larger appropriation for the care of those children in that particular school. I think a matter of less than $20,000 would probably take care of the children who can not be properly taken care of under the appropriation proposed in this bill. I am going to ask the committee in its mercy and its discretion and its good judgment if it will not be kind enough to propose an amendment on its own account to cover the deficiency in the amount allowed the Genoa school, not intended at all, but just overlooked by the committee.

The pro forma amendment was withdrawn.

Mr. COLTON. Mr. Chairman, I move to strike out the last two words. Mr. Chairman and gentlemen of the committee, I am deeply interested in these movements for the education of the Indian, and I rise to call attention to a plan which I think has great possibilities in it. In San Juan County, in the southern part of Utah, an experiment has recently been undertaken. The Indian Department has purchased a fine home in the town of Blanding. That home has been converted into a dormitory and children are brought there and housed during the school year. They then attend school with the white children—I mean the school maintained by the county and the State. These are children in the grades, and in my judgment it is a movement in the right direction, so far as the Indians are concerned, because if you can get children under this influence, to mingle with and become a part of the school life of the community, I think you are taking a long step toward civilizing these Indian children.

In that part of the State we are watching the experiment with a great deal of interest. So far as I am advised no attempt has been made to do this thing in any other part of the country. I believe this is the only experiment of its kind. These Indian children seem to be happy and are mingling and participating in school activities with the other children and at the close of the day return to their dormitory home under the supervision of an officer of the Indian Department.

Mr. STAFFORD. Will the gentleman yield?

Mr. COLTON. Yes.

Mr. STAFFORD. Do I understand that these Indian youths remain there during the entire week or entire school season?

Mr. COLTON. They remain there practically during the entire school session. Their parents are permitted, of course, to visit them.

Mr. STAFFORD. What parental supervision have they while they are living in the dormitory?

Mr. COLTON. I understand they just have the supervision of a matron and perhaps a man provided by the department.

Mr. TAYLOR of Colorado. I will state to the gentleman from Wisconsin that in Colorado we have an Indian school, and there are several others where they keep the children the whole year around. Of course, if they want to go home or if their parents desire to visit them that is permissible. But they can be much better cared for in the schools than in their homes.

Mr. STAFFORD. In the case cited by the gentleman from Colorado they are not attending a public school but an Indian school.

Mr. TAYLOR of Colorado. An Indian school; yes.

Mr. STAFFORD. But the gentleman from Utah is citing a case where these Indian children are mingling with public-school children in a desire to have a melting pot, so that they will discard tribal manners and adopt the ways of the American youth.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction through the Bureau of Indian Affairs, to provide for support and education of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from industrial boarding schools in Alaska; erection, purchase, repair, and rental of school buildings; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of the U. S. S. *Boxer;* and all other necessary miscellaneous expenses which are not included under the above special heads, including $350,000 for salaries in the District of Columbia and elsewhere, $24,000 for traveling expenses, $170,000 for equipment, supplies, fuel, and light, $25,000 for repairs of buildings, $146,000 for purchase or erection of buildings, $76,000 for freight, including operation of U. S. S. *Boxer,* $4,500 for equipment and repairs to U. S. S. *Boxer,* $1,500 for rentals, and $2,000 for telephone and telegraph; total, $799,000, to be immediately available:

Provided, That not to exceed 10 per cent of the amounts appropriated for the various items in this paragraph shall be available interchangeably for expenditures on the objects included in this paragraph, but no more than 10 per cent shall be added to any one item of appropriation except in cases of extraordinary emergency and then only upon the written order of the Secretary of the Interior: *Provided further*, That of said sum not exceeding $10,000 may be expended for personal services in the District of Columbia: *Provided further*, That all expenditures of money appropriated herein for school purposes in Alaska for schools other than those for the education of white children under the jurisdiction of the governor thereof shall be under the supervision and direction of the Commissioner of Indian Affairs and in conformity with such conditions, rules, and regulations as to conduct and methods of instruction and expenditures of money as may from time to time be recommended by him and approved by the Secretary of the Interior.

Mr. SUTHERLAND. Mr. Chairman, I desire to raise a point of order on this paragraph, but I will first ask the Chair, if permissible, to rule on my right to raise such a point of order by reason of my status as a Delegate in the Congress. The floor privileges of a Delegate seem to be governed largely by precedent, and in this case I would ask for a ruling. I have endeavored to get Members to challenge my right, but none seems disposed to do so.

The CHAIRMAN (Mr. CHINDBLOM). The Delegate from Alaska rises for the purpose of making a point of order to a portion of the paragraph just read and directs to the Chair an inquiry as to his right to make a point of order and requests the occupant of the Chair to rule upon that issue.

The Chair has previously been advised of the purpose of the Delegate from Alaska and appreciates very much his procedure and conduct in the matter.

There has so far been no direct ruling upon this exact question, but the present occupant of the Chair has studied the law and the precedents quite thoroughly and is quite willing to answer the inquiry of the Delegate from Alaska.

There are at the present time only two Territories, the Territory of Alaska and the Territory of Hawaii. There are two separate organic laws for the establishment of these Territories, and in some respects they are different.

In the case of the Territory of Alaska the Code of Laws, on page 1569, contains a provision, paragraph 131, that—

> The people of the Territory of Alaska shall be represented by a Delegate in the House of Representatives of the United States chosen by the people thereof—

And so on; but nowhere has the present occupant of the chair found anything in this organic act defining the powers and privileges of the Delegate after he has become a Delegate and has presented himself in the House of Representatives.

In the case of the Territory of Hawaii, however, there is an express provision, to be found on page 1607 of the Code of Laws, and reading as follows:

> Every such Delegate shall have a seat in the House of Representatives with the right of debate, but not of voting.

The Chair, however, has found an ancient statute which apparently has never been repealed and which is quoted in many of the decisions of Chairmen of the Committee of the Whole, as well as by Speakers, which statute, the Chair will say, does not seem to be incorporated as yet in the code or any of the supplements to the code, but which may be found in the Revised Statutes of the United States, second edition, 1878, section 1862, reading as follows:

> Every Territory shall have the right to send a Delegate to the House of Representatives of the United States to serve during each Congress who shall be elected by the voters in the Territories qualified to elect members of the legislative assembly thereof. The person having the greatest number of votes shall be declared by the governor duly elected and a certificate shall be given accordingly. Every such Delegate shall have a seat in the House of Representatives, with the right of debating but not of voting.

It will be noticed that this language was followed in the organic act for the election of a Delegate from the Territory of Hawaii. This act was passed and became effective on the 3d of March, 1817. The Chair believes it applicable to the Delegate from the Territory of Alaska.

In the House Manual, on page 316, will be found a rule of the House, Rule XII, section 1, to the effect that the House shall elect from among the Delegates one additional member on each of certain committees, and that these Delegates shall possess in their respective committees the same powers and privileges as in the House, and may make any motion except to reconsider.

In the precedents cited in the manual, on page 316 of the current edition, 1929, will be found references to some of the decisions, and the Chair shall read a portion of the text in the manual:

> The law provides that on the floor of the House a Delegate may debate and he may in debate call a Member to order [citing the precedent]. He may make any motion which a Member may make except the motion to reconsider. A Delegate has even moved an impeachment. He may be appointed a teller, but the law forbids him to vote, and he may not object to the consideration of a bill.

The Chair will state with reference to the last precedent, which is found in volume 2 of Hinds' Precedents, sections 1923 and 1924, the present occupant of the chair is inclined to think that that decision is out of line with the other decisions with reference to the rights and privileges of Delegates.

Mr. SUTHERLAND. Mr. Chairman, if I may interrupt, the Chairman is speaking now——

The CHAIRMAN. Of the right to object to the consideration of a bill. That is the only precedent which would militate against the right of a Delegate to raise a point of order, so far as the present occupant of the chair has been able to find; but the present occupant of the chair believes that that decision is out of line with all the other decisions relative to the powers and privileges of Delegates.

Mr. CRAMTON. Will the Chair permit an interruption to ask a question?

The CHAIRMAN. Yes.

Mr. CRAMTON. Has the Chair given attention to the particular phraseology of the rule under which any Member may object? Is it possible that the rule that gives a Member the right to object to the consideration of a bill is so phrased as to have led to that decision?

The CHAIRMAN. This particular question as to the right of a Delegate to object to the consideration of a bill is quoted in Hinds' Precedents, second volume, page 863, paragraph 1293. A bill was pending before the House on June 6, 1866, making appropriations to negotiate certain treaties with certain Indian tribes.

> Mr. Walter A. Burleigh, Delegate from the Territory of Dakota, insisted that the bill, making an appropriation, must have its first consideration in the Committee of the Whole House on the state of the Union.

The Speaker said:

> The Chair is of the opinion that a Delegate is not entitled to make such an objection as will prevent the joint resolution from being now considered. * * * The gentleman is sent here as a Delegate to discuss the merits of all questions in regard to the Territory of Dakota or elsewhere, but he is not entitled to a vote.

It seems to the present occupant of the chair that the conclusion of the argument does not follow from the premise. It will be found in numerous cases that the right of a Delegate not only to present his views upon pending legislation but to participate in parliamentary procedure as well has been recognized, and it seems to the present occupant of the chair that if a Delegate representing a Territory is to have a seat in the House for the purpose of representing his constituency, for the purpose of assisting in the passing of legislation which may be beneficial to his constituency, except by voting, and, of course, conversely to assist in preventing the passage of legislation which he may deem harmful to his constituency, then the right to debate and have a seat on the floor of the House should also include the right for him to take part in the parliamentary procedure except only the single right to vote.

Upon the general principles that the prohibition of one particular right permits other rights and the inclusion of one matter excludes all others, it seems to the Chair that there is no good reason for holding that the Delegate may not make a point of order, when as a matter of fact he may participate in all other parliamentary procedure; and certainly, if the Delegate is here for the purpose of promoting

the interests of his constituents either by securing legislation or preventing legislation from being passed, it seems to the present occupant of the chair that he should have the right to insist that the House follow its own rules. That is what is meant by the interposition of a point of order. The point of order is interposed to call attention to a rule of the House that is being violated by the House itself, at least, whenever the rule involved relates to the passage of legislation.

The Chair, therefore, with all deference, is of the opinion that the Delegate from Alaska is entitled to raise the point of order.

The Chair would like to add that on page 862 in Hinds' Precedents, section 1291, it will be found that a Delegate was permitted to make a motion to suspend the rules and he was permitted to move to discharge a standing committee from further consideration of a bill. He was permitted to make that motion, and when the motion was put he moved the previous question. A point of order was made against the right of the Delegate to move the previous question, and that specific point of order was overruled and the Delegate was permitted to move the previous question.

If a Delegate can move to suspend the rules and pass legislation, notwithstanding the rules of the House, and if he can move the previous question so as to put an end to debate and to the offering of amendments, it seems to the Chair there can be no reason for denying him the right to make a point of order which compels the House to follow its own rules.

Mr. BANKHEAD. Mr. Chairman, may I make an inquiry? Do I understand, under the construction that the Chair has placed on this question, that the Delegate has restricted parliamentary rights? In other words, the construction placed upon it by the Chair does not limit his right to make a point of order to matters only affecting his Territory?

The CHAIRMAN. No; not at all. There has been a specific holding that he may not move to reconsider a vote, and that seems logical inasmuch as he can not vote, and therefore should not be permitted to make a motion to reconsider a vote. Aside from that, there is only this one precedent to which the Chair has called attention, which would militate against the position of the present occupant of the chair, and that decision the Chair believes to be out of line with the general trend of opinion as to the rights of a Delegate from a Territory.

Mr. CRAMTON. Is it the thought of the Chair that the parliamentary activities of the Delegates are to be limited to matters directly affecting their Territories?

The CHAIRMAN. The Chair thinks not.

Mr. BANKHEAD. That was the inquiry I made.

The CHAIRMAN. The Chair thinks that the Delegate is here for all purposes of legislation, and the Chair did not intend to limit him as to his rights as to the particular Territory he represents. The truth is he comes as a Delegate to represent his Territory, but in order to discharge his full duties to his constituency, it seems to the Chair that he must have these complete privileges.

Mr. TAYLOR of Colorado. Will the Chair permit me to make this observation: I recently had occasion to look up the activities of the Delegates who represented the State of Colorado during the 15 years when my State was a Territory, from February 28, 1861, to August 1, 1876. At that time there were seven or eight Territorial Delegates in the House of Representatives from what are now Western States. I learned from my reading from the CONGRESSIONAL RECORD of the part they took in general legislation that they were not limited to matters affecting the Territory only which they represented, but took part in a great many matters of general legislation and were very active in debate and every way, excepting in voting.

Mr. SUTHERLAND. Mr. Chairman, before I make my point of order, I ask unanimous consent to proceed for two minutes, reserving the point of order.

The CHAIRMAN. The Delegate from Alaska asks unanimous consent to proceed for two minutes, reserving the point of order. Is there objection?

There was no objection.

Mr. SUTHERLAND. Mr. Chairman, I wish to say to the gentleman from Colorado [Mr. TAYLOR] that the first Delegate in Congress, Benjamin Harrison, played a great part in the debates on the floor of the House, and the Colorado Delegate and the Delegates from all the Territories during later years played a very prominent part in the debates on the floor of the House.

I want to speak particularly of this rule which denies a Delegate the right to object to the consideration of a bill. That rule has placed me many times in the 10 years that I have been here in embarrassing situations. I can not object to the consideration of the bill. I may request a Member to do so. I have never yet failed to secure Members who were perfectly willing to object to the consideration of a bill, yet they always took the chance of incurring the displeasure of the author of the bill or of the chairman of the committee who wanted the bill considered. That rule has always seemed to me to be unfair to the Delegate. I believe he ought to have the right to object to the consideration of a bill that directly affects his constituency.

Mr. STAFFORD. Mr. Chairman, will the Delegate yield?

Mr. SUTHERLAND. Yes.

Mr. STAFFORD. Has there ever been any ruling by the Chair that limits the right of a Delegate so that he can not object to the consideration of a bill on the Unanimous Consent Calendar?

Mr. SUTHERLAND. It is carried right in the rules, in the decision the Chairman quoted.

Mr. STAFFORD. That does not so provide, if I read the rule correctly—Rule XII, paragraph 1—that the Delegate may not object to the consideration of the bill. The rule says, referring to the Delegates:

> And they shall possess in their respective committees the same powers and privileges as in the House, and may make any motion except to reconsider.

Mr. SUTHERLAND. That is understood. We do not ask for that right. But it goes further, and the Delegate may not object to the consideration of a bill.

Mr. STAFFORD. I can not find any express declaration in the rules that a Delegate may not object to the consideration of a bill, and I know of no such rule. As I understood the decision of the Chair, with which I heartily concur, he merely gave a most liberal interpretation so as to allow the Delegate all the privileges of a Member, only forbidding him the right to make a motion to reconsider the right to vote. The motion to reconsider is a well-defined motion in this House, which must be entered within two days after the consideration of the bill. The logic of the ruling of the Chair clearly expressed it. The Delegate is not granted that privilege, because he has not the right to vote. Ergo, he should not be allowed to move to reconsider. I will be favored if any gentleman can point out any specific rule where a Delegate is restricted from objecting to the consideration of a bill.

Mr. SUTHERLAND. I do not feel qualified to debate that question with the gentleman from Wisconsin.

The CHAIRMAN. In the particular case to which the Chair has referred the objection was not made on a Consent Calendar day. There was no Consent Calendar at that time. The objection was to the consideration of a bill upon the ground that it should be considered in the Committee of the Whole House on the state of the Union, and not in the House. So, therefore, it was in fact a point of order.

Mr. SUTHERLAND. Mr. Chairman, the point of order which I desire to make and which I do now make is to the language "Bureau of Indian Affairs," in line 12, page 51, and to the language "Commissioner of Indian Affairs" in lines 20 and 21 on page 52. It is provided there that all expenditures of money appropriated for school purposes in Alaska shall be under the direction of the Commissioner of Indian Affairs. For a period of about 30 years this item has appeared in the appropriation bills under the Bureau of Education. The bill seeks to transfer the activities in Indian education in Alaska from the Bureau of Education to the Bureau of Indian Affairs. I make the point of order that it is legislation on an appropriation bill.

Mr. CRAMTON. Mr. Chairman, the contention of the committee is that there is no legislation involved. It is merely transferring an appropriation from one part of the bill to another. It is true that appropriations for education for the natives in Alaska have been carried heretofore as a part of the appropriations for the Bureau of Education in the Department of the Interior, but in the item before us the same item is carried as an item under the Bureau of Indian Affairs. In that connection let me call the attention of the Chair to the fact that very possibly if the committee had again reported the item under the Bureau of Education, such action might have been subject to a point of order because, in so far as there is any provision of law, clearly this responsibility is by law placed upon the Secretary of the Interior. If there is any provision of law which says that bureau shall be responsible, it is the Bureau of Indian Affairs and not the Bureau of Education. There is nowhere in existing statutory law any requirement or any authorization for the education of the natives of Alaska through the Bureau of Education, formerly and now known as the Office of Education. The only direct provision that the statutes carry with reference to that is to be found in the act of January 27, 1905, title 48, section 169, of the code.

This proposition will not be controverted, Mr. Chairman, by anyone, I am sure, because from the search I have made there is no other direct reference to the responsibility for educating the Indians of Alaska.

Section 169 of title 48 of the code provides—and this appears in the committee report, and it appears in the statement. I will read the section, and there is no controversy about it:

> The education of Eskimos and Indians in Alaska shall remain under the direction and control of the Secretary of the Interior. Schools for and among the Eskimos and Indians of Alaska shall be provided for by an annual appropriation, and Eskimos and Indian children of Alaska shall have the same right to be admitted to any Indian boarding school as the Indian children in the States or Territories of the United States have.

That paragraph has three provisions. First, the education of Eskimos and Indians in Alaska shall remain under the direction and control of the Secretary of the Interior. We propose to leave it there.

Second, it provides that schools for and among Eskimos and Indians of Alaska shall be provided for by an annual appropriation. The item to which a point of order is now made is an attempt on our part to comply with that requirement of law.

Third, that Eskimos and Indian children of Alaska shall have the same right to enter an Indian boarding school in the United States as would any Indian child in the United States.

It is interesting to note that every one of these schools which that provision provides may be entered by a child from Alaska are now administered by the Indian Bureau and not by the Office of Education. Whether that is of any parliamentary effect or not, that is the fact.

That far I am sure no one can controvert my statement that the only provision of law for the education of natives of Alaska expressly, simply puts them under the Secretary of the Interior, where we propose to leave them.

But let me go further and read you what the Snyder Act says—the law with reference to Indians and their education. The Snyder Act, which became the law on November 2, 1921, provides that the Bureau of Indian Affairs, under the supervision of the Secretary of the Interior, shall direct, supervise, and expend such moneys as the Congress may from time to time appropriate for the benefit, care, and assistance of the Indians throughout the United States for the following purposes: General support, civilization—including education—relief of distress and conservation of health, and so forth.

In connection with that, please keep in mind that the Alaska Code states in section 23 of title 48:

> The Constitution of the United States and all the laws thereof which are not locally inapplicable shall have the same force and effect within said Territory as elsewhere in the United States.

The Snyder Act, in so far as it is not inapplicable in Alaska, has the same force and effect in Alaska as in any other part of the United States. There being no contradictory provision, the Snyder Act places the Indians of Alaska under the Indian Bureau just as much as the Indians of the United States, and hence it would have been subject to a point of order last year when the bill proposed to provide for their education under the Office of Education; but this year, conforming to the Snyder Act, which placed them in 1921 definitely under the Indian Bureau, a point of order is not to be held good.

I do not care to discuss the merits of the proposition. If the point of order is not sustained and a motion is made to strike out the provision, of course I would proceed to discuss the merits of the question. I will only make this one further observation to put the statutory situation fully before the Chair. First, the law of 1905 provides that the education of these natives shall be under the direction of the Secretary of the Interior. Second, the Snyder Act provides that the education of Indian children shall be through the Indian Bureau, under the Secretary of the Interior. Third, the Code of Alaska, the fundamental law, provides that the laws of the United States, including the Snyder Act, shall be in force and effect in Alaska, in so far as they are not inapplicable.

There is a fourth provision that is of interest in this connection. The act of February 10, 1927—

> An act authorizing the designation of an ex officio commissioner for Alaska for each of the executive departments of the United States, and for other purposes—

Provides in section 2 that—

> Each of said Secretaries—

Of whom one is the Secretary of the Interior—

> shall delegate and assign to the commissioner representing his department—

And I may say the commissioner appointed to represent the Secretary of the Interior is the Governor of Alaska—

> general charge of any or all matters in Alaska under the jurisdiction of said department or of any bureau or agency thereof, to the extent, in the manner, and subject to such provision and control as the Secretary may deem proper and expedient.

In other words, the act of 1927, the latest statute, goes so far as to say that even if Congress should make an appropriation of a million dollars for the education of the natives of Alaska, under the Office of Education, the Secretary of the Interior has it in his discretion to transfer that responsibility from the Office of Education to his commissioner in Alaska, who is the Governor of Alaska, transfer unexpended appropriations to him, and let him carry the work forward.

We are not interfering with or changing any statute.

The CHAIRMAN. The Chair would like to ask the gentleman from Michigan, particularly in view of the last statute and the interpretation which the gentleman placed upon it, and with which the Chair has no disagreement, whether the language in lines 16 to 25, on page 52, does not in fact state just how the Secretary of the Interior and his Commissioner of Indian Affairs shall conduct their business, and to that extent goes further than the act which the gentleman has just read?

Mr. CRAMTON. The act just read is at rest until the Secretary seeks to call that authority into action, and until the Secretary does seek to call it into action it does not circumscribe our authority.

The CHAIRMAN. But has the committee that authority on an appropriation bill?

Mr. CRAMTON. The act of 1927 gives the Secretary authority to take it away from any bureau—the Indian Affairs, the Office of Education, or any other—and confer it upon his commissioner in Alaska. He has not exercised that authority, and hence that act can not be held as yet to have limited us.

The Snyder Act, which is still in effect, just the same as other statutes are in effect, provides that the education of

Indians shall be under the Bureau of Indian Affairs. We are conforming to that law. Then, if the Chair does not follow us there, which I felt sure the Chair would do, there remains the authority of law only that the Secretary of the Interior has direction of this education, and we are not disturbing that. The last time we had it on one page of the bill and we now have it on another page of the bill, but we certainly have not changed existing law by moving the item from one page to another.

To be perfectly frank with the Chair, I have been discussing the general proposition of a transfer of the appropriation, making the appropriation this yer to the Office of Education and for 1932 to the Bureau of Indian Affairs. The language to which the Chair refers, on page 52, the last proviso, may possibly have within it some legislative character, but, in my judgment, it is not a provision which matters. It is a provision which has been carried heretofore in the item under the Office of Education, identical with it here, except in the current bill it says, "Office of Education," while in the new bill before us it says, "Commissioner of Indian Affairs." It does happen that the Budget recommended that the language be stricken out this year, but it did not seem to us wise to do so. Of course, if the Chair rules against the paragraph on the ground of that proviso, I would offer the paragraph for consideration without the proviso.

I find I did not understand the point of order. The Delegate from Alaska now advises me that his point of order is only against that proviso.

The CHAIRMAN. And the words "through the Bureau of Indian Affairs," in lines 11 and 12, on page 51, but not against the paragraph.

Mr. CRAMTON. I misunderstood. I would have confined myself more if I had understood that. The proviso is not of vital importance and I would not take much of the time of the committee in arguing about it. The other language, "through the Bureau of Indian Affairs," would not affect the practical purpose at all, whether that language is in or not, but it seemed to us that it was desirable to put it there for the purpose of clarification, and I think under the statutes I have referred to we have the right to include that language.

However, I will say this: I will concede that the point of order is good against the proviso but not against the other language.

Mr. LAGUARDIA. The other language is as vital as the proviso itself.

Mr. CRAMTON. I want this bill to proceed, and I will say that I do not want to concede that the point of order is good as to the phrase in line 12, but I will agree with the Delegate from Alaska that if he withdraws his point of order and moves to strike out the words "through the Bureau of Indian Affairs," in lines 11 and 12, and the proviso, I will join him in support of such a motion. Then the paragraph will still be where it is, under the Indian Bureau.

Mr. LAGUARDIA. Mr. Chairman, we might as well have a ruling on it. I want to call the attention of the Chair to this proposition, that the gentleman from Michigan overlooks entirely the intent of section 169 of title 48 of the code. The Snyder law, to which he refers, has no application to section 169 or to Alaska, for the simple reason that the Snyder law refers to Indians and Indians alone, while the provisions of section 169 refer to Eskimos and Indians. The intention of section 169 was to leave the education of these Indians and Eskimos under the direct supervision of the Secretary of the Interior. Then when it refers to entrance into Indian schools, of course, there is notice that the Indian schools are under the jurisdiction of the Commissioner of Indian Affairs. By reason of the fact that you had other children there besides Indians, the supervision was taken away from the Indian Bureau and the proposition put under the direct supervision of the Secretary of the Interior, because the language is "he shall have," and it is not even discretionary. The Snyder Act, which the gentleman from Michigan stresses, is not at all applicable because that is applicable only to Indians.

Mr. CRAMTON. If the gentleman will permit, did I understand the gentleman to assert that the care of these Indians in Alaska ever was carried on by the Bureau of Indian Affairs and was taken away from that bureau?

Mr. LAGUARDIA. I say that the intent of section 169 of title 48, from which the gentleman has quoted, was to make a distinction in the case of Alaska by reason of the fact that you have Indians and Eskimos, and it was put under the direct supervision of the Secretary of the Interior.

Mr. CRAMTON. The gentleman is mistaken in that, and it is an assumption from the consideration of insufficient facts. The gentleman will find a great many cases where a burden is put on the Secretary of the Interior without the law stating what bureau shall administer it. That is true as to certain burdens put on the Park Service, the Land Office, and so forth.

The CHAIRMAN. The Chair would like to ask the gentleman whether he thinks the words "through the Bureau of Indian Affairs," in lines 11 and 12, deprive the Secretary of the Interior of the wide discretion which he now has under general law?

Mr. CRAMTON. Of course, I do not suppose it affects the parliamentary situation; but the fact is the Secretary of the Interior was consulted and in the report of the committee states his desire that this be done. His letter is quoted in the report. I do not know that that changes the matter, but it does make clear that the committee is not invading the jurisdiction of the Secretary of the Interior. We are proceeding in accordance with his desires on the contrary.

Mr. LAGUARDIA. Of course, the Chair can not take any cognizance of the desires of the official involved. That is not germane to the question at all.

Mr. CRAMTON. I think the Chair does take cognizance of the report of the committee.

Mr. LAGUARDIA. True; but you can not take that discretion away from him in this way.

The CHAIRMAN (Mr. CHINDBLOM). The Chair is required to rule only upon the words "through the Bureau of Indian Affairs," in lines 11 and 12, on page 51, the point of order having been conceded with respect to lines 16 to 25, inclusive, on page 52. The present occupant of the Chair does not mean to say his judgment would be foreclosed by the concession of the point of order if he did not agree with the concession. As it happens, the Chair does agree with the concession that these lines are subject to a point of order, and with reference to the words "through the Bureau of Indian Affairs," it seems to the Chair that they do infringe upon the present wide authority of the Secretary of the Interior, who may use any agency under his control under the existing law, and it might be held to be a pro tanto repeal of the law of 1927, to which the chairman of the committee called attention, inasmuch as this would be a later enactment than the general law of 1927.

For these reasons the Chair feels constrained to sustain the point of order as to the words "through the Bureau of Indian Affairs," in lines 11 and 12, on page 51, and with respect to the proviso beginning in line 16 and ending in line 25, on page 52.

The Chair sustains the point of order.

Mr. CRAMTON. Mr. Chairman, I move to amend the bill by inserting the amendment which I send to the desk.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. CRAMTON: Page 51, after line 9, insert a new paragraph as follows——

The CHAIRMAN. The Chair will state that the Chair did not sustain the point of order as to the entire section, but only that language which was referred to.

Mr. CRAMTON. Then I stand corrected. If the point of order is directed to that language specifically, then I do not need to offer the amendment.

The CHAIRMAN. As to the words "through the Bureau of Indian Affairs," in lines 11 and 12, on page 51, and the proviso beginning with line 16 and ending with line 25, on page 52, the point of order is sustained.

Mr. LAGUARDIA. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LAGUARDIA. What is the effect, the objectionable language having been stricken out, of having this paragraph in the appropriation bill under the title of the Indian Bureau?

Mr. CRAMTON. We have got to put it somewhere.

Mr. LAGUARDIA. Why not put it under the Bureau of Education?

Mr. CRAMTON. I want to argue that point. That involves the merits.

The CHAIRMAN. Unless there is a further motion the Clerk will read.

Mr. SUTHERLAND. Mr. Chairman, I have an amendment.

The CHAIRMAN. The gentleman from Alaska has an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. SUTHERLAND: Page 51, line 12, after the word "the," strike out "Bureau of Indian Affairs" and insert in lieu thereof "Office of Education."

Mr. CRAMTON. Mr. Chairman, before the gentleman takes the floor in support of his amendment, I wonder if we can agree on the time for debate. Would five minutes on a side be sufficient?

Mr. SUTHERLAND. Whatever the gentleman wishes.

The CHAIRMAN. The Chair will state that the amendment is not in proper form. The entire phrase, "through the Bureau of Indian Affairs," has been stricken out on a point of order.

Mr. CRAMTON. And the gentleman wants to put in "Office of Education" in place of that?

Mr. SUTHERLAND. I did not understand that that was stricken out, but only the proviso at the close of the paragraph.

The CHAIRMAN. The words, "through the Bureau of Indian Affairs," as well as the proviso on page 52, were stricken out.

Mr. SUTHERLAND. Then the point of order in general was sustained.

The CHAIRMAN. The point of order was sustained on both counts.

Mr. SUTHERLAND. Then I will ask to correct my amendment by inserting after the word "direction" in line 11, page 51, the words "through the Office of Education."

The CHAIRMAN. Without objection, the Clerk will report the amendment as now offered:

The Clerk read as follows:

Amendment by Mr. SUTHERLAND: Page 51, line 11, after the word "direction" insert the words "through the Office of Education."

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 15 minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that all debate on this paragraph and all amendments thereto close in 15 minutes. Is there objection?

There was no objection.

Mr. SUTHERLAND. Mr. Chairman, my purpose is, if possible, to prevent the work of education among the native people of Alaska being transferred from the present bureau to the Bureau of Indian Affairs.

Primarily the people of Alaska, the aborigines, are not considered Indians. We have the Eskimo and various races there and sometimes we speak of them as Indians, but officially they are recognized as the native people of Alaska. The paragraph under discussion is entitled "Work Among the Native People of Alaska." The gentleman from Michigan has never yet, as I recall, used the word "Indian" in speaking of the people of Alaska. They are native people, and it is a serious question whether they are Indians or not. For 30 years the education of these people has been carried on by the Bureau of Education of the United States, and very successfully, indeed. These people have progressed and have reached a very fine stage of civilization; they are thrifty, independent people, and appreciate the freedom that they enjoy. They are not wards of the Government of the United States; they are absolutely a free people and have never yet been classified with the plains Indians under the supervision of the Bureau of Indian Affairs.

For 10 years I sat in Congress and served on the Committee on Indian Affairs. I listened to criticisms of the Bureau of Indian Affairs. I have been in doubt sometimes as to the truth of some of the charges made against them, but for years Members on the floor of the House and before the committee have told of the cruelties that have been perpetrated by agents of the Indian Bureau on these plains Indians, and we have heard Indians before the committee describe the cruelties and injustices they suffered at the hands of the Bureau of Indian Affairs.

Now, the native people of Alaska do not want to come under this bureau. They live in dread of it. They take the position that they are not in the same class with the Indians of the plains of the United States.

We do not want this autocratic bureau—call it paternal if you will—to extend its powers into the Territory of Alaska. Keep it in the States where it belongs, where it was originally designed to operate, keep it out of the Territory of Alaska, away from these people, absolutely free, and not under the control of any bureau of the United States Government.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. SUTHERLAND. I yield.

Mr. LAGUARDIA. What is the situation there now as a practical matter under the Bureau of Education?

Mr. SUTHERLAND. The native people are very well satisfied. I will say that the Bureau of Education has done a wonderful work. I want to give the bureau credit for the work it has done there with these natives.

Mr. LAGUARDIA. Is the Bureau of Education administering education in your Territory efficiently?

Mr. SUTHERLAND. Among the natives; yes.

Mr. LAGUARDIA. Then, what is the reason for making the transfer?

Mr. SUTHERLAND. It is for some reason that the present Secretary of the Interior has in mind to take away all of the activities of the Bureau of Education except the preparation of statistics. Now, when he takes away the education of Alaska natives from the bureau it takes 70 per cent of the work provided by the Appropriation Committee. Seventy per cent of the money provided for that bureau is applied to Alaska. Very early in this term the present Secretary of the Interior took the work of caring for reindeer, which has always been held by the Board of Education as educational work for the benefit of the Indians, and the Appropriation Committee has held that it was educational work—he decided to take it away from the Bureau of Education and place it under the governor of the Territory. There was an organization caring for the reindeer then and for the interest of the natives.

And so the care of the reindeer was transferred to the Governor of Alaska who has no organization, only himself, to care for the reindeer. The result of that was a sort of an explosion in the Territory. Today the gentleman from Montana, Mr. LEAVITT, Senator KENDRICK, and a representative of the Department of Justice have been called upon to adjust the troubles that have arisen in Alaska from the administration of the care of the reindeer. The transfer of the reindeer into the hands of the Governor of Alaska was made without any authorization of law. That is, there was no authority in law to place that industry in the hands of the governor.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. SUTHERLAND. Yes.

Mr. CRAMTON. How can the gentleman say that, in the face of the act of 1927, which I have just read?

Mr. SUTHERLAND. The act of 1927 does not confer any such powers on the Governor of Alaska.

Mr. CRAMTON. No; but it clearly and expressly says that the Secretary of the Interior may make the transfer to

the governor, which he did, or to the commissioner, who happens to be the governor.

Mr. SUTHERLAND. That is not the governor. I doubt very much if the former Secretary of the Interior had any authority of law to make the governor the representative of the Interior Department on that commission.

Mr. CRAMTON. The transfer was not made to the governor. It was made to the commissioner, who happens to be the governor.

Mr. SUTHERLAND. The original act creating the governorship specifies what the duties of the governor are, and they are not caring for reindeer, and I am not giving my own opinion as to the illegality of that. I am giving the opinion of excellent lawyers who have brought to my attention that there is nothing in law to support the action of the Secretary in transferring the reindeer to the governor, or even placing the governor on the administrative commission of 1927. The Governor of Alaska is not the representative of any particular department, and it was the intent of Congress that he should see that the officials performed their duties properly, and that is quite a contract for him to perform without caring for reindeer.

Mr. CRAMTON. Mr. Chairman, I do not want to go into a discussion of the care of the reindeer further than to say that the act of 1927 gave the authority to the Secretary which he exercised. I submit this observation, however, that anyone who studies the history of that reindeer experiment in Alaska must be impressed by this, that the Bureau of Education has not shown in the 10 years that I have been in contact with the problem the zeal for the best interests of the natives of Alaska in connection with that experiment that they might, and that there is a necessity to-day that something be done.

As to the education of the natives of Alaska, the gentleman speaks of the plains Indians. There are all kinds of Indians in the United States—plains Indians, mountain Indians, desert Indians—and there is no question but that some of the native population up there in Alaska are of Indian stock and some of Eskimo stock.

The fact that the appropriations are as great as they are for the care of the natives of Alaska in the bill is due more to the zeal of our committee in the last few years than it is to the zeal of the Office of Education. Time after time the Delegate from Alaska [Mr. SUTHERLAND] has come to us complaining of the lack of facilities, and sometimes we have been able to meet his views and give greater facilities. The Bureau of Education is not an administrative bureau. It is destined for other things, as a clearing house of education for the United States. Is it not a grave travesty when the Delegate from Alaska can assert, as he has here, that 70 per cent of the appropriations for the Bureau of Education, which has to do with the problems of education all over this great Nation, are devoted to the care of a few natives up in Alaska? The Bureau of Education is not an administrative bureau. It is in no way fitted to do that kind of a job. The Bureau of Education wants to get rid of the work. In the annual report of the commissioner, which I quoted in my remarks, to be found on page 341 of the RECORD, the other day it was stated that they wanted to get rid of it. It is an administrative burden that handicaps their general work, as it ought not to do. The Secretary of the Interior in his letter says:

> As you may know, Commissioner Cooper and I have both been interested in reducing the administrative work of the Office of Education to a minimum. Consequently, I am pleased to indorse the proposal to transfer the administrative function of handling the natives of Alaska to the Indian Office, where I believe it will merge logically and practically with the work now being performed there. There would be many advantages, and I believe the organization of the Indian Office will lend itself effectively to the consolidation from the start. The Public Health Service is now cooperating with that bureau, and the plan of organization of the various functions, such as health, education, industries, employment, and finance, should enable us to exercise more effective supervision of the work in Alaska than is possible under the present arrangement.

The plan of the committee proposes that not only the work of education but that of health be performed by the Bureau of Indian Affairs. The Bureau of Education has no contact with the Public Health Service. This health work that we are spending so much money on in Alaska has no contact with the Public Health Service, but all of the public health work of the Indian Bureau is carried on under Doctor Guthrie, an official of the Public Health Service. There is the closest contact possible. These natives of Alaska are largely up along the coast of Alaska, stretching all the way for hundreds and hundreds of miles of coast line away up into the Arctic Circle. Can you justify the Bureau of Education being charged with a health problem in Alaska thousands of miles away from Alaska? Can anyone justify burdening the Bureau of Education with the care of the health of the natives of Alaska? The administrative problems of education are unrelated to the work of building hospitals and making provision for nursing and provisions of medical relief. In the Bureau of Indian Affairs we find an organization there, a health service, set up under the direction of officials of the Public Health Service and other agencies. There is an industrial agency being built up that can give study to the marketing of the products of those natives of Alaska at the same time that it gives study to the marketing of the peculiar wares of the Navajos.

I am surprised that my friend from Alaska should oppose this proposition, having in mind, I may say, his constant dissatisfaction for several years with the work of the Office of Education in Alaska, realizing, as I do, that the Bureu of Indian Affairs has more money at its disposal than it has had before; and I may say that its splendid organization, with the very highest ideals, do not in any way justify the attack made by the Delegate from Alaska. I am satisfied the welfare of those poor people up along Alaska's shores will be much safer under the Bureau of Indian Affairs than they are now in the Office of Education that asks to be relieved of the responsibility.

Who can serve them best? Officials who say that they do not belong in their bureaus, officials whose thought is given to problems here and not in the field, officials whose thought is given to studies, examinations, surveys, and exchanges of information, who have no taste and no time for administrative problems, or the Bureau of Indian Affairs, which is interested in the problem of the rehabilitation of the native?

I hope the gentleman's amendment will not prevail.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

> *Provided further*, That this appropriation shall be available for construction of hospitals and sanatoria, including equipment, as follows: Albuquerque Sanatorium and employees' quarters, New Mexico, $375,000; Sioux Sanatorium and employees' quarters, Pierre, S. Dak., $375,000; Ignacio Hospital, Colorado, $75,000; in all, $825,000: *Provided further*, That appropriations contained in the Interior Department appropriation act, fiscal year 1931, and the second deficiency act, fiscal year 1930, for construction and equipment of hospitals, are continued available until June 30, 1932: *Provided further*, That appropriations contained in the Interior Department appropriation act for the fiscal year 1931 and the second deficiency act, fiscal year 1930, for the construction and equipment of the Seger Hospital and employees' quarters, Oklahoma, are hereby reappropriated and made available for construction and equipment of a hospital and employees' quarters at Clinton, Okla.

Mr. WILLIAMSON. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

> Amendment by Mr. WILLIAMSON: Page 56, line 20, strike out the word "Pierre."

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments to this paragraph close in 15 minutes, 5 minutes for the gentleman from South Dakota [Mr. WILLIAMSON], 5 minutes for the gentleman from South Dakota [Mr. JOHNSON], and 5 minutes for the committee.

Mr. WILLIAMSON. That will be two against one. If the gentleman will allow me 10 minutes and amend his request to make all debate close in 20 minutes, I will not object.

Mr. CRAMTON. I will do that. I will ask to amend my request to make it 20 minutes.

Mr. JOHNSON of South Dakota. That would mean that the gentleman from South Dakota [Mr. WILLIAMSON] would have 10 minutes and the gentleman from Michigan and I would each have 5 minutes?

Mr. CRAMTON. Yes.

Mr. JOHNSON of South Dakota. I have no objection.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that all debate on this amendment and all amendments to this paragraph shall close in 20 minutes. Is there objection?

There was no objection.

Mr. WILLIAMSON. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. WILLIAMSON. Ladies and gentlemen of the committee, as perhaps most of you observed, I have offered an amendment to strike out the word "Pierre" in line 20 in the item "Sioux Sanatorium and employees' quarters, Pierre, S. Dak., $375,000."

The purpose of the amendment is to permit the Bureau of Indian Affairs and the Secretary of the Interior to locate the proposed tubercular sanatorium at any point they may see fit in South Dakota. The committee has written into the bill "Pierre, S. Dak.," as the location.

On turning to the hearings I find that no testimony whatever was taken with reference to the suitability of Pierre, S. Dak., as a location for a tubercular sanatorium. Pierre, S. Dak., as some of you at least know, is located upon a high plain adjacent to the Missouri River, with no shelter of trees or anything else to protect the buildings or a sanatorium of this character. Rapid City, on the other hand, is located in the foothills of the Black Hills, surrounded by pine timber, except on the east. The location suggested for Rapid City is within a semicircle of timber and mountains, and is almost ideal for a tubercular sanatorium.

The only thing I am seeking to do by the amendment is to permit the Indian Bureau and the Department of the Interior to decide upon the location from the standpoint of merit. I do not believe the Committee on Appropriations should undertake, without hearings, without investigation, and without consulting the Member of Congress from the district that is most vitally affected, to put the location at Pierre. The location should be determined by experts who know something about the proper treatment of tubercular children after a careful survey of all available sites. It is not a question of whether one town or another should have the sanatorium. The welfare of those to be served should have first consideration.

There are several reasons why it should be located in the Black Hills. I assume the chairman of the Subcommittee on Appropriations, in charge of this bill, wants to put the institution in a location where it will be of the greatest value to the Indians to be served. My district has something over 20,000 Indians. The total Indian population of South Dakota is only 27,000, or thereabouts. It is apparent, therefore, that the great bulk of the Indian population lives within the district which I represent. Just why these Indians, who look to me for aid whenever they are in need or in trouble, should have their sanatorium placed in another congressional district is not apparent. Now, because the people of Rapid City and I, as their Representative, made a fight to prevent our industrial Indian school being converted into a tubercular sanatorium it is sought to take this proposed tubercular hospital out of my district and put it on the other side of the river, in the district of my distinguished colleague, ROYAL C. JOHNSON, at a point where it is not nearly as accessible to the Indians who are to be cared for. There is nothing in the hearings to show what territory is intended to be served, but the information I have from the Secretary of the Interior is to the effect that this institution is intended to serve not only the Indians of South Dakota but the Indians from Nebraska, Wyoming, and Montana.

Rapid City is served by five railroads, the railroads running to the north, south, east, and west. Pierre, S. Dak., is served only by one railroad, going through from east to west. There is no question but what the Indians on the Pine Ridge Reservation and the Rosebud Reservation can be better served at Rapid City than at Pierre. The total population on those two Indian reservations alone is about 14,000. In all probability there will be more inmates from these reservations than from all other reservations combined. The Nebraska Indians are located near railroads going directly to all available Black Hills locations.

Indians from Wyoming and Montana can also reach Rapid City by railroad without any difficulty and for the most part will have to go through that town to get to Pierre, some 225 miles distant. This will add greatly to the hardships of patients and will cast a greatly added burden upon the Government.

Another point in favor of Rapid City is the climate. The climate at Rapid City or any of the towns to the south in the Black Hills is much more suitable for patients, particularly those suffering from tuberculosis, than is the climate at Pierre, S. Dak.

I am going to put in the RECORD, because I shall not have time to read it here, a weather chart for Rapid City, in order that the Congress, at least, may have some information with reference to the climate at this point. The chart covers the years from 1888 to 1929, inclusive.

An examination of this chart discloses that the average mean temperature in Rapid City, S. Dak., over a period extending from 1888 to 1929 was 22° F. in January, 23° in February, 32° in March, 45° in April, 53° in May, 64° in June, 70° in July, 69° in August, 60° in September, 48° in October, 36° in November, 27° in December, making an average of 46° the year around.

Mr. CRAMTON. Will the gentleman yield?

Mr. WILLIAMSON. I yield.

Mr. CRAMTON. Will the gentleman state the extreme low temperatures?

Mr. WILLIAMSON. I do not have that information. I am giving the average temperature each month for that entire period.

I may say to you, however, that the extreme low temperature at Rapid City is considerably less than that at Pierre, S. Dak.

Mr. CRAMTON. I understand one is 36° and the other is 40° zero. I do not know whether anyone would notice much difference.

Mr. WILLIAMSON. That would be 40° at Pierre and 36° at Rapid City. However, you will find that the average temperatures at Pierre go to greater extremes. Now, the wind velocity at Rapid City is another item to be considered. The average annual wind velocity is only about 8 miles, a little less than 8 miles. Then, too, we have sunshine 64 per cent of the entire time during daylight. You will find that the averages for temperatures, for wind velocity, and for sunlight, as well as for everything that contributes to recovery of tubercular patients, are in favor of the Rapid City location. I am not contending that it shall be placed in Rapid City necessarily, but I am contending that consideration should be given to all available locations by a competent medical staff with a view to that selection which will contribute the most to the speedy recovery of the patients. I contend it should not be arbitrarily placed at Pierre without giving the Secretary of the Interior a chance to dispose of the matter upon its merits. What Rapid City citizens may have said when the Indian school was jeopardized should not be the controlling factor.

I happen to know that medical opinion is in favor of Rapid City or a location in the hills, as against Pierre, S. Dak. I have here a letter from C. H. Mayo, of Rochester, familiar to most of you, I think, written to Doctor Jackson, of Rapid City, S. Dak. That celebrated authority says under date of October 27, 1930:

OCTOBER 27, 1930.

Dr. R. J. JACKSON,
First National Bank Building, Rapid City, S. Dak.

DEAR DOCTOR JACKSON: I heard recently that some of the leaders in the Indian affairs of the United States are seriously thinking

of establishing a sanitarium for the treatment of tuberculosis among the Indians. I know the people of Rapid City are commercially active, industrious, and interested in all progress, and I think it would be a fine thing for them to get together and try to get this sanitarium located there, as the climate, elevation, dry, air, etc., which contribute so much to the alleviation of suffering and the recovery of those having tuberculosis are also found in the Black Hills.

With kind personal regards to you and Mrs. Jackson,

Sincerely yours,

C. H. MAYO.

Here is another letter, from W. J. Mayo, brother of this distinguished physician:

OCTOBER 31, 1930.

DR. R. J. JACKSON,
First National Bank Building, Rapid City, S. Dak.

DEAR DOCTOR JACKSON: I am very much interested in your letter of October 28 concerning the possibility that the United States Bureau of Indian Affairs is about to select a location for a sanitarium for tuberculous Indians and are considering Rapid City.

Rapid City has every desirable feature as a site for a sanitarium for the tuberculous as to location, altitude, and climate, and I hope that the Bureau of Indian Affairs will be able to give it favorable consideration.

With kind personal regards to Mrs. Jackson and yourself, in which Mrs. Mayo joins me,

Sincerely yours,

W. J. MAYO.

The water supply in the Black Hills is abundant and of the very best. It comes from perennial mountain springs and is pure and clean.

Another thing which I think should be considered, and which this committee apparently entirely overlooked, is that you can get a great deal for your money in the way of buildings in Rapid City, more than you can at most towns in South Dakota. There is a large State cement plant located there, an abundance of cheap gravel, and building materials of all kinds.

Following is the weather chart I referred to a moment ago:

Weather Bureau data, Rapid City, S. Dak.

	January	February	March	April	May	June	July	August	September	October	November	December	Annual
Mean temperature (1888–1929)	22.8	23.3	32.5	45.0	53.9	64.0	70.8	69.7	60.3	48.5	36.0	27.1	46.2
Mean precipitation (1888–1929)	0.43	0.47	1.06	1.92	3.54	3.43	2.50	1.70	1.31	0.95	0.50	0.40	18.23
Mean relative humidity: [1]													
6 a. m.	71	72	71	68	69	69	65	65	62	62	64	67	64
6 p. m.	66	66	59	50	49	50	43	41	42	49	59	63	51
Prevailing wind direction [2]	W.	N.	NW.	N.	N.	W.	W.	W.	W.	W.	W.	W.	W.
Average hourly velocity [2]	7.6	7.7	8.8	9.3	8.8	8.1	7.4	7.1	7.7	7.9	7.8	7.8	7.9
Sunshine per cent (1907–1929)	58	63	64	62	61	67	73	73	69	65	64	56	64
Number of days of sunshine 1930	26	26	28	27	28	30	31	31	30	29			
Number of days clear, partly cloudy, and cloudy: [1]													
Clear	12	8	9	9	8	10	13	14	14	14	11	12	136
Partly cloudy	10	10	11	10	12	12	13	12	9	9	10	9	126
Cloudy	9	9	11	11	11	8	5	5	7	8	9	10	103
Total number of days with dense fog 1888 to 1929, inclusive	23	10	20	22	11	12	4	11	7	16	22	30	171

[1] Record for 42 years from January to July, November and December, and annual; other months for 43 years.
[2] Record for 43 years except for November and December and annual.

I also offer the following for the information of the committee:

WATER REPORT FROM THE PENNINGTON COUNTY HEALTH DEPARTMENT

Subject: Rapid City water supply.

Bacteria count per cubic centimeter: Room temperature, 224; 38° C., 50.

Gas produced in lactose broth: 24 hours, none; 48 hours, none. No colon.

S. CRABB, *Bacteriologist.*

NOTE.—Our water supply is considered one of the best and purest, coming direct from mountain springs.

Dust: Very little.

The price per cubic foot for a recent fireproof construction in Rapid City: The price per cubic foot of the new school building just completed was 28 cents. The price per cubic foot for the St. John's Hospital, a fireproof construction, was 31 cents.

Mosquitoes: None.

Flies: Very few.

Availability of sand and gravel, and price per yard or ton: Washed sand available in large quantities at $1.40 per ton f. o. b. Rapid City; crushed gravel available in large quantities at $1.40 per ton f. o. b. Rapid City.

Natural gas: Natural gas is available, passing within 100 feet of proposed site No. 3, and we will deliver same to property line of above site. This provides a much better and cheaper fuel for heating. It is now being used at the Indian school.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I rise in opposition to the amendment. The distinguished and able gentleman from South Dakota [Mr. WILLIAMSON] has done remarkably well with the material he has had. The anomalous position in which he finds himself is not because of any fault of his own, but due to the previous record made by his constituents in opposing the building of a hospital in Rapid City.

As a matter of fact, I think there is very little difference in the climatic conditions in either of the cities involved, and I am satisfied that if this hospital were placed in either city the treatment which would be given the inmates would not be affected by the climate.

The facts are that this institution would have been placed in Rapid City some years back had it not been for the magnificent fight conducted by the gentleman from South Dakota [Mr. WILLIAMSON], at the behest of the citizens of Rapid City. To-day every Member of this House has received telegrams signed by Mr. Bronson, of the Commercial Club of Rapid City, who now, apparently, desires this institution. It is only a short time ago, November 22, 1929, when Mr. Bronson said, in a letter to a Member of Congress from South Dakota and myself:

Please do not be misled by anyone trying to make you believe we want this tuberculosis hospital here as we do not want it at all, and if a committee can do any good to appeal to the President or the new Secretary or Indian Commissioner let us know and we will come down, as we do not want this sanitarium above Rapid City, and our town is 100 per cent solid on that.

Then, at the request of these same gentlemen, who have now reversed their position, they made it necessary for my eminent colleague to go before the Appropriations Committee and state:

I want to call your attention to the distances of these reservations from Rapid City. There are no railroads to the reservations, and you have to go by automobile or some other overland conveyance, for the most part. From the Rapid City school you can go to a point near the Lower Brule Reservation by train, but that is the only one. From Rapid City to the Pine Ridge Reservation is a distance of 119 miles.

Then he was compelled, at their request, to show how inaccessible Rapid City is. Then, in 1929, I received a letter from Mr. Bronson, who has to-day wired everyone in the House of Representatives, inclosing a very long resolution from the Chamber of Commerce of Rapid City, protesting very vigorously against this sanatorium going there. That was signed by Cyrus C. Warren, chairman of the chamber of commerce.

Mr. Chairman, I ask unanimous consent to extend my remarks by inserting these resolutions.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The resolutions referred to follow:

Resolution

Be it resolved, That the Rapid City Chamber of Commerce, representing the business interests of this city, unanimously go on record as being opposed to the establishing of an Indian tuberculosis sanitarium at Rapid City; and be it further resolved that we use every effort to retain our Indian school in its present status. Further, that we believe the establishing of the sanitarium on

Rapid Creek, above the city, would be a great detriment to our city.

And a copy of this resolution be sent to our Senators and Congressman at Washington.

RAPID CITY CHAMBER OF COMMERCE,
By CHARLES J. BUELL, *President.*
By R. L. BRONSON, *Secretary.*

Dated this 10th day of April, 1929.

RAPID CITY, S. DAK., *November 22, 1929.*

Congressman ROYAL C. JOHNSON,
House Office Building, Washington, D. C.

DEAR CONGRESSMAN: Inclosed you will find copy of resolution passed by our chamber of commerce yesterday, and we certainly would appreciate anything you can do to help us save our Indian school from being changed to a sanatorium. Our people here are 100 per cent opposed to our Indian school being transformed into a sanatorium.

Thanking you again for your good work you have done for us, and assuring you we of the Black Hills appreciate it, we remain,

Yours very truly,

CHAMBER OF COMMERCE,
R. L. BRONSON, *Secretary.*

Resolution

Whereas the last session of Congress in the appropriation bill discontinued the Rapid City Indian School and substituted therefor a tuberculosis sanatorium; and

Whereas in the judgment of the Chamber of Commerce of Rapid City this was very inadvisable from the standpoint of the welfare of the Indians in this vicinity, the Indian Service, and the business interests of this part of South Dakota: Therefore the Rapid City Chamber of Commerce at a special meeting called to consider this matter:

Resolved, That our Senators and Representatives in Congress be requested to do everything possible that they can do to restore the Indian school to its former status and to do so at the earliest possible date; be it further

Resolved, That the Indian school committee of the Rapid City Chamber of Commerce be instructed to advise our Senators and Representatives of this action; and further

Resolved, in the judgment of the chamber of commerce that this is the unanimous opinion of the community; be it further

Resolved, That if it is deemed advisable, the chamber of commerce will send representatives to Washington to advise congressional committees or others as to the true situation; be it further

Resolved, That copies of this resolution be sent to Senator PETER NORBECK, Senator W. H. MCMASTER, Congressman WILLIAM WILLIAMSON, Congressman ROYAL C. JOHNSON, Congressman C. H. CHRISTOPHERSON, and Secretary of the Interior Ray Lyman Wilbur.

CYRUS C. WARREN,
Chairman.
C. E. GRAY,
GEO. P. BENNETT.
E. M. REEVES.
PAUL E. BELLAMY.

Incidentally, at the same time, the Lions Club of Rapid City unanimously went on record saying:

Be it resolved, That the Lions Club of Rapid City, S. Dak., unanimously goes on record as being very much opposed to changing the Indian school located in this city to a tuberculosis sanitarium, and that we lend every effort possible to keep this Indian school as it is at the present time, as we believe it would be very injurious to this city to have a tuberculosis sanitarium located above our city.

Mr. CRAMTON. When was that resolution adopted?

Mr. JOHNSON of South Dakota. That was adopted on April 9, 1929. I do not know whether they have changed their position or not. The Rotary Club of Rapid City protested very vigorously against the establishment of this hospital in Rapid City in a resolution, as follows:

Be it resolved by the board of directors of the Rapid City Rotary Club, at the direction of the members of said club, That we are absolutely opposed to the establishment of an Indian tuberculosis sanitarium at Rapid City.

And be it further resolved, That we use every effort to retain this Indian school in its present status. Further, that we believe the establishment of the sanitarium on Rapid Creek, above the city, would be a great detriment to our city.

Resolutions were also adopted by the American Legion, the American Legion Auxiliary, the Rapid City Cosmopolitan Club, the railroad workers' organizations, and every single organization in that city.

I desire to quote the following from a statement made by Hon. Dale Werner, appearing in the Gate City Guide of December 28, 1928:

A tubercular sanitorium on the site of the present Rapid City Indian school is highly objectionable and is not considered anything other than a detriment to the growth and progress of Rapid City and of the development and improvement of the territory surrounding it. There is no doubt but what the city will grow westward, and when our city reaches a population of twenty-five or thirty thousand, within the next five years, as has been repeatedly stated, there will be hundreds of homes established adjacent to this property. It can readily be realized that a sanitorium of this sort would not be conducive to increasing property values, or that it would offer pleasant surroundings.

Now, reversing themselves, they have placed my distinguished colleague in a position where he must reverse himself. He simply carried out their wishes when they came down here and said they did not want this tuberculosis institution. A lot of the trouble he got into was because some local politicians out there wanted to make trouble for him. Just because of the mere fact we may be compelled to run against each other two years from now when we lose a Member of Congress is no reason for me to allow anyone to take political advantage of him, and they are certainly not going to do it with my consent.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I only have a minute. I would like to yield to the gentleman.

The facts are, the building which they built up in order to embarrass him has crashed on them. The able and distinguished chairman of the committee in charge of the bill, Mr. CRAMTON, when he placed the hospital in Pierre, placed it exactly in the center of the area where these Indians are. There are 27,000 Indians in South Dakota. It is true that 20,000 of them are in the district represented by my colleague [Mr. WILLIAMSON], but the Indians in the State are all tributary to Pierre. They have got to be brought in by automobiles and they would be taken care of better at that place than at any other place so far as transportation is concerned.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. CRAMTON. I would like to yield the gentleman one minute of the time I may have.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to proceed for one additional minute. Is there objection?

There was no objection.

Mr. JOHNSON of South Dakota. It is really unfair that these individuals should reverse their position and therefore place the gentleman from Rapid City, S. Dak., and myself in this peculiar situation. We both want to do what is fair to the Indians, and I believe with the showing that Rapid City has made through its commercial club and through every other club it possesses that they do not want the institution, they ought to be precluded from now moving it from Pierre.

Mr. CRAMTON. Mr. Chairman, in opposition to the amendment, for a long time there has been a boarding school at Rapid City in an attractive location 2 or 3 miles from town. I think two years ago our committee, because of the imperative need of facilities for tubercular children who might be treated and educated at the same time, wanted to make that a tuberculosis sanatorium school, and we succeeded in carrying that through the House notwithstanding these protests from that city, but the protests continued. They did not want tubercular children there coming in contact with the people of the town. To my mind that attitude is half a century ancient, but they succeeded in making such a fuss that a year ago we had to abandon that sanitorium-school idea and reopen the boarding school, and some of those children who might have been cared for in that tuberculosis sanatorium were sent elsewhere and possibly there may have been fatalities.

I have the highest admiration for the gentleman from South Dakota, Judge WILLIAMSON, as I have for his colleague, Mr. JOHNSON. Each is zealous, active, able, and sincere. But our committee, in these responsibilities, can not be actuated by personalities, and this is an important proposition, a tuberculosis sanatorium with 100 beds to care for the Indians. It appears to me, first, that no such institution ought to be located in a community that is markedly hostile to that kind of institution. I do not believe it is right.

Next, we ought to consider accessibility, and while Rapid City seems nearer the center, if you take the whole area now discussed, including Montana and Wyoming, yet it will only be a short time when that area will be served elsewhere and they will have similar institutions over there. The immediate territory that belongs to this institution is shown on this map—South Dakota, some of North Dakota, a little of Nebraska, and Pierre is the reasonable center therefor. Here is a map with the reservations indicated and here is Pierre and over here is Rapid City [indicating]. Most of them will come in by automobile beyond any question.

We talked with the health officials of the department, and they have no marked preferences as between Pierre and Rapid City, so far as climate is concerned.

It seems to us, on the ground of accessibility and the local attitude, that the desirable place is Pierre. It is customary, with respect to these institutions, and I have never known an exception, to name the location in the appropriation. To do so in this case is especially important, because it expedites construction. If the place is not named, Black Hills would like to have it put over in that country and we would have the Indian Bureau, for six months or a year, hearing protests from here and there before they could even start to build the institution. I would rather name the place in the bill and have them proceed right away with the work and have the sanatorium proceeding with its work of mercy as soon as possible.

I hope the amendment is not agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. WILLIAMSON].

The question was taken, and the amendment was rejected.

Mr. CRAMTON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. TILSON having taken the chair as Speaker pro tempore, Mr. CHINDBLOM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 14675, the Interior Department appropriation bill, and had come to no resolution thereon.

PREFERENCE FOR AMERICAN CITIZENS ON FEDERAL PUBLIC WORKS

Mr. BACON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BACON. Mr. Speaker, for the information of the membership of the House and to meet some requests that have come to me, I ask leave to extend my remarks in the RECORD by incorporating a memorandum addressed by me to President Hoover, under date of August 6, 1930, on the subject of the adoption of an administrative policy by the Federal Government to insure preference to American citizens, war veterans, and citizen local labor in employment on building construction works of the Federal Government; also a letter from me to the Secretary of the Treasury on the same subject.

This memorandum, in four parts, touches on (1) present legal requirements in formation of contracts on behalf of the United States; (2) the labor policy of the various States as incorporated in their contracts; (3) the policy of some of the foreign governments with respect to their public contracts; and (4), in conclusion, the authority of the President to direct the inclusion in the standard Government construction contract form of a stipulation to require preference for citizen local labor.

In a summarized way, the memorandum declares—

That the direct and tangible benefits of the $315,000,000 building program, as well as the normal building needs, should accrue to the citizens of the country, and that aliens should not be given a preferred status at any time, and especially during unemployment depressions;

That on American institutions American labor, with preferment to ex-service men, should be given priority over aliens;

That the practice of employing cheap alien labor, willing to work for greatly reduced wages, and unattached to any of the principles which the American workman has stood for in the way of high standards of working and living conditions, has resulted in direct discrimination against the American citizen workman, his family, and the community in which he lives, and constitutes a serious threat to stable labor conditions in this country;

That the pitch of resentment against present practice, which permits the employment of aliens on national construction works when there is an ample supply of idle and capable American labor runs highest when it is realized that in the construction of a veterans' hospital many veterans have been denied jobs because the construction rolls were filled with the names of aliens;

That the aims of the government construction program should assure against a monopoly of the benefits of labor by aliens, and that a fair and equal and benefiting distribution of these benefits should accrue to American citizens in the States where the work is performed, with preferment to the veterans of our wars;

That no contractor should bring with him on a Federal construction job a cheap, itinerant, bootleg labor supply when unemployment exists among the qualified citizens of the State where the work is performed;

That the United States should not be less solicitous in its protection and preferment of its citizens than foreign countries, practically all of which have rigid laws against the employment of nonnationals, irrespective of whether the work is for the State or private parties;

That the policy of foreign governments is to avoid unfair competition by cheap alien labor which might result in lowering the standard of conditions attained by national workers, and that the whole aim of their systems is to see that aliens do not receive preferential treatment to the detriment of the national worker;

That the United States, by its lack of policy of preference for American-citizen labor on national construction works, is injecting a serious factor of disturbance in those States that have preference policies for the American citizen. Some of the larger States are California, Massachusetts, New Jersey, New York, Pennsylvania, and so forth;

That in its attitude toward labor on its own construction jobs the Federal Government lags far behind the efforts of the States, not only in the matter of preference but in the protection of labor through the lack of any requirements making necessary the use of workmen's compensation insurance schemes on national construction projects;

That wide resentment and objection has been voiced against the present conditions, not only by labor and veteran organizations but by municipalities; and in the case of the lack of the requirement of workmen's compensation policy applied to Federal projects a Western State has directly urged this need on the Federal Government. This protest took the form of a request on the Government that its performance bond include a provision that no Federal contractor operating in the State concerned should be released from his contract where any case involving claims for injury to a workman had not been settled;

That the policy of preference for the citizen and ex-service man, in the State where the work is performed, as proposed by him, would operate fully to quiet the discontent which increases to a dangerous point during periods of economic depression, when such citizens and ex-service men see aliens preempting jobs they feel belong to them, simply on the score that the alien's labor is cheap;

That such a policy would be as much in the interest of the efficient contractor as the worker. It will remove for many contractors the element of unfair competition now suffered by them through the employment by others of cheap alien labor. The contractor in New York or Massachusetts, for instance, to-day gets his craftsmen from a stable labor market. When he bids he figures on a known labor supply and he knows its cost. He does not employ bootleg labor at cut rates. He can not. The adoption of this proposal would put every contractor on an equality as far as the employment of citizen labor is concerned. The competition between con-

tractors would be limited to the economy and efficiency of their purchasing, managerial, and supervisory organizations;

That the operation of the proposed preference policy could be satisfactorily adjusted from time to time to meet changing economic and unemployment conditions for the country as a whole and for sections of the country where there may be a scarcity of labor; and

That the President has ample authority to direct the promulgation of such a preference policy in the form of a stipulation in the Government construction contract form.

The text of the stipulation for incorporation in the Government construction contract form is as follows:

ARTICLE —. The labor under this contract, whether employed by the contractor or his subcontractor at the site of the work, shall be limited, where possible, (1) to citizens of the State in which the work is performed, and (2) to citizens of the United States, preference being given in like order to ex-service men of the United States Army, Navy, and Marine Corps, when such qualified labor may be obtained at rates not in excess of the prevailing wages for the respective classes and mechanical trades: *Provided*, That the term "labor" as herein used shall not include the contractor or subcontractor's foreman and other supervisory and/or managerial officers and employees: *And provided further*, That the contracting officer or his representative shall be authorized to require the contractor and/or his subcontractor to discharge any laborer at the site of the work.

The full text of the memorandum to the President and the letter to the Secretary of the Treasury follow:

WASHINGTON, D. C., *August 6, 1930.*

Memorandum for the President.

Re: Insertion in the standard Government construction contract of the following stipulation.

"ARTICLE —. The labor under this contract, whether employed by the contractor or his subcontractor at the site of the work, shall be limited, where possible, (1) to citizens of the State in which the work is performed, and (2) to citizens of the United States, preference being given in like order to ex-service men of the United States Army, Navy, and Marine Corps, when such qualified labor may be obtained at rates not in excess of the prevailing wages for the respective classes and mechanical trades: *Provided*, That the term "labor" as herein used shall not include the contractor or subcontractor's foreman and other supervisory and/or managerial officers and employees: *And provided further*, That the contracting officer or his representative shall be authorized to require the contractor and/or his subcontractor to discharge any laborer at the site of the work."

PRELIMINARY STATEMENT

Pursuant to your request to me at the interview you so graciously accorded me on July 29, 1930, I submit above a proposed stipulation to be incorporated in construction contracts of the United States, together with a statement (1) as to the present legal requirements in the formation of contracts on behalf of the United States; (2) the policy of the various States as incorporated in their law; (3) the policy of a number of foreign governments; and (4) the reasons of public policy which seem to not only support but demand that such a stipulation be incorporated in Government construction contracts.

President Coolidge prescribed on November 19, 1926, standard Form No. 23, standard Government form of construction contract, and on June 10, 1927, he prescribed standard Form No. 32, standard Government form of supply contract for uniform use throughout the Government service. Prior thereto there were in use different forms of contracts in the various departments and establishments of the Federal Government, and in some of the departments, particularly in the War and Navy Departments, there were in use as many different contract forms, with different terms and conditions, as there were different bureaus in the departments. The presidential requirement for using uniform and standard forms of contracts was a great step in advance in the matter of securing uniformity of decisions in the courts and in the General Accounting Office, enabling both the contractors and the administrative officers of the Government to readily apply these decisions, and in removing harsh and unnecessary burdens on the contracting industry which directly led to increased cost in the performance of public work.

These standard forms are now under process of revision in the Bureau of the Budget for presentation to the President for the promulgation of a revised standard Government construction and supply contract form, and there has been approved a paragraph for inclusion therein, designed to give preference to domestic material in both the construction and supply contracts. The paragraph which is herein proposed would require the contractor to give similar preference to American labor.

I. PRESENT LEGAL REQUIREMENTS IN FORMATION OF CONTRACTS ON BEHALF OF THE UNITED STATES

The term "formation" herein is used in the sense of the steps, or procedure necessary in prescribing specifications for Government construction work; securing bids on such specifications; and the actual reduction of the agreements so reached to the terms of a written contract, fixing the rights and obligations of both the Government and the contractor.

When this subject is examined, it will be found that there are surprisingly few statutory requirements in the matter. At the basis is the prohibition in section 3732, Revised Statutes, that no contract or purchase on behalf of the United States shall be made unless the same is authorized by law, or under an appropriation adequate to its fulfillment, except certain minor instances in the War and Navy Departments. After the contract has been authorized, there is section 3700, Revised Statutes, whose history may be traced to an act of Congress in 1809, which provides in pertinent part that:

"All purchases and contracts for supplies or service in any of the departments of the Government, except for personal services, shall be made by advertising a sufficient time previously for proposal respecting the same when the public exigencies do not require the immediate delivery of the articles, or performance of the service."

It will be noted that there is nothing in this section which prescribes the content or requirements of the Government advertisement or specification, nor is the omission supplied elsewhere in the statutory law of the United States. However, the Comptroller General of the United States has held in numerous decisions that the specifications must state or describe the actual needs of the service and permit free and full competition therein. Also, that there must be stated the factors which are to be taken into consideration if some elements—such as shortness of time or quality, etc.—other than price is to be taken into consideration in the acceptance of proposals. Both the Comptroller General and the Attorney General have held that the contract entered into must be the contract offered to all bidders by advertisement. These are salutary decisions in the interests of both the Government and competing bidders as well as protection of public officers from charges of favoritism, etc.

There are comparatively few statutory requirements as to the contents of the contract to be entered into after a proposal has been accepted. One provision is that no Member of the Senate or House shall be interested in the contract (sec. 3741, Rev. Stat.); that in the Treasury Department a stipulation for liquidated damages shall be included in certain construction contracts (act of June 6, 1902, 32 Stat. 326); that no laborer nor mechanic shall be employed more than eight hours a day except in time of war or other emergencies (act of June 19, 1912, 37 Stat. 127); that contractors shall give bond for faithful performance of the contract and for payment of material, men, and labor (act of August 13, 1894, 28 Stat. 278, as amended 32 Stat. 811); and that no contract shall be entered into for material or supplies made by convict labor (act of April 28, 1904, 33 Stat. 435).

Furthermore, all contracts for the War, Navy, and Interior Departments are required by section 3744, Revised Statutes, to be reduced to writing and signed by the parties with their names at the end thereof. Subsequent statutes have created exceptions to the above where the purchase is for small amounts, generally less than $500.

It will be noted that all of these provisions are restrictive ones. They proceed on the theory that the authority of the President and/or his subordinates authorized for that purpose in the various departments and establishments of the Government have plenary power to contract on behalf of the United States, and that on grounds of public policy it is necessary to restrict their powers to the extent of requiring them to advertise for proposals preliminary to contracting on behalf of the Government, and to the extent of requiring them to insert certain stipulations in the contract. After the contract has been specifically authorized by law, or appropriations are available therefor, these officers otherwise have unlimited authority to prescribe the terms and conditions of public contracts.

It was obviously on this theory of the law that the President promulgated the standard Government forms of construction and supply contracts and included therein many other stipulations than those directed in the statutes to be included. It was obviously on this theory of the law that the Comptroller General, in effect, gave his approval in a letter dated July 19, 1930, to the Director of the Bureau of the Budget to the inclusion of a stipulation requiring the contractors to give preference to domestic material. It is also on this theory that it is urged that the above quoted stipulation be included in the revised standard Government construction contract form, requiring Government contractors to give preference to labor as therein stated.

II. THE LABOR POLICY OF THE VARIOUS STATES AS INCORPORATED IN THEIR CONTRACTS

Several States and the Territorial jurisdiction of Hawaii have enacted laws limiting the right to labor to citizens or requiring preference to be given to local citizen labor. This type of legislation falls into three classifications: First, those laws giving preference to local contractors, local material, or locally manufactured products; second, those laws giving preference to one type of workmen over another; third, those laws limiting the right to work on public contracts to certain workers, principally because of their citizenship. We are not herein concerned with the first and second preferences. Those States having laws limiting the right to work on public works to certain workers are:

Arizona: Revised Statutes of 1913, section 3105 (limited to citizens or wards or persons who have declared their intentions to become citizens of the United States).

California: Acts of 1915, chapter 417, amended by acts of 1921, chapter 366 (limited to citizens of the United States in cases of employment by the State, county, and city government).

Hawaii: Revised Laws, 1925, chapter 172 (limited to citizens of the United States or persons eligible to become citizens); amended laws 1925, No. 231.

Idaho: Compiled Laws, 1919, section 2323 (limited to citizens of the United States or persons who have declared their intentions to become such).

Louisiana: Acts of 1908, No. 271 (limited to citizens of Louisiana and who have paid their poll tax).

Massachusetts: General Laws, 1921, chapter 149, section 26 (first preference to citizens of the State who have served in the Army and Navy of the United States in time of war; second preference to citizens of the State generally, and if they can not be obtained in sufficient numbers, then to citizens of the United States).

Nevada: Revised Law of 1919, page 2965 (limited to citizens or wards of the United States or persons who have declared their intentions to become citizens).

New Jersey: Compiled Statutes of 1910, page 3023, section 15 (limited to citizens of the United States).

New York: Laws of 1921, chapter 50, section 222 (preference to citizens of the United States, as amended by chapter 689, section 1, Laws of 1930).

Oregon: Laws of 1920, sections 2995-3000 (limited to persons other than Chinese laborers and "any alien, whether declarant, or otherwise, who claimed and was granted exemption from military service in the war with Germany").

Pennsylvania: Statutes of 1920, section 18268 (limited to citizens of the United States).

Washington: Acts of 1919, chapter 111 (limited to others than aliens, whether a declarant or otherwise, who claimed and were granted exemption from military service in the war with Germany on the ground that they were not citizens of the United States).

Wyoming: Constitution, article 19, concerning labor (limited to citizens of the United States or persons who have declared their intentions to become citizens).

III. THE POLICY OF SOME OF THE FOREIGN GOVERNMENTS WITH RESPECT TO THEIR PUBLIC CONTRACTS

Volume 2, Immigration Laws and Regulations of the International Labor Office at Geneva, 1928, pages 185 to 243, inclusive, deals with this question. It is there stated (p. 185 et seq.) that the regulations governing the employment of aliens—

"* * * have one and the same aim and are intended, by the introduction of State control over the employment of alien workers, to give the governments the necessary power to restrict or to facilitate such employment according to the actual national requirements for labor in any given trade or occupation.

"The numerous provisions embodied in the regulations may be divided into four main classes: (1) Provisions wholly or partially prohibiting the employment of alien workers; (2) provisions respecting compulsory labor permits; (3) provisions respecting change of trade or occupation; (4) provisions intended to restrict the number of aliens employed in any given trade or occupation."

It is also stated in this report (pp. 213, 214) that—

"Many countries have instituted a system of control over the conditions in which alien workers are engaged by undertakings in the country.

"This supervision has several aims, the first being to provide equality of treatment for alien and national workers and to avoid unfair competition by cheap alien labor which might result in lowering the standard of conditions attained by national workers. For similar reasons the laws generally prevent the engagement of alien workers from affecting the normal course of labor disputes during strikes and lockouts.

"Another aim of this system is to see that aliens do not receive preferential treatment to the detriment of the national worker. In order to guard against the possibility of the national worker being thrown out of employment in moments of economic stress on account of long-term engagements concluded with alien workers, contracts made with the latter are usually of but short duration. Hence it is that the engagement of aliens for agricultural work is as a rule of a seasonal character."

The Department of Commerce reported July 12, 1930, that it had been:

"Unable to find any instances of European legislation prohibiting the employment of foreign labor on public works. The need for such legislation does not arise because all immigration of alien laborers is closely restricted, usually on the basis of allowing entry only on the basis that no local employee can be found. Prevailing heavy unemployment in Europe has made enforcement of all measures particularly strict, even in the cases of France and Belgium. Where there has been a shortage of labor, admission of foreign workers is closely supervised and permits of entry are nominally limited to a particular job for a definite period.

"For the Scandinavian countries we have no definite information, although it is known that entry is prohibited except in cases where qualified local labor is not available."

As will be noted from these brief extracts—and as clearly shown from the extracts of the laws of the various countries referred to in this publication of the International Labor Office at Geneva—a great many of these foreign governments go much further than it is contemplated the United States shall now go; but unless relief is brought to the existing situation—where there is much unemployment—we may expect drastic legislation at an early date.

All of these foreign countries not only prohibit aliens from working on public projects but such countries prohibit the aliens from working for private persons in the event there is economic depression and not enough work for their own citizens.

Surely, the above referred to statutes of the various States are not unjust in excluding aliens from public work, whether the work is done by the State or by contractors when the preference for American labor is measured by the attitude of foreign governments toward their own citizens and the exclusion of aliens. Nor is the exclusion of aliens from Federal projects unjust or contrary to the policy of nations when American citizens are not only available but willing and eager to perform the work.

IV. THE PUBLIC POLICY OF THE EXCLUSION OF ALIENS FROM PUBLIC WORKS WHEN AVAILABLE AMERICAN CITIZENS CAN BE OBTAINED

Aside from any arguments of political expediency in the exclusion of aliens from public works when American labor is available—and this expediency is of much more importance than generally considered—the first duty of a government is to its own citizens and particularly to its defenders on land and sea. There are various statutes of the United States giving preference to citizens and ex-service men for employment by the Government itself, and there is no sound reason why such preference should not be shown on public works of the United States even though the work is performed indirectly through the medium of an independent contractor, assuming always that American citizens are available and qualified to work at not exceeding the prevailing rate of wages.

It creates great social discontent when ex-service men and other American citizens are willing to work and have that work refused them because aliens may be obtained at less than the prevailing scale of wages. They see these aliens taking the jobs which are needed to feed the American citizens and their families and to support local industry. This discontent is increased to a dangerous point during periods of economic depression—such as we now have—when they see these aliens not only taking their jobs for which American citizens are taxed to supply the money, but these aliens spending as little of their earnings in this country as possible, sending the remainder to Europe.

The contractors are not to blame for the existing situation. Competition forces the price of the contract work down as low as possible, and the only possibility of a contractor securing a public contract is to underbid his competitors. Labor is one of the greatest items of cost entering into any construction project. Quite naturally, and from a good business standpoint, the contractor endeavors to secure his labor as cheaply as possible, and thus uses alien labor or imported labor to force down the prevailing scale of wages. The local American workman not only suffers, but the suffering is all along the line, from the groceryman to the apex of the industrial scale. The governments—national, State, and municipal—suffer from reduced revenue. There is no end to the vicious circle, unless the Federal Government will take action to stabilize the situation by protecting both the contractor and American labor.

The insertion of the above-quoted stipulation in the invitation for bids, so that all prospective bidders may be fully informed, and the inclusion of the stipulation in the Government construction contracts will to a large extent stabilize labor conditions among Americans and competition between contractors by requiring the successful bidder to use the labor of the State in which the work is performed when same can be obtained at the prevailing rate of wages in preference to alien labor. If this can not be done, then he must use American citizens from any section of the country in preference to aliens.

At the same time, this requirement would not prevent the contractor from bringing to the work his managerial, supervisory, and purchasing staff. It will tend to real competition between contractors on the basis of economy and efficiency in work. No longer could a contractor underbid because he may rely on cheap alien or floating labor, leaving a great social problem on account thereof at the conclusion of the work. Each bidder will be on an equality in bidding, for each would know that their cost of labor must be computed on the basis of the prevailing scale of wages, and their competition would be limited to the economy and efficiency of their purchasing, managerial, and supervisory organizations. This would go a long way toward stabilizing the construction industry and would tend to weed out those inefficient contractors whose operations nearly always result in great social losses.

The United States Commissioner of Labor Statistics, Department of Labor, has stated that the agreement to give preference to American labor as substantially stated in the above proposed stipulation:

"* * * would not involve any hardship on bidders because of the diversity of wage rates in the various parts of the country. Any contractor desiring to bid on a job anywhere can secure without cost from the United States Bureau of Labor Statistics the local wage rates both for common labor and for building trades in any State and for the principal cities in any State."

It may be and doubtlessly will be true that the immediate and direct cost of public works will be more under the proposed plan. But the present cost has already been increased by the requirement that the contractor give a bond for the protection of material, men, and labor; by the requirement that he refrain from the use of convict labor; by the requirement that he work his men only eight hours a day; and by any other requirement restricting his right to perform the work in any manner he pleases so long as he may complete the work in accordance with

his contract specifications. However, few, if any, will say that these requirements are not in the interest of society as a whole, and that the resulting benefits largely exceed their costs. It is believed that the same is true in an even larger measure of the proposed restriction on the contractor as to the employment of labor. The contractor knows before he submits his proposal of the restrictions now imposed and is able to compute and file his proposal accordingly. Likewise he will know of the proposed restriction and he can make the needed allowances in his bid with the assurance that local labor can not gouge him by local increase of wages, because he has the alternative of securing American labor elsewhere in such event.

CONCLUSION

It may be argued that legislative authority—similar to that of the various States and foreign governments—is required before the President can direct that the proposed stipulation be made a part of the general construction contract. If so, it is believed that such an argument is unsound. As hereinbefore pointed out, the theory of the Federal law since the First Congress in 1789 is that the President and/or his authorized subordinates have full authority to contract on behalf of the United States within the limits and subject to the terms of the appropriations made from time to time, and that it has been necessary and desirable from time to time to limit this authority in the cited particular instances. No such limitation exists in the law preventing the President from directing the Government construction contracts to contain a stipulation that the contractor must give certain preferences to American labor. It would seem to necessarily follow that under existing law he has the right to direct the inclusion in Government contracts of a stipulation giving such preference.

The only pertinent question is whether such a preference is in accord with public policy and will further the welfare of the American people. It is firmly believed that this question must be answered in the affirmative.

The alternative to such a requirement is that undoubtedly there will be a combination of ex-service men organizations and the labor organizations to force into the law such a preference. The legislative history of the matter to the present time is enough to demonstrate that such a law will go much further than the suggested requirement; furthermore, there will be the added disadvantage of the inflexibility of a statute, while this proposed contract stipulation can be adjusted from time to time to meet changing economic and unemployment conditions for the country as a whole and for sections of the country where there may be scarcity of labor.

ROBERT L. BACON.

WASHINGTON, D. C., *July 9, 1930.*

Hon. ANDREW W. MELLON,
Secretary of the Treasury, Washington, D. C.

MY DEAR MR. SECRETARY: The burden of this letter to you, stated shortly, is really a plea on behalf of American-citizen labor affected by the public-works program of the Treasury Department. Of course, its persuasion, if there is any, likewise runs to the entire public-building program of the Government.

Your department and other bureaus of the Government are projecting construction works that run into the hundreds of millions of dollars. Its purpose is twofold: To have our varied governmental activities housed in an economical way, and to afford a direct, tangible, and concrete aid to labor, suffering as it is from unemployment. While tremendous benefits to labor will flow from the processes of manufacture that will be applied to this construction program, the direct aid to labor, in the employment of craftsmen in the physical work of construction itself, will be, in a great measure misspent, or the benefits will not be applied as beneficially as they should be.

It would seem natural that the labor employed on this construction program should certainly be drawn from the citizen supply first; and, secondly, from the local supply where possible. But in many cases it is not, and what is still more aggravating is the fact that various kinds of craftsmen who are citizens and ex-service men, in need of jobs and capable, are placed in the position of envious and disgruntled onlookers—without the gate—while aliens preempt the benefits that flow from the work. I have in mind an instance brought to my attention on yesterday in connection with the construction program of the War Department at Mitchel Field, Long Island. In this case 25 ex-service craftsmen—carpenters and the like—were refused employment because the demands had been filled with importations of aliens, at ridiculously low wages, from the city of New York.

And, generally, touching the Government-construction program as a whole, and particularly with reference to the erection of post offices, customhouses, marine hospitals, Federal courts, and other governmental activities throughout the country, there is the same complaint. I have heard it from many of my colleagues in the House. Local or State labor is not used. The alien often gets the preference over the citizen simply because he is cheap. The contractor assembles his workmen wherever he can get them provided they are cheap. I am told they have come to some of the sites in box cars, and they are housed near the site in portable buildings until the work is finished, then either taken to other places or left to shift for themselves.

I have heard of instances in connection with post-office buildings in the Middle West, in Pennsylvania, and elsewhere; and also on Long Island, in the construction of a Veterans' Bureau hospital, where the contractor recruited his labor from remote points, bringing it to an already demoralized labor market and leaving the local labor supply in the rather sorry position of spectators. Even in the erection of a Veterans' Bureau hospital an ex-service man can not to-day get a job if the contractor wills that cheap aliens should fill his rolls.

These citizens and ex-service men are puzzled, to say the least, as to the justice of such a policy. They wonder if the building program is for the benefit of the citizen or the alien. They know that the Treasury Department lets the contracts and it is natural for them to presume that the Federal Government lends its approval to such rank discrimination. They can not appreciate why the citizen and the ex-service man should not receive preference in Government construction work the same as he does in the work of the civil service. They have been told that the Federal Government is bending its full efforts to relieve unemployment, and what they receive when they ask for jobs is a dismissal with the explanation that aliens are on the pay roll.

I do not want to be in the position of suggesting a criticism without also suggesting a possible remedy. My definite suggestion for the consideration of your department is that the specifications include a clause that the labor to be used in the performance of the work shall be citizen labor, and that it is the policy of your department to have contractors on construction work to give preference to ex-service men and citizens of the State or locality where the work is to be performed, provided that such citizen or State or local labor is available. This limitation is, of course, sufficiently flexible.

The adoption of such a clause would merely tie in, as a part of the specifications, the requirement that citizen labor shall be used wherever possible; the preference to ex-service men would be merely declaratory policy, but I believe it would be effective. Naturally I am not concerned with the precise form the objective should take. Any would be most agreeable. Should, perchance, legal obstacles definitely preclude the adoption of any such clause as part of the contract, then it is my suggestion that the Treasury Department declare as its policy that the labor to be employed on its construction work should be, as far as possible, citizen labor drawn from the State or locality where the work is to be performed and that preferences shall run, first, to ex-service men; second, to citizens of the State or locality where the work is to be performed; third, to citizens of the United States; and fourth, to aliens.

The practical effect, I feel sure, would be that contractors in submitting their bids would have in mind the employment of citizen local labor. The cost to the United States would, of course, be greater; but the advantage to the public and to American labor directly affected and in meeting properly the unemployment problem would greatly outweigh the pecuniary disadvantage. The consideration for the requirement would be the stabilization of the local supply—a tremendously important factor.

The part that the Federal Government has taken as a quiet partner in the disruption of stable labor conditions has long been a matter of concern to me. In three successive Congresses I have introduced a measure which enunciates the policy that the Federal Government under its building-construction program should not become a party contributing to a State's unemployment problem or to upsetting its stable labor conditions, which at present it does by the simple act of taking the lowest bid, without further regard to the effect on the labor or unemployment problem.

It is not necessary, having in mind the more restricted object of this letter, to burden you with a full résumé of the purposes of my proposal. When all the points in this bill are simmered down, it will be seen that its aims are to assure against a monopoly of the benefits of labor by a special few and to give a fair and equal and benefiting distribution of these benefits to all of the labor in every State of the Union, but first of all to veterans of our wars and citizens of the United States. It declares in practical effect the policy that no contractor shall bring with him on a Federal construction job a cheap, itinerant, bootleg-labor supply when unemployment exists among the qualified citizens of the State where the work is to be performed. It declares for the principle also that on American institutions American labor, citizen labor, shall have the first preference. That is how it touches labor.

In its effect on contractors the bill does nothing more than to put them all on a fair competitive basis, and this result is secured by preventing a contractor from taking advantage of an imported labor supply, gotten together at cheap prices, and using that advantage to club his way to the top of the list as the low bidder. By restricting the use of imported labor, all contractors would immediately be put on an equal and fair competitive basis, and the present discrimination against those contractors not using this cheap, imported supply would be eliminated. Using local labor and practicing the belief in the wisdom of meeting the local labor conditions, these contractors can not successfully compete.

This measure of mine was twice favorably reported by the Labor Committee of the House, but in this Congress another bill was favorably reported which, as you know, goes very radically further.

I know I can feel the assurance that you will give this problem your earnest consideration. We are faced with unemployment. The Federal Government, under the direction of the President, has taken the lead in efforts to help minimize its results. It has put in motion a vast public-building program to help relieve primarily not the Treasury but unemployment; yet it has permitted itself to become a partner in approving a policy as to labor on Government works that is not countenanced by many of our States and by some foreign countries, of permitting the employment of aliens in preference to citizens. Certainly the efforts of

the Government are directed for the benefit of its citizens first, or, rather, they should be.

There may be some confusion as to how far the Federal Government may go without express authority of law in the enunciation and practice of a policy that will result in the preferment of American-citizen labor in the State or locality where the work is to be performed. But, fundamentally, there should be none. That such a policy would be salutary I have no doubt. And it is my hope that you will lend of your cooperation in the establishment of it.

Such a policy, adopted now, at a time that is most ripe for it, would undoubtedly make unnecessary some of the measures that have been introduced in Congress and which go much further in their aims, and as to which there may be considerable conflict of opinion, irrespective of what view may finally obtain as a matter of law.

I have written to the Secretary of War similarly.

With expressions of high regard, I am, sincerely yours,

ROBERT L. BACON.

The membership of the House may also be interested to know that there is at present a bill before the House, introduced by me, which in the aim of its results is practically on all fours with the proposal outlined in my memorandum to President Hoover. A similar measure was introduced by me in the Seventieth Congress and also in the Sixty-ninth Congress. In both of these Congresses the measure was reported unanimously by the Labor Committee of the House.

Its terms are:

[H. R. 7995, Seventy-first Congress, second session]

A bill to require contractors and subcontractors engaged on public works of the United States to give certain preferences in the employment of labor

Be it enacted, etc., That the first sentence of the act entitled "An act limiting the hours of daily service of laborers and mechanics employed upon work done for the United States, or for any Territory, or for the District of Columbia, and for other purposes," approved June 19, 1912, is amended so as to comprise several sentences, to read as follows:

"That every contract to which the United States, any Territory, or the District of Columbia is a party, and every such contract made for or on behalf of the United States, or any Territory, or said District, which may require or involve the employment of laborers or mechanics shall contain a provision—

"(a) That no laborer or mechanic doing any part of the work contemplated by the contract, in the employ of the contractor or any subcontractor contracting for any part of said work contemplated shall be required or permitted to work more than eight hours in any one calendar day upon such work;

"(b) That, in the employment of laborers or mechanics by any such contractor or subcontractor to perform any part of the work contemplated by the contract, preference shall be given in the following order:

"(1) To citizens of the United States and of the State, Territory, or District in which the work is to be performed who have been honorably discharged from the military or naval forces of the United States, and who are available and qualified to perform the work to which the employment relates;

"(2) To citizens of the United States who are bona fide residents of the State, Territory, or District in which the work is to be performed and who are available and qualified to perform the work to which the employment relates;

"(3) To citizens of the United States;

"(4) To aliens.

"(c) That the contractor or subcontractor shall by advertisement and through employment agencies give effect to the preferences under paragraphs (1) and (2) of this section before employing any person under paragraphs (3) and (4) of this section.

"(d) That every such contractor or subcontractor shall keep a list of the names of the laborers and mechanics employed by him upon such work, setting forth their citizenship and place of residence. Such list shall be available for examination by any officer or employee of the United States. Every such contract shall stipulate a penalty for each violation of such provisions in such contract of $5 for each laborer or mechanic for every calendar day in which he shall be required or permitted to labor upon such work in violation of such provisions. Any officer or employee designated as inspector of the work to be performed under any such contract or to aid in enforcing the fulfillment thereof shall upon observation or investigation forthwith report to the proper officer of the United States, or of any Territory, or of the District of Columbia, all such violations of the provisions of this section directed to be made in every such contract, together with the name of each laborer or mechanic who has been required or permitted to labor in violation of such provision and the day of such violation. The amount of the penalties imposed according to the stipulation in any contract to which the United States, any Territory, or the District of Columbia is a party, and every such contract made for or on behalf of the United States, any Territory, or the District of Columbia shall be directed to be withheld for the use and benefit of the United States, the Territory, or the District of Columbia by the officer or person whose duty it shall be to approve the payments of the money due under such contract, whether the violation of the provisions of such contract is by the contractor or any subcontractor."

SEC. 2. Any amendment made by this act to such act of June 19, 1912, shall not apply to any such contract made prior to the enactment of this act.

I am confident that the issue, sooner or later, will have to be definitely settled. There is an option as to the way in which it shall be met. The policy can be enunciated as a mandate from the Congress or it can be provided as an administrative action on the part of the Executive. For ease of bringing it into effective operation I prefer the administrative method, because I am fearful that the present injustices caused by the lack of corrective policy may continue for a considerable time before Congress may agree on the form of the legislation.

THE PASSAGE OF THE BONUS BILL

Mr. MURPHY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD as indicated by the request I made earlier in the proceedings to-day. The gentleman from Mississippi [Mr. RANKIN], who objected at that time, has withdrawn his objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MURPHY. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following excerpts from the Stars and Stripes of Saturday June 5, 1920:

BONUS BILL PASSES HOUSE AFTER STRENUOUS FILIBUSTER—FEW OPPOSED ON FINAL VOTE—MURPHY'S LONE FIGHT FORCED ACTION—DEMOCRATS FOUGHT FOR PROFITS TAX—MEMBERS HISS, CHEER, AND SHOUT DURING DEBATE

HOUSE VOTES TO ADJOURN JUNE 5

The House of Representatives early this week voted to adjourn to-day, and it is likely the Senate will take the same action. It is understood President Wilson may call Congress in extra session July 19 should there be an adjournment.

After many months of discussion, wrangling, and delays the soldiers' bonus bill passed the House of Representatives on Saturday, May 29, by a final vote of 289 to 92. On the final vote most of the Democrats and Republican insurgents, who fought against passing the bill under "suspension of the rules," without amendment or freedom of debate, voted for the bill. The final opposition came from 40 old-guard Republicans and 52 Southern Democrats. Fordney led the bonus advocates, with GARNER, of Texas, leading the opposition. The parties were split every which way.

Generally speaking, the Republican organization was for the bill as it stands, being the final draft by the Ways and Means Committee. Generally speaking, the Democrats declared it was a rotten bill with rotten taxing provisions, and they fought hard for a chance to amend it so as to include a tax on war profits, but, failing in this, they voted for the bill as "the best bonus bill we can get under the circumstances."

A HARD BATTLE

A long fight preceded the passage, being on the Republican rules committee and steering committee plan to suspend the rules, limit debate, and prohibit amendments. This prevailed by the narrow margin of 192 to 189, insurgents and Democrats opposing. Then the bonus went through after a brief hour of debate.

Another friend of the soldiers developed in the House before the bill was brought up for discussion. Representative FRANK MURPHY, of Steubenville, Ohio, a new and heretofore inconspicuous Member, actually forced consideration by the House. On the day preceding its consideration Mr. MURPHY announced that he would block all business until Republican leaders announced definitely when the bonus bill would be brought up. And he carried out his assertion so thoroughly that the leaders told him the bill would be considered immediately if he would permit other routine business to be disposed of.

So it was that a single Congressman from the Middle West, a novice in parliamentary procedure, and bothering not about form or precedents, actually forced the Republican leaders to permit the House to consider the bonus bill.

SENATE DOUBTFUL

Whether the measure will ever be considered by the Senate is not forecast, although the staunch advocates contend that it will be considered shortly after the Senate returns from the convention recesses, while others insist that the bill is dead right now.

Representative KING SWOPE, of Kentucky, opened debate on the bonus bill. He was a captain in the Army and from him the House learned of the real poverty which existed among bucks when the allotments, insurance, Liberty bonds, and court-martial fines were deducted from their meager pay.

"I know from personal experience and contact with my own men," he said, "that a bonus is wanted. The enlisted men never did feel that the pay was adequate. As a company commander it was my duty to pay off each month, and it was actually pitiful to see scores of men receive only $5 or $6 for their month's service after their insurance and one or more allotments, such as class A and class B, had been deducted. And yet during all that time the slackers and profiteers were becoming rich and the cab drivers and hod carriers, and ditch diggers, the section hands, and

all other kinds of unskilled labor were making three or four times as much every day as the American soldiers who worked, fought, bled, or died whenever duty called. Civilians received an annual bonus of $240 and they were already getting three or four times as much as the soldiers. As a matter of fairness, the service men are entitled to adjusted compensation and this Congress should not refuse it."

HOUSE ON RAMPAGE

Then followed a series of short speeches, most of them in favor of the bonus, speeches of a half a minute in which a Member arose in his seat, said three or four words, and then sat down, but to the constituents will go impassioned speeches, thousands of words in length and which will be used as campaign material.

The House during passage of the bill acted more like a bunch of soldiers on pay day, or a crowd of doughboys waiting at a station for a leave train. There was little serious consideration given to the speeches. Every Member had resolved in his own mind whether he would favor or oppose the bill. Patriotic speeches and pithy references to the American flag didn't change many votes. Rather the orators were guffawed or hissed according to their popularity.

One member draped himself over the pedestal from which prepared speeches are delivered. He struck the true congressional pose. He started on a terrifically heavy speech, but he hunched his shoulders and leaned over the pedestal.

"Snap into it," shouted a Democrat. "Click those heels together and suck in them thumbs." The speaker was startled. Then he appreciated the Army eloquence and continued his speech, but he stood erect, spoke evenly, and finished quickly.

Members would gallop across the pit of the House, picturing American "soldier lads, whose hearts beat true," dying in the muddy trenches, and then they would yell a flowery condemnation on the heads of those who didn't favor the bill.

"Louder," would be the chorus from a score of listeners, and then the speaker would be interrupted by laughter and hilarity, which could not be stilled by even the speaker.

TAXES OPPOSED

Much of the opposition to the bill in its present form centered around the taxing provisions, which Democratic Members contended were put in by the Republicans to make the bill unpopular and to bring protests from civilians and others who would be compelled to pay most of the taxes.

The Democrats favored inclusion of a tax of 80 per cent on the profits of individuals and concerns during the war, but the Republicans would not give heed to such a plan, with the result that it was not included in the bill. The Democrats claimed the bill "would put the taxes on the backs and bellies of the American people" and not on those who could most easily bear it.

Others attacked the cash feature of the bill, asserting that former service men were unwilling to accept money in exchange "for patriotic services during the period of national peril," but such arguments were immediately hooted down or jeered until the Member ceased speaking.

Representative Humphreys, Democrat, Mississippi, characterized the procedure as "the most hypocritical performance" ever witnessed in the House. The purpose of jamming the bill through at this time, he declared, was to permit Republicans to go out on the campaign tours this summer and announce: "Well, we voted for a bonus, and then, he said, they would wink at those who are opposed to the bill.

WHO THE HELL IS MURPHY, ASKED OLD GUARD GANG

"Who the hell is Murphy?" asked the Congressmen lined up in opposition to the soldiers' bonus. To-day the same question is being asked by four and a half million ex-service men, but for a different reason; because MURPHY led the filibuster for the bonus bill which was passed Saturday morning, May 29.

The course of the various bills and their final merging into the so-called soldiers' bonus bill is so well known that the details need not be mentioned here. The course of the final bill, however, and the methods used by the opposition to bury it beyond recall, also the details of the fight which carried it to a successful issue in the House, together with the names of the Representatives concerned will interest all ex-service men.

At the second caucus held by the Republican Members two weeks ago it was voted to bring before the House the revised bonus bill and to support and pass it before the close of the present session. The vote stood 154 for the bill and 39 against. The leaders of the opposition occupied high places in the circles of the party, and they ignored the vote and stifled the action of the majority, introducing such a volume of legislation that it seemed well-nigh impossible to bring the bonus bill up for action before the recess. In other words, the minority, by political generalship, overruled the majority and the bill was considered dead and buried.

ENEMIES ORGANIZE

The three arch enemies of the bonus, ALLEN T. TREADWAY, of Massachusetts; JOHN Q. TILSON, of Connecticut; and Samuel E. Winslow, of Massachusetts, met the Ways and Means Committee and the Republican leaders and were able to corral 49 Republicans who would vote against bringing the bill before the House. The result of this surreptitious meeting and the continued opposition tactics of the "battalion of death" actually overturned the vote of the Republican caucus, the majority therewith giving up the fight.

As a last measure, in the nature of a forlorn hope, King Swope, the youngest Member of Congress, an ex-soldier from Kentucky, in company with LOUIS C. CRAMTON, of Michigan; Joseph W. Fordney, of Michigan; Florian Lampert, of Wisconsin; JOHN G. COOPER of Ohio; and B. FRANK MURPHY, of Ohio, waited on the Republican leaders, and, after a heated session, were promised that the bonus bill would be brought up for action before the House on Thursday, May 27.

Not satisfied with the half-hearted acquiescence of the Republican leaders, and deciding that if the usual opposition maneuvers should begin on Thursday he would go it alone and start a filibuster in favor of the bill, MURPHY, of Ohio, began a recruiting campaign for support. He first approached CRAMTON, of Michigan, who promised aid; then he lined up Member after Member until he felt sure that he would be able to carry out the filibuster if it was found necessary to do so.

MURPHY STARTS

The House met at noon Thursday, and as there was no action in reference to the bonus bill on the part of the steering committee or the Rules Committee, and as Chairman Porter, of the Foreign Relations Committee, started to bring up the consular and diplomatic appropriations bill, Congressman MURPHY began his filibuster by suggesting "no quorum." From then on, with the assistance of Congress CRAMTON on Friday afternoon, when Mr. MURPHY was about exhausted because of continued exertion, this quiet but determined soldier's friend from Ohio beat down all attempts at legislation, declaring that until the bonus bill was passed nothing else should pass. Then it was that the opposition asked, "Who the hell is MURPHY?"

Everything under the sun was brought up for action, only to go down under MURPHY'S objections. REED of New York brought up the question of the coal shortage; Green, of Iowa, tried out the bill to amend the personal-service corporation provisions of the revenue act of 1918, and that the House resolve itself into the Committee of the Whole House on the state of the Union; MURPHY objected. TREADWAY, the most insistent and persistent enemy of the bonus bill, tried to shut off the filibuster by advancing the Federal employees' act concerning an increase in pay for postal employees.

STOPS TREADWAY

Mr. MURPHY blocked this move; thereupon TREADWAY said: "I desire to add one statement, and that is that there is to be a convention of postal employees in Springfield, Mass., on Sunday next, to which many of us have been invited, who are detained here by our duties. I trust that there may be some word go forth to these employees of favorable action on their request by this House."

Mr. MURPHY replied to this: "I move to strike out the last two words. Mr. Chairman, I make this motion for the purpose of asking the gentleman, who is on these powerful committees of the House, if legislation to pay the postal clerks, which is so highly needed, is going to be brought into this House before the soldiers' bonus bill?"

"As far as I am concerned," TREADWAY replied, "I have nothing to do with what may be presented to the House, but am urging legislation in behalf of the postal employees."

"I will say," retorted Mr. MURPHY, "that I am in favor of the postal clerks being well paid, but I shall object to everything until the soldiers' bonus bill is given consideration on the floor of the House."

PRAYERS DELAYED

Mr. MURPHY did as he said. He even objected to listening to the good old Chaplain pray the next morning until a quorum was present; so prayers were held up until the fighting Congressman from Ohio had his way. The filibuster was carried on all day Friday, despite the most clever political and parliamentary moves the forces of the opposition could bring forward. CRAMTON came to the relief of Mr. MURPHY during part of the afternoon, and then it was that the leaders of the opposition got after Mr. MURPHY and threatened him with political annihilation and made every endeavor to have him stop the filibuster and let the bonus bill die.

Finding the Ohio Congressman obdurate and unflinching in his advocacy of "a little justice for the boys who saved the millionaires' millions for the millionaires," the opposition weakened and Congressman Good, of Iowa, chairman of the Committee on Appropriations, came to Mr. MURPHY as an emissary of Mr. TREADWAY and gave his solemn promise that the bill would be brought before the House the next (Saturday) morning. Right there the filibuster came to an end.

ALL LINE UP

Saturday at noon, May 29, 1920, under suspension of the rules, the bill was brought up and passed by a vote of 289 to 92. To show how well MURPHY had his forces lined up one need only look at the vote from the Ohio delegation; every Congressman from that State, Republican and Democrat, except one, voted for the bonus. The lone wolf was SIMEON D. FESS, Republican.

Congressmen who were especially active for this bonus bill, and who assisted Mr. MURPHY in the filibuster, were CRAMTON, of Michigan; King Swope, of Kentucky; FREAR, of Wisconsin, Mason of Illinois; LANGLEY, of Kentucky; Campbell, of Kansas; Rubey, of Missouri; Gallivan, of Massachusetts; QUIN, of Mississippi; Sinnott, of Oregon; Morgan, of Oklahoma; Goodykoontz, of West Virginia; MILLER, of Washington; Siegel, of New York; STRONG, of Kansas; and Baer, of North Dakota.

FINAL VOTE ON BONUS BILL IS 289 TO 92

For—289

(Republicans—174)

Messrs. Anderson, Andrews of Maryland, Andrews of Nebraska, Anthony, Bacharach, Baer, Barbour, Begg, Benham, Bland of Indiana, Boie, Bowers, Britten, Brooks of Illinois, Brooks of Pennsylvania, Browne, Burdick, Burke, Campbell of Kansas, Chindblom, Christopherson, Classon, Cooper, Copley, Cramton, Crowther, Currie of Michigan, Darrow, Davis of Minnesota, Dempsey, Denison, Dickinson of Iowa, Dowell, Dunbar, Dunn, Dyer, Echols, Elliott, Emerson, Esch, Evans of Nebraska, Fairfield, Focht, Fordney, Foster, Frear, French, Fuller of Illinois, Garland, Goodykoontz, Graham of Illinois, Green of Iowa, Greene of Massachusetts, Griest, Hadley, Hamilton, Hardy of Colorado, Harreld, Haugen, Hawley, Hays, Hersey, Hickey, Hill, Hoch, Hull of Iowa, Hutchinson, Ireland, James, Jeffries, Johnson of South Dakota, Johnson of Washington, Jones of Pennsylvania, Juul, Kearns, Kelley of Michigan, Kelly of Pennsylvania, Kennedy of Rhode Island, Kiess, King, Kinkaid, Kleczka, Kraus, Knutson, Kreider, Lampert, Langley, Layton, Little, Longworth, Luhring, McArthur, McCulloch, McKenzie, McKinley of Illinois, McLaughlin of Michigan, McLaughlin of Nebraska, McPherson, MacCrate, MacGregor, Madden, Mapes, Michener, Miller, Monahan of Wisconsin, Mondell, Moore of Ohio, Morgan, Morin, Mott, Mudd, Murphy, Nelson of Wisconsin, Newton of Missouri, Nolan, Ogden, Osborne, Paige, Porter, Purnell, Radcliffe, Ramseyer, Randall of Wisconsin, Reavis, Reber, Reed of New York, Reed of West Virginia, Ricketts of Ohio, Riddick of Montana, Robinson of Kentucky, Rodenberg, Rose of Pennsylvania, Sanders of Indiana, Sanders of New York, Schall, Scott, Sells, Siegel, Sinclair, Sinnott, Slemp, Smith of Idaho, Smith of Illinois, Smith of Michigan, Steenerson, Stephens of Ohio, Stiness, Strong of Kansas, Strong of Pennsylvania, Summers of Washington, Sweet, Swope, Taylor of Tennessee, Thompson, Timberlake, Tincher, Towner, Vaile, Vare, Vestal, Voigt, Volstead, Walters, Watson, Webster, Wheeler, White of Kansas, White of Maine, Williams, Wilson of Illinois, Wood of Indiana, Woodyard, Yates, and Zihlman.

(Democrats—112)

Messrs. Almon, Ashbrook, Aswell, Ayres, Babka, Bankhead, Barkley, Bell, Benson, Bland of Missouri, Blanton, Brand, Briggs, Brumbaugh, Byrns of Tennessee, Caldwell, Candler, Caraway, Carew, Casey, Clark of Missouri, Crisp, Cullen, Davey, Davis of Tennessee, Dickinson of Missouri, Donovan, Dooling, Doughton, Eagan, Evans of Montana, Ferris, Fields, Fisher, Gallagher, Gallivan, Ganly of South Dakota, Ganly of New York, Gard, Godwin, Goldfogle, Goodwin, Griffin, Hamill, Harrison, Hoey, Howard, Huddleston, Hudspeth, Hull of Tennessee, Igoe, Jacoway, Johnson of Kentucky, Kincheloe, Larson, Lazaro, Lee of Georgia, Lesher, Linthicum, Lonergan, McAndrews, McClintic, McGlennon, McKeown, McLane, Maher, Major, Mays, Mead, Milligan, Minahan of New Jersey, Mooney of Ohio, Neely, Nelson of Missouri, O'Connell of New York, O'Connor of Louisiana, Oldfield, Olney, Phelan, Pou, Quin, Rainey of Alabama, H. Rainey of Illinois, J. Rainey of Illinois, Raker, Riordan, Romjue, Robinson of North Carolina, Rouse of Kentucky, Rubey, Sabath, Sanders of Louisiana, Sims, Smith of New York, Steagall, Stedman, Tague, Taylor of Arkansas, Taylor of Colorado, Thomas, Upshaw, Vinson, Watkins, Weaver, Welling, Welty, Wilson of Louisiana, Wilson of Pennsylvania, Wingo, Wise, and Wright.

(Miscellaneous—3)

Messrs. Carss, independent; Keller, independent; and Randal, progressive.

Against—92

(Republicans—40)

Messrs. Ackerman, Burrough, Butler, Crago, Dallinger, Cannon, Fess, Freeman, Fuller of Massachusetts, Glynn, Good, Greene of Vermont, Hicks, Husted, Kahn, Lehlbach, Luce, Lufkin, McFadden, Mages, Mann of Illinois, Merritt, Moores of Indiana, Newton of Pennsylvania, Parker, Peters, Platt, Ramsey, Rogers, Rowe of New York, Sanford, Snell, Temple, Tilson, Tinkham, Treadway, Walsh, Ward, Wason, and Winslow.

(Democrats—52)

Messrs. Black, Bee, Blackmon, Bland of Virginia, Box, Buchanan, Byrnes of South Carolina, Campbell of Pennsylvania, Condy, Collier, Connally, Dent, Dwealt, Dominick, Doremus, Drewry, Dupre, Eagle, Flood, Garner, Garrett, Hardy of Texas, Herseman, Holland, Humphreys, Johnson of Minnesota, Johnston of New York, Jones of Texas, Lanham, Lee of California, McDuffie, Mann of South Carolina, Martin of Montana, Moon of Tennessee, Moore of Virginia, Oliver, Overstreet, Padgett, Parrish, Pell, Rayburn, Sisson, Steele, Stephens of Mississippi, Stevenson, Stoh, Sumners of Texas, Venable, Whaley, Woods of Virginia, and Young of Texas.

The Clerk announced the following pairs:

Mr. Kendall and Mr. Hulings (for) with Mr. Graham of Pennsylvania (against).

Mr. Rhodes and Mr. Tillman (for) with Mr. Gould (against).

Mr. Dale and Mr. Curry of California (for) with Mr. Kitchin (against).

Mr. Drane and Mr. Young of North Dakota (for) with Mr. Edmonds (against).

Mr. Brinson and Mr. Evans of Nevada (for) with Mr. Houghton (against).

Mr. Shreve and Mr. Sherwood (for) with Mr. Goodall (against).

Mr. Hayden and Mr. Scully (for) with Mr. Rowan (against).

Mr. DYER. Mr. Speaker, my colleague [Mr. Rhodes] is absent on official business. If he were here, he would vote for this bill.

Mr. SNELL. Mr. Speaker, the gentleman from New York [Mr. Gould] was called away on account of serious illness in his family. If he were here, he would vote against the bill.

Mr. ROUSE. Mr. Speaker, my colleague [Mr. Cantrill] is away in Kentucky. He desires me to state that if he were here he would vote "aye."

Mr. GOLDFOGLE. I desire to say that Mr. SULLIVAN of New York, is necessarily detained, and that if he were here he would have voted "aye."

RIVERS AND HARBORS CONVENTION

Mr. O'CONNOR of Louisiana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a speech delivered by me before the rivers and harbors convention on Tuesday.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. O'CONNOR of Louisiana. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following speech made by me at the rivers and harbors convention, December 10, 1930, in the city of Washington:

Mr. Chairman, ladies, and gentlemen, I am going to be brief, since brevity is the soul of wit. That is a popular expression, particularly when the orator rises at 5 o'clock in the evening to address the tired and impatient members of a convention who are desirous of gratifying the wants of the inner man with substantial food rather than continue to feast on oratory, which is too insubstantial to satisfy a hungry delegate.

I am going to move rapidly in order to meet the requirements set forth above. Multum in parvo shall be my guide—that is, I hope I will express some wisdom in a few words. Let me say at the outset before I reach the piece de resistance—a poem that I am going to recite to you—that I have been a member of the Committee on Rivers and Harbors for a number of years. I had always been one of the faithful in so far as the development of our waterways is concerned, even at times an enthusiast. But shortly after I came to the House of Representatives as a Member I read the poem Merchandise. It made a powerful impression on my mind, and I committed it to memory. I have recited it a number of times on the Pacific coast, and on two or three occasions in New Orleans. Fired by its lofty thought and noble expressions, I became a crusader for waterways, highways, airways, and railways. Until the day I saw Merchandise I was an advocate, but without zeal. But from that hour I became a zealot for a transportation system that would coordinate, consolidate, and unify all the factors into a transportation system that would be our defense in war and promotion in peace, conquering the prejudices of the world by golden caravans that would roll their way over the highways, wing themselves through the air, and steam and sail through the leaping waves, until they reached the gates of every port, city, and mart of trade on the earth.

That system to me is the sign by which we shall conquer, the in hoc signo vinces that unerringly drove me to the Rivers and Harbors Committee, though it has no authority in the district I represent, the Mississippi River Commission having jurisdiction over the great river from Cape Girardeau to the Head of the Passes of the Father of Waters. That poem was to me what Chapman's Homer was to Keats, if I may be pardoned for paralleling or likening myself to that immortal even in a remote way—

> Then felt I like some watcher of the skies
> When a new planet swims into his ken;
> Or like stout Cortez when with eagle eye
> He stared at the Pacific and all his men
> Looked at each other in wild surmise,
> Silent upon a peak in Darien—

took on for me a full significance.

Though, I repeat, my district has no direct interest in the committee, I became one of the champions on it for the improvement of our waterways—north, east, south, and west. The Hudson River was as much my concern as the upper Mississippi, the Ohio, the Illinois, or the Missouri.

And what might appear as strange to some of my listeners, we of that splendid hard-working committee, every member of it being a hero in the strife, whenever a bill was brought to the floor of the House, fought as ardently, as sincerely, and as patriotically for the railways as we did for waterways. For where is the man that does not know that the railways must be the major factor in any transportation system that may be devised or developed for years to come? "What doth it profit a man if he gain the whole world and lose his own soul?" What would it profit a people if the Government generously developed every other factor in transportation and permitted the railroads to die of neglect and unjust inattention?

The great American hymn of progress, industry, commerce, transportation, patriotism shouts out their achievements in every word and line. Like Longfellow's Building of the Ship, it should be known by all Americans, young and old. Neither poem can be recited too often. They should be inscribed on the walls of every room of every schoolhouse in America—aye, on the walls of every church in America.

This literary masterpiece, Merchandise, first appeared in Ainslee's Magazine—I think in 1913. Like Langdon Smith's great crea-

tion, Evolution, it went unnoticed for a while. Suddenly in the night that tried men's souls it was heard in the music halls at London and swept the English people into a tumult of fervor and exaltation. Then it became the vogue and swept Japan for the same reasons that it aroused the British people, both being island empires whose shores are entirely washed by the sea and must send out their ships to the ends of the earth. Read every line of it, for it means a harvest of gold to your country to heed its monition to build up our commerce and pull down our slums.

Arthur Brisbrane, who wrote one of his characteristic editorials on this song of commerce, said that one of its stanzas alone was sufficient to immortalize the author. Venus sprang from the foam of the sea and Merchandise was hurled from the brain of one in whose ears were the billows and the roar in the drift of the seas.

MERCHANDISE

By Milton Hayes

"Merchandise! Merchandise! Tortoise shell, spices,
Carpets and indigo—sent o'er the high seas;
Mother-o'-pearl from the Solomon Isles—
Brought by a brigantine ten thousand miles;
Rubber from Zanzibar, tea from Nang-Po,
Copra from Haiti, and wine from Bordeaux—
Ships, with top-gallants and royals unfurled,
Are bringing in freight from the ends of the world.

Crazy old windjammers manned by Malays,
With rat-ridden bulkheads and creaking old stays,
Reeking of bilge and of paint and of pitch—
That's how your fat city merchant grew rich;
But with tramps, heavy laden, and liners untold
You may lease a new life to a world that's grown old.
Merchandise! Merchandise! Nations are made
By their men and their ships and their overseas trade.

So widen your harbors, your docks, and your quays,
And hazard your wares on the wide ocean ways,
Run out your railways and hew out your coal,
For only by trade can a country keep whole.
Feed up your furnaces, fashion your steel,
Stick to your bargains and pay on the deal;
Rich is your birthright, and well you'll be paid
If you keep in good faith with your overseas trade.

Learn up your geography—work out your sums,
Build up your commerce and pull down your slums;
Sail on a Plimsoll that marks a full hold,
Your overseas trade means a harvest of gold.
Bring in the palm oil and pepper you bought,
But send out ten times the amount you import;
Trade your invention, your labor and sweat,
Your overseas traffic will keep ye from debt.

Hark to the song of shuttle and loom!
'Keep up your commerce or crawl to your tomb.'
Study new methods and open new lines,
Quicken your factories, foundries, and mines;
Think of Columbus, De Gama, and Howe
And waste not their labors by slacking it now,
Work is life's currency—earn what you are worth
And send out your ships to the ends of the earth."

Now, this is the great stanza which Brisbane says should immortalize its author:

"For deep-bosomed mothers with wide-fashioned hips
Will bear you good sons for the building of ships;
Good sons for your ships and good ships for your trade—
That's how the peace of the world will be made.

So send out your strong to the forests untrod,
Work for yourselves and your neighbors and God;
Keep this great Nation, the land of the free,
With merchandise, men, and good ships on the sea—
Merchandise—merchandise—good honest merchandise."

ATTACK ON COMMITTEE INVESTIGATING COMMUNIST ACTIVITIES

Mr. HALL of Mississippi. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HALL of Mississippi. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following statement in reply to unwarranted attacks on the special House committee investigating activities of the communists in the United States by the New York Herald Tribune.

The New York Herald Tribune, the leading Republican newspaper in New York City, has repeatedly found fault with the work of the special committee created by the House of Representatives to investigate the activities of the communists in the United States. Representative HAMILTON FISH, Jr., the chairman of the committee, has probably refrained from answering such unwarranted attacks in view of the fact that the New York Herald Tribune is a semiofficial organ of the Republican Party of New York State.

Mr. FISH has shown a great deal of patience and forbearance, but as a member of the committee I personally resent the biased attitude taken by the editorial staff of the New York Herald Tribune in connection with the investigation ordered by the House of Representatives to ascertain the facts regarding communist propaganda and activities in the United States. On numerous occasions editorials have appeared in the New York Herald Tribune of wholly unwarranted character, directed at the committee for its investigation of the Amtorg Trading Corporation, and of our trade and commercial relations with the Soviet Government. In the issue of December 8 the New York Herald Tribute lauds the speech of John Bassett Moore in behalf of the recognition of Russia, and refers to the "explosions of the Fish committee."

What is behind the constant efforts of the New York Herald Tribune, in behalf of Soviet Russia, and recognition of the communist dictatorship? Can it be that Ogden Reid, president and director of the New York Tribune Co., and other big stockholders in that paper, are influenced by their large holdings in the International Paper & Power Co., which imports most of the pulpwood from Soviet Russia alleged to be produced by convict labor, in direct competition with free American labor on the Pacific coast and of the small farmers in the northern section of New England?

Only last summer a representative of the International Paper & Power Co. appeared before a hearing held in the Treasury Department at Washington and protested against any attempt to shut out soviet pulpwood alleged to have been cut or produced by convict labor.

Can it be that Mr. Ogden Reid, who is a director of the International Paper & Power Co., is using his powerful New York newspaper for the benefit of the stockholders of the International Paper & Power Co., to the disadvantage of free American labor in the midst of this period of unemployment and depression?

I do not desire to do an injustice to Mr. Reid, but the editorials on Russian-American trade in his newspaper lead me to believe that he has placed his selfish interests above his duty as a publisher of a newspaper with a large daily circulation to present the facts fairly and accurately to the reading public.

If I have misinterpreted Mr. Reid's position, or reached an erroneous conclusion as to his motive, I shall appreciate being corrected, but in the meanwhile it would be interesting to know just how much stock Mr. Reid and his family control in the International Paper & Power Co., and if the New York Herald Tribune buys its newsprint from the International Paper & Power Co.

SOLDIERS' ADJUSTED-COMPENSATION CERTIFICATES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I have filed with the Clerk of the House of Representatives a motion to instruct the Committee on Ways and Means to report within 15 days H. R. 3493, entitled "A bill to provide for the immediate payment to veterans of the face value of their adjusted-compensation certificates."

This motion will not be effective until a majority of the Members of the House—218—have signed it.

If you are in favor of this legislation being considered I want to urge you to sign the motion at your very earliest convenience. The motion is in charge of the journal clerk when the House is in session.

This is not a partisanship matter. It makes no difference with me whose bill passes carrying into effect this proposal, but I am anxious that such a bill be given consideration at an early date. This is a sincere effort to relieve unemployment and distress by the Government paying an honest debt that has already been confessed by Congress. Its passage will not cause taxes to be increased. Business men and others who are interested in our Nation being prosperous, as well as the veterans, are requesting its passage.

The objection to signing the motion because another plan of payment is considered preferable is not a good one to my mind. No plan will be considered until this motion is signed by 218 Members of the House, then any plan will be considered.

LEAVE OF ABSENCE

By unanimous consent, the following leave of absence was granted:

To Mr. RICH (at the request of Mr. MAGRADY), for the balance of the week, on account of death in his family.

To Mr. GOSS (at the request of Mr. MERRITT), indefinitely, on account of death in the family.

ADJOURNMENT

And then, on motion of Mr. CRAMTON (at 5 o'clock and 5 minutes p. m.), the House adjourned until to-morrow, Friday, December 12, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Friday, December 12, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

War Department appropriation bill.

State, Justice, Commerce, and Labor Departments appropriation bill.

JOINT CONGRESSIONAL COMMITTEE ON INTERNAL REVENUE TAXATION

(10 a. m., room 321, House Office Building)

To consider depletion of mines.

COMMITTEE ON THE JUDICIARY—SUBCOMMITTEE NO. 2

(10 a. m.)

Authorizing and directing the Comptroller General of the United States to reopen, adjust, and settle the accounts of the city of Baltimore for advances made by the city in 1863 for the construction of works of defense. (H. J. Res. 336.)

COMMITTEE ON MILITARY AFFAIRS—SUBCOMMITTEE NO. 1

(10 a. m.)

To consider construction projects at soldiers' homes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

701. A letter from the Secretary of Commerce, transmitting report of an accumulation of papers which are not needed in the transaction of public business and have no permanent value or historical interest; to the Committee on Disposition of Useless Executive Papers.

702. A letter from the Librarian of Congress, transmitting annual report as Librarian of Congress, together with that of the register of copyrights, for the fiscal year ending June 30, 1930; to the Committee on the Library.

703. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the revenue act of 1928 for purpose of authorizing corporation in computing net income to take as deduction from gross income amounts contributed for charitable social welfare, or unemployment relief purposes, made during the period from July 1, 1930, to June 30, 1931; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. ELLIOTT: Committee on Public Buildings and Grounds. H. R. 14040. A bill to enable the Secretary of the Treasury to expedite work on the Federal-building program authorized by the act of Congress entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926, and acts amendatory thereof; without amendment (Rept. No. 2093). Referred to the Committee of the Whole House on the state of the Union.

Mr. YON: Committee on the Public Lands. H. R. 12094. A bill to provide for conveyance of certain lands in the State of Alabama to vocational or other educational uses, rather than to park or game-preserve purposes, or to dispose of the lands upon condition that they shall be used for educational purposes only; with amendment (Rept. No. 2094). Referred to the Committee of the Whole House on the state of the Union.

Mr. ARENTZ: Committee on Indian Affairs. H. R. 13276. A bill to establish the Needles Rocks wild life refuge; without amendment (Rept. No. 2095). Referred to the House Calendar.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 14207) granting a pension to Isabell A. Yandle; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 14844) granting a pension to Harriet A. Pearman; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 14845) granting a pension to Andrew H. Thomas; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BRITTEN: A bill (H. R. 14991) providing for the appointment as ensigns in the line of the Navy all midshipmen who graduate from the Naval Academy in 1931, and for other purposes; to the Committee on Naval Affairs.

By Mr. DOUGLAS of Arizona: A bill (H. R. 14992) to cancel certain reimbursable charges against certain lands within the Gila River Indian Reservation; to the Committee on Indian Affairs.

By Mr. GAVAGAN: A bill (H. R. 14993) to provide for the issuance of Government bonds to be exchanged for veterans' adjusted-service certificates; to the Committee on Ways and Means.

Also, a bill (H. R. 14994) to provide for the immediate payment to veterans of the face value of their adjusted-service certificates; to the Committee on Ways and Means.

By Mr. HAWLEY: A bill (H. R. 14995) to transfer control of building No. 2 on the customhouse reservation at Nome, Alaska, to the Secretary of War; to the Committee on Ways and Means.

Also, a bill (H. R. 14996) conferring jurisdiction upon the Court of Claims to hear and determine claims of certain bands, nations, or tribes of Indians residing in the State of Oregon; to the Committee on Indian Affairs.

Also, a bill (H. R. 14997) providing for the creation of a national park in Marion County, in Oregon, to be known as the Silver Creek Falls national park, and authorizing the appropriation of money therefor; to the Committee on the Public Lands.

Also, a bill (H. R. 14998) authorizing the construction of a road in the Umpqua National Forest between Steamboat Bridge and Black Camas, in Douglas County, Oreg.; to the Committee on the Public Lands.

Also, a bill (H. R. 14999) to amend the laws relating to the Postal Savings System; to the Committee on the Post Office and Post Roads.

By Mr. SCHNEIDER: A bill (H. R. 15000) for the hospitalization of persons discharged from the United States Army, Navy, or Marine Corps who have contracted tuberculosis in line of duty; to the Committee on Military Affairs.

By Mr. DENISON: A bill (H. R. 15001) to amend sections 7, 8, and 9 of the Panama Canal act; to the Committee on Interstate and Foreign Commerce.

By Mr. EATON of Colorado: A bill (H. R. 15002) concerning oil-shale lands; to the Committee on the Public Lands.

By Mr. FITZGERALD: A bill (H. R. 15003) to amend section 10 of the act of May 29, 1928 (45 Stat. 1008; U. S. C., Supp. —, title 1, sec. 59); to the Committee on Revision of the Laws.

By Mr. JAMES of Michigan (by request of the War Department): A bill (H. R. 15004) to repeal obsolete parts of statutes relating to detachments at the United States Military Academy; to the Committee on Military Affairs.

By Mr. JOHNSON of South Dakota: A bill (H. R. 15005) to amend the World War veterans' act, 1924, as amended; to the Committee on World War Veterans' Legislation.

By Mr. HOFFMAN: A bill (H. R. 15006) to authorize promotion upon retirement of officers of the Army, Navy, Marine Corps, and Coast Guard in recognition of World War and Spanish-American War service; to the Committee on Military Affairs.

Also, a bill (H. R. 15007) to authorize promotion upon retirement of warrant officers and enlisted men of the Army,

Navy, Marine Corps, or Coast Guard to commissioned rank held by them during the World War or the Spanish-American War in recognition of such services; to the Committee on Military Affairs.

By Mr. SUMMERS of Washington: A bill (H. R. 15008) to extend the south and east boundaries of the Mount Rainier National Park in the State of Washington, and for other purposes; to the Committee on the Public Lands.

By Mr. CRAIL: A bill (H. R. 15009) to establish a monument in honor of the veterans of all American wars on the grounds of the National Home for Disabled Volunteer Soldiers, Pacific Branch, Los Angeles County, Calif.; to the Committee on Military Affairs.

By Mr. KELLY: A bill (H. R. 15010) to permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products; to the Committee on the District of Columbia.

By Mr. COYLE: A bill (H. R. 15011) authorizing the Secretary of the Navy to purchase a site for an auxiliary operating air base at Camp Kearney, near San Diego, Calif.; to the Committee on Naval Affairs.

By Mr. HAWLEY: A bill (H. R. 15012) to acquire for park purposes the Heurich-Smith tract at Columbia Road and Nineteenth Street; to the Committee on Public Buildings and Grounds.

By Mrs. OWEN: A bill (H. R. 15013) establishing a permanent submarine base; to the Committee on Naval Affairs.

By Mr. EDWARDS: Joint resolution (H. J. Res. 432) suspending foreclosure proceedings by the Federal land banks for a period of two years; to the Committee on Banking and Currency.

By Mr. HAWLEY: Joint resolution (H. J. Res. 433) authorizing corporations in computing net income to take as deductions from gross income amounts contributed for charitable, social welfare, or unemployment relief purposes; to the Committee on Ways and Means.

By Mr. MAAS: Joint resolution (H. J. Res. 434) participation of the Government of the United States in the Second World Conference of Workers for the Crippled, to be held at The Hague, the Netherlands, the week of June 28, 1931; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ACKERMAN: A bill (H. R. 15014) donating bronze trophy cannons to the city of Morristown, Morris County, N. J.; to the Committee on Military Affairs.

By Mr. BRAND of Ohio: A bill (H. R. 15015) granting an increase of pension to Susie A. Clifton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15016) granting an increase of pension to Dora A. Stephenson; to the Committee on Invalid Pensions.

By Mr. BYRNS: A bill (H. R. 15017) granting an increase of pension to Johanna Mulvihill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15018) for the relief of E. C. Journey; to the Committee on Claims.

Also, a bill (H. R. 15019) for the relief of Mrs. W. I. Kline and Mrs. W. C. Greer; to the Committee on War Claims.

Also, a bill (H. R. 15020) for the relief of U. S. Davis; to the Committee on Claims.

By Mr. CABLE: A bill (H. R. 15021) granting a pension to Caroline Risk; to the Committee on Invalid Pensions.

By Mr. CANFIELD: A bill (H. R. 15022) granting a pension to Anna S. Joseph; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15023) granting an increase of pension to Hester A. Neal; to the Committee on Invalid Pensions.

By Mr. CHASE: A bill (H. R. 15024) granting a pension to Anna L. Lemon; to the Committee on Invalid Pensions.

By Mr. CHIPERFIELD: A bill (H. R. 15025) granting a pension to Mary Abbott; to the Committee on Invalid Pensions.

By Mr. COLE: A bill (H. R. 15026) granting a pension to Dora Greeler; to the Committee on Invalid Pensions.

By Mr. CULKIN: A bill (H. R. 15027) granting a pension to Anna Marshall; to the Committee on Invalid Pensions.

By Mr. DOWELL: A bill (H. R. 15028) granting an increase of pension to Alice Mobley; to the Committee on Invalid Pensions.

By Mr. DUNBAR: A bill (H. R. 15029) granting a pension to Samuel M. Hatfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15030) granting an increase of pension to William H. Richter; to the Committee on Pensions.

Also, a bill (H. R. 15031) granting a pension to Martha D. McCabe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15032) granting a pension to Ida M. Varble; to the Committee on Pensions.

By Mr. ELLIS: A bill (H. R. 15033) giving jurisdiction to the Court of Claims to hear and determine the claim of the Cherokee Fuel Co.; to the Committee on Claims.

By Mr. EVANS of California: A bill (H. R. 15034) granting a pension to Jerome Deniston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15035) granting a pension to Martha Trusty Miller; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 15036) for the relief of Marijune Cron; to the Committee on Claims.

By Mr. HAWLEY: A bill (H. R. 15037) for the relief of George F. De Maranville; to the Committee on Military Affairs.

By Mr. HOPKINS: A bill (H. R. 15038) granting a pension to Mary Caroline Wilkerson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15039) granting a pension to Jessie E. Ingraham; to the Committee on Invalid Pensions.

By Mr. MANLOVE: A bill (H. R. 15040) granting an increase of pension to Susan C. Harrison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15041) granting an increase of pension to Sarah E. Sabie; to the Committe on Invalid Pensions.

By Mr. MICHENER: A bill (H. R. 15042) granting a pension to Louis d'Orville Chabut; to the Committee on Pensions.

By Mr. MOUSER: A bill (H. R. 15043) granting an increase of pension to Martha J. Caldwell; to the Committee on Pensions.

Also, a bill (H. R. 15044) granting an increase of pension to Mary T. Moon; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 15045) granting an increase of pension to Maria L. McDonald; to the Committee on Invalid Pensions.

By Mr. OLIVER of New York: A bill (H. R. 15046) granting a pension to Fredericka Tuttle; to the Committee on Invalid Pensions.

By Mrs. OWEN: A bill (H. R. 15047) granting a pension to Lida F. Holmes; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 15048) granting an increase of pension to Mary M. Clements; to the Committee on Invalid Pensions.

By Mr. ROMJUE: A bill (H. R. 15049) for the relief of Lewis Scarlett; to the Committee on Military Affairs.

By Mr. ROWBOTTOM: A bill (H. R. 15050) granting a pension to Mary E. McLaughlin; to the Committee on Invalid Pensions.

By Mr. SANDERS of Texas: A bill (H. R. 15051) granting a pension to Mary J. McKenna; to the Committee on Pensions.

By Mr. SHREVE: A bill (H. R. 15052) granting an increase of pension to Jane E. Richardson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15053) granting an increase of pension to Ella S. Pattison; to the Committee on Invalid Pensions.

By Mr. THURSTON: A bill (H. R. 15054) granting a pension to Harrison R. Crecelius; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15055) granting a pension to Sarah A. Bethards; to the Committee on Invalid Pensions.

By Mr. WAINWRIGHT: A bill (H. R. 15056) granting a pension to Eleanora Emma Bliss; to the Committee on Pensions.

Also, a bill (H. R. 15057) for the relief of Thomas G. Carlin; to the Committee on Military Affairs.

By Mr. WASON: A bill (H. R. 15058) granting an increase of pension to Eva A. Gill; to the Committee on Invalid Pensions.

By Mr. WOLVERTON of New Jersey: A bill (H. R. 15059) granting a pension to Emma L. Zittel; to the Committee on Pensions.

By Mr. WYANT: A bill (H. R. 15060) granting an increase of pension to Abigail McCreery; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 15061) granting an increase of pension to Mary E. Lewis; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7868. By Mr. LOOFBOUROW: Petition of Mrs. Inga Black and 625 other citizens of Millard County, Utah, urging the House to enact Senate bill 4123, granting certain relief to drainage districts; to the Committee on Irrigation and Reclamation.

7869. By Mr. MURPHY: Petition of the United Presbyterian Church, of Cadiz, Ohio, Rev. Charles Gilmore, minister, asking that the preamble of the Constitution of the United States be amended so as to recognize the authority of Jesus Christ the Savior and King of Nations; to the Committee on the Judiciary.

7870. By Mr. PATMAN: Petition of J. Frank West and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7871. Also, petition of J. W. Moon and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7872. Also, petition of Charles S. Baker and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7873. Also, petition of Mrs. J. H. Frogge and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7874. Also, petition of W. S. Smith and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7875. Also, petition of Pearl Reed and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7876. Also, petition of J. G. Coldewey and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7877. Also, petition of Mrs. W. A. Jackson and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7878. Also, petition of Miss M. Stanley and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7879. Also, petition of Howard F. Collins and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7880. Also, petition of George Raymond and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging the immediate payment of adjusted-service certificates; to the Committee on Ways and Means.

7881. Also, petition of J. W. McAlley and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7882. Also, petition of Philip Rotella and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7883. Also, petition of William N. Hunt and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7884. Also, petition of Hugh L. Groopasture and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7885. Also, petition of Fred Callas and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7886. Also, petition of A. J. Levy and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7887. Also, petition of Christ Cantas and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7888. Also, petition of John Burton and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of adjusted-service certificates; to the Committee on Ways and Means.

7889. Also, petition of Sam Shies and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7890. Also, petition of J. E. Bauman and 47 other veterans and citizens of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7891. Also, petition of W. C. Fink and 47 other veterans and citizens of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7892. Also, petition of M. Pilsk and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7893. Also, petition of L. L. Schlosser and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging imme-

diate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7894. Also, petition of T. W. Drennon and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging the immediate payment of adjusted-service certificates; to the Committee on Ways and Means.

7895. Also, petition of Jack Keefe and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7896. Also, petition of Helen Hoffmaster and 49 other citizens and veterans of Washington, D. C., presented through the United Veterans' Aid Association (Inc.), urging the immediate payment of adjusted-service certificates; to the Committee on Ways and Means.

7897. By Mr. FRANK M. RAMEY: Resolution regarding adequate national defense, passed by the American Federation of Labor at its convention held in Boston, Mass., October 6-17, 1930; to the Committee on Labor.

SENATE

FRIDAY, DECEMBER 12, 1930

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Thou who hast companioned with us even when we knew it not, who hast shepherded us in shadowed valleys when we thought Thee far away, be with us now as we turn aside from life's crowded highway into the quiet sanctuary of the soul, within whose gates of peace we learn that death is not defeat but victory and holds no contradiction of Thy love.

As Thou hast been pleased to take unto Thyself the soul of Thy beloved, whose devotion to duty, integrity of purpose, and fineness of character have left their impress on our lives, do Thou look with loving pity upon the dear ones bowed in grief for whom especially our prayers are offered. Let Thy fatherly hand be over them, may Thy love comfort and sustain them, and may Thy spirit give them peace, for they sorrow not as those who have no hope. We ask it in the name of Him who bears our griefs and carries our sorrows, Jesus Christ our Lord. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALL OF THE ROLL

Mr. SIMMONS. Mr. President, I make the point of no quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Keyes	Shipstead
Barkley	Frazier	King	Shortridge
Bingham	George	La Follette	Simmons
Black	Gillett	McGill	Smith
Blaine	Glass	McKellar	Smoot
Blease	Glenn	McMaster	Steiwer
Borah	Goff	McNary	Stephens
Bratton	Goldsborough	Metcalf	Swanson
Brock	Gould	Morrow	Thomas, Idaho
Brookhart	Greene	Moses	Thomas, Okla.
Broussard	Hale	Norbeck	Townsend
Bulkley	Harris	Norris	Trammell
Capper	Harrison	Nye	Tydings
Carawny	Hastings	Oddie	Vandenberg
Carey	Hatfield	Patterson	Wagner
Connally	Hawes	Phipps	Walcott
Copeland	Hayden	Pine	Walsh, Mass.
Couzens	Hebert	Pittman	Walsh, Mont.
Cutting	Heflin	Ransdell	Waterman
Dale	Howell	Reed	Watson
Davis	Johnson	Robinson, Ark.	Wheeler
Deneen	Jones	Robinson, Ind.	Williamson
Dill	Kean	Schall	
Fess	Kendrick	Sheppard	

The VICE PRESIDENT. Ninety-four Senators have answered to their names. A quorum is present.

DEATH OF SENATOR OVERMAN

Mr. SIMMONS. Mr. President, I am deeply grieved to announce the death of my distinguished colleague, Senator LEE S. OVERMAN, who passed away about midnight last night.

Senator OVERMAN was a distinguished figure in public and social life. He was greatly beloved not only in his native State but wherever he was known, especially by his colleagues in this body. For 65 years—in college, in private life, and in his services in this body, without a single breach—he and I have been close associates and friends. His passing, to me, is a source of deep personal sorrow and grief. If he had lived until the 4th of next March, he would have had a continuous service in this body covering a period of 28 years. His death is a loss not only to his friends but to his State and to the Nation.

At a later date I shall ask the Senate to make formal recognition of his life, his character, and his public services.

Mr. WATSON. Mr. President, I am certain that every heart has been touched by the sad news of the death of our honored and revered colleague, a man who through his entire public career enjoyed the confidence and respect of every Member of this body and of all others with whom he came into contact.

It is not fitting that I should pronounce his eulogy at this time, much as it is in my heart to do so. I only rose for the purpose of announcing that at the suggestion of Mrs. Overman, a suggestion with which I know we all want to comply, exercises will be held in this Chamber this evening. I understand a sermon will be delivered at that time. It is my earnest request that all Members of this body be present who possibly can do so, in order that in a suitable way we may, as much as we can, pay tribute to the life, the character, and the public services of our deceased friend, with whom every Member of this body was in love. The hour for the funeral is 8 o'clock.

Mr. ROBINSON of Arkansas. Mr. President, every Senator, every officer, and every employee, as well as others who have less direct relationship to the work of the Senate, honor the memory of Senator OVERMAN. There has never served here a more beloved Senator. He was kind, gentle, courageous, and able.

We meet in this Chamber at 8 o'clock this evening, when the funeral services will be conducted.

Mr. SIMMONS. Mr. President, I send to the desk the following resolutions and ask for their immediate consideration.

The VICE PRESIDENT. The resolutions will be read.

The resolutions (S. Res. 368) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with deep regret and profound sorrow the announcement of the death of the Hon. LEE SLATER OVERMAN, late a Senator from the State of North Carolina.

Resolved, That a committee of 21 Senators be appointed by the President of the Senate to take order for superintending the funeral of Mr. OVERMAN, which shall take place in the Senate Chamber at 8 o'clock p. m. on Friday, December 12, 1930, and that the Senate attend the same.

Resolved, That as a further mark of respect his remains be removed from Washington to Salisbury, N. C., for burial, in charge of the Sergeant at Arms, attended by the committee, who shall have full power to carry these resolutions into effect; and that the necessary expenses in connection therewith be paid out of the contingent fund of the Senate

Resolved, That the Secretary communicate these resolutions to the House of Representatives, transmit a copy thereof to the family of the deceased, and invite the House of Representatives to attend the funeral in the Senate Chamber and to appoint a committee to act with the committee of the Senate.

Resolved, That invitations be extended to the President of the United States and the members of the Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States; the diplomatic corps (through the Secretary of State), the Chief of Staff of the Army, the Chief of Naval Operations, and the Major General Commandant of the Marine Corps to attend the funeral in the Senate Chamber.

Under the second resolution the Vice President appointed as the committee on the part of the Senate the Senator from

North Carolina [Mr. SIMMONS], the Senator from Indiana [Mr. WATSON], the Senator from Arkansas [Mr. ROBINSON], the Senator from Utah [Mr. SMOOT], the Senator from Florida [Mr. FLETCHER], the Senator from Idaho [Mr. BORAH], the Senator from South Carolina [Mr. SMITH], the Senator from Washington [Mr. JONES], the Senator from Virginia [Mr. SWANSON], the Senator from Nebraska [Mr. NORRIS], the Senator from Louisiana [Mr. RANSDELL], the Senator from Texas [Mr. SHEPPARD], the Senator from Maine [Mr. HALE], the senior Senator from California [Mr. JOHNSON], the Senator from Georgia [Mr. HARRIS], the Senator from New Hampshire [Mr. MOSES], the Senator from Tennessee [Mr. MCKELLAR], the Senator from Oregon [Mr. MCNARY], the Senator from Massachusetts [Mr. WALSH], the Senator from Colorado [Mr. PHIPPS], and the junior Senator from California [Mr. SHORTRIDGE].

Mr. SIMMONS. Mr. President, I offer the further resolution which I now send to the desk and ask for immediate action upon it.

The resolution was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That as a further mark of respect to the memory of the deceased the Senate adjourn until 12 o'clock meridian, Monday, December 15, 1930.

Thereupon (at 12 o'clock and 18 minutes p. m.), under the last resolution, the Senate adjourned until Monday, December 15, 1930, at 12 o'clock meridian.

FUNERAL SERVICES OF SENATOR LEE SLATER OVERMAN

At 8 o'clock p. m.

The casket containing the body of the deceased Senator was brought into the Senate Chamber, escorted by the committee of arrangements of the two Houses and followed by the members of the family and friends of the deceased Senator.

The President of the United States and his Cabinet, preceded by the Sergeant at Arms, entered the Chamber and were seated in the area in front of the Vice President's desk.

The Members of the House of Representatives entered the Chamber and were seated to the right of the Vice President.

The members of the diplomatic corps entered the Chamber and were seated to the right of the Vice President.

The Chief Justice and Associate Justices of the Supreme Court of the United States, preceded by the marshal and clerk, entered the Chamber and were seated in the area to the left of the Vice President's desk.

The Chief of Staff of the Army, the Chief of Naval Operations, and the Major General Commandant of the Marine Corps entered the Chamber and were seated in the area to the left of the Vice President's desk.

The VICE PRESIDENT. We are here this evening to pay tribute to a former colleague who served his State faithfully for nearly 30 years. We all loved him and we mourn his passing. The Chaplain will conduct the services.

The Chaplain of the Senate, Rev. Z[illegible]Barney T. Phillips, D. D., recited from the Episcopal burial office as follows:

I am the resurrection and the life, saith the Lord. He that believeth in Me, though he were dead, yet shall he live; and whosoever liveth and believeth in Me shall never die.

* * * * * * *

I know that my Redeemer liveth, and that He shall stand at the latter day upon the earth, and though this body be destroyed, yet shall I see God, whom I shall see for myself, and mine eyes shall behold, and not another.

* * * * * * *

We brought nothing into this world and it is certain we can carry nothing out. The Lord gave and the Lord hath taken away; blessed be the name of the Lord.

* * * * * * *

Lord Thou hast been our refuge from one generation to another. Before the mountains were brought forth or ever the earth and world were made, Thou art God from everlasting and world without end.

Thou turnest man to destruction, again Thou sayest, Come again ye children of men. For a thousand years in Thy sight are but as yesterday seeing that is past as a watch in the night. As soon as Thou scatterest them they are even as a sleep and fade away suddenly like the grass. In the morning it is green and groweth up, but in the evening it is cut down, dried up, and withered. For we consume away in Thy displeasure and are afraid at Thy wrathful indignation.

Thou hast set our misdeeds before Thee and our secret sins in the light of Thy countenance. For when Thou art angry all our days are gone; we bring our years to an end, as it were a tale that is told.

The days of our age are threescore years and ten, and though men be so strong that they come to fourscore years, yet is their strength then but labor and sorrow, so soon passeth it away, and we are gone.

O teach us to number our days, that we may apply our hearts unto wisdom.

Glory be to the Father and to the Son and to the Holy Ghost. As it was in the beginning, is now, and ever shall be, world without end. Amen.

How firm a foundation, ye saints of the Lord,
Is laid for your faith in His excellent Word.
What more can He say than to you He hath said,
You who unto Jesus for refuge have fled.

Fear not, I am with thee; O be not dismayed;
I, I am thy God, and will still give thee aid;
I'll strengthen thee, help thee, and cause thee to stand
Upheld by My righteous, omnipotent hand

When through the deep waters I call thee to go,
The rivers of woe shall not thee overflow;
For I will be with thee, thy troubles to bless,
And sanctify to thee thy deepest distress.

The soul that to Jesus hath fled for repose,
I will not, I will not desert to His foes;
That soul, though all hell shall endeavor to shake,
I'll never, no, never, no, never forsake.

Amen.

(St. John xiv, 1)

Jesus said, Let not your heart be troubled; ye believe in God, believe also in me. In my Father's house are many mansions; if it were not so, I would have told you. I go to prepare a place for you. And if I go and prepare a place for you, I will come again, and receive you unto myself; that where I am, there ye may be also. And whither I go ye know, and the way ye know. Thomas saith unto him, Lord, we know not whither thou goest; and how can we know the way? Jesus saith unto him, I am the way, the truth, and the life; no man cometh unto the Father but by me.

(Romans viii, 14)

As many as are led by the Spirit of God, they are the sons of God. For ye have not received the spirit of bondage again to fear; but ye have received the Spirit of adoption, whereby we cry, Abba, Father. The Spirit himself beareth witness with our spirit, that we are the children of God; and if children, then heirs; heirs of God, and joint heirs with Christ; if so be that we suffer with him, that we may be also glorified together. For I reckon that the sufferings of this present time are not worthy to be compared with the glory which shall be revealed in us. For the earnest expectation of the creature waiteth for the manifestation of the sons of God. We know that all things work together for good to them that love God, to them who are the called according to his purpose. What shall we then say to these things? If God be for us, who can be against us? He that spared not his own Son, but delivered him up for us all, how shall he not with him also freely give us all things? Who is he that condemneth? It is Christ that died, yea rather, that is risen again, who is even at the right hand of God, who also maketh intercession for us. Who shall separate us from the love of Christ? Shall tribulation, or distress, or persecution, or famine, or nakedness, or peril, or sword? Nay, in all these things we are more than conquerors through him that loved us. For I am persuaded, that neither death, nor life, nor angels, nor principalities, nor powers, nor things present, nor things to

come, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord.

Rock of ages, cleft for me,
Let me hide myself in Thee;
Let the water and the blood,
From Thy side, a healing flood,
Be of sin the double cure,
Save from wrath, and make me pure.

Should my tears forever flow,
Should my zeal no languor know,
All for sin could not atone,
Thou must save, and Thou alone;
In my hand no price I bring,
Simply to Thy cross I cling.

While I draw this fleeting breath,
When mine eyelids close in death,
When I rise to worlds unknown,
And behold Thee on Thy throne,
Rock of ages, cleft for me,
Let me hide myself in Thee.

Amen.

Our Father, who art in Heaven, hallowed be Thy name; Thy kingdom come; Thy will be done on earth, as it is in Heaven; give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us; and lead us not into temptation, but deliver us from evil. For Thine is the kingdom, the power, and the glory, forever and ever. Amen.

O Merciful God, and Heavenly Father, who hast taught us in Thy holy Word that Thou dost not willingly afflict or grieve the children of men; look with pity, we beseech Thee, upon the sorrows of these Thy servants for whom especially our prayers are offered. Remember them, O Lord, in mercy; endue their souls with patience under this their great affliction and with resignation to Thy blessed will. Comfort them with the sense of Thy goodness. Lift up Thy countenance upon them and give them peace. Through Jesus Christ our Lord. Amen.

O Almighty God, who hast knit together Thine elect in one communion and fellowship, in the mystical body of Thy Son, Christ our Lord; grant us grace so to follow Thy blessed saints in all virtuous and godly living, that we may come to those unspeakable joys which Thou hast prepared for those who unfeignedly love Thee; through Jesus Christ our Lord. Amen.

O Lord Jesus Christ, grant unto us Thy servants so to follow in faith where Thou hast led the way that we may at length fall asleep peacefully in Thee and awake after Thy likeness through Thy mercy, who liveth with the Father and the Holy Ghost, ever one God, world without end. Amen.

Almighty God, with whom do live the spirits of those who depart hence in the Lord, and with whom the souls of the faithful, after they are delivered from the burden of the flesh, are in joy and felicity, we give Thee hearty thanks for the noble example of this Thy servant, who having finished his course in faith now rests from his labors. And we beseech Thee that we, with all those who are departed in the true faith of Thy holy name, may have our perfect consummation and bliss in Thy eternal and everlasting glory. Through Jesus Christ our Lord.

O God, the God of the spirits of all flesh, in whose embrace all creatures live in whatsoever world or condition they be, we beseech Thee for him whose name and dwelling place and every need Thou only knowest. Lord, vouchsafe him light and rest, peace and refreshment, joy and consolation in paradise, in the companionship of saints, in the presence of Christ, in the ample folds of Thy great love. Grant that his life may unfold itself in Thy sight and find sweet employment in the spacious fields of eternity.

If in aught we can minister to his peace, be pleased of Thy love to let this be. And so keep us from every act which may deprive us of the sight of him as soon as our trial time is over or mar the fullness of our joy when the end of the days hath come.

Pardon, O gracious Lord and Father, whatever is amiss in this our prayer, and let Thy will be done, for our will is blind and erring, but Thine is able to do exceeding abundantly above all that we ask or think. Through Jesus Christ our Lord. Amen.

How beautiful it is to be alive!
To wake each morn as if the Maker's grace
Did us afresh from nothingness derive,
That we might sing, "How happy is our case!
How beautiful it is to be alive!"

To read in God's great book, until we feel
Love for the love that gave it; then to kneel
Close unto Him whose truth our souls will shrive,
While every moment's joy doth more reveal
"How beautiful it is to be alive."

Not to forget when pain and grief draw nigh,
Into the ocean of time past to dive
For memories of God's mercies, or to try
To bear all sweetly, hoping still to cry
"How beautiful it is to be alive!"

Thus ever toward man's height of nobleness,
Strive still some new progression to contrive;
Till, just as any other friend's, we press
Death's hand; and, having died, feel none the less
"How beautiful it is to be alive."

And now, Lord, support us all the day long of this troublous life until the shadows lengthen and the evening comes and the busy world is hushed and the fever of life is over and our work is done. Then, in Thy mercy, grant us a safe lodging, a holy rest, and peace at the last. Through Jesus Christ our Lord. Amen.

May the peace of God, which passeth all understanding, keep your hearts and minds in the knowledge and love of God and of His Son, Jesus Christ, our Lord; and the blessing of God Almighty, the Father, the Son, and the Holy Ghost be upon you and all who are near and dear unto you, both here and yonder, and remain with them and with you forever. Amen.

At 8 o'clock and 22 minutes p. m., the funeral ceremonies having been concluded, the family of the deceased Senator, the committee of arrangements of the two Houses, the invited guests, and the Members of the Senate retired from the Chamber, and the casket was borne to the Union Station, to be conveyed to Salisbury, N. C., accompanied by the committee of arrangements and the family of the deceased Senator.

HOUSE OF REPRESENTATIVES

FRIDAY, DECEMBER 12, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

From the foundation of the world, blessed Lord, Thou hast been the helper of man. Through victories and defeats, through tears and gladness may we walk with Thee in hope and in aspiration. May Thy spirit, with its quickening power, abide in our midst. Make us sensitive to Thy presence, and keep us away from the things that are dark and sluggish, cold and hateful, and with an irresistible attraction draw us toward Thee; thus we may achieve successfully the tasks to which our country has appointed us. Cleanse us from false pride and all vanity, from binding passions and besetting sins, and from all habits imperfectly controlled. Take out of every contest the sting of bitterness and selfishness, and may sympathetic cooperation be exercised in all the deliberations of this Congress. We pray in our Savior's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 14804. An act making supplemental appropriations to provide for emergency construction on certain public

works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment.

The message also announced that the Vice President had appointed Mr. JOHNSON and Mr. FLETCHER members of the joint select committee on the part of the Senate as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Department of Commerce.

LUMBER AND THE SOVIET

Mr. KORELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by incorporating an address which I delivered this summer in Portland, Oreg., upon the subject of Lumber and the Soviet.

The SPEAKER. The gentleman from Oregon asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The speech is as follows:

Before commenting upon the real meaning of the soviet invasion of the United States I desire to make a brief explanatory statement relative to the condition of the lumber and closely related wood industries of the United States. These industries are ordinarily the largest industrial employers of labor in this country, but to-day they are operating at only about 60 per cent capacity. As a consequence of their let-down in production many hundreds of persons ordinarily profitably employed are now out of work. This condition is especially noticeable in the western parts of Washington and Oregon, where dozens of sawmills, large and small, have been forced to shut down. The closing of these mills is due to lack of demand for lumber occasioned by reduced building activities and curtailed industrial operations.

Notwithstanding decreased production, the lumber market is abundantly supplied with lumber of domestic manufacturers. There is an ample supply of domestic manufacture available for every purpose for which Russian lumber could or is being used. Accordingly, if the request of the American lumbermen to have the present importation of Russian lumber excluded from our ports should be granted by the Treasury Department, the lumber consumers of this country will not be inconvenienced in the slightest. Indeed, the shipments of Russian lumber that are being made into the United States at present are not due to a search on the part of the consuming public for more suitable lumber than that which is produced here, but to the zeal of the soviet officials who are attempting to dump the vast forest resources of Russia upon our markets so that they may obtain sufficient gold to carry on their much-advertised 5-year economic program.

Important as it is to us to see that the lumber interests of the great Northwest are not ruined by unfair competition and dumping of Russian goods made possible by convict or forced labor, there is even something of broader importance to us, and that is the preservation of organized society and American constitutional government.

In order to appreciate this we must examine into the motives of the leaders of the Moscow Government. They have changed their method of attack, or, rather, have added a new attack. They see that propaganda in America will not be sufficient unless the prosperity and independence of the farmer and workingman can be destroyed. That is the reason for the 5-year program of industrialization in Russia and for the great system of state-owned farms that is being built up.

What Russia proposes to do is to dump on the rest of the world raw materials from the forest, the farm, and the mine, and later manufactured products at such a price that the world markets will be flooded with Russian goods and the workers in western Europe and America be rendered idle and discontented and ripe for revolt.

The exportation of wood pulp, of anthracite, of manganese, and other raw materials into our country is but the opening wedge. The Bolsheviks in the first place took the mines and the forests from the original owners by force. They have no capital investment. They employ convicts and slave workers. I say they are slave workers because they can not help themselves. They must work for the starvation wages which the soviet tyrannical Government gives them. They have no choice. Imprisonment is the only alternative.

Yet there are people in America, financiers and alleged statesmen who object to the efforts of sound Americans to keep out this flood of convict and slave-made goods. Some of the financiers are inspired by selfish motives. Either they have been selling machinery and equipment to Soviet Russia themselves to help unwittingly in the world revolutionary program or they hope to profit by these cheap, slave-made raw materials. How shortsighted they are! Equipping Soviet Russia until it destroys American buying power is but helping to kill the goose that lays the golden egg. Why cripple or destroy the future of America for a few temporary profits? The soviet apologists answer that there is no danger. That Russia can consume herself the things she produces. But the reds in Moscow are not looking to raising the standards of their own people. They are seeking to destroy civilization in the world as they have destroyed it in Russia. The dumping of slave and convict produced goods abroad has just started. It will continue, unless we prevent it, no matter whether the Russian peasant worker has enough to eat and wear for himself.

I think it is of the greatest importance therefore that convict goods and the goods produced by forced labor be kept from America. If you think I am prejudiced or unduly concerned as to the devilish purposes behind the Moscow Government, let me quote from a recent interview in a French newspaper by Senator Victor Dalbieg, himself a French socialist who at one time was in favor of full trade between France and Soviet Russia. Senator Dalbieg says that the dumping system is being used by Stalin "to facilitate the export of soviet products below the world price, with the object of preparing a world revolution and increasing propaganda funds for communist groups in other countries which obey Moscow's orders."

The French senator then continues that "the directors of the Soviet Union have organized a system of dumping by which they are seeking to throw on the world market foodstuffs and materials obtained by insufficiently paid workers and even by forced underpaid labor, so as to create unemployment and grave economic disasters in other countries which will be propitious to their communist propaganda. Stalin himself showed in a recent speech how much he was counting on the system to help create difficulties in capitalistic countries. His words breathe the hope that by it communism will be victorious over the rest of the world. We must set up, in the face of foreign monopoly of Russia, control exchanges which will protect our manufacturers and merchants and prohibit the importation into France of foodstuffs or merchandise of which the sale price is fixed in Russia not on the basis of cost but with the avowed political aim of ruining nations which permit this commerce, while at the same time the unfortunate Russian workers and peasants who produce it are starving."

My friends, if it is important that France take some means of shutting out this flood of Russian convict-produced commodities, how much more important is it that we do it in America with our higher and costlier standards of living. So far as I am concerned, I am unwilling that the people of the west coast, because of floods of Russian pulpwood, agricultural, and other products, be made the first victims in the effort to create economic chaos and discontent in America.

We have heard a great deal of this new Russian menace of late. The flood of Russian pulpwoods was temporarily held up, although later Assistant Secretary of the Treasury Lowman decided to admit the commodity because it could not be definitely proved that this pulp was produced by convict labor. It seems to me that in this instance, and in all other similar instances, it ought not be left to Americans to prove that convict labor was used in producing these low-priced commodities. It ought to be put up to the shippers themselves, in this instance the Soviet Government, to prove that no convict labor was used. And even then I should want the proof to be ironclad and entirely convincing.

Under the laws in force for years past it has been possible to stop the entry to America of prison-made goods or of goods dumped into the country regardless of the cost of production. Now it seems to me that in the case of Russia labor costs are never taken into consideration, because the labor is of the slave or forced variety. This in itself should prohibit them.

The new tariff law recently passed by Congress provides against the entry to the United States of goods produced by forced labor. The term, I believe, is sweeping enough to include nearly everything produced in Russia, and when this part of the bill becomes a law it ought to be enforced, especially in view of the labor costs in Russia and of the efforts of the Soviet Government to disrupt the economic fabric of the world. I feel sure that the provisions will be enforced, and, so far as I am concerned, when these provisions of the law, which were designed by farseeing men to cover this particular situation, go into effect I intend to do what I can to see that the interests of the producers of American products in Oregon are safeguarded.

It is perhaps true that there will be powerful nonpolitical influences, inspired by selfish greed, against the application of these safeguards, but I believe that these influences should be and will be unavailing. They threaten us with the loss of Russian trade. But there is something more fundamental in American life than trade and finance. There is something more fundamental to us in the preservation of the American standard of living, in the preservation of the standard of living of the average American family. There is something more fundamental, too, in the preservation of our ideals of government, of American institutions which the Moscow leaders intend to destroy. These things are all more important than the balance of trade with an outlaw government in Russia, and, so far as I am concerned, I intend to contribute my little share toward keeping them more important.

American idealism and American prosperity can not be traded off for a chimerical trade advantage which will fade into nothingness when the real purposes of the Bolshevik Government are revealed to the world.

Whenever and wherever goods are dumped into America to destroy our industries, let us stop the flood, no matter what nation is the offender.

INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. CRAMTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill

(H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Interior Department appropriation bill, with Mr. CHINDBLOM in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For a clinical survey of tuberculosis, trachoma, and venereal and other disease conditions among Indians, $75,000: *Provided*, That in conducting such survey the cooperation of such State and other organizations engaged in similar work shall be enlisted wherever practicable and where services of physicians, nurses, or other persons are donated their travel and other expenses may be paid from this appropriation.

Mr. TILSON. Mr. Chairman, I move to strike out the last word and ask unanimous consent to proceed for 10 minutes out of order.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to proceed for 10 minutes out of order. Is there objection?

Mr. GARNER. Mr. Chairman, reserving the right to object, it is my understanding that the gentleman from Connecticut proposes to discuss a matter that is not before the committee, the so-called farm relief bill. If we are going to have a debate on that subject to-day, I think that some one on this side of the House ought to have similar opportunity to express himself.

Mr. TILSON. Will the gentleman agree to confine it to 10 minutes?

Mr. GARNER. Yes.

Mr. TILSON. A discussion of this kind is irregular and, as a rule, ought not to be allowed on general principles, but this is a matter of such importance that I think we may well afford to make an exception of it. I am perfectly willing to have somebody on the other side discuss the matter for 10 minutes.

Mr. GARNER. The gentleman will recall that yesterday I suggested to him that an opportunity be given for a full debate on this proposition. I urged him then to set aside the bill now under consideration, the Interior Department appropriation bill, and take up immediately the farm relief bill, which we could have done very well this morning. As I understand it, that bill is ready for consideration. We could have considered it to-day and to-morrow, if need be, under general debate, which the gentleman is undertaking to indulge in now. I suggest that the gentleman give this side of the House 20 minutes, in case he takes 10 minutes, so that he can have 10 minutes more on his side if he desires to answer. Let us go into a general debate of this subject, if necessary.

Mr. TILSON. I merely wish to make a statement of my own views, and I do not think it will call for even a colloquy.

Mr. ASWELL. That is what we wish to do.

Mr. TILSON. I do not believe it will arouse any controversy.

Mr. ASWELL. We want an opportunity to answer.

Mr. GARNER. Whether it arouses controversy or not, I would like to have it generally understood before we give this consent that we are to have full opportunity on this side to debate the proposition.

Mr. TILSON. I shall be delighted to have the gentleman from Texas or the gentleman from Louisiana have an equal amount of time. We should like to finish the Interior Department bill early to-day, and therefore I should not like to consent to any great amount of time being consumed in extraneous debate.

Mr. CRAMTON. Mr. Chairman, I would not want any misunderstanding from leaving this in an indefinite state. Personally it is quite necessary for me that the Interior Department bill be completed to-day, unless we have a session to-morrow, which I do not suppose the House wants. Monday is consent day and on Tuesday I shall have to be away. I am anxious to complete the bill to-day, so that I hope it is understood that this will not be a long debate upon a subject extraneous to the bill. I shall not object to the same amount of time on the other side as Mr. TILSON has.

The CHAIRMAN. Is there objection?

Mr. ASWELL. Is that understood?

Mr. TILSON. With the understanding that there will be an equal amount of time on the other side.

The CHAIRMAN. The Chair will put both requests. The gentleman from Connecticut asks unanimous consent that he may proceed for 10 minutes out of order, and that thereafter the gentleman from Louisiana [Mr. ASWELL] may proceed for 10 minutes out of order. Is there objection?

There was no objection.

Mr. TILSON. Mr. Chairman, in view of the strict limitation placed upon the time, I ask that I be not interrupted until I have finished my statement.

Because of the revolutionary character of the proposal that has been made in connection with drought relief to furnish food, clothing, and other necessities of life, I think this House should consider the matter with the utmost deliberation and care before embarking upon such a policy.

There is a very sharp dividing line, not only in principle but in fact, between the loan of Government funds for the purchase of seed, fertilizer, and livestock feed, as we have done in the past, and a loan to meet such needs as food, clothing, and, possibly, medical care, as has been proposed. In the one case the Federal Government is loaning funds to help rehabilitate and carry over an industry temporarily stricken by natural causes and unable to finance its immediate needs because of restricted credit facilities. In such a case the United States is advancing money which in all human probability will be repaid out of the very crop which it is financing.

In the other case—that of advances for food—while we may call it a loan because it sounds better, it is in effect distributing funds for strictly charitable purposes, which in many cases can not be repaid at all and in others can not be repaid without intolerable hardship to the beneficiaries. If charity is what we have in mind, then let us be honest with the people of the United States, with the taxpayers of the country, and admit that we propose to have the United States Government, whatever the implications and consequences, take over the work of charity hitherto assumed and well provided for by community effort and private contributions. If we are not thinking of charity, do we desire to have the United States Government ask a family in distress, faced with starvation, to mortgage its next year's crop, its future means of subsistence, in order to meet its immediate necessities?

The plain truth of the matter is that this is not what we have in mind. In so far as food is concerned, we are in effect dispensing charity and disguising it by calling it a loan. This is not honest from the standpoint of those who must eventually pay the bill or from the all-important standpoint of what are the proper functions of the Federal Government, nor will it work with equality and justice as between individuals. The high-principled and industrious among the distressed will insist on treating it as a loan and will cripple themselves and their families in an attempt to repay it; the idle and shiftless will accept it as a gift, dismiss any attempt at repayment, and live off the Federal Government as long as the opportunity exists.

If the people of the drought-stricken areas are so restricted in their credit facilities as to require the intervention of the Federal Government to finance their next year's crop, credit may be extended to them with entire propriety. If a man and his family are faced with starvation, what they need is relief and not to be saddled with additional debt.

If they need relief, the way to offer it to them generously, fairly, and in accordance with our traditions and practice is to turn to the great relief organization maintained by the people of the United States to take care of just such situations as this. It will smack much less of charity to have the Red Cross Society, which is in a sense a great insurance company maintained by the American people as a whole, to which they may look in time of need, to undertake the work

of relief than to tap the United States Treasury and thereby establish in the United States in fact, if not in name, the dole.

The Red Cross, by formal resolution of its central committee, has declared its intention and ability to take care of the actual distress needs of the people of the drought-stricken area, exclusive of seed, fertilizer, and animal feed, which they very properly leave to the Government, State and National. Now, mark you, the Red Cross proposal is not limited to food, but to clothing, fuel, medical supplies and attention, and other similar distress needs of the people of the sorely afflicted territory.

If our real desire is to see the needs of these people intelligently, thoroughly, and generously provided for, we should turn to the Red Cross. If our real purpose is to drill a pipe line into the Federal Treasury and establish the dole in the United States, with all that will necessarily follow, not only in the stricken areas but throughout the country, where community after community is generously providing for the needs of its people in accordance with American tradition and American spirit, then let us adopt the Senate bill. In doing so, however, let us at least understand what we are doing and the direction which the road upon which we are entering leads.

From the foundation of the Government we have looked to the community spirit and to private generosity to take care of those of our people temporarily or permanently in need. Is this a work which can be properly undertaken by the Federal Government? Is the United States to create bureaus in every county and municipality throughout the United States to dispense charity through a horde of bureaucrats? Do not believe for one minute that you can destroy community responsibility, wipe out State, county, and municipal lines without producing the result, which has been repeatedly exemplified in the past, of having the people turn to Washington for relief, and thus gradually lose all sense of their own responsibility.

Such a policy will not only destroy the sense of local responsibility, which is one of the very foundations of our institutions, but will almost inevitably dry up the sources of private generosity. Moreover, every proposed charitable cause, good or bad, will expect to find a responsive Federal Government at its beck and call. Members of Congress will be expected to get a maximum of Federal funds for their respective districts, and their success or failure as Members of Congress will be measured by their ability to tap the Federal Treasury.

We sometimes point with pride to the way in which we follow sound principles of government, and have pointed the finger of criticism at other governments, with their deficits and their doles, yet when we are confronted with a truly difficult situation there are those apparently willing to face a growing deficit with complete complacency and turn to the dole as a ready road out of our immediate difficulties.

I am not unmindful of the argument that has been made that after the war we took money from the Federal Treasury to feed the starving of Russia and other countries of Europe. The cases are in no way analogous. In the one we were succoring a people who were prostrate from war, with stable governments wiped away, industries paralyzed, money valueless, and without means of a livelihood or even hope of the future. In the other we have the problem of temporary relief to a sturdy class of Americans possessing an unbounded courage and an indomitable will to overcome the vicissitudes which have come to them in their relentless fight with the forces of nature. Behind them are the strongest Government in the world, with currency and resources unimpaired and established relief agencies ready and willing to afford every measure of relief necessary to carry them through the winter and into the bright period of another spring and new crops, and to new means of livelihood.

We have met great disasters in the past without recourse to Federal Government charity. We have only to let our memory run back a matter of three years to recall one of the greatest disasters in the history of our country—the Mississippi flood—when a wild and turbulent river, breaking its bounds in many places, brought disaster to many thousands. Not only were crops destroyed, cattle, horses, and mules drowned, but even homes were swept away. When the waters receded and the refugees returned they had only their land upon which to build. Was there any proposal then that the Federal Government should advance a dole out of the Federal Treasury for these people bereft of their all? Of course there was not, because the American Red Cross and local agencies took care of the situation with such assistance as the administration has proposed in the present case—that of loans for seeds, fertilizer, and farm implements.

When Vermont and other States were ravaged by a flood and when a vast section of Florida was laid waste by a hurricane, the sufferers did not look to the Federal Government for charity or for loans for food, medical assistance, or other personal relief. The Red Cross and local relief agencies stepped in to bring succor and relief just as they are ready to do now.

I have referred to some of the evils that may be expected to flow from the establishment of the dole in the present instance. There are others and of even greater consequences. We have no doubt that any sums we may now appropriate will be honestly and efficiently administered, but it requires no very great stretch of the imagination to envision the possibility of a dishonest administration using the vast resources of the Federal Treasury under the guise of relief to build up a political organization to bring about its retention in office. I have already pointed out that the distribution of charity would require a horde of bureaucratic agencies over the country and such agencies with vast sums to dispense could, if so disposed, wield a most powerful political influence for the administration in power.

There is still another phase of the question to which I would call attention. Remove the need for voluntary aid to sufferers in America and we shall thereby atrophy one of the noblest emotions of the human heart—that of a generous response to the call for succor to distressed peoples, not only in America but throughout the world.

I am unwilling to do an injustice to the people in the stricken area and an injustice to all the rest of the people by opening the way for future abuses with their baleful effects alike upon the Government and all the people. I therefore stand opposed to legislation which I regard unsound as well as unjust alike to those we would serve and to the whole Nation.

The CHAIRMAN. The gentleman from Louisiana [Mr. ASWELL] is recognized for 10 minutes under the agreement.

Mr. ASWELL. Mr. Chairman, ladies and gentlemen of the House, in the Washington Post of December 8 in an editorial appeared this language:

> Mr. ASWELL, of Louisiana, a Democrat hailing from a State that has not suffered from drought, will lead the pork barrel forces in an attempt to raise the appropriation to $60,000,000.

That statement by the Washington Post is false and infamous and could have been written by none other than a nit-wit or a man deliberately trying to libel, and I shall not dwell upon it now, but my State will have the Washington Post account for that in the courts.

Mr. Chairman, I ask unanimous consent to print at this point, in order to economize time, telegrams from the governor and Senator elect of my State, drought committee chairman, and commissioner of agriculture in answer to this editorial in the Washington Post.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to print at this point in his remarks certain telegrams. Is there objection?

There was no objection.

The telegrams are as follows:

BATON ROUGE, LA., *December 11, 1930.*

HON. JAMES B. ASWELL,
Member of Congress:

Relative to editorial Washington Post December 8, statement that Louisiana has not suffered from drought gross misrepresentation I appointed State drought-relief committee at request of President Hoover and officials of his administration. As you know

at least 25 parishes in this State suffered severely from drought, and Red Cross has expended in that area a hundred thousand dollars. I earnestly urge that amount be made available for drought relief be fixed at minimum of $60,000,000.

HUEY P. LONG,
Governor and Senator Elect.

ALEXANDRIA, LA., *December 11, 1930.*

Congressman J. B. ASWELL:

Sending telegram as below to Washington Post: Will you correct your statement editorial 8th, that Louisiana has not suffered drought? Twenty-five counties produced no feed or food crops less than one-fourth normal cotton crops. Thirty thousand families without means to carry on farm operations next year. Local financial institutions unable to meet requirements. Red Cross has already spent $100,000 charity relief work in Louisiana account drought. Sure you will be fair enough to correct your statement.

B. F. THOMPSON,
Chairman Louisiana State Drought Committee.

BATON ROUGE, LA., *December 12, 1930.*

JAMES B. ASWELL,
Member of Congress, Washington, D. C.:

Just read the contemptible untruthful editorial in Washington Post December 8. This outburst of sectional poison from the pen of some ignorant partisan politician surely has not taken the time or trouble to inquire into the situation that exists not only in Louisiana but in 15 or 16 other States. The Post don't seem to know the difference between a legitimate loan, which will be repaid to our Government within the next 10 to 24 months, and some pork-barrel public improvement that will come out of our Treasury never to be returned. Can not some one wake up this fellow and send him to find out true conditions? I shall be glad to guide him through Louisiana or any other State, if he will allow me.

HARRY D. WILSON, *Commissioner.*

ALEXANDRIA, LA., *December 10, 1930.*

Hon. J. B. ASWELL:

In 1917 when our country called for volunteers the young manhood of north Louisiana rallied as volunteers to the call. The present drought section gave a large number of these men from the farm home. I saw fathers and mothers bid their sons farewell with tears and smiles and a word of encouragement to discharge their duty. The records show how well this duty was performed. The fathers and mothers returned to their homes to patriotically carry out every mandate from Washington. They took the place of their sons at the plowshare and cooperated in the Hoover plan for food production and conservation. Practically all of these boys from the farm went as privates, many of them remain in Flanders field. These mothers and fathers from the farm did not complain but glorified in the fact that their John had made the supreme sacrifice for their country. It is these same farm people that I am pleading for. These people still have faith in their country and the prompt passage of the drought-relief measure yesterday by the Senate renewed this faith. Many of them are looking toward the east to-day with a prayer that Congress will consider them in their dire necessity and not turn them down, when considered individually, the small pittance asked as a loan. They are not seeking charity. They are asking for a loan which they expect and will repay out of next year's production. This small loan will enable them to remain in their homes self-sustaining, self-respecting patriotic American citizens. May I hope and insist on the passage by Congress of the original resolution providing food as well as other necessities for these farmers.

B. F. THOMPSON,
Chairman Louisiana Drought Relief Committee.

Mr. ASWELL. Mr. Chairman, ladies, and gentlemen, the Republican floor leader of this House, usually a man of very keen intellect, and sometimes fair, reveals himself in a most pathetic attitude this morning. The gentleman does not discuss the subject at all. The gentleman is very much afraid that an army of agents will be sent out through the country and help the administration. If an administration after the last election ever needed help, it is this administration.

The facts are that nothing of the kind will happen. My resolution does not deal with medical supplies, as the gentleman suggested. The gentleman has not read the resolution. He makes the startling statement that it is leading to a dole, and he talks about deficit. That is the stock stuff we have been having here ever since this Congress met.

I would like for the Members of this House for a moment to note that in the pending Interior Department bill before Congress there is an item of $400,000, inserted by a member of the committee without ever having discussed it with the Bureau of the Budget, for a library at the negro university here. That is a raid on the Treasury without discussing it with the Bureau of the Budget; but, there is no Treasury raid in my joint resolution providing $60,000,000 for loans. It provides specifically for a loan. The floor leader who spoke just before me said he wanted to investigate it. This question was taken up officially on October 20 when the gentleman from Connecticut knew nothing about it, but his own commissioner of agriculture was in that convention here in Washington, and at that convention a committee was appointed to write this resolution containing the $60,000,000 and food, and they asked me to help them. They wrote it in cooperation with the Secretary of Agriculture. It has been studied painstakingly for three months.

Then the drought relief committee chairmen who were created by the governors at the request of the President were here on November 20. They took the same position as the commissioners of agriculture on this resolution, carrying $60,000,000 and food. Why? Because the farmer is required to mortgage his next year's crop for food, his garden included, and at the same time to mortgage the labor of himself, his wife, and children for 12 months, in order to borrow enough money to live upon and to make another crop. He is prostrated in this area of 24 States. He has no credit. He has nothing upon which to earn a living or to make next year's crop, and if you deprive him of this loan, you will add 5,000,000 people to the already astounding number of unemployed in America. These men on the farm who can not make a crop will come to the towns and cities and add to unemployment. My resolution will keep these people on the farms in productive labor.

This resolution providing $60,000,000 does not undertake to deal with the general question of unemployment, but proposes to deal with the small farmer, who is in need of a loan.

Talk about charity. Talk about raiding the Treasury. It will be repaid to the Government within 10 months, and everybody knows it. The Government will not lose over 10 per cent, as record of former similar loans shows.

I notice this same Washington Post and some of the gentlemen on the Republican side have said that this joint resolution for $60,000,000 would compete with the Red Cross. The asininity of that statement is astounding. Why? Here are the facts: The Red Cross reported, when the drought came on in August, that they had $5,000,000 available. Since then the Red Cross has sent $222,709 to Santo Domingo. In the past eight years the Red Cross has given for disasters in other countries of the world the sum of more than $40,000,000. More than $5,000,000 a year has the Red Cross sent to other countries of the world. They had $5,000,000 to begin with. Now, in the President's message the other day, he said they had spent only one-half million, and they have $4,500,000 to carry on their noble operations in all the world, and yet you say the Red Cross must take care of these 5,000,000 people in the 24 States of the drought area. It is too absurd to be considered that this joint resolution would supplant the Red Cross.

Now, Mr. Chairman, the commissioners of agriculture wrote the resolution in cooperation with the Secretary of Agriculture.

This resolution was approved by the drought committee when it was here. I thought for three months that I had the enthusiastic support of the Secretary of Agriculture. The drought committee left here in November, enthusiastic and encouraged because they thought they had his support, the Secretary of Agriculture having been most outspoken in his approval.

When the Congress met on Monday we undertook to get our chairman of the committee to call a meeting of the committee to consider it. The Republican members of my committee helped me, as well as the Democratic members, and we thought there was no opposition. We did not hear of any at all until Wednesday morning.

The Secretary of Agriculture had promised me to be present on Wednesday, but when I heard of him next he was fishing in Florida. It was the first hint I had of what was going on under cover. On Wednesday—and hear me, because I want to give it exactly—there came a messenger from the office of the Secretary of Agriculture with another resolution cutting the amount to $25,000,000. The mes-

senger handed the resolution to the chairman of our committee, with a report approving it already written. It is in the RECORD. That was done before the chairman had ever introduced the resolution. He swallowed it, and 12 Republicans on my committee, thinking they were the 12 apostles, went with him. Then what happened? This messenger went on to the Senate and there he told Senator MCNARY, the chairman of the Agriculture Committee of the Senate, the same thing, that he must introduce it. MCNARY had been selected by the commissioners of agriculture to introduce this original resolution for $60,000,000 in the Senate. They wanted to make it nonpolitical and nonpartisan. MCNARY, being a good Republican and a Republican leader—Senator MCNARY, able, brilliant, on the square, and all in all a man, is a good Republican; he is the ablest Republican leader you have in the Senate—he obeyed this request and introduced the resolution. Then he went before his committee and said that he did this on request, but that he was not for that small resolution but for the original one carrying $60,000,000 which the drought people asked him to introduce, and he put it through by unanimous vote, the original resolution, as it was written by the commissioners of agriculture.

I wish I had time to bring it up to date, but I will bring it up to date the next time I get a chance to speak. [Applause.]

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

The Clerk read as follows:

GENERAL SUPPORT AND ADMINISTRATION

For general support of Indians and administration of Indian property, including pay of employees, $1,275,000, including not to exceed $10,000 for home demonstration work among Indians, including necessary personnel, travel, and other necessary expenses, and purchase of equipment and supplies; and including not exceeding $88,520 for the purpose of discharging obligations of the United States under treaties and agreements with various tribes and bands of Indians as follows: Coeur d'Alenes, Idaho (art. 11, agreement of March 3, 1891), $3,960; Bannocks, Idaho (art. 10, treaty of July 3, 1868), $7,700; Crows, Montana (arts. 8 and 10, treaty of May 7, 1868), $7,660; Quapaws, Oklahoma (art. 3, treaty of May 13, 1833), $2,280; Confederated Bands of Utes (arts. 9, 12, and 15, treaty of March 2, 1868), $57,480; Spokanes, Washington (art. 6, agreement of March 18, 1887), $1,320; Shoshones, Wyoming (arts. 8 and 10, treaty of July 3, 1868), $8,120.

Mr. CRAMTON. Mr. Chairman, on page 59, line 2, I offer an amendment, which I send to the desk.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 59, line 2, after the word "supplies," insert "and including not exceeding $160,000 for relief."

Mr. CRAMTON. Mr. Chairman, in explanation of that I will say that this general administration item includes each year some money purely for relief—the issuance of supplies to indigents, and so forth. The Budget increased that amount somewhat this year, and by reason of conditions prevailing in the field it is the thought of the committee that it should be increased, and in the amount recommended to the House the increase was provided. The purpose of the amendment is to segregate that expenditure in order to see that it is held for that purpose alone.

Mr. Chairman, I would like to modify the amendment and make the amount immediately available.

The CHAIRMAN. Without objection, permission is granted to modify the amendment, and the Clerk will report the amendment as modified.

There was no objection.

The Clerk read as follows:

On page 59, line 2, after the word "supplies," insert "and including not exceeding $160,000 for relief, to be immediately available."

Mr. CRAMTON. I may say, supplementing what I have already said, that it is made immediately available because of drought conditions and other conditions which have seriously affected the Indian population. The gentleman from Oklahoma [Mr. HASTINGS], who is very familiar with those conditions, has stressed the importance of increasing the amount, and that it be made immediately available.

Mr. HOWARD. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. HOWARD. I would like to ask the chairman a question. I do not see my Ponca or Santee Sioux Indians in Nebraska named in this, and I would like to ask if it would be possible that any portion of this might be employed for their relief?

Mr. CRAMTON. May I say to the gentleman that the tribes mentioned are those which have certain treaty agreements which are fulfilled specifically as indicated; it amounts to only some $80,000 or $90,000 for those tribes, and the $1,000,000 is spread over a great number of other tribes, very likely including the ones the gentleman referred to.

Mr. HOWARD. The gentleman has no doubt that I might induce the Commissioner of Indian Affairs, if this appropriation be granted, to carry some relief to the suffering Indians I have named?

Mr. CRAMTON. It will be within his discretion to do so and within his authority to do so.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The Clerk read as follows:

Not to exceed $10,000 of the appropriation contained in the Interior Department appropriation act for the fiscal year 1931 for the support of the Fort Bidwell Indian School, California, is hereby made immediately available for surveying, plotting, grading, and preparation for an Indian colony on the Fort Bidwell School Reserve, and for fencing, and installation of sewer and water systems, including supervisory and other skilled labor and purchase of necessary materials and supplies.

Mr. ENGLEBRIGHT. Mr. Chairman, I move to strike out the last word.

I would like to ask the chairman in charge of the Interior appropriation bill what assurance the House has that the various items mentioned in this bill for the Bureau of Indian Affairs and the amounts set forth therein will be expended for the purposes indicated.

Last year this appropriation bill carried a specific provision and appropriation for the operation of the Indian boarding school at Fort Bidwell, Calif. In violation of the mandate of the Congress the Commissioner of Indian Affairs closed the school.

Unless we have some binding clause in these appropriations to prevent the Commissioner of Indian Affairs from arbitrarily disregarding the laws passed by Congress and with this dangerous precedent established by the Indian Bureau, how do we know the money will be expended as indicated here? If the Bureau of Indian Affairs is to continue such a presumptuous policy, it is a farce for this House to go through the formality of passing this appropriation bill, at least in so far as the Bureau of Indian Affairs is concerned. Not alone was the will of Congress glibly cast aside by the bureau, but I understand they now propose to demolish at Fort Bidwell a lot of very good buildings in order that an altruistic theory may be followed out. I am sure the Commissioner of Indian Affairs understands the laws of this country and his action could hardly have been in ignorance thereof. There is a most urgent need for the continuation of the Fort Bidwell Indian Boarding School.

Mr. CRAMTON. There is a great deal of force in what the gentleman from California [Mr. ENGLEBRIGHT] has said. Last year a specific appropriation was made by the Congress for the maintenance of the Fort Bidwell Indian boarding school for the current year. Notwithstanding that, the school was closed in September last and the committee and the Congress were given no notice of such action until it was consummated.

I may say to the gentleman that in the hearings the very situation the gentleman refers to is discussed and the Commissioner of Indian Affairs recognizes entirely the force of the position suggested and definitely assures us that further institutions specifically appropriated for will not be closed without Congress having an opportunity to consider the

proposition. A practice such as occurred in the Fort Bidwell instance would make it quite foolish for our committee to hold hearings and make a study of proposed appropriations; and if it is to be held that these things can be done without consulting Congress, in self-defense Congress would have to tie up the items with language that would make administration difficult.

In this particular case I think it was somewhat from a lack of familiarity with Government practice, and that it will not be continued.

Further, since the gentleman refers to the Fort Bidwell situation, I would like to make this statement. The wisdom of continuance of the Fort Bidwell school is a debatable question. There are arguments on each side of the question, and the closing of the school being an accomplished fact, and in view of the direct inspection of the premises by the assistant commissioner and all the other circumstances, we did not feel justified in overruling the bureau in this particular matter. I am frank to say, however, that since our action was taken, from further information I have received, including numerous photographs of buildings that are to be abandoned and which were urged as being unsuited to further use without great expense, I personally feel grave doubt about the wisdom of the action which the bureau has taken. I can recognize that anyone who thinks that an Indian can only be taught or housed in a 100 per cent perfect structure, with floors in perfect conditions and all that sort of thing, would not take the view that I do; but when you contrast these structures with what these Indians live in at other times, they must think they are in a little heaven when they get into these buildings, if they are capable of appreciation of improvement in surroundings.

I think there is grave doubt about the wisdom of their action, but they have taken it, the bureau has the responsibility, and our committee has not seen fit to interfere with that discretion.

Mr. ENGLEBRIGHT. I intend to take the matter up further with the Indian Bureau. I feel that the domolishment of the type of buildings that exist there would be gross extravagance. I made a personal inspection of them this summer.

I am very grateful for the gentleman's remarks and for his explanation.

I withdraw the pro forma amendment, Mr. Chairman.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Iowa: Sac and Fox, $4,500, to be immediately available.

Mr. COLE. Mr. Chairman, I move to strike out the last word for the purpose of asking a question to clarify a matter in my own mind and in order to be able to answer some questions that have been submitted to me. Does the $4,500 appropriated here come out of tribal funds or is it an appropriation of public moneys?

Mr. CRAMTON. Tribal funds.

Mr. COLE. What tribal funds?

Mr. CRAMTON. Mainly the income which these Indians get from the leasing of certain lands.

Mr. COLE. There was a penalty incurred of a few hundred dollars on delinquent taxes, not through any negligence on the part of the Indians or their administrators but because the language of the last appropriation act made it impossible for them to pay this money.

Mr. CRAMTON. Let me say to the gentleman there are several sides to that proposition. What the gentleman is talking about is the fact that the State out there and the county are taxing the lands of these poor Indians. In my own judgment, after my study of the history of it, they ought not to tax these lands, and I question their right to do it, but they do it. So we withheld the appropriation to pay the taxes. It has gone on for a year or two years or three years, and it has been worked out, and the solicitor for the department rules that the State has the right to get these taxes.

The unfairness is revealed in the fact that they pay a road tax and do not get roads; they pay a drainage tax and do not get drainage, and so forth; but they apparently have got to pay it, and, bowing to the opinion of the solicitor, the item here is carried to pay up the back taxes.

Now, the gentleman from Iowa [Mr. COLE] raises the question that because the State of Iowa and the county in which these Indians are located are collecting not only the taxes but are exacting a penalty for delay in paying them, evidently the gentleman thinks the Federal Government ought to make that up; but the gentleman overlooks the fact that the money belonging to these Indians that would have been used to pay the taxes, if the appropriation had been made last year and the year before, has instead remained in the Treasury and has drawn interest ever since, and the difference between the interest that they have realized on their money and the penalty is not a very great amount.

Mr. COLE. Who has the right to waive the taxes?

Mr. CRAMTON. I am not familiar with the law, but the Legislature of Iowa, I think, meets in a month. It could correct the law if the law does not now permit it. I think the legislature might well change the law with reference to this fact.

Mr. COLE. The lands belong to the Indians, and it would be a great hardship on the county to withdraw them from taxation, as it would increase taxes on the other lands in the county.

Mr. CRAMTON. Oh, in the West there are hardships greater than that. This is a prosperous county, well populated, and it would not seriously affect it if they waived the taxes on these lands.

Mr. COLE. Tama County is prosperous, but taxes are burdensome, as they are in all agricultural counties. The Indian lands are not sufficient for the livings of the 383 persons listed. The total of the lands belonging to the Indians is 3,300 acres. Five hundred and twenty acres of this is leased to white men for the purpose of getting revenue for the payment of taxes and other urgent incidental expenses. The per capita acreage of the reservation is approximately 9 acres, one half of which is agricultural land, and the other half is not adapted to farming. This makes a per capita acreage of agricultural land a little more than 4 acres, an amount far too small to enable a man to support himself and family. The Indians are fairly good farmers, but do not have sufficient land to cultivate.

Mr. CRAMTON. This is a matter for the State of Iowa to consider.

Mr. COLE. Could it be amended so as to make the penalty, at least, payable by the Government?

Mr. CRAMTON. That would not be germane. They have had the interest on the money, and that would offset the penalty. The penalty is not much more than the interest.

Mr. COLE. It amounts to as much as 12 per cent, I think.

Mr. CRAMTON. You certainly charge them enough out there.

Mr. COLE. In order that the situation among the Sac and Fox Indians in Iowa may be better understood, let me state how the present plight has arisen.

A Federal statute requires that all tribal moneys used for the support of the various activities on the reservation must be appropriated by Congress. The appropriation act for the fiscal year 1929 contained on page 26 an item appropriating $1,800 of moneys belonging to the Sac and Fox Indians for the support of the activities of the reservation. This includes the payment of taxes and the money was derived from rentals on 520 acres of land leased to white men for a cash rental. A similar item appeared in subsequent appropriation acts since the passage of the law requiring appropriations.

The appropriation act for the fiscal year 1930, page 25, contains the following item:

Iowa: Sac and Fox, $600: *Provided*, That no part of this appropriation shall be available for the payment of taxes on any lands held in trust by the United States for the benefit of said Indians.

The proviso prohibiting the use of any of the money for the payment of taxes on the land made it impossible for taxes to be paid which were due in March, 1930. The Iowa law requires that when taxes become delinquent the land

shall be advertised and sold. In accordance with this law the treasurer of Tama County had arranged to advertise the land on November 4, 1930, and it would be sold on December 1, 1930. The advertising of the land would create such an unsatisfactory situation among the Indians that the superintendent prevailed upon the treasurer to postpone the sale and an effort would be made to secure an appropriaton for the payment of these taxes. This the treasurer finally decided to do. And at my request the language and the amount appropriated have been changed in the bill now before us. But at present there is a penalty on account of delinquent taxes of approximately $100 due in addition to the taxes. This has worked a hardship on the Indians, because they have no money in the Treasury of the United States with which to pay the taxes, but the act of Congress forbids the payment and the Indians suffer thereby. The failure to avoid these penalties being due to Congress, Congress should appropriate funds belonging to the Government sufficient to pay the penalties thus incurred. I believe also that we might well appropriate the taxes for the current and subsequent years in order that these Indians may have an opportunity to equip themselves for making a better living.

The pro forma amendment was withdrawn.

Mr. CRAMTON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CHINDBLOM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 14675, the Interior Department appropriation bill, and had come to no resolution thereon.

EMERGENCY CONSTRUCTION APPROPRIATION BILL

Mr. WOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 14804) making appropriations for emergency construction, disagree to the Senate amendments, and ask for a conference with the Senate; and, further, that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on such bill be given specific authority, as provided by clause 2 of Rule XX, to agree to any amendment of the Senate providing for an appropriation.

I will say that the purpose of asking this authority is because of the fact that this bill is not a general appropriation bill, and when we come to conference the conferees could not agree on matters of appropriation.

Mr. CRAMTON. The action of the House in granting consent asked for by the gentleman from Indiana would not in any way be taken as a direction by the House conferees to agree to the Senate amendments?

Mr. WOOD. No; it would place the House conferees in the same position as to appropriations as if it was a general appropriation bill.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. CHINDBLOM. Does the gentleman include in his motion that the conferees be immediately appointed?

Mr. WOOD. Yes.

Mr. CHINDBLOM. The gentleman did not so state.

Mr. WOOD. I intended to, and I make that request.

Mr. GARNER. May I ask the gentleman a question? The gentleman thinks this bill is more of a legislative bill than a general appropriation bill?

Mr. WOOD. Yes. It was ruled here the other day that it was not a general appropriation bill.

Mr. GARNER. And the amendments placed on it by the Senate could not be agreed to by the conferees with the additional appropriation made, because this not being a general appropriation bill it would be legislation within the meaning of the rule to which the gentleman has referred?

Mr. WOOD. That is correct.

Mr. BLANTON. I would like to ask the gentleman a question. If the House agrees to the unanimous-consent request, then the House conferees would be in a position where they could deny the legislative provision which the Senate has placed on the bill?

Mr. WOOD. Absolutely.

Mr. BLANTON. If the membership were in favor of the amendments placed on the bill by the Senate, it would be for their interest to deny the request asked for by the gentleman?

Mr. WOOD. I think not, because it is a free and full conference, and I do not think the gentleman wants to interfere with the conferees of the House.

Mr. EDWARDS. Is this the $110,000,000 appropriation bill passed by the Senate the other day?

Mr. WOOD. It is.

Mr. BANKHEAD. Would the granting of this request amount to a waiver on the part of any Member of the House to make any point of order against any agreement of the conferees?

Mr. WOOD. No.

The SPEAKER. The Chair thinks it would have the effect of waiving the point of order provided by clause 2 of Rule XX, but not as to anything else.

Mr. BANKHEAD. That would be my interpretation.

The SPEAKER. The Chair would think so.

Mr. BANKHEAD. I wanted to have that cleared up before consent was given.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER appointed the following conferees: Mr. WOOD, Mr. CRAMTON, Mr. WASON, Mr. BYRNS, Mr. BUCHANAN.

INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. CRAMTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14675, the Interior Department appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Interior Department appropriation bill, with Mr. CHINDBLOM in the chair.

The Clerk read as follows:

For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Okla., including pay of necessary employees, the tribal attorney and his stenographer, one special attorney in tax and other matters, and pay of tribal officers; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing and telephoning, and purchase, repair, and operation of automobiles, $259,000, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma.

Mr. CRAMTON. Mr. Chairman, I move to strike out the last word. For many years the superintendent of the Osage Agency has been Mr. J. George Wright. He is one of the outstanding figures of the Indian field service. Since so many people have the impression that there is nothing but graft in the administration of Indian affairs in the field, I rise to remind the House that such is not the case and to cite the unspotted record which has been made by J. George Wright in handling the millions of dollars that he has for the Osage Indians.

After a very notable record in the Indian Service Mr. Wright, at the age of 71, is about to be retired. In my work I have had contact with him and his work and have come to entertain the very highest regard for both. He has always been zealous for the interests of the Indians and effective in protecting them.

I am pleased to quote the following high tribute from an editorial in one of Oklahoma's leading newspapers, the Tulsa World:

Successive generations of politicians and grafters have surged against J. George Wright, superintendent of the Osage Indian Agency. * * *

From a high hill in Pawhuska, Wright has administered Osage affairs for many years. His service began when the tribe was comparatively poor and when oil development was only partial; he remained through the gusher period when the wealth of the Osages rose to the greatest height ever attained by any tribe or

people; he remained through the inevitable decline and to a time when the superintendency is very much more a routine and commonplace job than it has been for a quarter of a century. How many millions of dollars he has handled without a taint, how many schemes for wresting Osage wealth from the Osages he has baffled, how many Indians he has forced to save money and build homes, how many fine schemes for diversion he has stopped, how many high-powered salesmen and promoters he has scotched, we do not know. The number of cases is not so important as the fact that one principle—the welfare of the Osages—was continuous and effective. It is a matter of common knowledge that Wright has filled his job with conspicuous fidelity and unvarying honesty and ability. He ruled from a high hill physically, and his outlook, morally and intellectually, was likewise elevated above the clamor of his time.

Many have complained against Wright's management. Many of us have thought he was too unbending and zealous, but none have questioned his intentions or his honesty or intelligence. Politicians have repeatedly tried to have him removed to some less important sector of the financial vineyard, and they almost succeeded occasionally. * * * In the hearing in Washington Congressmen HASTINGS, of Oklahoma, and CRAMTON, of Michigan, said all that is necessary to be said at Washington; they made it perfectly clear why the demand for Wright's scalp is unremitting. These are men who know the facts.

* * * Wright's deafness; that seems to be one of the main pretexts for refusing to continue him at Pawhuska. Everybody knows Wright is rather deaf, and he has been so for many years. It has never interfered with his eyesight or his brain or his conscience, and he seems to have heard almost everything worth while. The instance is reminiscent of Lincoln's alleged reply to the people who told him about Grant's drinking; he wanted to send a barrel of whisky to each of his generals. The Wright style of deafness is often a good thing in the public service.

* * * * * * *

It is rather apparent the Secretary of the Interior does not understand the entire situation. It is evident the bureau chief does not know at first hand the facts of the situation in the Osage country. It is evident the small item of reputed deafness—an affliction of many years' standing—outweighs in the bureau the facts of distinguished probity and worth and of exceptional handling of a most difficult matter. The Osage problem, long acute and aggravated by great wealth, is not helped.

The matter of Mr. Wright's retirement came up in the course of the hearings in connection with this item for appropriation of Osage funds, and the following discussion resulted:

Mr. HASTINGS. With reference to that item, let me ask the commissioner this question: The expenses with reference to the Osage Agency, the supervision of their oil and every payment of their expenses is out of the Osage funds?

Mr. DODD. That is correct.

Mr. HASTINGS. The tribal council down there have asked for an extension of time on the retirement of J. George Wright, their superintendent.

Mr. RHOADS. Yes, sir; and that was granted for one year.

Mr. HASTINGS. I have understood that the department has indicated its unwillingness further to extend that time?

Mr. RHOADS. Yes, sir.

Mr. HASTINGS. I am not going to insist, Mr. Commissioner, but I just want to point a finger of warning so that the other members of this committee may look back to this in after years. I predict that you are courting grief in the change of this superintendent.

This man has been in the Indian Service about 40 years, and is physically strong and mentally alert. In my judgment, he is one of the best men in the Indian Service. This is the most difficult place in the Indian Service I know of satisfactorily to fill, and he has filled it, so far as I know, without criticism.

My judgment is that the wishes of these Indians ought to be considered, in view of the fact that their funds are paying all the expenses, and, so far as I know, here is a man with the best record in the entire Indian Service.

Mr. CRAMTON. It is an outstanding record, certainly.

Mr. HASTINGS. It is an outstanding record, and this is the most difficult place you have to fill, and I just warn you now that you take this man out, and you put a new man in, and you are going to come to grief just as certainly as you do it.

But I have understood that you are unwilling to continue his services. I have understood that the Osage Council out there—they are not in my district—but I have understood that the Osage Council has petitioned and implored, and done everything they could, to get this man continued another year.

It is true he is beyond the retirement age, but he is physically strong and alert and active and with a splendid record, and I just want to say as much for the record here, so that I can have the satisfaction of calling it to your attention in the years to come, after you have made the mistake.

Mr. MURPHY. Do you contemplate replacing this man that Mr. HASTINGS has spoken about?

Mr. RHOADS. Yes, sir. As Mr. HASTINGS says, he is beyond the retirement age and we have extended it one year already.

Mr. MURPHY. What age is that?

Mr. RHOADS. He is past 70—in his seventy-first or seventy-second year.

Mr. MURPHY. But quite capable of attending to the work?

Mr. RHOADS. His disability is advanced.

Mr. MURPHY. We, on the hill, at the last session of Congress, extended about four or five employees about the Capitol here indefinitely, as long as they are physically fit to continue in the service. We felt—and every Member of the House, Democrat and Republican alike, voted for it—that as long as Andy Smith and four others were physically able to continue to do the work they would be continued in the service.

In view of the statement of Mr. HASTINGS with reference to the desire of these Indians to keep the services of this man, would not you think that it would be a very good psychology for the Indian Bureau to continue the services of this man, even though he may have a little defect?

Mr. RHOADS. It is more than a little defect, Mr. MURPHY. The case has been given, I think, a great deal of consideration by everybody in the bureau, including the Secretary's personal attention, and he was granted one year's extension last year.

Mr. CRAMTON. What is the law? How long can you extend it?

Mr. BURLEW. Up to four years. After that it is compulsory.

Mr. MURPHY. Would it not be good psychology to give him all the extension you can? I am making these statements in view of what Mr. HASTINGS has presented to the committee and to the bureau in the presence of the committee in reference to this particular case.

Mr. BURLEW. The very fact, as Mr. HASTINGS has said, that it is one of the most important jobs in the Indian Service is the reason that the Secretary is insisting on relieving Mr. Wright. The commissioner urged his retention for the year, and acquiesced in his retirement. But Mr. Wright is physically unable to know all that is going on around him.

Mr. CRAMTON. I will guarantee he will know more about the situation and as to what is going on around the house, with both ears plugged up, than any man you can send there.

Mr. BURLEW. That may be——

Mr. CRAMTON. Whom have you in sight?

Mr. BURLEW. Nobody.

Mr. CRAMTON. Had you not better keep him there until you are able to fill the position?

Mr. HASTINGS. Mr. Wright has had a slight deafness and it has grown for the last 10 or 15 years, but I do not think it interferes with the performance of his work.

Mr. CRAMTON. These Indians, with the experience of the past, want this man. The more money they have the more grafters there are to separate them from the money. This man has rendered a service that entitles him to the greatest consideration.

Mr. Wright has passed the retirement age and his retirement has been deferred one year. Notwithstanding the representations thus made by the gentleman from Oklahoma and others of the subcommittee, the Secretary of the Interior has definitely declined to consider a further extension. That is within his responsibility and his jurisdiction, and I have no desire to criticize his action. I am sure he is exercising his discretion in accordance with his own best judgment. I will only submit the hope that he succeeds in naming a successor to J. George Wright who measures up to his predecessor. If he does that no one will ever have reason to complain.

I have risen to-day to pay tribute to a public servant, a long-time official of the Indian Service, who has always done his duty, who has rendered conspicuous service in the field of peace. As he steps into retirement he should know he carries with him the appreciation of all good Americans.

Mr. HASTINGS. Mr. Chairman, the Osage Indian Tribe consists of 2,229 members. They occupy one county in Oklahoma. They are known to be the richest tribe of Indians in the world. They had approximately 1,500,000 acres of land to allot. The allotment act provided for the allotment of the surface of this land and the retention of the oil rights to the tribe. As a result, from time to time the oil rights have been leased, and the bonus and royalties have gone to the tribe and is then divided into 2,229 parts. The production and the price of oil have both fallen off within the past year or two so that the amount each member of the tribe receives has fallen off somewhat during the current year. They have each received as high as $12,000 a year from the bonus and the royalties.

As has been well said by the chairman of the subcommittee having this bill in charge, for a number of years Mr. J. George Wright has been superintendent of this agency. I think there is no more difficult position to fill in the entire Indian Service than this particular agency. He has, however, reached the retirement age. The time has been extended for one year. I endeavored to induce the department to extend it still further. I think there is no better

record made in the Indian Service, and I doubt if there is any better record made in any other branch of the service of the Government of the United States than that which has been made by Mr. Wright, the present superintendent. It is complained that he has a slight deafness. He is strong, he is vigorous, he is diligent, he is honest, he is courageous, and he is dependable. The Osage Indians petitioned the department to continue his services for another year. By reference to this bill it will be seen that the entire expenses of the administration of the Osages is taken out of their funds, and the item here is for $259,000. As I had occasion to say before the committee, I deeply regret that favorable action was not taken by the department on the petition to continue the services of this superintendent for another year. I expressed then to the department that I believed they would find a mistake had been made when they place another man in charge of that agency who is not so familiar with all conditions there as is Mr. Wright. I thank the chairman of the subcommittee for the complimentary reference to Mr. Wright. His record justifies it, and I take this moment of the House to concur in what he said and to commend Mr. Wright and to say in conclusion that as he leaves the service, he leaves it with an unstained record.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Appropriations herein made for road work and other physical improvements in the Indian Service shall be immediately available.

Mr. HASTINGS. Mr. Chairman, I move to strike out the last word, in order to invite the attention of the chairman of the subcommittee to the language on page 71, in the first three lines, and ask his interpretation of the words "other physical improvements," as to whether or not they have reference to all of the improvements made at the various Indian schools throughout the country?

Mr. CRAMTON. Mr. Chairman, I am very clear that that language would make immediately available any item in the bill for construction purposes, whether it is a fence or a building or any other construction work. It covers any construction work appropriated for in the Indian portion of the bill.

Mr. HASTINGS. Let me ask the gentleman with reference to these various improvements at the schools. There are a number of schools, and provision is made for dormitories, heating plants, and other buildings in connection with boarding schools. Would the language of the bill make this money immediately available for these purposes?

Mr. CRAMTON. Clearly it would.

Mr. HASTINGS. I want to make it clear that that is the intention of Congress.

Mr. CRAMTON. That is the intention of our committee.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

For all expenditures authorized by the act of June 17, 1902 (32 Stat. p. 388), and acts amendatory thereof or supplementary thereto, known as the reclamation law, and all other acts under which expenditures from said fund are authorized, including not to exceed $178,000 for personal services and $27,000 for other expenses in the office of the chief engineer, $25,000 for telegraph, telephone, and other communication service, $7,000 for photographing and making photographic prints, $54,000 for personal services, and $12,000 for other expenses in the field legal offices; examination of estimates for appropriations in the field; refunds of overcollections and deposits for other purposes; not to exceed $20,000 for lithographing, engraving, printing, and binding; purchase of ice; purchase of rubber boots for official use by employees; maintenance and operation of horse-drawn and motor-propelled passenger-carrying vehicles; not to exceed $40,000 for purchase and exchange of horse-drawn and motor-propelled passenger-carrying vehicles; packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station, under regulations to be prescribed by the Secretary of the Interior; payment of damages caused to the owners of lands or other private property of any kind by reason of the operations of the United States, its officers or employees, in the survey, construction, operation, or maintenance of irrigation works, and which may be compromised by agreement between the claimant and the Secretary of the Interior, or such officers as he may designate; payment for official telephone service in the field hereafter incurred in case of official telephones installed in private houses when authorized under regulations established by the Secretary of the Interior; not to exceed $1,000 for expenses, except membership fees, of attendance, when authorized by the Secretary, upon meetings of technical and professional societies required in connection with official work of the bureau; payment of rewards, when specifically authorized by the Secretary of the Interior, for information leading to the apprehension and conviction of persons found guilty of the theft, damage, or destruction of public property: *Provided*, That no part of said appropriations may be used for maintenance of headquarters for the Bureau of Reclamation outside the District of Columbia except for an office for the chief engineer and staff and for certain field officers of the division of reclamation economics: *Provided further*, That the Secretary of the Interior, in his administration of the Bureau of Reclamation, is authorized to contract for medical attention and service for employees and to make necessary pay-roll deductions agreed to by the employees therefor: *Provided further*, That no part of any sum provided for in this act for operation and maintenance of any project or division of a project by the Bureau of Reclamation shall be used for the irrigation of any lands within the boundaries of an irrigation district which has contracted with the Bureau of Reclamation and which is in arrears for more than 12 months in the payment of any charges due the United States, and no part of any sum provided for in this act for such purpose shall be used for the irrigation of any lands which have contracted with the Bureau of Reclamation and which are in arrears for more than 12 months in the payment of any charges due from said lands to the United States.

Mr. BLANTON. Mr. Chairman, I reserve the point of order on the paragraph. What authority in law is there for lines 22 and 23 on page 73?—

Except for an office for the chief engineer and staff and for certain field officers of the division of reclamation economics.

Mr. CRAMTON. So far as I know, if you will omit the entire proviso, lines 19 to 23—

That no part of said appropriations may be used for maintenance of headquarters for the Bureau of Reclamation outside the District of Columbia except for an office for the chief engineer and staff and for certain field officers of the division of reclamation economics—

then the Bureau of Reclamation could remove its entire headquarters to the field and close its offices here in Washington.

Mr. BLANTON. Under what law could it do that?

Mr. CRAMTON. They are given instructions to carry on the work, and I know of no law that says that they must do any part of it in Washington.

Mr. BLANTON. Is it not a fact that the very purpose and intention of this entire proviso is to provide authority for them to establish offices away from Washington for the different engineer and field officers?

Mr. CRAMTON. Absolutely not. If the gentleman will permit me, I will tell him the purpose. I know of no law that requires them to maintain any part of their headquarters in Washington or any other particular place. A few years ago we found that they proposed to remove practically all of their principal offices to Denver. That did not appeal to our committee as desirable. It might be that Congress would want some information about a certain project and the papers were always out in Denver, and as a result our committee several years ago put in this proviso so as to prevent moving their offices, largely, to Denver. We did make an exception at their insistence in the office of the chief engineer, and later this division of reclamation economics, it being urged by them that the various projects in the field were so much more accessible from Denver than from Washington that a great deal of money in travel expense would be saved and increased efficiency would result. But I make the direct statement of my own knowledge that the purpose and effect of the item has been and is not to authorize them to take these named offices to Denver but to prevent their moving more.

Mr. BLANTON. But the gentleman, through his committee, does use the broad language of authorizing "certain field officers," without any limitation; and "certain field officers" may mean the entire corps, the number of which we do not know at this time.

Mr. CRAMTON. Without this language there would be no limit on the number they could move to Denver.

Mr. BLANTON. Well, I doubt that very seriously, because if this bureau could do it, every other bureau in the Government could move their headquarters out to San Francisco or Seattle or any place they wanted to.

Mr. CRAMTON. Any bureau of the Government that has been created by law, that does not require them to maintain headquarters in Washington, could move its headquarters from the Capital City, of course.

Mr. BLANTON. But the general enabling act for all of the departments requires them to keep their offices in Washington.

Mr. CRAMTON. Well, that is a question.

Mr. STAFFORD. Will my colleague yield?

Mr. CRAMTON. I yield.

Mr. STAFFORD. Has the chairman of the committee any information as to how extensive the division of reclamation economics is?

Mr. CRAMTON. It is not anywhere nearly as large as the engineering office.

Mr. STAFFORD. It is a very small division of the Reclamation Service?

Mr. CRAMTON. It is a very small division of the Reclamation Service.

Mr. BLANTON. But, how many officials could be included in this language of "certain field officers"?

Mr. CRAMTON. It is "certain field officers of the division of reclamation economics."

Mr. BLANTON. How many officers could be included in that language?

Mr. CRAMTON. It is not a large number, 10 or 12.

Mr. BLANTON. I think the language is clearly subject to a point of order, but, with that explanation, I shall not make the point of order. I withdraw the reservation of the point of order, Mr. Chairman.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

Information I believe would be received with interest by the committee as to the status of these various projects to which the Government contributes its share which are in default. Under the proviso found on page 74 the appropriation is limited to any project that has not been in default for more than 12 months in the payment of their charges. Can the gentleman from Michigan give a general statement as to what the status of payment on these reclamation projects is?

Mr. CRAMTON. As I remember, 96 per cent plus of the money due for construction is paid at this time. Ninety-eight per cent plus of the money due for operation and maintenance has been paid at this time. That is an approximate figure and is approximately correct.

Mr. STAFFORD. The gentleman's statement, I assume, also refers to the irrigation fund, in the second paragraph following, where you restrict the payment of funds to contractors who have not made their share of payment under the law?

Mr. CRAMTON. That is a different proposition. I may say, however, while that statement I have just made is a very encouraging statement as to percentage, that comes in part from action which Congress took in the adjustment act in making extensions, and so forth. There are certain payments that should have been made and are being withheld that run into enough money, so that the construction program of the Bureau of Reclamation, not for new projects to be undertaken but for the projects now under construction, is imperiled. In other words, the West, that is to be benefited, through their failure to pay what they owe, is now impeding the construction program of projects now under way.

Since 1927 the Reclamation Bureau has been carrying out a construction program, the principal purpose of which was to complete, within the next 10 years, projects only partly developed. At that time it was anticipated that oil revenues would provide a large part of the money, as the income from oil royalties had for several years varied from $3,500,000 to $6,500,000. These have diminished until, in 1929, this income was only $1,800,000.

During this year and last year the crop incomes from reclamation projects have suffered from low prices. As a result the appropriations for construction have exceeded the income to meet those appropriations until now they are faced with a situation where they must have a supplemental income from some other source, or suspend all new construction on works for which plans and estimates have been prepared and appropriations made.

During recent months conditions have prevented payments to the fund, which had been confidently anticipated. This is because of low prices of crops or because of readjustments in contract obligations. These payments will be ultimately made, but the net result is a temporary loss of income amounting to $3,500,000, as follows:

Salt River project, Arizona	$1,900,000
Yuma project, Arizona-California	500,000
Uncompahgre project, Colorado	200,000
North Platte project, Nebraska-Wyoming	250,000
Rio Grande project, New Mexico-Texas	350,000
Yakima project, Washington	200,000
Other projects	100,000

Mr. STAFFORD. As to the projects to which the gentleman refers, are they under the so-called Carey Act?

Mr. CRAMTON. No. What I am speaking of now is on the general reclamation projects.

Mr. STAFFORD. The statement which the gentleman made, that 96 per cent were meeting their obligations, while technically true is only true in the sense that the Government has postponed the payment of the necessary charges until a future date?

Mr. CRAMTON. That had its effect.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Minidoka project, Idaho: For operation and maintenance, reserved work, $29,000; continuation of construction gravity extension unit, $250,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1931; for cleaning up Jackson Lake Reservoir in Wyoming, in cooperation with the National Park Service, $50,000, either by direct expenditure or by transfer to the National Park Service to be available until expended: *Provided*, That the expenditure from the reclamation fund for such clean-up shall not be charged as a part of the construction or operation and maintenance cost payable by the water users under the project, but shall be offset and recouped from revenues from the rentals of storage from the reservoir: *Provided further*, That not to exceed $50,000 from the power revenues shall be available during the fiscal year 1932, for the operation of the commercial system; and not to exceed $125,000 from power revenues shall be available during the fiscal year 1932 for continuation of construction, south side division; in all, $329,000.

Mr. ARENTZ. Mr. Chairman, I move to strike out the last word. Anyone who lives in the West knows that water is one of the most precious things on the public domain. There are several projects now being constructed which will control water passing through Indian reservations, and the thought I have to-day is this: In the district in which I live there is the Walker irrigation district, the Pyramid Lake Indian Reservation, and the Walker Indian Reservation, all of which were entitled, according to the Department of Justice, to a certain amount of water. Suits have been carried on against the white settlers for a matter of 10 years to take away from the white settlers the water which they filed on and which would ultimately deprive the Indians of water for the land that some day will be put under cultivation. All of these projects are under way, and on one in particular, the Owyhee project, in Oregon, there is an Indian reservation 100 miles or so up the river. In discussing the matter of where this reservation would obtain its water in future years I was told that when the Owyhee project is completed all the water of that river will be for the settlers who will take up land on the Owyhee project. I wonder if it is not true that either the Indian Service or the Department of Justice is sleeping on its rights. If they can begin suits against the white settlers who have used the water for 50 or 60 years and which is now claimed to belong to the Indians on the reservation for the use of land which will not be put under cultivation for many years, what will be the situation 10 or 15 years from now, or next year, when the Indians on the Owyhee River, in Duck Creek Valley, apply for water storage? Will the Federal Government sue itself for the water they have used and which they can not take back from the settlers on the Owyhee project?

It is a very interesting question which must receive the attention of not only the Bureau of Indian Affairs but the Department of Justice and by the Secretary of the Interior, because they are going to have to meet this question sooner or later. The Indians upon the Duck Valley Reservation in northern Elko County, Nev., sooner or later will require water for the land allotted to them in good faith by the Federal Government. Since the Government has put the white settlers on the Walker River to great expense by suits instituted years ago for the adjudication of water rights acquired by these settlers more than 70 years ago, it seems to me no more than an act of justice to both the Indians and whites at the Owyhee River to designate now when it can be done without cost to either party, the relative rights of whites who may hereafter settle on the Owyhee project and the Indians on the Duck Valley Reservation.

I take this occasion to draw this matter to the attention of the Secretary of the Interior, the Attorney General, and the Commissioner of Indian Affairs.

Mr. CRAMTON. Mr. Chairman, I think the gentleman was addressing his inquiry to me. The particular situation which the gentleman speaks about has been discussed, but it is a year or so since I have had any contact with it, so I can not speak at all of that situation. I know it has had consideration by the Indian Bureau, and I think by the Department of Justice.

My thought is this—although my views may not be of any value or weight whatever—that when we build the Owyhee project we build a dam, and if we have a legal right there so far as the immediate property is concerned, the reservoir site, we can build the dam. We will then impound the water and in that way we will be attempting to render a service in certain reclamation districts and to some land, the greater part of which is already in private ownership. I do not believe the action of the Government in building that reservoir and those canals is intended to or does in any way constitute a division of the rights in that watershed and any rights the Indians have as to water they will retain and will be able to enforce as against the Owyhee project. Of course, we must keep in mind the Supreme Court, which went so far in upholding the right of Indians to water as to hold, as I understand, that they can not be held to have slept on their rights, that the rights which they once had they still retain as against the whites, and that will be true as against the Owyhee project.

The CHAIRMAN. The time of the gentleman from Nevada has expired.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Sun River project, Montana: The unexpended balance of the appropriation for continuation of construction for the fiscal year 1931 shall remain available for the fiscal year 1932, for the purposes for which originally appropriated and for drainage construction.

Mr. O'CONNELL. Mr. Chairman, I move to strike out the last word. I want to say to my friend from Michigan that I have offered the pro forma motion for the purpose of saying to the gentleman from Montana [Mr. LEAVITT] that I desire to congratulate him upon being one of the real leaders of the House, and upon the fact that he is able to get such splendid appropriations for Montana, the State he so conspicuously represents in the Congress of the United States. He is a real champion for the people of his State.

Mr. LEAVITT. I thank the gentleman.

Mr. STAFFORD. Mr. Chairman, I believe the Clerk is now reading from page 77.

The CHAIRMAN. Does the gentleman rise in opposition to the pro forma amendment?

Mr. STAFFORD. Yes. I rise in opposition to anything so I may get recognition.

The CHAIRMAN. The gentleman is recognized for that purpose.

Mr. STAFFORD. I wish to direct an inquiry as to the status of the Rio Grande project. We are appropriating in this bill $475,000. How much have we appropriated heretofore, and how much will be required before the project is completed? There has been some discussion in years back as to this great project on the Rio Grande in which, I believe, the Government of Mexico has some interest.

Mr. CRAMTON. This project has been building since 1905 and we spent up to the 30th of last June, $13,200,000. There was a small charge-off there of $296,000. The amount of construction yet to be carried on, as I understand, is not large. I do not have the figures at hand, but the project is substantially completed. Of the amount carried here, $30,000 is for certain permanent improvement on the Elephant Butte district, but the greater amount, $70,000, is for a drainage system.

Mr. STAFFORD. As I recall, a considerable part of this work is now being utilized by the owners of lands in that district.

Mr. CRAMTON. Oh, yes. This is one of the very successful projects; they have made a very good showing and there is a large acreage under cultivation. The gentleman will notice that last season the bureau was prepared to furnish water to 144,200 acres; the actual irrigation in 1929 was 139,775, so practically all the land under water is used.

Mr. STAFFORD. While I am on my feet, I will direct attention to the Yakima project, for which we are appropriating nearly $800,000, the item being found on page 79, lines 16 to 21. Will that amount complete the project? I assume not.

Mr. CRAMTON. The gentleman will note that the new appropriation is only for operation and maintenance. There is a reappropriation of certain items from last year. Part of that is held up by the Cle Elum Reservoir until we can find somebody who will agree to pay for it. Some of these situations are complicated, and I will not endeavor to explain them, but there is a controversy there as to who shall be responsible for that supplemental water-supply construction.

Mr. STAFFORD. What will be the entire amount expended on that project with all of its divisions?

Mr. CRAMTON. The expenditures up to date are somewhat over $6,000,000, and that very largely completes the project, outside, I understand, of this Cle Elum Reservoir which is to be above $1,000,000.

I want to retract that statement. There is a very large program for eventual extension of the project that runs as high as $23,000,000.

Mr. STAFFORD. While the gentleman is on the subject, will the gentleman give the committee a statement as to how much money will be required of the National Government to complete all the projects now existent?

Mr. CRAMTON. I could only give the gentleman an offhand statement. They had what they called a 10-year program that Secretary Work planned. It was not authorized by anybody else, but was a program that he worked out as a 10-year program. This was to just about take care of the projects that are now definitely decided upon. A 10-year program would run somewhere around $10,000,000 a year, or $100,000,000. This is not just accurate, but will give the gentleman some picture of it. I am told now that because of the slump in oil and the loss of revenue and the prospect they can not expect that much, they will not be able to keep to their 10-year program.

Mr. STAFFORD. Mr. Chairman, I withdraw my opposition to the pro forma amendment.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Rio Grande project, New Mexico-Texas: For operation and maintenance, $375,000; for continuation of construction, $100,000; in all, $475,000: *Provided*, That the unexpended balance of the appropriation for continuation of construction for the fiscal year 1931 shall remain available for the same purposes for the fiscal year 1932.

Mr. COLTON. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee a question regarding this item. As I understand it, this project involves the use of an interstate or, rather, of an international stream. Is the chairman advised whether or not there has been any treaty negotiated agreeing upon the use of this water?

Mr. CRAMTON. It is my recollection that there was a treaty. I know when I visited the project that was explained to me, and I had the feeling then that we had been overliberal in our concessions to Mexico, but I do not trust my recollection to be sure as to whether there is a definite treaty that completely disposes of the question or not.

Mr. COLTON. I am very much interested in this because the question of international rights in these streams is of very great interest to us farther west, and there has been some talk that the whole question is in process of being negotiated. I am wondering if a treaty has already been negotiated.

Mr. CRAMTON. I may say that I find Doctor Mead's statement in the hearing is that—

Under international treaty provisions 60,000 acre-feet of water is delivered annually to the Republic of Mexico for the irrigation of 25,000 acres in Juarez Valley.

So there definitely is a treaty.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Boulder Canyon project: For the continuation of construction of the Hoover Dam and incidental works in the main stream of the Colorado River at Black Canyon to create a storage reservoir, and of a complete plant and incidental structures suitable for the fullest economic development of electrical energy from the water discharged from such reservoir; to acquire by proceedings in eminent domain, or otherwise, all lands, rights of way, and other property necessary for such purposes; and for incidental operations; as authorized by the Boulder Canyon project act, approved December 21, 1928 (U. S. C., Supp. III, title 33, ch. 15A); $15,000,000 to be immediately available and to remain available until advanced to the Colorado River Dam fund, which amount shall be available for personal services in the District of Columbia and for all other objects of expenditure that are specified for projects included in this act under the caption "Bureau of Reclamation" without regard to the limitations of amounts therein set forth: *Provided*, That of the amount hereby appropriated, not to exceed $50,000, reimbursable, shall be available for investigation and reports as authorized by section 15 of the Boulder Canyon project act.

Mr. DOUGLAS of Arizona. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Arizona offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DOUGLAS of Arizona: On page 83, in line 20, after the word "available," strike out all language through and including the word "act," in line 17 on page 84.

Mr. CRAMTON. Mr. Chairman, if the gentleman from Arizona [Mr. DOUGLAS] will permit, I would like to agree on time for debate on this paragraph and all amendments thereto, and if it is satisfactory I will ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes, 5 minutes to the gentleman from Arizona and 5 minutes in defense of the item.

Mr. DOUGLAS of Arizona. Mr. Chairman, reserving the right to object, what might now be said about the contracts with which this item is associated under the provisions of the Boulder Canyon project act has already very largely been said, so whatever opposition I may have to this item will not at this time be predicated upon those contracts. As the gentleman recalls, there was considerable discussion of these contracts last spring. I have now another ground on which to base my opposition to this item, and I shall attempt to conclude as rapidly as it is possible for me to conclude. I shall try to do it in five minutes, but it is possible I may not be able to do it in five minutes.

Mr. CRAMTON. Then I will make my request that the time be 20 minutes. I recognize this is a matter of importance to the gentleman from Arizona. I do not want to cut him off without a proper opportunity to present his case, but at the same time we do want to finish the consideration of the bill to-day. Does the gentleman think 10 minutes would answer his purpose?

Mr. DOUGLAS of Arizona. I am quite certain 10 minutes would answer my purpose, but may I state it in this way, subject, of course, to the approval of the gentleman, that whatever time I occupy in arguing this particular amendment be granted to the gentleman also, or to anyone to whom the gentleman may elect to yield time, in equal amount?

Mr. CRAMTON. Then I make the request, Mr. Chairman, that debate on this paragraph and all amendments thereto be limited to 20 minutes, and it is my thought that the gentleman from Arizona will have 10 minutes of that time.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that all debate on this paragraph and all amendments thereto close in 20 minutes. Is there objection?

There was no objection.

Mr. DOUGLAS of Arizona. Mr. Chairman——

The CHAIRMAN. If the gentleman wishes to continue beyond five minutes, he will have to have unanimous consent.

Mr. DOUGLAS of Arizona. I ask unanimous consent for 10 minutes.

The CHAIRMAN. The gentleman from Arizona asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. DOUGLAS of Arizona. Mr. Chairman and gentlemen of the committee, under the provisions of the Boulder Canyon project act the Secretary of the Interior is required, prior to the making of appropriations, to obtain contracts for the sale of power and water which will insure revenue, adequate in his judgment, to reimburse the United States for certain expenditures incident to the construction of the Boulder Canyon project.

Acting under the direction therein contained the Secretary of the Interior negotiated and executed three contracts. One was with the Department of Water and Power of the City of Los Angeles and the Southern California Edison Co. for lease of generating equipment to be installed at the project, and for the purchase of falling water with which electrical energy might be developed.

The second was with the metropolitan water district for the purchase of power. Under the provisions of that contract the city of Los Angeles was made the generating agent for the metropolitan water district. The third contract was with the metropolitan water district for the sale of water.

It was pointed out when the item for the construction of the Boulder Canyon project was included in the last deficiency bill that the city of Los Angeles was not bound by the terms of the contract with its department of water and power, that it had not submitted the contract to the qualified electors of the city of Los Angeles, and that therefore, because of the provisions of the constitution of California, it was not a party to the contract, could not be sued, that the United States could not attach its property, and, further, that the United States could not mandamus the city of Los Angeles to levy a special tax with which the obligations sought to be imposed under the contract might be met.

It was pointed out that the department of water and power of the city was irresponsible financially, that it did not then have the necessary financial strength to meet the obligation sought to be imposed, and that from its normal operations it could not in eight years accumulate resources to meet those obligations.

It was shown that the Department of Water and Power of the City of Los Angeles owns no property which may be attached by the United States in the event of default. It was pointed out that the department of water and power had no authority to tax and that therefore it could not be mandamused by the United States to levy a tax to provide the funds with which the obligations might be paid.

It was pointed out that the contract with the Department of Water and Power of the City of Los Angeles and the Southern California Edison Co. was therefore invalid and nonenforceable. It was pointed out that the validity of the contract with the metropolitan water district for power was contingent on the validity of the contract with the department of water and power of the city and that since the latter contract was invalid it followed that the contract with the metropolitan water district was likewise invalid.

It was pointed out and admitted by the Secretary of the Interior that the contract for the purchase of water was merely an option granting the right to the metropolitan water district to take and pay for water whenever at its election it chose to do so, but binding it to take and pay for nothing.

Since last spring when this item was discussed in the House and before the Committee on Appropriations the situation relative to the validity of these contracts has not changed. The city has taken no steps whatever to be bound under the contract; it has not submitted it to the qualified electors for their consent. There has been no election. It is therefore as free from the obligations of the contract now as it was then. The department of water and power of the city has made no provision to provide funds to meet the liabilities imposed. It is therefore as irresponsible to-day as it was then.

Nor has the metropolitan water district taken steps to provide the necessary financial resources to meet the obligations sought to be imposed upon it. The contract with respect to it is therefore as invalid as it was last spring. With respect of these contracts, each and everyone of them, therefore, is as nonenforceable and as invalid at this time as they were when the Congress appropriated the first item for the construction of the Boulder Canyon project, and it is just as speculative to-day that revenues will flow from those contracts as it was then.

There is, however, one respect in which the situation pertaining to Boulder Dam has changed. In October the State of Arizona filed a complaint in the Supreme Court of the United States against the remaining six States of the Colorado River Basin and the Secretary of the Interior, in which the validity of the entire Boulder Canyon project act is contested. It is probable that the Supreme Court will hold that the Boulder Canyon project act is repugnant to the Constitution of the United States and that the project authorized to be constructed therein can not as a matter of fact be constructed. It would be foolish, however, for any Member of Congress to prejudge the case now pending in the Supreme Court of the United States. I appreciate that the gentleman from California [Mr. SWING] will rise and declare that on the 12th of January or thereafter the court will dismiss the case, and yet I repeat that no Member of this House is justified in prophesying the action of the Supreme Court.

Mr. O'CONNELL. Has the case been argued yet?

Mr. DOUGLAS of Arizona. The answer is to be filed on the 12th day of January. The case is an important one, because, among other things, it strikes at the very fundamentals of the water law of the West, and no man can say that the court either will or will not dismiss it; that the court will or will not declare the act to be repugnant to the Constitution of the United States. Yet in the face of this pending litigation, in the face—and at least the gentleman from California will agree with me in this—of the possibility that the Supreme Court will declare the Boulder Canyon act to be invalid, there is carried in this bill an item of $15,000,000.

We are suffering in this country to-day from an industrial depression of the first magnitude, from unemployment and suffering and poverty. We come to Congress seeking, as one of the methods by which this condition may be relieved, appropriations of money for immediate expenditure, so that men now out of work may be employed in the construction of roads and buildings and public structures, with respect to the construction of which no one raises the queston of their constitutionality. As a result of such appropriations which we have in the past made and which doubtless we will make in the future, the cost of Government is continually mounting. Yet in spite of the mounting cost of Government, and in spite of the urgent necessity for appropriating money for immediate expenditure to employ men, we find in this act an item of $15,000,000 which may never be expended, or which, if it may be expended, may be tied up for several years by the courts of the United States, so that it can not be made available presently to relieve the existing condition.

I urge that this item be stricken from the bill; that the $15,000,000 herein appropriated for the construction of a project which may never be constructed be saved for immediate expenditure on projects where men now out of employment may find it.

The complaint of the State of Arizona is as follows:

IN THE SUPREME COURT OF THE UNITED STATES, OCTOBER TERM, 1930

STATE OF ARIZONA, COMPLAINANT, *v.* STATE OF CALIFORNIA, STATE OF NEVADA, STATE OF UTAH, STATE OF NEW MEXICO, STATE OF COLORADO, STATE OF WYOMING, AND RAY LYMAN WILBUR, SECRETARY OF THE INTERIOR, DEFENDANTS

Motion for leave to file bill of complaint

The State of Arizona, appearing by its attorney general, respectfully moves and prays the court for leave to file its bill of complaint herewith submitted.

K. BERRY PETERSON,
Attorney General of the State of Arizona,
Solicitor for Complainant.

DEAN G. ACHESON,
CLIFTON MATHEWS,
Of Counsel.

Bill of complaint

The State of Arizona, appearing by its attorney general, by leave of court files this its bill of complaint and respectfully alleges:

I

The State of Arizona, complainant herein, and the States of California, Nevada, Utah, New Mexico, Colorado, and Wyoming, defendants herein, are States of the Union, duly admitted thereto, and exercising equal sovereignty with the original and all other States of the Union. Defendant Ray Lyman Wilbur is the Secretary of the Interior of the United States and is a citizen of the State of California.

II

The Colorado River rises in Colorado and flows in Colorado for a distance of 245 miles, thence in Utah for a distance of 285 miles, thence in Arizona for a distance of 292 miles, thence on the boundary between Arizona and Nevada for a distance of 145 miles, thence on the boundary between Arizona and California for a distance of 235 miles, thence on the boundary between Arizona and Mexico for a distance of 16 miles, thence in Mexico for a distance of 75 miles, and there enters the Gulf of California. Said river has a total length of 1,293 miles, of which 688 miles are in Arizona or on the boundary thereof. Lees Ferry is a point in the Colorado River 23 miles below the point where said river enters Arizona from Utah. Black Canyon is a point in said river 355 miles below Lees Ferry, and is in that part of said river which forms the boundary between Arizona and Nevada. Said river attains its greatest average annual flow at Black Canyon. Laguna Dam is a diversion dam in said river 276 miles below Black Canyon, and is in that part of said river which forms the boundary between Arizona and California. Said Laguna Dam is 13 miles above the city of Yuma and 18 miles above the point where said river becomes the boundary between Arizona and Mexico.

III

The principal tributaries of the Colorado River are the Gunnison River, which rises in Colorado and flows in Colorado for a distance of 160 miles, and there enters the Colorado River; the Green River, which rises in Wyoming and flows in Wyoming for a distance of 246 miles, thence in Utah for a distance of 56 miles, thence in Colorado for a distance of 35 miles, thence in Utah for a distance of 272 miles, and there enters the Colorado River; the San Juan River, which rises in Colorado and flows in Colorado for a distance of 61 miles, thence in New Mexico for a distance of 110 miles, thence in Utah for a distance of 130 miles, and there enters the Colorado River; the Little Colorado River, which rises in Arizona and flows in Arizona for a distance of 268 miles, and there enters the Colorado River; the Virgin River, which rises in Utah and flows in Utah for a distance of 83 miles, thence in Arizona for a distance of 30 miles, thence in Nevada for a distance of 60 miles, and there enters the Colorado River; the Williams River, which rises in Arizona and flows in Arizona for a distance of 132 miles, and there enters the Colorado River; and the Gila River, which rises in New Mexico and flows in New Mexico for a distance of 115 miles, thence in Arizona for a distance of 406 miles, and there enters the Colorado River. The Gila River enters the Colorado River 10 miles below Laguna Dam, 286 miles below Black Canyon and 641 miles below Lees Ferry. The Williams River enters the Colorado River between Laguna Dam and Black Canyon. The Virgin River and the Little Colorado River enter the Colorado River between Black Canyon and Lees Ferry. All the other tributaries above mentioned enter the Colorado River above Lees Ferry. Said tributaries have a total combined length of 2,164 miles, of which 836 miles are in Arizona. No tributaries enter the Colorado River from California, nor does California contribute any appreciable quantity of water to said river.

IV

The drainage basin of the Colorado River in the United States has a total area of 240,000 square miles, of which 103,000 square

miles are in Arizona, 4,000 square miles in California, 12,000 square miles in Nevada, 40,000 square miles in Utah, 23,000 square miles in New Mexico, 39,000 square miles in Colorado, and 19,000 square miles in Wyoming. Approximately 43 per cent of the total area of said basin is in Arizona and approximately 90 per cent of the total area of Arizona is in said basin.

V

From the point where it enters Arizona to the point where it enters Mexico the Colorado River has a fall of 3,230 feet, of which 2,200 feet occurs in Arizona, 650 feet on the boundary between Arizona and Nevada, 350 feet on the boundary between Arizona and California, and 30 feet on the boundary between Arizona and Mexico. That part of the Colorado River which flows in Arizona and on the boundary between Arizona and Nevada flows through an almost continuous series of deep canyons, the walls of which rise on each side of said river to a height varying from a few hundred feet to more than 5,000 feet, because of which said river in said canyon region is practically inaccessible. Throughout said canyon region there are numerous rapids, cataracts, and other natural obstructions, because of which, and because of the great fall and rapid flow of said river, navigation thereof in Arizona and on the boundary between Arizona and Nevada has always been, and is now, utterly impossible.

VI

That part of the Colorado River which flows on the boundary between Arizona and California and between Arizona and Mexico flows between comparatively low banks, is therefore easily accessible, and is comparatively free from rapids and cataracts, but is obstructed by numerous sand bars and is too shallow to permit of navigation Said river carries great quantities of silt, which are constantly being deposited within and upon the bed thereof, and which, while so carried and after being so deposited, constitute a further obstacle to the navigation of said river. Another obstacle to the navigation of said river has resulted from the construction of said Laguna Dam by the Government of the United States and the diversion of great quantities of water from said river for irrigation and other purposes. Because of said conditions said river has never been and is not now a navigable river.

VII

The total average flow of the Colorado River and its tributaries in the United States is 18,000,000 acre-feet of water annually. Of said total flow, 9,000,000 acre-feet were appropriated and put to beneficial use in the United States prior to June 25, 1929, and said appropriated water has ever since been and is now being used and consumed. Of said appropriated water, 2,500,000 acre-feet are diverted annually from the Colorado River above Lees Ferry and from tributaries entering said river above Lees Ferry, and are used and consumed in Utah, New Mexico, Colorado, and Wyoming, and 6,500,000 acre-feet are diverted annually from said river below Lees Ferry and from tributaries entering said river below Lees Ferry, and are used and consumed in Arizona, California, Nevada, and New Mexico. Of the appropriated water so diverted below Lees Ferry, 3,500,000 acre-feet are annually diverted, used, and consumed in Arizona. Of the appropriated water so diverted, used, and consumed in Arizona, 2,900,000 acre-feet are diverted from the Gila River and its tributaries. Of the total flow of the Colorado River and its tributaries in the United States, 9,000,000 acre-feet were on June 25, 1929, ever since have been, and are now wholly unappropriated. All of said unappropriated water flows in Arizona and on the boundary thereof; all of it is needed and can be put to beneficial use in Arizona; and all of it is subject to appropriation under the laws of Arizona. Of said unappropriated water, 8,000,000 acre-feet are flowing in the main stream of the Colorado River and 1,000,000 acre-feet in tributaries entering said river between Lees Ferry and Laguna Dam. All of the water of the Gila River and its tributaries was appropriated and put to beneficial use in Arizona and New Mexico prior to June 25, 1929. There was not on said date, nor has there since been, nor is there now, any unappropriated water in the Gila River or any of its tributaries. To "appropriate" water means to take and divert a specified quantity thereof and put it to beneficial use in accordance with the laws of the State where such water is found, and, by so doing, to acquire, under said laws, a vested right to take and divert from the same source, and to use and consume, the same quantity of water annually forever, subject only to the rights of prior appropriators. Such is the sense in which the word "appropriate" and its derivatives are used in this bill of complaint.

VIII

All land in the drainage basin of the Colorado River is arid in character. In those parts of said basin which are susceptible of irrigation the average annual rainfall is as follows: In Arizona and California, less than 5 inches; in Nevada, 6 inches; in Wyoming, 7 inches; in Utah and New Mexico, 8 inches; in Colorado, 10 inches. Throughout said basin, in order to grow crops of any kind successfully, irrigation is necessary. Because of differences in soil, climate, rainfall, length of growing season, and other conditions the quantity of water required per acre varies in different parts of said basin. The average quantity of water per acre required annually for the purpose of irrigation is as follows: In Arizona and California, 4.5 acre-feet; in Nevada, 3 acre-feet; in Utah, New Mexico, Colorado, and Wyoming, 1.5 acre-feet.

IX

Because of the arid character of its land, irrigation is of the utmost importance to the State of Arizona. During the past 30 years the population of said State has increased from 204,000 to 421,000, and the assessed valuation of taxable property in said State has increased from $83,769,000 to $714,945,000. A great part of said increase in population and wealth has resulted from the constantly increasing use of irrigation in said State, and the consequent development of its agricultural land. The present welfare and prosperity of said State are largely the result of irrigation, and its future growth and progress are largely dependent upon the reclamation and irrigation of additional land in said State. In addition to the land now being irrigated, there are more than 2,000,000 acres of land in said State which are not now irrigated, but are susceptible of irrigation from the unappropriated water of the Colorado River and its tributaries, and which can not be irrigated by any other means or from any other source. All of said land is extremely fertile and, when irrigated, will be extremely productive. More than 200,000 acres of said land are owned and held by the State of Arizona. The irrigation of said land will require all of the unappropriated water of the Colorado River and its tributaries, aggregating 9,000,000 acre-feet annually, as aforesaid. Said land, although at present uncultivated and practically uninhabited, will, when irrigated, be capable of supporting a population of more than 500,000, and the irrigation of said land will add greatly to the wealth and taxable resources of the State of Arizona, and to the health, happiness, prosperity, and general welfare of its inhabitants. Because of the expense of constructing, maintaining, and operating the dams, reservoirs, canals, and other works required for the irrigation of said land, it will not be feasible to irrigate said land in small separate tracts, but it will be necessary to combine such tracts into large projects, each project being operated and administered as a single unit. The organization of such projects and the construction, maintenance, and operation of such dams, reservoirs, canals, and other works will require financing on a large scale, which will be impossible unless water for the irrigation of said land can be appropriated and vested rights to the permanent use thereof acquired at or prior to the time of constructing such works.

X

In that part of the Colorado River which flows in Arizona and on the boundary between Arizona and Nevada there are numerous sites suitable for the construction, maintenance, and operation of the dams and reservoirs required for the irrigation of the land referred to in paragraph 9 hereof. One of said sites is at Black Canyon, on the boundary between Arizona and Nevada. By utilizing said sites it would be possible and economically feasible to store in reservoirs situated in Arizona, or partly in Arizona and partly in Nevada, all of the water of the Colorado River, and to make all of said water available for irrigation. Said dam sites and reservoir sites are also suitable for the construction, maintenance, and operation of plants for the generation of electric power from the water to be stored in such reservoirs. All the water of the Colorado River flowing past said dam sites and reservoir sites, including both the unappropriated water and water appropriated for beneficial use below said sites, is subject to appropriation for the generation of electric power at said sites. By the use of such power plants and such stored water great quantities of electric power could be generated and sold for use in Arizona and elsewhere. The business and all property used in connection with the business of generating and selling such power would be subject to taxation and would yield substantial revenues to the State of Arizona, and the use of such power would add greatly to the welfare and prosperity of said State and its inhabitants. For the reasons aforesaid, the water of the Colorado River and the dam sites and reservoir sites above referred to constitute the greatest natural resource of the State of Arizona.

XI

Irrigation projects already formed and now in existence comprise more than 1,000,000 acres of the unirrigated but irrigable land referred to in paragraph IX hereof. More than 100,000 acres of the land in said irrigation projects are owned and held by the State of Arizona. None of the land in said projects is now irrigated, but all of it is susceptible of irrigation. The irrigation of said land is practicable and feasible at the present time, and definite plans have been made for the irrigation thereof. Such irrigation will require 4,500,000 acre-feet annually of the unappropriated water now flowing in the main stream of the Colorado River. Permits for the appropriation of said water have been granted by the State water commissioner of the State of Arizona. In order to appropriate and use said water for the irrigation of the land in said projects, it will be necessary to store said water by means of dams and reservoirs to be constructed and maintained in that part of the Colorado River which flows in Arizona and on the boundary between Arizona and Nevada, and to utilize for that purpose the dam sites and reservoir sites mentioned in Paragraph X hereof. Said plans contemplate the construction and use of such dams and reservoirs for the storage of the water to be used in irrigating said lands. There have also been formed and are now in existence certain power projects, whose purpose is to utilize said dam sites and reservoir sites for the generation and sale of electric power. Definite plans have been made for carrying out said purpose. The generation of said power will require the construction, maintenance, and operation of dams, reservoirs, and power plants at said sites. Plans and specifications therefor have been submitted to and approved by the State engineer of the State of Arizona. But for the passage of the Boulder Canyon project act hereinafter referred to, the work of constructing said dams and reservoirs for the irrigation of said lands and for the generation of said electric power would long since have commenced, and if said act shall be held unconstitu-

tional, as hereinafter prayed, said work will be immediately commenced and prosecuted to completion. Numerous persons and corporations desire to engage in the business of storing and selling water, and in the business of generating and selling electric power in Arizona, and to utilize said dam sites and reservoir sites, including the one at Black Canyon, for that purpose. Said businesses and the property used in connection therewith would be subject to taxation and would yield substantial revenues to the State of Arizona.

XII

The State of Arizona was admitted to the Union on February 14, 1912. Upon its admission to the Union said State acquired, has ever since possessed and exercised, and now possesses and exercises sovereign jurisdiction and control of all water within its boundaries, including the water of the Colorado River and its tributaries. The constitution of the State of Arizona provides that the common-law doctrine of riparian water rights shall not obtain or be of any force or effect in said State. Statutes of the State of Arizona, heretofore duly enacted and now in force, being sections 3280 to 3286, inclusive, of the Revised Code of 1928, and sections 1 and 3 of chapter 102 of the Session Laws of 1929, regulate and control the storage, diversion, appropriation and use of water, and the construction, operation, and maintenance of dams and reservoirs in said State. A copy of said statutes is appended hereto at page 43. Said statutes provide that all water flowing in streams or other natural channels belongs to the public and is subject to appropriation; that the person first appropriating water shall have the better right thereto; that any person intending to appropriate water shall apply to the State water commissioner for a permit to make such appropriation; that if such application is approved by said commissioner the applicant may appropriate such water and construct such works as may be necessary for that purpose; that if such application is rejected the applicant shall take no steps toward appropriating such water or constructing such works; that when any such application, or the proposed use of the water sought to be appropriated, is a menace to the safety or against the interests and welfare of the public, it shall be rejected; that all dams shall be under the jurisdiction of the State engineer; and that it shall be unlawful to construct, operate, or maintain any dam except upon the approval of said engineer. Under and by virtue of said statutes, all of the unappropriated water of the Colorado River and its tributaries, aggregating 9,000,000 acre-feet annually, was on June 25, 1929, ever since has been, and is now subject to appropriation in Arizona. Said water can not, nor can any part thereof, be lawfully appropriated, stored, diverted, used, or disposed of except as provided in said statutes.

XIII

Legislation was enacted in the year 1921 by the Legislatures of the States of Arizona, California, Nevada, Utah, New Mexico, Colorado, and Wyoming and by the Congress of the United States providing for the appointment of commissioners by the governors of said States and by the President of the United States, and authorizing such commissioners to negotiate a compact for the equitable apportionment of the water of the Colorado River and its tributaries, and to submit such compact to the legislatures of said States and to the Congress of the United States. Such commissioners were appointed and did draft and submit to said legislatures and to Congress a proposed compact entitled and hereinafter referred to as the Colorado River compact, a copy of which is appended hereto at page 50. Said compact provides that, as used therein, the term "Colorado River system" means that portion of the Colorado River and its tributaries within the United States; that the term "Colorado River basin" means all of the drainage area of said Colorado River system and all other territory within the United States to which the water of said system shall be beneficially applied; that the term "upper basin" means those parts of Arizona, Utah, New Mexico, Colorado, and Wyoming within and from which water naturally drains into said Colorado River system above Lees Ferry, and also all parts of said States located without said drainage area which are now or shall hereafter be beneficially served by water diverted from said system above Lees Ferry; that the term "lower basin" means those parts of Arizona, California, Nevada, Utah, and New Mexico within and from which water naturally drains into said Colorado River system below Lees Ferry, and also all parts of said States located without said drainage area which are now or shall hereafter be beneficially served by water diverted from said system below Lees Ferry; that there is apportioned from said Colorado River system, in perpetuity, to said upper basin and to said lower basin, respectively, the exclusive beneficial consumptive use of 7,500,000 acre-feet of water per annum, which shall include all water necessary for the supply of any rights which may now exist; that if the United States shall recognize any right in Mexico to the use of any water of said system, such water shall be supplied from water unapportioned by said compact; that further equitable apportionment of the water of said system unapportioned by said compact may be made at any time after October 1, 1963; that inasmuch as the Colorado River has ceased to be navigable for commerce, and the reservation of its water for navigation would seriously limit the development of its basin, the use of its water for purposes of navigation shall be subservient to the use of such water for domestic, agricultural, and power purposes; and that said compact shall become binding and obligatory when it shall have been approved by the legislatures of all the signatory States (Arizona, California, Nevada, Utah, New Mexico, Colorado, and Wyoming) and by the Congress of the United States.

XIV

Said Colorado River compact is grosaly inequitable, unjust, and unfair to the State of Arizona, for the reasons and in the respects following, to wit:

(1) Said compact attempts to apportion to said upper basin more, and to said lower basin less, than an equitable share of the water of said Colorado River system. Said compact attempts to apportion to each of said basins the same quantity of water, to wit, 7,500,000 acre-feet annually, but said lower basin needs and can put to beneficial use more than twice the quantity of water which is needed or can be put to beneficial use in said upper basin. That part of said lower basin which is in Arizona needs and can put to beneficial use more than the total quantity of water which said compact attempts to apportion to said entire lower basin. Said lower basin includes practically all of Arizona. None of the water of said Colorado River system can be put to beneficial use in that part of Arizona which is in said upper basin. The 7,500,000 acre-feet of water which said compact attempts to apportion to each of said basins includes all water necessary to supply existing rights, which means all water heretofore appropriated and now being used. In said lower basin such appropriations amount to 6,500,000 acre-feet of water annually, whereas in said upper basin they amount to only 2,500,000 acre-feet annually. Thus said compact attempts to apportion to said lower basin only 1,000,000 acre-feet of unappropriated water, whereas it attempts to apportion to said upper basin 5,000,000 acre-feet of unappropriated water annually. Under said compact, said 5,000,000 acre-feet of unappropriated water could not, nor could any part of it, be appropriated in said lower basin. Thus said compact attempts to deprive the State of Arizona, its citizens, inhabitants, and property owners, of their right to appropriate said 5,000,000 acre-feet of unappropriated water, all of which is now subject to appropriation in Arizona.

(2) Said compact does not apportion or attempt to apportion all of the water of said Colorado River system, but attempts to apportion only 15,000,000 acre-feet thereof, and leaves unapportioned the remaining water of said system, aggregating 3,000,000 acre-feet annually. Said unapportioned water is a part of the unappropriated water of said Colorado River system. Said compact attempts to withdraw said unapportioned water from appropriation and to prohibit the appropriation thereof. This said compact attempts to do by providing that Mexican rights shall be supplied from said unapportioned water, and that said unapportioned water shall be subject to apportionment after October 1, 1963. Thus said compact attempts to deprive the State of Arizona, its citizens, inhabitants, and property owners of their right to appropriate said 3,000,000 acre-feet of unappropriated water, all of which is now subject to appropriation in Arizona.

(3) Said compact defines the term "Colorado River system" so as to include therein the Gila River and its tributaries, of which the total flow, aggregating 3,000,000 acre-feet of water annually, was appropriated and put to beneficial use prior to June 25, 1929. The State of New Mexico has but a slight interest, and the States of California, Nevada, Utah, Colorado, and Wyoming have no interest whatever in said water. Since said compact provides that the water apportioned thereby shall include all water necessary to supply existing rights, the effect of including the Gila River and its tributaries as a part of said system would be to reduce by 3,000,000 acre-feet annually the quantity of water now subject to appropriation in Arizona.

(4) Said compact defines the terms "Colorado River Basin," "upper basin," and "lower basin" so as to include therein not only the actual drainage basin of the Colorado River but also all parts of Arizona, California, Nevada, Utah, Colorado, New Mexico, and Wyoming outside of said drainage basin which are now or shall hereafter be beneficially served by water diverted from said Colorado River system. Thus said compact pretends to recognize and attempts to establish a right to use said water outside of the actual drainage basin of the Colorado River, which pretended right the State of Arizona expressly denies. Arizona is almost wholly within the actual drainage basin of the Colorado River. No part of Arizona outside of said drainage basin is or can be beneficially served by water diverted from said system. Hence the State of Arizona would not be benefited but would be greatly injured by including in said upper and lower basins areas situated outside of said drainage basin and served by water diverted from said Colorado River system. The effect of such inclusion would be to reduce the quantity of water now subject to appropriation in Arizona by such quantity as might be diverted for use in such outside areas.

For the reasons aforesaid, and for other good and sufficient reasons, the Legislature of the State of Arizona has never ratified or approved said compact, and said compact is therefore inoperative, void, and of no effect.

XV

On December 21, 1928, the Congress of the United States passed, and the President approved, an act entitled "An act to provide for the construction of works for the protection and development of the Colorado River Basin, for the approval of the Colorado River compact, and for other purposes." The short title of said act is "Boulder Canyon project act." A copy of said act is appended hereto at page 56. Said act provides in section 1 thereof that, for the purpose of controlling floods, improving navigation, regulating the flow of the Colorado River, and providing for the storage and delivery of the water thereof for reclamation of public lands and other beneficial uses, and for the generation

of electric power as a means of making the project therein authorized a self-supporting and financially solvent undertaking, the Secretary of the Interior, subject to the terms of the Colorado River compact, is authorized to construct, operate, and maintain a dam and incidental works in the main stream of the Colorado River at Black Canyon, adequate to create a storage reservoir of a capacity of not less than 20,000,000 acre-feet of water, and to construct, equip, operate, and maintain at or near said dam a complete plant and incidental structures suitable for the fullest economic development of electric power from the water discharged from said reservoir. Said dam and reservoir, if constructed, will be partly in Arizona and partly in Nevada, and will occupy one of the sites mentioned in paragraph X hereof. Said dam and reservoir will store all of the 8,000,000 acre-feet of unappropriated water now flowing in the Colorado River, all of which is now subject to appropriation in Arizona. Said act does not require the Secretary of the Interior to comply with the laws of the State of Arizona in carrying out the provisions of said act, but contemplates that he shall disregard said laws and proceed in violation thereof.

XVI

Said act further provides in section 1 thereof that the Secretary of the Interior is authorized to construct, operate, and maintain a canal and appurtenant structures connecting Laguna Dam with the Imperial and Coachella Valleys in California, and that no charge shall be made for water or for the use, storage, or delivery of water for irrigation or potable purposes in said Imperial or Coachella Valleys. Said canal and appurtenant structures will cost approximately $40,000,000 and will be used for the purpose of diverting and conveying to said valleys in California, for use therein, the water to be stored in said reservoir, including the 8,000,000 acre-feet of unappropriated water now flowing in the Colorado River, all of which is now subject to appropriation in Arizona. Said canal and appurtenant structures will greatly aid and facilitate the diversion to and use of said water in California. Said act does not provide any similar facilities, or any facilities whatever, for the benefit of water users in Arizona, nor does said act exempt Arizona water users from the payment of charges for water or for the use, storage, or delivery of water for irrigation or potable purposes.

XVII

Said act provides in section 2 (b) thereof that the Secretary of the Treasury is authorized to advance, from time to time and within the appropriations therefor, such amounts as the Secretary of the Interior deems necessary for carrying out the provisions of said act, but that the aggregate amount of such advances shall not exceed the sum of $165,000,000. Said act provides in section 3 thereof that there is authorized to be appropriated from time to time such sums of money as may be necessary to carry out the purposes of said act, not exceeding in the aggregate $165,000,000.

XVIII

Said act provides in section 4 (a) thereof that it shall not take effect and that no authority shall be exercised thereunder unless and until (1) the States of Arizona, California, Nevada, Utah, New Mexico, Colorado, and Wyoming shall ratify the Colorado River compact, and the President by public proclamation shall so declare, or (2) if said States shall fail to ratify said compact within six months from the date of the passage of said act, then until six of said States, including the State of California, shall ratify said compact and consent to waive those provisions thereof which require its approval by the legislatures of all the signatory States, and shall approve said compact without conditions, save that of such 6-State approval, and the President by public proclamation shall so declare, and, further, until the State of California, by act of its legislature, shall agree irrevocably and unconditionally with the United States, for the benefit of the States of Arizona, Nevada, Utah, New Mexico, Colorado, and Wyoming, that the aggregate annual consumptive use of water of and from the Colorado River for use in California shall not exceed 4,400,000 acre-feet of the water apportioned to said lower basin by the Colorado River compact, plus not more than one-half of any excess or surplus water unapportioned by said compact, such uses always to be subject to the terms of said compact. The State of Arizona has not ratified or approved said compact, but the State of California, Nevada, Utah, New Mexico, Colorado, and Wyoming ratified said compact prior to June 25, 1929, and consented to waive those provisions thereof which require its approval by all the signatory States, and approved said compact without conditions, save that of such 6-State approval, and on said last-mentioned date the President of the United States by public proclamation so declared. The State of California, by an act of its legislature approved March 4, 1929, made the agreement provided for in section 4 (a) of said Boulder Canyon project act.

XIX

Said act further provides in section 4 (a) thereof that the States of Arizona, California, and Nevada are authorized to enter into an agreement which shall provide that of the 7,500,000 acre-feet of water apportioned to said lower basin by the Colorado River compact there shall be apportioned to the State of Nevada 300,000 acre-feet and to the State of Arizona 2,800,000 acre-feet for exclusive beneficial consumptive use in perpetuity; that all of the provisions of said proposed agreement shall be subject in all parts to the provisions of said compact; and that said proposed agreement shall take effect upon the ratification of said compact by the States of Arizona, California, and Nevada. Said proposed apportionment of 2,800,000 acre-feet of water is less than the quantity of water already appropriated in Arizona, and would provide no water for future appropriation in said State. Thus, under said proposed agreement, the State of Arizona, its citizens, inhabitants, and property owners, would be deprived of their right to appropriate any of the unappropriated water of said Colorado River system, aggregating 9,000,000 acre-feet annually, all of which is now subject to appropriation in Arizona. The States of Arizona, California, and Nevada have not entered into said proposed agreement nor have they entered into any agreement whatsoever.

XX

Said act provides in section 4 (b) thereof that, before any money is appropriated for the construction of said dam or power plant, or any construction work done or contracted for, the Secretary of the Interior shall make provision for revenues, by contract, in accordance with the provisions of said act, adequate in his judgment to insure payment of all expenses of operation and maintenance of said works incurred by the United States, and the repayment, within 50 years from the date of the completion of said works, of all amounts advanced by the United States for the construction of said works—other than said canal and appurtenant structures—together with interest thereon at the rate of 4 per cent per annum. The facts regarding the pretended contracts by which said Secretary has attempted to provide such revenues are set forth in paragraphs 32 and 33 hereof. By an act approved July 3, 1930, and known as the second deficiency act, fiscal year 1930, Congress appropriated the sum of $10,660,000 for the commencement of construction of said dam and incidental works.

XXI

Said Boulder Canyon project act provides in section 5 thereof that said Secretary is authorized, under such general regulations as he may prescribe, to contract for the storage of water in said reservoir, for the delivery thereof for irrigation, domestic use, and generation of electric power, and for the delivery thereof to States, municipal corporations, political subdivisions, and private corporations, upon charges that will provide revenue which, in addition to other revenue accruing under the reclamation law and under said act, will in his judgment cover all expenses of operation and maintenance incurred by the United States on account of works constructed under said act, and the payments to the United States provided for in section 4 (b) thereof; that contracts respecting water for irrigation and domestic use shall be for permanent service; and that no person shall have or be entitled to the use of the water stored in said reservoir except by contract with said Secretary. The effect of said act would be to withdraw from appropriation all of the water to be stored in said reservoir, including the 8,000,000 acre-feet of unappropriated water now flowing in the Colorado River, all of which is now subject to appropriation in Arizona; to prohibit the appropriation of said water; and to prohibit the use thereof, except by contract with the Secretary of the Interior. Under said act said Secretary could not be required to deliver or to contract for the delivery of any of said water for use in Arizona, but could, if so minded, refuse to deliver or to contract for the delivery of any such water for any such use, and could thus withhold all of said water from use in Arizona. If said Secretary should choose to deliver or to contract for the delivery of any of said water for use in Arizona, he would be required by said act to make a charge for the storage and delivery of such water for such use, but said act does not require or permit said Secretary to make any charge for the storage or delivery of water for use in the Imperial and Coachella Valleys of California, it being expressly provided in section 1 of said act that no such charge shall be made. In authorizing said Secretary to contract for the delivery of said stored water, said act does not restrict the use thereof to the drainage basin of the Colorado River, but permits said Secretary to contract for the delivery of said water for use outside of said basin.

XXII

Said act further provides in section 5 thereof that after repayment to the United States of all money advanced, with interest, charges shall be on such basis as may hereafter be prescribed by Congress; that the revenues derived therefrom shall be kept in a separate fund to be expended in said Colorado River Basin; and that general and uniform regulations shall be prescribed by said Secretary for the awarding of contracts for the sale and delivery of electric power and for renewal of such contracts.

XXIII

Said act provides in section 6 thereof that said dam and reservoir shall be used, first, for river regulation, improvement of navigation, and flood control; second, for irrigation and domestic uses and satisfaction of present perfected rights; and, third, for power; that the title to said dam, reservoir, power plant, and incidental works shall forever remain in the United States; that the United States shall, until otherwise provided by Congress, control, manage, and operate the same; that said Secretary may lease a unit or units of said power plant, with the right to generate electric power, or may lease the use of water for the generation of such power. Said act does not provide for the levy or collection by the State of Arizona of any tax or taxes on said dam, power plant, and other works, or on the operation thereof, but contemplates that the same shall be exempt from all taxation. The effect of said act would be to have said Secretary, on behalf of the United States, engage in the business of storing and selling water, the business of generating and selling electric power, and the business of leasing water and equipment for the generation of such power; to utilize for that purpose the water and other natural resources of the State of Arizona; to prevent

the use of said water and natural resources by other persons or corporations desiring to engage in such businesses; and thus to deprive said State of its right to levy and collect taxes on such businesses and on the property used in connection therewith.

XXIV

Said act provides in section 8 (a) thereof that the United States, its permittees, licensees, and contractees, and all users and appropriators of water stored, diverted, carried, or distributed by said reservoir, canals, and other works shall observe and be subject to and controlled by the Colorado River compact in the construction, management, and operation of said reservoir, canals, and other works and in the storage, diversion, delivery, and use of water for the generation of power, irrigation, and other purposes, anything in said act to the contrary notwithstanding; and that all permits, licenses, and contracts shall so provide. The pretended contracts hereinafter referred to do so provide.

XXV

Said act provides in section 13 thereof that the Colorado River compact is approved by the Congress of the United States, that those provisions of said compact which require its approval by the legislatures of all the signatory States are waived, and that said approval by Congress shall become effective when the State of California and at least five of the other signatory States shall approve said compact and consent to said waiver. The States of California, Nevada, Utah, New Mexico, Colorado, and Wyoming have approved said compact and consented to said waiver. Thus the effect of said act would be to subject the State of Arizona to said compact, and to enforce said compact and make it effective in Arizona, notwithstanding said State has never ratified or approved said compact.

XXVI

Said act further provides in section 13 thereof that the rights of the United States in or to the water of the Colorado River and its tributaries, and the rights of those claiming under the United States, shall be subject to and controlled by the Colorado River compact; that all patents, grants, contracts, concessions, leases, permits, licenses, rights of way, or other privileges from the United States or under its authority necessary or convenient for the use of said water, or for the generation of electric power by means thereof, or for the transmission of such power, shall be upon the express condition and with the express covenant that the rights of the recipients or holders thereof shall be subject to and controlled by said compact; and that said conditions and covenants shall be deemed to run with the land, and shall attach as a matter of law, whether set out or referred to in the instrument evidencing such patent, grant, contract, concession, lease, permit, license, right of way, or other privilege, or not, and shall be deemed to be for the benefit of and be available to the States of Arizona, California, Nevada, Utah, New Mexico, Colorado, and Wyoming, and the users of water therein or thereunder, by way of suit, defense, or otherwise, in any litigation respecting the water of the Colorado River or its tributaries. All lands in Arizona are owned and held either by the United States or by those claiming under the United States. All rights to the use of water for irrigation in Arizona are appurtenant to land, and such rights have no existence separate and apart from the land to which they are appurtenant. Consequently, the water of the Colorado River and its tributaries can not be used for irrigation in Arizona except by those holding land under patents, grants, contracts, concessions, leases, permits, or licenses from the United States or under its authority. Moreover, in order to irrigate Arizona land, it is frequently necessary to utilize rights of way over public land of the United States. Thus, under said act, all users of water for irrigation in Arizona would be subjected to the Colorado River compact, notwithstanding said State has never ratified or approved said compact.

XXVII

Said act provides in section 16 thereof that any commission or commissioner duly authorized under the laws of any State ratifying the Colorado River compact shall have the right to act in an advisory capacity to and in cooperation with the Secretary of the Interior in the exercise of any authority under the provisions of sections 4 and 5 of said act, and shall at all times have access to records of all Federal agencies empowered to act under said sections, and shall be entitled to have copies of said records on request. Duly authorized commissions and commissioners of the States of California, Nevada, Utah, New Mexico, Colorado, and Wyoming have exercised and are exercising the rights and privileges conferred by said section 16.

XXVIII

Said Boulder Canyon project act is in excess of the powers granted to Congress by the Constitution of the United States and is unconstitutional and void, for the reasons following, to wit:

(1) Said act attempts to deprive the State of Arizona of its sovereign jurisdiction and control of the water and other natural resources of said State, particularly the water of the Colorado River and its tributaries flowing in said State and the dam sites and reservoir sites situated therein; to vest such jurisdiction and control in the United States; to abrogate and supersede the laws of said State respecting the appropriation and use of said water and other natural resources; and to prohibit such appropriation and use, except as authorized and provided for in said act.

(2) Said act attempts to subject the State of Arizona to the Colorado River compact and to enforce said compact and make it effective in Arizona, notwithstanding said State has never ratified or approved said compact. Thereby said act attempts to deprive said State, its citizens, inhabitants, and property owners of their right to appropriate the 5,000,000 acre-feet of unappropriated water which said compact attempts to apportion to said upper basin, and of their right to appropriate the 3,000,000 acre-feet of unappropriated water which said compact leaves unapportioned and attempts to withdraw from appropriation, as aforesaid. Said 5,000,000 acre-feet of apportioned water and said 3,000,000 acre-feet of unapportioned water are a part of the unappropriated water of said Colorado River system, all of which is now subject to appropriation in Arizona.

(3) Said act attempts to authorize the Secretary of the Interior to construct, operate, and maintain a dam and reservoir in the Colorado River at Black Canyon; to store in said reservoir the 8,000,000 acre-feet of unappropriated water now flowing in said river, all of which is now subject to appropriation in Arizona; to withhold all of said water from appropriation and to prohibit the appropriation thereof; to withhold all of said water from use in Arizona, or, if he permits any such use, to require payment of such charges therefor as he may prescribe; and to sell and dispose of any part or all of said water for use in other States, even to the extent of selling and delivering it for use outside of the drainage basin of the Colorado River, all of which is to be done without the consent of the State of Arizona and in violation of its laws. Thereby said act attempts to deprive the State of Arizona, its citizens, inhabitants, and property owners, of their right to appropriate said 8,000,000 acre-feet of unappropriated water, and of their right to use any of said water in Arizona, except by contract with the Secretary of the Interior and upon payment of such charges as he may prescribe.

(4) Said act attempts to discriminate against the State of Arizona in favor of the State of California by providing that the water to be stored in said reservoir shall be delivered without charge for use in the Imperial and Coachella Valleys in California, whereas all water users in Arizona are required to pay for said stored water such charges as the Secretary of the Interior may prescribe, and by providing a canal and other facilities to enable water users in California to divert and use said water, whereas no similar facilities, nor any facilities whatever, are provided for the benefit of water users in Arizona. Thereby said act attempts to aid and facilitate the use of said stored water in California, and to hinder and prevent the use thereof in Arizona. Said stored water will include the 8,000,000 acre-feet of unappropriated water now flowing in the Colorado River, all of which is now subject to appropriation in Arizona.

(5) Said act attempts to authorize the Secretary of the Interior, on behalf of the United States, to engage in the business of storing and selling water, the business of generating and selling electric power and the business of leasing water and equipment for the generation of such power; to utilize for that purpose the water and other natural resources of the State of Arizona; to prevent the use of said water and natural resources by other persons or corporations desiring to engage in such businesses; and to deprive said State of its right to levy and collect taxes on such businesses and on the property used in connection therewith.

The power to do all or any of the things so attempted by said act has not been granted to Congress by the Constitution of the United States.

XXIX

The recital in said act that the purpose thereof is the improvement of navigation and the reclamation of public land is a mere subterfuge and false pretense. That the improvement of navigation is not the purpose of said act is evident from the fact that the Colorado River is not navigable, and from the further fact that said act ratifies and approves the Colorado River compact, and provides that the United States shall observe and be subject to and controlled by said compact in the construction, management, and operation of said reservoir, canals, and other works, and the storage, diversion, delivery, and use of water for the generation of power, irrigation, and other purposes, anything in said act to the contrary notwithstanding, and from the further fact that said compact provides that, inasmuch as the Colorado River has ceased to be navigable for commerce, and the reservation of its water for navigation would seriously limit the development of its basin, the use of its water for purposes of navigation shall be subservient to the use of such water for domestic, agricultural, and power purposes. Even if said river were navigable, the diversion, sale, and delivery of water therefrom, as authorized in said act, would not improve, but would destroy its navigable capacity. That the reclamation of public land is not the purpose of said act is evident from the fact that 75 per cent of all land which will or can be reclaimed or benefited by the construction of the dam, reservoir, power plant, and other works authorized in said act, or by the storage and delivery of water as in said act provided, is privately owned land. Except for the purpose of having the Secretary of the Interior engage in the water and power business, as hereinabove alleged, the dam, reservoir, power plant, and other works provided for in said act are unnecessary and inappropriate. If reclamation of public land were the true purpose of said act, a dam and reservoir having one-fifth of the capacity and requiring one-fifth of the expenditure authorized in said act would accomplish said purpose as adequately and efficiently as the dam, reservoir, and other works therein authorized.

XXX

Notwithstanding the unconstitutionality of said act, defendant Ray Lyman Wilbur, Secretary of the Interior, has proceeded and is now proceeding thereunder, and has threatened and now threatens to enforce and carry out the provisions of said act, and, unless

enjoined therefrom, will enforce and carry out all of said provisions, and will thereby accomplish and effect all of the things attempted by said act, as set forth in paragraph XXVIII hereof. Pursuant to and under color of said act, said defendant has seized and taken possession of all that part of the Colorado River which flows in Arizona and on the boundary thereof, and all of the water flowing in said river, including the 8,000,000 acre-feet of unappropriated water now flowing therein, and all of the dam sites and reservoir sites mentioned in paragraph X hereof, and now has said river, said water and said sites in his possession; has excluded and is now excluding the State of Arizona, its citizens, inhabitants, and property owners from said river, said water, and said sites, and from all access thereto; has prevented and is now preventing said State, its citizens, inhabitants, and property owners from appropriating any of said 8,000,000 acre-feet of unappropriated water, all of which is now subject to appropriation in Arizona; has thereby prevented and is now preventing the irrigation of the land in the irrigation projects mentioned in paragraph XI hereof; and, unless enjoined therefrom, will continue so to do.

XXXI

Pursuant to and under color of said act, said defendant, Ray Lyman Wilbur, has made surveys, plans, and specifications for, and has commenced, the construction of the dam, reservoir, power plant, and other works provided for in said act. According to said plans and specifications, said dam will have a height of 727 feet, said reservoir will have a storage capacity of 29,500,000 acre-feet, and said power plant will have a generating capacity of 1,200,000 horsepower. Also, pursuant to and under color of said act, said defendant has made and prescribed general regulations respecting contracts for the storage of water in said reservoir and for the delivery thereof for irrigation and domestic use. A copy of said regulations is appended hereto at page 76. Said regulations provide that water stored in said reservoir will be sold upon such terms and conditions as the Secretary of the Interior may fix from time to time, but that no charge shall be made for water, or for the use, storage, or delivery of water for irrigation or potable purposes in the Imperial or Coachella Valleys of California; that no person shall have or be entitled to the use of any water stored in said reservoir, except by contract made in pursuance of said regulations; that contracts respecting water for domestic use shall be for permanent service; and that all purchases of water shall be subject to the terms and provisions of the Colorado River compact and of the Boulder Canyon project act.

XXXII

Pursuant to and under color of said act and of said regulations, said defendant Ray Lyman Wilbur has made a pretended contract with the Metropolitan Water District of Southern California, a municipal corporation of the State of California, for the storage of water in said reservoir and for the diversion, sale, and delivery of said water to said district for transportation to and consumptive use in said district. A copy of said pretended contract is appended hereto at page 79. Said district consists of the city of Los Angeles and the municipalities of Anaheim, Beverly Hills, Burbank, Colton, Glendale, Pasadena, San Bernardino, San Marino, Santa Ana, and Santa Monica, which are municipal corporations of the State of California. Said district is situated on the Pacific coast approximately 300 miles distant from the Colorado River and outside of its drainage basin. No public land of the United States is contained within the limits of said district. Said pretended contract is for permanent service, and provides for the delivery to said district of 1,050,000 acre-feet of said stored water annually, and for the payment by said district of 25 cents per acre-foot for water so delivered. Said 1,050,000 acre-feet of water, if sold and delivered to said district, as in said pretended contract provided, can not, nor can any part thereof, be used for the reclamation of public land of the United States. Said water is a part of the 8,000,000 acre-feet of unappropriated water now flowing in the Colorado River, all of which is now subject to appropriation in Arizona. Said 1,050,000 acre-feet of water, together with the 6,500,000 acre-feet of water heretofore appropriated and now being used in said lower basin, will exceed the full amount of 7,500,000 acre-feet of water which said compact attempts to apportion to said lower basin. The delivery of said 1,050,000 acre-feet of water to said district, as in said pretended contract provided, would exhaust said apportionment, and, by the terms of said compact and of said Boulder Canyon project act, no water would then be available for or subject to appropriation in said lower basin, although there would still remain in said Colorado River system 7,950,000 acre-feet of unappropriated water per year. Thus the effect of carrying out the provisions of the Boulder Canyon project act and of said pretended contract would be to deprive the State of Arizona, its citizens, inhabitants, and property owners of their right to appropriate any of the unappropriated water of said Colorado River system, aggregating, as aforesaid, 9,000,000 acre-feet annually, all of which is now subject to appropriation in Arizona.

XXXIII

Pursuant to and under color of said act, said defendant, Ray Lyman Wilbur, has made and prescribed general regulations for the lease of electric power to be generated at said dam. A copy of said regulations is appended hereto at page 89. Pursuant to and under color of said act and of said regulations, said defendant has made a pretended contract with said city of Los Angeles and Southern California Edison Co. (Ltd.), a corporation of the State of California, for the lease of power privileges at said dam, and a pretended contract with said Metropolitan Water District of Southern California for the sale of electric power to be generated at said dam. Said pretended contract for the lease of power privileges provides for the leasing of certain generating machinery to be installed by said defendant, part to said city and part to said company; for the generation by said lessees of all electric power allotted by said defendant; for the delivery to said lessees of falling water from said reservoir sufficient to generate all power so sold; for the sale to said lessees, respectively, of amounts of electric power specified therein; and for the payment by said lessees of the cost of said machinery, and certain further sums on account of electric power to be taken by said lessees. Said pretended contract is for a period of 50 years. The pretended contract with said district in this paragraph referred to provides for the sale to said district of specified amounts of electric power annually for a period of 50 years. Said power is to be used for the sole purpose of pumping into and in a proposed aqueduct, to be constructed by said district, the 1,050,000 acre-feet of water to be sold and delivered to said district, as provided in the pretended contract referred to in the last preceding paragraph hereof. The three pretended contracts hereinabove referred to are made upon the express condition that all rights thereunder shall be subject to and controlled by the Colorado River compact. For the reasons heretofore stated, all of said pretended contracts are void and of no effect. Nevertheless, said defendant, unless enjoined therefrom, will carry out all the provisions of said pretended contracts.

XXXIV

Said defendant, Ray Lyman Wilbur, has not complied and will not comply with the laws of the State of Arizona referred to in paragraph 12 hereof, but has disregarded and will wholly disregard said laws in carrying out the provisions of said act. Said defendant has not applied and will not apply to the State water commissioner of the State of Arizona for a permit authorizing the construction of said dam, reservoir, power plant, or other works, or the storage, use, diversion, sale, or delivery of the water to be stored in said reservoir, nor has any such permit been granted. Said defendant has not applied and will not apply to the State engineer of the State of Arizona for his approval of said dam and reservoir, nor has any such approval been granted.

XXXV

Pursuant to and under color of said act the States of California, Nevada, Utah, New Mexico, Colorado, and Wyoming, defendants herein, have caused and are causing their duly authorized commissions and commissioners to act, and said commissions and commissioners have acted and are acting in an advisory capacity to and in cooperation with said defendant, Ray Lyman Wilbur, in the exercise of the authority vested or attempted to be vested in him by sections 4 and 5 of said act. Said defendant States, by their said commissions and commissioners, have claimed and are claiming an interest in the three pretended contracts made by said defendant, Ray Lyman Wilbur, as hereinabove alleged, for that, after repayment to the United States of all money advanced, with interest, the revenues to be derived from said pretended contracts are to be kept in a separate fund and expended within the Colorado River Basin, as provided in said section 5, and said defendant States have claimed and are claiming an interest in said fund. Also, pursuant to and under color of said act, said defendant States have claimed and are claiming that the Colorado River compact became effective when approved by Congress and by said defendant States, and that the State of Arizona, its citizens, inhabitants, and property owners, are subject to and controlled by said compact, notwithstanding said State has never ratified or approved said compact. Said defendant States have also aided and abetted, are aiding and abetting, and, unless enjoined therefrom will continue to aid and abet said defendant, Ray Lyman Wilbur, in carrying out the provisions of said act.

XXXVI

If the defendants shall enforce and carry out the provisions of said act and of said pretended contracts the State of Arizona, its citizens, inhabitants, and property owners, will be thereby prevented from appropriating any of the unappropriated water of the Colorado River and its tributaries, aggregating 9,000,000 acre-feet annually, all of which is now subject to appropriation in Arizona, and from using any of said unappropriated water, except in accordance with and subject to the Colorado River compact, and from using any of the 8,000,000 acre-feet thereof now flowing in the main stream of said river, except by contract with the Secretary of the Interior and upon payment of such charges as he may prescribe; it will be impossible to appropriate water for the irrigation of the whole or any part of the 2,000,000 acres of unirrigated but irrigable land referred to in paragraphs IX, X, and XI hereof; it will be impossible to finance the irrigation projects referred to in said paragraphs, or any other irrigation project in Arizona, or to construct the dams, reservoirs, canals, and other works necessary for the irrigation of the whole or any part of said land; all of said land will remain forever unirrigated, uncultivated, uninhabited, unused, and incapable of use; it will be impossible for the power projects mentioned in said paragraph XI to carry out their plans for generating and selling electric power at plants to be constructed at the sites mentioned in said paragraphs X and IX; the great increase in population, wealth, prosperity, and taxable resources of said State which would have resulted from the irrigation of said land and from the use of said power sites will be prevented and made impossible; and said State will thereby suffer great and irreparable injury, for which it has and can have no adequate remedy at law.

Wherefore your complainant prays that the Colorado River compact and the Boulder Canyon project act, and each and every part

thereof, be decreed to be unconstitutional, void, and of no effect; that the defendants and each of them be permanently enjoined and restrained from enforcing or carrying out said compact or said act, or any of the provisions thereof, and from carrying out the three pretended contracts hereinabove referred to, or any of them, or any of their provisions, and from doing any other act or thing pursuant to or under color of said Boulder Canyon project act; and that the State of Arizona recover its costs herein expended and have such other and further relief as to this court may seem just and equitable.

K. BERRY PETERSON,
Attorney General of the State of Arizona,
Solicitor for Complainant.
DEAN G. ACHESON,
CLIFTON MATHEWS,
Of Counsel.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. TAYLOR of Colorado. Mr. Chairman, I ask unanimous consent to be allowed to speak for 10 minutes, with the understanding that I may yield to the gentleman from California [Mr. SWING] five minutes of that time, in opposition to the motion.

Mr. LAGUARDIA. The gentleman can not yield, under the rule.

The CHAIRMAN. Does the gentleman from Michigan desire any portion of the time?

Mr. CRAMTON. No; the gentleman from Colorado will represent the committee.

The CHAIRMAN. The Chair does not understand that the gentleman from Colorado can yield time in the committee.

Mr. TAYLOR of Colorado. I asked for 10 minutes in opposition to this, and I thought the understanding was that debate was to be limited to 20 minutes.

The CHAIRMAN. Debate is limited to 20 minutes. The gentleman from Colorado asks unanimous consent to proceed for 10 minutes. That will exhaust the entire time of debate.

Mr. DOUGLAS of Arizona. Mr. Chairman, reserving the right to object, do I understand that these 10 minutes which are requested by the gentleman from Colorado are the identical 10 minutes reserved by the gentleman from Michigan [Mr. CRAMTON]?

The CHAIRMAN. It will exhaust the debate on this paragraph.

Mr. DOUGLAS of Arizona. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD and to insert therein the complaint of the State of Arizona.

The CHAIRMAN. The gentleman from Colorado has the floor and asks unanimous consent to proceed for 10 minutes. Is there objection?

Mr. TAYLOR of Colorado. Mr. Chairman, I want to take the 10 minutes of time, but instead of using it all myself I ask unanimous consent that I may be permitted to yield five minutes of it to the gentleman from California [Mr. SWING].

Mr. SWING. I shall ask for five minutes in my own right.

The CHAIRMAN. Does the gentleman from Colorado desire recognition? Recognition will be for five minutes at a time unless otherwise provided.

Mr. SWING. I ask recognition, Mr. Chairman.

Mr. O'CONNELL. It is my understanding that the debate was fixed so that it would be limited to 20 minutes.

The CHAIRMAN. That is correct. The debate is limited to 20 minutes. Recognition is in the control of the Chair. Anyone, in order to continue longer than five minutes, can do so only by unanimous consent, but no member in the committee getting time for debate can yield any part of his time to anyone else.

Mr. TAYLOR of Colorado. Then, I withdraw my request for the present and let the gentleman from California make his request.

The CHAIRMAN. The gentleman from Arizona asks unanimous consent to extend his remarks in the RECORD and to include therein the complaint of the State of Arizona filed in the pending litigation. Is there objection?

Mr. SWING. Mr. Chairman, reserving the right to object, merely to point out for the information of members, in addition to the complaint there are added as appendixes some five or six rather lengthy documents, most of which have already been published in the CONGRESSIONAL RECORD and in hearings that are filed. Does the gentleman desire to have these appendixes also published in the CONGRESSIONAL RECORD?

Mr. DOUGLAS of Arizona. It is not at all necessary.

Mr. SWING. Then, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. SWING. Mr. Chairman, I ask for recognition.

The CHAIRMAN. The gentleman from California is recognized for five minutes.

Mr. SWING. Mr. Chairman and gentlemen of the committee, Arizona alone of the seven Colorado River Basin States stands here to-day protesting against the forward movement of a great humanitarian project, designed by this Government for the protection of the life and property of many of its citizens in the lower Colorado River Basin.

The point regarding the contracts was thoroughly discussed and passed upon by Congress, both in this body and in the other body, at the last session. The legality of the contracts was passed upon by the Appropriations Committee, by the Solicitor of the Department of the Interior, and by the Attorney General himself, who held that they were legal.

The financial results that will flow out of these contracts were passed upon by the Secretary of the Interior, and showed that on an ordinary basis, leaving out entirely the metropolitan water district contract for water, they would return to the Government its entire expenditure, together with interest at 4 per cent, all within a period of about 30 years, and in addition would return something like five or six hundred thousand dollars a year each to Arizona and Nevada as revenue in the place of taxes that might have accrued to the States if this had been done by private corporations.

The metropolitan water district is proceeding in southern California as rapidly as an undertaking of that magnitude can be undertaken. The surveys in the field have all been completed. Some four distinct and different routes have been outlined. The chief engineer of the metropolitan water district has expressed his preference for one of those routes. A board of nationally known engineers has convened and is now in Los Angeles as a consulting board to determine for the metropolitan water district which is the best and most economical route. Until that has been done, the voting of bonds can not take place, but I will assure this Congress that the metropolitan water district is going forward as rapidly as it can to secure the benefits that are allowed it under the law and under its contract with the Secretary of the Interior, and there will be no letting up in carrying out its obligations to the Government.

As to the lawsuit that was filed in October by Arizona, Arizona chose its own forum for the final adjudication of this controversy. It chose the appropriate forum, the Supreme Court of the United States. The Supreme Court of the United States not only has jurisdiction over the controversy to-day but it had jurisdiction to stop the expenditure of the $10,660,000 appropriated last session as well as this money if that was the right and proper thing to do.

Mr. DOUGLAS of Arizona. Will the gentleman yield?

Mr. SWING. Not just now. That forum, the Supreme Court, has not stopped the expenditure of this money. That forum has not issued what every lawyer knows it could issue, a temporary injunction directing us not to make the appropriation or make the expenditure.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. SWING. I yield.

Mr. LAGUARDIA. The gentleman means an injunction against the spending of the money, but not against the appropriation of it.

Mr. SWING. Yes; against the expending of the money. There will not be issued any such temporary injunction.

Therefore, Arizona having chosen its own distinguished forum, that forum having complete jurisdiction of this matter and having power to say that not a dollar shall be expended if it thought that was the wise, the lawful, the right thing to do, and it not having said it, it is an instruction, by what it does not say, that Congress has full power and full responsibility and full right and full privilege to proceed with this work to protect the lives and property of its citizens.

Mr. DOUGLAS of Arizona. Could the Supreme Court of the United States take that action before the case had been argued or the complaint answered?

Mr. SWING. I will say that the Solicitor General of the United States and the attorneys general of the six Colorado River Basin States have met and decided that this suit can be dismissed, and that they are going to ask for its dismissal on January 12 next, when the matter comes up before the court.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. TAYLOR of Colorado. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, ladies and gentlemen of the committee, it seems to us Members from the six other Southwestern States that the motion of the gentleman from Arizona is utterly without merit or justification. Those States have been trying for the past 10 years to fairly divide the waters of the Colorado River and build this flood-control dam and reservoir to conserve the waters of that great stream and make one of the greatest developments in the world. No human being can estimate the value of those gigantic floods when they are properly harnessed and applied to power, irrigation, domestic use, and other beneficial purposes. It is the very lifeblood of these six States. We have been compelled to have hundreds of conferences and hold hearings for years and years. We have been forced to spend hundreds of thousands of dollars. We have had all that great development prevented for all of these years by whom? By nobody except the State of Arizona. There is no way of ever estimating the millions of dollars of damage and injury that that State has caused her six sister States by her long and bitter fight over this Boulder Canyon project and the 7-State Colorado River compact. But we finally won out and passed the act of December 21, 1928, creating this project and authorizing this work.

The Attorney General of the United States has sustained that act, and Congress last spring made the first appropriation of $10,600,000 to commence the work. That work has been as rapidly as possible going forward ever since. This is the second appropriation of $15,000,000 toward carrying on that construction of the greatest dam the world has ever known, for the benefit at present of more than 6,000,000 human beings and of all the untold future millions of inhabitants of all those States. That act has not only been exhaustively considered by Congress but by hundreds of the most eminent attorneys throughout the country. I think the unanimous opinion of almost all of them is that the suit brought in the United States Supreme Court by the State of Arizona attacking the constitutionality of that law will be held to be without any foundation in law or justification in fact. I think I voice the sentiment of nearly all the members of the Appropriation Committee in saying that we are willing to rely upon the judgment of Congress and the Department of Justice and go ahead with this great project.

THE HOOVER DAM

There is another feature of this section of the bill under consideration that I feel ought not to be passed over in silence.

I refer to the three words in the second line, "The Hoover Dam."

Do you realize that those words just read by the Clerk are making history for thousands of years to come?

This is the first time that name has ever appeared in any bill or official action of Congress. This Interior Department Appropriations Committee thought that following the precedents of the naming of the Roosevelt Dam during President Roosevelt's administration, and the Wilson Dam during President Wilson's administration, and the Coolidge Dam during his administration that President Hoover was very justly entitled to the same distinction, so we unanimously and very gladly wrote into this section those words making the naming of that great dam the Hoover Dam by the action of Congress. That will be a monument to him for centuries after every other act of his administration, and of this Congress will have passed into utter oblivion.

In fact, it will be a tribute to him as long as this planet is inhabited by human beings. This committee hopes and believes his administration and entire life will be preeminently worthy of this honor, and that history will approve of this action of Congress. If I may, without impropriety, refer to my own personal sentiment in this matter, I will say that when that act was passed, I thought that dam should have been given the name of the President, and, because it was not, on May 27, 1929, I introduced H. J. Res. 81, as follows:

House Joint Resolution 81

Joint resolution naming the Hoover Dam

Resolved, etc., That in appreciation of his distinguished service as the official representative of our Government in the negotiation of the Colorado River compact, signed at Santa Fe, N. Mex., November 24, 1922; and in recognition of his preeminent ability and international reputation as one of the world's greatest engineers; and as a fitting tribute to our President, the highest and greatest dam ever built authorized to be constructed on that river by the act of Congress of December 21, 1928, shall be known and designated on the public records as the Hoover Dam.

In the summer of 1930, when the Secretary of the Interior, Ray Lyman Wilbur, dedicated the project with appropriate ceremonies at the site, he formally christened the dam the Hoover Dam. Thereafter he wrote the following letter:

THE SECRETARY OF THE INTERIOR,
Washington, September 17, 1930.

Dr. ELWOOD MEAD,
Commissioner of Reclamation, Washington, D. C.

MY DEAR DOCTOR MEAD: This is to notify you that the dam which is to be built in the Colorado River at Black Canyon is to be called the Hoover Dam.

Sincerely yours,

RAY LYMAN WILBUR.

So that the dam is now officially named by both the Secretary of the Interior and by Congress.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. TAYLOR of Colorado. I yield.

Mr. JOHNSON of Washington. Is this dam being built by American labor?

Mr. TAYLOR of Colorado. I understand it is.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

The question is on the amendment offered by the gentleman from Arizona.

The amendment was rejected.

The Clerk read down to and including line 21 on page 85.

Mr. DOUGLAS of Arizona. Mr. Chairman, a few moments ago I submitted a unanimous-consent request that the complaint filed by the State of Arizona in the Supreme Court of the United States be permitted to be printed in the RECORD as an extension of my remarks, at which time the gentleman from California [Mr. SWING] put the query, Should the appendixes likewise be included? To which I replied it was not necessary. On carefully examining the appendixes, I find that with one exception they do bear a relation to the complaint itself and I, therefore, request that the complaint, with that one exception, be printed in the RECORD.

Mr. CRAMTON. Mr. Chairman, reserving the right to object, this is a book of 111 pages, of which 40 are in the complaint and 70 are in the appendixes. I think it is a very dubious question whether we ought to encumber the RECORD by printing a book of 111 pages.

Mr. DOUGLAS of Arizona. I will withdraw the request.

The Clerk read as follows:

For topographic surveys in various portions of the United States, $780,000, of which amount not to exceed $360,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation

with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of standard topographic surveys, such share of the Geological Survey in no case exceeding 50 per cent of the cost of the survey and resulting maps: *Provided further*, That $543,000 of this amount shall be available only for such cooperation with States or municipalities.

Mr. O'CONNELL. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman from Michigan, the chairman of the subcommittee, about this paragraph beginning in line 22, page 85, and ending in line 10, page 86. It is an item of $780,000, of which amount not to exceed $360,000 may be expended for personal services in the District of Columbia, and that $543,000 of this amount shall be available only for such cooperation with States or municipalities. I confess I do not understand the item.

Mr. CRAMTON. I was unable to catch the gentleman's question.

Mr. O'CONNELL. It is an item of $780,000, of which $360,000 is to be used for personal services in the District of Columbia, and of the total amount $543,000 shall be available only for such cooperation with States or municipalities. I do not understand that item.

Mr. CRAMTON. Is it the State cooperation which the gentleman wants to know about?

Mr. O'CONNELL. Yes.

Mr. CRAMTON. The topographic survey of the United States is authorized, and its expedition was provided for in the Temple Act a few years ago. The topographic survey is carried on in part at the exclusive cost of the Federal Government. That is true as to such projects as national forests and national parks, where no other agency is benefited. There are many other cases, however—and I may say in the majority of cases—where a State in its road-building program or otherwise is interested in the results of such surveys. They may desire the survey carried on in a different way than the Federal Government would for its own purposes alone, carried to a greater extent and at greater expense. So we have for a long time provided for cooperation in such cases, not more than half from the Federal Government and at least half from a State or municipality. Our policy in the last few years has been to appropriate enough to meet whatever cooperation is offered by the State.

Mr. O'CONNELL. Outside of the usual routine of the Federal Government's program the gentleman means?

Mr. CRAMTON. Yes.

Mr. O'CONNELL. This $543,000 is for that purpose?

Mr. CRAMTON. Yes. It is a program which has been under way for a number of years.

Mr. O'CONNELL. It was not clear to me and that is why I asked the question.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For gaging streams and determining the water supply of the United States, the investigation of underground currents and artesian wells, and the preparation of reports upon the best methods of utilizing the water resources, $672,000; for operation and maintenance of the Lees Ferry, Ariz., gaging station and other base gaging stations in the Colorado River drainage, $48,000; in all, $711,000, of which amount not to exceed $160,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of general water-resource investigations, such share of the Geological Survey in no case exceeding 50 per cent of the cost of the investigation and of the printing of the resulting reports: *Provided further*, That $552,000 of this amount shall be available only for such cooperation with States or municipalities.

Mr. HILL of Washington. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee for information about this paragraph. In the committee's report, on page 6, it is stated:

In the item for stream gaging and water-supply investigations the Budget included $190,000 to enable the Geological Survey to carry on certain work heretofore provided for in the Army appropriation bill.

I would like to ask the chairman if the full amount of $190,000, as estimated by the Budget, is carried in this bill?

Mr. CRAMTON. Yes; that $190,000 is carried and, I think, $10,000 more, if I remember correctly. Has the gentleman read the letter from Mr. Sears, the Acting Director of the Geological Survey?

Mr. HILL of Washington. Yes; I have read that letter.

Mr. CRAMTON. From that letter it will appear that the Geological Survey has been carrying on certain cooperative water investigations and stream-gaging efforts on a cooperative basis, very similar to the topographic surveys, but until a year or two ago the Federal Government was not providing enough money to meet the desires of the States for such cooperation, and the States were insistent that we should treat that item as we have been treating the topographic survey item, and that we should really meet 50-50 the States on such projects as the States were interested in. We have been doing that in the current year and in the bill before you. At the same time the Army had been building up certain activities duplicating the efforts of the Reclamation Service and the Geological Survey, a practice I have criticized on the floor several times.

With reference to stream gaging, a part of their appropriation for the investigation of streams, with reference to irrigation, water power, flood control, and so forth, was turned over to the Geological Survey in order that the Geological Survey might do the work for the Army, using a part of the Army appropriation. Further than that, the Army was carrying on certain stream-gaging activities of its own, with a personnel not as expert, of course, as that of the Geological Survey. For some reason they have changed their policy, and in this Budget it is proposed that this activity, heretofore carried on by the Army, whether previously done by the Geological Survey or not, shall hereafter be done by the Geological Survey with the money carried in this bill. When that came to the attention of the committee we asked the Director of the Geological Survey to advise us as to the character of those projects. While carried in the Army bill, whether the work was done by the Army or the Geological Survey, it was a 100 per cent Federal expenditure. We asked the Director of the Geological Survey, before we took those projects over into this bill, to advise us as to the character of the items, and he set them forth in the letter referred to, from which it appears that some little projects now carried on are not proposed to be continued and as to those that are to be continued there is a certain number of them that under the past policy of this item should be cooperative. As to those items that should be cooperative, some of the States may not have the money available to put up their share, and until those States do have the money available to put up their share the work will be suspended. But so far as the States are ready to proceed with their work, or if there are any other projects that are proper, we are prepared to appropriate to meet the State contribution.

Mr. HILL of Washington. Then the $190,000, or the money that is provided in this bill to carry on the activities heretofore carried on under War Department appropriations, will go into the Geological Survey funds on a cooperative basis, I take it?

Mr. CRAMTON. In so far as it is a proper one.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five additional minutes.

The CHAIRMAN. Without objection, the gentleman from Washington is recognized for five additional minutes.

Mr. CRAMTON. There are some that were formerly carried in the Army bill that will continue to be purely Federal projects.

Mr. HILL of Washington. They are purely of a noncooperative character.

Mr. CRAMTON. Yes; where it is a national problem. I may say to the gentleman that what the committee did is this. Without regard to what the Budget had recommended, we have recommended the amount of money that

the Geological Survey thinks is necessary to take care of the needs of this item, including the transfers from the Army.

Mr. HILL of Washington. The gentleman has answered the question I had in mind, and I yield back the balance of my time, Mr. Chairman.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Total, United States Geological Survey, $3,132,740.

Mr. LEAVITT. Mr. Chairman, I move to strike out the last word.

I would like to ask the chairman of the committee, in connection with the gaging of streams, whether the language includes the continuation of gaging the waters of the St. Marys River in connection with international boundary matters between the United States and Canada and the Milk River irrigation project.

Mr. CRAMTON. I can not speak positively, but I note from the hearings that Dr. George Otis Smith included that particular project as one having a Federal interest, but whether it is exclusively Federal I am not prepared to say. I note further in the letter to which I have referred, on page 374, is a list of the stations involved, and I find that in Montana the total number of stations at present is 31; 27 of these are considered as of the cooperative type, 4 are considered of the Federal type, and none is to be abandoned.

Mr. LEAVITT. None should be abandoned.

Mr. STAFFORD. Will the gentleman yield?

Mr. LEAVITT. Yes, indeed.

Mr. STAFFORD. I notice there has been an inordinate increase in the appropriation under this item from $460,000, as carried last year, to $711,000, as provided in the current bill. Is this due to some exceptional increase of work? Twenty-five years ago the then chairman of the Committee on Appropriations, Mr. Tawney, fought this item most vigorously as not being a proper activity of the National Government. The Geological Survey was measuring the water flow of little trout streams and the like and establishing permanent stations there which were of no national value, and it was his opinion then that the entire amount should be eliminated from the bill. Now, we have an increase of over $200,000 in comparison with the amount carried last year.

Mr. CRAMTON. Mr. Chairman, the situation is that the appropriation for the current year is $510,000. The Budget estimate was $700,000, which would mean an increase of $190,000 above the current year. I am sure the Budget had in mind that the $190,000 increase was due to the transfer of the $190,000 heretofore appropriated to the Army into a straight appropriation to the Geological Survey. The actual appropriation recommended by our committee would have been $720,000, or $20,000 more than the Budget estimate, but reduced by $9,000 by reason of the elimination of salary increase. So we have recommended $711,000. I am satisfied that the appropriation made when Mr. Tawney was on the job was exclusively Federal funds.

Mr. STAFFORD. There is no question of that.

Mr. CRAMTON. And did not involve State matching. Now, of the item of $711,000 in the bill, $543,000, if I remember correctly, is to be matched by other funds. So that with work amounting to one million and a quarter dollars only $700,000 will be from the Federal Treasury.

Mr. STAFFORD. And yet 15 or 20 years ago this appropriation only aggregated about $200,000.

Mr. CRAMTON. The gentleman is correct.

Mr. STAFFORD. I was just speaking from memory, and I am glad to have the gentleman confirm my statement. It has now reached $700,000.

Mr. CRAMTON. For 1930 the appropriation was $275,000 and for 1931 it is $510,000. This big jump is the one that I have referred to when we first adopted the policy of providing enough funds to meet the State funds, and I presume there has been a marked change in the local demand for water studies due to power question and questions of water supply, and all those things.

Mr. STAFFORD. And flood control?

Mr. CRAMTON. Flood control; yes.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Glacier National Park, Mont.: For administration, protection, and maintenance, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding $1,300 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $210,000; for construction of physical improvements, $46,500, including not exceeding $19,300 for the construction of buildings, of which not exceeding $3,500 shall be available for a ranger station, $6,600 for four comfort stations, $1,500 for a shelter cabin; in all $256,500.

Mr. LEAVITT. Mr. Chairman, I move to strike out the last word. The chairman of the committee knows that for a number of years I have been very much interested in the Transmountain Highway across the Glacier National Park by the way of Logan Pass, and I think the committee would appreciate a statement as to its present status.

Mr. CRAMTON. The committee is well aware of the interest of the gentleman from Montana, and I am happy to be able to assure the gentleman that if the bill passes in its present form we expect to see the completion of that transmountain road at an early date.

Mr. LEAVITT. What would be the estimate of the time of completion?

Mr. CRAMTON. This bill carries half of the money for this year and the other half will come in the following year, and in order both to expedite it and to make it possible to secure economy, it being necessary to build it in the 2-year period, rather than one, we have enlarged the authority to contract carried in the bill, and instead of $2,500,000 it is $2,850,000. That additional $350,000 is intended for that road so that when they let the contract in the near future they will let the contract for the completion of the road.

In connection with that, the reason that it has become possible is because the private-land situation, which was a great problem, has very largely been relieved in the past year by the purchase of lands along this road, along Lake McDonald.

In addition, there is an item in the bill for the further land purchases, and, if that goes through, I hope that will speedily permit the completion of the privately owned lands along the roadway.

Mr. LEAVITT. The appropriation included would provide for the construction of the same character of road as that which leads up to Logan Pass?

Mr. CRAMTON. Yes.

Mr. LEAVITT. It is the finest transmountain road in the country.

Mr. CRAMTON. I would not want to agree with that, definitely, for there are several fine transmountain roads—it is going to be a wonderful road. The gentleman may be interested to know that the name has practically been determined, and that it is to be called the "Going-to-the-Sun Highway," which is the Indian name applied to the mountain around which this transmountain road goes.

Mr. LEAVITT. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Hawaii National Park: For administration, protection, and maintenance, including not exceeding $600 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $34,700; for construction of physical improvements, $19,900, of which not exceeding $6,600 shall be available for two employees' quarters, $8,800 for an administration building, $4,500 for a residence for the United States commissioner; in all, $54,600.

Mr. HOUSTON of Hawaii. Mr. Chairman, I move to strike out the last word. Mr. Chairman and members of the committee, may I not take this opportunity to express my appreciation of the chairman of this committee for his uniform courtesy and very sympathetic treatment of all matters that have to do with Hawaii. I confess not only my own regret but that of the Territory of Hawaii, at his early retirment, and hope it will only be temporary.

I want to take this opportunity to refer to a part of the appropriation, and am sorry that it was not found possible to increase the appropriation for rangers for the Hawaii National Park. There was an increase of two, which makes the total five rangers.

Mr. CRAMTON. There was a Budget increase and then the committee increased it by two.

Mr. HOUSTON of Hawaii. The increase of two, making five altogether.

Mr. CRAMTON. What is the number at the present time? Three?

Mr. HOUSTON of Hawaii. Yes.

Mr. CRAMTON. In addition the Budget recommendation was for one or two more, and our committee added two more. I would not speak too definitely as to the Budget action, but that is my recollection.

Mr. HOUSTON of Hawaii. That is important. With the addition provided for by the appropriation that will make it possible to at least increase the force. We have a park there whose area amounts to 245 square miles, about 160,000 acres, in which there are two active volcanoes, one at a height of about 4,000 feet elevation and the other at a height of about 14,000 feet elevation, separated by about 30 miles in distance, without any connecting road. There are fissures, there are ash deserts, and there are tropical jungles in this area.

Mr. CRAMTON. May I say to the gentleman that I have consulted the hearings and find that the Budget estimates provided for two additional rangers, and the committee increased that by two more, so that there is an increase of four rangers.

Mr. HOUSTON of Hawaii. That is very fine indeed. I misunderstood the facts. I merely want to emphasize the necessity for relief in this area. Before the last session of Congress there was a duplication of authority. Both the Territory and the Federal Government had authority over the national park, whereas at the present time exclusive jurisdiction is in the hands of the Federal Government. There is, therefore, a greater necessity for ranger service. Within this national park at Kilauea there is a pit, at the present time about 1,100 feet deep, 3,500 feet wide in one direction and about 3,000 feet wide in another. The edges of this pit are perpendicular, and cracks extend back from the edge of the pit some distance. There is frequent avalanching, so that it may well be seen how necessary it is to have adequate protection. In an ordinary year about 120,000 visitors visit the park, and recently, when the volcano was active, there were 25,000 people who visited the pit within five days. The amount of lava that flows into this pit has been estimated recently, when the volcano became active, as being about 115,000 tons per hour; and there has been developed a lake which covers about 100 acres in area and is estimated to be about 90 feet deep. The excess molten material that enters this pit falls over the edges and disappears into the bowels of the earth. It is for that reason that I invite attention to the great necessity of having adequate ranger protection.

I ask unanimous consent to extend my remarks and to include some further data with respect to the park and also an editorial published in the Honolulu paper with respect to the road connecting the two pits.

The CHAIRMAN. The gentleman from Hawaii asks unanimous consent to extend his remarks in the RECORD and to include therein a certain editorial. Is there objection?

Mr. SPROUL of Illinois. Mr. Chairman, I object to the editorial.

Mr. HOUSTON of Hawaii. Then, Mr. Chairman, I withdraw the request for the editorial and ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HOUSTON of Hawaii. Mr. Chairman, Hawaii National Park contains among other features a very spectacular volcanic element. Nothing in the world can equal it as a spectacle when in action, nor is there anything similar in the world which can so easily be visited. Tremendous fountains of molten lava can issue through the bottom of 1,100-foot deep Halemaumau pit, on the slopes of Mauna Loa, or at any point along a 10-mile rift running through the park, and this can and does occur without a moment's warning. So far, since 1790, when a Hawaiian army was wiped out by an explosive eruption, but one person has been injured here. Such a record has been due more to good fortune than to preventive measures. The tremendous forces which make possible the spectacular flow of boiling liquid rock, together with the ease by which the phenomena may be viewed, can, if nature so wills it, just as suddenly turn into a disaster. Nature can not be controlled, but with a proper personnel crowds and crowd movements can be.

At present automobiles approach to within 300 feet of the rim of Halemaumau, the fire pit of Kilauea crater. From there persons go on foot to the very edge of the pit, the dimensions of which are now 1,100 feet deep, 3,500 feet long, and 3,000 feet wide. Pit walls are not only sheer, but in most places the top rim overhangs the lower portions. Earthquakes and lava pressure have caused innumerable earth cracks to occur at intervals all along the pit edges. It is only from such locations as this that liquid lava issuing into the pit bottom can be viewed. Such a situation requires a constant ranger patrol from point to point and crowd to crowd to protect visitors from their own interest—an intense interest which fascinates from all sense of danger. Rangers must watch day and night for all ground movements, for location of avalanching walls, for too great a crowd collecting in any one spot, for persons standing on danger areas or too close to overhanging edges, for rowdyisms, which is extremely dangerous, and at the same time be ready to handle a sudden panic should explosion or violent earthquake occur. This patrol is both a day and night task, with by far the greater need being between the hours of 6 p. m. and 12 p. m.

For a period of years up to 1922 the fire pit Halemaumau always contained molten lava. Starting in 1922 and ending in 1924 by an explosive eruption, which enlarged the pit to four times its former area, the lava disappeared from view. Since then it has gradually been coming back through eruptive periods of increasing length and of closer frequency. During 1929 we have had two eruptions within five months and weeks of property-damaging earthquakes which shook the entire group of islands. The Government scientists, who are constantly on the ground, have determined that volcanic action runs in well-defined cycles of time. Based on these studies they foresee during the calendar year 1930—by what is expected to be a semipermanent return of lava—the beginning of a new cycle.

Between 1922 and 1930, not only has tourist travel increased but the progress of the automobile has put transportation within the reach of thousands in every locality. The increase in automobiles during the same period is probably much more striking here in Hawaii than it may be on the mainland where their introduction and good roads occurred sooner. At any rate, there is no comparison between travel in this park in 1922 and that which now occurs during eruptive periods. Roads leading to and in the park are a constant stream of traffic day and night. The night spectacle being even more wonderful than the day event, car numbers increase with darkness. And they must be handled or confusion, accidents, and untold trouble results. During the July eruption of 1929 we had 25,000 persons at the fire pit during four days. Our small force being entirely unable to handle them we were forced to call for aid from Hilo police. At any day we will be called upon to take care of an equal or greater situation. Not only is the size of our crowds great but they are composed of as cosmopolitan a gathering as can be found anywhere. Hawaiians, Japanese, Chinese, Filipinos, Koreans, Portuguese, whites, and what not. Most of them, lacking a natural driver's instinct, become confused and must be handled individually.

The responsibility for the safe-keeping and proper handling of park visitors is the Government's. We can not expect the Hilo police to shoulder our troubles always, and the nature of this task is such that its performance can

not be postponed or neglected for an instant. Should an avalanche at the pit edge carry several lives with it we would be blamed for lack of proper precautionary measures; should traffic become hopelessly jammed and accidents result the fault would be ours; should a seemingly safe lava flow suddenly turn into a roaring explosive eruption it would be our responsibility to direct everyone to safety as efficiently as possible and then to keep them there. The existing force of three permanent rangers can not do this and at the same time handle traffic at the park hotel, as well as maintain the regular patrols throughout the park in order to enforce rules and regulations and protect our other but less spectacular natural features.

Emergency employment is not to be depended upon to protect visitors to a volcano. Men trained in what to do, not subject to crowd excitement, but cool and efficient, are what we must have. No other park or branch of the Government has a similar situation. A volcano is not a plaything and does not wait the coming of the fiscal year. Scientific study now indicates that lava may return here to stay at any time, and should we be caught unprepared I fear the consequences. The eruptions of February and July, 1929, showed very forcibly what the possibilities are.

The Clerk read as follows:

Hot Springs National Park, Ark.: For administration, protection, maintenance, and improvement including not exceeding $1,830 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $85,300; for construction of physical improvements, $4,000, of which $3,500 shall be available for an employee's quarters; in all $89,300.

Mr. SLOAN. Mr. Chairman, I ask unanimous consent to proceed for five minutes out of order.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SLOAN. While the subject of appropriations for national parks is being considered permit me to call your attention to H. R. 3572, introduced by me on May 31, 1929.

It provides for the purchase of the following-described tract of land: The south half of the northwest quarter, northeast quarter of the northwest quarter, and the southwest quarter of the northeast quarter of section 26, township 4, north, range 5, east of the sixth principal meridian, in Gage County, Nebr., that this tract be designated as the "Homestead National Park of America." It also provides that an appropriation in the sum of $50,000 be made to carry this measure into effect.

The title fairly indicates the purpose of the bill. The great homestead law enacted on May 20, 1862, which came into effect on January 1, 1863, was the culmination of a legislative struggle lasting for a decade and which, finally enacted, opened for entry a large part of the Louisiana Purchase to our citizens and those who would make citizenship declarations, civil and military, with favoring conditions for the latter.

This 10-year struggle was led by Galusha Grow, Congressman from Pennsylvania, and others. It will be recalled that Galusha Grow afterwards became Speaker of the House of Representatives, and his picture hangs in the corridor adjoining this Hall.

In the organization of this Government its most extensive, if not most marketable, asset was its then public domain, which increased with the expansion of the country.

The genius of early as well as later statesmanship was taxed to so control and dispose of public domain as to meet the present necessities and reserve a fair amount of justice for the generations to come. There were those who believed that the public domain should be given forthwith to the States. But that could not be agreed upon any more than we can agree right now upon opening our Treasury to the demands of the States for their distribution among the people for whom the States themselves should be primarily responsible.

Then there were many who believed that the public domain should be sold cheaply, and with the price established would constitute some basis of credit for the country before sale, and some small addition to the Treasury, if sale be made.

Then there were those who believed in giving on most insignificant terms the public domain in small tracts, the conditions for their acquiring complete title, amounting to little exertion and no pay.

Behind all these plans was the question of broad national policy in so encouraging the distribution of our population that the great overshadowing question of bond or free should be influenced or settled according to the differing views of the different sections of the country, and their representatives at the National Capital.

In fact a most cursory, as well as a deep study of our national domain's history, will convince anyone that the second important proposition from 1789 to 1862 was the problem of free land under proper conditions.

In the decade of struggle preceding the homestead act of 1862 the names of Grow, Cobb, and Dawson were as familiar in the land controversies as were those of Seward, Sumner, and Lovejoy on the question of free men.

The tract I have described was the first entry under the homestead law. It lies, of course, in the fourth congressional district of Nebraska. Where else would the numerous appropriate conditions for a national park concenter? There it lies not far from the geographic center of the United States within 20 miles of the fortieth parallel of latitude, which divides the two war-born States of Nebraska and Kansas. It is in a picturesque and beautiful valley, liberally wooded by adventitious distribution of nature and the foresight of resident homesteaders, who proudly call themselves citizens of the Tree Planters' State.

It is the center of that best part of this country, within a radius of 100 miles where ready shift can be made from the world's crop, wheat, to the American crop, corn; and whose soil, enriched by rotation of legumes and cereals, render unnecessary artificial fertilization, so liable to subject us to the contention of Boulder Dam sites, or vexing bivalve shoals.

National parks are being laid out in many parts of the Nation. They are usually in the far-off frontiers, or upon inaccessible mountain regions, where the penalties of accession are greater than the possible enjoyment following arrival.

Often the violence of primeval preparation and upheaval makes an endless treasury drain in order that they may be reached, traversed, and enjoyed. This park would be readily accessible by rubber tire, steel rail, or plane of the air. Belated or detained visitors need not be concerned with the possible problem of starvation. The homestead areas have yielded more gold from their soil manyfold than all the mountain ranges from which have been carved the several tracts, which to use and enjoy would seem a violation of nature's primeval prohibition.

The Freeman entry upon this tract was romantic and chivalrous. He was like many eminent Americans born in Ohio. Long before the senior Longworth in Cincinnati was gladdened by the vision of the then future Speaker of this House, who at a very early age is said to have shouted his triumph over restraint to liberty, Dan Freeman graduated at the Eclectic Medical Institute at Cincinnati. He practiced his profession at Ottawa, Ill., when Lincoln at Springfield was preparing for the Presidency. When war came he preferred to carve resisting men to sawing the bones of etherized patients. So in 1861 the surging blood of his forbears who fought in the Revolution, battled on the right side in 1812, where gringos at Palo Alto and Chapultepec, enlisted, followed when he had to, and led when he could, entered the war when it started and stayed to the end.

He was on the United States scout duty in and about Brownsville, Nebr., and on furlough late in 1862. There he learned of the homestead law, and like many another American, looking out for "No. 1," filed just after midnight January 1, 1863, upon the tract described. He immediately returned to his service and received his final certificate on January 20, 1868, and his patent September 1, 1869.

Here he made and continued his home for more than 50 years. His widow and sons survive him and the title is in them; for sale only to the Government of the United States.

Scanning hurriedly a biography of Galusha Grow, father of the homestead act, I was interested in the prominence that he gave, first, to the homestead legislation; and second, to the interesting character, Daniel Freeman, who made the first entry. In this book of Galusha Grow's life twice appeared the picture of Daniel Freeman. Then also appears a photostatic copy of the Freeman patent. Concerning the Freeman entry Galusha Grow years after spoke as follows:

There are two interesting incidents connected with the final passage of the original free homestead bill. First, it took effect on the day of Lincoln's Emancipation Proclamation. Second, the first settler under the homestead bill, which provided free homes for free men, was named Freeman. Daniel Freeman, of Beatrice, Gage County, Nebr., was a Union soldier home on a furlough which would expire on the 2d or 3d day of January, 1863. At a little past midnight on the 1st day of January, 1863, he made his entry in the land office of his district and left his home the same day to take his place again in the ranks of the tented fields. His entry was No. 1, his proof of residence was No. 1, his patent was No. 1, recorded on page 1 of book 1 of the Land Office of the United States. The first settler under this law was a Freeman, and I trust that the last of its beneficiaries in the long-coming years of the future will be a freeman.

I do not know of any memorial or other outstanding recognition of the Government to the homestead legislation to its eminent author, or its first beneficiary. The Daughters of the American Revolution have placed a suitable bronze tablet fronting the home, identifying this remarkable tract. But it would seem that this great constructive legislation, which furnished such a wholesome outlet for the returning soldiers of the Civil War, and for all citizens and bona fide declarants who desired to better their stations, improve their citizenship, educate their families, and feed the Nation; this Congress, or one of its successors, should take the initial steps for suitable recognition of this epochal period in our history, and the marvelous expansion and success of this great national homestead enterprise.

I can conceive of no better place, no finer sentiment, no more appropriate time than now for this Congress to establish this proposed Homestead National Park of America. [Applause.]

Mr. GLOVER. Mr. Chairman, I move to strike out the last word. I feel that I should say at least for the people of the Hot Springs National Park that we deeply appreciate the splendid consideration the committee has given us in this appropriation. It is somewhat larger than it usually is and some items are taken care of that are badly needed. I received an invitation to-day to be present at the opening of the great Carpenter Dam to public use on next Thursday, a project which has cost $7,000,000, and is within 4 miles of this great Hot Springs National Park. The completion of this dam makes a lake of 10,000 acres, which will be the finest fishing and boating resort of any place in the Nation.

We invite the chairman of this subcommittee, who has given it so much consideration, to visit this great resort during his vacation time. We invite him to avail himself of the opportunity to come to this splendid resort for which he has done so much and where he has made so many friends. We certainly invite the gentleman to come down there and spend all his leisure time in this great resort that he has helped to build up. [Applause.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

Zion National Park, Utah: For administration, protection, and maintenance, including not exceeding $1,200 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $41,000; for construction of physical improvements, $13,100, including not exceeding $8,200 for the construction of buildings, of which not exceeding $5,000 shall be available for an employee's quarters, $1,800 for a comfort station; in all, $54,100.

Mr. CRAMTON. Mr. Chairman, under Yosemite, I desire to call to the attention of those interested a problem that has arisen there that is of considerable importance, namely, the method of getting up to Glacier Point.

Mr. STAFFORD. Has the Government in recent years made any highways by way of Happy Islands, up the Illilouette Canyon to Glacier Point?

Mr. CRAMTON. No; and such route would be extremely expensive, and my present thought is would constitute a very undesirable disfigurement. The only highway now from the floor of the valley to Glacier Point goes out the other way, and is about 24 miles in distance, but it is not yet improved, and to be properly constructed will be very difficult. I have in mind also that the opportunity for terminal facilities at Glacier Point is very limited. Parking space is very limited.

Mr. STAFFORD. It is not contemplated to increase the capacity of the trail leading from the floor of the valley directly up to Glacier Point?

Mr. CRAMTON. There are four ways of getting up to Glacier Point. The first, by a very arduous foot trail, 2 miles to make the 3,600-foot rise, and a second one of 4 miles. There is a horseback trail of 11 miles and an automobile route of 24 miles over a poor road. The proposition that I want to speak about has to do with a possible steel-cable construction to take them from the floor of the valley to the Point.

Mr. STAFFORD. To have a sort of elevator lift them up from the floor of the valley to Glacier Point above?

Mr. CRAMTON. Not directly; but a steel cable, which I am assured can be so placed that it would not be visible in the sky line at all.

Mr. STAFFORD. Well, it might be feasible as an engineering project, but does the gentleman think it would be practical from a business standpoint?

Mr. CRAMTON. Yes; it is considered to be feasible. Its construction would not have to be at Government expense. The principal question involved is an esthetic one as to whether that means of locomotion should be applied in a national park, and it is complicated somewhat by those who really are not very anxious to have people get to Glacier Point, anyway, keeping it inaccessible. I would like to have the gentleman reserve judgment on it.

Mr. STAFFORD. I certainly will, because my present opinion is not very favorable to a project for a cable to lift passengers 3,600 feet up in the air.

Mr. CRAMTON. That is based, I suppose, on the financial possibilities.

Mr. STAFFORD. Based on chimerical possibilities.

Mr. CRAMTON. The method is used generally in the Alps, I will say to the gentleman.

Mr. STAFFORD. With the increased use of airships, I think perhaps it would be much more feasible to spend money to take passengers up by airship rather than by a basket attached to a cable.

Mr. CRAMTON. There is an interesting proposal under discussion in California at the present time as to how Glacier Point, overlooking the Yosemite Valley, shall be made accessible.

Since 1874 it has been accessible by a road and from time to time trails have been built leading from the floor of Yosemite Valley to the spectacular lookout point above. The Glacier Point road is narrow, has many sharp curves and heavy grades. It is already totally inadequate for the traffic that it must sustain. It must be rebuilt relatively soon. The road itself, however, is not the principal complication. Glacier Point is a narrow point of land dropping sharply to the precipice where the overhanging rock affords the plunging view to the valley 3,200 feet below. There is no space on the Point for parking areas. If a road is built, it appears that parking areas must be constructed well above the point and that great expense must be incurred in building facilities for reaching the point itself, perhaps even constructing a mechanically operated tramway. It is doubtful whether the road can be kept open in winter, when quite as many people from the eastern part of the country visit the park as in summer.

The plan that is being discussed to meet all these obstacles contemplates the erection of a cableway or ropeway, as it is now called, from the valley floor near the point

where Illilouette Creek enters the Merced to Glacier Point at a terminal near the hotel. Apparently this ropeway could be seen from certain trails, but never would the wires be seen against the skyline. There would be no cutting into the cliffs or destruction of trees. There are upward of 30 such ropeways in the Alps used annually by millions of people, a pretty large percentage of which are Americans.

This proposal opens the question as to what facilities should be provided for the public to enjoy the great natural wonders that are included in the parks. Each national park is set aside because it contains some natural feature so beautiful and so inspiring that it is in the interest of the people of the entire Nation to have it forever preserved. The central feature in each park which caused the park to be established in the first place, the thing that makes the area of national park caliber, the thing that gives it national and international fame, of course, should be seen by everybody, old and young, the sick and the healthy, the weak and the strong.

Yosemite Valley is the world famous central feature of Yosemite National Park. It is universally called "The valley incomparable." It is fully accessible by roads and trails so far as the valley itself is concerned, but one has not seen the valley unless he has also viewed it from Glacier Point. This point is quite as important as the domes, spires, cliffs, and waterfalls, and all of these are to be seen in a different perspective from Glacier Point than from the floor of the valley. Glacier Point must be available to everybody and must be as accessible as the valley floor. Having reached this conclusion it would seem that providing the means of accessibility does not noticeably impair the great natural feature which caused the park to be created, such means of accessibility should be employed whether it be a road or trail or a mechanical means of transportation. Certainly, it would seem that the ropeway if not more noticeable than a road or trail could be considered, especially if it provides quick, cheap, and an all-year-round accessibility to a view that everyone should have the opportunity to enjoy.

Of course, the danger of ever admitting mechanical means of transportation into a national park is that there may be a tendency to employ this means in cases where it is not absolutely necessary to do so. In the particular case under discussion the ropeway should not be thought of if Glacier Point can be reached by a road which would have adequate terminal facilities and be accessible for all-year-round use. The thing that troubles me is that here we have a situation where an outstanding feature in the national system, one that was certainly largely responsible for the creation of the park, can not be reached by all the people at all times of the year. The altitude is high, approximately 7,500 feet. Even people of normal health at sea level could not exert themselves at this altitude. Relatively few people can now reach and enjoy this outstanding viewpoint. Some way must be found for them to do so. The question is, Should a mechanical device, merely because it is a mechanical device, be given no consideration in attempting to solve this problem?

Such a position is not, in my judgment, tenable. If it is desirable that a certain region be made accessible to the general public, the means of opening it to the public is not very material so long as such means are not themselves of such a character as to disfigure or injure the park, whether it be a road, a trail, or a steel cable. It is not desirable that every region be made equally accessible, and I hope that some regions never will become easily accessible. Large wilderness areas must be retained, and easily may be in such parks as Yosemite, Yellowstone, Glacier, Sequoia, Rocky Mountain, Great Smoky, and others. Yosemite, with its 1,138 square miles of area, has much territory that has scarcely ever been visited. But the past policy for a half century, the present development, the pressing need for relief of congestion in the valley, and the fact that the superlative beauty of that world-famed panorama can be seen so much better from Glacier Point than otherwise all forbid the idea that Glacier Point should be made inaccessible or continued of such difficult accessibility as at present.

The need for improved access to that point exists. The cable idea appears to have much to commend it. The mere fact it is a cable should not cause it to be rejected. If permission is granted and the cable constructed, it should not mean the construction of other cables elsewhere, except where the facts of the particular case fully justify. In this case, if it be true, as I understand it to be the case, that the cable and its appurtenant structures will not disfigure the landscape, I consider the need of further means of access so urgent that this cable proposal might well have favorable consideration.

I have mentioned the great congestion in the valley resulting from the rapid increase in the number of visitors to the park attendant upon the building of paved approach roads. That increase is emphasized by the following table giving the Yosemite attendance by years:

1915	33,452
1916	33,390
1917	34,510
1918	33,497
1919	58,362
1920	68,906
1921	91,513
1922	100,506
1923	130,046
1924	105,894
1925	209,166
1926	274,208
1927	490,430
1928	460,619
1929	461,257
1930	458,566

The attendance is producing problems that must be solved, if the Government is to either preserve unspoiled that preeminent scenic area in the valley for future generations, or make possible its proper enjoyment by the present generation. In my judgment, anything that will help to take the throngs away from the valley is worthy of unprejudiced and open-minded consideration.

The Clerk read as follows:

Appropriations made for the national parks and national monuments shall be available for the giving of educational lectures.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

To what extent is it purposed to have the National Park Service provide educational lectures throughout the country without any limitation on amounts?

Mr. CRAMTON. Not at all. The item in question is to make it clear that the Park Service can do what I am sure they have authority to do under the law, but the comptroller is not quite so sure about it. In the various parks they are developing more fully than formerly the educational feature, not of a technical character but to add to the enjoyment and profit of those who go there. There may be at the camp fire at night a nature talk with reference to either the flora or the animals of that region. They are the popular type and they are, in fact, popular with those who attend the park, but some question has been raised as to whether the appropriations can properly be used for that purpose. We could clearly have put language to this effect in each of the park appropriations and no point of order would have been good, but to simplify it we proposed this one paragraph, that would apply to all parks, and it relates to talks in the park.

Mr. STAFFORD. But I call the gentleman's attention to the fact that the language is broader than that. I have no objection to the paragraph if the gentleman will limit it to lectures given in the park. This phraseology would authorize the expenditure of money for lectures anywhere in the country. If we are going to pursue that policy, there should be some limitation on the amount of money for that purpose.

Mr. CRAMTON. The gentleman will notice the language:

Appropriations for the national parks and national monuments—

That means the appropriation for each of the parks and monuments—

shall be available for the giving of educational lectures.

And I will have no objection to adding the word "therein" at the end of the paragraph.

Mr. LAGUARDIA. Will the gentleman from Wisconsin yield?

Mr. STAFFORD. I yield.

Mr. LAGUARDIA. If the gentleman wishes to limit it, that is all right; but lectures of this kind would be very valuable in the cities.

Mr. STAFFORD. Oh, if we are going to pursue that policy, then this large appropriation should be limited for that purpose. We should not give permission ad libitum for promiscuous lectures throughout the country, allowing some specially designated employee to go here and there at the expense of the Government.

Mr. CRAMTON. The only thought of the members of the committee was for talks in the park areas, and if the point of order is not insisted upon I will move to amend by inserting the word "therein" at the end of the paragraph. I am sure the suggestion I have made will accomplish the purpose.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order, with that understanding.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. CRAMTON: Page 106, line 3, after the word "lectures," insert the word "therein."

The amendment was agreed to.

The Clerk read as follows:

For the acquisition of privately owned lands and/or standing timber within the boundaries of existing national parks and national monuments to be expended only when matched by equal amounts by donation from other sources for the same purpose, to be available until expended, $1,000,000: *Provided*, That in addition to the amount herein appropriated, the authority granted to the Secretary of the Interior in the Interior Department appropriation act for the fiscal year 1930, to incur obligations and enter into contracts for additional acquisition of such lands and/or timber is, to the extent of $1,000,000, hereby continued until availed of as matching funds from outside sources are donated for the same purpose, and his action in doing so shall be considered contractual obligations of the Federal Government: *Provided further*, That the sum herein appropriated shall be available to reimburse any future donor of privately owned lands and/or standing timber within the boundaries of any existing national park or national monument to the extent of one-half the actual purchase price thereof: *Provided further*, That as part consideration for the purchase of lands, the Secretary of the Interior may, in his discretion and upon such conditions as he deems proper, lease lands purchased to the grantors for periods, however, not to exceed the life of the particular grantor, and the matching of funds under the provisions hereof shall not be governed by any cash value placed upon such leases: *Provided further*, That appropriations heretofore and herein made for the purchase of privately owned lands and/or standing timber in the national parks and national monuments shall be available for the payment in full of expenses incident to the purchase of said lands and/or standing timber: *Provided further*, That not to exceed $200,000 of this appropriation shall be, and is hereby, authorized to be used in the fiscal year 1931 and thereafter for the payment in full of the purchase price of any said lands and/or standing timber as may be agreed to by the Secretary of the Interior, said amount to be matched by subsequent donations which are not allotted for the purchase of any specific lands by the donor, the total expenditure of the Federal Government in any one national park or monument for acquisition of such lands therein not to exceed 50 per cent of the total cost of such lands acquired hereafter in any such park or monument.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph because it contains numerous matters of legislation on an appropriation bill unauthorized by law.

Mr. CRAMTON. Will the gentleman reserve his point of order for the moment?

Mr. BLANTON. I will reserve it, but there are numerous provisions in this paragraph which are legislation pure and simple.

Mr. CRAMTON. I would not say quite that. There is no attempt at anything in the way of permanent legislation and no attempt to add any provision which has anything to do except with the particular appropriation carried in this paragraph.

Mr. BLANTON. But it enlarges the legislative authority that was given in the last appropriation bill and extends it.

Mr. CRAMTON. I will concede that there is some language there that is subject to a point of order, but I am sure the gentleman will not make it when I make my statement; in any event, I hope he will not. The first nine lines which make the appropriation are not subject to a point of order. There is authority for that. The provisos are all provisos that have been carried in connection with similar appropriations in the past. There is no change in the language from similar appropriations in the past, and that being the case and the provisos being provisos which protect the Government's interest, I hope the gentleman will not press his point of order. I repeat, there is nothing that has any effect beyond the life of this particular appropriation bill.

Mr. BLANTON. But when you once grant legislative authority to the departments in one annual supply bill they expect it to be repeated annually thereafter in every other supply bill that comes along, and the result of it is that the legislative committees of the House have almost ceased to function.

Mr. CRAMTON. Well, the important thing is that they have authority to spend the money for buying land. The appropriation is not subject to a point of order. The next provision is authority to enter into a contract.

Mr. BLANTON. There is language in the first paragraph and in the last one which is certainly legislation.

Mr. CRAMTON. Well, I am not contesting that, but I want to explain just what it means. The first nine lines of the paragraph are the appropriation, which is not subject to a point of order.

Mr. BLANTON. I want to ask the gentleman one question I am concerned about: Is the gentleman sure that there is no chance of any of these pretty large sums of money being expended unwisely and against the interests of the people of the Government? That is what I am concerned about.

Mr. CRAMTON. They are very carefully expended.

Mr. BLANTON. There is $1,000,000 in one item and $200,000 in another.

Mr. CRAMTON. No; it is all the same $1,000,000; it relates to $1,000,000 of appropriation and $1,000,000 of authorization. There is already an authorization of $1,000,000 to contract; but that has not been used. In my judgment that would have continued even if not carried here; but to avoid any controversy we insert this language, which makes it clear that there is that $1,000,000, but no more; in other words, we gave them authority to contract to the extent of $2,750,000; they have contracted to the extent of $1,750,000, leaving authority to contract for $1,000,000 more.

Mr. BLANTON. I will state to the gentleman another thing that is on my mind. I confess that if my confidence in the Department of the Interior is ever to be restored there ought to be some move made to remove an official who is under this department, who is kept on year after year and given increased appropriations to handle for the people. He is Dr. William A. White, out here at the St. Elizabeths Insane Asylum. If you would remove him I would begin to have confidence in this department in properly expending the money of the people.

Mr. CRAMTON. There is no service that is more careful in its public expenditures than the National Park Service.

Mr. BLANTON. I shall withdraw the reservation of the point of order.

Mr. LAGUARDIA. Mr. Chairman, I reserve a point of order. I want to ask the gentleman from Michigan—and he knows my aversion to these gifts—if he would object to an amendment in line 7 and line 15, page 106, which would insert just before the word "donation" the word "unconditional"? I do not want the Government to spend its money in the parks and have that money matched by private donations which are tied up with all sorts of conditions as to the name of the park or anything else.

Mr. CRAMTON. I will say to the gentleman that I fear the amendment he suggests might have complications which he does not intend. The donations which are now under way do not carry any such conditions. May I say, for instance, that the outstanding donation of this year—$1,700,000

by Mr. John D. Rockefeller, jr., to cover the cost of acquiring 13,000 acres of wonderful timber land in the Yosemite—is absolutely without any strings. The same thing was true when he contributed $5,000,000 toward half the cost of the Great Smoky Mountains Park. There were no strings to it whatever, so far as the name of the park, and so forth, was concerned.

Mr. LAGUARDIA. That being so, then, my amendment could not possibly hurt.

Mr. CRAMTON. Yes, it could; and in this way: A part of the language here provides that if a man owns a summer home in a park and he likes to go there each summer——

Mr. LAGUARDIA. We have been through that once before.

Mr. CRAMTON. Well, we want it so that he can give us a deed for that property and take back a life lease. There may be many conditions of that kind that could very properly attach, but the Park Service does not accept any such donations with a condition that John Jones's name is to be attached to it.

Mr. LAGUARDIA. Of course, I am not going to destroy the possible enlargement of our parks by making a point of order, now that the RECORD shows clearly that it is the intent of Congress that no conditions should be attached such as advertising the name of the donor or any business or anything like that. Of course, if this is abused, we will simply have to put an end to it.

Mr. CRAMTON. We have had quite a bit of experience now, and not only may I speak of the attitude of the Park Service but also the attitude of the donors. I know of no case where a donor has asked to have his name attached to the donation.

Mr. LAGUARDIA. And there have been no other unreasonable conditions?

Mr. CRAMTON. No.

Mr. LAGUARDIA. And that is true of the donations contemplated under this paragraph?

Mr. CRAMTON. Yes.

Mr. LAGUARDIA. I withdraw the point of order, Mr. Chairman.

Mr. CRAMTON. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. CRAMTON: Page 106, line 9, after the word "provided," insert:

"That the appropriation herein made shall be available to the extent of one-half the actual purchase price of the certain private holdings within sections 33, 34, 35, and 36, T. 4 S., R. 21 E., M. D. M., and sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, T. 5 S., R. 21 E., M. D. M., California, and traversed in part by the Yosemite-Mariposa Grove road: *Provided further*"——

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

Mr. CRAMTON. I will be glad if the gentleman will reserve his point of order.

I will explain the amendment. The gentlemen know that Yosemite National Park is a mountainous region. There are elevations there several thousand feet higher than the floor of Yosemite Valley. One of the outstanding points of interest in the park, one of the world-known features, is the Mariposa Grove of great trees. The mountainous condition of the park is such that the road you travel going from Yosemite Valley to Mariposa Grove has to go outside the park for a little distance, and in order to authorize the building of the new road there we had to have special authority given.

This area is undeveloped except by a certain small hotel property, but the land has been subdivided, and at the present time there is nothing to prevent these lots being sold for summer homes, and so forth, and a great development carried on.

I learned a few days ago, after the bill was reported, that a certain source is prepared to contribute half the cost of acquiring this area if available at a reasonable price and donate the land to the Federal Government, which would be followed, of course, by acquiring a little niche which would straighten out the boundary of the park and add this area to it.

Mr. STAFFORD. Has the gentleman any idea as to the total cost for the acquisition of this land?

Mr. CRAMTON. Very possibly it will cost us more than the lands are worth on the basis of any past revenue, but the price paid will not be greater than the donor feels he can stand for.

Mr. STAFFORD. Are they heavily wooded?

Mr. CRAMTON. They are beautifully timbered, and we need the land for the protection of this new highway. Furthermore, the timber is being cut from time to time by the owners.

Mr. STAFFORD. Mr. Chairman, after the explanation of the gentleman, I withdraw the reservation of a point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The Clerk read down to and including line 18, on page 111.

Mr. MURPHY. Mr. Chairman, I move to strike out the last word.

I offer this motion, Mr. Chairman, for the purpose of stating at this time that as the hour is growing late and it is the desire of the committee, I am sure, to conclude the consideration of this bill to-day, although I had planned to pay a tribute of respect to the great chairman of our subcommittee I shall defer doing so until some future opportune time when I shall ask unanimous consent for that privilege.

The pro forma amendment was withdrawn.

The Clerk read as follows:

COLUMBIA INSTITUTION FOR THE DEAF

For support of the institution, including salaries and incidental expenses, books and illustrative apparatus, and general repairs and improvements, $125,000.

Mr. TILSON. Mr. Chairman, I move to strike out the last word. We are approaching the completion of this bill. It had been my intention to ask the indulgence of the committee to make some remarks about the chairman of the subcommittee, whose bill we are now considering. I have had to change my mind, except for just a word, since I find that there are so many others who wish to talk on the same subject that we would probably not finish the bill this afternoon. So it seems to me that a little later we may have a special hour when there will be a little more time in which we may say something of the great value of Mr. CRAMTON's services in this House and to the country. [Applause.]

When we have such an opportunity I wish to speak of it from the standpoint of the floor leader of the House. I wish to refer to what his services have meant in the transaction of the business of the House. In that respect he holds a unique position among the Members of this House.

Just this afternoon we had an illustration, one of the best we possibly could have had, of the way in which he impresses himself upon the membership of the House. Two very watchful Members of the House, the gentleman from New York [Mr. LAGUARDIA] and the gentleman from Texas [Mr. BLANTON], each in his turn pounced upon one paragraph of this bill which contained matter subject to a point of order. When the gentleman from Michigan [Mr. CRAMTON] had made his explanation, so clear and so convincing, both gentlemen withdrew their points of order, so great was their confidence in the judgment and integrity of the gentleman from Michigan [Mr. CRAMTON]. At some later day I hope to have more time to speak on this subject. [Applause.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

Toward the construction and equipment of a general library building, $400,000, to be immediately available, and the Secretary of the Interior is authorized to enter into contract or contracts for construction and equipment of such a building to cost not to exceed $800,000.

Mr. WOODRUM. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 119, lines 8 to 12, inclusive, strike out the paragraph.

Mr. CRAMTON. Mr. Chairman, before the gentleman from Virginia proceeds in support of his amendment I would like to limit debate on this paragraph and all amendments thereto. If it is agreeable to the gentleman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes, and the gentleman from Virginia to be given 5 minutes.

Mr. WOODRUM. I only desire five minutes, but I do not think that debate ought to be limited to a statement on one side and one on the other in a matter of this kind.

Mr. CRAMTON. Are there further demands for time?

Mr. WOODRUM. I do not know whether there are or not.

Mr. CRAMTON. Then, Mr. Chairman, I will ask that all debate on this paragraph and all amendments thereto close in 20 minutes, 10 minutes on a side.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that debate upon this paragraph and all amendments thereto be limited to 20 minutes. Is there objection?

There was no objection.

Mr. WOODRUM. Mr. Chairman, ladies and gentlemen of the committee, the effect of this amendment is to strike out of this bill a provision put in there by the subcommittee over the protest of the Bureau of the Budget and the Secretary of the Interior, providing for the beginning of construction of a library building for Howard University.

Now, ladies and gentlemen of the committee, we thought we had adopted a policy on these appropriation bills under the leadership of our chairman of confining appropriations to absolutely necessary projects. In line with that policy, we denied the Government employees an increase in their salaries, which had been approved by the Budget and the President.

We come to this bill, in which there is a provision for Howard University. The Bureau of the Budget recommended $1,160,000 for this university for this year. The university went to the Bureau of the Budget and the Secretary of the Interior and asked for a library building. I have no way of knowing what was said to them, but I do know that it was not approved, and I do know that you will find in the hearings before the subcommittee, on page 22, a statement by the Secretary of the Interior responding to questions by the chairman of the subcommittee in which he announced that he does not think that the appropriation for this university should be materially increased at this time, but that the university should gradually be put on a basis where it would not be dependent for Federal appropriations.

In spite of that—in spite of the announced policy of the committee and of Congress to conserve the resources of the Government—in the face of a tremendous deficit, in order to enable us to appropriate liberally for the relief of human suffering, we are called upon now by this subcommittee to include here the building of a library for this university which will cost $800,000.

Mr. SPROUL of Illinois. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. Yes.

Mr. SPROUL of Illinois. The $400,000 appropriated will employ a lot of men here who are out of employment.

Mr. WOODRUM. If there is one place on the face of the earth that does not need unemployment relief it is the city of Washington. The city of Washington does not know the conditions that exist all over this country, in your district and in mine. There is no unemployment in Washington except among those who have drifted in here from outside territory. All of the Federal construction has continued; all of the Federal employees have continued to draw their pay checks; and not only that, but you will observe from these hearings that this appropriation commits the Congress to a system of appropriations that will run up in 1935 to a demand of over $3,000,000 from the Federal Government.

Entirely separate and apart from the fundamental question of whether the Federal Government ought to contribute anything to an institution of this kind, we are faced with the fact that we can not justify the action of our committee—the committee of which I am a member—in denying the money to the Government employees and at the same time of appropriating this money for the building of this library. No matter how desirable it may be, it certainly is not a necessity at this time. This Government has been liberal with this educational institution, and in this bill the Bureau of the Budget recommends to Congress $1,160,000 for their activities, and included in that is a sum of about $250,000 for the completion of a classroom, $225,000 for the building of an underground heating system, and none of those items are interfered with by my amendment. I simply want to say to Howard University, as we have said to the Government clerks and other Government activities, that in these perilous times in our Government they must economize and be reasonable in their demands, and that only unnecessary and unreasonable demands will be denied.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. MURPHY. Mr. Chairman and members of the committee, I am amazed at the statement of my friend from Virginia [Mr. WOODRUM], who claims to be a lover of an underpriviliged people, when he comes before this committee this afternoon and protests the furnishing to these people of educational facilities. I ask the gentleman, what he expects the future to bring to the 10,000,000 colored men and women and boys and girls in America, if he is going to deny them an opportunity for education? Will the gentleman answer that?

Mr. WOODRUM. I say to the gentleman that if he was in the room when I made my speech he would not ask such a question. I have not advocated any such proposition as the gentlman insinuates.

Mr. MURPHY. Then I say to the gentleman that he speaks so loud that I can not hear what he says.

Mr. WOODRUM. The gentleman has asked me a question, will he permit me to answer it?

Mr. MURPHY. That is all right; the gentleman need not answer it.

Mr. Chairman, I do not rise here in a controversial spirit, but I do believe that this great Government of ours should spend some money to furnish educational facilities for the 10,000,000 colored men and women of this country. We are spending in this bill $23,000,000 to look after the Indians and the Eskimos and a lot of other folks that are underprivileged in this country, and we are asking now something here to build up an educational institution that will give to the colored race an opportunity to do for themselves something worth while, will make it possible for them to enjoy under our Government the opportunities that we with the white skins enjoy.

They are not here of their own motion. Some one brought those colored people here. They are our responsibility, and all we are doing and all we are asking is a chance to educate them. I am sure that the gentleman from Virginia [Mr. WOODRUM] and the other gentlemen who profess to care so much about the colored folks will join me and other members of this committee to-day in voting to the colored people, 10,000,000 of them, an opportunity for education. The other day our committee visited this institution. We found the students there standing around against the walls, with no chairs to sit on, or all of them taken, and there were only a few of them. They are cramped in their quarters, they have not room enough. They have their books in their hands as they stand against the wall studying. They can not go into the Congressional Library and get books, they can not go to the Carnegie Library or any of the public libraries to secure textbooks for their education. There are more than 2,000 of them in this wonderful school. There is quite a number from my district in schools here, and we need educated colored men and women to take care of the health and to teach

those coming up from the South to work in our mills who do not understand the liberties in Ohio and in other States of the North. They are over in that school from my district, and I want them to be in that school, because if they are educated the right way they will go back into my district and into yours, and they will be no trouble to you. Your taxes will not be expended in arresting them and causing them all sorts of distress. No; you will be proud of them, because they are taught real Americanism in this school. I wish that every Member of this House could have been with us the other day when we visited this great school for the colored people. I wish they could have heard them sing—and, oh, how little they have to sing about, how little they have to look forward to. The lines are drawn against them everywhere, and here in the House of Representatives I find some of my good friends, for whom I have high personal regard, seeking to limit their opportunities for education. I hope the amendment of the gentleman will be defeated.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BYRNS. I know that those who come from the section from which I come, always, when we undertake to speak to an amendment of this sort, have to combat what is in the minds of some to the effect that we are influenced by a question of race prejudice. God knows there is nothing of that kind in my heart. There could not be. I was born and raised on a farm and the dearest recollection of my youth is that of an old colored man who lived on that farm until he was called to a noble reward.

I used to go down to his little cabin and sit upon the step while he sat in his door, on twilight evenings in the summer time, after supper, and listen to him as he picked the banjo and sang southern plantation melodies and crooned songs peculiar to his race. I would sit there and listen to his music and his stories until my mother would call me to come home. I believe I thought more of old Dan than anybody, except my parents. So I am not influenced in what I say with reference to this amendment by any question of prejudice against the colored race. We are confronted with a deficit of probably $400,000,000. The President has sent a message here in which he has urged Congress to economize. He has failed to recommend this appropriation. The Secretary of the Interior has failed also to ask for it. The Director of the Budget has refused to submit it. Why should Congress in face of the situation which confronts us at this time, undertake to put $400,000 into this bill? It is not a question of education. In my State there is no distinction made between the two races when it comes to educating them. The Negro race in Tennessee has the same opportunities of free schools as the white people. They have State normal schools in which to train their teachers.

We have Fisk University in the city of Nashville, the greatest colored university in this country. It receives no Government aid. It has a splendid campus and offers the finest advantages for a higher education to the colored youth. Why should the Government contribute to Howard and not to Fisk University? In fact, the Government makes no donation to schools of any race except to this one—and to certain schools of the Indians who are wards of the Nation. There ought not to be any such discrimination. The Federal Government should not be asked to maintain any university.

As I say, this is not a question of education. It is a question of building a library building which is going to cost $800,000 before it is completed. In 1927 we appropriated $568,000 for Howard University, and to-day, under the Budget estimate, we were asked to appropriate $1,160,000, and the committee has increased that to $1,560,000 at this time when, as the gentleman from Virginia [Mr. WOODRUM] says, you are denying other increases on the ground that we are confronted with a deficit. Why should we undertake to make a distinction in this case? We will never be able to explain to the people why we have increased this appropriation without even a recommendation from the President or the Secretary of the Interior, when our taxation burdens are greater than they have ever been in peace times.

My good friend Mr. SPROUL said it was a question of taking care of unemployment. He was answered by the gentleman from Virginia [Mr. WOODRUM], but let me tell him also that this appropriation does not go into effect until July 1, and we all know it will be a year after that probably before plans and specifications are ready and work begun upon this building. So do not put it upon that ground.

Under the circumstances we ought not to make this appropriation at this time. It can not be justified on the ground that it is to relieve unemployment. Do you suppose the President would have refused it if he thought it was necessary? I hope the amendment will be adopted.

Mr. CRAMTON. Mr. Chairman, I recognize the peculiar interest of the gentleman from Illinois [Mr. DE PRIEST]. There is only five minutes left, and I want to use some time, but if it can be done, I will be glad to yield two minutes to the gentleman from Illinois [Mr. DE PRIEST]. I ask unanimous consent that the gentleman from Illinois be recognized for two minutes, and then that I have three minutes.

The CHAIRMAN. The Chair will recognize the gentleman from Illinois. If the gentleman closes in two minutes, there will be three minutes remaining.

Mr. DE PRIEST. Mr. Chairman and members of the committee, I am surprised to hear some of the gentlemen of this House use the unemployment situation as a smoke screen to defeat the purpose of this bill to appropriate $400,000 to construct a library at Howard University. I appreciate the great love they have for these people of mine in the Southland, where most of them were born, but I can not appreciate failure to give them an opportunity to become better citizens and become better educated.

Howard University acts as a clearing house to furnish teachers to the negro children of the Southland. They are not allowed the privilege of going to the normal schools in the Southland, where they instruct men and women to become better instructors in the schools, so most of them come to Howard University in Washington to receive that education so necessary to go back to the Southland and educate the black youth.

I know of no States which would be benefited by this appropriation quite so much as the States south of the Mason-Dixon line. I hope that every Member from the South, who loves my racial group so very, very much, will vote for this appropriation. I appreciate the close contact they have had with them. I have heard some of them say time after time that they had suckled at the breasts of black mammies, and I suppose that is true. They nourished and grew fat over it. Let the negro boys and girls that come to Howard University have the best opportunities possible for the Government to give them, to become more efficient and to become better citizens, and help make the negro youth of this country better citizens by giving them better instruction and better education.

I hope that this will receive the unanimous vote of the Members on the opposition side of the House. I am satisfied if they will think a second time they will vote, as I expect to vote, for this appropriation.

Mr. CRAMTON. Mr. Chairman, the item before us has never specifically come to the attention of the President of the United States. It has had the consideration of the Secretary of the Interior. I am obliged to correct my friend from Tennessee [Mr. BYRNS]. It has not been turned down by the Secretary of the Interior. I hold in my hand a letter in which the Secretary of the Interior urges this appropriation. It is immediately available——

Mr. BYRNS. Why did he not recommend it to the Bureau of the Budget if he is for it?

Mr. CRAMTON. Well, he did recommend it to the Bureau of the Budget.

Mr. BYRNS. And the President did turn it down.

Mr. CRAMTON. I decline to yield further. It is recommended by the Secretary. It is part of a great program to make Howard University the educational leader of all the institutions of the country for the negroes. As the gentleman

from Illinois [Mr. DE PRIEST] has said, it means much to the South, where there is an educational awakening for the negroes. Five thousand schools have been built in the South by the Julius Rosenwald Fund, and all of those schools must have the best teachers available.

We propose this because it is meritorious, because Congress has directed the development of Howard University through Federal contributions, and, with that direction, our committee has studied a very definite program of expansion, of which this is one item. This is a very meritorious item, because, with 2,000 students, there is only seating space for 140 in the library. There are not shelves for the books. They have thousands of volumes given to them by philanthropic people and organizations housed in basements and unused. It is a meritorious item. If it were not something for the colored race, there would not be the same attack made upon this item. [Applause.] I say that in good feeling, but there have been items in this bill for the Indians, for the construction of a hospital in the district of the gentleman from Colorado [Mr. TAYLOR], for construction for the Sequoyah School in Oklahoma; new construction items, if you please, just like this, that were not recommended by the Budget, but because our committee thought they were wise and needed improvements we approved them.

The CHAIRMAN. All time has expired.

Mr. SABATH. Mr. Chairman, I ask unanimous consent to extend my remarks on this question, being deprived of an opportunity to speak upon it.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

Mr. SABATH. Mr. Chairman, ladies, and gentlemen, I fully realize the grievous charges, of reckless waste and expenditures of moneys that this House has in good faith appropriated, that have been made against the present administration; and were it not for the fact that I believe that justice should be done to deserving people I would hesitate before casting my vote for the pending bill.

I feel that the appropriation of $1,560,000 for Howard University, although large, is entitled to my vote and to my support, especially in view of the fact that $800,000 of this sum will go to the erection of a sadly needed library building. In addition thereto I feel that it would be manifestly unfair and unjust for us to refuse, especially at this time, when every effort should be made to create employment for the millions unfortunately unemployed, to vote for this appropriation; for, I am informed, and the report shows, that to-day, while there are 2,100 students in this university, and though it possesses 15,000 volumes of splendid books, the library can accommodate only 50 students at one time, thereby depriving hundreds upon hundreds of students of access to the library for purposes of study. Such conditions should not be permitted to exist and demand immediate attention.

I am familiar with the splendid work of this institution for nearly a quarter of a century, and am therefore in a position to recognize its achievements. I therefore can not help but admire the wonderful progress that it has made and the service which it has rendered to the colored youth of America. And so I feel that any appropriation for educational purposes, no matter how large—especially for a race or group of people that are discriminated against in other institutions—should be aided and supported, since they are certainly entitled to at least some of the opportunities afforded to others to a much larger degree.

Our duty, I feel, is plain. We should provide high educational facilities for the colored people. Because this institution is purely for the colored does not signify that we should, as many of the States unfortunately do, refuse to do our full share in providing all of the proper facilities so urgently needed for their higher education.

Not only will the colored race be benefited by this institution but the entire Nation will derive its share of benefit from the meager investment proposed in this bill.

I am gratified to know that, notwithstanding certain prejudices, the great majority of Members on my side of the House are in favor, and have been in favor, of this appropriation, about whose passage, I am confident, there is no question.

The CHAIRMAN. The question is upon the amendment offered by the gentleman from Virginia.

The question was taken; and upon a division (demanded by Mr. WOODRUM) there were—ayes 25, noes 128.

So the amendment was rejected.

The Clerk read as follows:

Total, Howard University, $1,560,000.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have been one of those from the South who during my entire 13 years in Congress has voted to uphold and foster and protect Howard University. I have done it under criticism. I have not a negro vote in my primary; not one. I have done it because I have firmly believed that the money which we have spent on Howard University in furnishing colored teachers to the United States, in furnishing colored doctors, colored nurses, and colored dentists, is some of the best-spent money that we have ever used for my Government. [Applause.]

In my last campaign I had some criticizers nosing around over my district calling attention to the fact that from time to time I had stood upon this floor and voted for items for Howard University and asking the people of my district to turn me down. I want to say to my colleagues on the Democratic side that that question was thrashed out in my district, and I want to say that with an American Legion committeeman running against me in the last primary the people gave me 23,000 majority. So the people of my district in that way have approved the money that this Congress has spent upon this colored institution.

In the State of Texas, where I live, the legislature of my State has wisely provided for the colored youth. I want to say to the Member from Illinois that in addition to having a normal school at Prairie View, Tex., for the colored youths of the State there is also a college at Austin, known as Tillotsen Institute, for the colored youth of my State. They are being educated there, and, so far as my State is concerned, the colored youth is taken care of. But there are States in this Union which have to depend upon Howard University for furnishing colored nurses, doctors, dentists, and teachers.

I wanted to say this word in explanation of why I could not support my good friend from Virginia [Mr. WOODRUM] and my good friend from Tennessee [Mr. BYRNS], two of the finest men of the floor of this House, men whom I follow on practically every other question in this House. I want to say that it was no affront that I could not follow them on this question, and I offer this in explanation for supporting the Howard University item. [Applause.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

FREEDMEN'S HOSPITAL

For officers and employees and compensation for all other professional and other services that may be required and expressly approved by the Secretary of the Interior, $197,000; for subsistence, fuel, and light, clothing, to include white duck suits and white canvas shoes for the use of internes, and rubber surgical gloves, bedding, forage, medicine, medical and surgical supplies, surgical instruments, electric lights, repairs, replacement of X-ray apparatus, furniture, including not exceeding $300 for the purchase of books, periodicals, and newspapers; and not to exceed $1,200 for the special instruction of pupil nurses, and other absolutely necessary expenses, $93,000; for a hospital addition for clinical activities, including necessary equipment, advertising for proposals, preparation of plans, and supervision of work of construction of said building, $97,000; in all, for Freedmen's Hospital, $387,000, of which there is hereby appropriated $193,500, an equal amount to be transferred to the credit of this appropriation from the applicable appropriation for the District of Columbia.

Mr. CRAMTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: On page 120, line 5, after the word "which," strike out the remainder of the paragraph and insert the following: "amount one-half shall be chargeable to the District of Columbia and paid in like manner as other appropriations of the District of Columbia are paid."

Mr. CRAMTON. Mr. Chairman, I will only say this: The amendment does not change the effect of the paragraph, which is to make half of the appropriations for Freedmen's Hospital chargeable to the District. The language I am now suggesting is the same language that was carried last year. The Budget suggested the language which is carried in the bill as reported, but I have been advised by the clerks, and I have experienced the same thing myself, that the new language is a little confusing, and hence I ask that we return to the old language.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The Clerk read as follows:

SEC. 3. No appropriation in this act for the fiscal year 1932 shall be used during such fiscal year to increase the compensation of any position within the grade to which such position has been allocated under the classification act of 1923, as amended, nor to increase the compensation of any position in the field service the pay of which is adjustable to correspond, so far as may be practicable, to the rates established by such act as amended for the departmental service in the District of Columbia.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: On page 120, strike out all of section 3.

Mr. CRAMTON. Mr. Chairman, before the gentleman from New York proceeds to speak on his amendment, I would like to see if we can fix a limitation on debate. It is very late in the afternoon, and for the convenience of the Members I would like to secure as short a limitation as will be satisfactory to the Committee of the Whole. I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes, the gentleman from New York to have first recognition.

Mr. BEEDY. Mr. Chairman, I hope the gentleman will be more generous than that. I have not taken a moment of the committee's time on this bill, but I would like five minutes on this paragraph.

Mr. CRAMTON. The committee will understand it is quite immaterial to me, but we desire to finish this bill to-day.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. FREAR. Mr. Chairman, reserving the right to object, there are others who wish to talk on this for a few moments.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that debate close in 30 minutes, of which 15 minutes will be for and 15 minutes against the amendment.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that all debate on this paragraph and all amendments thereto close in 30 minutes. Is there objection?

There was no objection.

Mr. LAGUARDIA. Mr. Chairman, I want to call the attention of the committee to section 3, which I have moved to strike out. It has become known as the Wood amendment, to prevent increases in salaries. This is a wrong description of the section, because the section does more than to prevent the increasing of salaries. In many instances it will work an actual decrease in salary. I am sure no Member of this House desires to do that.

I want to call the attention of the committee to the fact that Congress is committed to the employees of the Government to a certain salary scheme, which carries with it automatic increases within the grades. Permit me to read part of section 7 of the classification act of 1923. It is a short sentence and provides:

Increases in compensation shall be allowed upon the attainment and maintenance of the appropriate efficiency ratings to the next higher rate within the salary range of the grade.

Mr. BANKHEAD. From what is the gentleman quoting?

Mr. LAGUARDIA. From the classification act of 1923. In other words, a man's salary may be fixed at $1,600 or $1,800. That is salary plus what? Plus the obligation that if he attains a certain efficiency rating he goes up to the next rate within that grade.

Why, only this morning, gentlemen, I was over at the Office of the Census, and they had some 800 girls working on the machines there. Each girl receives a certain fixed salary, but they must turn out so much work or so many cards a month. If in any month they fail to turn out the standard required they fall down to the next grade. If they turn out more work they are promoted to the next rate within the grade. If the Wood amendment or the Wood section remains in the bill, what happens? These girls will be penalized if they do not work up to the standard required, but they would not get the benefit of the contract. Certainly that is a decrease of salary. So much for that.

The gentleman from Indiana the other day made the most astounding statement on the floor of the House that this was justified because the cost of living had decreased 30 per cent, and I invite just one moment of consideration on the part of every member of this committee of the question of whether the cost of living has gone down 30 per cent. Has your rent gone down 30 per cent, has the price of clothes gone down 30 per cent, has food gone down 30 per cent? Not at all. Such a statement requires no answer.

Attention was called a few days ago to the number of employees getting $4,000 and $5,000. Right here in this bill in the Department of the Interior there are 1,181 employees in the District of Columbia getting $1,620 and less—it goes way down from $1,620. In the field, under the bill now under consideration, in the Department of the Interior there are 5,868 employees getting $1,620 and less.

I want to say to my Republican friends that the attempt to write in this limitation does not meet with the approval of your own administration. Since this House sustained the Wood amendment in the Treasury appropriation bill, the Assistant Secretary of the Treasury, speaking for the Treasury Department, appeared before the Senate committee and asked to have that section stricken out, and the committee did so. I think the House will see fit to do so in this bill by supporting my amendment. So I want to say to my good friend from Indiana, if he wants to become an insurgent, come on and I will show the gentleman how to become an insurgent, but this is not the kind of insurgency that we stand for. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

The CHAIRMAN. The Chair begs to observe that it is not necessary for every speaker to occupy the full five minutes. The last speaker used the full five minutes, but if any speaker leaves any portion of his five minutes unused, the Chair will be careful to see that some other gentleman gets the time.

Mr. BEEDY. Mr. Chairman, is the Chair recognizing alternately those for and against the amendment?

The CHAIRMAN. The Chair is recognizing those who were on the floor seeking recognition in the order that they came to his notice, and the Chair will do the best he can about the division of the time.

Mr. BEEDY. Mr. Chairman and gentlemen of the committee, I want to congratulate the gentleman from New York in joining me and taking the same position that I take upon a question of public policy. There are other issues which concern the public well-being, upon which I trust he will also join me and I invite his future assistance and cooperation.

I have taken little of the time of the committee on this bill, but I did want just about four minutes on this section.

When I first read section 3 I confess I was somewhat at a loss to understand just what it meant, and after reading it more than once I was also in some doubt. In discussing

it with Members of the House I found there was more or less confusion as to its exact meaning. If this section were to voice a policy which laid down the rule that we would not sanction any further law the purpose of which was to raise the salaries of employees I should certainly join with the chairman of this committee in support of it. But that is not all that this section accomplishes, as it is phrased.

I caused to be prepared a chart or a brief statement of the method in which the section would operate for the Treasury and Post Office Departments. It has been in the lobby for the past few days.

I took grade 6—and any other grade would suffice—where the minimum salary provided is $2,300 and the maximum $2,900. A man who is employed at $2,800 resigns or dies and a vacancy occurs.

A new man has to be put in, and he takes a position at $2,300 to fill the gap. But he goes in not at the top with a $2,800 salary but at the bottom of the list within the grade. Now, you will perceive there is just $500 less in total salaries paid within the grade from money already appropriated.

If section 3 is adopted, this $500 must be turned back into the Treasury and can not be divided up for the increase of salaries for other men within the grade.

There are many departments in the Government that have no money for increase of salaries except that which they save through deaths and resignations. Since this section 3 would cause the $500 saved, as I have illustrated, to be taken by the Government and put back into the Treasury, I am opposed to it.

Mr. WOOD. No.

Mr. BEEDY. What becomes of the $500? That is the only money available to increase salaries within the grade. If you forbid the increase of salaries within the grade, as section 3 provides, the distribution of this money would raise the salaries within the grade in contravention of the terms of the section. Thus the adoption of section 3 would authorize the Government to take back money which has been appropriated to pay Government employees for the services they render. I am opposed to it.

While I am opposed to any wholesale increases in salaries at this time, I certainly do not favor any reduction of salaries.

I think we pay our Federal employees little enough. It would break the morale of the men in various departments who have worked for some years under the classification act if you thus deprive them of its benefits. You virtually destroy the operation of the act. [Applause.]

The CHAIRMAN. The time of the gentleman from Maine has expired.

Mr. FREAR. Mr. Chairman, I have not taken any time of the committee on this bill, and I will not consume more than the time allotted to me. It would seem that as reasonable people, having under consideration a matter as important as this is, we ought to act with justice to the employees of the country who, as I understand it, already have been allotted but not paid by Congress this increase in salaries. All that remains is to carry out our contract, our pledge given these employees when the act was passed by Congress. That we should do by appropriating the money to keep our promises.

There is no place in the United States where the cost of living is as high as in the city of Washington, with one or two exceptions. You all know that, because it has been placed in the RECORD repeatedly. A dollar to-day may not go half as far as when some of these employees first entered Government service, but they are unable now to change their occupation or help themselves. They have believed a promise by Congress is made to keep and are waiting for the pay adjustment we promised them. Not one of these employees has spoken to me or, so far as I know, written me on the subject. They expect that is unnecessary.

There are over one hundred and forty-odd thousand employees, according to the statement read by my friend the gentleman from New York [Mr. LAGUARDIA]. These employees receive from a few hundred to $1,600 maximum annual pay. They are the people who need every dollar promised, particularly where they have families to support. These underpaid employees, as a rule, form the great majority of those working for the Government in Washington and throughout the country. We are trying to give aid to the unemployed, and should do so to the underpaid.

What is the most important thing for us to do in justice to these people? Shall we close our eyes when appropriating hundreds of millions of dollars for many questionable or wasteful or unnecessary projects and neglect these employees? Many years ago I was a Government clerk for a short time here in Washington, and I know what it is for clerks to support their families. A few are well paid, but many are not. We propose soon to appropriate $30,000,000 to $40,000,000 for reconditioning some old war vessels in time of peace. They are now, or soon will be, only fit for naval targets. So we are throwing good money away to prolong their use for a short time. That we are asked to do, but we are warned against keeping our word with these employees by the provisions which the LaGuardia amendment will strike out.

Is it better for us to put $80,000,000 or more—and that is what we are expected to do—for the new naval building bill, in addition to the $375,000,000 annually given naval affairs, all in time of peace, rather than distribute 1 per cent of that naval money among Government employees whose promised pay we adjusted long ago but did not pay? We are all sensible, or we ought to be, on matters of this kind, and we should act sensibly and justly. I appreciate the responsible work of the Appropriations Committee. It has done good work on this bill, but I am sure, in the purchase of parks, road building, and like items, running into many millions of dollars, few items are more worthy than this pay promised to the employees of the Interior and all other departments. I can not believe that a matter of this kind ought to go through with the Wood amendment, specifically repudiating our promise. I do not believe the Senate will permit it to occur, and I hope to see the House sustain the Senate in its action as reported in the last appropriation bill which retained this same provision, when many of us were absent from the House. It ought to go out of that bill and also out of this bill.

One more thought, and I am through. I sat in this House when the proposal was made that our salaries should be increased from $7,500 per year to $10,000 per year. I did not vote for it, because I said I could not conscientiously, as a Member of Congress, vote to raise my own salary. I believe the House voted at the short term, after many Members elected to serve the following term were confronted with the raising of their own pay. I thought it was the right thing to have the pay raised, and I was glad it was done, because the increased amount was shown to have a less purchasing power than the former salary when first given. I accepted the money. We increased our salaries from $7,500 to $10,000, and yet we are asked to refuse to do for these people what we did for ourselves, and after we have agreed by law that they should have these adjusted salaries. The reasoning in our pay raise applies equally to them—the changed value of the dollar. We will give, possibly, $40,000,000 for reconditioning old war vessels, and $80,000,000 this session for building these other war vessels in time of peace, and a billion-dollar proposal you will have before you soon for building new naval vessels. A tremendous lobby will urge this building program, while we quibble over this promised pay raise for clerks who, so far as I know, have not dared to communicate with us. I would like to stand by the committee, as the gentleman from New York [Mr. SNELL] said yesterday, but with a proposition of this kind you can not do so in justice to the employees of the United States who by law, we have said, are underpaid. [Applause.]

Mr. PATTERSON. Mr. Chairman, I am for the LaGuardia amendment. I am for it because I think it is just and fair. The farmer's condition is bad, and I am doing what I can for him. In fact, that is why I am for this, for it is for his sons and daughters, and, too, before we

ever solve this problem we now have, we must do more for the common man. I am fighting the battle for the farmer and all workingmen. The common man must be cared for. It is merely giving to these people what they ordinarily are entitled to; and I tell you there are many men here in Congress who a year ago voted to give back $160,000,000 of tax money to the wealthy people of the country, and yet we want to deprive these poor people here, who are struggling for the necessities of life, of this opportunity that the law gives them. Living expenses in the District of Columbia have not decreased, and I challenge any man to show by figures where living expenses have decreased in the District of Columbia or in this country to any material extent. This is not only a question of violating the fundamental rights of an employee, but it is wrong fundamentally to try to cure the industrial depression in a way like this. It can not be cured by depriving the common man of a living wage. The striking out of the Wood amendment is no disadvantage to farmers or workingmen in the country, but an advantage.

There is also this effect, as many see it, that it will have the same effect as to reduce the income of any man who is promoted. Members of this House hear me. We have a great depression on in this country, and such superficial dealing with a problem as this can never solve it. We must face the situation and strike out boldly and try to go deeper than the surface to solve this problem. I regret that the administration persists in dealing with the conditions which face the country in a manner which makes one feel that they regard them entirely as temporary.

It seems to be the policy of some—many millions in subsidy for ships, airplanes, and big utilities, as well as large tax refunds and gifts for the wealthy but not anything for the worker, and I stand against such a system and for more income to the common man.

I call on those who love justice and fairness to join in the move to settle this question once and for all, and settle it right.

Mr. CRAMTON. Mr. Chairman, of the remaining time I ask unanimous consent that the gentleman from Indiana [Mr. WOOD] may proceed for 10 minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the gentleman from Indiana may proceed for 10 minutes. Is there objection?

There was no objection.

Mr. WOOD. Mr. Chairman and gentlemen of the committee, I have been called almost everything. I have been called a standpatter until I got used to it, but this is the first time I was ever called an insurgent. [Laughter.] This has been denominated the Wood amendment. Somebody said to me the other day that they did not see why all of this castigation should be directed against me. There are 199 other Members of this House who voted on this proposition the other day, and certainly they are entitled to bear some of it. The entire Appropriations Committee with one exception——

Mr. GRIFFIN. Two.

Mr. WOOD. With two exceptions should share this responsibility with me. I have no apology whatever to make for what I have done with reference to it. It is up to this Congress to do exactly as it pleases. Charged with the responsibility as chairman of the Committee on Appropriations, it occurred to me that it was my duty to present the views of the entire committee, with those two exceptions, to this House for its consideration. The gentleman from New York [Mr. LAGUARDIA] quoted only a portion of the law with reference to what increase in compensation should be allowed. He failed to read this part:

> That in no case shall the compensation of any employees be increased unless Congress has appropriated the money from which the increase may lawfully be made.

That is the law. These grades may not be increased, they may not be stepped up——

Mr. GRIFFIN rose.

Mr. WOOD. I do not yield now to anyone. These grades may not be increased, they may not be stepped up, unless the Congress of the United States appropriates the money. We are the final judges as to whether these step-ups shall be made, and they are not to be made under the law unless we appropriate the money. Much has been said here and through the press to the effect that I am violating the edict of the President of the United States or the Budget. In the Post Office and Treasury appropriation bill there were estimates to the extent of $20,000,000 that were denied which had been recommended by the President of the United States and by the Budget. Is anybody criticizing us for that? If we were in violation of what the President wanted in this matter and that was recommended by the Budget, we were also wrong in denying this other $23,000,000. Are we mere puppets, are we to be guided and controlled constantly and entirely by recommendations from the Budget and recommendations from the President? If so, then adjourn Congress, because there is no need for it. If the Budget is to be the arbiter, to decide what appropriations are to be, if the President is to be the dictator of what appropriations are to be, then there is no use for a Congress of the United States. [Applause.]

I say to this committee that I take pleasure in speaking for the 120,000,000 who have no representation through organizations here. I know how you have been belabored. I know the influences that have been brought to bear on every Member of this Congress to get you to support this amendment submitted by the gentleman from New York [Mr. LAGUARDIA]. All sorts of misrepresentations have been made with reference to it. The so-called Wood amendment does not reduce the salary of a single person, yet they say all of the time that it is going to reduce somebody's salary.

In case of vacancy, mentioned by the gentleman from Maine [Mr. BEEDY], there will be a promotion to that grade. So there is nothing in that.

As I say, I believe that the 120,000,000 people outside of the city of Washington who have no organization at their back should have some one speak for them.

I have been commended by an ex-captain of the United States Army, living in Connecticut, who wrote a letter telling me, "You won't get much support in the city of Washington, but the people of the United States, if they knew what was going on there, would be with you almost to a man."

Mr. LAGUARDIA. Will the gentleman yield?

Mr. WOOD. I do not yield.

Mr. BEEDY. The gentleman does not want misstatements of fact before the committee, does he?

Mr. WOOD. No; and I did not make any. I do not yield.

I wish to call the attention of the committee to this letter which I have received:

WASHINGTON, D. C., *December 9, 1930.*

HON. WILLIAM R. WOOD,
Chairman Appropriations Committee,
House of Representatives.

MY DEAR MR. WOOD: I notice in the papers many derogatory remarks made about you by Luther Steward and Gertrude McNally, president and secretary of the Federal Employees Union. You no doubt well know these people do not represent the true sentiment of Government employees, and that the majority of the members of their organization are in it simply through coercion. To illustrate:

The Federal Employees' Union has men and women collecting dues in all the departments twice a month—during office hours, using the Government's time and getting a percentage on the money they collect.

Now, speaking for myself—and I am informed there are many similar cases—I am constantly reminded by one of the above-mentioned collectors that if I expect to get anywhere—in the way of pay increase—I had better join the union. Now, I have got just enough of that little something in me to cause me to rebel against any such tactics.

I know you would save much annoyance to many Government employees if you could have the condition above referred to stopped, and, in addition, the Government would benefit by causing these collectors to remain at their desks.

I want to say to you that this union in one day is demoralizing governmental service more than the passage of the so-called Wood amendment would demoralize it in a year. [Applause.]

In every department except one they are taking the time which the Government is paying for, going about soliciting memberships for this union, collecting the pay, and getting

a commission on it. I am glad there was one department which had nerve enough to stop it, and I serve notice on every other department now that they had better stop it. The Bureau of Printing and Engraving did stop it, and a howl went up here from the agitators of this union, that they were being oppressed.

Ladies and gentlemen, I wish again to call your attention to the fact that it was not my purpose to deny these people the right to have inequalities corrected. My insistence is that they should wait a little while, under existing circumstances. There are about 65,000 Federal employees in the city of Washington.

Every newspaper is advocating that this amendment of mine be defeated. Why? In order that they may have more money to spend in the city of Washington; in order that there may be more advertising and more money coming into the coffers of those newspapers. If it applied to somebody outside of the city of Washington you would not hear one word of criticism against the person who has made this amendment.

Ladies and gentlemen, I felt, in view of the fact that there are 4,000,000 men and women this day without enough food to sustain their bodies, it was a bad time, indeed, for us to be increasing the salaries of those who are wonderfully well paid. They will not lose their jobs. They will get their salaries, paid every two weeks by the best paymaster ever known. He has never defaulted once. They have employment throughout their lives or during their active lives and then go into retirement with a pension. Is there anybody in these trying times better conditioned than the Federal employee?

So I say I take pride in speaking for these 4,000,000 people who are without work, without money, without clothes, seeking, if you please, work everywhere in order to provide a living for their families.

I am glad to add that as I go up and down the streets of this town and in the various departments there are many clerks who come to me voluntarily and say, "While we would be benefited if this amendment were not adopted, we do not think it is the time that our salaries should be increased, and we think you are exactly right in taking the position you are taking."

I want to call attention to what a beautiful spectacle we will place ourselves in if we adopt the LaGuardia amendment.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. CRAMTON. Mr. Chairman and gentlemen of the committee, I wonder if we all appreciate just what a responsibility rests these days upon the gentleman from Indiana [Mr. WOOD].

Here we are in a day when the Government's revenues are decreased in a very marked degree, when there is also a widespread demand for increased expenditures for the special purpose of relieving unemployment. With increased expenditures and decreased revenues the post of chairman of the Committee on Appropriations in this House is not an easy job. When from time to time the gentleman from Indiana refuses to agree to an appropriation which you desire for something in your district, please keep in mind it is not always because he does not recognize there is merit in your proposition. Often he will recognize merit but realizes that the total must be kept within our revenues. So oftentimes that committee under his leadership votes against items that have merit but not the compelling merit for this time of economic stress. If he always granted what you wanted, you would soon cease to have confidence in him; you would feel inclined to have a different chairman for the Committee on Appropriations. Please keep in mind this terrific burden that is on his shoulders in these days and give a little more thought of appreciation for the splendid performance he is giving in that post. [Applause.] You have confidence in his integrity; you must have confidence in his courage, because he has often manifested it. I follow his work and I come in closer contact with it than most of you do, and I admire these things.

Now, he is right. The Congress has a responsibility. There must be close cooperation between the Budget, the executive branch, and the Congress if we are to have economy; but when all is said and done the Constitution provides that no money shall be drawn from the Treasury but in consequence of appropriations made by law. The responsibility is here and we are seeking to perform that responsibility properly.

Now, what is the situation with reference to this particular provision? You had the question up the other day in connection with the Treasury bill, and you supported Mr. WOOD in his position. That bill went to the Senate; the Senate is about to take the provision out, we understand, and the bill will then go to conference and there it will have to be worked out. The only way it gets into this bill is because our committee, following the direction given us the other day, have put in this bill the same provision you adopted the other day. Now, is not the orderly way of procedure to let Mr. WOOD in conference work the proposition out with the Senate? It is a matter that will be in conference in a few days. Whatever is agreed upon in connection with the Treasury bill and approved by this House will finally have to be provided in all the bills. Why do we have to have this knock-down-and-drag-out fight every time an appropriation bill comes up? It seems to me the only orderly way is to let this item go along to the Senate in accordance with your action the other day, let the matter be thrashed out by the gentleman from Indiana in conference on his bill, and in the meantime let the gentleman from Indiana know that in his strenuous efforts and patriotic efforts you are backing him every day. [Applause.]

The CHAIRMAN. The time of the gentleman from Michigan has expired. All time has expired, and the question is on the motion of the gentleman from New York to strike out section 3.

The question was taken; and on a division (demanded by Mr. LAGUARDIA) there were—ayes 83, noes 77.

Mr. CRAMTON. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. CRAMTON and Mr. LAGUARDIA.

The committee again divided; and the tellers reported that there were—ayes 89, noes 88.

So the motion was agreed to.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that the clerks be authorized to correct typographical errors, punctuation, totals, section numbers, and so on.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the clerks be authorized to correct typographical errors and totals. Is there objection?

There was no objection.

Mr. DE PRIEST. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to revise and extend the remarks he made this afternoon. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CHINDBLOM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. CRAMTON. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. CRAMTON. Mr. Speaker, I demand a separate vote on the amendment striking out section 3.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put the remaining amendments en gross.

The amendments were agreed to.

The SPEAKER. The question is on the amendment striking out section 3, on which the gentleman from Michigan has demanded a separate vote.

The question was taken; and on a division (demanded by Mr. LAGUARDIA) there were—ayes 82, noes 87.

Mr. LAGUARDIA. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. GRIFFIN. Mr. Speaker, may we have the Clerk report the amendment?

The SPEAKER. Without objection, the Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. LAGUARDIA: Page 120, strike out all of section 3.

The question was taken; and there were—yeas 171, nays 114, not voting 147, as follows:

[Roll No. 3]

YEAS—171

Adkins	Driver	Johnson, Wash.	Ramseyer
Almon	Edwards	Jones, Tex.	Ramspeck
Andresen	Ellis	Kading	Reed, N. Y.
Andrew	Englebright	Kendall, Ky.	Reilly
Arentz	Estep	Kunz	Rogers
Auf der Heide	Esterly	Kvale	Rutherford
Ayres	Evans, Calif.	LaGuardia	Sanders, Tex.
Bacon	Evans, Mont.	Lambertson	Schafer, Wis.
Beedy	Fish	Lankford, Ga.	Schneider
Black	Fitzgerald	Lankford, Va.	Seger
Bland	Foss	Larsen	Selberling
Bolton	Frear	Lea	Selvig
Bowman	Fulmer	Leavitt	Shaffer, Va
Box	Gibson	Letts	Short, Mo.
Briggs	Gifford	Lindsay	Sinclair
Browne	Goldsborough	Luce	Smith, Idaho
Buchanan	Granfield	Ludlow	Snell
Burdick	Gregory	McClintock, Ohio	Snow
Butler	Griffin	McCormack, Mass.	Sparks
Cable	Guyer	Maas	Speaks
Campbell, Iowa	Hadley	Mapes	Stalker
Carter, Calif.	Hale	Martin	Stobbs
Carter, Wyo.	Hancock, N. Y.	Mead	Summers, Wash.
Chalmers	Hartley	Michener	Swanson
Christgau	Hickey	Miller	Swing
Clancy	Hill, Ala.	Moore, Ohio	Temple
Clark, N. C.	Hill, Wash.	Morgan	Thurston
Cochran, Mo.	Hoch	Mouser	Tinkham
Cochran, Pa.	Hogg, Ind.	Nelson, Me.	Treadway
Collier	Hooper	Nelson, Wis.	Turpin
Colton	Hope	Nolan	Underwood
Condon	Hopkins	Norton	Vincent, Mich.
Cooper, Ohio	Howard	O'Connor, La.	Welch, Calif.
Cooper, Wis.	Huddleston	O'Connor, Okla.	White
Crail	Hull, Morton D.	Palmer	Whitley
Crisp	Hull, Tenn.	Parker	Wigglesworth
Crosser	Hull, Wis.	Parks	Wilson
Culkin	Irwin	Patterson	Wingo
Dallinger	James, N. C.	Perkins	Wolverton, N. J.
Davenport	Jeffers	Pittenger	Wolverton, W. Va.
Dominick	Johnson, Okla.	Pratt, Harcourt J.	Woodruff
Douglas, Ariz.	Johnson, S. Dak.	Rainey, Henry T.	Wurzbach
Dowell	Johnson, Tex.	Ramey, Frank M	

NAYS—114

Ackerman	Crowther	Houston, Del.	Robinson
Allen	Darrow	Johnson, Nebr.	Sandlin
Allgood	Davis	Jonas, N. C.	Shott, W. Va.
Arnold	Denison	Ketcham	Shreve
Aswell	De Priest	Kinzer	Simmons
Bachmann	DeRouen	Langley	Sloan
Baird	Dickinson	Loofbourow	Smith, W. Va.
Bankhead	Drane	Lozier	Sproul, Ill.
Beers	Drewry	McClintic, Okla.	Sproul, Kans.
Blackburn	Dunbar	McDuffie	Stafford
Blanton	Dyer	McFadden	Strong, Kans.
Bohn	Eslick	McKeown	Swick
Browning	Finley	McLaughlin	Taber
Buckbee	Fort	McReynolds	Tarver
Burtness	Freeman	Magrady	Taylor, Colo.
Byrns	French	Menges	Tilson
Campbell, Pa.	Garber, Okla.	Merritt	Tucker
Canfield	Garner	Montet	Vestal
Cannon	Glover	Moore, Ky.	Wainwright
Chindblom	Green	Morehead	Warren
Christopherson	Hall, Ill.	Murphy	Wason
Clague	Hall, Ind.	Nelson, Mo.	Whittington
Cole	Hall, Miss.	Oldfield	Williamson
Collins	Hall, N. Dak.	Oliver, Ala.	Wood
Cooper, Tenn.	Halsey	Parsons	Wright
Cox	Hardy	Patman	Wyant
Coyle	Hastings	Pritchard	Yon
Cramton	Haugen	Rankin	
Cross	Hogg, W. Va.	Rayburn	

NOT VOTING—147

Abernethy	Eaton, N. J.	Kendall, Pa.	Ransley
Aldrich	Elliott	Kennedy	Reece
Bacharach	Erk	Kerr	Reid, Ill.
Barbour	Fenn	Kiefner	Rich
Beck	Fisher	Knutson	Romjue
Bell	Fitzpatrick	Kopp	Rowbottom
Bloom	Free	Korell	Sabath
Boylan	Fuller	Kurtz	Sanders, N. Y.
Brand, Ga.	Gambrill	Lanham	Sears
Brand, Ohio	Garber, Va.	Leech	Simms
Brigham	Garrett	Lehlbach	Sirovich
Britten	Gasque	Linthicum	Somers, N. Y.
Brumm	Gavagan	McCormick, Ill.	Spearing
Brunner	Golder	McLeod	Steagall
Busby	Goodwin	McMillan	Stevenson
Carley	Goss	McSwain	Stone
Cartwright	Graham	Manlove	Strong, Pa.
Celler	Greenwood	Mansfield	Sullivan, N. Y.
Chase	Hancock, N. C.	Michaelson	Sullivan, Pa.
Chiperfield	Hare	Milligan	Sumners, Tex.
Clark, Md.	Hawley	Montague	Taylor, Tenn.
Clarke, N. Y.	Hess	Mooney	Thatcher
Connery	Hoffman	Moore, Va.	Thompson
Connolly	Holaday	Newhall	Timberlake
Cooke	Hudson	Niedringhaus	Underhill
Corning	Hudspeth	O'Connell	Vinson, Ga.
Craddock	Hull, William E.	O'Connor, N. Y.	Walker
Cullen	Igoe	Oliver, N. Y.	Watres
Dempsey	James, Mich.	Owen	Watson
Dickstein	Jenkins	Palmisano	Welsh, Pa.
Dorsey	Johnson, Ill.	Peavey	Whitehead
Doughton	Johnson, Ind.	Pou	Williams
Douglass, Mass.	Johnston, Mo	Prall	Wolfenden
Doutrich	Kahn	Pratt, Ruth	Woodrum
Doxey	Kearns	Purnell	Yates
Doyle	Kelly	Quin	Zihlman
Eaton, Colo.	Kemp	Ragon	

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Kendall of Pennsylvania (for) with Mr. Thatcher (against).
Mr. Barbour (for) with Mr. Leech (against).
Mr. Lehlbach (for) with Mr. Rich (against).
Mr. Linthicum (for) with Mr. Graham (against).
Mr. Cullen (for) with Mr. Watson (against).
Mr. Niedringhaus (for) with Mr. Kurtz (against).
Mr. Eaton of New Jersey (for) with Mr. Purnell (against).

Until further notice:

Mr. Bacharach with Mr. Pou.
Mr. Holaday with Mr. Garrett.
Mr. Jenkins with Mr. Lanham.
Mr. Britten with Mr. Abernethy.
Mr. Connolly with Mr. Stevenson.
Mr. Eaton of Colorado with Mr. Mansfield.
Mr. Doutrich with Mr. Cartwright.
Mr. McLeod with Mr. Montague.
Mr. Free with Mr. Boylan.
Mr. Manlove with Mr. Dorsey.
Mr. Golder with Mr. Carley.
Mr. Hawley with Mr. Kerr.
Mr. Timberlake with Mr. Brunner.
Mr. Welsh of Pennsylvania with Mrs. Owen.
Mr. Yates with Mr. Doughton.
Mr. Ransley with Mr. Oliver of New York.
Mr. Reid of Illinois with Mr. Connery.
Mrs. Ruth Pratt with Mr. Celler.
Mr. Beck with Mr. Doxey.
Mr. Hoffman with Mr. Prall.
Mr. Aldridge with Mr. Whitehead.
Mr. James of Michigan with Mr. Mooney.
Mr. William E. Hull with Mr. Williams.
Mr. Brumm with Mr. Milligan.
Mr. Johnson of Illinois with Mr. Steagall.
Mr. Chase with Mr. Moore of Virginia.
Mrs. Kahn with Mr. Sumners of Texas.
Mr. Chiperfield with Mr. Kemp.
Mr. Kelly with Mr. Vinson of Georgia.
Mr. Clarke of New York with Mr. Fuller.
Mr. Kopp with Mr. Quin.
Mr. Peavey with Mr. Gavagan.
Mr. Strong of Pennsylvania with Mr. Somers of New York.
Mr. Sanders of New York with Mr. Greenwood.
Mr. Korell with Mr. Palmisano.
Mr. Taylor of Tennessee with Mr. Busby.
Mr. Underhill with Mr. Hare.
Mr. Wolfenden with Mr. Brand of Georgia.
Mr. Sullivan of Pennsylvania with Mr. Sullivan of New York.
Mr. Goodwin with Mr. Woodrum.
Mr. Erk with Mr. Douglass of Massachusetts.
Mr. Goss with Mr. Kennedy.
Mr. Johnston of Missouri with Mr. Dickstein.
Mr. Knutson with Mr. McSwain.
Mr. Kiefner with Mr. Sabath.
Mr. Zihlman with Mr. Bell.
Mr. Johnson of Indiana with Mr. McMillan.
Mr. Dempsey with Mr. Fitzpatrick.
Mr. Kearns with Mr. Bloom.
Mr. Brigham with Mr. Gasque.
Mr. Elliott with Mr. Sirovich.
Mr. Fenn with Mr. Ragon.
Mr. Newhall with Mr. Hancock of North Carolina.
Mr. Cooke with Mr. Romjue.

The result of the vote was announced as above recorded.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CRAMTON, a motion to reconsider the vote by which the bill was passed, was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CHIPERFIELD, from Monday until Friday next, on account of important business.

ADJUSTED-SERVICE CERTIFICATES

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks by including in the RECORD a letter written to the Secretary of the Treasury and two paragraphs of a bill which I introduced to-day.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following copy of bill introduced by me to pay 25 per cent of the face value of adjusted-service certificates and correspondence between Secretary Mellon and myself.

H. R. 15062

A bill to amend the World War adjusted compensation act, as amended

Be it enacted, etc., That section 501 of the World War adjusted compensation act, as amended (sec. 641, title 38, U. S. C.), be hereby amended by adding thereto the following paragraph:

"The Administrator of Veterans' Affairs is hereby authorized and directed to pay 25 per cent of the face value of any certificate issued under this section to the veteran designated therein upon application filed by such veteran in accordance with regulations to be issued by the Administrator of Veterans' Affairs. Any amount paid under this paragraph shall be chargeable as a non-interest bearing lien against the certificate upon maturity. Payment under this paragraph shall not affect any loan heretofore made in accordance with the provisions of section 502 (sec. 642, title 38, U. S. C.), but hereafter in making any loan or renewal loan on a certificate the amount paid under this paragraph shall be deducted from the face value of the certificate.

"SEC. 2. Section 505 of the World War adjusted compensation act, as amended (sec. 646, title 38, U. S. C.), is hereby amended by adding thereto the following paragraph:

"'The Secretary of the Treasury is hereby authorized and directed to immediately issue and sell, under such regulations as he shall prescribe, United States bonds, to be known as World War adjusted-service bonds, to such an amount as may be necessary to cover payments to be made under section 501 of this act as amended, unless funds are otherwise available.'"

DECEMBER 10, 1930.

Hon. ANDREW W. MELLON,
Secretary of the Treasury, Washington, D. C.

DEAR MR. SECRETARY: I am taking the liberty of writing to ask if the Treasury Department would oppose the immediate cash payment of 25 per cent of the face value of the veterans' adjusted-service certificates?

I have read with much interest the reasons you presented for not paying the entire face value of the insurance certificates at the present time. Would not your objections be complied with by the payment, in cash or negotiable Government bonds with 3 per cent interest, of one-fourth of the face value of the certificates without deductions for loans already made, which would continue to constitute a debt against the remaining amount of the service certificates?

Is it not a fact that there will be, on January 1, 1931, a reserve fund of approximately $750,000,000 to retire these certificates, which would be ample to pay one-fourth the face value of the service certificates immediately, as suggested in my proposal, or if it is more advantageous to the Treasury to borrow the money, may it not be done by the Government at under 2 per cent?

As one of the sponsors for the veterans' insurance certificate form of legislation, I am convinced that it would be a simple act of justice to several million veterans who are in needy circumstances to make a 25 per cent payment on their insurance certificates at the earliest possible moment by act of Congress. Such legislation would not be an act of charity, as the veterans have already had possession of these insurance certificates for 5 years, or for one-fourth of the 20-year maturity period.

Payment in cash of one-fourth of the face value of the certificates, if all veterans desired to take advantage of the opportunity, would probably not exceed $800,000,000. It is natural to assume that there would be a considerable number who would prefer to permit their policies to continue unimpaired.

My proposal is based on the belief that in this period of business depression and unemployment that there is a large amount of hardship and suffering among unemployed veterans and those working part time or whose earnings have been reduced, and that an average cash payment of $250, which would approximate 25 per cent of the face value of the average certificate, would be helpful in this period of industrial idleness, and afford a welcomed degree of relief to World War veterans and their wives and children.

In addition the placing in immediate circulation of between $500,000,000 and $700,000,000 through veterans scattered throughout every State of the Union would tend to stimulate business and restore the country back on the highway to prosperity.

The veterans have faith in America, and many of them feel that the existing business depression is not caused by anything beyond the control of our citizens and our Government but is caused by a widespread retrenchment attitude and the resulting lack of the circulating dollar, and that the exchange of the adjusted-service certificates into cash would tend to break the present unwarranted retrenchment and bring back normal spending conditions.

The objection raised by you, that the widow or children would not be protected by insurance in case of death of the veteran, if the entire amount of the policy was paid out in cash immediately, would not hold good if my suggestion of 25 per cent payment was adopted, as there would still remain 75 per cent of the face value of the policy.

There is a strong growing demand among all veteran organizations for the partial payment of the face value of the insurance certificates, and I join in this reasonable request, as I believe it would be helpful to the veterans and their families, to the best interests of American business, and of the people and Government of the United States.

I have already requested Gen. Frank T. Hines, Administrator of Veterans' Affairs, to submit to me the necessary data to prepare a bill along the lines outlined and would like to have the advantage of your views.

Trusting you will give this proposal your careful and favorable consideration and with high personal regards, I am,

Sincerely yours,

HAMILTON FISH, Jr.

EMPLOYMENT CONDITIONS

Mr. LaGUARDIA. Mr. Speaker, I ask unanimous consent to insert in the RECORD a telegram which has been called to my attention by my colleague from Illinois [Mr. SPROUL] from the mayor of Chicago, written in his usual, typical, and characteristic style.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LaGUARDIA. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the following letter written by Mayor Thompson, of Chicago:

DECEMBER 10, 1930.

Col. THAD. H. BROWN,
General Counsel Federal Radio Commission,
Washington, D. C.:

I am informed that two of Chicago's enemies appeared before your commission to-day and falsely stated that my plan to double Chicago's business, wipe out soup houses and bread lines, is in violation of the law and is a lottery. I want you to know that other members of the vicious circle of the United States, who desire to continue soup houses and bread lines and create in America the dole system such as they have in England, where they appropriate $500,000,000 a year for charity, which appropriation must be added to at the rate of $2,000,000 a week to prevent a revolution, carried similar falsehoods to Mr. Horace J. Donnelly, solicitor for the Postmaster General, and presented to him newspaper clippings which stated my plan was a lottery. Based on the misrepresentations and falsehoods that were presented to him, Mr. Donnelly warned the Chicago postmaster, who in turn warned local newspapers that these papers could not be carried in the United States mails if they carried publicity on my plan. I want you to know that the corporation counsel of Chicago and six of his assistants have approved my plan as lawful and legal and in violation of no law.

I am again sending to Washington Assistant Corporation Counsel Samuel L. Golan and Carl J. Appell to present to you the facts before making any decision. I am doing my best to repair the damage already done by the vicious circle, and it seems to me that with 50,000 storekeepers in Chicago ready to adopt my plan for the revival of business that official Washington in the near future by their actions must indicate their position as favoring soup houses and charity or assisting those who are attempting to remedy the business conditions which have brought about the necessity for charity and soup houses.

As an aftermath of the war, Chicago, like all other industrial cities in our country, had 200,000 men walking the streets unemployed. The same vicious circle that opposes me to-day opposed me then when I organized and conducted the Pageant of Progress Exposition, which exposition brought to the exhibitors $30,000,000 in orders, which started the factories and which created the demand for labor and which prevented the necessity for charity and soup houses which many other cities had to resort to but which Chicago at that time, because of this exposition, escaped.

I have kept at work 150,000 men on public improvements during the summer, which improvements are completed. The people of Chicago approved $20,000,000 more in bond issues for further

public improvements on November 4 last. I am starting the work on these improvements at the earliest possible moment. Several of them must wait until spring. Our governor has $25,000,000 in the State treasury in one fund for the building of good roads. He has $25,000,000 in sight and could be letting contracts for road work to the extent of $50,000,000. This he is not doing, but, on the other hand, is soliciting charity funds for soup houses, and has gone so far as to request me to ask the city of Chicago's employees to donate one day's pay each month for his soup houses. This I have refused to do, as I am not in favor of soup, but I am in favor of jobs which can readily be created if the vicious circle does not dominate official Washington.

I trust that you will give my representatives an opportunity to present you the truth in the matter that comes before your commission before making your decision.

WM. HALE THOMPSON, *Mayor*.

EXTENSION OF REMARKS

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the prohibition question.

Mr. SPROUL of Illinois. Mr. Speaker, I object.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed the following resolution:

Senate Resolution 368

Resolved, That the Senate has heard with deep regret and profound sorrow the announcement of the death of the Hon. LEE SLATER OVERMAN, late a Senator from the State of North Carolina.

Resolved, That a committee of 21 Senators be appointed by the President of the Senate to take order for superintending the funeral of Mr. OVERMAN, which shall take place in the Senate Chamber at 8 o'clock p. m. on Friday, December 12, 1930, and that the Senate attend the same.

Resolved, That as a further mark of respect his remains be removed from Washington to Salisbury, N. C., for burial, in charge of the Sergeant at Arms, attended by the committee, who shall have full power to carry these resolutions into effect; and that the necessary expenses in connection therewith be paid out of the contingent fund of the Senate.

Resolved, That the Secretary communicate these resolutions to the House of Representatives, transmit a copy thereof to the family of the deceased, and invite the House of Representatives to attend the funeral in the Senate Chamber and to appoint a committee to act with the committee of the Senate.

Resolved, That invitations be extended to the President of the United States and the members of the Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, the diplomatic corps (through the Secretary of State), the Chief of Staff of the Army, the Chief of Naval Operations, and the Major General Commandant of the Marine Corps to attend the funeral in the Senate Chamber.

Resolved, That as a further mark of respect to the memory of the deceased the Senate stand adjourned until 12 o'clock meridian, Monday, December 15, 1930.

The message also announced that, pursuant to the foregoing resolution, the Vice President had appointed Mr. SIMMONS, Mr. WATSON, Mr. ROBINSON of Arkansas, Mr. SMOOT, Mr. FLETCHER, Mr. BORAH, Mr. SMITH, Mr. JONES, Mr. SWANSON, Mr. NORRIS, Mr. RANSDELL, Mr. SHEPPARD, Mr. HALE, Mr. JOHNSON, Mr. HARRIS, Mr. MOSES, Mr. MCKELLAR, Mr. MCNARY, Mr. WALSH of Massachusetts, Mr. PHIPPS, and Mr. SHORTRIDGE members of the committee to take order for superintending the funeral of the deceased.

ADJOURNMENT OVER

Mr. TILSON. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next.

Mr. GARNER. Mr. Speaker, reserving the right to object, may I say to the gentleman from Connecticut that I do not feel justified in objecting to this unanimous-consent request, but if we can trust newspaper reports and general rumors, they are to the effect that the so-called farm relief bill will be taken up Monday or Tuesday and an effort made to cut off debate, prevent amendment, and put the bill on its passage. It occurs to me that at least the gentleman ought to give this side of the House, and I think probably some of the gentlemen on his side of the House, an opportunity to express themselves on this legislation, even if you go so far as to take away from us all opportunity to offer amendment. The gentleman is asking us to adjourn over until Monday, when we could use to-morrow for the purpose of trying to enlighten the membership of the House and the country as to the provisions of this bill and the views of the individual Members concerning it. May I ask the gentleman what he expects to do on Monday or Tuesday in the matter of passing the farm relief bill?

Mr. TILSON. I can not tell the gentleman as to that bill. I have not conferred with the gentleman from Iowa [Mr. HAUGEN] since the last action, if any, by the Committee on Agriculture. I have not conversed with him on the subject since the colloquy here on the floor yesterday.

Mr. GARNER. And the gentleman has no idea?

Mr. TILSON. I can tell the gentleman as to other things about which he may wish to ask me, but nothing has come to my attention in regard to this particular bill since yesterday.

Mr. GARNER. The gentleman has no idea, then, the process by which he will undertake to pass this farm relief bill?

Mr. TILSON. I do not know at this moment how we shall pass it.

Mr. GARNER. Well, it is a strange thing to me, Mr. Speaker, that the majority leader of the House of Representatives, and probably the Speaker of the House himself, although I shall not include the Speaker, because if I asked him the question I am sure he would give me a more definite answer than the gentleman from Connecticut——

Mr. TILSON. I do not see how he could.

Mr. GARNER. I imagine he would; at least he would make the effort; and it is a strange thing to me that with an organization such as the gentleman has and such an important piece of legislation coming up the gentleman can not tell the House a single thing about how he proposes to proceed.

Mr. PATTERSON. Mr. Speaker, I reserve the right to object to say this. We are very anxious to have the agricultural seed loan bill considered in the ordinary way so that we can offer amendments or express ourselves upon it. I realize that what I may say will probably have but little weight, but I do know that the gentleman has been considerate in many matters and I hope he will at this time in this very important matter.

I hope, however, we may have that bill considered in the usual way. I want to say that I try to cooperate with the House in every way. I have not made the point of no quorum many times when I could have done so.

Mr. TILSON. The gentleman has been very good.

Mr. PATTERSON. I appreciate the gentleman's kindness and I hope that the gentleman will bring in this bill in a way so that we will have an opportunity to express ourselves on the provisions of that bill and have amendments considered. This, I feel, is fair.

Mr. ALMON. Reserving the right to object, can the gentleman from Connecticut advise me when we may expect a report from the conference committee on the Muscle Shoals bill?

Mr. TILSON. I understand that the committee of conference on that bill is very active. They are meeting from day to day, and apparently entertain some hope that they may arrive at an agreement.

Mr. ALMON. One Member told me that they hoped soon to agree and get a good bill, and I hope they will.

Mr. McDUFFIE. Mr. Speaker, reserving the right to object, I want to ask the gentleman from Connecticut when we may expect a call of the Private Calendar, and if we may expect it before the holiday recess?

Mr. TILSON. Some Members have asked that it be not called before the holiday recess. Many are away on business or for other good reasons, and I doubt if it would give general satisfaction if we set aside a day before the holidays for calling the Private Calendar. I assure the gentleman that after the holiday recess, on suitable occasions, when it is convenient for the membership of the House and when other more urgent business permits, I shall do my best to have the Private Calendar considered.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

DEATH OF SENATOR OVERMAN

Mr. WARREN. Mr. Speaker, it is my sad duty to announce to the House the death of Senator LEE SLATER OVERMAN, for 28 years the distinguished junior Senator from North Carolina. To-night at 8 o'clock there will be a state funeral in the Senate Chamber and it is hoped that the entire membership of the House may attend.

Mr. Speaker, I offer the following resolutions for immediate consideration.

The Clerk read as follows:

House Resolution 319

Resolved, That the House has heard with profound sorrow of the death of the Hon. LEE SLATER OVERMAN, a Senator of the United States from the State of North Carolina.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

Resolved, That a committee of 19 Members be appointed on the part of the House to join the committee appointed on the part of the Senate to attend the funeral.

The resolutions were agreed to.

The Speaker appointed the following committee to attend the funeral:

EDWARD W. POU, of North Carolina; ROBERT L. DOUGHTON, of North Carolina; J. CHARLES LINTHICUM, of Maryland; ANDREW J. MONTAGUE, of Virginia; HATTON W. SUMNERS, of Texas; CHARLES L. ABERNETHY, of North Carolina; GUINN WILLIAMS, of Texas; EDGAR HOWARD, of Nebraska; JOHN H. KERR, of North Carolina; E. E. COX, of Georgia; BUTLER B. HARE, of South Carolina; LINDSAY C. WARREN, of North Carolina; J. BAYARD CLARK, of North Carolina; FRANK W. HANCOCK, of North Carolina; HINTON JAMES, of North Carolina; GEORGE S. GRAHAM, of Pennsylvania; LEONIDAS C. DYER, of Missouri; CHARLES A. JONAS, of North Carolina; GEORGE M. PRITCHARD, of North Carolina.

The SPEAKER. The Clerk will proceed with the resolutions.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly, in compliance with the resolution and under its previous order, the House (at 6 o'clock and 5 minutes p. m.) adjourned until Monday, December 15, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Saturday, December 13, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

War Department appropriation bill.

State, Justice, Commerce, and Labor Departments appropriation bill.

FOR MONDAY, DECEMBER 15, 1930

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

War Department appropriation bill.

State, Justice, Commerce, and Labor Departments appropriation bill.

COMMITTEE ON PUBLIC LANDS

(10 a. m.)

To provide for the establishment of the Everglades National Park in the State of Florida (H. R. 12381).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

704. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on Cowlitz River, Wash., made under the provisions of House Document No. 308, Sixty-ninth Congress, first session (H. Doc. No. 666); to the Committee on Rivers and Harbors and order to be printed, with illustrations.

705. A letter from the Postmaster General of the United States, transmitting report that a special contract has been entered into with the Rio Grande Southern Railroad Co. by Victor A. Miller, receiver, for carrying the mails on its road on route No. 114781 between Ridgway and Durango, Colo.; to the Committee on the Post Office and Post Roads.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FISH: A bill (H. R. 15062) to amend the World War adjusted compensation act, as amended; to the Committee on Ways and Means.

By Mr. CULKIN: A bill (H. R. 15063) authorizing the Secretary of War to reconvey to the State of New York a portion of the land comprising the Fort Ontario Military Reservation, N. Y.; to the Committee on Military Affairs.

By Mr. ENGLEBRIGHT: A bill (H. R. 15064) to reserve 440 acres of public-domain land for addition to the Temecula or Pechanga Indian Reservation, Calif.; to the Committee on Indian Affairs.

By Mr. FREAR: A bill (H. R. 15065) to reduce interest rates to 4 per cent on adjusted-compensation loans; to the Committee on Ways and Means.

By Mr. HALE: A bill (H. R. 15066) to amend section 95 of the Judicial Code, as amended; to the Committee on the Judiciary.

By Mr. JOHNSTON of Missouri: A bill (H. R. 15067) to authorize the erection of a Veterans' Bureau hospital in that part of the State of Missouri known as the Ozark section, and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. TAYLOR of Tennessee: A bill (H. R. 15068) to grant the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the French Broad River on the proposed Morristown-Newport Road between Jefferson and Cocke Counties, Tenn.; to the Committee on Interstate and Foreign Commerce.

By Mr. SUTHERLAND: A bill (H. R. 15069) to grant certain tidelands to the native Indians of Alaska organized and operating under the name and style of Alaska Native Brotherhood, of Ketchikan, Alaska, and for other purposes; to the Committee on the Public Lands.

By Mr. TARVER: A bill (H. R. 15070) to authorize the city of Marietta, Ga., to widen, improve, reconstruct, and resurface Roswell Road and to assess the cost thereof against the United States according to front feet of the national cemetery reservation abutting thereon, and authorizing an appropriation therefor; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 15071) to authorize appropriations for construction at Plattsburg Barracks, Plattsburg, N. Y., and for other purposes; to the Committee on Military Affairs.

By Mr. CABLE: A bill (H. R. 15072) to amend the pension laws, and for other purposes; to the Committee on Pensions.

By Mr. GREEN: A bill (H. R. 15073) to provide for the construction of post-office buildings to relieve unemployment and economic depression, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. BRUNNER: A bill (H. R. 15074) to provide for the establishment of light buoys at Rockaway Inlet and adjacent waters in the State of New York; to the Committee on Interstate and Foreign Commerce.

By Mr. BLANTON: A bill (H. R. 15075) to provide for the suspension of immigration of aliens into the United States; to the Committee on Immigration and Naturalization.

By Mr. CELLER: A bill (H. R. 15076) to relieve the unemployment emergency by amending the national defense act so as to organize a special Army reserve, in which unemployed men to the number of 250,000 may enlist for a period of not to exceed one year; to the Committee on Military Affairs.

By Mr. LAMBERTSON: A bill (H. R. 15077) authorizing the Secretary of Agriculture to extend aid to any State or States or political subdivision or subdivisions thereof to acquire toll bridges or construct bridges and maintain them as free bridges, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ERK: A bill (H. R. 15078) to authorize the erection of an addition to Veterans' Bureau hospital at Aspinwall, in the State of Pennsylvania, and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. HOUSTON of Hawaii: A bill (H. R. 15079) to amend the act entitled "An act to extend the provisions of certain laws to the Territory of Hawaii," approved March 10, 1924; to the Committee on the Territories.

By Mr. BLANTON: Joint resolution (H. J. Res. 435) authorizing and directing the President to use and employ the Army and Navy, the militia of the several States, and the resources of the Government in suppressing all smuggling into the United States of intoxicating liquors, narcotics, and aliens, and to suppress the insubordinate rebellion now being waged by those in authority in several States and large cities of the United States against the fundamental laws of the Republic, to the end that President may obey the Constitution of the United States by faithfully executing the laws; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 436) constituting it cause for impeachment and removal from office, and dishonorable discharge from the service, and discharge from Government employment, respectively, for any executive officer, member of the judiciary, Senator, Representative in Congress, officer or enlisted man in the Army, Navy, and Marine Corps, or any employee of the Government of the United States, to purchase intoxicating liquors from a "bootlegger"—as that term is commonly understood—or to manufacture, sell, or transport intoxicating liquors within or to import the same into the United States for beverage purposes, or to conspire with any person to violate the eighteenth amendment of the Constitution of the United States and laws passed in enforcement thereof; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 437) prohibiting officials of the United States from issuing permits to any diplomatic representative, secretary of embassy or legation, counselor of embassy or legation, military attaché, naval attaché, commercial attaché, consul agent, commissioner, or special envoy of any foreign country accredited to and residing in the United States that would authorize any of them or any member of their official family to import into, transport within, possess, or dispense in the United States any intoxicating liquors for beverage purposes in violation of the eighteenth amendment to the Constitution of the United States and enforcement laws thereof; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALMON: A bill (H. R. 15080) for the relief of C. H. Price; to the Committee on Claims.

By Mr. BEERS: A bill (H. R. 15081) granting a pension to Amelia Zimmerman; to the Committee on Invalid Pensions.

By Mr. BLAND: A bill (H. R. 15082) granting a pension to Bernard A. Brinkley; to the Committee on Pensions.

By Mr. CAMPBELL of Iowa: A bill (H. R. 15083) granting an increase of pension to Oluf Volkerts; to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 15084) granting an increase of pension to Walter E. Fields; to the Committee on Pensions.

By Mr. CRAMTON: A bill (H. R. 15085) granting an increase of pension to Elizabeth Tebeau; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 15086) granting a pension to Susan McKay Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15087) for the relief of Axel Malstrom; to the Committee on Naval Affairs.

Also, a bill (H. R. 15088) granting an increase of pension to Effie A. Reynolds; to the Committee on Invalid Pensions.

By Mr. GARBER of Oklahoma: A bill (H. R. 15089) granting an increase of pension to Lydia M. Gilbert; to the Committee on Invalid Pensions.

By Mr. HASTINGS: A bill (H. R. 15090) granting a pension to Bettie M. Poe; to the Committee on Invalid Pensions.

By Mr. HILL of Alabama: A bill (H. R. 15091) granting a pension to Lizzie C. Fussell; to the Committee on Invalid Pensions.

By Mr. HOCH: A bill (H. R. 15092) granting a pension to Helen Moody; to the Committee on Invalid Pensions.

By Mr. HOGG of Indiana: A bill (H. R. 15093) granting an increase of pension to Emma Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15094) granting an increase of pension to Margaret A. Curtis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15095) granting an increase of pension to Amelia J. Prince; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15096) granting an increase of pension to Mary M. Congleton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15097) granting a pension to Elizabeth Nye; to the Committee on Invalid Pensions.

By Mr. HOPE: A bill (H. R. 15098) for the relief of Thomas Spence; to the Committee on Military Affairs.

By Mr. HOPKINS: A bill (H. R. 15099) granting an increase of pension to Anna Hartman; to the Committee on Invalid Pensions.

By Mr. IGOE: A bill (H. R. 15100) for the relief of John Farrell; to the Committee on Military Affairs.

By Mr. KENDALL of Pennsylvania: A bill (H. R. 15101) granting a pension to Hanna Al Nora Zebley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15102) granting a pension to William Zebley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15103) granting a pension to Richard Zebley; to the Committee on Invalid Pensions.

By Mr. LAMBERTSON: A bill (H. R. 15104) granting an increase of pension to Rachel E. Lukenbill; to the Committee on Invalid Pensions.

By Mrs. LANGLEY: A bill (H. R. 15105) granting a pension to Emma Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15106) for the relief of James E. King and others; to the Committee on Claims.

Also, a bill (H. R. 15107) for the relief of A. W. Kliefoth; to the Committee on Claims.

By Mr. LANHAM: A bill (H. R. 15108) granting a pension to Martin E. Miller; to the Committee on Pensions.

By Mr. LOZIER: A bill (H. R. 15109) granting an increase of pension to Margaret E. Bledsoe; to the Committee on Invalid Pensions.

By Mr. MAGRADY: A bill (H. R. 15110) granting an increase of pension to Alice S. Sanders; to the Committee on Invalid Pensions.

By Mr. MANLOVE: A bill (H. R. 15111) granting an increase of pension to Sarah A. Charles; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 15112) for the relief of William Dean McCoy; to the Committee on Naval Affairs.

By Mr. MORGAN: A bill (H. R. 15113) granting an increase of pension to Ruth A. Schooley; to the Committee on Invalid Pensions.

By Mr. NELSON of Missouri: A bill (H. R. 15114) granting a pension to Samuel A. Lawson; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 15115) granting a pension to Landon T. Lewis; to the Committee on Pensions.

By Mr. ROBINSON: A bill (H. R. 15116) granting an increase of pension to William Blades; to the Committee on Invalid Pensions.

By Mr. ROWBOTTOM: A bill (H. R. 15117) granting a pension to Loren Stephens; to the Committee on Invalid Pensions.

By Mr. RUTHERFORD: A bill (H. R. 15118) granting a pension to Maggie Gaddy; to the Committee on Pensions.

By Mr. SANDERS of Texas: A bill (H. R. 15119) for the relief of William Mathew Squires; to the Committee on Military Affairs.

By Mr. SCHNEIDER: A bill (H. R. 15120) granting an increase of pension to Emily L. Hagen; to the Committee on Invalid Pensions.

By Mr. SMITH of West Virginia: A bill (H. R. 15121) granting a pension to Julian D. Haynes; to the Committee on Pensions.

By Mr. SPEAKS: A bill (H. R. 15122) granting an increase of pension to George E. Partee; to the Committee on Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 15123) granting an increase of pension to Julia Hallowell; to the Committee on Invalid Pensions.

By Mr. VESTAL: A bill (H. R. 15124) granting an increase of pension to Anna P. Smith; to the Committee on Invalid Pensions.

By Mr. VINSON of Georgia: A bill (H. R. 15125) granting a pension to Hattie L. McDaniel; to the Committee on Pensions.

Also, a bill (H. R. 15126) granting a pension to Thomas J. Orr; to the Committee on Pensions.

By Mr. WHITTINGTON: A bill (H. R. 15127) granting a pension to Mrs. Ethel B. Sutherland; to the Committee on Pensions.

Also, a bill (H. R. 15128) granting a pension to Edward Forte; to the Committee on Pensions.

By Mr. WOODRUFF: A bill (H. R. 15129) granting a pension to Ruth L. Retan; to the Committee on Pensions.

By Mr. KERR: Resolution (H. Res. 318) to pay Frances Slade, widow of Charles Slade, late an employee of the House, six months' compensation and $250 to defray the funeral expenses of said Charles Slade; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7898. By Mr. CONNERY: Resolution of Massachusetts Teachers' Federation, requesting Congress to enact legislation assigning 15 per cent of all radio broadcasting channels to educational institutions and Government educational agencies; to the Committee on the Judiciary.

7899. By Mr. ENGLEBRIGHT: Resolution adopted by the board of supervisors of the city and county of San Francisco, to amend the Jones-White Act; to the Committee on the Merchant Marine and Fisheries.

7900. By Mr. EVANS of California: Petition signed by Jennie M. Knowles and approximately 150 others, in favor of the passage of House Joint Resolution No. 358; to the Committee on the Judiciary.

7901. By Mr. FENN: Resolutions of the Woman's Christian Temperance Union and missionary meeting of Congregational Church, of Wethersfield, Conn., favoring the Federal supervision of motion pictures; to the Committee on Education.

7902. Also, petition of citizens of Hartford and West Hartford, Conn., favoring the passage of House bill 7884, for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

7903. By Mr. HOUSTON of Hawaii: Petition of the Chamber of Commerce of Honolulu, Hawaii, favoring the passage of House Resolution No. 11, reported by the House Committee on Interstate and Foreign Commerce on January 27, 1930; to the Committee on Interstate and Foreign Commerce.

7904. By Mr. McCORMACK of Massachusetts: Petition of American Federation of Labor, William Green, president, Washington, D. C., urging enactment of legislation providing for the manufacture of war munitions and naval vessels in arsenals and navy yards of the United States, so that the elimination of private profit will place this department of national defense beyond the baleful influence of those who seek to create sentiment for the production of war munitions so that they may make greater profits; to the Committee on Naval Affairs.

7905. By Mr. O'CONNELL: Petition of the Association of the Bar of the City of New York, favoring certain legislation with reference to the units of the metric system; to the Committee on Coinage, Weights, and Measures.

7906. By Mr. O'CONNOR of New York: Resolution of the Association of the Bar of the City of New York, urging adoption of the units of the metric system as the sole legal standard of weights and measures throughout the United States; to the Committee on Coinage, Weights, and Measures.

7907. By Mr. HARCOURT J. PRATT: Memorial of Columbia County (N. Y.) Historical Society, advocating Government acquisition of the land in the town of New Windsor, Orange County, N. Y., which was the camp ground of the American Army in 1782 and 1783, for the establishment thereon of a national park, and the erection of a perpetual memorial to George Washington in the form of reproduction of the camp building known as the Temple of Virtue; to the Committee on the Public Lands.

7908. By Mr. ROBINSON: Petition of Cedar Falls, Iowa, branch of the American Association of University Women, signed by about 50 members in support of House bill 9986; to the Committee on Interstate and Foreign Commerce.

7909. By Mr. WHITTINGTON: Petition of board of supervisors of Bolivar County, Miss., for extension of emergency freight rates in drought area; to the Committee on Interstate Foreign Commerce.

7910. By Mr. WYANT: Resolution of members of Irwin Aerie, Fraternal Order of Eagles, Irwin, Pa., offering program of unemployment relief; to the Committee on the Judiciary.

7911. Also, petition of 500 members of the Wilkinsburg Woman's Christian Temperance Union, requesting support of House bill 9986; to the Committee on Interstate and Foreign Commerce.

7912. Also, petition of Woman's Christian Temperance Union, of Greensburg, Pa., urging support of Hudson bill (H. R. 9986) and Brookhart bill (S. 1005), regulating production and distribution of moving-picture films; to the Committee on Interstate and Foreign Commerce.

SENATE

MONDAY, DECEMBER 15, 1930

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, who hast created all things for Thyself, and through Thy Son, Jesus Christ, hast summoned us to share in Thy redemptive plan, lead us past the barriers of fear to the furnace of flaming purity where all falsehood, sin, and cowardice, like dross, are purged away. Give to our work qualities instinct with life, by which alone our actions bear the unforgeable impress of our personality and we retain our sense of the dignity of humble toil, the value of life's daily ministries.

Grant that we may look out upon the world with our own eyes—the eyes wherewith we saw the Christ and were made glad—till the common path becomes a shining trail whose end is God, where we walk in blest communion with our fellow men. So fit us for the day's most pressing needs, we dare not ask for less; and whatsoever else Thou knowest we should have, bestow it in Thy love. Through Jesus Christ our Lord. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

SHORTER WORK WEEK FOR POSTAL EMPLOYEES

The PRESIDENT pro tempore laid before the Senate the bill (H. R. 6603) to provide a shorter work week for postal employees, and for other purposes, which was read twice by its title.

Mr. LA FOLLETTE. Under the rule of the Senate it would be possible to secure the placing of this bill on the calendar without a reference to the committee.

The PRESIDENT pro tempore. That is correct, under Rule XIV.

Mr. LA FOLLETTE. However, I have discussed the matter with the chairman of the Committee on Post Offices and Post Roads [Mr. PHIPPS] and he assures me that the committee will meet immediately to consider it and will submit a report thereon so that the Senate may dispose of the measure. Therefore I am willing to have it take the regular course and go to the committee.

Mr. PHIPPS. I will say to the Senator that I shall call the committee together as early as possible.

The PRESIDENT pro tempore. The bill will be referred to the Committee on Post Offices and Post Roads.

CREDENTIALS

The PRESIDENT pro tempore laid before the Senate the credentials of M. M. LOGAN, chosen a Senator from the State of Kentucky for the term commencing March 4, 1931, which were read and ordered to be filed, as follows:

COMMONWEALTH OF KENTUCKY,
Frankfort, Ky., November 24, 1930.

The undersigned, a board for examining the returns of an election held on Tuesday, the 4th day of November, 1930, for the office of United States Senator of the State of Kentucky, do certify that M. M. LOGAN received the highest number of votes given for that office, as certified to the secretary of state, and is, therefore, duly and regularly elected for the term prescribed by the Constitution.

W. B. O'CONNELL, *Chairman,*
D. B. CORNETT, *Member,*
State Board of Election Commissioners for the Commonwealth of Kentucky.

Attest:

JOHN P. CUSICK,
Secretary State Board of Election Commissioners.

The PRESIDENT pro tempore also laid before the Senate the credentials of CHARLES L. MCNARY, chosen a Senator from the State of Oregon for the term commencing March 4, 1931, which were read and ordered to be filed, as follows:

STATE OF OREGON,
EXECUTIVE DEPARTMENT.

CERTIFICATE OF ELECTION

To all to whom these presents shall come, greeting:

Know ye, that it appearing from the official canvass of the votes cast at the general election held within and for the State of Oregon on Tuesday, the 4th day of November, A. D. 1930, that CHARLES L. MCNARY, of Marion County, State of Oregon, received the highest number of votes cast for the office of United States Senator in Congress at said general election:

Now, therefore, I, A. W. Norblad, Governor of the State of Oregon, by virtue of the authority vested in me under the laws of the State of Oregon, do hereby grant this certificate of election and declare said CHARLES L. MCNARY, of Marion County, State of Oregon, to be duly elected to the office of United States Senator in Congress of the State of Oregon for the term of six years.

In testimony whereof I have hereunto set my hand and caused the seal of the State of Oregon to be hereunto affixed.

Done at the Capitol at Salem, Oreg., this 4th day of December, A. D. 1930.

A. W. NORBLAD, *Governor.*

By the governor:
[SEAL.]

HAL E. HOSS,
Secretary of State.

The PRESIDENT pro tempore also laid before the Senate the credentials of W. J. BULOW, chosen a Senator from the State of South Dakota for the term commencing March 4, 1931, which, with the accompanying related papers, were read and ordered to be filed, as follows:

UNITED STATES OF AMERICA,
STATE OF SOUTH DAKOTA.

CERTIFICATE OF ELECTION

This is to certify that on the 4th day of November, 1930, at a general election held throughout said State, W. J. BULOW was duly chosen by the qualified electors of the State of South Dakota to the office of United States Senator for the term of six years, beginning on the 4th day of March, 1931.

In witness whereof I have hereunto set my hand and caused the seal of said State to be affixed at Pierre, the capital, this 4th day of December, 1930.

——— ———, *Governor.*

By the governor:
[SEAL.]

GLADYS PYLE,
Secretary of State.

HOUSE OF REPRESENTATIVES,
CLERK'S OFFICE,
Washington, D. C., December 13, 1930.

Hon. EDWIN P. THAYER,
Secretary of the Senate,
United States Senate, Washington, D. C.

MY DEAR COLONEL THAYER: Herewith is the certificate of election of Hon. W. J. BULOW, as Senator elect from the State of South Dakota, which was received in this office together with those of the Representatives elect to the Seventy-second Congress; and I am transmitting it to you with a copy of the letter of the secretary of state explanatory of the omission of the governor's signature from the certificate, whom I have advised of this action.

Yours sincerely,

WM. TYLER PAGE,
Clerk of the House of Representatives.

———

DEPARTMENT OF STATE,
Pierre, December 9, 1930.

WM. TYLER PAGE,
Clerk of House of Representatives, Washington, D. C.

DEAR MR. PAGE: Under separate cover I am mailing you the certificates of election for the Congressmen and Senator from South Dakota.

You will note that Senator BULOW's certificate is signed by myself alone, since under the South Dakota law a man can not take part in the canvass of his own votes, and the present governor is the W. J. BULOW elected to the United States Senate.

Very truly yours,

GLADYS PYLE,
Secretary of State.

THE RHODES SCHOLARSHIPS

Mr. FLETCHER. Mr. President, I present a letter from the American secretary of the Rhodes Scholarship Trust. Inasmuch as we had some discussion of this matter recently, this letter, I think, will explain the situation as to the final selection. I ask that it may be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The letter is as follows:

THE RHODES SCHOLARSHIP TRUST,
SWARTHMORE COLLEGE,
Swarthmore, Pa., December 3, 1930.

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.

MY DEAR SENATOR FLETCHER: I am glad to answer your letter of December 1, in which you ask for information regarding the plan of selecting Rhodes scholars in the United States.

Although the Rhodes scholarships plan has always operated with considerable success in the United States, it has become fairly clear to those intimately associated with the working of the plan over a considerable period of years that not all of the men selected every year were as successful at Oxford, either academically or in other respects, as we would like them to be or as influential, either in large or small communities, upon their return to America. These men were not always selected by the less populous States, but it appeared to us that the general average of Rhodes scholars selected could be considerably improved without at the same time either impairing the chances of smaller States, if they had good men to submit, or violating the spirit of Cecil Rhodes's plan, as interpreted by those who knew him and his point of view personally.

Consequently, with the approval of Parliament, and most of the leading educational organizations and individuals in America, a district plan of election will go into effect on a trial basis this year. Under the old plan each State selected a Rhodes scholar in two out of three years. The selection was made by a State committee appointed through this office and approved by the Rhodes trustees.

Under the new plan each State has a chance every year, since the State committee selects two candidates and nominates them to appear before a district committee. The district includes 6 States, and, consequently, the committee has before it 12 candidates, two from each State. From these 12 candidates the district committee selects four as Rhodes scholars to represent the district and their respective States. If the smaller or less populous States submit good candidates to the district committee, it is very unlikely that they will be left out in the elections, and certainly it would be against the interests of the district committees themselves to allow one or more populous States in a district to carry away the whole election.

Since, under the old plan a candidate could apply to the State in which he claimed residence, even though he had been educated elsewhere, the idea of a State being represented at Oxford had become a vague one. In some respects it should be less vague under the new plan.

The inclosed memorandum will give you all the facts of selection for Rhodes scholars this year. The third district, as you will see, consists of Virginia, North Carolina, South Carolina, Georgia, Florida, and Tennessee. Any man who conforms to the conditions of eligibility given in paragraph 2 of the inclosed

memorandum may apply to one of those States. The State committee in each of these States, after a careful consideration and comparison of the credentials of the candidates, meets all the more likely candidates for a personal interview on December 6. There are no examinations. The State committee then nominates two men to appear before the district committee—a very carefully selected group consisting of four prominent former Rhodes scholars and one man from the district not a Rhodes scholar, outstanding in public affairs. The committee for District III meets in Atlanta December 10 and 11 and will select four Rhodes scholars. You will note that the more populous States in District II are also entitled to only four Rhodes scholars.

We have found it advisable not to broadcast the names and addresses of committeemen too much in advance of their meetings, since in that case they are likely to be troubled by many well meaning advocates of the various candidates.

This new plan of district election is on trial for a period of a few years. If after a fair trial it does not prove successful, we will return to the old plan or adopt some other after discussion.

Yours sincerely,

FRANK AYDELOTTE.

PETITIONS AND MEMORIALS

Mr. FLETCHER presented the petition of Hamilton Holt, president, and members of the faculty of Rollins College, Winter Park, Fla., praying for the ratification of the World Court protocols, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a resolution adopted by the Third Biennial Conference of the American Unitarian Association at Chicago, Ill., favoring the ratification of the World Court protocols, which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted at a meeting of 150 citizens, being farmers and growers of vegetables and other crops at Winter Beach, Indian River County, Fla., favoring a "congressional investiagtion of the existing situation wherein the grower receives nothing for his products, yet the consumer pays high prices for the same products," etc., which was referred to the Committee on Agriculture and Forestry.

He also presented resolutions adopted at a meeting of 150 citizens of Winter Beach, Indian River County, Fla., requesting the Department of Agriculture to rescind the order issued under date of November 10, 1930, by the Farmers' Seed Loan Office of Columbia, S. C., relative to loans in 1930 for the purpose of crop production during the 1930–31 crop season (said loans being due and payable on the 31st day of May, 1931, and the aggregate amount of all loans so made to growers in Winter Beach, Fla., being the sum of $6,540) and to permit the growers to have until the maturity date of their loans, namely, May 31, 1931, in which to pay the sums advanced by the Government, which were referred to the Committee on Agriculture and Forestry.

Mr. CAPPER presented petitions numerously signed by sundry citizens of Stevens County, Kans., praying for the passage of legislation to strengthen the national prohibition laws and protesting against the passage of legislation weakening the enforcement of the so-called dry laws, which were referred to the Committee on the Judiciary.

Mr. FESS presented a resolution adopted by representatives of 37 posts of the American Legion, composing the fourth district of the Department of Ohio, at Mariemont, Ohio, favoring the passage of legislation for the erection in southwestern Ohio of a 500-bed hospital, a 50-bed diagnostic center, and ample housing for the regional office of the United States Veterans' Bureau, which was referred to the Committee on Finance.

Mr. GILLETT presented a resolution adopted at the Twenty-seventh Annual Meeting of the Massachusetts Federation of Churches (Inc.) in All Souls Federated Church, Lowell, Mass., urging the prompt ratification of the World Court protocols, which was referred to the Committee on Foreign Relations.

Mr. TYDINGS presented a petition of sundry members of the Young Woman's Christian Association, of Baltimore, Md., praying for the ratification of the World Court protocols, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens and employees of the post office at Bel Air, Md., praying for the passage of House bill 6603, being the so-called Kendall shorter week work bill, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry employees of the Aberdeen Proving Ground, Maryland, praying if the bill (S. 5100) to provide a 5-day week for Government employees during the economic emergency (introduced by Mr. WALSH of Massachusetts) be considered that a clause be inserted therein whereby per diem employees be put on a per annum basis or that their salaries be raised proportionately, so as to prevent loss of pay, which was referred to the Committee on Civil Service.

PRICE OF COTTON

Mr. GEORGE presented a telegram from John A. Manget, of Atlanta, Ga., which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

ATLANTA, GA., *December 15, 1930.*

Senator WALTER F. GEORGE.

MY DEAR SENATOR: Notwithstanding fact Farm Board has pegged price wheat it continues to allow cotton decline almost daily, resulting in widespread economic distress in Georgia. Unless relief is obtained speedily impending ruin will be upon us. Can not you prevail on Farm Board to show same consideration for cotton it has shown wheat? Conclusive evidence that Farm Board is deeply concerned regarding this impending catastrophe would bring immediate results, then if board would follow to the extent it has helped wheat it would save further distress. This is appeal for help, not criticism of board, to which my sympathy goes and for its personnel have highest regard. Am not personally interested in even one bale cotton, but in daily contact with thousands Georgians suffering because cotton bringing only half cost production, therefore urging you and Senator HARRIS take drastic steps bring relief to your fellow citizens. If can assist any way, call me long distance or will cheerfully come to Washington.

Gratefully yours,

JNO. A. MANGET.

REPORTS OF THE COMMITTEE ON MILITARY AFFAIRS

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (H. R. 3122) for the relief of William J. Frost, reported it without amendment and submitted a report (No. 1177) thereon.

Mr. REED, from the Committee on Military Affairs, to which was referred the bill (H. R. 6618) to provide for the study, investigation, and survey, for commemorative purposes, of the battlefield of Chalmette, La., reported it without amendment and submitted a report (No. 1178) thereon.

He also, from the same committee, to which was referred the bill (S. 4619) to authorize the disposition of effects of persons dying while subject to military law, reported it with amendments and submitted a report (No. 1179) thereon.

Mr. BLACK, from the Committee on Military Affairs, to which was referred the bill (H. R. 1036) for the relief of Homer N. Horine, reported it without amendment and submitted a report (No. 1180) thereon.

REPORTS OF NOMINATIONS

As in executive session,

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported favorably sundry post-office nominations.

Mr. HALE, from the Committee on Naval Affairs, reported favorably the nomination of Brig. Gen. Ben H. Fuller to be the Major General Commandant of the Marine Corps for a period of four years, and also the nominations of sundry other officers of the Marine Corps.

Mr. COUZENS, from the Committee on Interstate Commerce, reported favorably the nominations of the following persons to be members of the Federal Power Commission:

Claude L. Draper, of Wyoming, for the term expiring June 22, 1931;

Marcel Garsaud, of Louisiana, for the term expiring June 22, 1932;

Ralph B. Williamson, of Washington, for the term expiring June 22, 1933; and

George Otis Smith, of Maine, for the term expiring June 22, 1935.

Mr. COUZENS also, from the Committee on Interstate Commerce, reported favorably the nominations of Charles

D. Mahaffie, of the District of Columbia, to be an Interstate Commerce Commissioner for the term expiring December 31, 1930, and also for the term expiring December 31, 1937.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DAVIS:

A bill (S. 5309) providing an annual salary for certain criers and bailiffs of United States district courts; to the Committee on the Judiciary.

By Mr. RANSDELL:

A bill (S. 5310) authorizing Edwin B. Kirwin to accept a decoration from the French Government; to the Committee on Foreign Relations.

By Mr. TRAMMELL:

A bill (S. 5311) providing for a reduction in the rate of postage on grove and farm products; to the Committee on Post Offices and Post Roads.

A bill (S. 5312) to establish an agricultural experiment station in Florida; to the Committee on Agriculture and Forestry.

By Mr. HAYDEN:

A bill (S. 5313) to cancel certain reimbursable charges against certain lands within the Gila River Indian Reservation, Ariz.; to the Committee on Indian Affairs.

A bill (S. 5314) to amend the Federal highway act; to the Committee on Post Offices and Post Roads.

A bill (S. 5315) granting an increase of pension to Nicolas Lopes; to the Committee on Pensions.

By Mr. MOSES:

A bill (S. 5316) granting an increase of pension to Emma E. Bennett; and

A bill (S. 5317) granting an increase of pension to Louisa A. Cleveland; to the Committee on Pensions.

By Mr. BROCK:

A bill (S. 5318) to extend the time in which applications may be made for the benefit of the disabled emergency officers' retirement act of May 24, 1928; to the Committee on Military Affairs.

A bill (S. 5319) to grant the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the French Broad River on the proposed Morristown-Newport Road between Jefferson and Cocke Counties, Tenn.; to the Committee on Commerce.

A bill (S. 5320) for the relief of Ralph Hart; to the Committee on Naval Affairs.

By Mr. SWANSON:

A bill (S. 5321) for the relief of Thomas F. Myers (with accompanying papers); to the Committee on the District of Columbia.

A bill (S. 5322) to amend an act approved February 24, 1925, entitled "An act to provide for the construction of a memorial bridge across the Potomac River from a point near the Lincoln Memorial, in the city of Washington, to an appropriate point in the State of Virginia, and for other purposes"; to the Committee on Commerce.

By Mr. GILLETT:

A bill (S. 5323) to authorize Rear Admiral Sumner E. W. Kittelle, United States Navy, to accept a decoration conferred upon him by the Government of Spain; to the Committee on Naval Affairs.

By Mr. HALE:

A bill (S. 5324) to correct the military record of Peter Cormier (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 5325) granting an increase of pension to Fannie A. Knowles (with accompanying papers); to the Committee on Pensions.

By Mr. SHORTRIDGE:

A bill (S. 5326) for the relief of William J. Dillon; to the Committee on Naval Affairs.

A bill (S. 5327) granting a pension to Talbert Shalen O'Brien; to the Committee on Pensions.

A bill (S. 5328) for the relief of Charles P. Dinger; and

A bill (S. 5329) for the relief of Frank Knighthart; to the Committee on Military Affairs.

By Mr. ROBINSON of Indiana:

A bill (S. 5330) granting an increase of pension to Sarah S. Ward (with accompanying papers); and

A bill (S. 5331) granting an increase of pension to William R. Holt (with accompanying papers); to the Committee on Pensions.

By Mr. THOMAS of Oklahoma:

A bill (S. 5332) for the relief of Fanny M. Crosby (with accompanying papers); to the Committee on Claims.

A bill (S. 5333) granting a pension to Ernest M. Brazil (with accompanying papers);

A bill (S. 5334) granting a pension to Susan M. Jones Jayne (with accompanying papers); and

A bill (S. 5335) granting a pension to Samantha C. Glass (with accompanying papers); to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 5336) granting an increase of pension to Nora Ernst (with accompanying papers);

A bill (S. 5337) granting an increase of pension to Elizabeth May (with accompanying papers); and

A bill (S. 5338) granting an increase of pension to Mary A. Woodworth (with accompanying papers); to the Committee on Pensions.

A bill (S. 5339) to authorize the widening of Thirteenth Street NW., in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. SMOOT:

A bill (S. 5340) for the relief of Edwin Rodman; to the Committee on Naval Affairs.

A bill (S. 5341) to provide for the payment of architect's fees other than on a percentage basis in certain cases; and

A bill (S. 5342) to provide for the selection of sites for public buildings outside of the District of Columbia; to the Committee on Public Buildings and Grounds.

By Mr. BARKLEY:

A bill (S. 5343) granting a pension to Mary E. Tilford; and

A bill (S. 5344) granting a pension to Synthia Travis; to the Committee on Pensions.

By Mr. GEORGE:

A bill (S. 5345) granting a pension to Polk W. Nunnally; to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 5346) granting an increase of pension to John Steffes; to the Committee on Pensions.

A bill (S. 5347) providing for the deepening of channel and harbor of port of St. Petersburg, Fla., as provided in Senate Document No. 229, Seventieth Congress, and Public No. 520, Seventy-first Congress; to the Committee on Commerce.

By Mr. PHIPPS:

A bill (S. 5348) to authorize appropriations for construction of additional hospital facilities at Fitzsimons General Hospital, Denver, Colo., and for other purposes; to the Committee on Military Affairs.

By Mr. BRATTON:

A bill (S. 5349) to convey certain lands in San Juan County, N. Mex.; to the Committee on Public Lands and Surveys.

By Mr. WAGNER:

A bill (S. 5350) to amend the revenue act of 1928 in regard to unemployment relief trusts, and for other purposes; to the Committee on Finance.

A bill (S. 5351) authorizing the President to appoint Mortimer J. Israel, formerly a first lieutenant of Infantry, Organized Reserves, a first lieutenant of Infantry, United States Army; to the Committee on Military Affairs.

By Mr. COPELAND:

A bill (S. 5352) to amend the act of March 4, 1911 (ch. 239, 36 Stat. L. 1267), as amended; to the Committee on Naval Affairs.

By Mr. BLACK:

A bill (S. 5353) for the relief of Mrs. Herman M. Warr; to the Committee on Claims.

By Mr. REED:

A bill (S. 5354) to repeal obsolete parts of statutes relating to detachments at the United States Military Academy; to the Committee on Military Affairs.

By Mr. DENEEN:

A bill (S. 5355) granting a pension to Alice Simpson (with accompanying papers); and

A bill (S. 5356) granting an increase of pension to George Slifer (with accompanying papers); to the Committee on Pensions.

By Mr. TYDINGS:

A bill (S. 5357) granting a pension to Fannie Carroll (with accompanying papers); and

A bill (S. 5358) granting a pension to Emory Leonard Downey (with an accompanying paper); to the Committee on Pensions.

By Mr. WHEELER:

A bill (S. 5359) granting an increase of pension to James Stuart; to the Committee on Pensions.

By Mr. HAWES:

A bill (S. 5360) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Mo.; to the Committee on Commerce.

A bill (S. 5361) granting an increase of pension to Jackson St. John (with accompanying papers); to the Committee on Pensions.

By Mr. THOMAS of Oklahoma:

A bill (S. 5362) authorizing the payment of a pension of $40 per month to all persons who have served 20 years or more as members of the Indian police at any agency in the United States of America; to the Committee on Indian Affairs.

By Mr. NORBECK:

A bill (S. 5363) granting a pension to Wesley S. Walden (with accompanying papers); to the Committee on Pensions.

By Mr. FRAZIER (by request):

A bill (S. 5364) to reserve 440 acres of public domain land for addition to the Temecula or Pechanga Reservation, Calif.; to the Committee on Indian Affairs.

By Mr. METCALF:

A joint resolution (S. J. Res. 219) authorizing the Director of the Census to prepare and transmit to the several States lists of persons shown by the census of 1930 to be illiterate; to the Committee on Education and Labor.

AMENDMENT TO TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL

Mr. SMOOT submitted an amendment intended to be proposed by him to House bill 14246, the Treasury and Post Office Departments appropriation bill, which was, on page 37, line 22, before the period, to insert a comma and the words "to be immediately available," so as to read:

For the acquisition of sites or of additional land, commencement, continuation, or completion, of construction in connection with any or all projects authorized under the provisions of sections 3 and 5 of the public buildings act, approved May 25, 1926 (U. S. C., Supp. III, title 40, secs. 343, 345), and the acts amendatory thereof, approved February 24, 1928 (U. S. C., Supp. III, title 40, sec. 345), and March 31, 1930 (46 Stat., pp. 136, 137), within the respective limits of cost fixed for such projects, $60,000,000, to be immediately available.

RUSSIA—EDITORIAL FROM THE LONDON OBSERVER

Mr. BORAH. Mr. President, I desire to have inserted in the RECORD an editorial on Russia from the London Observer written by J. L. Garvin.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The editorial is as follows:

Without the inclusion of Russia in a larger league it is obvious—every competent authority at Geneva admits it—that there can be no assurance of stability either in Russia or Asia. What we here insist on calling the Soviet empire—though the Bolshevists hate that true term—stretches like the czardom across two continents, from the Baltic to the Pacific. This huge block of the globe is like an erratic mass of magnetic iron disturbing all the compasses. For the soviet territory touches a far larger number of nations than does any other realm or republic whatever. For thousands and thousands of miles the confines of Russia swing round through every variety of geographical region, from Central Europe to the Fartherest East; they border or closely neighbor Scandinavia and all the four new Baltic states; Germany, Poland, and Czechoslovakia; Hungary and the Balkans; Turkey, Persia, Afghanistan, India; China and Japan.

We beg the bankers, British and American, to reflect more deeply upon the world-wide connection between the political and economic interests. Bolshevist propaganda from Berlin and Canton is, of course, only stimulated and strengthened by blank refusals to enter into any sort of working terms with Moscow. Owing to the unexampled misgovernment, stupidity, and infatuation of the czardom itself, the Russian revolution broke the rotten dams seven years ago and rushed out in an obliterating flood. But the thing, for all its horror and madness in the outbreak, has happened. You can never reverse it. The Bolshevists, like the French terrorists after 1793, will have to restore a great deal of private liberty and capitalist enterprise. That is what nothing on earth can prevent. The Bolshevist system will give way to some less abnormal régime, but that must be left to Russia and to time; and meanwhile the less foreign abuse and prodding and goading, the better. If we are wise, we shall encourage the saner elements who are feeling their way back to practical relations with the West, instead of playing once more into the hands of the extreme incorrigible bedlamites in Moscow. * * * Lord Cecil recognizes that without the participation of the Soviet empire in a general scheme of settlement there can be no increase of security in Europe or Asia, and no real advance toward real disarmament. (Editorial by J. L. Garvin, the London Observer.)

ADDRESS BY HON. JOSEPH B. EASTMAN, OF THE INTERSTATE COMMERCE COMMISSION

Mr. NORRIS. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered by Hon. Joseph B. Eastman, of the Interstate Commerce Commission, before the Associated Industries of Massachusetts, at Boston, on October 23, 1930, on the subject of rates and regulation.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The address is as follows:

RATES AND REGULATION

The title which I have chosen for this address is not in itself, I am afraid, very illuminating. The subject is one on which the commission of which I am a member has already published some 150 or so large volumes, and the end of the series is not yet in sight. It may prove to be a case of perpetual motion. Nor are we the only ones engaged in the mass production of such literature. I shall not, therefore, attempt to burden you with all that may be said upon the subject, but shall confine my remarks to a few observations upon matters which I believe have elements of general interest and present importance. These observations will first touch upon certain matters which have a bearing upon the public regulation of rates generally, including utility as well as railroad rates. Before I finish, however, I shall have something to say specifically about the regulation of freight rates, in which you are more particularly interested.

While hardly necessary, it may be well to say at the outset that I speak for myself alone and that my colleagues on the commission are not to be held in any wise responsible for my remarks. They may agree or they may not; I have not undertaken to find out. It may be well to say, also, that for the future I reserve the right and recognize the duty to change my mind upon any of the matters discussed, to the extent that it may be shown that my present views are wrong. Nothing of the sort is, of course, anticipated.

I shall do my best to talk to you upon these matters quite frankly. Experience in public service has given me two abiding convictions, among others. One is that a public servant who is in a position to talk at all ought to say precisely what is in his mind, with due regard for courtesy and tact. The other is that the public ought to say precisely what is in their minds with respect to their servants, with less regard, perhaps, for courtesy and tact. Intellectual dishonesty is the bane of our political life. It probably ranks higher in this respect than financial dishonesty or stupidity, and I am not sure that it does not permeate most of our other activities. On the other hand, free criticism of public servants, while often cruel and unjust and hard to endure, is an efficacious antidote to the poison of self-importance, sometimes called bureaucracy, to which as a class they are peculiarly susceptible. All public servants, from the President and the Supreme Court down, ought to be inoculated periodically with this antidote, and I hope that you will bear this in mind in the discussion which is to follow my remarks.

Incidentally, I may say that when I first became enrolled in the public service, some 16 years ago, as a member of the Public Service Commission of Massachusetts, a wise old acquaintance took me aside and gave me this advice: "A good motto," he said, "is, you never regret having said too little." He went on to say, "In your opinions recite the facts briefly, and then state your conclusions but not your reasons. Your conclusions may be right but your reasons may be wrong." While I concede the practical shrewdness of this advice, I have never believed it to be consistent with sound public policy. Brevity in opinions is surely

desirable, and it is quite true that some of us, perhaps through pride of opinion, forget this now and then. But, on the other hand, those interested in a case are entitled to know, not only the conclusions but as nearly as possible how those conclusions were reached. This is, I believe, essential to the free interchange, growth, and development of thought, the correction of errors, and gradual progress in the application of sound and enduring principles.

With this preliminary, I come to my chosen topics for discussion, and the first of these will be valuation. It lies at the root of public regulation of rates in this country, as now practiced. It is well enough to say in a law that the rates charged by a railroad or utility must be "just and reasonable," but those words do not interpret themselves. How shall we know when a given level of rates is "just and reasonable"? To answer that question it is necessary to find some rule or principle to apply as a measuring rod. So far at least as the lower limits of reasonableness are concerned, the Supreme Court thought, with the best intentions in the world, that it had found the answer to that question when it enunciated the rule, away back in 1898, that a railroad or utility is entitled to a reasonable return upon the fair value of the property which it uses in the public service.

The fact is, however, that this rule precipitated a confusion of thought and a welter of litigation which have laid a paralyzing hand upon the public regulation of rates ever since it was enunciated. I do not mean, of course, that any complete paralysis has resulted, for I know that public regulation has accomplished much that has been useful and beneficial. But I do mean that the valuation doctrine has hampered and embarrassed and grievously delayed regulation to an extent which has given rise to serious and warranted concern. If the total amount which has been spent upon railroad and utility valuations could be ascertained, if the total time consumed in wrangling upon this subject before commissions and courts could be totaled, if all of the lawyers and so-called experts who make a living—and often a fat living—from this hurly-burly could be placed in line, I believe that the country would be staggered by the exhibition.

In this brief address I shall not undertake any reasoned exposition of this subject, but shall avail myself of the privilege which a speaker on such an occasion as this has of stating a few more or less emphatic conclusions, and pointing them by certain illustrations. But before I do this, let me call attention to something which has puzzled me considerably and which ought to be of interest to you. Business men presumably are concerned with the general level of the charges which they pay for the services of railroads and utilities. Sometimes they say that they are interested only in the relation of rates between themselves and their competitors, but upon analysis I question whether they will stand by this theory. In determining the general level of rates valuation is basic. It is the corner stone of the structure. Yet in the course of 16 years of active experience in public regulation I have seen little or no indication of interest in this vital matter upon the part of business men. Certainly in the valuation of railroads the Interstate Commerce Commission has never received help from any organization of business men—national, State, or local. We have had help from the State commissions and from labor organizations. Without it, indeed, our valuations would have been ex parte proceedings with no opposition to combat the railroad claims, except that provided by our own departments. I do not mean that business organizations might have been expected to go into the details of particular valuations. The point is that they have manifested no interest in even the vitally important underlying principles.

The essential difficulty with railroad and utility valuations is that no one has ever been able to arrive at any clear understanding of what is meant precisely by "fair value for rate-making purposes." Certainly it is not any value known to economists or known to business men in their commercial dealings. The value of an ordinary business property is determined primarily by its earning power, by the profits which it can be made to yield. But here we are asked to ascertain a "fair value" which is to be a controlling element in determining the maximum rates which may be charged. In other words, it is not the product of earning power, but a limitation upon and the basis of earning power. According to the court, it is to be determined from the consideration of a number of specified factors, often mutually inconsistent, which are to be given, along with any other relevant matters, "such weight as may be just and right in each case." Obviously the opportunity for debate in arriving at such a figure is without limit, a fact which is attested by the interminable proceedings before commissions and courts.

While there is no fixed practice as yet, and none which has been authoritatively prescribed by the court, there is a tendency to arrive at "fair value" by taking an estimated amount for all lands used, based on the current market value of the adjoining lands; adding the estimated cost of reproduction of the structural property, at approximately current prices; deducing an estimated allowance for depreciation, varying with taste; adding an estimated allowance for working capital; and adding, finally, again according to taste, some figure for that elusive ghost which goes by the name of "going concern value." A "fair value" reached by a formula like this was used in a case recently considered by the Supreme Court which had to do with the street-railway system of Baltimore. By way of illustration, let me contrast this case with the situation of your Boston Elevated Railway.

Under the present public-trustee plan every holder of Boston Elevated bonds and preferred stock receives the fixed rate of return to which he is entitled, the city and the State receive adequate rentals for the subways which they own, and the holders of common stock receive 6 per cent dividends. If my computations are correct, the average rate of return upon the total recorded investment in the property, including the subways, is about 4.7 per cent. Leaving out the subways, it is about 4.9 per cent. Furthermore, the dividends upon common stock could be increased to 8 or 10 per cent without increasing this average rate of return very materially. Contrast this with the Baltimore case, where the Supreme Court held that it would be confiscatory to enforce rates producing a less return upon "fair value" than the 7.44 per cent which the company sought, and added these words:

"In the light of recent decisions of this court and other Federal decisions, it is not certain that rates securing a return of 7.5 per cent, or even 8 per cent, on the value of the property would not be necessary to avoid confiscation."

Bear in mind that this was a return upon "fair value," rather than upon actual, recorded investment. I think it certain that if a "fair value" were estimated for the Boston Elevated property by the formula followed in Baltimore the resulting total would be very largely in excess of the recorded investment in the property. Under this formula even the city-owned and state-owned subways would probably be included in the total at present cost of reproduction, because of the fact that they are property used by the elevated, and notwithstanding the fact that the actual rentals paid for their use are at the rate of only 4.5 per cent on original cost.

Let me direct your attention to certain other results of a formula like this. In recent years various street improvements have been made in downtown Boston at great cost. Streets have been widened and it has been necessary to condemn expensive real estate for that purpose. Those of you who live in Boston have doubtless deemed yourselves fortunate that such a process has not been necessary in the case of most of your streets, and that they were laid out and built in due season many years ago when land values were low. Under the "fair value" doctrine, however, no such advantage can be secured from building public rail highways in due season at low costs. On the contrary, as the market value of adjoining lands swells with rising population, the "fair value" of the lands occupied by these rail highways rises in the same measure and the carriers are permitted to charge you rates as high as if these rail highways were being constructed by some incredibly wasteful legerdemain anew each year through crowded metropolitan centers. And this would be true even if these lands had originally been donated to the railroads, as many lands were throughout the country.

And let us analyze the cost of reproduction theory as applied to structural property. Costs of reproduction fluctuate with the changing value of money and also with improvements in methods of construction. They differ every year. So long as unit prices were going up, as they did until 1920, some of the time at a very steep rate, this theory was of great advantage to companies whose properties were so valued. It gave them "fair values" very largely in excess of the original cost of their properties, and since they paid fixed rates of return on bonds and preferred stock the whole advantage of this excess went to the common stock, to the extent that they were able to realize the permissible earnings. But we are now in a period of declining prices and the rapid introduction of mechanical labor-saving devices which decrease costs of construction. The time may be not far distant when the cost of reproduction theory on its face will work the other way for railroads and utilities, and some farseeing men in these industries are beginning to sense this situation.

However, it is not clear that they have cause for alarm, as I began to perceive on recent close study of the Baltimore case to which I have already referred. In considering what is a reasonable rate of return upon "fair value," the Supreme Court had this to say in that case:

"It is manifest that just compensation for a utility, requiring for efficient public service skillful and prudent management as well as use of the plant, and whose rates are subject to public regulation, is more than current interest on mere investment. Sound business management requires that after paying all expenses of operation, setting aside the necessary sums for depreciation, payment of interest and reasonable dividends, there should still remain something to be passed to the surplus account; and a rate of return which does not admit of that being done is not sufficient to assure confidence in the financial soundness of the utility to maintain its credit and enable it to raise money necessary for the proper discharge of its public duties. In this view of the matter, a return of 6.26 per cent is clearly inadequate."

The fair inference to be drawn from this, it seems to me, assuming the cost of reproduction theory to prevail, is that if such costs should so fall that "fair value" would be materially below original cost, with the result that anything like a normal return would endanger the dividends, surplus, and credit of a utility, it would become the duty of the regulating authorities under the Constitution to raise the "reasonable rate of return" sufficiently to protect the dividends, surplus, and credit.

Let us analyze this a bit further. It is a poor rule which does not work both ways. If it is the duty of regulating authorities to raise the reasonable rate of return above normal to avoid a deficiency in dividends and surplus, why in all fairness should it not be their duty to depress the rate below normal in order to avoid an excess in dividends and surplus? But if this be done, it at once appears that the amount of the "fair value" is largely

immaterial, for it is evident that the desired results can be produced by adjustments in the reasonable rate of return regardless of "fair value."

This brings me to the crux of my remarks on this topic. In reality we are here dealing, not with a question of law, but with a question of economics and practical good sense. You will look in vain for the "fair value" rule in the Constitution. It is merely a judicial interpretation of the constitutional amendments which provide that no person shall be deprived of property without "due process of law." The Supreme Court undertook to determine at what point the public regulation of rates would in practical effect be equivalent to a taking of property without due process of law, and the "fair value" rule was its answer. It set limits to regulation. Necessarily, however, this rule and the attempted definition of "fair value" which accompanied it were based on essentially economic considerations and conceptions or preconceptions. Two of the present justices have said that the rule is "economically unsound," and experience has shown them to be right. As I see it, a sounder view of the matter was suggested by the Supreme Court in the passage from the Baltimore case, bearing on credit and reasonable rate of return, which I quoted a moment ago.

The railroads and the utilities perform public functions. We permit private companies to perform such functions because of a rather general belief, which I personally do not wholly share, that they can do the work better than the State. The laborer is worthy of his hire. So long as the railroads and utilities are managed honestly and with reasonable efficiency and economy, we all want to pay these laborers of ours enough so that they will be willing and able to do the work well. Certainly they should not be paid less, and I can think of no good reason why they should be paid more. And in determining what is enough for this purpose, there is no need for shaving hairs. A fair degree of liberality is appropriate.

Now, the essential test of whether these railroads and utilities are being paid enough, it seems to me, is their ability under honest and good management to attract the new capital which is constantly necessary if they are to meet the needs of a growing community. Massachusetts grasped this idea many years ago, before ever the "fair value" rule was enunciated. It proceeded on the theory that it would regulate the securities issued by these companies and see to it that no more were issued than the demands of the business justified and that they represented the actual investment of capital. This done, it endeavored to regulate rates so that earnings would be sufficient to attract investors in these securities. This policy has, I believe, been consistently and successfully pursued in the case of the Massachusetts gas and electric companies, and it was successfully pursued in the case of the street railways until they fell upon evil days, which were no fault of public regulation. To a certain extent it was followed, and with advantage, in the case of the Massachusetts railroads, but there the situation was unfortunately complicated by conflicts of jurisdiction with other States.

Under such a policy it is obvious that no periodic and interminable valuations, so called, are needed. Regulation proceeds on a basis of practical sound sense, and justice is done to both investors and public. The absence of appeals from Massachusetts regulation to the United States Supreme Court confirms this statement. No matter what "fair value" might be estimated with the aid of ingenious lawyers and experts, it is difficult and embarrassing for a company to claim confiscation if it is paying 8, 10, or 12 per cent dividends on its common stock and has a ready market for new issues.

If such a policy of regulation had been followed throughout the country consistently from the beginning, we would have no valuation problem. The origin of that problem can be traced directly to the watered stock and exploitation by construction companies which accompanied the building and development of many of our railroads and utilities in the absence of any proper public regulation. It is that fact which is the source of our difficulties now. The securities of such companies obviously can not be taken as the basis for rate regulation. On the other hand, our National and State Governments were negligent in permitting this situation to arise, and the public can not expect to avoid all the consequences of their negligence.

The circumstances call for some degree of compromise in dealing with what has been done in the past and in arriving at a starting point from which sound regulation for the future can proceed. In deciding what that compromise should be, the valuation data which have been accumulated at enormous expense in the case of the railroads and many of the utilities could be used to good purpose.

All this is suggestive merely. I am not undertaking in these remarks to outline a specific plan. My object is only to indicate some of the difficulties of the present situation and certain general principles which I believe must be applied if we are ever to have a sound and effective system of public regulation. I think it likely, also, that conditions are gradually shaping themselves so that a solution of these difficulties will be feasible. The decline in general level of prices will in itself have a strong influence in that direction, if it persists. Points of view are often curiously changed by shifts in economic conditions. Success in reaching a solution will depend largely upon the intelligence and pertinacity with which it is sought. If the business men of the country who are independent of the railroads and utilities want a solution and will work for it, I feel confident that they can have it. As things go nowadays they have enormous influence, and up to date this is an influence which has been a minus quantity, so far as this phase of public regulation is concerned.

What I have already said leads directly to the second matter which I shall undertake to discuss. One of the great dangers in the private operation of railroads and utilities is that they will be exploited for the making of illegitimate profits. I mean profits that are derived indirectly from improper dealings with the companies rather than directly from their operation. The history of railroads and utilities in this country is well-nigh a chronicle of such profits, and they have been the source of many enormous fortunes. And again I direct attention to the fact that this is a matter with which the business men of the country and their organizations have seldom concerned themselves, if at all. At least if they have, it has escaped my notice.

The chief opportunity for such illegitimate profits is found in financing. It is an open opportunity when the issue of securities is not regulated. It is lost when they are regulated adequately. Nor is it enough to regulate only the securities of the railroads and utilities, for the same manipulation can be practiced through the device of holding companies. Broadly speaking, the game is to acquire control of a company, either at the time of its construction or at some favorable opportunity thereafter, issue securities which are based in part on hopes rather than on actual investment in the property, stimulate these hopes by the various devices known to artful publicity and salesmanship, unload at the earliest opportunity upon what are known as "innocent investors," "widows and orphans" preferred, and leave them holding the bag and the exploiters holding the profits, and also usually retaining control.

I have often heard it argued, and sometimes in very respectable quarters, that the overcapitalization of railroads and utilities is of no concern to the public, and still less the overcapitalization of the superimposed holding companies, for the reason that the basis of rate regulation is not outstanding securities but the "fair value" of the railroad and utility properties. I have already discussed the "fair value" doctrine and pointed out what I believe to be some of its weaknesses. But even if that doctrine were flawless this argument in regard to overcapitalization would still, in my opinion, be utterly fallacious and unsound. If experience in public regulation has taught me anything, it is that overcapitalization of railroads and utilities, direct or indirect, is a dangerous and often effective obstacle to proper public regulation and the furnishing of good service at reasonable rates.

Once inflated securities are outstanding in the hands of investors, every effort will be made to make good on them; and if these efforts fail, the maintenance, service, and credit of the underlying properties in the long run are bound to suffer. One of the common efforts to make good consists in throwing batteries of lawyers and experts into the breach to fight before the commissions and the courts for inflated valuations, so called. Another effort, not uncommon, consists in an endeavor to impair the efficiency of the regulating commissions, through the selection of men who are deemed by those making the effort to be suitable commissioners or the removal, in one way or another, of those whom they deem to be unsuitable, or through the withholding of adequate appropriations. A further effort, which seems to be rather common now in the utility field, consists in the indirect appropriation of illegitimate profits through the padding of charges to operating expenses or construction.

Let me explain this further source of illegitimate profits, for it is important. The practice is comparatively rare among railroads, if it exists at all, so I shall start the explanation with railroads by way of contrast. The management of a railroad is provided by its own paid officers, and so, very largely, is its engineering and accounting. Outside firms of engineers or accountants may be employed occasionally for special jobs, but they are not under common control with the railroad and the contract is made at arm's length. In the case of many utilities which are controlled by large holding companies this is not the practice. Management and engineering and often numerous other services are supplied by contract with kindred companies which are under the same common control. It is all in the family, with no dealing at arm's length. Those contracts are on all manner of bases, but for the most part they are alike in the fact that they contemplate a profit over and above the cost of the services. What that profit is can not be determined with accuracy unless the books of the contractor are examined, and ordinarily those are beyond the jurisdiction of the regulating commission. It would be a precisely analogous situation if a railroad should contract with a company under common control to supply it with trainmen or locomotive engineers at the cost of their services plus a profit.

Certainly railroads and utilities are entitled to a fair profit upon their operations, but that profit should be taken directly in the form of dividends upon stock, where it can be seen and measured and appraised. All devices by which these companies are made to yield indirect profits to those who own or control them embarrass and impede public regulation and in the long run lead only to high rates or poor service. They are directly opposed to the public interest. There is no difficulty in managing and operating these properties in a simple, normal, and conservative way. The moment complexities appear, particularly those which involve tangled webs of interrelated and interdealing companies, there is ground for more than a reasonable suspicion that some form of manipulation or exploitation is under way.

The topics which I have discussed so far relate to public regulation generally. I have selected them for discussion because they

are live, vital topics of great public importance. The fact is, however, that at the present time they are of more consequence in utility regulation than in railroad regulation. Financial exploitation through overcapitalization, direct or indirect, was a great evil in the railroad past, but now the securities which railroads directly issue are all subject to Federal supervision and holding companies have no very widespread influence in their affairs. They were used in the past with results which in notable cases were disastrous and they are beginning to appear again. But Congress has this matter under investigation, and it may be hoped that the future will be safeguarded.

The question of valuation is also, I think, becoming of lesser importance so far as the railroads are concerned, although it certainly ought not to be disregarded. I say this because there is reason to believe that competitive means of transportation—by water, highway, pipe line, and air—are developing as factors in the situation so rapidly that it is not at all unlikely that there are now, or soon will be, limitations more potent than public regulation upon the aggregate revenues which the railroads may earn. I refer to inland waterways, to motor busses and trucks and private automobiles, to pipe lines for both crude and refined oils and natural gas, and to the carriage of mail and passengers by airplanes. There is also the long-distance transmission of electric power. The situation is one which may well cause the railroads serious concern, and the best brains at their command will need to work at high pressure to meet it. I think they will measure up to the need, but the next few years are likely to see radical changes in methods of handling traffic. It is dangerous to prophesy, so I shall be content with that comment.

Incidentally shippers also may well give thought to this situation. There may be need for some constructive action on their part and perhaps on the part of the Government as well. Competition is by no means an unmixed blessing. It is quite arguable that it demands regulation in the public interest as much as monopoly. It can be very wasteful, destructive, and costly. The advantages are patent and easily perceived. The disadvantages are often latent and not so easily recognized. For example, I have no doubt that even the competition of the railroads with each other gives rise to heavy costs which a monopoly could avoid. How the account balances I do not know, and I doubt whether anyone knows. But these are matters worthy of the serious consideration of the shipping public.

I come now to the topic which more particularly interests you, and that is the specific regulation of railroad freight rates. It is a topic which I approach with not a little hesitation and caution, for I have to deal with it every day, not theoretically but practically, and I know its pitfalls and difficulties. The little which I shall say about it here will be said in no dogmatic spirit but with all due humility and appreciation of the fact that there are depths in this subject which I have not yet plumbed.

The freight-rate structure of the country, as you know, is an affair of infinite variety. It is so complex that it takes a special kind of expert to read and comprehend freight-rate tariffs, and even they fall down on the job now and then. We spend a considerable part of our time at the commission in deciding cases which involve nothing but the interpretation of tariffs. At the bottom all this variety and intricacy grow out of the fact that the freight-rate structure had its beginning and a large part of its development at a time when the railroads were practically free agents and the individual railroads were comparatively small affairs. Between many points they competed sharply with each other, and between many other points they competed with water carriers, which in the dawn of railroad history were a much larger factor in the transportation situation than they are to-day. And even where there were no paralleling lines every railroad had producers in its territory who were competing with producers in some other territory, and all these producers were striving to reach the larger markets for their goods on something like equal terms.

Naturally, the result of all these conflicting forces was that rates were cut to the quick where competition was the sharpest, and where it was less vigorous or did not exist at all they were made as high as possible to offset such cuts. It was the heydey of the big shipper, who prospered on rebates, and of the big community which had competition which lesser communities did not enjoy. The competition was so sharp and unrestrained that most of the inland water carriers were driven out of existence. Complaints of discrimination were inevitable, and it was because of those complaints, very largely, that the Interstate Commerce Commission was created.

This was the kind of a freight-rate structure with which the commission was called upon to deal at the time of its creation in 1887. There had been many attempts at State regulation by legislatures or commissions prior to that time, but as each State was working in its own interest and the interstate rates were not subject to regulation, these attempts served only to complicate the situation still further. Moreover, the commission in its early days met with stout resistance from the carriers at every step, and in the ensuing litigation its powers were construed and interpreted away to such an extent that its regulation had no important effect upon the rate structure until the further legislation of 1906 and the still more important amendments of 1910.

Now, I want for a moment to suggest one or two basic principles of general application which it seems to me must govern the commission in its regulation of rates. Neither the commission nor any of its members can with any regard for its sworn duties place the interests of any one part of the country above those of another. It will be an evil day if sectionalism gains any important voice in the counsels of the commission. By the same token it is the duty of the commission, with due regard for differences in conditions, to treat all shippers and all localities alike and have no favorites. A further general principle which must be borne in mind is that the railroads are privately operated and it is not the function of the commission to manage them.

This latter principle calls for some explanation. Public regulation is not management, but it is necessarily an interference with management. Every order that the commission enters constitutes an act of interference. But there is a realm of management which I believe has been left free to the private owners. Without defining it closely, let me illustrate this realm, as I understand it. As has been seen, railroads are monopolistic only in part, and they are subject to much competition. It is not the policy of the law to prevent this competition, within reasonable limits, but on the other hand it is not required. If the commission should undertake to compel the railroads to cut rates for competitive reasons, it would be exceeding its authority and trespassing upon a discretion of management which has been left to the private owners. As another illustration, it may be that a railroad could stimulate certain traffic and increase its revenue by reducing rates, as is often suggested in the case of passenger traffic. This, however, is a question of wisdom in management, and so long as the rates do not exceed a reasonable maximum, I believe that this matter also must be left to the discretion of the owners.

There is a further observation which I wish to make at this point. Changes in freight-rate relations benefit some and injure others. If the changes are just, those who suffer disadvantage are those who have had an undue advantage before. That being the case, the fact that some one finds his situation changed for the worse is no proof that the change should not have been made. Indeed, as I have already pointed out, the commission was created for the prime purpose of changing rate relations and thereby eliminating discriminations. In saying this, I do not mean that no consideration should be paid to established custom and practice. Unless the law requires it, as it sometimes does, changes should not be made in the absence of a demonstrated need. There are, for example, various important rate adjustments throughout the country which are incapable of any very logical defense, but no one complains, and they seem to meet the needs of the shippers, carriers, and consumers. So long as this situation continues, I know of no good reason why such adjustments should be changed.

From what I have said, fragmentary as it has been, I think it will be evident that the commission can not make rates as the railroads made them in the past. It must have some system or plan in mind which will stand the test of the law, and accord equal treatment, all things considered, to all shippers, localities, and kinds or descriptions of traffic. Its ultimate goal must be the bringing of order out of chaos, to the extent that this is possible so long as competition plays an important part in railroad affairs.

After gaining real power over rates some 20 years ago, the commission largely confined itself, aside from the great general cases involving horizontal changes in rates to meet revenue needs, to the hearing and decision of individual complaints, as they were filed. With experience it became evident, however, that rate adjustments all over the country were interlocked to a greater extent than had been appreciated, and that changes under specific complaints in the rates between particular points or localities often caused disturbances elsewhere which brought in more complaints. Certainly, as time went on there was no diminution in the inflow of complaints, but, on the contrary, they increased in general from year to year. From this point of view it seemed desirable to consider rate adjustments comprehensively, throughout large territories or the country as a whole, instead of dealing with them in random and piecemeal fashion. The result was a growing tendency to institute large and general investigations of particular rate adjustments, where need for investigation seemed to exist. This was a tendency which made itself felt before Congress adopted the Hoch-Smith resolution, commanding a comprehensive analysis and consideration of the entire freight-rate structure, and it was a tendency which I believe would have continued to develop if that resolution had never been made a part of the law.

Along with this development there was also a growing tendency, which began a good many years ago, to fix rates, at least certain kinds of rates, on a mileage or distance basis. This was no new principle in rate making. The railroads had used distance scales in numerous situations from the very beginning. But the commission has greatly extended the application of this principle. In essence it was applied in the great country-wide revision of express rates about 17 years ago, and not long after in the extensive revision of class rates throughout central territory. Since that time it has been applied on a large scale in numerous other situations, particularly in the case of class rates. Such a system of rates has the manifest advantage that it treats all shippers and localities alike on one common basis. It plays no favorites, and all are given the advantage or disadvantage of their geographical location.

The reason for the use of such a system of rates, where it has been used, have been explained in detail by the commission in its reports, and I shall not undertake to go into similar detail here. In general the results from its use, so far as we are able to judge from the filing of formal complaints, have been satisfactory. There has, however, been considerable talk in opposition to what is called the "mileage theory," and grave fears have been

expressed as to the results, more particularly if it should be applied to the rate adjustments on various commodities. That it may not be well adapted in undiluted form to every situation, particularly where low-grade so-called basic commodities are involved, and that rate groups or blankets of varying extent are often desirable, has often been indicated by the commission itself. What I have already said about the influence of established custom and practice may also be recalled again here.

I have no desire to debate the so-called "mileage theory" in these remarks, and doubt whether it would be appropriate; but let me say that the commission is not now, so far as I know, wedded beyond divorce to that theory or any other theory of making rates. We do wish to make rates by principle, and by the soundest that we can discover. If those who condemn what they call "mileage" rates will present some definite substitute plan which they think ought to be followed, it will, I am sure, receive respectful and careful consideration, and I have no doubt that it will be adopted if it is found to be an improvement over the methods which we have been following. For myself I can say, however, that an essential feature of any plan, before it can be adopted, must be equality of treatment without favoritism or other form of unjust discrimination.

So far as I have been able to discover, those who oppose what they term the "mileage theory" believe, in a not altogether definite way, that there should be some system of rates which will permit all producers of a given commodity, or some of them, to reach the important consuming markets, or some of them, on equal terms, or something like equal terms. I am not sure just how far they carry their belief. Of course a postage-stamp system of rates would accomplish this result perfectly, but that could hardly be adopted by the railroads. It may be, also, that some other plan might be worked out which would accomplish the desired result, or an approximation of it, and which would be practicable. There are a considerable number of relatively simple situations where rate blankets can be used to advantage, and meet with general approval. With that exception and so far as complicated situations are concerned, all that I can say is that I have not yet seen or heard of a satisfactory substitute which plays no favorites and does not leave certain shippers or receivers of freight or localities out in the cold. If there is such a plan, let it be produced for consideration. I call attention to the fact, however, that if such a plan could be developed which would be fair to all of the shippers, it would seem that it must inevitably result in charging relatively low rates for long hauls and relatively high rates for short hauls. Whether this would be fair in all cases to individual railroads, or whether it could be made effective, so far as the short hauls are concerned, in the face of motor-truck competition may be doubted.

I could say more on this subject, but this is all that time will permit. At least you have one suggestion for consideration, and that is this: "If you don't like the 'mileage theory' or any other theory which you think we are following, bring forward some definite plan for consideration which will be comprehensive, fair to all, and practicable." You are at liberty, of course, within reasonable limits, to secure from the railroads such advantages as they may voluntarily extend by reason of competition to all similarly situated. But the commission is not the dispenser of competitive favors.

Before I close let me add one further word. Everybody concedes that both cost and value of service should be considered in arriving at fair rates for particular commodities. There is no agreement, however, as to what the costs or values of particular services are or as to what weight they should be given in arriving at rates. These are exceedingly difficult and important questions. In my opinion they deserve closer attention than they have had in the past. They call for extensive research. We have already done quite a little along those lines, but much remains to be done. I hope that we shall be able to report material progress from time to time, and reflect the results of our research to some reasonable extent in our work.

I end by repeating in substance what I said in beginning the discussion of this topic, and I believe that I can safely say it for the commission. The public regulation of freight rates is an intricate and burdensome task. We are performing that task to the best of our ability and are striving to be guided by sound principle. But we are not dogmatists, and we are searching for the light. If you or anyone else has a better lantern to guide our footsteps than those we are using, we shall welcome it with joy and thanksgiving.

PROHIBITION ENFORCEMENT

Mr. TYDINGS. Mr. President, I ask unanimous consent to have printed in the RECORD a radio address delivered by Mrs. John R. Williams, on December 4, 1930, under the auspices of the Women's Organization Against the Prohibition Amendment.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The address is as follows:

I feel deeply honored by the request of the women's council to speak a few words on the subject that means so much to the quarter of a million members of this organization. I can but think that the only reason I have been asked is because I am fast approaching the Biblical allotment of threescore years and 10. There is a soundness of judgment accredited to one looking back over the years that have gone—that many people are willing to believe is safer than foretelling the future.

I have no statistics to offer—certainly no oratory—but I can tell you how keenly this organization feels against the unfortunate influence of the Volstead Act.

One of my early recollections of life is the town of St. Louis in the early seventies. At that time the city was not much more than a straggly village, with an enormous space about one-quarter mile square right in its center. It was called Hay Market Corner. Here during the summer months the farmer would bring his load of hay to sell—in fact, this was his only clearing house for his grain. Of course, there were saloons along the Square; and whereas I am no advocate for this form of entertainment, yet I can truthfully say it was a quiet, orderly, peaceful crowd. There were no fights, no shooting up, and nothing that in the least resembled a prohibition raid. The principal street leading into the town was called then, as now, the King's Highway. It was the usual impassible thoroughfare, full of holes and bumps, 2 feet deep in mud during the wet weather, and lost in a blinding storm of dust at other times. But you never saw a wagon bottom side up in the ditch; nor were you startled by the honk-honk of the bicycle cop; nor the scurrying around the corner of some one flying from justice; nor did you ask yourself the question that is frequently suggested now, Who will be killed next?

For those were the days before prohibition, when a drink was not forbidden fruit; its importance did not register; it was nothing to think about and certainly nothing to be taxed for. Money in those days was spent to develop the country, to build up cities, and advance trade, not to be handed over to a few fanatics to toy with and experiment with to push forward their own particular fads. And so fades out the picture.

Have you ever stopped to consider how the civil law and the church law go together, almost side by side? The first thing we do in the raising of our children is to send them to the public school and the Sunday school. In the Sunday school the child is taught the Ten Commandments. They are put in words of one syllable. He is taught not to steal, not to burn down houses, not to kill, etc. He reads Bible stories—the story of the loaves and the fishes and changing the water into wine. He quite understands. The child grows up and the laws of the country are nearly the same. There is nothing confusing—all in a perfectly natural sequence. Then the day comes when he is offered a glass of beer; but he must not take it, for this has become a crime!

Is it always a crime? he asks.

Oh, no; if you care to motor into Canada, or drop down into Cuba, or take a 3-mile sail off the Jersey coast, then it is no longer a crime. It is all a question of geography. Think of the fantastic brain that could weave such an absurd law. I am grateful that some sprightly young Congressman with a sense of humor did not make a law forbidding eggs and bacon for breakfast! For I like eggs!

When was this Volstead Act created? During the war, when, with many other requests, it was considered a temporary measure. We were asked to ease up on gasoline, to eat as little as possible, to save on sugar, to get out and work in the hospitals, and at the canteen, etc. The country did not stop and argue, but responded with blind obedience.

The war was over.

Everything drifted back to the normal except the Volstead Act. This was the opportunity for the unsuccessful politician and the soft-drink man, rum agent, and the riffraff, who were benefited by this act, to forge to the front, and thus wet and dry ranged up for battle. It did not look like an even fight. The drys—well-trained soldiers, experienced, well organized, with an underground system nearly perfect; and the wets—fewer in number, ragged, with their backs to the wall, but full of enthusiasm and determination and the look of the crusaders of old, fighting for decency and honesty, and never will they allow the next generation to be destroyed by the very laws created to save them!

The pity of it all is that our youth of to-day are the ones who get the brunt of it. The older generation have experience and common sense to go on, and the babes in the cradle will never have to struggle with it. It will be dead and forgotten long before they come to years of reason. But the young things now in their teens will suffer from it. Prohibition has taught them law-breaking and deceit. It has introduced them to the hip flask and the speak-easy. It has trained them to do what they please, "only it must be under the rose," and as for obedience and "to honor their father and their mother," why they will explain to you with a laugh, that those were the principles of the old-fashioned girl and old-fashioned boy. I do not criticize them! The fault is not theirs! You can not train a young and tender vine to grow crooked and then, when about to bloom, become straight. But I do say that I hope this vicious law will be repealed before it does more damage. These boys and girls have no standards; they look around them bewildered, not knowing which lead to follow. Do you suppose they have not all read with breathless interest "The Man with the Green Hat"?—this man who provided whisky and gin and wine for the statesmen on the Hill, the man who filled up their cellars—and helped out their friends and constituents.

My wanderings into the world of workers brought me into contact with a young mother the other day who told me with tears in her eyes that her small boy had decided that when he grew up he would become a bootlegger. She explained that gone was the lure of other days—the small imaginative boy no longer

dreamed of going West and becoming a cowboy on a bucking bronco, or following the Indians in the covered wagon, or starting out as a pirate for lands of gold. No, sir! He was going to Canada and return with a motor full of kegs, crossing the border on a dark night along a lonely country road! Or possibly get a speed boat and dash through the rum blockage off Fire Island on a stormy night, with seas running high, lights dimmed, then the signal on the beach, a hasty unloading, the warehouse, then disbursing and fading into the night!

I told the young mother she need not fear; before her boy was much older a wise old Nation would change this impossible law. But we could not say to the small boy that such things did not exist! He had seen too much, and heard too much, and read too much!

So we women of the Council of Prohibition Reform in the District are putting up the strongest plea in our power for repeal of this law. Other countries have made mistakes and rectified them. Are we so conceited that we think we can not make a mistake? Are we going to pound through the years with shouts of more and more money and more and more time?

Time!—when the moments are flying fast the hospitals are filling faster, and the prisons are being enlarged and multiplied!

Let's take our bags of gold. We were taxed for it and gave it gladly. But let us use it for the man without a job! He is poor and unhappy, and the winter is cold; food hard to get. Think of the 3,000,000 happy hearts we can enroll—with the millions put aside for prohibition. We wish no idleness. We will create the jobs. Why not follow out L'Enfant's idea and make the whole country beautiful instead of one town? Let us build roads, and bridges, and culverts, and gardens with streams, and glorious pathways—anything to make willing hands useful and busy brains create! The scenery is all there—the money, the unemployed, the bread line and the soup kitchen! Let's join them together! Let's fill up our coffers! Put liquor—since the country will have it—under Government control; render powerless the gangster with his underground traffic; remove temptation from our courts, our police, and our statesmen, for these men designated to enforce the law are the least equipped to withstand its temptations.

Think of the happy days within our reach! The awful war is over. The trials of prohibition are forgotten, and once more over this glorious country will wave the flag of peace—peace!

EXECUTIVE MESSAGES AND APPROVALS

Sundry messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following acts:

On July 7, 1930:

S. 3061. An act to amend section 4 of the act entitled "An act to create a Department of Labor," approved March 4, 1913.

On July 8, 1930:

S. 859. An act for the relief of Clara E. Nichols;

S. 1406. An act for the relief of Mary S. Howard, Gertrude M. Caton, Nellie B. Reed, Gertrude Pierce, Katie Pensel, Josephine Pryor, Mary L. McCormick, Mrs. James Blanchfield, Sadie T. Nicoll, Katie Lloyd, Mrs. Benjamin Warner, Eva K. Pensel, Margaret Y. Kirk, C. Albert George, Earl Wrolsden, Benjamin Carpenter, Nathan Benson, Paul Kirk, Townsend Walters, George Freet, James B. Jefferson, Frank Ellison, Emil Kulchycky, Harold S. Stubbs, and the Bethel Cemetery Co.; and

S. 1756. An act granting the sum of $5,000 to reimburse the family of the late Harold L. Lytle for hospital and medical expenses and loss of salary due to an injury received in a collision with a Government truck in Portsmouth, N. H., May 10, 1927.

On July 10, 1930:

S. 2498. An act to promote the better protection and highest public use of lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, and for other purposes.

On December 12, 1930:

S. 328. An act for the relief of Edward C. Dunlap.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WOOD, Mr. CRAMTON, Mr. WASON, Mr. BYRNS, and Mr. BUCHANAN were appointed managers on the part of the House at the conference.

The message also announced that the House has passed a bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes, in which it requested the concurrence of the Senate.

The message transmitted to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. Lee Slater Overman, late a Senator from the State of North Carolina.

HOUSE BILL REFERRED

The bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate sundry messages from the President of the United States making nominations and submitting treaties, which were referred to the appropriate committees.

FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State showing all receipts and disbursements on account of refunds, allowances, and annuities for the fiscal year ended June 30, 1929, in connection with the Foreign Service retirement and disability system, as required by section 18 (a) of an act for the reorganization and improvement of the Foreign Service of the United States, and for other purposes, approved May 24, 1924.

HERBERT HOOVER.

THE WHITE HOUSE, *December 15, 1930.*

APPROPRIATIONS FOR EMERGENCY CONSTRUCTION

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JONES. Mr. President, I move that the Senate insist upon its amendments, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

Mr. COUZENS. Mr. President, I saw a statement in the press on yesterday to the effect that the conferees have agreed before a conference has ever been asked, and before there has been any formal conference. Before these conferees are appointed I want to enter a protest to the Senate receding on the amendments made by the Senate and on which it is reported in the press that the Senate conferees have agreed with the House or, in other words, that they have disagreed to the Senate amendment. It is a most unusual procedure to have conferees give out, at least to the public, their conclusions before the Senate has even been asked to appoint conferees. If those conferees are now going to meet in good faith since the result of the conference has been announced in the press, then I want to be assured that a real genuine consideration is to be given to the Senate amendments.

Mr. MCKELLAR. To what bill does the Senator refer?

Mr. COUZENS. The Senator from Washington [Mr. JONES] has moved that the Senate insist upon its amendments to the so-called unemployment relief appropriation bill, and asks to have conferees appointed, and yet I understand from the press that the conferees have already met

while not yet appointed and have reached an agreement; that is, the Senate conferees who are now to be appointed have already agreed to disagree to the Senate amendments. It is a most unusual procedure, and I am going to protest against it when the conference report comes before the Senate.

Mr. McKELLAR. Mr. President, I think the Senator from Michigan is entirely right about it. I want to call attention to a statement in the press that section 4, which had been unanimously stricken out by the Senate, had been agreed to by the conferees; that is, I mean the Senate conferees not yet appointed have agreed to the restoration of section 4. I want to express to the chairman of the committee the hope that this has not been done and I hope it will not be done, because if it is done the Senator will certainly have a fight on the floor when the conference report comes before the Senate.

Mr. JONES. Mr. President, I simply desire to say that it is not an unusual practice for the conferees to meet before they are actually appointed. It is known who the conferees will be, and this is done in order to expedite matters. But the conference has not given out what was the result of its conference. How it got out I do not know. I certainly did not give it out.

Mr. ROBINSON of Arkansas. Mr. President, the material inquiry is whether the prospective conferees have actually agreed.

Mr. JONES. The prospective conferees have actually agreed.

Mr. ROBINSON of Arkansas. Upon what theory, may I ask the Senator, did the Senate conferees recede from the position of the Senate touching the provision which gives the President the power to expend all the money carried in the bill for one of the purposes of the bill if he sees fit to do it, the bill having itself allocated the appropriations to the various purposes mentioned in it?

Mr. JONES. The Senator, I think, understands the situation. Technically there has been no conference; that is true. Technically there is none and will not be until the conferees are appointed to prepare and submit their formal report to the Senate.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. JONES. I am perfectly frank, however, in these matters. We thought we could expedite the measure, just as is often the case. So the prospective conferees met and reached a tentative agreement, but that will be submitted in the formal conference report, upon which, of course, the Senate can take such action as it deems wise to take.

Mr. McKELLAR and Mr. COUZENS addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Washington yield; and if so, to whom?

Mr. JONES. I yield to the Senator from Tennessee, as I think he rose first.

Mr. McKELLAR. I shall take only a moment, I will say to the Senator from Michigan. I inquire of the Senator from Washington if it is a fact that the Senate conferees have tentatively agreed to restore section 4 despite the unanimous vote of the Senate striking it out?

Mr. JONES. I think the conferees agreed that their action should be considered as confidential, and I believe very properly so.

Mr. McKELLAR. A statement to that effect was published on yesterday.

Mr. JONES. I am not responsible for that, and I do not know whether the statement as published was correct or not; I paid no attention to it. The conferees, however, will submit the conference report to the Senate for such action as the Senate may see fit to make.

Mr. COUZENS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Michigan?

Mr. JONES. I yield.

Mr. COUZENS. The tentative conference report seems to have been so generally agreed to that our coalition leader, the Senator from Arkansas [Mr. ROBINSON], has already approved of it. The Senator from Arkansas is quoted as saying that he will not interpose any objection to the conference report which will be submitted. The agreement provides that the President shall be given jurisdiction to spend the money appropriated. So we are going through a lot of folderol here; it is perfectly absurd.

Mr. SHORTRIDGE. Mr. President, will the Senator from Washington yield?

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from California?

Mr. JONES. Having made my motion, I yield the floor.

The PRESIDENT pro tempore. The Senator from California is recognized.

Mr. SHORTRIDGE. Mr. President, I rose for the purpose really of making a parliamentary inquiry. Have conferees been appointed?

The PRESIDENT pro tempore. Not as yet, since the Senate has not as yet agreed to the motion.

Mr. SHORTRIDGE. Is it the custom, unwritten law, or tradition that prospective conferees shall meet and reach an agreement before they have been appointed?

The PRESIDENT pro tempore. If the Senator propounds that as a parliamentary inquiry——

Mr. SHORTRIDGE. I do.

The PRESIDENT pro tempore. The Chair thinks the question is more practical than parliamentary, but, at any rate, it has already been answered by the Senator from Washington.

Mr. SHORTRIDGE. Namely, that before being appointed prospective conferees meet and agree as to what they will do if appointed?

The PRESIDENT pro tempore. The opening statement of the Senator from Washington was to that effect.

Mr. ROBINSON of Arkansas. Mr. President, I think I did state that I myself would not feel justified in delaying the final passage of the bill if all the conferees agreed on the restoration of the provision which was stricken out on my motion. If that shall be the status of the report when it shall be brought here, I shall adhere to that position, although I think the amendment was a proper one, and I do feel that the prospective conference committee acted somewhat hastily in receding from the position of the Senate, which, according to my understanding, was taken by a unanimous vote.

The PRESIDENT pro tempore. The question is on agreeing to the motion proposed by the Senator from Washington.

Mr. BLACK. Mr. President, what is the motion?

The PRESIDENT pro tempore. The Senator from Washington [Mr. JONES] moves that the Senate insist upon its amendments to House bill 14804, accede to the request of the House for the appointment of conferees, and that the Chair appoint the conferees on the part of the Senate.

Mr. DILL. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Washington will state his parliamentary inquiry.

Mr. DILL. Would it be in order to make a motion to instruct the conferees to adhere to an amendment?

The PRESIDENT pro tempore. Oh, yes, indeed.

Mr. DILL. After they are appointed, but not before?

The PRESIDENT pro tempore. Before the conferees are named.

Mr. DILL. Mr. President——

Mr. BARKLEY. Mr. President——

The PRESIDENT pro tempore. The Senator from Washington [Mr. DILL] has the floor.

Mr. DILL. I am not sure—I have not the bill before me—of the number of the amendment of the Senator from Arkansas, but it is section 4, I think.

Mr. McKELLAR. It is section 4.

Mr. DILL. I move that the conferees on the part of the Senate be instructed to adhere to that amendment in conference.

The PRESIDENT pro tempore. First of all, the question on the motion to insist on the amendments of the Senate will have to be put.

Mr. BARKLEY. Mr. President, I inquire what is the legislative effect of adopting a motion insisting on a Senate

amendment which the prospective conferees have already stricken out by mutual consent?

The PRESIDENT pro tempore. The Chair can not regard that as a parliamentary inquiry.

Mr. BARKLEY. And the action taken by the prospective conferees does not seem to me to be in accordance with parliamentary procedure, either.

Mr. McKELLAR. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Tennessee will state his parliamentary inquiry.

Mr. McKELLAR. If the motion of the Senator from Washington to insist on the amendments of the Senate shall be agreed to, will it then be in order for the junior Senator from Washington [Mr. DILL] to move to instruct?

The PRESIDENT pro tempore. Under the circumstances, the motion of the Senator from Washington will be divided, and the question will first be put upon the motion to insist upon the amendments attached by the Senate and agreed to by the conference.

Mr. DILL. I understood the answer of the Chair was that my motion was in order, and should be acted on before the conferees were appointed.

The PRESIDENT pro tempore. That is correct.

Mr. DILL. I want to change the wording of the motion, and move to instruct the conferees on the part of the Senate to insist upon the amendment of the Senate striking out section 4.

The PRESIDENT pro tempore. The Senator can formulate the motion while the Chair is putting the other question.

Mr. FESS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Ohio will state it.

Mr. FESS. I desire to ask whether instructions at this time would not be regarded as being entirely antagonistic to a conference? Would not such a motion foreclose the idea of an open conference?

The PRESIDENT pro tempore. The Chair does not regard that as in the line of a purely parliamentary inquiry, but the Chair will state his own opinion. Frequently Senate conferees go into a conference where they know that the door is closed to a free and open conference—a "full and free conference," in the language of the rules.

Mr. FESS. Is not that universally after the conferees have met and disagreed and come back with a report?

The PRESIDENT pro tempore. Not always, in the experience of the present occupant of the chair. The question is on agreeing to the motion of the Senator from Washington.

Mr. DILL. Mr. President, my reason for making this motion——

The PRESIDENT pro tempore. Will the junior Senator from Washington please permit the Senate to get to the point where his motion may be made? The question is on agreeing to the motion of the senior Senator from Washington [Mr. JONES] that the Senate insist on its amendments, agree to the conference asked for by the House, and that the Chair appoint the conferees on the part of the Senate.

Mr. COUZENS. Mr. President, before that motion is put, I want to point out how perfectly absurd the motion is. The motion ought to be rejected, and conferees appointed who have not already made up their minds and reached an agreement. It is a perfectly absurd procedure to adopt a motion that the Senate insist upon its amendments and appoint conferees, which is, as I understand, the motion pending.

The PRESIDENT pro tempore. Will the Senator permit the Chair to suggest that it is within the power of the Senate to name such conferees as it desires?

Mr. COUZENS. That is true; but what I am saying is that the President pro tempore now in the chair has already a list of the conferees to be appointed; those conferees have already met and have reached an agreement, and here we are going through the absurd procedure of voting on a motion to insist upon the amendments of the Senate and appoint conferees, when it is all over with.

Mr. DILL. President——

The PRESIDENT pro tempore. The Senator from Washington.

Mr. DILL. The Senate can meet that situation by adopting a motion to instruct its conferees. Its conferees are, after all, the servants of the Senate, and we can adopt a motion to instruct the Senate conferees, which they will not be at liberty to disobey.

Mr. COUZENS. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Michigan?

Mr. DILL. I yield.

Mr. COUZENS. Does not the Senator see the absurdity of such procedure, when the conferees have already made up their minds and agreed?

Mr. DILL. But the conferees of the Senate are the servants of the Senate and are subject to the orders of the Senate.

Mr. JONES. Mr. President——

The PRESIDENT pro tempore. The junior Senator from Washington has the floor. Does he yield to his colleague?

Mr. DILL. I yield.

Mr. JONES. I should like to state that the whole matter is in the hands of the Senate. When the conference report shall come in, if the Senate is not satisfied with the conference report, it can reject the report.

The PRESIDENT pro tempore. The question is——

Mr. BLACK. Mr. President, I should like to ask the Senator from Washington a question before I vote on the motion. I have been told that the statement was made in the Senate before I came in that the prospective conferees, or those who would normally be appointed, have already reached an agreement to yield on the amendment which the Senate placed on the bill. Is that correct?

Mr. JONES. Mr. President, I want to say that I have always considered a conference report as confidential until it shall be submitted to the Senate.

Mr. McKELLAR. Mr. President——

Mr. JONES. The conferees have, as I said a while ago, informally agreed in regard to these matters; but there is as yet no conference report before the Senate, and I do not feel free, at least publicly, to announce what is the tentative agreement.

Mr. SIMMONS. Mr. President, I should like to ask the Senator from Washington a question.

The PRESIDENT pro tempore. The Senator from Alabama has the floor.

Mr. BLACK. May I suggest——

Mr. SIMMONS. I wish to ask the Senator from Washington a question.

Mr. BLACK. I yield.

Mr. SIMMONS. I want to know if the Senate has actually appointed conferees; that is, if their names were announced by the Chair?

Mr. JONES. No; the Senate has not as yet appointed conferees.

Mr. SIMMONS. The Senator from Michigan said a little while ago, as I understood him, that conferees had already been appointed.

Mr. COUZENS. Oh, no.

Mr. JONES. The Senator from North Carolina misunderstood the Senator from Michigan.

Mr. SIMMONS. I may have misunderstood him, but I understood the Senator to say that conferees had already been appointed and had acted.

Mr. COUZENS. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. The Senator from Alabama has the floor.

Mr. BLACK. I yield.

Mr. COUZENS. The Senator from Michigan said the conferees who are going to be appointed had already met and agreed.

Mr. SIMMONS. I did not understand the Senator to say "the conferees who were going to be appointed." I was under the impression that they had not been appointed.

Mr. COUZENS. They have not been appointed.

Mr. McKELLAR. Mr. President, I should like to ask the Senator from Washington, if there have been no conferees appointed, how can there be any secrets? Why can not the Senator tell what was decided upon the other day in the informal meeting?

Mr. JONES. I suppose when members get together and act confidentially that they are practically bound to hold their action in confidence. The Senator from Tennessee and any other Senators here can agree to have a conference amongst themselves and agree to treat it confidentially, and I think if they agreed to do that they would feel bound to observe the confidence.

Mr. McKELLAR. That may be so; but the conferees have not anything in secret for they have not been appointed.

Mr. JONES. Mr. President, it is true that no conferees were appointed; Senators all understand that, and there is no use for us to talk about that, for everybody knows it.

Mr. CARAWAY. Mr. President, may I ask the Senator from Washington a question?

Mr. BLACK. I yield to the Senator from Arkansas.

Mr. CARAWAY. The Senator from Washington says that the presumed conferees have reached an agreement tentatively; but they can not announce it. The Senator, however, comes here and asks the Senate to insist upon an amendment that he knows has already been receded from. The Senator from Michigan inquires what is the use of indulging in a farce. If the Senator from Washington has already made up his mind, why does he ask the Senate to insist upon a disagreement and appoint conferees?

Mr. JONES. Mr. President, of course, the Senator from Arkansas understands that situation just as well as I do. He knows that technically the Senate itself has taken no action.

Mr. CARAWAY. I think that this is the first time such a thing as has been referred to ever occurred, and I hope it will be the last time.

Mr. JONES. Of course, I do not know how often the Senator has been on conference committees.

Mr. CARAWAY. But I never thought of surrendering before I was named as a conferee.

Mr. JONES. I know we have had similar informal conferences such as the one in this case heretofore in order to save time and expedite legislation. That was the sole purpose in this instance. There was nothing, I might say, that was secret about it.

Mr. CARAWAY. Then, if there is nothing secret about it, tell us what the outcome was.

Mr. JONES. There has been no formal action of the Senate or of the Senate conferees. The Senate conferees met together as Senators——

Mr. McKELLAR. But was the action taken as published in yesterday's newspapers? That is what we want to know. Have the newspapers misled us about it, or have they told the truth about it? What are the facts?

Mr. JONES. I will say frankly to the Senator that I did not read what the newspapers said about it.

Mr. McKELLAR. They disclosed it all.

Mr. BLACK. Mr. President——

The PRESIDENT pro tempore. The Senator from Alabama has the floor.

Mr. BLACK. Mr. President, I am interested in this matter for more than one reason. I am interested on account of the amendment which has been mentioned, and I am interested also on account of two amendments with reference to appropriations for advances to the State of Georgia and the State of Alabama, although they do not increase the amount of the appropriation at all. May I ask the Senator from Washington if there has been any preliminary agreement between the prospective conferees which would cause the Senate to yield on those two amendments or by which they have agreed to yield on those two amendments?

Mr. JONES. Mr. President, I will say that the prospective conferees met and reached a full agreement, so far as they were concerned, with reference to the matters in disagreement. Some items were agreed to as the Senate adopted them and some were not, while others were modified.

I think everybody understands the situation. Everybody understands the urgency of this legislation. The prospective conferees met simply in the interest of saving time and expediting legislation. If the Senate desires to quibble about matters of that kind and withhold action upon this important and very necessary legislation, I am not responsible for that. It is very plain what has been done. There is no attempt at concealment with reference to the action of the prospective conferees, except, as I say, that we considered our action confidential. It was not binding upon the Senate. It was not binding upon any of the conferees, for that matter.

There is the situation. If the Senate desires to delay matters, of course, I am not responsible.

Mr. BLACK. I understand thoroughly that the Senator does not want to conceal anything; but I was interested to know what was the preliminary agreement with reference to those two amendments, and I did not understand the Senator to tell the Senate.

Mr. JONES. As soon as we get the conference report formally before the Senate that will be shown.

Mr. BLACK. There has already been an agreement reached by the prospective conferees?

Mr. JONES. I have announced several times that the prospective conferees have reached a tentative full agreement on all items.

Mr. SIMMONS. Mr. President——

The PRESIDENT pro tempore. The Senator from Alabama [Mr. BLACK] has the floor and desires to propound a parliamentary inquiry, which the Senator will state.

Mr. BLACK. Mr. President, if the Senate now agrees to the motion to appoint as conferees those who have already met and acted preliminary to final action, and the Senator from Washington makes his motion hereafter, will that be subject to an amendment to require that the Senate conferees adhere to all of the Senate amendments?

The PRESIDENT pro tempore. Certainly.

Mr. SIMMONS. Mr. President, I desire to ask a question of the Senator from Washington, and it is this:

Did the Senate conferees meet and decide among themselves what should be done, or did they meet with the House conferees and come to this agreement? I do not mean the Senate conferees in the technical sense, when none had been appointed, but the Senators who are entitled under the usual rule and procedure of the Senate to be appointed conferees. Did they meet by themselves, or did they meet in session with the gentlemen who are entitled to be appointed conferees of the House?

Mr. JONES. The prospective conferees of the Senate and the prospective conferees of the House met together.

Mr. SIMMONS. Mr. President, I desire to say that it seems to me this is the most remarkable proceeding that has ever taken place in the Senate since I have been a member of it.

The Senate expressed its will with reference to this matter by voting to send this amendment to conference. That was an expression of the will of the Senate that the amendment should be eliminated. I am speaking now of the main amendment, the one that cuts down the allowance for relief purposes. Ordinarily, and always, as far as I recall—certainly it has been the custom of all conference committees of which I have been a member, and I have been a member of many—the conferees appointed by the Senate, whatever might be their views about questions, felt that they were bound in duty to the Senate to do what they could to carry out the will of the Senate as expressed, and they have insisted upon that. In this case, however, before they have actually been appointed, they have met and have agreed to surrender the position of the Senate. I say that is very remarkable and very unusual.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Washington [Mr. JONES].

The motion was agreed to.

Mr. DILL. Mr. President, I make the motion which I send to the desk.

The PRESIDENT pro tempore. The motion will be stated.

The CHIEF CLERK. The Senator from Washington moves that the conferees on the part of the Senate on House bill 14804 be and hereby are instructed to adhere to the amendment striking out section 2 of said bill.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Washington [Mr. DILL].

Mr. McKELLAR. Mr. President, is there not some confusion about which section that is? In the bill that we passed I think it was section 4.

Mr. DILL. The motion has reference to section 2 as the bill came over from the House, on page 4.

Mr. McKELLAR. That is all right.

Mr. COUZENS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Michigan?

Mr. DILL. I do.

Mr. COUZENS. I ask the Senator if we have not already adopted a motion to that effect.

Mr. DILL. No.

Mr. COUZENS. We adopted a motion to insist upon the Senate amendments.

Mr. DILL. That is different from instructing the conferees to adhere to them.

Mr. BORAH. Mr. President, may I say a word?

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Idaho?

Mr. DILL. I desire to say just a few words, and then I shall have finished.

Mr. JONES. Mr. President, will the Senator point out just what section he refers to?

Mr. DILL. I refer to section 2, the provision that reads:

> The sums herein appropriated shall be available interchangeably for expenditure on the objects named in this act upon order of the President stating the amounts and the appropriations between which such interchanges are to be made.

Mr. JONES. I thought that was it, but I wanted to be sure. That is amendment numbered 13 in the bill as printed with the amendments numbered.

Mr. DILL. I said the amendment striking out section 2 of the bill as it came from the House.

My reason for making this motion is that unless this section is stricken out, we might just as well write into the beginning of this bill a total amount of money, and say that the President may spend it for these purposes as he sees fit, without making any appropriation of amounts for any particular purpose. It seems to me that such latitude in the exercise of power should never be granted to the President of the United States except in time of great emergency, such as war or a terrible catastrophe that may have come upon the country.

I have no desire in any way to impugn the good faith of the President, or in any way to show a lack of trust in the President; but the Congress of the United States is the constitutional body to make appropriations and to say how they shall be spent. I think the history of the country shows that Congress has consistently retained the power to say for what purposes money shall be expended when it is appropriated from the Treasury of the United States; and no such latitude in the exercise of power has been granted to Presidents except in times of war or of great emergency. This is a fundamental principle of our Government that should be observed.

I do not care to make any lengthy speech about the matter. I simply wanted to explain my reasons for making the motion, those reasons being more particularly a matter of precedent and a matter of maintaining the performance of the constitutional duties of Congress.

Mr. COUZENS. Mr. President, I move to amend the Senator's motion by adding to it that the Senate conferees be instructed to insist upon the proviso that was put in after the word "appropriations," on line 23, page 5:

> *Provided*, That every contract made under the provisions of this bill to which the United States, any Territory, or the District of Columbia is a party, and every such contract made for or on behalf of the United States or any Territory—

And so forth. I do not want to take up the time of the Senate; but that is an amendment that was put on at the end of the bill, and was put on unanimously. I desire to amend the motion of the Senator from Washington so as to include that amendment put on in the Senate.

The PRESIDENT pro tempore. Does the Senator from Washington accept the amendment?

Mr. DILL. I will accept the amendment.

The PRESIDENT pro tempore. The question, then, is upon the perfected motion of the Senator from Washington.

Mr. BORAH. Mr. President, as I understand the effect of the motion of the Senator from Wahington is to instruct the Senate conferees to insist upon these amendments. That, I take it, destroys at the start any full, free, conference. We are preparing for a deadlock here for three or four days, and in the meantime the bread lines are lengthening.

Mr. FESS. Mr. President, will the Senator yield?

Mr. BORAH. Just a moment. The Senate will have finally to determine whether or not it wants this particular section struck out. Why not make progress by simply following the ordinary procedure, permit the conferees to go out and make the report, and bring it back here and get action from the Senate upon these amendments?

If we send the conferees out with this instruction, we are simply tied up. Under those circumstances the House is not going to yield, so long as there is no free conference. There has been, we will assume, an indiscretion upon the part of our colleagues in the early conference; but that has nothing to do with the merits of this matter. For God's sake, let us get something done in order that we may feed some of these people who are hungry.

Mr. DILL. Mr. President, I simply wish to say that I would not have made such a motion were it not for the fact that the prospective conferees have already bound themselves to an agreement upon which I want to test the sentiment of the Senate. We might just as well determine it now as at some other time. If the prospective conferees had not taken this action, if they had not done this, I would not make such a motion at this time.

Mr. BORAH. The difficulty is that the Senator is proposing to send the conferees of the Senate back to meet with the conferees of the House when there is no free meeting about it.

Mr. DILL. But they have already had a free meeting. They would be free as to all other amendments anyhow

Mr. BORAH. We are not accepting any such procedure as that. We are not bound by it.

Mr. DILL. But are not they bound by it?

Mr. BORAH. No; they are not bound.

Mr. DILL. If their word is good, they will be bound.

Mr. SWANSON. Mr. President, as I read this instruction, it is a proposal that the Senate adhere to its amendment. That means that if the House does not accept the action of the Senate, the bill is killed. I suggest to the Senator to put in the word "insist," and then the matter would have to come back to the Senate.

Mr. DILL. We have already insisted.

Mr. SWANSON. That simply means "instructed." The word "adhere" means that if the House vote on the matter, if they do not change their action, that kills the bill. The word "adhere" means that the bill is killed. I ask the Senator to change that word to "instruct" or "insist," because that is the usual parliamentary expression. If one House adheres to an amendment, it simply means that the bill is killed unless the other House concurs; and I am not willing to kill this bill.

Mr. McKELLAR. Mr. President, as I remember, the Senator from Washington has already asked to have his motion amended so as to use the word "instructed."

Mr. DILL. I have used the word "instructed."

Mr. SWANSON. That is all right.

Mr. McKELLAR. That ought to settle the whole matter.

Mr. BARKLEY. Mr. President, under the program of the administration, if the action of the conferees which seems already to have been taken in an unofficial way is carried

out by Congress, I desire to inquire of the Senator from Idaho whether any human being will be fed anything out of this fund? As I understand the position of the administration, it desires an appropriation only to feed horses, cows, and hogs. It does not desire any of this fund to be expended for feeding human beings.

Mr. DILL. That is not incorporated in this measure.

Mr. BARKLEY. This is not the bill providing for furnishing food?

Mr. DILL. No.

Mr. BARKLEY. Then I withdraw my inquiry.

Mr. BLACK. Mr. President, I desire to amend the motion of the Senator from Washington by adding the amendment on page 3, beginning:

Provided further, That the balance of the appropriation of $1,660,000—

And by adding, at the request of the Senator from Georgia, amendment No. 11, immediately following the one I have mentioned.

I desire to make a statement with reference to something that has been said here about bread lines. If there is any desire to shorten the length of the bread line neither one of these amendments will be stricken from this bill, nor will the amendment of the Senator from Michigan be stricken.

I want to tell the Senate exactly what is happening in my own State with reference to contracts made for public buildings. A contract was made for the building of a post office in Alabama, an appropriation of $95,000 having been made. Letting the contract to the lowest bidder, it was let for about $65,000. When the contractors went to the town where the building was to be erected they imported labor at 20 cents per hour. The prevailing wage of common labor in that district is 45 cents per hour. They imported carpenters and bricklayers at 40 to 45 cents per hour, when the local wage is about 90 cents per hour. By that great economy under the present administration, which alleges that it is seeking to shorten the bread line, the Government saved of the appropriation which was made about $15,000, but it saved it at the expense of the men who were compelled to labor for 20 cents per hour, when the prevailing wage is from 40 to 45 cents per hour for common labor.

Mr. CARAWAY. Mr. President, was it saved to the Government or to the contractors?

Mr. BLACK. The contractors evidently secured their part, I would assume; but according to the report made to me from the Post Office Department last week the Government, of the sum which was appropriated, will save about $15,000 in the program of economy on account of the importing of laborers at 20 cents per hour, when they can not live upon that amount, and save through the importing of brick masons and carpenters at about 40 cents per hour, when the prevailing wage is from 90 cents to $1.

The amendment of the Senator from Michigan would cure that condition. If it is desired to have the Government continue to beat down the compensation of labor at this time, when the administration is calling upon industries throughout the country to hold up the prevailing standards of labor, then, of course, it is proper for the House to obtain its desire, and it is proper to admit the infallibility of the administration with reference to all legislative viewpoints.

Mr. BARKLEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Kentucky?

Mr. BLACK. I yield.

Mr. BARKLEY. Does the Senator understand that the unofficial conferees, who have not yet been appointed but who have acted, have agreed among themselves to eliminate this Couzens amendment?

Mr. BLACK. In the announcement which I saw in the newspapers—I can not vouch for its truthfulness—it is stated that that amendment, among others, will fall, and therefore with the Chief Executive of the great Government of the United States calling conferences for the purpose of asking industry not to reduce the returns of labor, we will find that same Government standing for a principle of beating down the wages paid labor in the erection of public buildings in every section of this country. That is the issue before the Senate at the present time on this motion.

Mr. BARKLEY and Mr. SMOOT addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Alabama yield; and if so, to whom?

Mr. BLACK. I yield first to the Senator from Kentucky.

Mr. BARKLEY. Would the Senator be willing to propound to the Senator from Washington an inquiry as to just what action the unofficial conferees have taken?

Mr. BLACK. I have propounded that inquiry, and have not received the information.

I now yield to the Senator from Utah.

Mr. SMOOT. Mr. President, if I understood the Senator correctly, he charges the administration, or the Government of the United States, with beating down labor in his own State, Alabama.

The Senator must know what the law is. When bids are asked by the Government for the erection of a post-office building in the Senator's State, the law requires that the Government shall accept the lowest responsible bid. It has nothing to say in reference to what salaries or wages shall be. What the department wants, and what under the law it is compelled to get, is the lowest bid for doing the work, and that is what it hopes to get.

Mr. BLACK. I understand the Senator's viewpoint, and I do not charge, with reference to the particular contract to which I have referred or with reference to contracts which have heretofore been let, that the administration is beating down the compensation of labor contrary to law.

Mr. McKELLAR. Mr. President——

Mr. BLACK. Let me finish my statement. The Couzens amendment would change that situation. That amendment provides that when a contract is let the highest prevailing wage of labor shall be paid by the Government, and that bidders shall bid with that understanding. Therefore I take the position that those who seek to defeat this amendment are trying to fasten further onto the Government a policy which, at a time when the Chief Executive claims the wages of labor should not be reduced, is beating down the wages of labor in every State in this Union.

The amendment would do this: It would provide that if a contract is let for the erection of a building in Alabama or in any other State the highest prevailing wages shall be paid by the contractor. Under the present law such is not the case. Therefore the issue confronts us squarely this morning, as it confronted the informal conference on Saturday and as it will confront the other conference at a later time, whether we are willing now in this body to stand for a system which is beating down the compensation of labor all over this country at a time when, as the Senator from Idaho has said, the bread lines are waiting for bread. That is the question which arises with reference to the amendment of the Senator from Michigan.

Mr. BORAH. Mr. President, will the Senator yield?

Mr. BLACK. I yield.

Mr. BORAH. I am not in sympathy with the defeat of the amendment offered by the Senator from Michigan. But I do not think it is good practice, if we want to make time, to instruct our conferees before they go to meet with the conferees on the part of the House, because that would prevent any conference at all, really. What we ought to do is to bring the matter back here and pass upon it, and then when the Senate shall have passed upon it the Senate will have made known its views.

Mr. BLACK. Mr. President, I understand the Senator's position entirely, and I anticipated, from the Senator's general policy and the line of thought he has always pursued in this body, that he would be in sympathy with the amendment of the Senator from Michigan. But we are caught in this dilemma by reason of what is perhaps an antiquated procedure, of failing to obey the general rule which is set down in Jefferson's Manual that conference committees shall be appointed from those sympathetic with and not antagonistic to the general principles contained in amendments for which the Senate conferees should stand. Here we are with a conference committee already having met before the conferees

are appointed because we adhere to the unwritten rule in the Senate of appointing the senior members of a committee, whether they favor or oppose amendments adopted or not, when we practically know in advance and they do not deny that they have already agreed to yield on this vital amendment at this time, when the bread lines are lengthening day by day throughout this entire country, and the amendment in controversy would prevent the exact situation which has driven down the wages of the men who are compelled to work in order to earn their daily bread.

Mr. JONES. Mr. President, will the Senator yield to me?

Mr. BLACK. I yield.

Mr. JONES. I want to say to the Senator—and I say it frankly—that my personal sympathies are very much along the lines of the principle of the amendment of the Senator from Michigan, if it can be practically carried out. Furthermore, independent of that, it has always been my attitude as a conferee, no matter what my personal views might be, to feel that I am expected to reflect the views of the Senate. I have always stood by that principle and taken action accordingly.

Mr. BLACK. Mr. President, I appreciate fully the Senator's position, and I am not saying anything in the world that is intended to reflect upon the Senator.

Mr. FLETCHER and Mr. GOFF addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Alabama yield; and if so, to whom?

Mr. BLACK. I yield to the Senator from Florida.

Mr. FLETCHER. It occurs to me, very much in line with the thought of the Senator from Idaho, as I understood his remarks, that the time to raise this question is after a full and free conference has been had and a report made to the Senate. When the report comes in it will be in order then for the Senate either to accept it or to reject it and send the bill back for further conference, with instructions to the conferees. That is the usual course, the usual practice. We will then have a full and free conference, the report will be here, and it will be for the Senate to deal with it after it comes before us. It can accept part of it and send back the rest of it for further conference, with instructions to the conferees. It seems to me that would be the time when the action should be taken.

Mr. BLACK. Under ordinary circumstances I would agree with the Senator fully, although I call his attention to the fact that when the report comes in it comes in as a whole. We are compelled either to be placed in the attitude of voting against appropriations which we think should be made, of standing upon one amendment rather than carrying out the general good to be accomplished by the entire bill. Therefore, on account of that fact, and on account of the further fact that the conferees have already met, that those who will be appointed in the ordinary course of events, as has been said and not denied, have agreed to yield on this particular amendment, along with others, it seems to me that we have an entirely different situation from what we have under ordinary circumstances.

I am free to state that with reference to a part of the Senator's amendment, I was in doubt as to its advisability, and for that reason I voted for the amendment to the amendment proposed by the Senator from Wisconsin; but with reference to the general underlying principle, it seems to me that it is contrary to every policy which has been announced from the White House with reference to maintaining a standard of labor for us to permit ourselves to yield in advance on a proposition which will determine whether men can hereafter be employed, in these times of stress, when the coercion of need of jobs to earn their daily bread is known to the Senate as it does under the present circumstances.

There is no infallibility about the position assumed by the gentlemen at the other end of this Capitol. It may be that most frequently their votes are in accord with the White House, as has been stated from time to time. But some of us are not even willing to admit infallibility in any one individual, however high may be his position and by whatever vote he may have been elected by the people. We believe that the Members of these bodies have a right to express their own views in their own way.

Mr. CARAWAY. Mr. President, will the Senator yield?

Mr. BLACK. I yield.

Mr. CARAWAY. I hope the Senator will be careful about making any charge, because I understand there has been a sworn band over there formed to resist any attack upon the President. The Senator might rouse them up.

Mr. BLACK. That might be possible. Now I want to call the Senate's attention to another amendment which I have added to this, and to show how that will not affect the bread line.

Last year there was authorized an appropriation of $1,660,000 to restore roads in my State which had been destroyed by floods. The State is ready to-day to begin work on those roads, but unfortunately they do not have the money to match the appropriation which was voted a year ago. The only effect of this amendment, from which I have understood the committee has agreed to recede, would be to release that money now, at the time when the administration says it desires to have people put to work. The appropriation has already been made. We are usually led to believe that when the conferees from the other end of the Capitol take a position it is in accord with the administration's views. Can it be true that the administration which has promised so much to the people in the last few months, and has had commission after commission appointed to investigate and to plan, is willing to stand upon a denial of the temporary advance of money which can be spent to-day to put people to work in the United States of America?

When the money has already been appropriated and the States are ready to spend it to-day on roads to put people to work, as they are in Georgia and Alabama, what fundamental reason can anyone suggest why we should be compelled to yield and bow down subserviently to those who happen to be in power at some other place, when we have our own conscientious belief that a principle is right?

That amendment proposes no additional appropriation. It is as sound as the amendment proposed by the Senator from Michigan. Both of them are intended to give practical aid, instead of the aid which was suggested by the Secretary of Agriculture, which came perilously near providing for a dole. Both of them are intended to put people to work with money which the Government will spend at a later date anyhow.

Is it true that now, after we have been informed and it has not been denied, that the conferees who will be selected have agreed in advance to recede from this position merely because some oppose us, we must take it exactly as it is given to us or we must not take it at all? Shall we be silent the first time the question comes up in this body and we have a chance to vote upon it?

These questions are vital and I insist that here and now is the time, because when this matter comes back it will come back, unless the newspaper reports are incorrect—and the prospective conferees have not asserted they are incorrect—with a yielding on these important amendments, the three which have been presented and to one of which I have not adverted, and then we will be compelled to vote upon them as a whole. Some one will then say, "Are you going to delay the appropriation which will shorten the bread line? You will have to take this or you will get nothing."

It seems to me there are enough Senators in this Chamber who, if they combine their real sentiments, will let it be known that there is a militant and aggressive fight to be made in order to carry out their principles and they are not bound to submit subserviently to some principles which are asserted and sent to this body, by which we are told to "take this or take nothing," that if we do anything except what is suggested we are "playing with human misery." Why have we not the right to express our views as Senators in this Chamber and vote those views? If we happen to disagree with some one in another department of the Government are we to sit silently by and accept what is doled

out to us, or shall we assert our prerogative and make a militant fight to relieve the unemployment and distress which is abroad in the land? I sincerely trust this motion will be agreed to.

Mr. GOFF. Mr. President, I wish to ask the Senator from Alabama if I understood him correctly, that the administration or the Government is favoring the importation of foreign labor into the different States to carry out these contracts?

Mr. BLACK. I shall be glad to answer the Senator. The statement that I made was that under the present law labor is being imported into various localities for the purpose of working at a very cheap wage. Labor is being worked at a price more than 50 per cent below the prevailing wage standard. If the amendment should be agreed to that situation would not continue. If it is true, as generally thought, that the conferees at the other end of the Capitol frequently voice the sentiment of the administration, I do state that the presumption is that if the amendment is stricken out it represents the desire of the administration.

Mr. GOFF. I wish to say to the Senator that apparently he was not in the Chamber on Thursday, the 11th instant, when this very feature was somewhat intimately discussed by the Senator from Massachusetts [Mr. WALSH] and by the Senator from Michigan [Mr. COUZENS], and that I also participated in that debate. The question arose at that time and I unequivocally stated that I favored the amendment offered by the Senator from Michigan, and that the Government is not favoring a contractor bringing in labor from the home State where the contractor resides. I have investigated that question personally, and while the Treasury Department informed me that such is frequently the case, they further state what is axiomatically true, that where a contract is let to the lowest responsible bidder the Government could not impose, in the performance of that contract, conditions and obligations which it had no right to require the contractor to agree to at the time he took steps to become the lowest responsible bidder.

The Treasury Department informs me further—and that is an impression which I think does not exist in the mind of the Senator from Alabama—that the Treasury is doing all that it can do to encourage the so-called foreign contractor to go into the State where he is to perform his contract and employ the local labor, and not bring with him or import the so-called floating labor from other States because he might employ their services cheaper or because it might be more agreeable to the performance of his contract in general.

I stated further at that time that I heartily approved of the amendment of the Senator from Michigan. To apply it in a very practical sense, I know of my own knowledge that in several cases contractors from other States have attempted to come into States adjacent thereto and sometimes far away, and that they have found it cheaper from their point of view to import their regular army of labor qualified to perform the feature of the contract which has been awarded to them. I do not believe that that is in the interest of the performance of the contract locally or that it tends to relieve the present depression and unemployment situation which is existing in the country. I know, though, and I do not wish to have the statement made and not have it explained or replied to—that the Government is doing everything within its power to persuade the successful contractor to go into the community where the contract is to be performed and there employ the labor necessary to perform that contract.

I had a case which involved the town in which I live in the State of West Virginia. I went down for that very reason, because the lowest successful bidder came from the State of Indiana, and tried to see if I could have that contractor induced to employ local labor, which was suffering from the general world-wide depression. I was informed by the officials of the Treasury Department having the matter in charge that they were doing all they could within the legal limitations of the contract to induce the successful contractor not to import his floating labor machine, so to speak, but to employ local labor.

Mr. FLETCHER. Mr. President, if the Senator will permit me——

Mr. GOFF. I yield.

Mr. FLETCHER. The effect and purpose of the object desired to be attained, if written into law, would require the bidder to comply with the specifications rather than his desires in the matter, if into those specifications could be written the proposed requirements relating to the employment of local labor.

Mr. GOFF. If the Senator will turn to page 554 of the CONGRESSIONAL RECORD, he will read there the very language which he has just stated in substance and he will further read the remarks which were made then by the Senator from Michigan and by several others who participated in the debate at that time.

Mr. SHIPSTEAD. Mr. President——

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Minnesota?

Mr. GOFF. I do.

Mr. SHIPSTEAD. Does the Senator know of any reason why the Treasury Department can not make the minimum-wage scale a part of the specifications when they ask for bids from contractors? Does the Senator know of any reason why the Treasury Department can not specify the conditions of labor in the specifications?

Mr. GOFF. I would answer the Senator from Minnesota very candidly. I do not conceive that it would be legal for the Treasury Department or any other department of the Government required to let a contract to the lowest responsible bidder to assume to dictate the terms under which the labor was to be employed. These propositions are involved in the general maximum mass sum which is the bid of the lowest successful bidder, and for the Treasury Department to say, "In entering into this bidding you can only be received as a bidder provided you agree to such and such wages of labor," I believe, is a legal proposition which is not proper and I believe it will interfere with the liberty of contract as that term is used and understood in the Constitution of the United States and the constitutions of the several States of the Union.

Mr. SHIPSTEAD. Does the Senator believe that legislation which would give the Treasury the authority to specify the terms and conditions of labor, as they now have the right to specify the kind of materials and plans for the building to be constructed, would be within the Constitution? Does the Senator think that legislation aimed at giving the Treasury that authority would be within the Constitution?

Mr. GOFF. I do not think that question is involved in the amendment of the Senator from Michigan.

Mr. SHIPSTEAD. I know it is not.

Mr. GOFF. I think it is a very doubtful proposition whether it would be constitutional for the Congress of the United States to say to any department of the Government, "If you let this contract, although you are required by the law generally and constitutionally to let it to the lowest responsible bidder within the amount which has been appropriated, you must also require that the contractor agree to pay a certain rate of wages and that he shall agree to buy certain material in a certain locality." I doubt very much that that would be constitutional within the meaning of that term.

Mr. SHIPSTEAD. I asked the question because the Senator was explaining how far the Treasury Department was making an endeavor to better the condition of labor and wages. I was wondering if they could go that far.

Mr. GOFF. The Treasury Department did inform me, as I stated the other day, and as appears on page 557 of the CONGRESSIONAL RECORD, that it would use its best efforts to induce in every way possible the employment of local labor.

Mr. JONES. Mr. President——

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Washington?

Mr. GOFF. I yield.

Mr. JONES. I may say to the Senate that I have no apologies to make for the action of the prospective conferees. I have been a prospective conferee under similar circumstances and have acted in the same way. We were moved only by a desire to expedite action on the legislation. We have not done so by the action taken, I am sorry to say. I am perfectly willing to assure the Senate, if the matter is sent back to conference, that no agreement will be made upon the amendments covered by the motion of my colleague from Washington [Mr. DILL] or the amendment of the Senator from Michigan [Mr. COUZENS]. Unless the House agrees to those amendments we shall bring them back to the Senate for further consideration of this body. I make this suggestion in the interest of time and expediting the legislation.

Mr. HEFLIN. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Alabama?

Mr. GOFF. I yield.

Mr. HEFLIN. With that understanding the matter is satisfactory to me. I think the Senate ought to have an opportunity to pass on the question. It is already known how the Senator from Washington stands on it. I do not think we ought to get into a parliamentary situation in the conference which will deprive the Senate of passing on this particular question.

Mr. SMITH. Mr. President, will the Senator from West Virginia allow me to ask the Senator from Washington a question?

Mr. GOFF. I yield for that purpose.

Mr. SMITH. Am I to understand that his proposition is that, without any action on the part of the Senate binding the conferees at that time, the Senator from Washington pledges the conferees on the part of the Senate that if the House does not agree to the amendment submitted by the Senator from Michigan he will bring it back to the Senate for further action?

Mr. JONES. If the House conferees do not agree to the different amendments I have named, I shall bring them back to the Senate.

Mr. McKELLAR. Together with the amendment of the Senator from Arkansas [Mr. ROBINSON] striking out section 2 as well as the other two amendments?

Mr. JONES. Yes; I shall bring them back to the Senate.

Mr. GOFF. Mr. President, there is just one thought I wish to express to the Senator from Alabama, and that is this: I do not understand that it is either parliamentary or within the Rules of the Senate to say to the conferees of the Senate when they shall be appointed, "You shall" or "You shall not take this position." The conferees, contrary to what I understand to be the views of the Senator from Alabama, are the mere agents of the Senate; they are not principals in any sense of the word, but are strictly and purely agents. When they meet in conference they carry with them the conclusions reached by the Senate, and the Senate is the principal, so to speak, of the conferees.

At the same time, when they go to the conference, they go there prepared, without any instructions whatsoever, to carry out the authority imposed upon them by their appointment, and when they go to the conference they should be free to exercise at that conference such discretion as they think proper in view of what may be advanced or argued in the conference. Then if the conferees come back with a report which the Senate, as their principal, does not see fit to approve, I thoroughly agree that the conferees may be reinstructed to go back to the conference and take an entirely different position.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. GOFF. I yield.

Mr. BLACK. I merely wish to state to the Senator that with the statement now made by the Senator from Washintgon, so far as I am individually concerned, I am satisfied as to what he will do.

Mr. GOFF. I yield the floor, Mr. President.

Mr. DILL obtained the floor.

Mr. SWANSON. Mr. President——

Mr. DILL. Does the Senator wish to speak on this question.

Mr. SWANSON. No; I merely wish to make a motion in regard to another matter.

Mr. DILL. Then, I will proceed for a moment. My colleague's statement changes the whole situation, as I see it. I am not concerned about my colleague making any apology, but I am concerned that the Senate may know that the conferees on this bill are not bound by any preconference meeting; and I take it from the Senator's statement that, whatever may have been the tentative agreement, it is not to be considered binding by the Senate conferees, and that, if the motion shall be withdrawn, the Senate conferees will not agree either to the amendment the Senator from Alabama has offered being stricken out nor the amendment which I and the Senator from Michigan have covered in my amendment, without bringing it back to the Senate and without a chance for the Senate to vote on the question.

Mr. JONES. The Senator is entirely correct.

Mr. DILL. With that understanding, I am perfectly willing to withdraw my motion, because I do not desire to set the precedent in the Senate of instructing conferees on a bill of this kind; but the situation was extraordinary and unusual, and I thought, therefore, an extraordinary and unusual remedy might properly be applied. Therefore I withdraw my motion.

The PRESIDENT pro tempore. The question now recurs upon the concluding portion of the motion of the Senator from Washington [Mr. JONES], namely, that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. JONES, Mr. SMOOT, Mr. HALE, Mr. GLASS, and Mr. BROUSSARD conferees on the part of the Senate.

SATURDAY HALF HOLIDAY IN GOVERNMENT DEPARTMENTS

Mr. McKELLAR. I offer a resolution which I ask may be read, and, in connection with it, I ask that there may be printed in the RECORD certain articles by Robert M. Buck in support of the resolution.

The resolution (S. Res. 369) was read and referred to the Committee on Appropriations, as follows:

Whereas Federal statutes provide that the heads of the several executive departments of the Government and the Commissioners of the District of Columbia shall require seven hours of labor each day of every employee except on Sundays and holidays; that every Saturday after 12 o'clock noon be a holiday in the District for all purposes; and that department heads, including the District Commissioners, may require extension of hours of work, including holidays, only by special order stating the reason; and

Whereas since enactment of the law declaring Saturday afternoons holidays, in 1901, but few of the heads of executive departments have dismissed their employees at noon and the Commissioners have not done so; and

Whereas Federal and District employees have thus been compelled to work Saturday afternoons without special orders stating the reason, in apparent violation of the law: Therefore be it

Resolved, That all heads of executive departments of the Government and the heads of all Government establishments not under the executive departments, and the Commissioners of the District of Columbia be, and they are hereby, ordered to report to the Senate whether or not they have required their employees to work on any Saturday afternoons; if so, whether they have supported their action in so doing by issuing special orders stating the reason; and, in the event such orders have been issued, that they submit copies of the same, together with schedules, showing how many and which Saturday afternoons their employees were required to work thereunder.

The PRESIDENT pro tempore. Without objection, the articles referred to by the Senator from Tennessee will be printed in the RECORD and referred to the Committee on Appropriations.

The articles referred to are as follows:

SATURDAY HALF HOLIDAY, LONG IN STATUTE BOOKS, FLOUTED BY GOVERNMENT

By Robert M. Buck

Every Saturday afternoon for 28 years the law has been violated by heads of Federal departments and the District Commissioners.

The law says that "every Saturday after 12 o'clock noon is a holiday within the District for all purposes." And the law says department heads shall work their subordinates seven hours every day except Sundays and holidays. It says further that when compelled to make them work overtime or on Sundays or holidays they shall do so "by special order, stating the reason."

This has been the law since 1902, and yet Federal and municipal employees in the District have been required by their chiefs to work extra hours every Saturday after 12 o'clock without special order and without assigning a reason. Even in summer the official Saturday workday illegally ends at 1 p. m., instead of noon, in the Federal departments. The District employees get off at 12.30 in the summer and 3 the rest of the Saturdays of the year.

It is not generally understood that Government clerks used to work six hours a day; but such is the case. On March 15, 1898, Congress lengthened this workday to seven hours by passing the following law:

"Hereafter it shall be the duty of the several executive departments in the interest of the public service to require of all clerks and other employees of whatever grade or class in their respective departments not less than seven hours of labor each day except Sundays and days declared public holidays by law or Executive order: *Provided*, That the heads of departments may, by special order, stating the reason, further extend the hours of any clerk or employee in their departments, respectively, but in case of an extension it shall be without additional compensation."

In 1901 Congress undertook to give Government employees Saturday afternoons off as part compensation for the lengthened hours and included Saturday afternoons in the list of statutory holidays.

Roosevelt then was President, and he did not want employees to be given the half holidays. So he took advantage of the technicality that all the holidays were listed in the statute governing negotiable paper, and held that Saturday afternoon was a holiday only as concerning payment of notes and similar transactions.

Congress, in the following session, amended the law to state that all the statutory holidays, including Saturday afternoons, were holidays "for all purposes." Roosevelt then took refuge in the law of March 15, 1895. Following a Cabinet discussion his Secretary of War asked his Attorney General for an opinion on whether or not they had to let Government workers off on Saturdays.

Acting Attorney General J. C. McReynolds, now on the United States Supreme Bench, wrote the opinion. He gave Roosevelt and his fellow department heads what comfort he could, but it was not much. He said Saturday afternoon was clearly a holiday exactly the same as Christmas or July 4, but that there was no law forbidding a person to work on a holiday nor was there any law "absolutely requiring" departments to be closed and clerks released from work. From that point on he expressed the official opinion:

"1. That every Saturday after 12 o'clock noon is a holiday for all purposes in the District of Columbia and is, therefore, one of the days declared public holidays within the meaning of the statute regulating the number of hours of labor which it is your duty to require of all clerks and other employees of your department. You are consequently not obliged to require labor by such parties after the hour of noon on Saturdays.

"2. Under the law as it now stands you must require at least seven hours' labor of all clerks and other employees in your department every day in the year except Sundays and those days declared holidays by section 1389 of the Code of the District of Columbia and during authorized leave. It is also clear that you have the right and, if in your judgment the interest of the public service demand such action, it is your duty, by special order, stating the reason, to extend the hours of labor on ordinary days as you may think proper and to require of clerks and employees in your department that they work on any or all holidays now established by law during the hours you may designate in such order."

All through the law and the Attorney General's opinion and the documents that have been compiled throughout the 30-year controversy the idea is stressed that the only way Government clerks can be lawfully made to work overtime and on Sundays, on Saturday afternoons and other legal holidays is "by special order stating the reason."

This clearly means that holiday work is to be ordered only as an emergency measure, limited to the duration of the emergency and with the nature of the emergency stated. And yet since the law was passed in 1901 and amended in 1902 Saturday holidays have been withheld from Federal and District employees, and not in a single instance does the record show a "special order stating the reason."

NO RECORD TO BE FOUND OF ANY ORDER DECLARING A "SATURDAY EMERGENCY"

By Robert M. Buck

There is a more-or-less general impression that the reason why Government and municipal employees in the District have been denied Saturday half holidays, to which they are entitled by law, is that President Roosevelt, in 1904 or thereabouts, issued an Executive order declaring an emergency—an emergency that required Saturday afternoon work.

The question often is heard: Why has the emergency been permitted to last 26 years without being questioned? It is an idle question. No Executive order can be found. Existence of an emergency has never been alleged. Under the law and opinions of the Attorney General, Saturday afternoon work can only be exacted by "a special order stating the reasons." There has never been a special order stating the reason.

There is no Executive order in the files of the Civil Service Commission, where orders by the President touching personnel are kept. There is none in the archives of the Department of State, where such orders are prepared. Diligent search has failed to disclose any person who remembers having seen such an order.

The Federal Bar Association has had a committee at work for several months on the subject of Saturday half holidays for Federal employees. This committee has searched for such an Executive order and its members, failing to find trace of it, believe it never existed.

Instead, the only documentary basis thus far discovered for requiring Saturday afternoon work in contravention of the law, lies in two memoranda in the War Department.

In 1903, Mr. Justice Reynolds, then Acting Attorney General, submitted to the Secretary of War an official opinion that Saturday afternoons were legal holidays like Christmas in the District, but that employees could be made to work by "a special order stating the reason." This opinion was concurred in by Attorney General A. Mitchell Palmer in 1919.

The Acting Secretary of War on September 5, 1903, issued a memorandum to bureau chiefs saying that "in the interest of public service" all employees would be required to work until 3 p. m. on Saturdays for the rest of that month and until 4 p. m. thereafter until further order. This was clearly not "a special order stating the reason." It did not describe the emergency.

On January 8, 1904, the Secretary of War issued another memorandum quoting the act of March 15, 1898, as warranting his increasing the hours of labor without extra compensation and saying that "in order more effectually" to administer it, after January 11, 1904, the hours of labor for all employees of the department would be from 9 a. m. to 4.30 p. m. with half an hour for luncheon and that the foregoing would apply to all Saturdays except in July, August, and September, when the hours of work would be 9 a. m. to 1 p. m. with no luncheon period.

This memorandum constituted the origin of the practice of letting Government clerks off at 1 p. m. on Saturdays in the summer. Recently June was added to the months in which Saturday work ends at 1 p. m.

It is clear, also, that this second memorandum did not constitute "a special order stating the reason" and did not set up an emergency."

The other departments and the District government do not seem to have even that little "justification" for Saturday afternoon work. All the District government has to show is a general (not special) order setting forth the work hours each day and assigning no reason.

SATURDAY AFTERNOONS—HOW GOVERNMENT DISREGARDS THE LAW OF THE DISTRICT

By Robert M. Buck

The fact that the law says "every Saturday after 12 o'clock noon is a holiday in the District for all purposes," has been called to the attention of President Hoover several times.

He has been variously quoted as saying that he is in entire accord with the suggestion to grant a half holiday every Saturday, that he is in sympathy with the project, but that the present is not an opportune time, and that "we" (the White House) have the opinion of the Attorney General that under the law of 1898 the President may require Saturday afternoon service in spite of the act of 1902.

Although there are pending in Congress bills to let nearly all Government employees off at 1 p. m. on Saturdays, neither the President nor the commissioners need to wait until such a bill is enacted to let such employees off on week ends in the District. For the law requires them to dismiss employees not at 1 p. m. but at noon every Saturday the year around except in case of emergency, when they may require work by "a special order stating the reason."

One of the bodies which has laid the matter before President Hoover is the Federal Bar Association, which appointed a committee for the purpose consisting of William R. Vallance, Ralph G. Cornell, Edwin A. Niess, George A. Warren, F. C. Baggarly, and Charles W. Flora.

This committee prepared a printed brief on the subject and submitted it to the President last summer. It contains the citations of the law and quotations from the opinion of Acting Attorney General Reynolds in 1903, which have been used in these articles and, in addition, said:

"We are advised that under date of August 15, 1919, Attorney General Mitchell Palmer, in an opinion to the President, concurred with the view of Acting Attorney General McReynolds that the result of the above legislation was to make every Saturday after 12 oclock noon a public holiday for all purposes in the District of Columbia, and within the meaning of the statutes regulating the number of hours of labor which it is the duty of heads of the departments to require of all clerks and other employees of their departments. So far as we can ascertain, no Attorney General has dissented from these views."

The brief also quoted the courts as sustaining the point. In Ocumpaugh *v.* Norton (24 D. C. App. 97) (says the brief) Mr. Justice Morris, of the District Court of Appeals, said:

"The substitution of the words 'for all purposes' in the amendatory act of June 30, 1902, has been generally understood and accepted as broadening the scope of this provision so as to make it apply to all official duty and to justify the cessation of all official work. It seems to be accepted on both sides of these cases as constituting the afternoon of Saturday as a dies non juridicus."

The Court of Claims is also quoted as declaring Saturday afternoon a holiday for all purposes. The association then speaks for itself and says, through its committee's brief:

"The Federal Bar Association not only concurs in the interpretation of the law above set forth but is of the opinion that the

words 'shall be holidays in the District for all purposes,' constitute a mandatory provision making it obligatory upon executive branches of the Government to observe the Saturday half holiday the same as Christmas, New Year's, Thanksgiving, Fourth of July, and other holidays described in the same act.

"While this provision (authorizing extra work) clearly authorizes the executive heads by special order stating the reason to extend the hours of labor on ordinary days and to require labor on any and all of the holidays specified in the code, it is our view that such action can lawfully be taken only in case of emergency and for temporary periods during which such emergency may continue. In the absence of a pressing public necessity declared in a special order, a full compliance with the law requires that all holidays established by law should be observed."

SATURDAY AFTERNOONS—HOW GOVERNMENT DISREGARDS THE LAW OF THE DISTRICT

By Robert M. Buck

The States are more generous to their employees than the Federal Government, according to data collected by William R. Vallance, president of the Federal Bar Association and head of the committee which prepared the brief of Saturday holidays.

Vallance has been getting information from the States on what they do in the matter of Saturday afternoon closing. He sent out a questionnaire and received replies from 45 of the 48 States. Only three States work their employees every Saturday afternoon. They are Idaho, Montana, and Nevada.

Thirty-two States let their employees off every Saturday afternoon, and 18 of them do it without any law compelling them to. Two of the States let their employees off Saturdays in the summer only, as does the Federal Government. The other eight let part of them off every Saturday.

The States in which employees are given Saturday half holidays by law are California, Delaware, Indiana, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, South Carolina, Tennessee, and Virginia.

In the following States employees are released Saturday afternoons without legal compulsion: Alabama, Arizona, Arkansas, Florida, Georgia, Maine, Maryland, Minnesota, North Carolina, North Dakota, Oklahoma, Rhode Island, South Dakota, Vermont, West Virginia, Wisconsin, and Wyoming.

In the summer the employees of the States of Washington and New Mexico are given Saturday afternoons off. Eight States extending Saturday half holidays to part of their employees the year around reported as follows:

Colorado, force greatly reduced; Illinois, law applies to departments under civil-administrative code, not to State officers generally, although nearly all of them get off; Kansas, most departments grant half holiday, although not required by law; Kentucky offices close at 1 p. m., except in counties of less than 150,000 population, as required by law; Louisiana, law requires noon closing metropolitan parishes and towns exceeding 6,000; Nebraska, employees of elective and code offices given half holiday by law; Oregon, each department, board, or commission decides for itself; Texas, half of employees of each department excused at noon alternately, as regulated by the appropriation bill.

The States not heard from were Connecticut, Iowa, and Utah.

SATURDAY AFTERNOONS—PRINCIPLE OF SATURDAY HALF HOLIDAY FINDS MANY SUPPORTERS IN HIGH PLACES

By Robert M. Buck

There is pending before Congress a bill to give Federal (including District) employees, with a few exceptions, every Saturday afternoon off beginning at 1 o'clock.

This is a desirable bill for the benefit of those working elsewhere than in the District. It is not necessary for those working here because the law already directs that they be let off every Saturday afternoon. Since the present law has not been obeyed by the administrative branch of the Government there is no guarantee that a new one would.

Furthermore, the new law, if obeyed, would rob District resident employees of one hour every Saturday, for the existing law says they shall get off at noon, while the pending bill specifies 1 o'clock.

The bill originated in the Senate. It was introduced by Senator JONES (Rep., Washington). It originally provided that four hours constitute a day's work on Saturdays throughout the year, with pay for a full day, for "all laborers, helpers, skilled and semi-skilled workmen and mechanics, exclusive of employees of the Postal Service and the Government Printing Office."

The bill, thus benefiting laborers and mechanics, with the exceptions noted, passed the Senate. In the House Committee on Civil Service it was amended to include all civil employees of the Government and the District except those in the Postal Service, the field service of the Department of the Interior and the Panama Canal on the Isthmus.

Government Printing Office employees are covered in the bill in its present amended form. Thus changed, the bill is still on the House Calendar. If passed by the House it will go back to the Senate for concurrence in the amendments. The Senate probably will agree.

Postal employees are covered by a similar bill introduced by Senator LA FOLLETTE (Rep., Wisconsin). It passed the House yesterday.

President Hoover has asked the Budget Bureau to compile the cost of the bill in additional pay-roll expenditure, if any. The Bureau of Efficiency has aided the Budget Bureau in the investigation.

The results of this probe are not publicly known. District Auditor Donovan has informed the investigators that practically no added expense will be entailed in the District service. This rather sweeps the ground from under the feet of the comissioners for keeping employees at work in violation of the law.

The report of the House committee says the Civil Service Commission and the Comptroller General are in favor of the new bill. This would seem to imply that they favor the principle of Saturday afternoons off, and that they, therefore, are not in favor of ignoring the existing law. Yet they continue to do so. They do not let their own employees off on Saturdays.

It is not necessary, so far as those employed in the District are concerned, for department heads or the commissioners to wait for enactment of the pending bill to shut up shop on Saturday afternoons. For them to begin now to obey the Saturday holiday law would in no wise endanger the passage of the bill for the benefit of those working in the States. In fact, it might give the bill an impetus.

MODERNIZATION OF BATTLESHIPS

Mr. SWANSON. Mr. President, several days ago the junior Senator from Utah [Mr. KING] made a motion, which is now pending, to reconsider the vote by which there was passed a bill authorizing the modernization of three battleships. The Senator from Utah is now present, and I am anxious to have the matter disposed of.

The bill referred to involves merely an authorization and does not make an appropriation. It is necessary for us to modernize our battleships if our Navy is to be equal to the British Navy. Two ships will be completed in March, and unless this authorization shall be made early in the present session, thousands of men will be thrown out of employment in the navy yards for lack of work. This matter should be disposed of quickly, and I ask that the motion be now considered, so that action may be taken, and the authorizations made, and that the work may be proceeded with. Of course, the Committee on Appropriations will not be able to act until the authorization shall be made.

Mr. McNARY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Oregon will state it.

Mr. McNARY. Have we concluded morning business?

The PRESIDENT pro tempore. Morning business has not as yet been concluded. Resolutions are in order. The action desired by the Senator from Virginia can only be taken by unanimous consent.

Mr. McNARY. Then I ask for the regular order.

The PRESIDENT pro tempore. The regular order is demanded.

Mr. SWANSON. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. SWANSON. The motion to which I have referred will come up after the consideration of resolutions that have been previously gone over, will it not?

The PRESIDENT pro tempore. It will not come up automatically. The Senator from Utah can deal with his motion whenever he chooses, whenever the regular order shall have been disposed of.

POSTMASTERS AT MARIETTA AND CEDARTOWN, GA.

Mr. HARRIS. Mr. President, one of the nominations reported to-day by the Senator from Colorado [Mr. PHIPPS] is that of postmaster at Marietta, Ga., whose husband was a United States Senator, one of the very best men who ever represented the State of Georgia in this body. I refer to Mrs. Alexander S. Clay.

Another nomination, which has been reported by the Senator from Colorado, is that of Mrs. Anna K. Bunn for postmaster at my home town, Cedartown, Ga. They are both reappointments. Both ladies have served for many years and have made excellent records. My colleague from Georgia [Mr. GEORGE] and I have have approved them. I ask unanimous consent that the nominations may be considered now as in executive session and confirmed.

Mr. DILL. Mr. President, I dislike to object, but I have always asked that nominations be considered regularly in executive session, and I shall have to ask that the nominations go to the Executive Calendar.

Mr. HARRIS. Mr. President, the Senate always approves the nomination of a United States Senator without referring

it to a committee. As I said, the nomination in one case is that of a widow of a former United States Senator. She has been holding the office for 12 or 16 years; she has made a splendid record; and I hope the Senator from Washington will not object to the consideration of that nomination, nor to the nomination of postmaster at my home town.

Mr. DILL. I have no objection at all to confirmation in the cases referred to by the Senator from Georgia, but if I did not object in this instance, when some other nomination was called up in which I am interested, I would be told that I would not be taking the same procedure that was adopted in another case. I ask that the nominations go to the Executive Calendar.

Mr. HARRIS. Whenever the nomination of a United States Senator comes here I do not think any Senator on this floor objects, and I hope the Senator from Washington will withdraw his objection in these two cases.

The PRESIDENT pro tempore. The Chair understands the Senator from Washington to maintain objection. Objection is made, and the nominations will go to the Executive Calendar.

WORLD COURT—ADDRESS BY SENATOR DILL

Mr. BRATTON. Mr. President, on the 13th day of the present month the junior Senator from Washington [Mr. DILL] delivered an address over a nation-wide radio hookup, in which he discussed certain phases of the proposal that we adhere to the World Court on the basis of the so-called Root formula. I ask unanimous consent that his address may be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD as follows:

Last Monday evening General Harbord spoke over this radio network in favor of the entrance of the United States into the League of Nations court. Last Wednesday the President officially asked the Senate to approve such a proposal. To-night I shall discuss, first, General Harbord's remarks and, second, the documents which the President has asked the Senate to approve.

General Harbord declared that a majority of the American people favor adherence to the League of Nations court. He based his conclusion on the fact that "the voice of two-thirds of the daily press of the United States" had said "yes" to a questionnaire which Edward Bok's League of Nations propaganda organization, the American Foundation, recently sent to the editors of the daily press of the United States.

Of course, one opinion is as good as another as to just how accurately the opinions of newspaper editors represent public opinion on a great international question such as the League of Nations court. Suffice it to say that the people are as likely to vote against a newspaper editor's opinions as they are to vote for those opinions. Most of the editors who now indorse the League of Nations court also indorsed the League of Nations covenant in 1920, which, of course, included the court. When the American people voted on that question, they voted "no" by 7,000,000 majority.

Just how many of the editors have carefully examined the terms of the documents which the President has sent to the Senate for ratification I do not know. I do say, though, that if they have relied upon the interpretation placed upon those documents by the American Foundation and by General Harbord their opinions can not be considered of much value. Both the American Foundation and General Harbord take the position that the Senate's fifth reservation and the new proposal now before the Senate are practically the same, when in fact they are entirely different. What is that difference?

When the Senate adopted the resolution of ratification of the League of Nations court protocol five years ago, January 27, 1926, it attached five reservations, the essential parts of which are as follows:

First. That the United States would establish no legal relation to the League of Nations nor incur any obligation under the treaty of Versailles by joining the court.

Second. That the United States would help elect the judges of the court.

Third. That the United States would help to pay the expenses of the court.

Fourth. That the United States could withdraw from the court and that the protocol could not be amended without the consent of the United States.

Fifth. That the court could not render an advisory opinion on any subject if the United States objected.

When President Coolidge submitted those reservations to the members of the League of Nations, what happened? The European statesmen who run the league immediately accepted the first four reservations but they refused to accept the fifth. Let me read that reservation in full. It is as follows:

"That the court shall not render any advisory opinion except publicly, after due notice to all states adhering to the court and to all interested states and after public hearing or opportunity for hearing given to any state concerned; nor shall it, without the consent of the United States, entertain any request for an advisory opinion touching any dispute or question in which the United States has or claims an interest."

What is the history of this reservation? How did the Senate happen to adopt it? The record of the Senate debate shows that Senator SWANSON, the chief proponent of the court at that time, offered it the day before the vote was taken in the Senate. It represented the deliberate, considered judgment of those who favored entrance into this court five years ago, after Senators had debated the subject in committee and on the floor of the Senate for many months. The Senate was practically unanimous in its support of this reservation. The President approved. The press of the country declared it a wise and proper reservation, because it gave the United States the right to protect whatever interests might be involved in decisions of the court.

Every other great nation had then and has now the right as members of the league to prevent consideration by the court of any case to which they make objection, but these nations now refuse to grant that right to the United States. If the United States were a member of the League of Nations, it would possess that right, but because it is not a member of the league it is to be denied that right.

In other words, the European statesmen who run the League of Nations and control the League of Nations court now say to us: "You may come into the court with us, you may sit with us, you may vote with us, you may pay bills with us, but you shall not interfere with us, you shall not have equal rights with us, you shall not prevent decisions about your affairs being made by us."

You may have noted that I refer to this court as the League of Nations Court instead of as the World Court. I do that because this is not a world court at all. A world court would be a court created by the nations of the world to decide cases only in accordance with terms of international law; but the League of Nations wrote the law that established this court. The League of Nations determines what subjects this court shall consider. The League of Nations elects the judges of this court. The League of Nations pays the salaries of those judges. The supreme law of this court is not international law but the Covenant of the League of Nations.

The League of Nations created it. The League of Nations controls it. The League of Nations maintains and guides it. I repeat it is not a world court but the League of Nations court.

When the American people voted by 7,000,000 majority to stay out of the League of Nations they meant to stay out of the court of the league as well as out of the council and the assembly.

Surely if we are to enter the court at all, it should be only on conditions that will fully protect American rights. Had we joined the league as President Wilson urged, our rights in the court would have been protected, as are the rights of all league members, but the people vetoed that at the polls. Both President Harding and President Coolidge believed adherence to this court should be on a basis of equality with other nations. When the league refused to accept the fifth reservation Mr. Coolidge said: "I do not intend to ask the Senate to modify its position. Unless the requirements of the Senate resolution are met by other interested nations, I can see no prospect of this country's adhering to the court."

The American people approved that statement. No Member of the Senate expressed disagreement. It remained for Mr. Hoover to propose surrender. He excuses this proposed surrender in the name of peace. Millions of the American people and many Senators and Congressmen are willing to close their eyes to all objections and dangers, because of their hope that the court will maintain peace. League of Nation propagandists and followers of the international bankers have made them believe this League of Nations court will prevent war. They hope this League of Nations court is the international machinery that will insure permanent peace. But let us examine this proposal.

The greatest contribution the United States can make to world peace is, first, to remain at peace itself, and second, to use its vast influence to keep other nations at peace. The United States covets no territory. Our people will not start war to secure trade in other parts of the world, or to enforce our form of government upon any people. About the only causes for which the American people will fight are interference with the rights of our Government and its citizens within our own borders, or upon the high seas, and for the maintenance of human liberty under law.

If we enter the League of Nations court, without the power to protect our own rights against interference by that court, as was provided in the fifth reservation, we are sowing seeds of international trouble that may easily lead to war.

Let me illustrate the danger of such action. Take the immigration question. Suppose a nation proposes that all bars to immigration be abolished in all countries, and asks the court to pass upon the question. We could object, and the court would consider our objections. If it decided to pass on the question anyhow, we could withdraw. Then we might find ourselves in the position of having the League of Nations court, of which we had just been a member, making a decision on the question of immigration which affects our national existence more than any other question at this time. Under the fifth reservation, if some nation brought forth such a proposal, and we objected, that would be the end of it. Under which arrangement do you think the future of America would be best protected? Under which arrangement would there be less likelihood of international complications which might lead to war?

Take the question of canceling the war debts: If some nation proposed the court should render an opinion on the question of the cancellation of all war debts, and the United States objected, and if the court decided to consider the question anyhow, we could withdraw. If the court decided the war debt should be canceled, and that is the sentiment of Europe generally to-day, we would find the League of Nations court deciding all war debts should be canceled, and the United States would be pictured as leaving the court because we feared the court would cancel the debts. Under the fifth reservation, if such a proposal were made the United States could object, and that would prevent the court's consideration of the proposal to cancel the war debts. Which arrangement do you think would best protect American rights? Under which plan would there be less likelihood of international complications that might lead to war?

I have used these two illustrations because they are questions that are pressing and imminent in international affairs at this time. Nobody can foresee what new questions may arise in the years that are ahead; but, with the guarantees of protection afforded by the fifth reservation, at least the United States could protect its rights and future interest without offense to other nations. Under the Root formula all it could do would be protest, and if the protest were overridden, it would mean withdrawal from the league court of which it had previously been a member. This would inevitably lead to international resentment and make war far more probable than had we never entered the League Court.

The issue before the Senate and the country now is whether the Senate will insist upon the guarantees of protection to American rights provided by the Swanson reservation or accept the Root surrender. Newspaper reports to the effect that there is practically no opposition to the adoption of the Root formula for adherence to the League of Nations court are but a part of the propaganda to discourage all opposition to the proposal. The truth is that the opposition to this proposal is far more formidable than was the opposition to the court in 1926.

There are at least 25 Senators now opposed to adherence to the court under the Root formula. At least 12 or 15 more Senators are in doubt as to the wisdom of surrendering the Swanson fifth reservation for the Root substitute. The court enthusiasts voted cloture by a two-thirds vote in 1926. They can not do that to-day. They have not sufficient votes.

We who are opposed to the President's proposal do not intend to try to prevent a vote by filibustering, but we do intend to insist upon full consideration of the proposed surrender of the power to protect American rights. We expect and believe the Senate Committee on Foreign Relations will hold full hearings, not only by hearing Secretary Stimson and Mr. Root but also by hearing noted jurists and public men who understand the real effect the Root formula will have. We hope the committee will call John Bassett Moore, a great American international lawyer, who served on this court, to explain his views of the Root formula. Then we intend to have a full and free debate in the Senate, at the close of which, I confidently believe, more than one-third of the Senate will support the Swanson reservation rather than the Root surrender.

MINUTES OF TARIFF COMMISSION

Mr. WALSH of Massachusetts. I submit a Senate resolution and ask that it may be read. In the absence of the Senator from Utah [Mr. SMOOT] I will not press it to-day but will ask that it lie over.

The PRESIDENT pro tempore. The resolution will be read for the information of the Senate.

The legislative clerk read the resolution (S. Res. 370), as follows:

Resolved, That the United States Tariff Commission be, and is hereby, requested to submit to the Senate a certified copy of the minutes of the meetings of the commission from January 28, 1927, to December 1, 1930, inclusive, and that these minutes be printed as a public document.

Mr. WALSH of Massachusetts. I will say, for the RECORD, that all of the minutes of the Tariff Commission have been printed since 1922 except for the period designated in the resolution. I assume that there will be no opposition to action upon the resolution when I have a chance to confer with the Senator from Utah [Mr. SMOOT].

The PRESIDENT pro tempore. The resolution will lie over under the rule.

TAXES PAID BY NEW YORK STOCK EXCHANGE AND MEMBERS THEREOF

Mr. HEFLIN. Mr. President, I ask unanimous consent for the immediate consideration of Senate Resolution 366, which was heretofore introduced and went over under the rule.

The PRESIDENT pro tempore. The resolution will be read.

The legislative clerk read the resolution (S. Res. 366) submitted by Mr. HEFLIN on the 10th instant, as follows:

Resolved, That the Secretary of the Treasury is hereby requested to transmit to the Senate the information showing the amount of taxes paid to the Government by the New York Stock Exchange or by members thereof in connection with exchange transactions for the years 1919, 1920, and each succeeding year up to and including the year 1930.

The PRESIDING OFFICER (Mr. FESS in the chair). Is there objection to the immediate consideration of the resolution?

Mr. McNARY. Mr. President, I am informed that the information called for by the resolution is available to any Senator who may make inquiry. It does not require that a resolution be passed by the Senate. I think the Senator from Pennsylvania [Mr. REED] a few days ago objected to the consideration of the resolution, and I would rather not have it acted upon in his absence.

Mr. HEFLIN. The Senator from Utah [Mr. SMOOT] asked me to let him have time to look into it. It has been four or five days since the resolution was presented. I do not know that he now has any objection to it. I can not see why any Senator should object to the resolution.

Mr. MOSES. He not being in the Chamber, in his absence, I will object for him.

The PRESIDING OFFICER. Objection is made.

Mr. HEFLIN. Mr. President, one of the main reasons why I desired this information is that to-morrow I am going to discuss the New York Stock Exchange; and this subject will be presented to the Senate regardless of whether I get this information or not. I will say that for the benefit of the Senator from New Hampshire.

INVESTIGATION BY TARIFF COMMISSION

Mr. COPELAND. Mr. President, I send to the desk a resolution and ask that it be read.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read the resolution (S. Res. 371), as follows:

Whereas the United States Tariff Commission was directed by Senate Resolution 325, under the authority conferred by section 336 of the tariff act of 1930, and for the purposes of that section, to investigate the differences in the costs of production of cigarette books, cigarette-book covers, and cigarette paper in all forms, and of any like or similar foreign articles: Therefore be it

Resolved, That such direction as to cigarette books, cigarette-book covers, and cigarette paper in all forms be hereby rescinded.

Mr. COPELAND. Mr. President, the Tariff Commission and all parties in interest desire to have this resolution adopted; and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection?

Mr. LA FOLLETTE. What is the resolution?

Mr. HARRISON. Mr. President, do I understand that we passed an order asking the Tariff Commission to investigate this subject?

Mr. COPELAND. Yes; on my request. We find on investigation that practically nothing in this line is made in the United States.

Mr. HARRISON. So everybody is agreed that the Tariff Commission ought not to hold an investigation?

Mr. COPELAND. Yes; and the resolution is to save the Tariff Commission the expense and trouble of going into this subject.

Mr. McNARY. Mr. President, I do not understand the Senator. Is it true that formerly he asked for an investigation of this subject by the Tariff Commission?

Mr. COPELAND. Yes.

Mr. McNARY. And now the Senator desires to rescind that order?

Mr. COPELAND. Yes.

Mr. McNARY. Has the investigation been made?

Mr. COPELAND. No; the investigation has not been made, and the Tariff Commission and the parties in interest have no desire to go forward with the matter. Therefore I am asking the Senate to rescind the action which it took on my request.

Mr. LA FOLLETTE. Mr. President, I hesitate to object to the request of a Senator, but in view of the fact that the

Senate ordered this investigation, it seems to me Senators ought to have an opportunity to look at the resolution and to investigate it a little. Therefore I ask that it go over under the rule.

Mr. COPELAND. I have no objection at all, except that I remind the Senator that I myself made the request originally; and it is found now, on investigation, that practically nothing in this line is made in our country, so it would be simply an unnecessary expenditure of time and money on the part of the commission to go forward. I have no objection at all, however, to the matter going over if the Senator so desires.

ASSISTANT EXECUTIVE CLERK

Mr. BINGHAM submitted the following resolution (S. Res. 372), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to employ an assistant executive clerk to be paid out of the contingent fund of the Senate at the rate of $1,800 per annum until otherwise provided by law.

THE WORLD COURT

Mr. GILLETT. Mr. President, I ask unanimous consent that there be printed in the RECORD a summary of the attitude of the press toward the World Court.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

THE DAILY PRESS THROUGHOUT THE COUNTRY ON RATIFICATION OF THE WORLD COURT PROTOCOLS

A survey of the editorial stand of 2,036 daily newspapers throughout the country with reference to their attitude toward ratification of the World Court protocols has been completed by the American Foundation.

One thousand six hundred and seventy-six editors or publishers responded directly by signed card, letter, or telegram to the following inquiry: "Does your paper favor or oppose ratification of the World Court Protocols?" Eighteen papers are included in the summary on the basis of editorials, which are quoted. Only 6 per cent of the papers of the country, so far as combined circulation is concerned, failed to reply to the inquiry.

The result of the inquiry shows, as the figures below demonstrate, that two-thirds of the daily newspapers of the country—two-thirds, both as to number of papers and as to combined circulation—advocate ratification.

The tabulated result in all classes is:

Favorable, 1,357 daily newspapers with a total circulation of 26,993,906.

Opposed, 265 daily newspapers with a total circulation of 10,557,317.

No stand, 58 daily newspapers with a total circulation of 549,177.

Impossible to classify, 14 daily newspapers with a total circulation of 432,242.

No reply, 342 daily newspapers with a total circulation of 2,564,400.

Total of daily newspapers, 2,036.

Total circulation, 41,097,042.

The 1,357 that favor ratification include practically all the large papers of the country except those noted below in the opposition. While a complete list of the 1,357 is impracticable here, it includes:

From the South the favorable list includes: The Atlanta Constitution, the Birmingham Age Herald, the Mobile Register, the Montgomery Advertiser, the New Orleans Times-Picayune and the Item Tribune, the San Antonio Express and the News, the Louisville Courier Journal, the Chattanooga News and the Times, the Raleigh News and Observer, the Memphis Commercial Appeal, the Richmond Times Dispatch and the News Leader.

From New England the papers editorially advocating ratification include: The Bangor Commercial, the Boston Transcript and the Herald and the Post, the Christian Science Monitor, the Springfield Republican, the Providence Journal and the News-Tribune, the New Haven Register, the Hartford Courant, and the Times.

From the Middle Atlantic States: The Baltimore Sun, the Washington Star and the News, the Wilmington Journal, the Morning News and the Every Evening, the Philadelphia Public Ledger, the Inquirer, the Bulletin, and the Record, the Pittsburgh Press, the Newark Evening News, the Syracuse Post Standard, the Rochester Democrat and Chronicle, the Buffalo News, the Times, and the Courier Express, the New York Herald Tribune, the World, the Telegram, the Graphic, the Evening Post, and the New York Times.

From the Middle West and West (except the three Pacific States): The Cleveland Plain Dealer, the Indianapolis Star, the Chicago Post and the News, the Cincinnati Times Star, the Minneapolis Journal, the St. Paul Pioneer Press and Dispatch, the St. Louis Post Dispatch and the Globe Democrat, the Nebraska State Journal, the Omaha World-Herald, the Des Moines Register, the Denver Rocky Mountain News and the Post, the Montana Standard, the Arizona Republican, the New Mexico State Tribune, the Arkansas Democrat and the Gazette, the Milwaukee Leader and the Journal, the Oklahoma City Times and the Daily Oklahoman, the Wyoming State Tribune and State Leader, and the Salt Lake City Deseret News.

From the three Pacific States: The Los Angeles Times and the Express, the San Francisco Chronicle and the News, the Portland Oregonian and the Oregon Journal, the Spokane Spokesman Review, the Tacoma Ledger, the News Tribune and the Times, the Seattle Star.

The following chain papers indorse ratification: The 26 Scripps-Howard papers in 26 cities in 13 States; the 16 Gannett papers in 13 cities in 3 States; the 9 McFadden papers in 9 cities in 4 States; the 6 Brush-Moore papers in 6 Ohio cities; the 4 Shaffer papers in 4 cities in 2 States, the 8 Booth papers in 8 cities in Michigan; the 9 papers of the Southern California Newspapers Associated; the 5 papers of the News League in Ohio and Florida.

The 265 opposed papers have a combined circulation of 10,557,317. Three-fourths of this combined circulation figure, however, is contributed by 32 papers of the 265 opposed. The 32 are: The 24 Hearst papers in 13 cities, with the New York Daily Mirror, the Chicago Tribune, and the New York Daily News, the New York Evening Sun, the Kansas City Star and Times, the Washington Post, and also the St. Louis Times and the Cleveland News.

A summary of the returns for each State is herewith added. It will be noted that in 9 States no paper whatever is registered as opposed; and in 10 others only one paper is opposed.

State	Favorable		Opposed		No stand		Impossible to classify		No reply		Total number of papers in the State
	Number of papers	Circulation	Number of papers	Circulation	Number of papers	Circulation	Number of papers	Circulation	Number of papers	Circulation	
Alabama	11	298,322	1	1,446	2	7,944			8	27,845	22
Arizona	10	62,614	2	19,358	1	2,325			4	10,396	17
Arkansas	27	157,541			1	680			5	13,099	33
California	106	1,268,477	34	1,069,291	4	11,077			14	61,549	158
Colorado	22	288,125	1	2,490					6	9,529	29
Connecticut	25	384,434			2	7,179			5	62,720	32
Delaware	3	54,378									43
District of Columbia	2	162,334	3	230,961							5
Florida	30	286,113	4	20,872	2	8,282			5	66,337	41
Georgia	20	335,061	1	66,872					5	20,326	26
Idaho	6	30,628	4	24,565	1	4,410			5	13,922	16
Illinois	56	1,136,207	24	2,016,769	8	64,304	3	23,478	31	316,150	122
Indiana	48	572,461	24	175,330	4	36,498	2	6,312	21	262,139	99
Iowa	34	626,844	8	100,124	1	4,775			2	3,122	45
Kansas	33	247,932	7	36,891	1	3,175	1	3,342	12	31,173	54
Kentucky	24	405,572	1	21,507					4	28,668	29
Louisiana	10	252,796			1	39,353	1	20,866	4	64,341	16
Maine	9	138,385			1	32,292	1	18,716			11
Maryland	10	424,597	1	151,914					3	15,430	14
Massachusetts	48	1,764,630	9	534,931	2	7,321			13	129,852	72
Michigan	43	940,859	6	376,657	2	10,861	2	240,531	11	51,254	64
Minnesota	20	509,464	4	19,798	3	147,134			7	117,632	34
Mississippi	13	94,410							2	5,528	15
Missouri	41	1,029,075	5	619,218	1	1,231	1	17,825	13	24,831	61
Montana	11	70,816	4	16,883					4	15,764	19
Nebraska	12	244,190	7	160,989					4	14,934	23
Nevada	5	10,973	2	4,978					2	4,236	9
New Hampshire	7	30,818	2	32,125							9
New Jersey	32	774,181	5	80,997	1	7,000			2	5,300	40

State	Favorable		Opposed		No stand		Impossible to classify		No reply		Total number of papers in the State
	Number of papers	Circulation	Number of papers	Circulation	Number of papers	Circulation	Number of papers	Circulation	Number of papers	Circulation	
New Mexico	5	22,112	1	756					4	27,558	10
New York	115	4,319,527	20	3,227,607	3	84,613	1	25,283	9	294,338	148
North Carolina	23	305,482	1		4	11,605			8	47,806	36
North Dakota	7	63,001	2	8,580	1	4,175					10
Ohio	80	1,959,951	13	510,523	1	6,520	1	73,362	39	319,329	134
Oklahoma	36	418,593	4	83,968	2	4,271			13	49,244	55
Oregon	19	284,010	4	115,317	2	8,779			1	4,421	26
Pennsylvania	106	3,013,345	24	309,097	2	12,989			26	219,994	158
Rhode Island	9	222,951							1	3,447	10
South Carolina	12	144,164	1	2,098					2	7,694	15
South Dakota	12	87,870	1	826					3	5,614	16
Tennessee	19	615,178	1	2,091					3	12,736	23
Texas	78	1,039,467	8	88,826	1	3,172			25	106,402	112
Utah	4	115,108	3	16,038							7
Vermont	7	51,755	2	8,333							9
Virginia	23	370,910							6	22,524	29
Washington	23	456,183	8	137,841	1	4,939			3	40,954	35
West Virginia	23	222,064	4	28,169	1	3,117	1	2,327	2	5,400	31
Wisconsin	34	566,648	9	232,521	2	9,765			3	19,482	48
Wyoming	4	18,350							2	1,470	6
	1,357	26,993,906	265	10,557,317	58	549,177	14	482,242	342	2,564,400	2,036

Mr. CAPPER. Mr. President, the protocols for American adherence to the World Court are again before the Senate. A statement by FREDERICK H. GILLETT, a member of the Committee on Foreign Relations, published in the New York Times on December 7, gives a comprehensive exposition of the protocols, and discusses the questions at issue in an exceedingly able manner. I ask permission to have Senator GILLETT's views on this subject printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of December 7, 1930]

AMERICA AGAIN WEIGHS THE WORLD COURT—SENATOR GILLETT EXPLAINS THE PRESENT STATUS OF THE LONG NEGOTIATIONS OVER OUR MEMBERSHIP AND THE MEANING OF THE PROTOCOL INTENDED TO REMOVE THE DIFFICULTY OVER OUR RESERVATIONS

(The protocols for American adherence to the World Court are again the subject of debate in Washington. What is the nature of the three treaties, particularly the one accepting the American reservations, and their effect on the position of the United States as a member of the court? The following article by Senator GILLETT, a member of the Committee on Foreign Relations, gives a comprehensive exposition of the protocols and discusses at length the questions at issue.)

By FREDERICK H. GILLETT, Senator from Massachusetts

Never a very simple question, the World Court has been more than ever complicated in the public mind by the technicality of the negotiations that have accompanied the question of our adherence. It is asking a good deal of the casual reader or observer to keep the lines of definition clear as to a subject in which legislative and diplomatic aspects have been so curiously blended. It is now as impossible to get a clear view of the court situation by merely studying its latest phase—that is, by merely scanning the three treaties providing for America's membership—as it would be to get the whole of a complicated continued story by picking up the isolated last chapter.

It has often been suggested that in the course of these negotiations between the United States and the signatories mistakes have been made by both sides. Perhaps they have been; they usually are in a world of men. If they have, all of those mistakes have necessarily been incorporated into the texture; and so the solution that is now proposed is, and must be, peculiarly dependent upon what has gone before. It has to follow the record; and a recognition of this, a frank adoption of a historical point of approach, is an absolute necessity to a fair scrutiny of the present proposal as to how the difficulties are to be adjusted.

THREE TREATIES

Two of the three protocols or treaties awaiting ratification have not an essential bearing upon the particular points to be adjusted between the United States and the member nations of the court. These two should, of course, be ratified as a part of the whole procedure of our adhering to the court; but our own case is wholly covered by the third protocol alone. The two which we do not need at the moment to consider are, first, the protocol of signature of the original statute of the court (1920), signed by every nation that adheres; and, second, the protocol covering certain amendments proposed to be made in this original statute of the court. Most of these amendments are in the direction of tightening up the court's organization—in ways that do not in the least concern our position. The one amendment that does bear upon our position is the addition to the statute of a new chapter (ch. 4) on advisory opinions—the original statute does not mention advisory opinions—and this new chapter is important in making the statute explicit with regard to them and in providing that the court is henceforth to be guided in the giving of advisory opinions by the same principles that govern it in giving its actual decisions. The court in practice and by its own pronouncement (in the Eastern Karelia case) had observed this policy, but it is, of course, a gain to have the principle thus written into the statute itself.

The fact that the last article of this new chapter 4, article 68, would make the consent of the parties necessary in advisory cases as in actual lawsuits does meet, in part, the position we took in our fifth reservation. But before this amendment was formulated the committee of jurists had already covered the ground covered in article 68, and more, in the special agreement with us contained in the third treaty—which I hope to make clear below. And this special agreement with us has, of course, the same force as the statute.

CUBA'S HESITATION

The fact, therefore, that these amendments to the statute are not yet in operation (though signed by 52 states and ratified by 31) is not at all in point. No part of the adjustment of our situation depends upon their being in force. I have found, however, some misunderstanding on this point, and a confused tendency to feel that since Cuba was not willing to have the court amendments go into effect, perhaps our own action on any of the protocols should be delayed.

The real reason why this is not true is, as I have said above, that the guaranties of article 68 are already secured in the special treaty with us, the so-called "accession protocol." None of the causes of delay in reference to the revision of the statute is related to our case. The amendments Cuba objects to are not those concerning advisory opinions, but some of those in which we have not been interested—notably, the amendment that would force the court to be in constant session. No state has interposed, so far as I know (certainly Cuba has not), any objection whatever to the amendments referring to advisory opinions. And even Cuba has not really finally refused to ratify the revision protocol.

The whole project to have the amendments in operation by September 1 was a little irregular and had nothing to do with us. Of course, the usual requirement would be that every state concerned would have to ratify the amendments before they could go into effect. But since the general election of judges—the first since the election in 1921—was due last September, it was thought advisable to have the amendments in effect by last September 1, if possible, especially since some of the amendments changed the number of judges from 11 to 15, abolished the deputy judges, restrained the judges from following other occupations, etc.; in other words, directly affected the question of election of judges. And so the revision protocol included a somewhat radical proposal that even if all the countries had not ratified by September 1 the amendments could go into operation then, provided that those States that had not formally ratified would make it clear that they felt no objection to the amendments becoming effective.

Cuba objected, with special reference to the amendment requiring the judges to be constantly at The Hague, and also on the ground that this provision for having the amendments go into operation in advance of formal ratification by all the states was not wise. But all this has really nothing to do with us.

AMERICAN SAFEGUARDS

Our whole case is covered in the third protocol accepting our reservations and outlining the procedure needed to make them operate. In this we have all the guaranty contained in article 68 of the proposed amendments and considerably more, and it is important to recall here that the Senate's fifth reservation asked for more. It aimed to prevent an advisory opinion upon a claim of interest, as well as upon the undoubted possession of an interest.

This fifth reservation, around which the controversy has centered, provided that the court shall not "without the consent of

the United States entertain any request for an advisory opinion touching any dispute or question in which the United States has or claims an interest." The League of Nations, through its council or assembly, has the right to ask the court for an advisory opinion on any subject, just as in our State of Massachusetts the legislature has the right to ask our Supreme Court for such an opinion. This Senate reservation obviously aimed to protect the United States from any possible embarrassment resulting from an advisory opinion. No such embarrassment could possibly result from an actual judgment of the court, because, under the statute, the court has no original jurisdiction and can not bind us by any judgment unless we have voluntarily submitted the case to its consideration. The fifth reservation secured us the same protection as to advisory opinions, and made certain that no decision affecting us should be made, under the guise of an advisory opinion, without our consent.

I think the other nations might well have accepted this reservation unconditionally. I do not believe they would ever want to ask for an advisory opinion to which they knew we objected, nor do I, on the other hand, believe that we would ever claim an interest and refuse our consent to an advisory opinion except upon such good grounds that they would, upon reflection, abandon their purpose even if we had no power to prevent it. In brief, I do not think the reservation was important either to us or to them.

EQUAL RIGHTS TO MEMBERS

But nations, like individuals, are often kept apart by mere punctilio. Since in the fifth reservation we had been very exacting in asserting and defining our position, we can hardly complain if the court members responded with an equal explicitness in defining theirs. No other nation had the same unquestioned right which we were claiming (although at the time of the Senate debates we thought they had, on the theory that a unanimous vote was needed for requesting an advisory opinion, and that therefore any one member of the council or assembly had always the power to defeat a request for an advisory opinion), and, consequently, they were not willing to concede to us this exclusive power of absolute veto, although in all probability it would be a theoretical right not likely ever to be exercised. They were willing to assure us a position of complete equality but not of special privilege.

The committee of jurists thought that the best way of resolving the difficulty was to get down to cases and outline just what the procedure, under the fifth reservation, would be in any given case. The treaty now before the Senate is the result. It merits detailed examination, for it is a careful attempt to outline from point to point what will actually happen in any concrete case.

The new treaty is an express acceptance of all our reservations, exactly as passed by the Senate, subject only to certain agreements as to procedure. The only terms as to which there is any controversy are those which prescribe the procedure when an advisory opinion is contemplated. It should be taken into account here that, even if the fifth reservation had been accepted outright, some arrangement as to such procedure would have been necessary in order to insure us an advance knowledge of the prospective opinion, afford us opportunity to determine whether it would affect us, and to secure us a method of seasonably presenting our objections to the court. The present treaty does that; it also recognizes that for the sake of amity and good feeling it is desirable, both for us and for the other nations, that we should know early when the request for an opinion is being agitated in the council or the assembly.

THE PROCEDURE DEFINED

The treaty provides that when any proposal for requesting an advisory opinion of the court is made in the council or the assembly of the league its secretary shall notify the United States, and thereupon there shall be an exchange of views between the proponents of the request and us as to whether an interest of ours is affected. Moreover, whenever a request for an advisory opinion comes to the court it shall notify the United States, and if for any reason there has been no sufficient opportunity for an exchange of views between us and the league, and we notify the court that the question affects our interest, the court shall stay proceedings for a period sufficient to allow the exchange of views.

If no agreement can be reached by this exchange of views, and we still object to the court's rendering the opinion, and the league still insists upon it, then the treaty recognizes that the United States, thus finding itself at wide variance with the court members in the league as to the proper purposes of advisory opinions, would probably wish to avail itself of the right we explicitly claim in our fourth reservation to "withdraw from the court at any time." In the stately language of the treaty, "the exercise of the powers of withdrawal provided for in article 8 hereof" (that is, in article 8 of the protocol, accepting our fourth reservation and defining the procedure for it) "will follow naturally without any imputation of unfriendliness or unwillingness to cooperate generally for peace and good will."

In other words, if ever a crisis should come when we can not convince the members of the council that the opinion would affect our interests prejudicially and that therefore we can not consent to it, and when they can not convince us that it is harmless to us and so important to them that they must persist in it despite our objections, then an impasse is reached, and we can amicably exercise the right to withdraw from the court, covered in our fourth reservation, and resume the position we hold to-day. While we remain in the court no opinion affecting us can be rendered against our objection. Thus the aim of the fifth reservation is achieved.

COURT'S RIGHT OF REFUSAL

There is, moreover, another contingency further lessening the possibility of any final breach. In the unlikely assumption that the league might not agree with us that we are "interested," and might persist in asking the court to give its opinion, the court itself could refuse to give it and support us in our contention. For the court decided in the Eastern Karelia case that when the league asked it to give an opinion which affected the interest of a State which refused to participate in the hearing the court would decline to act on the ground that it has no jurisdiction over a State against its will. The court said:

"It is well established in international law that no State can, without its consent, be compelled to submit its disputes with other States either to mediation or to arbitration or to any other kind of pacific settlement. * * * The court, being a court of justice, can not, even in giving advisory opinions, depart from the essential rules guiding their activity as a court."

By that precedent the court would decline to render an opinion to which we objected if it found that we were justified in claiming that our interests were affected. This makes it still more unlikely that a situation would ever arise when we should feel compelled to withdraw from the court.

I do not believe there is the slightest chance that this ultimate resort of withdrawal will ever be reached. The steps that must precede it almost preclude the possibility. In most of the contemplated advisory opinions the United States will probably have no interest. Of the 16 advisory opinions rendered by the court in the eight years of its existence there is not one which we would have the slightest desire to recall.

OUR POWERS OF PERSUASION

Let us assume, however, that the council is considering requesting an advisory opinion which we think would affect us adversely; the outstanding probability is that our remonstrance would persuade the other powers, and that they would not prosecute their purpose against our wishes. Or they might change the project in such a way as to relieve it of the features objectionable to us, and still attain their purpose or a part of it. Or we might be convinced by them that the danger or injury to us was insignificant compared with the beneficial effect the contemplated advisory opinion would have upon the peace or stability of the world, and so we might withdraw our objection.

I do not believe we will ever press an objection which is not so reasonable and convincing that the league will yield to it and abandon their purpose, or which is not so reasonable that if they are stubborn the court will sustain us. I do not believe the league will ever think an opinion so essential to them that they will press for it against our protest and at the cost of driving us from the court.

We all recognize to-day that conference, negotiation, time, in international affairs, are the safest assurance of agreement. We have negotiated with many nations treaties to insure a cooling-off period, in case of dispute, as offering the best hope of peace. And so here we may confidently expect that this provision for time and consultation will inevitably lead to agreement. But if it should not, if the improbable should happen, if both sides should be persistent and unyielding and a breach were inevitable, even then, in that most unlikely event, we should be no worse off than we are to-day, for we can simply exercise the right we reserved to withdraw from the court, no unfriendliness can be imputed to us, and we resume toward the court the position we hold to-day.

PROTECTION FROM EMBARRASSMENT

And here we may well bear in mind that we have now no protection from embarrassment through an advisory opinion affecting us except the moderation and good sense of the League of Nations. If we were in the court, the council would certainly be no more likely to ask an advisory opinion which would concern us than it is now. On the contrary, with the powers of protest and withdrawal secured to us under the fifth reservation and the treaty accepting it and outlining how it will work we would, as a member of the court, be vastly better equipped to protect ourselves from embarrassment through an unwanted advisory opinion than we now are.

I hope I have made it clear that it is extremely improbable that the exchange of views provided for in this treaty would ever fail to bring an agreement or that the final possibility of withdrawal from the court would ever be resorted to. There is another contingency that further diminishes the probability: It is suggested in the paragraph of this treaty which provides that "there shall be attributed to an objection of the United States the same force and effect as attaches to a vote against asking for the opinion given by a member of the League of Nations in the council or in the assembly." In other words, if any one member of the council (or assembly) could by its protest prevent a request for an advisory opinion, the United States can do the same.

UNANIMOUS VOTE REQUIRED?

The trouble is that it has not yet been determined whether a unanimous vote is necessary for requesting an advisory opinion or whether it may be requested by a mere majority—and whether the court would take cognizance of a request voted by a mere majority. When we formulated this fifth reservation in 1926 we were under the impression that a unanimous vote was necessary, so that any nation in the council (or assembly) had exactly the same veto power we were asking for ourselves. But the league advises us that the question of whether a unanimous vote is necessary has never been tested; that it might ultimately be determined that only a majority and not a unanimous vote is needed; and

that if the fifth reservation were unconditionally accepted the United States would thus be the only nation which by its own action could prevent an advisory opinion.

Many feel that the simplest way out would have been for the league or the court just to establish now that a unanimous vote is necessary. I think that the question will some day be decided, and that when it is the necessity for unanimity will be established. It is certainly significant that in every case thus far the vote for requesting an advisory opinion has been unanimous.

I do, however, understand why a decision on this point can not easily be had now, however much it would suit our purposes to have it. In the first place, there is a sharp difference of opinion among jurists and statesmen as to whether under article 5 of the covenant of the league, requesting an advisory opinion, is a substantive matter requiring unanimity or a procedural matter requiring only a majority. Into the whole question are tied considerations very important abroad and not at all related to us or the question of our adherence. Moreover, many people feel that, however desirable it may ultimately be to have the question clearly settled, the settlement ought not to be on a moot case or under pressure of a special unrelated circumstance such as the question of our adherence.

SENSITIVENESS ABROAD

In short, this is a question upon which the nations abroad are divided and sensitive, for reasons that have nothing in the world to do with us. It seems to me not at all fitting for us to press a point which would result chiefly in arousing dissension over there. The question is obviously not yet ripe for decision. I repeat my own conviction as to how it will ultimately be settled. But even if that decision as to unanimity is long deferred, not only do we have under this treaty the same amount of power to veto that is now possessed by any member of the council or assembly, but also, by this treaty and the fifth reservation which it accepts, the court is restrained from giving, and the league will therefore not request, an advisory opinion in a case in which our interest is admitted.

The real opposition to this treaty is not dissatisfaction with the procedure suggested for the fifth reservation; it is unwillingness to enter the court on any terms. The fact that the judges are chosen by the two constituent bodies of the league and paid through its treasury has been exploited to make the whole project unpopular. By continual reference to "the league's court," persistent attempt is made to attach to the court question the prejudice and hostility that have surrounded the question of our entering the league.

But, of course, adhering to the court does not make us in any sense members of the league. And to prevent any remote suspicion that it might, the first reservation (accepted by the pending treaty) specifically provides "that such adherence shall not be taken to involve any legal relation on the part of the United States to the League of Nations or the assumption of any obligations by the United States under the treaty of Versailles." Language could not be more explicit or conclusive. It seems to me that there is malice as well as confusion in directing against the World Court the hostility wh.ch exists against the League of Nations.

THE COURT AND THE LEAGUE

To those who wish we were now active members of the league, the fact that this court has connection with it will not be an objection. To the most relentless opponents of our joining the league, the proposal to support this court should not be disquieting. Personally, I am glad we are not in the league; our geographical location and our racial differences would, I consider, seriously hamper our usefulness in it. But, despite its defects, the league has for 10 years been the most effectual agent for peace and the reconstruction in Europe. By bringing into constant conference the antagonistic and irritated interests of Europe, it offers the best hope of future peace. And, although I do not wish to join it, I wish it well in its efforts. We have cooperated with it in a great many cases, when it was endeavoring to promote the harmony and progress of the world, as in the conferences on traffic in arms, on abolition of import and export prohibitions and restrictions, on slavery and forced labor, on economic statistics, on the control of opium. I hope we shall continue to cooperate whenever thereby the cause of humanity or justice or peace can be furthered.

The mere fact that this court comes from the league and is favored by the league does not prejudice me against it. When the league, following the lead of the United States in The Hague conventions, adopting the spirit and the letter of American statesmen, formulates this enlightened plan for a World Court, our duty as well as our instinct is to welcome it with gratitude and with hope.

MODERNIZATION OF BATTLESHIPS

The PRESIDING OFFICER. Resolutions coming over from a previous day are in order.

Mr. SWANSON. Mr. President, as I stated a few minutes ago, a resolution has come over connected with the reconsideration of the bill passed by the Senate authorizing the modernization of three battleships. The Senator from Utah [Mr. KING] entered the motion to reconsider. I should like to have that motion disposed of now, and I think the Senator is willing to withdraw it.

Mr. LA FOLLETTE. As I understand it, that motion is not in order until the morning business has been concluded.

The PRESIDING OFFICER. No.

Mr. SWANSON. I do not think there is any objection to it. I think the Senator from Utah is willing to withdraw the motion.

Mr. KING. No, Mr. President, I am willing to have it considered as soon as it can be considered.

Mr. SWANSON. Very well.

INVESTIGATION RELATIVE TO CONVICT LABOR IN THE PRODUCTION OF TIMBER

The PRESIDING OFFICER. The Chair lays before the Senate a resolution coming over from a previous day, which will be stated.

The legislative clerk read Senate Resolution 351, submitted by Mr. STEIWER on the 3d instant.

Mr. STEIWER. That may go over.

The PRESIDING OFFICER. The resolution will go over.

THE PRESIDENT'S STATEMENT ON RELIEF LEGISLATION

The PRESIDING OFFICER. The Chair lays before the Senate another resolution coming over from a previous day, which will be stated.

The legislative clerk read Senate Resolution 363, submitted by Mr. LA FOLLETTE on the 9th instant, as follows:

Whereas millions of American citizens are in destitute circumstances due to unemployment and face privation and suffering; and

Whereas the President of the United States, in a public statement, has indicated that consideration for the interests of income-tax payers necessitates restriction on governmental relief measures necessary to aid the jobless and their dependents: Now, therefore, be it

Resolved, That it is the sense of the Senate of the United States that the relief of human suffering in this emergency should take precedence over the consideration of the interests of wealthy income-tax payers.

Mr. LA FOLLETTE. Mr. President, there being but 25 minutes remaining of the morning hour, it is obvious that it would be impossible to get even a fair consideration of the merits of this resolution. I therefore ask that it go over without prejudice.

The PRESIDING OFFICER. The resolution goes over without prejudice. The morning business is closed. The calender under Rule VIII is in order.

ORDER OF BUSINESS

Mr. PHIPPS. Mr. President, I desire to suggest that we might take up the Treasury and Post Office Departments appropriation bill. I do not think it will lead to much discussion. I believe it can be disposed of rather promptly. I do not know of any measures on the calendar that are particularly pressing. We have gone over the calendar several times recently.

Mr. McNARY. I ask unanimous consent that we dispense with the consideration of the calendar and proceed with the consideration of the Treasury Department appropriation bill.

Mr. LA FOLLETTE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	Kendrick	Schall
Barkley	Fletcher	Keyes	Sheppard
Bingham	Frazier	King	Shipstead
Black	George	La Follette	Shortridge
Blaine	Gillett	McGill	Simmons
Blease	Glass	McKellar	Smith
Borah	Glenn	McMaster	Smoot
Bratton	Goff	McNary	Steiwer
Brock	Goldsborough	Metcalf	Stephens
Brookhart	Gould	Morrow	Swanson
Broussard	Hale	Moses	Thomas, Idaho
Bulkley	Harris	Norbeck	Thomas, Okla.
Capper	Harrison	Norris	Townsend
Caraway	Hastings	Nye	Trammell
Carey	Hatfield	Oddie	Tydings
Connally	Hawes	Patterson	Vandenberg
Copeland	Hayden	Phipps	Wagner
Cousens	Hebert	Pine	Walcott
Cutting	Heflin	Pittman	Walsh, Mass.
Dale	Howell	Ransdell	Watson
Davis	Johnson	Reed	Wheeler
Deneen	Jones	Robinson, Ark.	
Dill	Kean	Robinson, Ind.	

The PRESIDING OFFICER. Ninety Senators having answered to their names, a quorum is present.

Mr. McNARY. Mr. President, this being the appropriate day for the consideration of the calendar, and several Members having expressed to me a desire to review the calendar briefly between now and 2 o'clock, and objection being made to my request. I withdraw it.

MODERNIZATION OF BATTLESHIPS

Mr. KING. Mr. President, several days ago a measure was passed through the Senate, S. 4750, to authorize alterations and repairs to certain naval vessels. I was not in the Chamber at the time the bill was called to the attention of the Senate. A number of other Senators were not here who, as I was advised, desired to make some observations in regard to the bill. I therefore entered a motion to reconsider, and that motion is now pending. I am willing now to call up the motion for determination by the Senate.

Mr. HOWELL. Mr. President, I dislike to object; but can we not go on with the calendar? We have only 20 minutes left.

Mr. KING. I feel under obligation to the Senator from Virginia [Mr. SWANSON] to call up that matter to-day. He has been waiting here for several days for the purpose of having it considered. If the bill is to be passed—and by any statement I make I do not mean to indicate that I am for it—it should be passed as speedily as possible. Therefore I feel under obligation to call up the matter for the Senate to pass upon.

The PRESIDING OFFICER. The Chair will state to the Senator from Utah that this being Calendar Monday, the motion to reconsider can come up only by unanimous consent.

Mr. KING. Or by motion.

The PRESIDING OFFICER. No; not by motion; only by unanimous consent.

Mr. KING. Then I ask unanimous consent for the consideration of the motion to reconsider which has heretofore been entered with respect to Senate bill 4750.

The PRESIDING OFFICER. Is there objection?

Mr. HOWELL. If it is going to lead to debate, Mr. President, I shall have to object.

Mr. KING. I can not promise with respect to that. I do not know.

Mr. HOWELL. Then I shall have to object.

The PRESIDING OFFICER. Objection is heard.

Mr. SWANSON. Mr. President, a parliamentary inquiry. Do I understand that we can not now move to take up for consideration a motion to reconsider?

The PRESIDING OFFICER. On Calendar Monday it would have to come up by unanimous consent.

Mr. SWANSON. When will it be in order to make the motion?

The PRESIDING OFFICER. Any other morning except Monday.

Mr. SWANSON. I should like to know what Senators want to discuss it. The bill is simply to carry out the policy that has been pursued for the last 10 years. Why it should be stopped now I can not understand.

Mr. KING. Mr. President, will the Senator yield?

Mr. SWANSON. Yes.

Mr. KING. I ask unanimous consent—we have just called a quorum, and I think it is in order—that this motion be made the special order immediately after the convening of the Senate to-morrow, and that it be taken then from the table and brought up for consideration.

The PRESIDING OFFICER. Is there objection?

Mr. VANDENBERG. Mr. President, in the absence of the Senator from Oregon [Mr. McNARY], who has left the floor momentarily, I object, and ask that the request be renewed when he returns to the floor.

Mr. SWANSON. I understand that it will be in order as soon as the morning business is finished to-morrow.

The PRESIDING OFFICER. It will be.

Mr. SWANSON. I give notice that as soon as the morning business is finished to-morrow I shall move that this matter be disposed of.

The PRESIDING OFFICER. After the morning business is closed and the calendar is called the Senator can make the motion. The clerk will state the first bill on the calendar.

THE CALENDAR

The first business on the calendar was the bill (S. 168) providing for the biennial appointment of a board of visitors to inspect and report upon the government and conditions in the Philippine Islands.

Mr. LA FOLLETTE. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 76) to amend Rule XXXIII of the Standing Rules of the Senate, relating to the privilege of the floor, was announced as next in order.

Mr. LA FOLLETTE. Let that go over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 551) to regulate the distribution and promotion of commissioned officers of the Marine Corps, and for other purposes, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 49) authorizing the Committee on Manufactures, or any duly authorized subcommittee thereof, to investigate immediately the working conditions of employees in the textile industry of the States of North Carolina, South Carolina, and Tennessee was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 153) granting consent to the city and county of San Francisco to construct, maintain, and operate a bridge across the Bay of San Francisco from Rincon Hill to a point near the South Mole of San Antonio Estuary, in the county of Alameda, in said State, was announced as next in order.

Mr. ODDIE. I ask that that may go over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 119) authorizing and directing the Committee on Interstate Commerce to investigate the wreck of the airplane *City of San Francisco* and certain matters pertaining to interstate air commence was announced as next in order.

Mr. VANDENBERG. Let that go over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 255) for the promotion of health and welfare of mothers and infants, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. The bill, being the unfinished business, will be passed over.

The bill (H. R. 9592) to amend section 407 of the merchant marine act, 1928, was announced as next in order.

Mr. COPELAND. That may go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1278) to authorize the issuance of certificates of admission to aliens, and for other purposes, was announced as next in order.

Mr. COPELAND. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The joint resolution (S. J. Res. 149) for the relief of unemployed persons in the United States, was announced as next in order.

Mr. PHIPPS. Let that go over.

The PRESIDING OFFICER. The joint resolution will be passed over.

MOTOR TRANSPORTATION IN THE ARMY

The Senate proceeded to consider the bill (S. 23) to regulate the procurement of motor transportation in the Army, which was read, as follows:

Be it enacted, etc., That hereafter in procuring motor vehicles for the public service the Secretary of War is hereby authorized, with any price limitations fixed by Congress, to award the contract to the bidder that the said Secretary finds to be the lowest responsible

bidder offering to furnish the motor vehicles that will, in the judgment of the said Secretary, most advantageously meet the requirements of the Government.

Mr. KING. Mr. President, does the Senator from Pennsylvania desire to have the bill taken up at this time?

Mr. REED. I wish we could take it up and pass it. It is a very simple bill.

Mr. KING. I have no objection; but I wish the Senator would explain the bill.

Mr. REED. The present rulings of the Comptroller General require the War Department to accept a bid from the lowest bidder, who has to meet only very general specifications. The Army wants, if possible, to make more definite specifications, because the officials find that under the present practice they have such a wide variety of trucks and passenger cars which are used for the same purpose that they have to keep in stock an enormous quantity of spare parts, far more than would be necessary if they could limit the vehicles to a few types. They do not want to get away from competitive bidding, but they want to narrow down their specifications and write them themselves according to military needs, instead of having the Comptroller General say that any car that would cost $5,000, for example, is eligible to bid. It is all in the interest of saving money and cutting down the stock of spare parts.

Mr. KING. Mr. President, is there a unanimous report of the committee?

Mr. REED. There is.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF UNEMPLOYMENT

Mr. BROOKHART. Mr. President, I ask unanimous consent that the Senate recur to Senate Joint Resolution 149, for the relief of unemployed persons in the United States. I have agreed with the chairman of the committee that that joint resolution should be recommitted to the Committee on Education and Labor.

The PRESIDING OFFICER. Without objection, the joint resolution will be recommitted to the committee.

CHANGE OF DATE OF INAUGURATION

The resolution (S. Res. 245) providing for the appointment of a committee to inquire into the failure of the Speaker of the House of Representatives to take some action of Senate Joint Resolution 3, relative to the commencement of the terms of President and Vice President and Members of Congress, was announced as next in order.

Mr. VANDENBERG. Let that go over.

The PRESIDING OFFICER. The resolution will be passed over.

PUBLIC ROADS IN LATIN AMERICAN REPUBLICS

The bill (S. 120) to authorize the President to detail engineers of the Bureau of Public Roads of the Department of Agriculture to assist the governments of the Latin American Republics in highway matters was announced as next in order.

The PRESIDING OFFICER. The bill will be passed over.

THE MERCHANT MARINE

The Senate proceeded to consider the bill (H. R. 7998) to amend subsection (d) of section 11 of the merchant marine act of June 5, 1920, as amended by section 301 of the merchant marine act of May 22, 1928.

Mr. VANDENBERG. Mr. President, if it is humanly possible to pass this bill before 2 o'clock, I do not want to take any time. I do wish, however, to make a statement emphasizing the importance of the measure.

The purpose of this legislation primarily is to correct a situation under which Federal funds are loaned for shipbuilding purposes at the present time at as low a rate of interest as 1.7 per cent, because of the fact that the wording of the law requires that the rate shall be the lowest rate of yield upon any contemporary Government security. The net result is that the rate of yield which attaches to the short-time financing of the Government is necessarily the criterion which affects loans to the shipping people under the shipping law. As a result the Government is forced to lend money for 20 years upon the basis of a purely temporary rate, and the purpose of this legislation, earnestly recommended by the Treasury and by the Shipping Board, is to require that the minimum rate shall be 3½ per cent.

Mr. KING. Mr. President, is that the only question involved?

Mr. VANDENBERG. There is one other question involved.

Mr. KING. I think the bill ought to be passed if that is the only question involved.

Mr. VANDENBERG. The only other question is respecting the so-called period of inactivity when a ship is being built. Under the interpretation of the Comptroller General the builder of a ship has not had the benefit of the low rate of interest during the period of construction. It is generally agreed that he should have it during that period. That is corrected. But fundamentally the purpose of the legislation is the original purpose which I have described.

Mr. COPELAND. Mr. President, I think the Senator is agreeable to the amendment on line 14, the insertion of the words:

Provided, however, That on all contracts hereinafter entered into the interest rate shall be paid.

Mr. VANDENBERG. I am perfectly agreeable.

The PRESIDING OFFICER. The clerk will state the first amendment.

The CHIEF CLERK. On page 2, amendments 1 and 2 have been heretofore agreed to. The pending amendment of the Committee on Commerce is on page 2, line 19, to add the words "exclusively and under enrollment" after the word "operated."

The amendment was agreed to.

Mr. COPELAND. I move an amendment to the committee amendment on page 2, line 14, before the word "as," to insert a colon and the words "*Provided, however,* That on all contracts hereinafter entered into the interest rate shall be," so that the amendment will read:

Provided, however, That on all contracts hereinafter entered into, the interest rate shall be as fixed by the board, but not less than 3½ per cent per annum.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. BRATTON. Mr. President, I find that the senior Senator from Tennessee [Mr. MCKELLAR] proposed an amendment to this bill on June 17 last, which was printed and is lying on the table. May I inquire of the Senator from Michigan what disposition has been made of that amendment?

Mr. VANDENBERG. I am not familiar with it. Will the Senator indicate its purport?

Mr. BRATTON. It is quite a long amendment. It purports to be a proposed section 2 of the bill.

Mr. VANDENBERG. I am not familiar with it.

Mr. BRATTON. In view of the fact that the Senator from Tennessee is not in the Chamber, I suggest that the bill go over.

Mr. FLETCHER. Mr. President, I think the amendment to which the Senator from New Mexico has called attention has reference to another bill. There is no section 2 of this bill.

Mr. BRATTON. But this amendment proposes the insertion of another section, to be known as section 2.

Mr. FLETCHER. Is it an amendment to this bill?

Mr. BRATTON. Yes; to House bill 7998.

Mr. VANDENBERG. Will not the Senator withhold his objection a moment?

Mr. BRATTON. Certainly.

Mr. VANDENBERG. The Senator was not in the Chamber when I made my original statement regarding the bill this morning, was he?

Mr. BRATTON. I think not.

Mr. VANDENBERG. This is purely an emergency matter, recommended by the Treasury Department and the Shipping Board to save the Government from the necessity of lending money to shipping companies at 1⅞ per cent interest, which is the lowest rate of yield on temporary financing, whereas the intent of the law originally was to give them only the

benefit of the lowest rate of yield upon average and permanent investments. The proposal now pending would lift the rate of interest charged against loans to shipping people from 1⅞ per cent, as at the present time, to a minimum of 3½ per cent, and those loans are being made almost every week, and the loss is very serious and will be serious unless something is done about it.

Mr. BRATTON. I agree with the purpose of the bill, but I am unwilling to have the bill passed in the absence of the Senator from Tennessee, inasmuch as he has an amendment to offer to it.

Mr. VANDENBERG. The Senator will see that the amendment suggested by the Senator from Tennessee has no relationship to the particular subject of the pending bill. It is a totally different and additional subject, which he can quite as well offer to several other merchant marine measures which are on the calendar.

Mr. BRATTON. I agree with that, but the Senator from Tennessee saw fit to propose the amendment to this bill; he is absent from the Chamber, and I think we should not pass the bill during his absence.

The PRESIDING OFFICER. The bill will go over, under objection.

Mr. COPELAND. Mr. President, I suggest to the Senator from Michigan that he perfect the bill, with all the amendments which have been agreed to, except the pending amendment.

The PRESIDING OFFICER. The Chair will state that the amendment of the Senator from Tennessee is not pending; it has not yet been offered.

Mr. KING. Mr. President, I will say to the Senator from Michigan that I shall offer two other amendments, to make the maximum 4 per cent and to restrict the period of the loan to 10 years.

MERGER OF GASLIGHT COMPANIES

The bill (S. 4066) to authorize the merger of the Georgetown Gas Light Co. with and into the Washington Gas Light Co., and for other purposes, was announced as next in order.

Mr. HOWELL. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

MOTOR TRANSPORTATION IN THE ARMY

Mr. BLAINE. Mr. President, I came into the Chamber just a moment after Order of Business 488 had been called. I have been objecting to the passage of that bill for very good reasons. I ask unanimous consent that the vote by which the bill was passed be reconsidered.

Mr. BINGHAM. Mr. President, the Senator from Pennsylvania [Mr. REED] is not in the Chamber at present. He was here during the consideration of the bill and the matter was discussed at the time the bill was being considered. In view of the fact that the Senator from Pennsylvania is not in the Chamber at this time, I ask that the Senator defer his request and make it later, when the Senator from Pennsylvania may be here.

Mr. BLAINE. Mr. President, the Senator from Pennsylvania is quite well informed that I am opposed to this bill. I happened to be out of the Chamber just at the moment when the matter was called up, and the Senator from Pennsylvania was in the Chamber when I returned.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin.

Mr. BINGHAM. I ask that it go over until the Senator from Pennsylvania returns.

Mr. BLAINE. Mr. President, I do not want this matter to go by default. I move that the vote by which the bill was passed be reconsidered.

The PRESIDING OFFICER. Does the Senator enter the motion, or make the motion to reconsider?

Mr. BLAINE. I enter the motion for reconsideration.

The PRESIDING OFFICER. The motion will be entered, and can be acted upon at any time later.

THE MERCHANT MARINE

Mr. BRATTON. Mr. President, I call the attention of the Senator from Michigan to the fact that the Senator from Tennessee [Mr. MCKELLAR] is now in the Chamber, and I make no further objection to the consideration of House bill 7998, providing for amendment of the merchant marine act. I merely wanted to prevent its passage during the absence of the Senator from Tennessee.

Mr. MCKELLAR. Mr. President, I desire to offer an amendment to the bill.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

Mr. HOWELL. I ask for the regular order.

The PRESIDING OFFICER. The clerk will report the next bill on the calendar.

BILLS PASSED OVER

The bill (S. 3229) to provide for the appointment of an additional district judge for the southern district of New York was announced as next in order.

SEVERAL SENATORS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 699) to prevent fraud, deception, or improper practice in connection with business before the United States Patent Office, and for other purposes, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1916) to amend section 1025 of the Revised Statutes of the United States was announced as next in order.

Mr. BRATTON. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4357) to limit the jurisdiction of district courts of the United States was announced as next in order.

Mr. COPELAND. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

NATIONAL PROHIBITION

The bill (S. 3344) supplementing the national prohibition act for the District of Columbia was announced as next in order.

Mr. KING. Mr. President, the Senator from Maryland [Mr. TYDINGS], I understand, desired to be here when this matter was taken up. It will precipitate considerable discussion, and I ask that it go over.

The PRESIDING OFFICER. The bill will be passed over.

APPROPRIATIONS FOR THE DISTRICT OF COLUMBIA

The bill (S. 3558) to amend section 8 of the act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913, was announced as next in order.

Mr. KING. Mr. President, reserving the right to object, I ask that the bill be read.

The Chief Clerk proceeded to read the bill.

WELFARE OF MOTHERS AND INFANTS

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. A bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

Mr. JONES. Mr. President, I understand that the Senator from Colorado [Mr. PHIPPS] desires to take up an appropriation bill, and for that purpose I ask unanimous consent that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

TREASURY AND POST OFFICE APROPRIATIONS

Mr. PHIPPS. Mr. President, I ask that the Senate proceed to the consideration of the Treasury and Post Office appropriation bill.

There being no objection, the Senate proceeded to consider the bill (H. R. 14246) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. McNARY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	Kendrick	Schall
Barkley	Fletcher	Keyes	Sheppard
Bingham	Frazier	King	Shipstead
Black	George	La Follette	Shortridge
Blaine	Gillett	McGill	Simmons
Blease	Glass	McKellar	Smith
Borah	Glenn	McMaster	Smoot
Bratton	Goff	McNary	Steiwer
Brock	Goldsborough	Metcalf	Stephens
Brookhart	Gould	Morrow	Swanson
Broussard	Hale	Moses	Thomas, Idaho
Bulkley	Harris	Norbeck	Thomas, Okla.
Capper	Harrison	Norris	Townsend
Caraway	Hastings	Nye	Trammell
Carey	Hatfield	Oddie	Tydings
Connally	Hawes	Patterson	Vandenberg
Copeland	Hayden	Phipps	Wagner
Couzens	Hebert	Pine	Walsh, Mass.
Cutting	Heflin	Pittman	Watson
Dale	Howell	Ransdell	Wheeler
Davis	Johnson	Reed	Williamson
Deneen	Jones	Robinson, Ark.	
Dill	Kean	Robinson, Ind.	

The PRESIDING OFFICER. Ninety Senators have answered to their names. A quorum is present.

Mr. PHIPPS. I ask unanimous consent that the formal reading of the bill be dispensed with, that the bill be read for amendment, and that the committee amendments be first considered.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Colorado? The Chair hears none, and it is so ordered.

Mr. PHIPPS. Mr. President, I am going to ask that section 4, which relates to salaries in the classified services, be the first section taken up, although it does not appear first in the bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Colorado?

The Chair hears none, and it is so ordered.

BUSINESS OF THE SESSION

Mr. WATSON. Mr. President, much has been said and more has been written about the proffer and acceptance of cooperation on the part of both sides of this Chamber, and I desire very briefly to address myself to that and other phases of the existing situation.

When the statement by seven eminent Democrats was first made I regarded it not only as most courteous but as a highly patriotic announcement, and the succeeding weeks have but confirmed that opinion. After consultation with the President and others I framed a reply to it in which, so far as I had authority to represent my colleagues, we offered also to enter into a harmonious arrangement by which the program could be carried out and needed legislation speedily enacted.

My idea of leadership is to put the program through with just as little talk as is necessary to satisfy legitimate debate. When the other day the honorable Senator from Arkansas [Mr. ROBINSON], leader of the minority, rose in his place and made what I consider to be a notable address, I did not respond or follow, and I went about among my fellow Senators and insisted that they should make no speeches upon the subject, as I wanted his effort to stand out as the great contribution of that day, not to be detracted from by other utterances. I want to see action and not to hear words. Therefore I have not been in favor of miscellaneous speech making in the face of an exigent and emergent situation such as confronts us at this hour.

It is said that the program of cooperation has fallen through. Mr. President, in so far as I am aware of the situation, such a statement is far from the fact. I have the old-fashioned idea that, in accordance with the Constitution, it is the province of the President to make recommendations and the province of the legislative body to consider them and to act upon them. We can either alter them or amend them or reject them, but his right to recommend remains the same. Therefore his authority as the Chief Executive to suggest a program for our consideration remains unchallenged.

The first part of the offer was that there should be no filibustering on appropriation bills. That has not been put to the test, and yet I imagine that it will be accepted in good faith on both sides of the Chamber. I can not conceive of any Senator indulging in a filibuster against a bill to supply funds necessary to keep one of the departments of government running, and particularly at a time when all the departments of government should be functioning more efficiently than ever before in any peace period in our entire history. No such intimation has been given on the part of any Senator, and I can not imagine that anyone harbors in his heart or mind any such thought or purpose.

The next proposal was that we should proceed speedily to consider the relief of those who had been unfortunately affected and afflicted by the ravages of the great drought which spread devastation throughout a fair portion of the Republic. In accordance with his right the President of the United States suggested an appropriation of $25,000,000 for that purpose. The Senate saw fit, as did the House, to change the amount. My contention is that both acted within their rights, and that the President, from his viewpoint, was fully justified in the recommendation he made to the American Congress. He had information directly from the lips of John Barton Payne, president of the American Red Cross, just as I have had it from his lips on more than one occasion, that his organization throughout the United States is amply provided with funds to take care of any personal suffering which might result from the ravages of the drought. The first time I conversed with Judge Payne, he had no thought of expending money for the purchasing of seed or fertilizer or other equipment, and yet up to the present time the Red Cross has expended over $300,000 for those purposes, although it was not a part of their original plan.

Senators, the Red Cross has a representative in the county seats of practically every county in the United States. In each of the small towns in every county in turn it likewise has a representative; and so the Red Cross has facilities for securing information not excelled by any organization under the American flag. I am informed that the Red Cross, through its representatives, reaching into every portion of the Republic, even the most remote places, has scoured the country, and I am assured that it is amply able to care for all the personal suffering that may grow out of the prevalence of drought conditions; that is to say, any freezing on the part of individuals or starving or lack of clothing or lack of fuel. Therefore, in view of those facts, the President was amply justified in making his recommendation to Congress.

According to the system under which the Red Cross gathers its funds, if, for instance, a contribution of $5 is collected, 50 cents of it goes to the general headquarters and $4.50 remains in the local headquarters. Those local headquarters, according to the report given me by Judge Payne and members of the board of directors, are now provided with funds sufficient to meet every emergency that may confront them, in so far as they have gathered the facts, and they tell me that they have gathered them completely.

Mr. WALSH of Massachusetts. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Indiana yield to the Senator from Massachusetts.

Mr. WATSON. I yield.

Mr. WALSH of Massachusetts. I am very much interested in what the Senator is saying about the activities of the Red Cross. In my own State of Massachusetts within the last year every one of its 100 municipalities with a population of over 5,000 has had to increase very substantially its appropriations to relieve the demands of the destitute.

Mr. WATSON. Has that been on account of the drought?

Mr. WALSH of Massachusetts. No.

Mr. WATSON. I am now talking about the drought.

Mr. WALSH of Massachusetts. I thought the Senator from Indiana was talking about the general condition.

Mr. WATSON. No; I am talking only about the drought. I will come to the other aspect of the situation in a moment.

Mr. WALSH of Massachusetts. The Senator from Indiana will pardon me.

Mr. WATSON. Certainly.

I am speaking now particularly of the drought conditions, relief for which was first on the recommended program. I submit that the program itself remains untouched and unimpaired, and that we are proceeding with the plan as originally outlined to provide relief for those afflicted by the drought.

I was talking only this morning with Judge Payne over the telephone, and he gave me an illustration, using the town and the county in which he lives in Virginia. It was one of the hardest hit in the entire drought area; my recollection is that Secretary Hyde, after having made a survey, said it was literally "burned up," and that the ravages there were more complete than almost anywhere else. The chairman of the Red Cross of that county had communicated with Judge Payne, stating that if he would permit the county to retain the 50 cents which otherwise would be sent to headquarters, he would care for every need of those suffering from the effects of the drought in that area. He said, "I am prepared to make this statement, after a full investigation, using all the facilities at my command, that we can care for drought sufferers with the funds in our hands."

Therefore, knowing those facts, the President felt amply justified in making a recommendation for a $25,000,000 appropriation for that specific purpose.

Mr. ROBINSON of Arkansas. Mr. President, may I ask the Senator a question for information?

The PRESIDENT pro tempore. Does the Senator yield to the Senator from Arkansas?

Mr. WATSON. Certainly.

Mr. ROBINSON of Arkansas. When and to whom did the President recommend that the appropriation for the purposes to which the Senator is now referring should be limited to $25,000,000?

Mr. WATSON. I do not know that the President did so, but I am saying that the President recommended, as I understood, an appropriation of $25,000,000.

Mr. ROBINSON of Arkansas. If the Senator will permit me, I will suggest that the recommendation in the President's message is in this language:

> In order that the Government may meet its full obligation toward our countrymen in distress through no fault of their own, I recommend that an appropriation should be made to the Department of Agriculture to be loaned for the purpose of seed and feed for animals. Its application should as hitherto in such loans be limited to a gross amount to any one individual, and secured upon the crop.

Mr. WATSON. That is quite correct.

Mr. ROBINSON of Arkansas. Will the Senator permit me to proceed?

Mr. WATSON. Certainly.

Mr. ROBINSON of Arkansas. In so far as my information goes, what I have read from his message is the only committal of the President upon the subject. The Budget Bureau, however, did make a recommendation that the amount to be appropriated for the purposes set forth in the paragraph of the President's message, which I have just read, should be limited to $25,000,000.

Mr. WATSON. That is correct.

Mr. ROBINSON of Arkansas. But, so far as the President is concerned, the only recommendation he has made to Congress of which I have any knowledge is the one I have just read.

Mr. WATSON. Which is quite true, I will say to the Senator.

Mr. ROBINSON of Arkansas. And in the hearings before the Committee on Agriculture, and in the discussion of the subject before the Senate, the challenge was made of the assertion that $25,000,000 recommended by the Budget Bureau would be adequate to meet the purposes described in the President's message, which the Senator from Indiana is now discussing.

Mr. WATSON. Yes.

Mr. ROBINSON of Arkansas. And it was further stated that the very agencies set up by the President to make a scientific investigation and ascertain the approximate amount required for that purpose had recommended an appropriation of $60,000,000. I thank the Senator from Indiana for yielding to me.

Mr. WATSON. I am very glad to have had the contribution by the Senator, and I fully concur in what he has said. Nevertheless, the President accepted the estimate of the Budget Bureau of $25,000,000 as the limit of the appropriation, according to the suggestion that I am seeking to make. When the estimate came here it went before the Committee on Agriculture and Forestry, presided over by our ever faithful friend, the Senator from Oregon [Mr. McNARY], in whose intelligence and loyalty we have supreme confidence, and, after a review of the whole situation, the committee increased the appropriation.

I assume, acting within their authority and as the agent of the Senate of the United States, that they had a perfect right to increase it. I do not assume that anybody has the right to abuse the President of the United States because he or the Budget Bureau limited the recommendation to $25,000,000; and yet, unfortunately, language has been indulged in here toward the President almost as if he were a culprit because he limited the appropriation to that amount, but the committee of the Senate of the United States saw fit to increase that appropriation. That is one of the questions now before us.

Mr. McNARY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Indiana yield to the Senator from Oregon?

Mr. WATSON. Yes.

Mr. McNARY. I dislike very much to obtrude this observation, but it is not fair to say that the Senate committee increased the appropriation to $60,000,000. The joint resolution which I introduced was sent to me by the Department of Agriculture two weeks before action was taken. It called for $60,000,000, and I had reason to believe that the President knew what his right hand was doing.

Mr. WATSON. I am very glad to have the Senator make that statement.

Mr. McNARY. Just a moment. Two days before this matter came up the Director of the Budget, without a word of explanation, without an argument, sent us a bill proposing to appropriate $25,000,000, which I assumed to be the later action and attitude of the President. The committee considered both proposals, frowned on the $25,000,000 suggestion, and adhered to the original proposal made by the Secretary of Agriculture, and, without a dissenting vote, reported the measure in that way.

Mr. WATSON. And the Senate acceded to the recommendation of the committee and adopted its report. I am saying now that what the President had in mind, as I gather, was that the estimate made by the Budget was sufficient, particularly in view of the report made to him by the Red Cross authorities.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Indiana yield to the Senator from Wisconsin?

Mr. WATSON. Certainly.

Mr. LA FOLLETTE. Just as a matter of information, may I inquire of the chairman of the committee or of the Senator from Arkansas, whichever one may have the information, whether or not the sum of $60,000,000 was arrived at at the conference held by representatives from the various drought-stricken States which met here under the auspices of the Secretary of Agriculture?

Mr. ROBINSON of Arkansas. If I may be permitted to answer, I will say that I understand that to be a fact, and so stated in my address to the Senate a few days ago. The President caused to be created committees in the various States particularly interested in the legislation, and those

committees made a somewhat careful survey of the conditions existing in the various counties. Their representatives met here in Washington, collaborated, and reached the conclusion that approximately $60,000,000 was the amount required for the purposes of the joint resolution which we passed.

Mr. LA FOLLETTE. I thank the Senator for the information.

Mr. WATSON. Mr. President, the other portion of the recommendation was that a sum of from $100,000,000 to $150,000,000 should be appropriated for the purposes of embarking upon governmental improvements and construction work. It is charged that that is not a sufficient and adequate sum to care for the general unemployment throughout the country. So again the question arises as to how far local organizations and private charity can take care of the situation and adequately cope with it.

Some time ago the President appointed a committee, headed by Col. Arthur Woods, for the purpose of ascertaining the exact situation. By telephone and otherwise Colonel Woods has been in touch with the governors of 44 States and with representatives of the other 4 States and with the mayors of over 200 cities in the United States.

The governors and the mayors have collaborated in the appointment of committees in the various localities for the purpose, first, of ascertaining the extent of unemployment, and, second, of the amount of money that would be required to prevent suffering because of unemployment. The local committees in the various cities, as I am told, have taken really a census of the whole situation, so that if there be any way that organization can correctly ascertain the facts, the general committee, using all its facilities, has done so and has come to the conclusion that with two or three exceptions—and I am not sure but that New York City is one of them—the local authorities and the local charitable organization and the local committees organized for the purpose are in a position to take care of the local situation, and that at this time no appropriation is required from the Treasury of the United States to meet this particular phase of the emergency.

Senators, the organization under Colonel Woods, as I am told, is a very effective one. It has called to its support every charitable organization in every one of the various localities and cities in the country, and I am very happy in the belief that never before in the history of this or any other land have competent and able individuals sprung to the relief of the unfortunate as they have done in the exigent condition surrounding and just ahead of us. They have contributed most liberally of their private funds to every charitable movement, so that the Government is in position to state that funds are not lacking with which to meet the conditions that have so deeply impressed themselves upon the heart and mind of every Senator.

Mr. ROBINSON of Arkansas. Mr. President, may I ask the Senator a question?

The PRESIDENT pro tempore. Does the Senator from Indiana yield to the Senator from Arkansas?

Mr. WATSON. Yes.

Mr. ROBINSON of Arkansas. The Senator has referred to the report on unemployment by Mr. Woods, and he has stated, as I understand, that that report shows the necessity for $150,000,000.

Mr. WATSON. Oh, no; not at all; but something supplemental.

Mr. ROBINSON of Arkansas. Supplemental to that amount?

Mr. WATSON. Yes. I will come to that in a little while.

Mr. ROBINSON of Arkansas. What I wish to ask the Senator about is the report of Mr. Woods. Is that report available for the study of the Senate?

Mr. WATSON. I will say to the Senator that I talked to him personally.

Mr. ROBINSON of Arkansas. But I understand that the Senate adopted a resolution asking that that report be sent down.

Mr. WATSON. As to that, I do not know. I wondered why Colonel Woods had not appeared before any committee. I called the chairman of the Senate Committee on Appropriations, the Senator from Washington [Mr. JONES], and told him that I thought Colonel Woods ought to be subpœnaed or asked to come before the committee for the purpose of disclosing the situation as he had stated it to me privately. I also suggested to Representative WOOD, the chairman of the Committee on Appropriations of the House, that Colonel Woods should be called for the purpose of making a report on that situation, because I regarded it as vital in connection with the situation we are considering at this time.

Mr. ROBINSON of Arkansas. May I say to the Senator that my information is that the resolution of the Senate calling for the report of Mr. Woods has not yet been responded to. The report has not been sent down.

Mr. CARAWAY. Mr. President, will the Senator yield to me for just a moment?

Mr. WATSON. Certainly.

Mr. CARAWAY. Of course, I am not familiar with the information that has been given to the Senator from Indiana with reference to the relief of a situation that is appalling; but I have from the Red Cross, as of the date of November 15—and the list has been very much enlarged since that time—the information that in my own State there are 85,687 farm families that have no means of livelihood.

In Kentucky there are 32,500.

In Louisiana there are 13,000.

In Mississippi there are 44,000.

In Missouri there are 5,000.

In Oklahoma there are 14,000.

In Texas there are 12,000.

In Alabama there are 1,750.

In Indiana, the Senator's own State, there are 4,100.

In Illinois there are 1,300 families.

Mr. WATSON. What are the figures the Senator is reading—4,100 what?

Mr. CARAWAY. Four thousand one hundred families.

Mr. WATSON. Four thousand one hundred families on farms?

Mr. CARAWAY. Yes, sir; in Indiana.

Mr. WATSON. But on farms?

Mr. CARAWAY. Yes, sir.

Mr. WATSON. The Senator has gone back now to talk about the effects of the drought?

Mr. CARAWAY. I thought the Senator was talking about the situation that confronted people who had nothing to do, no employment, and no means of living. If that was not in the Senator's speech, I do not want to interrupt him.

Mr. WATSON. That is all right; but I was distinguishing between the effects of the drought and the general unemployment in the cities, because the Red Cross is not dealing with the general unemployment in the cities; only with the drought situation.

Mr. CARAWAY. It is not dealing with that.

Mr. WATSON. I only know what they tell me.

Mr. CARAWAY. That is what I started to call attention to. There are 209,400 families, which comprise more than a million people, in the agricultural districts of 15 States, and there are 7 others that are affected; and I have a letter from a most reputable lawyer, a man acquainted with the situation, saying that the Red Cross is doing nothing to alleviate that situation.

I have here a letter which has just reached me in which this situation is discussed; and this statement is made in regard to one town down in Arkansas, in the county in which my colleague [Mr. ROBINSON] was raised:

> I understand from the superintendent of our public schools that in at least 200 families the school children are on a slow-starvation diet now.

Mr. WATSON. Mr. President, the great Red Cross organization has its antennæ reaching out into every section of the country. It is an organization that up to this time always has been able to take care of situations of this kind. With all its facilities for obtaining knowledge and informa-

tion, I assume that when the chairman of the Red Cross makes a statement of the kind he has made he is speaking by the card. Of course, if he is wrong I have no way of ascertaining the facts; but I will say to my friend from Arkansas that the chairman of the Red Cross states that the local representatives of the organization are so fully taking care of the situation presented at this time that but very few demands for funds have come to the general head of the Red Cross here.

Mr. CARAWAY. I do not know what demands have been made, or what statements the chairman of the Red Cross makes; but I got these figures from the Red Cross itself one day last week.

Mr. WATSON. What do they say?

Mr. CARAWAY. That in 15 States 209,000 farm families were destitute.

Mr. WATSON. And are not being cared for at all by the Red Cross?

Mr. CARAWAY. Oh, the statement did not say that; but, if the Senator will pardon me just one moment——

Mr. WATSON. Certainly.

Mr. CARAWAY. Every mail brings letters, sometimes more than 200 a day—some from business men, some from county officials, some from professional men, and some from some old farmer whose hand has been cramped by toil until when he takes up his pencil he can hardly write a legible letter, and every one of them contains exactly the same statement—that they are destitute, that suffering is everywhere rampant, and no relief is in sight. I can not conceive that everybody is untruthful.

Mr. WATSON. Mr. President, I have not any doubt of the authenticity or correctness of the Senator's figures. Of course, we understand that the drought played havoc in many States, including the Senator's and my own; but notwithstanding the gravity of the situation it is my understanding that the Red Cross is provided with funds to take care of it. That is the statement made to me.

Mr. CARAWAY. That is exactly what I was trying to undeceive the Senator about. It is not; and let me ask the Senator one question: Does the Senator believe that where a situation is as critical as this situation is, and where destitution and distress and want are so widespread, those people ought to be relegated to charitable institutions for relief?

Mr. WATSON. Mr. President, if charity is amply able to take care of them, and all the service organizations and all the charitable organizations and the Red Cross are prepared to meet the situation, I know of no reason why we should go outside to get relief.

Mr. CARAWAY. In other words, the Senator insists that a third of the people ought to become mendicants, and go around and ask charity, although they created every dollar of wealth that there is in the country?

Mr. WATSON. But, my dear friend, they would be no more mendicants under such conditions than if we handed them doles out of the public Treasury.

Mr. CARAWAY. Oh, "doles"! What does the Senator mean by "doles"? These people created the wealth. The Government itself never created a dollar. For every dollar's worth of wealth there is in these United States somebody's back ached, and somebody's brow sweated. The Government does not make money.

Mr. WATSON. I understand all that; but the Senator knows the difference between money handed out of the Treasury of the United States and private charity which is handed out by the Red Cross, or a Rotary Club, or a Kiwanis Club, or any of the churches, or the Woman's Christian Temperance Union, or any other organization of like character.

Mr. CARAWAY. Of course I know the difference. I know that these people created the wealth that is in the Treasury, and in times like this they ought to be permitted to live on it.

Mr. WATSON. Who created the wealth?

Mr. CARAWAY. The people who now are asking for it. The lawyers never created it.

Mr. WATSON. No.

Mr. CARAWAY. The banks never created it. Somebody's back ached for it, and somebody's brow sweated for it. They are the men who created the wealth.

Mr. WATSON. Mr. President, I can state to the Senator my position on that subject. If I profoundly believed and could be convinced that there is destitution in the United States, that there is suffering, that the people are dying from starvation or from cold, and that the local authorities all told, with their combined efforts, can not render aid and prevent death, then I would take money from the Treasury of the United States. But until I am convinced of that situation—and I am not convinced—I am not willing to go beyond the local organizations.

Mr. CARAWAY. Oh, of course; the Senator will vote for an appropriation to hang wreaths on their tombs, and that is as soon as he will act.

Mr. WATSON. According to the Senator, they would not even have tombs.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. WATSON. I yield to the Senator.

Mr. GEORGE. The Senator from Indiana used the word "dole." Does he regard the appropriation to relieve the drought-stricken area as a dole?

Mr. WATSON. Oh, no; I do not.

Mr. GEORGE. To what particular appropriation does the Senator refer when he uses the word?

Mr. WATSON. I am not referring to any appropriation. I am talking about a dole system as we understand it as practiced in England and in Germany. The Senator knows what that is.

Mr. GEORGE. The Senator is not addressing himself to the situation in the United States?

Mr. WATSON. Yes; I am saying that I am opposed to a general dole system in the United States.

Mr. GEORGE. We have made no appropriation except of funds to relieve the drought.

Mr. WATSON. We have not; and I do not regard that now as a dole.

Mr. GEORGE. The Senator used the word, and I did not think he wanted to go to the country in that light, because that is a loan; and past experiences of the Government have demonstrated that it is a loan that has been repaid in practically every instance.

Mr. WATSON. I understand that thoroughly.

Mr. GEORGE. There is not any element of dole in it.

Mr. WATSON. The Senator is right. I am going to address myself now to that phase of the matter for a moment.

My honored friend the chairman of the Agricultural Committee, the Senator from Oregon [Mr. McNARY], came to me with the bill and showed me that the appropriation is amply safeguarded under its own provisions; that at most it is but a loan; and that even then the Secretary of Agriculture is not compelled to make it unless, in his judgment, an emergency exists. I am assuming, of course, that all of us would be opposed to the dole system—I mean a continuous appropriation, year after year, of funds out of the Treasury to take care of such conditions as now exist. I am not going to discuss that question, because it is not before us; but it is my contention, based upon the information we now have from both the Red Cross and the other committee appointed for the purpose of meeting the situation, that we can largely take care of it at the present time without great appropriations from the Treasury of the United States and with no more than we have appropriated to give employment to those who are unemployed along the lines that we now contemplate by pending measures.

Mr. President, I wish also to say that I am assuming that Herbert Hoover is as familiar with the various aspects of unemployment and with measures to take care of the unemployed as any man anywhere.

Mr. LA FOLLETTE. Mr. President, does the Senator refer to the statement which the President issued on the 8th of last March, that within 60 days unemployment would be

so substantially reduced that it would no longer be a serious problem?

Mr. WATSON. Mr. President, the statement made by the President at that time he thought was justified by the facts, or else he would not have made it. I stood here, on this very spot, and uttered a prediction that within a very short time we would be on the upgrade, that the clouds would be dissipated and that the skies would be clear. I was mistaken. I was mistaken because I did not at that time know the depth and the intensity of the world-wide depression that grasped the world in its relentless clutch. I did not know that. Nobody knew it at that time. At that time I felt that because prosperity had come after the passage of every real protective tariff bill, it would be so in this instance, and, my friends, it did not come because of extraneous conditions over which neither we nor any other people had or could gain control.

Mr. LA FOLLETTE. Mr. President, will the Senator yield further?

Mr. WATSON. Surely.

Mr. LA FOLLETTE. My interruption was prompted by the fact that the Senator was referring to the President of the United States as being aware of the unemployment situation and the suffering caused thereby.

Mr. WATSON. Yes.

Mr. LA FOLLETTE. I merely wanted to point out that when others in this country who were considering the situation considered it to be extremely grave last March, the President of the United States, after considerable investigation, reported it as his judgment that within 60 days unemployment would be so substantially reduced that it would no longer be a serious problem.

Mr. WATSON. Does the Senator mean to intimate that the President did not believe that when he said it?

Mr. LA FOLLETTE. I do not intimate any such thing.

Mr. WATSON. Of course not.

Mr. LA FOLLETTE. But I cite the fact as an indication that the President of the United States is not the infallible prophet concerning unemployment the Senator from Indiana just suggested he was.

Mr. WATSON. I have not suggested at any time that the President was a prophet. I have said, however, that when a situation of unemployment confronted him, he had done more to help it than any other man alive could have done.

Mr. LA FOLLETTE. That is a broad assertion, Mr. President.

Mr. WATSON. That the agencies under his control and at his command had fed more hungry, clothed more naked, and given warmth to more cold people than any other agency under any other man who to-day walks the earth.

I have been assuming that in a condition of unemployment, if there be a problem—and there is—confronting us of taking care of those suffering and in destitution, this man has as much knowledge of how to afford relief as anybody else, and anyone who either read or heard that noble utterance of the President of the United States in opening the child-welfare conference, recently held here at his suggestion, knows that his heart would not be closed to the wailing cry of distress wherever it might be uttered under our flag.

Mr. SMITH. Mr. President, will the Senator yield to me?

Mr. WATSON. I yield.

Mr. SMITH. The Senator has referred to the heretofore wide experience of the President in relieving suffering. He did it largely through appropriations from the Treasury of the United States.

Mr. WATSON. Oh, no. The activities of the President and his committee in affording relief in Europe during the war were financed largely outside of the Treasury of the United States, although it is quite true that we appropriated $25,000,000 to feed starving people in Russia and that we appropriated $100,000,000 to feed the people of Europe. It is also quite true that the present President of the United States, or organizations under his guidance, had much to do with expending that money, and distributing it where it really did save misery in all those countries intended to be benefited.

If the present President of the United States, with his sympathies always running strong, as everybody knows they do, for those who are afflicted, and having the idea that he has at hand organizations capable of relieving those in distress, is willing to say that the people over whom he has been called to preside can be amply taken care of in any suffering and misery by such organizations, then I am willing to pin my faith to his statement, because I know that the President of the United States has as much knowledge as any man on such a subject, and I further know that his heart throbs as violently for those people as the heart of any other man under the sun.

Mr. SMITH. Mr. President, may I ask my friend if he believes that these organizations are taking care of the situation now?

Mr. WATSON. They tell me they are.

Mr. SMITH. What is the Senator's opinion?

Mr. WATSON. My opinion is that they are, because they say they are.

Mr. SMITH. Oh!

Mr. CARAWAY. Mr. President, did I correctly understand the Senator to say that, no matter what the situation might be, he accepted without inquiry and without question everything the President said?

Mr. WATSON. No; again the Senator is getting away from what I said.

Mr. CARAWAY. I am getting back to one sentence the Senator said.

Mr. WATSON. I will say to my friend that, based on the reports of the Red Cross, that magnificent organization reaching everywhere, and based on the reports of the committee which the President appointed for the express purpose of dealing with the situation, he has made his recommendations after personal study, and I stand by them and abide by them.

Mr. CARAWAY. That is what I was trying to say.

Mr. WATSON. That is what I say.

Mr. CARAWAY. The Senator advocates what the President says, anything he might know to the contrary notwithstanding.

Mr. WATSON. I do not know anything to the contrary.

Mr. CARAWAY. The Senator said he did, but I did not know whether he did or not.

Mr. WATSON. I did not say I did; I said I did not. Now that that fight is over, I will go to the next theme.

Mr. President, this is not the first time we have been called upon to adjourn politics in this body in the presence of a great emergency. Those of us who were here during the war period remember that we adjourned partisan politics at that time, and to a degree sometimes that harassed the souls of some men on this side of the Chamber. We all know we voted billions of dollars of appropriations unquestioningly, because it was necessary in order to do the thing we set out to do. By act after act we clothed the President with power, until he stood possessed of greater authority than anybody in the country had ever dreamed of. We did it because he said he needed it to end the war, and no man was willing to lay a straw in the way of his country while it was in the midst of war, marching on to battle with a mighty foe. That was our position.

Mr. JONES. Mr. President, will the Senator yield to me?

Mr. WATSON. I yield.

Mr. JONES. I remind the Senator, too, of this fact, that some of the important legislation desired by the administration at that time had to be taken charge of and handled by Republicans, and action was taken without regard to politics.

Mr. FESS. Mr. President, will the Senator yield to me?

Mr. WATSON. I yield.

Mr. FESS. At the time we entered the war the Republican Members of the House of Representatives met in conference, and after an evening of consideration agreed almost unanimously that whenever the President asked anything on the ground that it was necessary in order to assist

in winning the war it would be supported by the Republicans as a party, leaving any individual, if there were some particular reason why he could not vote for any measure, free to vote as he pleased. It was decided that that should be the attitude of the party in the minority, and the action was taken by the party in a party conference.

Mr. BORAH. Mr. President, may I ask the Senator from Indiana a question?

Mr. WATSON. Certainly; I yield to the Senator to ask a question.

Mr. BORAH. What is the relevancy to the present situation of what the Senator from Ohio has just said?

Mr. WATSON. I am going to bring that out.

Mr. FESS. It is relevant as showing an instance of cooperation on the part of the minority.

Mr. WATSON. I think the relevancy is this, I will say to the able Senator from Idaho, that while, thank God, we are not in war, nevertheless a condition confronts us in the United States second only to a condition of war. The Senator himself made a sententious appeal here this morning for God's sake to go on and pass legislation to relieve this situation. I repeat it, for God's sake let us proceed and relieve the situation. That is why I honor the Senator from Arkansas and that is why I am keeping my faith with several Democrats who asked that we adjourn politics until we could meet the great emergency which now confronts us. That is why I am making the appeal to all the Senators here to forget partisan politics until we have discharged our obligations to the country and to those of our people who may be in distress and who, after all, at this time are the wards of the Republic. I think to that extent the situations are parallel.

Mr. BORAH. Mr. President, will the Senator yield again?

Mr. WATSON. I yield.

Mr. BORAH. Of course, we should overlook party politics in a situation like this; but does the Senator mean to say that a Senator should surrender his individual convictions as to what he should do?

Mr. WATSON. Mr. President, the Senator knows I do not mean that at all, and that I have not done that in the past and I will not in the future. I am simply talking about the present situation. In other words, the program is this: Not to filibuster appropriation bills, to pass appropriations to meet the drought situation, to pass appropriations to meet the unemployment situation; and I insist that that program is being followed out, and that the plan of cooperation has not broken down, but is going on to a fine consummation.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. WATSON. I yield.

Mr. McKELLAR. That agreement did not provide that we were to pass only such measures as the President should suggest, did it?

Mr. WATSON. It did not; but, as I stated in the opening of my remarks, as the Senator knows if he did me the honor of listening to me, it is the business of the Chief Executive to recommend. That he has done. It is our business to take the recommendations and deal with them in some way. That we are now doing. To that end I am pleading with the Members of this body to proceed to the consummation of the work we have in hand.

Mr. CARAWAY. Mr. President, may I ask the Senator a question?

Mr. WATSON. Certainly.

Mr. CARAWAY. Did I understand the Senator to say that this cooperation was going forward?

Mr. WATSON. That is my understanding.

Mr. CARAWAY. Then why is the Senate being lectured by the Senator from Indiana if it is going forward?

Mr. WATSON. I am not lecturing; I am exhorting.

Mr. CARAWAY. Exhorting?

Mr. WATSON. Yes; I am exhorting the Senator. The Senator goes to church often enough to know the difference between a sermon and an exhortation.

Mr. CARAWAY. I do. Evidently the Senator does not, because I did not recognize what he was saying as an exhortation at all.

Mr. WATSON. I refer the Senator to "Bishop" Sims. [Laughter.]

Mr. CARAWAY. May I ask the Senator what was the occasion for him exhorting the Senate, then, if cooperation was going forward? Who is filibustering?

Mr. WATSON. Nobody.

Mr. CARAWAY. What is the Senator doing?

Mr. WATSON. The Senator is listening to me. There is no use haggling with me about a question of this kind, because the Senator knows I was not born yesterday, and I know what I am doing.

Mr. CARAWAY. That is what I am trying to find out.

Mr. WATSON. Here is the point: That there have been statements in the newspapers, as the Senator knows, over and over again, about the failure of the plan of cooperation.

Mr. CARAWAY. The Senator is just lecturing the press, then?

Mr. WATSON. No; I am lecturing the Senator, because I want to be sure that the Senator stands where I think his good heart and good judgment lead him to stand; not against any of these things, except as legitimate debate would lead him to be.

Mr. CARAWAY. This is all legitimate debate the Senator is engaged in I presume?

Mr. WATSON. I hope it is.

Mr. CARAWAY. What is it about?

Mr. WATSON. It is about cooperation.

Mr. CARAWAY. Who was threatening cooperation?

Mr. WATSON. All over this Chamber, in private conversation——

Mr. CARAWAY. Name somebody.

Mr. WATSON. I will not name anybody. The Senator knows I will not do that.

Mr. CARAWAY. I do. I know the Senator can not.

Mr. WATSON. The Senator knows better than that. Not only that, but the Senator knows that on the other side of the Chamber there was more or less of an outbreak against the declaration of the seven eminent Democrats who signed it.

Mr. CARAWAY. Who made the outbreak?

Mr. WATSON. The Senator was here, I assume.

Mr. CARAWAY. But he did not hear it.

Mr. WATSON. And the newspapers were filled with it. The Senator knows that. What I am trying to get through the hearts of my friends—I will not say through their heads—is that the cooperation is going on apace and that we intend to keep it up until we consummate the projects.

Mr. CARAWAY. I am sure the Senator's speech is intended and calculated to create harmony.

Mr. WATSON. I hope it is.

Mr. CARAWAY. I rather suspect the Senator does really think so.

Mr. WATSON. Are not my friend and I closer together than we were when I started?

Mr. CARAWAY. No; I was going down the center aisle when the Senator started. [Laughter.]

Mr. WATSON. Of course Senators realize that this is all in good part, and designed, of course, to promote harmony and good feeling. This ought to be an era of good feeling among us.

We all know what the conditions in the country are; I am not going to waste words in attempting to describe them. We all know the situation which faces us, and which we faced when we met here. We all know what the recommendations of the President of the United States were. We all know what our committees have done to carry out those recommendations in earnest good faith. We all know that even yet there are some mutterings about whether or not the cooperation shall continue, or whether or not it shall break down.

What I am trying to do, so far as I can, is, first, to show the absolute good faith of the President of the United States in making his recommendations and the bases he has for

those recommendations; and, second, to show the absolute good faith of our own colleagues here and our own committees in taking the action they have taken with reference to those recommendations.

Mr. McKELLAR. Mr. President, will the Senator yield again?

Mr. WATSON. I yield.

Mr. McKELLAR. If that were all of it, that would be all right, but after the President had exercised his function in advising the Senate as to the situation as he saw it, and after the Senate had exercised its function passing a joint resolution, in which it fixed the amount of the appropriation as it saw fit, with all the information before it, the President went to the newspapers and gave out a statement saying that the Senate was engaged—that every Member of the Senate was engaged, because every one of us voted for the joint resolution—in making a raid upon the Treasury and "playing politics at the expense of human misery." I think if there is to be cooperation, that it should not all be required of one side, but that there should be cooperation all along, by the President as well as by the Congress.

Mr. WATSON. I am entirely willing to have the Senator have his views on that question.

Mr. McKELLAR. Does not the Senator have that view?

Mr. WATSON. I am not going to quarrel with the Senator's view on that question.

Mr. McKELLAR. Does not the Senator hold that view?

Mr. WATSON. I am not going to quarrel with the Senator's view on that question, because I deprecate and deplore crimination and recrimination anywhere at this time. I believe the way to cooperate is to cooperate, and the way to harmonize is to bring to an end the bandying of epithets and by the getting together of those who believe in a common purpose and are animated by a common patriotism.

Mr. President, I had not intended to occupy the floor so long, but I have been very deeply impressed, first, by the necessitous character of the situation with which we are dealing, its grave aspects and imports; and, secondly, by the thought that the representatives of the various States of the Union in this great body should band together at this particular time, with partisan politics adjourned until we shall have consummated the object we have in view. At all events, if we shall discharge our obligations, as I have no doubt we will, we shall meet with the universal acclaim of the people who are satisfied with our work, and each one of us will be inspired in his own heart with the reflection that he has done his duty to his country.

Mr. LA FOLLETTE. Mr. President, may I ask the Senator from Indiana two questions?

Mr. WATSON. Certainly.

Mr. LA FOLLETTE. As the result of his conversation with Colonel Woods does the Senator think Colonel Woods takes the position that there is no suffering in the United States at this time due to unemployment?

Mr. WATSON. No; he does not.

Mr. LA FOLLETTE. What position does he take with regard to that situation?

Mr. WATSON. He takes the position that while there is suffering, it is being met and cared for by the various local authorities in the various communities of the country.

Mr. LA FOLLETTE. Does he declare that the relief is adequate?

Mr. WATSON. He declares that it is adequate in the sense that it is caring for the situation and has the funds to care for it just as rapidly as the conditions are ascertained.

Mr. LA FOLLETTE. Then I take it that Colonel Woods has informed the Senator that there is not serious suffering on the part of the unemployed and their dependents in the United States to-day?

Mr. WATSON. I would not put it in just that way.

Mr. LA FOLLETTE. How would the Senator put it?

Mr. WATSON. That, while, of course, there is suffering, a census is now being taken in the cities, even extending into homes for the purpose of ascertaining it, and that something in the nature of a very effective organization is being perfected for that purpose, and just as fast as they find it they are relieving it and are amply provided with funds to relieve it locally. That is my answer.

Mr. LA FOLLETTE. Did I correctly understand the Senator from Indiana to say that Colonel Woods takes the position that the program for the expansion of public works contained in the message of the President of the United States and the recommendations of the Budget are adequate to relieve unemployment in the coming year?

Mr. WATSON. We had no conversation about that at all.

Mr. LA FOLLETTE. Does the Senator know whether it be true or not that Colonel Woods regards the program to which the Senator has referred as the President's program for the expansion of public works as adequate in the present emergency?

Mr. WATSON. I do not know whether he does or not. We did not discuss that at all.

Mr. LA FOLLETTE. I thank the Senator.

Mr. President, I am in possession of certain information concerning conditions in several cities in the United States concerning the unemployed and their dependents which challenges the optimistic statements of the Senator from Indiana. This information comes in answer to a telegram sent on December 8 by President William Green, of the American Federation of Labor, to the secretaries of the central labor bodies in various cities of the United States. These telegrams demonstrate that the time has come when the Senate of the United States and the Congress should ascertain the facts about the situation.

The policy of the administration since the stock-market crash in 1929 has been to minimize the economic results of the depression and to play down the number of unemployed. The time has come to stop trying to talk the people of the United States out of this situation. The time has come for the Senate and the Congress to ascertain what are the facts concerning the situation and to act accordingly.

Mr. WATSON. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. LA FOLLETTE. I yield.

Mr. WATSON. Suppose the Senator were at the head of a committee to ascertain the facts, would not the very first thing that he would do be to send for John Barton Payne, head of the Red Cross?

Mr. LA FOLLETTE. I understood the Senator to say that when he talked with Judge Payne he did not find out anything about conditions except as to the drought situation.

Mr. WATSON. That is all. Then when he got to the general unemployment situation would he not very naturally send for Colonel Woods, head of the committee appointed for that purpose and who has been for three months investigating it?

Mr. LA FOLLETTE. I suggested on the floor of the Senate early last week that it struck me as extraordinary that the Appropriations Committee should report out the administration's public works expansion program, and that it should pass the Senate without the committee's having ascertained either directly or indirectly all the information which Colonel Woods could give and obtaining his recommendations concerning it. Instead the Senator from Indiana comes here now after this bill has passed the Senate and gives us a secondhand summary of a telephone conversation with Colonel Woods. The Senate of the United States has gone on record as asking Colonel Woods for his report in order that it might have the benefit of it. Although that report, according to the press, was submitted to the President many weeks ago, it has not been forthcoming and is not even now, at this late hour, available for the consideration of the Senate.

Before reading these letters and telegrams I wish to call the attention of the Senate to the conservative character of the statements which are made. I submit that any Senator who studies them will be impressed with the fact that they are written with the purpose of giving the most reliable information possible.

First, is a letter from the secretary of the Pittsburgh Central Labor Union, of Pittsburgh, Pa., dated December

10, 1930, addressed to Mr. William Green, of the American Federation of Labor, and reading as follows:

PITTSBURGH CENTRAL LABOR UNION,
Pittsburgh, Pa., December 10, 1930.

Mr. WILLIAM GREEN,
American Federation of Labor Headquarters,
Washington, D. C.

DEAR SIR AND BROTHER: In answer to your telegram regarding the number of unemployed in Pittsburgh, Pa., I desire to state that the nearest figures I can gather is that there are about twenty thousand or thereabouts.

As to the conditions of these people I find that there is a great deal of suffering through the fact of lack of food, clothing, shoes, and shelter.

While there is, and has been a great deal of good work done on the part of the city officials, welfare associations, and a number of individuals, yet from all accounts their finances are getting somewhat low and the outlook for the remainder of the winter is very bad.

Trusting this will answer your request, I remain,
Fraternally,

P. J. MCGRATH.

Here is one from the Detroit Federation of Labor, dated December 10, 1930, also addressed to President Green:

DECEMBER 10, 1930.

Mr. WILLIAM GREEN,
President American Federation of Labor,
A. F. of L. Building, Washington, D. C.

DEAR SIR AND BROTHER: Replying to your telegram, we desire to inform you that the survey made by the mayor's unemployment committee two months ago reveals that there were 210,000 unemployed people in the city of Detroit. Since that time there has been constant registration of additional people, averaging about 500 a day.

Reports have it that the Ford Motor Co. has laid off seven or eight thousand since this survey was made and many of the other industries have done likewise.

The Detroit Public Welfare Commission reports that there are some 32,000 families on the welfare list. There is much suffering, due to hunger, lack of clothing, and lack of proper shelter in our city. This is in spite of efforts that have been made by many splendid organizations and the mayor's unemployment committee to give relief.

At the present time the Detroit Federation of Labor is operating a free dining room, where we are feeding between three and four hundred people a day. This is only one of about a dozen dining rooms being operated in Detroit, most of whom are feeding many times more than we are.

There doesn't appear to be any immediate relief in sight for the situation existng here.

Fraternally yours,
FRANK X. MARTEL,
President Detroit Federation of Labor.

The next one is from the city of Reading, Pa., signed by the secretary of the Federated Trades Council, also addressed to Mr. Green:

READING, PA., *December 10, 1930.*

Mr. WILLIAM GREEN,
American Federation of Labor, Washington, D. C.

DEAR SIR and BROTHER: In reply to your telegram.

Census taken November 24 to 26, 3,100 residents of Reading, adults registered out of work, with approximately 6,200 dependents.

Chamber of commerce report as of December 1, 6,000 less employed in Reading industries December 1, 1930, than December 1, 1929—this covers persons working in city and living in suburbs.

Mayor of city called conference on unemployment December 2. City council, county commissioners, school board, manufacturers' association, chamber of commerce, welfare federation, and federated trades council were represented.

A permanent organization was set up, with three standing committees—job finding, relief, and finance.

City council, school board, and county commissioners were asked to start public work; all have agreed to cooperate to full extent of their power.

Reading Eagle asked for subscriptions to a fund of $100,000. The city council granted use of old city hall 4-story building as a center for all activities. Food, clothing, coal, and supplies will be distributed from that center.

Widespread suffering and distress due entirely to unemployment exists to a far greater extent than we anticipated.

Community chest funds for relief and health exhausted in six months of fiscal year due to unusual demands.

In my opinion, State and Federal assistance will be needed during the coming winter.

Fraternally yours,

M. L. WOLFSKILL,
Secretary Federated Trades Council.

Mr. WATSON. Mr. President, from what city does that telegram come?

Mr. LA FOLLETTE. From Reading, Pa.

Mr. WATSON. I think the Senator is doing a service in calling attention to matters of that kind. I am wondering whether or not these people have ever communicated with the investigating committee appointed by the President, or with Colonel Woods, or representatives of his committee? I will say, if the Senator will yield a moment further——

Mr. LA FOLLETTE. Certainly.

Mr. WATSON. They have six men from the Department of Commerce, who have their salaries paid for that purpose, who travel all over the United States all the time constantly hunting up things of this kind. I would be very glad indeed if these matters could be referred to that committee.

Mr. LA FOLLETTE. How long does the Senator from Indiana think it would take six men, even from the Department of Commerce, to make a survey in all of the cities in the United States to ascertain whether people are hungry and suffering from lack of clothing, shelter, or fuel?

Mr. WATSON. The Senator has asked a question, and I will answer it. Six men could not do it at all, but six men going to places like those to which the Senator is calling attention could accomplish much good. The local authorities everywhere are in touch with the heads here. The six men are "scouts" sent out to investigate the very situation the Senator is setting forth in these letters and telegrams.

Mr. LA FOLLETTE. Mr. President, the point I want to make is that we have a statement made by the Republican leader on the floor of the Senate that the situation is well in hand, that there is not any occasion for even the consideration of Federal relief in this situation. He makes that statement upon assurances given to him, as I understand, by Colonel Woods, head of the President's Unemployment Commission, which presumably, if it has not been derelict in its duty, has been investigating this situation for months. The Senator rises here and says that, according to the chairman of that commission, the situation is well in hand and we do not need to worry about it. I could not let that assertion go unchallenged in the RECORD, being in possession of information. I am submitting it, Mr. President, because I believe that it is the duty of Congress to ascertain what the actual facts are, and to stop taking heresay statements, to assume our own responsibility, and discharge our obligations to the innocent victims of the present economic disaster.

Mr. President, if this had been an earthquake there would be no question about the Federal Government promptly and generously discharging its responsibility, but because these millions of unemployed and their dependents are the victims of an economic earthquake, caused by bankruptcy in leadership of American industry, finance, and Government, an attempt is made to discredit any appropriation for their relief by the Federal Government by calling it a dole.

Mr. President, no one raised that cry when Herbert Hoover asked for $100,000,000 to relieve and feed the stricken in Europe; no one called it a dole when we appropriated $25,000,000 out of the Treasury of the United States to assist the starving in Russia.

Mr. WATSON. Mr. President, will the Senator from Wisconsin yield to me?

Mr. LA FOLLETTE. I yield.

Mr. WATSON. The Senator knows very well that I disclaimed the charge that that act was a dole.

Mr. LA FOLLETTE. No; I say such a charge was not made at that time; but the Senator has just stated that any suggestion that there should be an appropriation from the Treasury of the United States to assist those who are hungry and starving in the United States in 1930 is a dole.

Mr. WATSON. No.

Mr. LA FOLLETTE. And he asked, and the RECORD will show that he asked, the Senator from Arkansas if he could not distinguish between relief given by charitable or municipal organizations and money taken out of the Treasury of the United States to support and assist the suffering and the hungry.

Mr. WATSON. Certainly, I asked that. I referred not to a single appropriation to meet a single emergent condition but a continuation of appropriations from the Treasury; and I distinctly stated to the Senator that if I were convinced—and, of course, I can be convinced of the fact, the

same as can anybody else—that there is suffering in the country that is not being amply met by private organizations, I would be willing to vote money out of the Treasury for that purpose. I made that statement.

Mr. LA FOLLETTE. Mr. President, I am submitting this information in the hope that it will enlighten the Senator from Indiana.

Mr. CARAWAY. Mr. President, will the Senator from Wisconsin yield to me?

Mr. LA FOLLETTE. I yield.

Mr. CARAWAY. Of course, I hope the RECORD will be left to reflect just exactly what the Senator from Indiana did say about a dole. I hope it will not be changed.

Mr. WATSON. I am not going to touch the RECORD at all.

Mr. CARAWAY. I hope the Senator will not do so.

Mr. WATSON. And I hope the Senator will read it.

Mr. CARAWAY. I shall read it, although I shall waste my time when I do it.

Mr. WATSON. The Senator will be better informed than he now is if he shall read it.

Mr. LA FOLLETTE. Now, Mr. President, I desire to read other telegrams, some of them showing that conditions are not as the Senator from Indiana has said, well in hand; here is one from East St. Louis, Ill., dated December 10, addressed to President Green:

EAST ST. LOUIS, ILL., *December 10, 1930.*

WILLIAM GREEN,
President American Federation of Labor:

Approximately 8,000 unemployed in this city. Community fund here not adequate. Conditions very bad. Need of food most essential.

HUNTER B. KEITH,
Secretary Central Trades and Labor Union.

I read other telegrams, as follows:

ASHEVILLE, N. C., *December 10, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
Washington, D. C.:

Approximately 4,000 Asheville and vicinity. Only temporary relief in sight. Isolated cases of distress. Food and clothing most needed.

CLYDE CARSCADDEN,
Secretary Central Labor Union.

DES MOINES, IOWA, *December 11, 1930.*

WILLIAM GREEN,
American Federation of Labor, Washington, D. C.:

Five thousand unemployed here now. Relief sufficient at present, but doubtful whether funds will last through the year. Not much suffering yet; conditions slightly below normal.

GILBERT SMITH.

GREENVILLE, S. C., *December 10, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
Washington, D. C.:

Approximately 10,000 unemployed. Much suffering among women and children for clothes, fuel, food, etc. Very little relief from organized charities. If immediate relief is not given very soon, conditions will be critical.

C. H. GREENE,
Recording Secretary Trades and Labor Council.

Mr. BLEASE. Mr. President, will the Senator from Wisconsin yield to me?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. LA FOLLETTE. I yield.

Mr. BLEASE. What is that gentleman the recording secretary of?

Mr. LA FOLLETTE. He is recording secretary of the Trades and Labor Council of Greenville, S. C.

Mr. BLEASE. What he states is not true.

Mr. LA FOLLETTE. I submit it for the RECORD, Mr. President.

Here is a telegram from Newark, N. J., which is also addressed to President Green:

NEWARK, N. J., *December 10, 1930.*

WILLIAM GREEN,
American Federation of Labor Building:

Nineteen thirty population of Newark, 439,728, Newark Evening News. Estimated number of workers by Department of Labor 40 per cent or 175,791. Estimated number of unemployed Department of Labor 17 per cent or 29,884. City of Newark reports 4,600 on poor list. Suffering terrible, conditions deplorable. City placing men to work at $4 per day pick and shovel. Over 7,000 have applied for work and of this number only 400 were given employment. City issued permits to unemployed to sell apples that proved a miserable failure. Charitable institutions overtaxed and can't hope to give the relief necessary.

HARRY WENDRICH.

Again, from Buffalo, N. Y.:

BUFFALO, N. Y., *December 10, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
Washington, D. C.:

There are approximately 40,000 unemployed in Buffalo and half as many working part time. Relief is being supplied by the usual city, county, and charity organizations; several groups, including a committee of the chamber of commerce and special women's committees are preparing to assist. All the fraternal organizations are making extra efforts for holiday relief. The acute stage has not been reached as yet, due largely to favorable weather conditions. We anticipate that the relief agencies will be inadequate, the central labor council has urged through their unemployment committee that mortgage holders do not foreclose, that water, gas, and electric service not be discontinued because of inability to pay bills while unemployment exists. Will write you full details of program adopted by the labor movement here.

JOHN C. JOHNSTON,
Secretary Central Labor Council.

CHICAGO, ILL., *December 11, 1930.*

Mr. WILLIAM GREEN,
American Federation of Labor Building,
Washington, D. C.:

Telegram received. The governor's commission estimated 250,000 unemployed, in which there are 50,000 families in dire need. This represents the registration carried on through the commission. There are thousands who declined to register whose families are in distress, and we have no way of getting the facts. An effort is being made to raise $5,000,000, which is coming in slowly, and is being used to sustain the accredited relief agencies and furnish employment wherever possible. Relief agencies report demands upon them to sustain families are four times greater than last year, and this is bound to increase after the holidays. There is widespread distress and suffering among men, women, and children, and such relief as is being attempted is only along the sharpest possible lines and represents only a mere existence. Hunger, lack of clothing, fuel, shelter, and protection are the immediate objects which the governor's commission is dealing with. Absolute hunger is being met with a bowl of soup and some bread. A public appeal for old clothes is furnishing much needed clothing. Temporary shelter and protection is being carried on without any regard to standards or requirements of human beings, but with such a tremendous situation to deal with it is all that can be attempted with resources available. All of these things will multiply by leaps and bounds as the winter settles down upon us.

JOHN FITZPATRICK.

Mr. WATSON. Where is that telegram from?

Mr. LA FOLLETTE. It is from Chicago, Ill.

I read others from cities widely scattered over the country.

MOBILE, ALA., *December 10, 1930.*

WILLIAM GREEN, *President,*
American Federation of Labor Building,
Washington, D. C.

Fully 15,000 unemployed in Mobile and in need of food and clothing. Community chest limited to rendering aid to most urgent cases. Conditions growing worse as weather grows colder, forcing unemployed workers South. City has opened free lodging house. No provision made to feed hungry central trades council people.

M. E. McDOWELL, *Secretary.*

ST. LOUIS, MO., *December 10, 1930.*

WILLIAM GREEN,
American Federation of Labor Building:

At least 50,000 workers idle in St. Louis, Mo., with no chance to secure employment. A number of relief agencies are providing some relief, but not sufficient to prevent extensive suffering amongst thousands of families suffering for the want of food, clothing, fuel, shelter, and other necessaries of life.

DAVID KREYLING,
Secretary Central Trades and Labor Union.

NEW YORK, N. Y., *December 10, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
Washington, D. C.:

Telegram received. Conservative number unemployed 800,000, all workers. Central trades labor council have unemployment committee; president and secretary represented on city committees. Mayor's committee levied 1 per cent assessment on city employees toward a fund. Board of estimate made appropriation toward unemployment fund. City provided Thanksgiving dinners for fifteen hundred families. Seward Prosser committee set goal of finding employment for 20,000. Have been successful in securing positions for over 10,000. City of New York established free unemployment bureau and have placed large number of persons in

position without any fee to applicant. There is much distress existing in city. Benefits are being held and proceeds given to buy coal, food, and provide shelter for those unemployed.

JAMES C. QUINN.

PROVIDENCE, R. I., *December 10, 1930.*

President WILLIAM GREEN,
American Federation of Labor, Washington, D. C.:

Replying your telegram of December 9, unemployed in this city too great to give a clear estimate. Providence labor greatly handicapped by out-of-town help being brought in on contract work. Hunger, fuel, and lack of employment working great hardship on countless numbers; charitable organizations taxed to limit; breadline groups of men in all walks of life. Number of unemployed increasing daily as per report at meeting of central federated union held on this date. Manufacturers' agreement with President Hoover's plan being violated to a great extent. Only the fact that winter is mild is the greatest help to our people. Christmas buying very lax. Requests for assistance at every meeting; for example, will report 97 per cent of musicians unemployed.

WILLIAM J. FALLON,
Secretary Providence Central Federated Union.

MANCHESTER, N. H., *December 10, 1930.*

WILLIAM GREEN,
American Federation of Labor Building:

Unemployed 3,000. Road, sewer, and parks and playground using about 600 workers. Distress and suffering exists. City government providing free fuel. Municipal relief fund started by the sale of relief bonds to amount of $10,000. Building-trades workmen hard hit. No relief provided and nothing doing on new Government post-office building.

C. E. YOUNG,
Secretary-Treasurer Manchester Central Labor Union.

INDIANAPOLIS, IND., *December 11, 1930.*

Mr. GREEN,
American Federation of Labor, Washington, D. C.:

Ten thousand or more through chamber of commerce all people working for city 1 per cent of their salary. Widespread distress and suffering exists. Yes; people are suffering from hunger, lack of clothing, fuel, and shelter and protection.

EMIL SALSBURY,
Secretary Indianapolis Central Labor Union.

The Senator had better have one of those Department of Commerce "scouts" go out to Indianapolis and see what the situation is.

Mr. WATSON. I am in touch with that situation.

Mr. LA FOLLETTE (reading):

KANSAS CITY, MO., *December 11, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
American Federation of Labor Building,
Washington, D. C.:

Estimated 20,000 unemployed; 1,000 listed with one agency only able to place 169 temporary jobs. Considerable suffering, lack of food, clothing, and fuel; wages of those engaged in industry far too low to encourage contribution, yet sacrifice has been made. Lack of employment has worked hardships on business in general.

MAX DYER,
Secretary Central Labor Union.

KANSAS CITY, KANS., *December 11, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
Washington, D. C.:

Over 5,000 unemployed in Kansas City, Kans. Soup line established at free employment bureau. Widespread distress and suffering exists among men, women, and children for lack necessities of life. Deplorable condition growing steadily as winter advances. No relief in sight.

W. E. JONES,
Recording Secretary Central Labor Union,
Kansas City, Kans.

LOS ANGELES, CALIF.

WILLIAM GREEN,
American Federation of Labor Building,
Washington, D. C.:

Our estimate unemployed men in Los Angeles seventy to seventy-five thousand. No good data available as to women. Charity relief being extended through county charities and community-chest agencies, but distress is widespread throughout the entire vicinity and our observation convinces that hundreds of cases are never recorded and publicity concerning the volume is withheld. There is positively a great deal of suffering from hunger and lack of proper clothing here. As to shelter, hundreds are drifting into auto camps and other cheap-rent places. County and city governments, with citizens' committees, are endeavoring to formulate plans for employment.

J. W. BUZZELL,
Secretary Central Labor Council.

LOUISVILLE, KY., *December 11, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
Washington, D. C.:

Your wire 9th, recent registration by city of unemployed shows 11,100. This represents little better than 50 per cent of unemployed. State, city, and labor groups cooperating to alleviate suffering. Distress and suffering exists at present and will be widespread before winter is over. City operating free-employment bureau, endeavoring to place unemployed even on odd jobs. Coal being distributed by city, and to a certain extent people are suffering from lack of clothing, fuel, and shelter. Our figures for Louisville show at least 55 per cent organized labor out of work; possibly 10 per cent of this number on part-time basis.

ALEXANDER JEFFREY.

MEMPHIS, TENN., *December 10, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
American Federation of Labor Building:

Approximately 15,000 unemployed in Memphis. Suffering intense. Emergency committee appointed by mayor working to relieve situation. No outlook for immediate future. Trades council working in conjunction with committee.

E. E. BARNUM, JR.,
Secretary Memphis Trades and Labor Council.

GREENSBORO, N. C., *December 10, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
Washington, D. C.:

Thirty-five hundred to 4,000 unemployed here. Eighty-five per cent of skilled labor in building trades idle most of time since January. Much suffering among men, women, and children, especially textile and common labor. Central labor union employment bureau registered 500 first week operated. City and county agency registered about same number. Many registering every day from practically every walk of life. Food, clothing, and fuel badly needed. Children in textile villages unable to attend school because of lack of shoes and money to buy books. Welfare department refuses to aid families who have joined union.

GREENSBORO CENTRAL LABOR UNION.
MARCUS F. SAULS, *Secretary.*

BALTIMORE, MD., *December 11, 1930.*

WILLIAM GREEN,
President American Federation of Labor:

Approximately 25,000 unemployed with at least 15,000 on part-time basis. Total affected, 40,000. Voluntary applications to city charities increasing at rate of 20 per cent per month. Skilled trades show conservative average of 60 per cent unemployed.

HENRY F. BROENING

PASSAIC, N. J., *December 10, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
Washington, D. C.:

Approximate number unemployed in this industrial center placed at 8,000. About 1,500 are building-trades and miscellaneous-trades mechanics. Relief furnished through mayor's relief committee, poor department, Red Cross, holding of food shows, and private sources. Distress and suffering exists in many cases, with additionals reported every day. Twenty-four cases reported to-day. An idea of the need of relief can be had from the fact that the city has made an emergency appropriation of $30,000 for relief work, which is not in the city budget.

C. J. WALSH, *Secretary.*

COLUMBIA, S. C., *December 10, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
Washington, D. C.:

One thousand eight hundred unemployed in Columbia and about 3,500 affected men, women, and children caused by this unemployment.

CITY FEDERATION OF TRADE,
J. W. GRIST, *Secretary-Treasurer.*

SAN FRANCISCO, CALIF., *December 11, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
American Federation of Labor Building,
Washington, D. C.:

Replying your wire of December 9, approximately 30,000 unemployed in San Francisco. There is much suffering and distress. Various charitable agencies busy ministering to needy and hungry, which is rather widespread. City council appropriating $50,000 per month to relieve unemployment, a kitchen being established to feed those in need. Unemployed men and women are registering at the rate of 150 per day.

JOHN A. O'CONNELL,
San Francisco Labor Council.

TACOMA, WASH., *December 11, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
Washington, D. C.:

Approximate number unemployed in Tacoma 5,800, including 1,800 organized workers. Usual relief work being conducted by organizations coming within scope of community chest. These organizations report considerable distress. City council and chamber of commerce urging citizenry to give all employment within their power. City council also endeavoring to promote additional improvement work.

JOSEPH TAYLOR,
Secretary Tacoma Central Labor Council.

DORCHESTER, MASS., *December 10, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
Washington, D. C.:

Approximately 50,000 unemployed. City of Boston welfare department are supplying all needy families with food. They receive enough money to pay rent. There is no suffering amongst men, women, and children to my knowledge.

HARRY GRACES.

SPRINGFIELD, MASS., *December 10, 1930.*

WILLIAM GREEN,
President American Federation of Labor:

Approximately 10,000 people out of work in this city. No extreme suffering. City making supreme effort to take care of unemployed doing municipal work. Estimate about 2,000 trade-unionists out of work.

M. J. SCANLON,
President Central Labor Union.

SCHENECTADY, N. Y., *December 11, 1930.*

WILLIAM GREEN,
American Federation of Labor Building,
Washington, D. C.:

Conservative estimate Schenectady unemployed 4,000, of which half registered with city unemployment committee. Distress should depression continue. Committee put about 300 to work raising hundred thousand for relief.

HERBERT M. MERRILL.

SYRACUSE, N. Y., *December 10, 1930.*

WILLIAM GREEN,
President American Federation of Labor:

There are approximately 10,000 unemployed here in Syracuse. Relief is being furnished by charitable organizations, supported by community chest. Suffering has not as yet reached an acute state, but may do so when real cold weather sets in.

WILLIAM F. GOFF.

WHEELING, W. VA., *December 10, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
Washington, D. C.:

Approximate number of unemployed in the city of Wheeling, 7,500. Various lodges and churches are doing wonderful work to aid the poor. No doubt there will be a great deal of suffering if conditions don't improve before the new year. We are not able to estimate the number of people who are suffering from hunger and the lack of clothing, but we presume there are many. This information will include all workers.

FRANK HEALEY,
Secretary Ohio Valley Trades and Labor Association.

FORT WAYNE, IND., *December 12, 1930.*

WILLIAM GREEN,
President American Federation of Labor:

Salvation Army, Rescue Mission, community chest, and other agencies estimate 8,000 unemployed. Seventeen hundred families in distress. No widespread suffering just now. Situation is being cared for by city and county officials. Governor's committee and other agencies estimated that when severe cold weather sets in that widespread hunger and suffering will prevail.

H. G. FLAUGH,
Fort Wayne Federation of Labor.

AUGUSTA, GA., *December 10, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
Washington, D. C.:

Replying to telegram, approximately 2,000 unemployed locally. Cotton mills and other industries running four and five days. Situation, while serious, is not acute. Widespread actual distress and no bread lines. Civic organizations and central labor union have opened employment offices and have supplied temporary work for about 170 persons to date. Trust information meets your request.

MAX WILK.

OKLAHOMA CITY, OKLA., *December 11, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
Washington, D. C.:

Answering your wire December 9, John Howe. Estimated number, 8,000. Situation not acute, but growing serious. Plans for emergency relief under way. City and state-wide relief committees appointed and working. No widespread suffering as yet.

W. A. PAT MURPHY,
Commissioner of Labor.

PORTLAND, OREG., *December 12, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
Washington, D. C.:

Estimated unemployed in Portland, Oreg., 20,000. Concentrated drive being made by large civic committee headed by mayor and cooperated with by entire city is creating relief work quite rapidly. There is considerable distress and suffering, but it is not widespread, largely because the city is well organized for relief work. In addition to the usual agencies of relief in the form of food and clothing, we have a number of newly created organizations and movements sponsored by organizations, newspapers, theaters, etc., that are gathering food, clothing, and money to add to the relief work.

GUST ANDERSON.

DENVER, COLO., *December 11, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
American Federation of Labor Building, Washington D. C.:

Approximately 20,000 unemployed workers in Denver. At present relief seems adequate from existing charitable and social agencies. January 15 appears will be beginning of real suffering here. Registration of unemployed will begin shortly by Y. M. C. A. and Y. W. C. A. Chamber of commerce has committee on unemployment at work; union labor represented on this committee. Unemployment problem is growing more serious daily.

RAY LOWDERBACK,
Secretary Denver Trades and Labor Assembly.

TOLEDO, OHIO, *December 10, 1930.*

WILLIAM GREEN,
American Federation of Labor Building
Washington, D. C.:

Approximately 18,000 workers out of employment in Toledo. Fifteen thousand additional only working part time. Civic relief organizations well organized, but funds available are inadequate. Much suffering and distress exists. Federal aid is badly needed.

JOHN J. QUINLIVAN,
Secretary Toledo Central Labor Union.

JACKSONVILLE, FLA., *December 11, 1930.*

WILLIAM GREEN,
American Federation of Labor Building,
Washington, D. C.:

There are approximately 3,000 workers idle. There is no great spread of distress and suffering. The community chest, civic organizations, and popular subscriptions are taking care of them. We can still use some Federal relief.

C. S. WEMP,
Central Labor Union.

WILMINGTON, DEL., *December 9, 1930.*

President WILLIAM GREEN,
American Federation of Labor Building,
Washington, D. C.:

Estimate unemployment Wilmington district 3,500, and am glad to report organization Mayor Forrest's emergency unemployment relief committee, which to-day adopted plans for raising sufficient money, both to create employment and to extend unemployment relief. Wilmington plan is independent. Unemployment relief for families to be taken care of by mayor's committee through our efficient associated charities, while Salvation Army will apply relief to single men and women. Funds being collected people of all walks of life cooperating. Labor represented by central body secretary. Labor here believes in Nation in war time can command work or fight, then in peace time workers can require cooperation municipalities, State, and Federal Governments in making work and extending relief. We advocate building new Federal building here, badly needed, and congressional authorization proposed Delaware-New Jersey bridge, and support of Delaware congressional delegation of full Federal relief program, as workers want work, or else Government must cooperate with States and cities in relief, which means keeping families together intact and supplying full finances for shelter, food, heat, clothes, and necessities. Commend federation program, as it is what is needed to awaken Nation to responsibilities.

JOHN C. SAYLOR,
Secretary Central Labor Union.

PHILADELPHIA, PA., *December 10, 1930.*

WILLIAM GREEN,
President American Federation of Labor:

Approximately 130,000 unemployed in city. This don't include part-time workers. Citizens' committee organized to relieve dis-

tress. Have just begun activities; shelter for homeless men provided. Six thousand school children are fed every morning. It is estimated that 8,000 school children go without breakfast. Thousands of families are absolutely destitute. Organized charity is unable to provide; city council appropriated inadequate amount of $150,000; promised more for future. Soup kitchens are prevalent throughout the city. Work rather than charity is desired.

FRANK BURCH.

KNOXVILLE, TENN., *December 12, 1930.*

WILLIAM GREEN,
American Federation of Labor Building
Washington, D. C.:

There are approximately 3,500 unemployed in Knoxville. There is quite a bit of suffering among the poorer class. No known evictions have been made. Skilled mechanics and other craftsmen are feeling the unemployment conditions. Some relief is being given the acute cases.

W. B. HATCHER, *Secretary.*

FALL RIVER, MASS., *December 12, 1930.*

WILLIAM GREEN,
President American Federation of Labor,
Washington, D. C.:

Approximately 15,000 workers unemployed; policemen, firemen, and other municipal employees contributing weekly to civic organization composed of labor union, churches, service clubs, and other organizations formed this month to handle situation. All cases called to public attention are being taken care of, and while situation is acute no need for people here to go hungry or in need of clothing.

J. F. REAGAN,
Secretary Central Labor Union.

Here is a telegram from Columbus, Ohio, dated December 12, addressed to me, as follows:

COLUMBUS, OHIO, *December 12, 1930.*

Senator ROBERT M. LA FOLLETTE,
Washington, D. C.:

Congress is about to vote millions for drought relief and unemployment. Coal camps situated mostly in isolated sections without hope of relief. There is desperate need of help. Is there no way extending Federal help for the long-suffering miners? Answer will be appreciated. MINERS JOURNAL.

Mr. President, as I stated at the outset, with this information in my possession I could not let the assertion of the Senator from Indiana, that this situation was well in hand, that there was no serious condition of distress or suffering from lack of food, clothing, and shelter, go unchallenged.

We have waited for more than a year since the stock-market crash. So far no adequate plans have been formulated on the part of the Federal Government, nor has industry come forward with any plan for meeting this situation. I hope that when Senators are considering the problem of unemployment and its relief they will not fail to remember that, as a matter of fact, we are entering the second, not the first, winter of unemployment.

Mr. SHIPSTEAD. Mr. President, will the Senator yield to me?

Mr. LA FOLLETTE. I yield.

Mr. SHIPSTEAD. Something like two weeks ago the Senate passed a resolution requesting the President to send to the Senate the report of his unemployment commission. They were in session here for a long time, and conducted a survey of the unemployment situation, and I assume made some very valuable recommendations to the President, and I want to know whether we have that report now in response to the request of the Senate.

The PRESIDENT pro tempore. No response has been made to the resolution of the Senate.

Mr. LA FOLLETTE. Mr. President, I have already stated that Congress should ascertain for itself on its own responsibility what these conditions are in the various sections of the country. I for one am no longer ready to take the assurance of any one man, no matter who he may be, that conditions are well in hand, when telegrams of this character, coming from central-labor bodies, which may be presumed to be more closely in touch with the situations in their various communities than Senators are, indicate that in many, many cities throughout the country there is actual suffering, distress, and want at this very hour.

I am sympathetic with the purposes of the resolution offered by the Senator from Minnesota. I hope that the Senate and the Congress will have the benefit of the report which the President's unemployment commission, headed by Colonel Woods, has made.

Mr. HASTINGS. Mr. President, will the Senator yield to me?

Mr. LA FOLLETTE. I yield.

Mr. HASTINGS. Assuming the facts indicated by these telegrams to be true, has the Senator from Wisconsin any particular remedy which he would recommend to the Senate?

Mr. LA FOLLETTE. Mr. President, I would support a bill or joint resolution to appropriate money out of the Treasury of the United States, under some such plan as that covered by the measure introduced by the Senator from Massachusetts [Mr. WALSH], rather than see men and women in this country go hungry, or suffer from privation and want of shelter, when they are suffering those consequences as a result of no fault of their own. As I said before the Senator from Delaware came in, if these four or five million unemployed and their dependents were suffering this privation, hardship, and want as a result of a physical earthquake, there is no question but that Congress would appropriate generously for their relief, but for some strange reason, because these citizens of the United States are suffering due to an economic disaster, Senators view relief from the Treasury of the United States as some mysteriously evil thing which they are pleased to term a "dole." No Senator rose on this floor when we appropriated $100,000,000 in 1919 for European food relief and called it a dole. The people of America gave generously, and they approved of the action of the Congress and the President in thus coming to the relief of those victims of the war.

In 1921 we appropriated $20,000,000 for the relief of Russians who were suffering from hunger and starvation as a result of the World War and of the civil war which followed it. Yet not a Senator rose on the floor of the Senate and denounced that as a dole, or as some evil project which would carry dire economic consequences to this country. When we appropriated $6,000,000 for the relief of the sufferers from the earthquake in Japan in 1925 no Senator protested here, and there was a general approval of that action by the people of the country

I take the position that it is the duty of Congress to ascertain what are the conditions in this country, and if there be want, hunger, and suffering from lack of food and shelter, as is indicated by these many telegrams which I have read, then I say it is the duty of Congress to meet the situation and to provide relief from the Treasury of the United States for these innocent victims of this economic disaster.

Mr. HASTINGS. Mr. President, has the Senator any evidence that any local community anywhere is not financially able to take care of the persons in want in that community, and does the Senator think that until that appears the Federal Government ought to participate in these contributions directly to the suffering people?

Mr. LA FOLLETTE. Mr. President, I think this is just as much a responsibility of the Federal Government as it is of any municipality or any State government. Upon what theory does the Senator from Delaware charge the sole responsibility up to the municipalities of his own State? Does the Senator think that the city of Wilmington is any more responsible for the economic situation in which we find ourselves now than is the Government of the United States? That seems to be a perfectly untenable position.

Mr. HASTINGS. Mr. President, can the Senator point out any instance in which the Federal Government has, during its whole history, in times of peace, undertaken to relieve distress, in a charitable way, with direct gifts to people?

Mr. CARAWAY. Mr. President, will the Senator from Wisconsin yield to me?

Mr. LA FOLLETTE. I yield to the Senator.

Mr. CARAWAY. I just wanted to call attention to the fact that even when a fire struck the city of Salem, Mass., the Congress of the United States made a direct appropriation for the relief of the city.

Mr. LA FOLLETTE. I will read a list of some of the cases of relief, with which the Senator does not seem to be familiar:

1874, Mississippi River flood, $190,000.
1874, Mississippi River flood, $100,000.
1875, Grasshopper plague, $150,000.
1882, Mississippi River flood, $100,000.
1882, Mississippi River flood, $150,000.
1882, Mississippi River flood, $100,000.
1884, Ohio River flood, $300,000.
1884, Ohio and Mississippi Rivers flood, $200,000.
1890, Mississippi River flood, $150,000.
1897, Mississippi River flood, $200,000.

Mr. HASTINGS. Of course, Mr. President, we all know that always in cases of floods and droughts the Congress has relieved, but I am asking whether, in an economic situation like the present one, Congress has ever appropriated money as a pure charity for people who are suffering from hunger?

Mr. LA FOLLETTE. Will the Senator from Delaware explain, if he can, what difference it makes to a citizen of the United States, if he be homeless, without food and clothing, in the dead of winter, whether it is the result of a flood, or whether it is due to an economic catastrophe over which he had no control? I see no distinction, in so far as those who are suffering from this condition are concerned, and it is those people in whom I am interested and in whom I hope the Congress will become interested.

Furthermore, Mr. President, if we had never appropriated a nickel out of the Treasury of the United States in all our history, I do not think that would be a sound argument against the Congress in this hour doing whatever may be necessary to prevent large numbers of citizens of the United States from starving and freezing because of unemployment.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Wisconsin yield to the Senator from Tennessee?

Mr. LA FOLLETTE. I yield.

Mr. McKELLAR. Does not the Senator also think that it is our duty to get this information right now, because does not the Senator think that the worst period of unemployment will be during the months of January, February, and March, perhaps, and if we can not get the President to send in the report of Colonel Woods, would it not be a proper thing for the committees of the Senate to have Colonel Woods come before them, and let them find out what the facts are and undertake to remedy them? Let us remedy the situation by giving the people work to do and not giving doles. Should not some such action be taken now?

Mr. LA FOLLETTE. Mr. President, in so far as the actual situation during January, February, and March is concerned, very little Congress may do now, through the expansion of public works, will bring any assistance to these men and women and their dependents during the dead of winter. If a situation requiring action exists—and I am insisting that Congress ought to ascertain for itself and on its own responsibility whether or not it does exist—then, the only way in which we can give immediate and adequate relief is through a Federal appropriation.

Now, I want to continue, in reply to the inquiry of the Senator from Delaware, reading from this list of Federal appropriations which have been made to the people of this country suffering from disasters:

1897, Mississippi River flood, $200,000.
1897, Destitute persons in Alaska, $200,000.
1906, San Francisco fire, $1,000,000.
1906, San Francisco fire, $1,500,000.
1908, Southern cyclones, $250,000.
1912, Mississippi and Ohio River flood, $1,239,000.
1913, Flood and tornado relief, $654,000.
1913, Mississippi and Ohio River floods, $130,000.
1914, Salem, Mass., fire, $200,000.
1916, Floods in Southern States, $540,000.
1928, Mississippi River flood, $1,500,000.

Mr. GOFF. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from West Virginia?

Mr. LA FOLLETTE. I yield.

Mr. GOFF. Is it not true that in all of the cases which the Senator has just read, which relate to earthquake or floods, the local communities were so destroyed as not to be capable of furnishing the very employment which the present localities are represented as being able to furnish in this emergency? If that distinction which I have propounded in the question be true, then is not the position of the Senator from Delaware [Mr. HASTINGS] the correct one, as well as the argument advanced by the Senator from Indiana [Mr. WATSON], that until we are given assurance that the different localities can not meet this emergency brought about by universal depression, it is not the duty of the Congress of the United States to appropriate funds to meet the situation?

Mr. LA FOLLETTE. O Mr. President, I make the same answer to the Senator from West Virginia that I made to the Senator from Delaware [Mr. HASTINGS]. As far as I am concerned, if the city of Wheeling, W. Va., does not come forward and take care of the unemployed and their dependents, if there be suffering there, as the secretary of the local labor council represents, if my recollection serves me correctly, then I would be in favor of the Federal Government sharing the obligation. I see no reason why the city of Wheeling and other cities, or the State itself, if you please, should be called upon to meet this obligation unaided by the Federal Government. Does the Senator think that the city of Wheeling, W. Va., is alone responsible for the unemployment in that city?

Mr. GOFF. I would say to the Senator that he has argumentatively answered my question in the affirmative, because I stated in the question that if it was in evidence beyond a reasonable doubt that the different localities could not raise the sums necessary to meet the depression, that then, as the Senator from Indiana [Mr. WATSON] said this morning, it would become the unquestioned duty of the Congress of the United States to step forward and aid the States. But until that fact is shown then I say it is the duty of the localities in the different States to meet the emergency.

Mr. LA FOLLETTE. Upon what theory does the Senator from West Virginia contend that this emergency should be met entirely by cities like Wheeling and others in his own State?

Mr. GOFF. For the simple reason that until they have shown an inability to cope with their State functions and the exercise of their State rights, the Congress of the United States, in my judgment, has no jurisdiction and no prerogative to enter the field and usurp or exercise the State sovereignty of any of the States of this Union.

Mr. LA FOLLETTE. Does the Senator from West Virginia think that the citizens of Wheeling would rise up and stand on their State's rights if the Federal Government offered to assist them 50-50 as provided in the bill introduced by the Senator from Massachusetts [Mr. WALSH] in helping to meet a situation which they did not themselves create?

Mr. GOFF. No; I do not say that they would do that.

Mr. LA FOLLETTE. I think they will be surprised to find that the Senator from West Virginia, one of their representatives here, is pleading State's rights as a reason why the Federal Government should not come to the assistance of the distressed unemployed and their dependents in the State of West Virginia.

Mr. GOFF. Let me say to the Senator that I am not in the least concerned with either the surprise or the criticism of people in my own State or in any other State who happen to differ with my legal opinion honestly arrived at as to the functions of the States and the Federal Government. I am just as much interested in helping the people of the city of Wheeling as I am in helping the people of the city of New York or the people of any of the cities in the State of Wisconsin from which the Senator comes. But until it is shown that those rights can not be exercised by the State, then I say it is not the duty of the Federal

Government to step in and encroach upon the exercise of State sovereignty.

Mr. LA FOLLETTE. The Senator does not contend, I take it, that there is anything in the Constitution which would prevent the Government of the United States from assisting the States and municipalities in this emergency?

Mr. GOFF. Oh, I do not see any clause in the Constitution that would prevent the Congress of the United States making donations if the Congress of the United States saw fit so to do.

Mr. LA FOLLETTE. The only thing that prevents the Senator from favoring any assistance at this time on the part of the Federal Government is his own opinion as to what are the functions of the State governments and what are the functions of the Federal Government.

Mr. GOFF. No; my difference goes back farther. The Senator from Wisconsin was stating to the Senate the instances in which the Congress had come forward with appropriations to assist the States, and I then pointed out that those instances arose in cases where the individual localities had been destroyed by what we term in the law an act of God, namely, a fire that swept a city, an earthquake, or a general flood, and when those communities were destroyed by this so-called act of God and could not come forward under the exercise of the rights of State sovereignty and meet the situation, that it was, of course, instantly the duty of the Federal Government to come into the breach and by due appropriation meet the requirements which had arisen.

I was asking the Senator if he made a distinction between an emergency of that character and an emergency like the present depression in which we have no evidence that the State governments and the municipalities are unable to meet the demand so made upon them. I think there is a very broad ground of distinction.

Mr. LA FOLLETTE. Of course there is a distinction, but so far as I am concerned personally, I see no reason why the Federal Government should not assist in this situation if it sees fit to do so, even though the municipalities and the various States are in a position to cope with the problem, because so far as that argument is concerned it must be predicated upon the theory that the responsibility rests first upon the city and State governments to meet the problem. I do not recognize that this is the correct position for this reason: This economic disaster, as everyone knows, was due to causes with which the municipalities and State governments had nothing to do. They were not responsible for bringing it on. In this discussion it is not my purpose to fix responsibility; but if any governmental entity is in part responsible for the present unemployment situation, it must be the National Government, which enacts legislation that affects financial, industrial, and economic conditions of the country.

But, Mr. President, it makes little or no difference to me whether the victims of this economic depression are suffering from a situation caused by the failure of industrial and financial leadership or lack of statesmanship in this country, or whether men and women are suffering from some act of God. The suffering is just as acute and the victims are as much in need of relief in the one case as in the other.

Mr. GOFF. I wish to point out to the Senator from Wisconsin this distinction which I think he will readily admit. If the Federal Government can intervene in the prerogatives of any State, whether it be the exercise of a State function or the exercise of a municipal function, in order to give to the community because the community is the beneficiary and donee, if we are going to expound and accept that doctrine, then we are dangerously close to the proposition that the Federal Government can go into any municipality or into any sovereign State and say, "While we have a right to come in and give, we also, under the exercise of that same prerogative, may come in and interfere and take away." I say that under those circumstances and conditions we are approaching a very dangerous ground in the present emergency.

Mr. LA FOLLETTE. And yet the Senator says if the situation is shown that any community or any group of communities in this country can not meet the situation he will be perfectly willing to appropriate money for the purpose.

Mr. GOFF. I do say that.

Mr. LA FOLLETTE. I say that in that splitting of legal hairs and theories I am not the least bit interested.

Mr. GOFF. Of course, if the Senator is not interested in his own logical processes, because that is where they have led him, then he is not interested in the legal result.

Mr. HASTINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Delaware?

Mr. LA FOLLETTE. I yield.

Mr. HASTINGS. I want to inquire whether the Senator thinks it would be a practical thing to give Federal aid to any particular community which was not prosperous and was in need of help, excluding every other community, because this one needed it a little more than any other?

Mr. LA FOLLETTE. No. I assume that any immediate relief which is afforded would have to be upon some such basis as that indicated in the measure drawn by the Senator from Massachusetts [Mr. WALSH]. His measure proposes, as I understand it, to meet 50–50 with the municipalities or States the additional expense to which they have been put as a result of caring for the unemployed and needy in this economic situation.

Mr. HASTINGS. The particular thing I had in mind was, suppose we had an acute situation, for instance, in South Carolina and another in Massachusetts, while the balance of the country was prosperous; would the Senator believe that the Federal Government would be safe, upon the application of those two communities, in furnishing relief?

Mr. LA FOLLETTE. I would say to the Senator that I would be in favor of the Federal Government sharing in the relief if there was acute suffering and it was not being relieved otherwise.

Mr. HASTINGS. Does not the Senator think that if the Federal Government adopted the policy of relieving every community that needed to be relieved, we would soon find all of the communities turning that particular job over to the Federal Government and doing nothing on their own account?

Mr. LA FOLLETTE. I think, of course, that the policy could be abused. I know of no policy which the Federal Government has that could not be abused in its application.

But we have gotten away from the situation at issue. I have submitted certain telegrams indicating that the statement made by the Senator from Indiana [Mr. WATSON] is not correct—that there is no great suffering in the country due to unemployment and that the charitable relief agencies and the municipalities and States have the situation well in hand.

It is the responsibility of the Senate to ascertain whether there is actual suffering in the communities of the country, and if it be shown that there is widespread suffering and distress in the United States due to this unemployment situation, then, I think, it is the duty of the Congress to meet that situation by appropriate Federal action for the relief of the citizens of the country. Our responsibility now is to meet the emergency created by the unemployment situation and at the same time to formulate a constructive program of prevention.

Mr. WALSH of Massachusetts. Mr. President, I ask, as expressive of my views, to have inserted in the RECORD, following the able and very informative speech of the Senator from Wisconsin [Mr. LA FOLLETTE], an article published in the Evening Star and other papers, written by myself, upon request, on the subject of financing Federal aid to the unemployed, and also an editorial from America of December 13, 1930.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The article is as follows:

[From the Washington Evening Star of December 15, 1930]

ONE-BILLION-DOLLAR UNITED STATES RELIEF LOAN IS URGED BY WALSH, IF NEEDED—MASSACHUSETTS SENATOR SAYS INTEREST CHARGE WOULD BE TRIVIAL TO PAY—ACTION IN BIG WAY ADVISED AS STIMULANT OF POPULAR CONFIDENCE

(At the request of the Evening Star and the North American Newspaper Alliance, Senator DAVID I. WALSH, Democrat, of Massachusetts, wrote the following article presenting his views regarding Government aid to the unemployed.)

By DAVID I. WALSH, United States Senator from Massachusetts

An emergency is defined as "an unforeseen occurrence or condition calling for immediate action." Wars produce emergencies; as do earthquakes, droughts, floods, plagues.

Who can doubt that the sudden denial, whatever may be the causes, to millions of human beings of the necessities of life through unemployment is an emergency of an extraordinary character?

In many respects it is the most destructive, distressing, and dangerous of all emergencies, because it creates a state of unrest, uncertainty, worry—in brief, a state of mind that invites the acceptance of dangerous social, political, and economic theories that may threaten free institutions.

War and most other emergencies are accompanied with a patriotic spirit that sustains and even infuses courage, patience, fortitude, and a spirit of self-denial. The fact that in most emergencies everyone tries to help and that all relief agencies move rapidly spreads hope and cheer. In economic emergencies we move hesitatingly and too often are indifferent and even unwilling to recognize existing conditions.

PROMPT ACTION ADVISED

Governments exist to serve the needs of the people. At no time should the Government respond to the service of rendering relief more promptly, directly, and adequately than in that emergency, which is accompanied with widespread unemployment and an economic debacle that embraces all the ills of other emergencies, but which lacks the sustaining spirit of endurance and patriotism that is concomitant to other crises.

During the World War we created a debt of approximately $26,000,000,000 for winning the war—of conquering that great emergency. The present economic emergency will necessitate large expenditures upon the part of the Federal Government—as it has already required large expenditures on the part of municipalities and States—if the Federal Government recognizes, as it should, its obligation to serve the people's needs in a grave emergency.

Fortunately, at the very time when there is more unemployed and more real distress among the masses, money is more plentiful and cheaper than ever before. Only recently the Government borrowed money for 1¾ per cent.

WOULD BORROW BILLION

To my mind the Federal Government should meet the present emergency by borrowing a billion dollars—if that amount be necessary—on a bond issue that would be tax exempt, carrying serial payments of $100,000,000 each year after the first five years, until the issue is entirely paid off, which would be at the end of 15 years.

This issue of bonds would bear from 2¼ to 2½ per cent, and, being tax exempt, could readily be sold under present money conditions.

The loan might be termed an "unemployment emergency issue," the proceeds to be used immediately for Federal construction and improvements of a permanent nature throughout the 48 States, each State to be allotted for Federal construction and improvements and for sharing the extraordinary increased welfare work such an amount as would be its proportionate share based on population and necessary construction work to be done.

CONSIDERS INTEREST TRIVIAL

The consequent increase in taxes to meet the interest on this loan would be trivial. Furthermore, I believe the psychology of such a step would result in helping business recuperate.

It would help to put what is sometimes termed "other money" into real activity.

It would stimulate business all along the line, enhearten the business element, as well as the real victims of this emergency, thus giving courage to move forward, and finally would give unmistakable evidence that the Government of the United States is not soulless.

Mr. WALSH of Massachusetts. The editorial is as follows:

[From America of December 13, 1930]

THE PRESIDENT ON PUBLIC RELIEF

In his message of December 2 the President makes a number of statements with which we will all agree, and not a few which invite and even compel dissent. We learn nothing new when we are once more told that "our country is to-day stronger and richer in resources than ever in history." What we should like to be told is how those resources can be more widely distributed.

We know that we have more millionaires than any country on earth and that the per capita share in the national wealth reaches a very respectable figure. But our knowledge gives us small comfort when our actual share is about $8.59, and we have reason to fear that this is the last week in which our name will figure on the pay roll. On the very day on which the President spoke his words of comfort the Interstate Commerce Commission reported that, as compared with September, 1929, nearly a quarter of a million railroad workers had lost their jobs. And that is but one of a dozen facts which throw a few shadows on the picture of national prosperity painted by the President.

We are quite willing to accept the President's statement that "economic depression can not be cured by legislative action" and his deduction therefrom that "economic wounds must be healed by action of the cells of the economic body—the producers and consumers themselves." It is a principle of sane government that legislatures should not act to do for the individual or for social or economic groups into which he may enter what can be done by the individual himself or in partnership with his fellows. This is true both in a positive and negative sense, both in the sense of actual aid and of removing obstacles which impede individual and corporate action. Properly understood, the principle is essential to good government.

But it must not be pressed too far. In face of difficulties not to be removed by individual or corporate action, then the State is bound to act. It evades its duty when it meets the situation by quoting wise saws of the general tenor that the State must not debase the people by giving them too much bread and too many circuses or by announcing that economic depression can not be cured by legislative action. There is a sense in which the President's dictum is quite untrue. Depressions do not cause themselves. Back of every depression is a human act, and a human act presumes responsibility and a man or a set of men who can be called to account. And, all other powers failing, the State must do the calling.

As a matter of record, both the Federal and the State Governments recognize the existence of obligations in this chapter. None have lived up to their full obligations, but all admit the necessity of legislation to curb the corporation and business thief and so to equalize economic opportunities. Piratical practices which were customary in the economic world 60 years ago must now be garbed in the trappings of respectability if they are not to clap those who employ them in the penitentiary. We do not fear legislation, State and Federal, aiming at a larger distribution of wealth and equalizing economic opportunity, nor do we ask our lawmaking bodies to go beyond their constitutional limits. But we do expect them to do all that lies within a just and proper use of their powers to lift the burdens that now press sorely upon the back of the wage earner, and still more heavily upon the back of the man who is not a wage earner simply because he can not find a job.

The statement that "economic wounds must be healed by action of * * * the producers and consumers themselves" does not satisfy us. Nor will it satisfy until the Government, State and Federal, has met its obligation by enacting and consistently enforcing legislation calculated to foster a just distribution of the country's undoubted sources of wealth, to equalize economic opportunity, and to give to the poor the special protection of which they stand in need.

UNEMPLOYMENT AND DEPRESSION—NEW YORK STOCK EXCHANGE

Mr. HEFLIN. Mr. President, I want to give notice that on to-morrow, immediately after the approval of the Journal, I shall discuss one of the causes for unemployment and the financial depression from which we are now suffering—the New York Stock Exchange.

TREASURY AND POST OFFICE APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 14246) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes.

The PRESIDING OFFICER. The Senator from Colorado [Mr. PHIPPS] has asked unanimous consent to consider first the amendment striking out section 4 of the bill. Is there objection? The Chair hears none. The amendment will be stated.

The CHIEF CLERK. On page 68, after line 2, it is proposed to strike out:

SEC. 4. No appropriation in this act for the fiscal year 1932 shall be used during such fiscal year to increase the compensation of any position within the grade to which such position has been allocated under the classification act of 1923, as amended, nor to increase the compensation of any position in the field service the pay of which is adjustable to correspond so far as may be practicable to the rates established by such act as amended for the departmental service in the District of Columbia.

Mr. PHIPPS. Mr. President, section 4, which appears on the last page, page 68, of the pending bill, was adopted by the Committee on Appropriations of the House and by the House. It relates to increases in salaries of employees coming under the classification act. The effect of the provision, as adopted by the House, would be to make it impossible for employees in the classified service to receive any

salary increases whatever during the fiscal year covered by this bill. The House since approving section 4 of the Treasury and Post Office appropriation bill, has reversed its attitude, and in the Interior Department appropriation bill has followed the law which permits advances or step-ups in the various grades, confining them, however, to one-third, or, say, 30 per cent of the amount which would be required to bring employees in the classified service up to grade; that is, up to the pay to which they are now entitled.

The House, I repeat, has reversed itself in the consideration of the Interior Department appropriation bill, and has provided the money necessary to take care of about 30 per cent of the advances which would be necessary to bring employees of the classified service up to grade.

If the Senate will first take action on section 4—and the amendment striking it out was adopted not only by the subcommittee but by the whole Committee on Appropriations by a unanimous vote of all present—it will simplify the consideration of the pending bill for in many cases the changes made from point to point involve simply small amounts of money appropriated to take care, under the provisions of the classification act, at least up to 30 per cent of the increases to which the employees are entitled under that act.

Mr. McKELLAR. Mr. President, will the Senator from Colorado yield to me?

Mr. PHIPPS. I yield.

Mr. McKELLAR. Since the House has taken the position it has with reference to the Interior Department bill, and it being absolutely certain that the Senate is going to agree to it, and therefore this provision will become the law, I merely wish to say that it would be manifestly unjust not to modify this bill so as to treat all employees alike. I, therefore, hope that the Senate will adopt the unanimous report of the committee in favor of striking out this provision.

Mr. KING. Mr. President, will the Senator from Colorado yield to me?

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Utah?

Mr. PHIPPS. I yield.

Mr. KING. The Senator states that the legislation here recommended will bring the compensation of a large number of employees covered by the bill up to grade?

Mr. PHIPPS. No; it would grant about 30 per cent of the advances to which employees in the different classified grades are entitled under the law, and, in accordance with a 3-year policy, they would then all be brought up to grade. That is the policy it is hoped will be carried out.

Mr. KING. My recollection is that a number of years ago the classification act was passed, the object of which was to do away with the stepping-up and stepping-down process which had been pursued and which called for constant readjustment; and that when the classification act went into effect it immediately and automatically increased the compensation of all the employees of the Government who were in the civil service as well as of many who were not under civil service.

Mr. PHIPPS. Mr. President, in reality the classification act, as enacted, was an authorization; but the Congress has never voted the amounts of money necessary to carry out the provisions of the classification act. Even now we are only seeking to take care up to 30 per cent of the advances provided for under the classification act, figuring on a 3-year program to put the classification act into full effect.

Mr. KING. The Senator will recall that there was a great deal of criticism, some of which emanated, and I thought justly, from the Senator from Iowa [Mr. BROOKHART] of the classification act, because in its application those who received the largest salaries were unduly favored and those receiving intermediate or very small salaries were discriminated against. My understanding was that those in the upper grades received the full advance provided in the classification act and have been enjoying the full compensation ever since.

I notice, may I say, that in looking at the Budget, in some of the higher brackets, if I may use that expression, the full amount of the grade is provided for the pending appropriation bill.

Mr. PHIPPS. Mr. President, as a matter of fact, there has been a provision written into every appropriation bill that keeps the allowance down to the average of the grade so that none of the holders of the high-salaried positions have been paid the full amount provided for.

As to the bill to which the Senator refers, namely, that introduced by the Senator from Iowa [Mr. BROOKHART], and which was adopted at the last session of Congress, amounts were appropriated to take care of a certain portion of the advances under the Brookhart bill. In the bills that came up for consideration covering positions affected by the Brookhart Act those positions were cared for. It is going to be necessary to take care of the remainder by legislation during the present session. The provisions of the Brookhart Act, so far as the Treasury and Post Office appropriation bill now before us is concerned, are carried out.

Mr. KING. Will the Senator advise us as to the aggregate amount of increased compensation allowed to Federal employees by reason of the passage of this measure?

Mr. PHIPPS. Under the present bill, for the Treasury Department the aggregate is $1,174,000, and for the Post Office Department, in which there are very few classified positions, the aggregate is only $66,580. Including the other departments, the Interior Department, the Department of Commerce, the War and Navy Departments, and others, the aggregate will probably be about four and one-half million dollars to take care of 30 per cent of the advances allowed under the classification act.

Mr. KING. Then the classification act, speaking broadly, increased the compensation of Federal employees several hundred million dollars?

Mr. PHIPPS. The increase will amount to three times four and a half million dollars, or $13,500,000.

Mr. KING. I said several hundred million dollars in the aggregate.

Mr. PHIPPS. Oh, no. As I have said, the increase would amount to $13,500,000; but instead of granting the full amount this year's appropriation bills will cover about $4,500,000.

Mr. KING. The Senator means all of the appropriation bills?

Mr. PHIPPS. All of them; yes.

Mr. KING. Does the Senator know what the cost is to the Government for all salaries of all its employees?

Mr. PHIPPS. The figures are not segregated, and I do not have them at my disposal at this moment. The Appropriations Committee will have them available; they can furnish that information to the Senator if he desires it.

Mr. KING. I have been advised that the salaries and compensation of Federal employees aggregate about $1,000,000,000 per annum, which is about the entire cost of the Government in 1916. I should be very glad if before——

Mr. PHIPPS. Allow me to suggest to the Senator that he address a note to the chairman of the Committee on Appropriations asking for such information as he would like to have and it will be promptly furnished.

Mr. KING. I was about to observe that I hope the Committee on Appropriations, before we conclude the consideration of the appropriation bills, will furnish that information.

Mr. COPELAND. Mr. President, I think the object of the committee here is to take care of advances within the grades. If there are several employees, one at $700, one at $800, one at $900, and one at $1,000, and the thousand-dollar man dies, if the provision which the committee has asked to be stricken out were to remain in the bill, it would mean that the thousand-dollar position would be filled from the lowest grade instead of promoting all along the line, which is the thing that gives incentive to good work in the departments. I have felt very much in sympathy with the proposal of the committee in striking the provision from the House bill.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee striking out section 4.

The amendment was agreed to.

The PRESIDENT pro tempore. May the Chair suggest that all items in the bill which are affected by the amendment just adopted should be agreed to en bloc. Is there objection to that course? The Chair hears none, and the amendments are agreed to.

The clerk will proceed with the other committee amendments.

Mr. McKELLAR. Mr President, may I ask if the formal reading of the bill may not be dispensed with?

The PRESIDENT pro tempore. That has been ordered.

Mr. McKELLAR. Can we not have the bill read merely for committee amendments?

Mr. PHIPPS. The order has been entered for the reading of the bill for committee amendments.

The PRESIDENT pro tempore. The clerk will read the committee amendments.

The next amendment of the Committee on Appropriations was, on page 7, line 4, before the word "machines," to insert "and electrically powered typewriting," so as to read:

No part of any money appropriated by this or any other act shall be used during the fiscal year 1932 for the purchase of any standard typewriting machines, except bookkeeping and billing and electrically powered typewriting machines, at a price in excess of the following for models with carriages which will accommodate paper of the following widths—

And so forth.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Customs," on page 12, line 1, after the word "newspapers," to strike out "$23,983,600" and insert "$24,602,260," and in line 8, after the word "and," to strike out "$476,870" and insert "$482,270," so as to make the paragraph read:

Collecting the revenue from customs: For collecting the revenue from customs, for the detection and prevention of frauds upon the customs revenue, and not to exceed $10,000 for the securing of evidence of violations of the customs laws, including expenses of transportation and transfer of customs receipts from points where there are no Government depositories, not to exceed $79,200 for allowances for living quarters, including heat, fuel, and light, as authorized by the act approved June 26, 1930 (46 Stat. 818), not to exceed $5,000 for the hire of motor-propelled passenger-carrying vehicles, and not to exceed $500 for subscriptions to newspapers, $24,602,260, of which such amount as may be necessary shall be available for the cost of seizure, storage, and disposition of any merchandise, vehicle and team, automobile, boat, air or water craft, or any other conveyance seized under the provisions of the customs laws, when the proceeds of sale are insufficient therefor or where there is no sale, and $482,270 shall be available for personal services in the District of Columbia, exclusive of 10 persons from the field force authorized to be detailed under section 525 of the tariff act of 1930.

The amendment was agreed to.

The next amendment was, on page 18, line 17, after the name "District of Columbia," to insert a colon and the following proviso:

Provided, That not exceeding $10,000 may be expended for the collection and dissemination of information and appeal for law observance and law enforcement, including cost of printing, purchase of newspapers, and other necessary expenses in connection therewith: *Provided further*, That for purpose of concentration, upon the initiation of the Commissioner of Industrial Alcohol and under regulations prescribed by him, distilled spirits may be removed from any internal-revenue bonded warehouse to any other such warehouse, and may be bottled in bond in any such warehouse before or after payment of the tax, and the commissioner shall prescribe the form and penal sum of bond covering distilled spirits in internal-revenue bonded warehouses and in transit between such warehouses.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Narcotics," on page 20, line 6, after the words "in all," to strike out "$1,708,528" and insert "$1,719,688," and in line 7, after the word "exceed," to strike out "$211,620" and insert "$214,500," so as to read:

Salaries and expenses: For expenses to enforce the act of December 17, 1914 (U. S. C., title 26, sec. 211), as amended by the revenue act of 1918 (U. S. C., title 26, secs. 691–708), the act approved February 9, 1909, as amended by the act of May 26, 1922 (U. S. C., title 21, secs. 171–184), known as the narcotic drugs import and export act, pursuant to the act of March 3, 1927 (U. S. C., Supp. III, title 5, secs. 281–281e), and the act of June 14, 1930 (46 Stat., pp. 585–587), including the employment of executive officers, attorneys, agents, inspectors, chemists, supervisors, clerks, messengers, and other necessary employees in the field and in the Bureau of Narcotics in the District of Columbia, to be appointed as authorized by law; the securing of evidence of violations of the acts; the costs of chemical analyses made by others than employees of the United States; the purchase of such supplies, equipment, mechanical devices, books, and such other expenditures as may be necessary in the several field offices; cost incurred by officers and employees of the Bureau of Narcotics in the seizure, storage, and disposition of property under the internal revenue laws when the same is disposed of under section 3460, Revised Statutes (U. S. C., title 26, sec. 1193); hire, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary; and for rental of necessary quarters; in all, $1,719,688, of which amount not to exceed $214,500 may be expended for personal services in the District of Columbia: *Provided*, That the Secretary of the Treasury may authorize the use, by narcotic agents, of motor vehicles confiscated under the provisions of the act of March 3, 1925 (U. S. C., title 27, sec. 43), as amended, and to pay the cost of acquisition, maintenance, repair, and operation thereof.

The amendment was agreed to.

The next amendment was, on page 20, line 13, after the word "thereof," to insert a colon and the following additional proviso:

Provided further, That not exceeding $10,000 may be expended for the collection and dissemination of information and appeal for law observance and law enforcement, including cost of printing, purchase of newspapers, and other necessary expenses in connection therewith.

The amendment was agreed to.

The next amendment was, on page 24, after line 13, to insert:

For establishing and equipping new Coast Guard stations on the sea and lake coasts of the United States, as authorized by law, $143,500, to be available until expended.

The PRESIDENT pro tempore. Without objection, the amendment will be agreed to.

Mr. PHIPPS. Mr. President, I do not think that we are really justified in going quite so fast, as certain explanations are necessary. This item is "for establishing and equipping new Coast Guard stations on the sea and lake coasts of the United States, as authorized by law, $143,500, to be available until expended." The item was estimated for, and the amendment is one which the Senate committee thought should be incorporated in the bill.

Mr. KING. Mr. President, I should like to ask whether the proposed amendment on page 20, relative to the Bureau of Narcotics, has been adopted?

The PRESIDENT pro tempore. It has been adopted.

Mr. KING. I should like to ask the Senator from Colorado if he regards it as wise to make the departments school teachers and give them funds with which to disseminate information?

Mr. PHIPPS. That is not the exact and entire purpose and intent. The fact is that it is necessary for the Bureau of Narcotics to employ a number of agencies throughout the country, enforcement officers, and have them familiar with the law and methods of procedure and judicial or court action in the prosecution of cases. This $10,000 is permissive to that extent. It enables them to print a pamphlet for which they find a demand for about 600,000 copies. They go to all of their headquarters and to their agents. The committee had a hearing on that subject, and was convinced that it was a proper function.

Mr. McKELLAR. Mr. President, I will say to the Senator that the proof was very full and very specific. The bureau showed that these pamphlets were in great demand, and that they sent them out by the hundreds of thousands. It seems to me that both these amendments ought to be agreed to—the one in reference to the narcotic law and also the one as to the prohibition law, which is found on the preceding page, page 18, I believe. The Senator will find that they are companion provisions—one for prohibition-law observance and the other for narcotics. I believe great good will come from the amendment, and I hope it will be adopted.

Mr. KING. Mr. President, when my eye caught these amendments I had in mind the effort which was made some time ago by one of the bureaus to set up a sort of schoolteachers' organization in the Treasury Department; and some woman possessed of great zeal, but I think with little knowledge, prepared some charts and so-called educational matter to be sent out to the people to teach them law enforcement and law observance. So far as I am concerned, I believe, of course, in law enforcement and law observance; but I do not want to endow every department of the Government with authority to commit to some bureaucratic chief the power to formulate plans and schemes which they regard as educational, but which do not have the sanction of law, and then send them out throughout the United States.

The Senator has called attention to the provision on page 18—

That not exceeding $10,000 may be expended for the collection and dissemination of information—

There is no objection to that.

and appeal for law observance and law enforcement.

Of course we believe in law enforcement and law observance; but I do not think the Senate and the Congress and the people believe that it would be wise to submit to all of the departments the unlicensed authority to formulate what they conceive to be proper remedies for evils that may exist, and prepare appeals to the people with regard to law enforcement and law observance.

One employee may feel that a certain policy should be pursued in order to enforce a law. Another employee may believe that a different policy should be pursued. Under measures of this kind we will have authority given to bureaus and bureau chiefs and employees of the Government to frame what they conceive to be proper methods of enforcement and proper educational methods to teach law enforcement. Each one will be the judge of how the law should be enforced. We will have conflict and confusion if we say that it is the policy of the Government to give to each executive department and bureau unlicensed authority to issue publications in regard to law observance and law enforcement.

While the object undoubtedly is proper, and while we all desire law enforcement and law observance, I doubt the wisdom of saying to the bureaus, "You are to determine what instructions should go forth in regard to law enforcement and law observance." Not content with promulgating the law and the regulations which may be prepared pursuant to the law, we go farther now and say to the departments, "You are to judge of what is good law enforcement, and what instructions should go to the people in order to bring them to a proper appreciation of the attitude, not of the lawmakers but of the bureaus that are charged with the enforcement of the law."

I think this will be a very bad precedent; and we will find that every department will be asking for authority to promulgate instructions, which will be sent out by the bureau chiefs or some employees of the Government, and each one will have a different plan and a different conception as to the best way of effectuating the desired result.

Mr. PHIPPS. Mr. President, may I say that I am very glad to have the views of the Senator from Utah. The committee unanimously desired to put these two paragraphs into the bill after having hearings at which the heads of these two bureaus appeared and gave their reasons for desiring this authority. The committee favors it, and would like to take these items to conference.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. BLAINE. Mr. President, there is so much noise and confusion in the Senate that it is utterly impossible for anyone occupying a seat in the back row to know what is going on. I wish to inquire what amendment was just voted on.

The PRESIDENT pro tempore. The amendment just disposed of was on page 20, beginning on line 13.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 25, line 3, before the word "remain," to insert "be immediately available and to," so as to read:

Coast Guard Academy: For completing the construction and equipment of buildings and appurtenances for the Coast Guard Academy authorized in the act entitled "An act to provide for the acquisition of a site and the construction thereon and equipment of buildings and appurtenances for the Coast Guard Academy," approved February 16, 1929 (45 Stat. 1189), and the act entitled "An act to change the limit of cost for the construction of the Coast Guard Academy," approved April 7, 1930 (46 Stat., p. 145), including the preparation of necessary plans, drawings, designs, specifications, and estimates, $1,640,000, to be immediately available and to remain available until expended.

The amendment was agreed to.

The next amendment was, on page 29, at the end of line 18, to increase the appropriation for pay of acting assistant surgeons (noncommissioned medical officers) from $395,784 to $404,584.

The amendment was agreed to.

The next amendment was, on page 29, at the end of line 20, to increase the appropriation for pay of all other employees (attendants, etc.) from $1,098,490 to $1,128,790.

The amendment was agreed to.

The next amendment was, under the subhead "Mints and assay offices," on page 36, line 23, after the name "Colorado," to insert "Carson City, Nev."; in line 25, after the name "New York," to insert "Boise, Idaho, Helena, Mont., Salt Lake City, Utah"; and on page 37, at the end of line 10, to strike out "$1,550,540" and insert "$1,579,480," so as to make the paragraph read:

For compensation of officers and employees of the mints at Philadelphia, Pa., San Francisco, Calif., Denver, Colo., Carson City, Nev., and New Orleans, La., and assay offices at New York, N. Y., Boise, Idaho, Helena, Mont., Salt Lake City, Utah, and Seattle, Wash., and for incidental and contingent expenses, including traveling expenses, new machinery, and repairs, cases and enameling for medals manufactured, net wastage in melting and refining and in coining departments, loss on sale of sweeps arising from the treatment of bullion and the manufacture of coins, not to exceed $500 for the expenses of the annual assay commission, and not exceeding $1,000 in value of specimen coins and ores for the cabinet of the mint at Philadelphia, $1,579,480.

The amendment was agreed to.

The CHIEF CLERK. On page 50, line 14——

Mr. PHIPPS. Those four amendments were provided for in the blanket amendment.

The PRESIDENT pro tempore. They were all agreed to en bloc.

The next amendment was, under the subhead "Office of the First Assistant Postmaster General," on page 56, line 15, to reduce the appropriation for compensation to postmasters and for allowances for rent, light, fuel, and equipment to postmasters of the fourth class from $53,500,000 to $53,000,000.

The amendment was agreed to.

The next amendment was, on page 57, line 5, to increase the appropriation for allowances to third-class post offices to cover the cost of clerical services from $8,700,000 to $8,800,000.

The amendment was agreed to.

The next amendment was, on page 57, line 14, to reduce the appropriation for village delivery service in towns and villages having post offices of the second or third class, and in communities adjacent to cities having city delivery, from $1,600,000 to $1,500,000.

The amendment was agreed to.

The next amendment was, on page 57, at the end of line 17, to reduce the appropriation for car fare and bicycle allowance, including special-delivery car fare, from $1,450,000 to $1,400,000.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Fourth Assistant Postmaster General," on page 64, line 15, after the word "exceed," to strike out "$710,000" and insert "$711,800," so as to read:

For the purchase, manufacture, and repair of mail bags and other mail containers and attachments, mail locks, keys, chains, tools, machinery, and material necessary for same, and for incidental expenses pertaining thereto; also material, machinery, and tools necessary for the manufacture and repair in the equipment shops at Washington, D. C., of such other equipment for the Postal Service as may be deemed expedient; for compensation to labor employed in the equipment shops at Washington, D. C., $2,350,000, of which not to exceed $711,800 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The PRESIDENT pro tempore. That completes the committee amendments. The bill is before the Senate and open to amendment.

Mr. JONES. Mr. President, on page 61, line 20, there is an appropriation of $20,000,000 for the inland air service.

Transcontinental air lines cross the country to all the main points on the Pacific except along the northern way from St. Paul and Minneapolis to Seattle. This matter was brought up in the committee. As chairman of the committee, there being no Budget estimate for it, I felt that I should not offer the amendment. The committee, however, went into the situation pretty fully. It was found that the Post Office Department had recommended to the Budget some twenty-one and odd million dollars for this service, and included in that was the establishment of this transcontinental air service across the northern part of the United States.

The committee went into the matter quite fully. It was also disclosed that under what is known as the Watres Act—I think that is the name of it—the policy of the department will be changed after the 1st of July, and these new routes can not be established except out of the funds of the air mail service. The committee considered the situation fully and came to the conclusion that this line should be established.

There are many cities of considerable size along this northern route, and the committee unanimously authorized me to offer an amendment appropriating $750,000 that would be used by the department in inaugurating this line along the northern part of the United States from St. Paul and Minneapolis to Spokane and Seattle. So, under that action of the committee, I offer the amendment which I send to the desk. My colleague [Mr. DILL] also presented this matter fully to the subcommittee a few days ago.

Mr. ROBINSON of Arkansas. Mr. President, the Senator stated that the committee authorized him to offer the amendment. Does that imply that the committee favored the amendment or that it merely authorized the bringing of the question before the Senate?

Mr. JONES. No; I think the committee was practically unanimous for the amendment.

Mr. ROBINSON of Arkansas. Why did not the committee include the amendment in the bill as reported?

Mr. JONES. As I say, it was not estimated for by the department; it had not been estimated by the Budget; and, at any rate, that was the action of the committee.

Mr. McKELLAR. Mr. President, if the amendment is adopted it will just add another one to the list of projects shown on page 155 of the House hearings?

Mr. JONES. Yes.

Mr. McKELLAR. Under those circumstances it seems to me that it ought to be allowed, because it has been recommended.

The PRESIDENT pro tempore. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 61, line 10, strike out "$20,000,000" and insert "$20,750,000."

Mr. PHIPPS. Mr. President, I desire to state that the committee heard the department on this subject, heard one of the Senators—the Senator from Washington [Mr. DILL]—and the committee were of opinion that it should be included. It was only the desire to keep the total appropriation to $20,000,000 that resulted in the elimination of this item from the program of the Post Office Department. So far as I am concerned, I should like to see the item included in the bill; and I shall be glad to take it to conference.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Washington.

The amendment was agreed to.

Mr. DILL. Mr. President, I desire to prefer a unanimous-consent request.

Mr. HARRIS. Mr. President, I shall object to the unanimous-consent request presented by the Senator from Washington.

Mr. DILL. I merely desire to say that I wanted to have inserted in the RECORD the testimony I had given before the committee. It would save my making any remarks. But, if the Senator from Georgia is going to object to any unanimous-consent request in the Senate of that kind, of course he may do so.

Mr. HARRIS. The Senator from Georgia will decide that for himself. The Senator from Washington objected to the confirmation of the widow of a United States Senator from my State, who has been in the Postal Service for 12 years and has rendered most excellent service. This is, as I remember, the only time I have ever objected to a unanimous consent when requested by a Senator, and I would not do so at this time except for the Senator from Washington objecting to my request.

Mr. VANDENBERG. Mr. President, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 60, line 14, to strike out "$7,000,000," and insert in lieu thereof "$7,345,000."

Mr. VANDENBERG. Mr. President, this would not increase any appropriation. It would merely permit the Postmaster General, in the allocation of his funds for foreign mails, to extend the international air mail figure. The Postmaster General is interested in doing this, if possible, in order to cover into the American system the reciprocal mail route with the Mexican Government.

The amendment has been discussed with the chairman of the subcommittee and with the chairman of the full committee. Unfortunately, the subject did not arise in time to be taken before the full committee. I think both Senators are willing to take the amendment to conference, where the matter can be investigated at greater length.

Mr. McKELLAR. Mr. President, may the amendment be again stated?

The amendment was again stated.

Mr. PHIPPS. Mr. President, I may explain that that item is the permissible amount which may be devoted out of the lump sum for the purpose of carrying foreign mails by airplane. So far as I am concerned, I am willing to have the item go to conference.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Michigan.

The amendment was agreed to.

The PRESIDENT pro tempore. The Senator from Michigan proposes the same amendment on line 17, to strike out "$7,000,000" and insert in lieu thereof "$7,345,000."

The amendment was agreed to.

Mr. VANDENBERG. Mr. President, by way of further explanation of the amendment just voted on, and for the information of the conference, I ask that the statement I send to the desk respecting the two amendments just agreed to be printed in the RECORD at this point.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The proposed amendment does not increase the appropriation for foreign mails by one dollar. It only changes the qualifying clause, which prescribes how much of the total appropriation for all foreign mails may be expended for international air mail.

The amendment will enable the Postmaster General to reciprocate with the Mexican Government, which for 21 months has been defraying the cost of forwarding international air mail northbound to the United States through El Paso, where direct connection is made with the new southern trancontinental domestic air-mail route. Thus, international air mail southbound

from the United States will be carried over the same air line, the Corporacion Aeronautica de Transportes, which serves daily 17 of the largest cities in Mexico, including the great central valley, where the principal mining, smelting, agricultural, and timber operations are located. It is reported that approximately $900,000,000 of American capital are invested along this route and that the tributary population totals 4,300,000, of whom about 16,000 are resident Americans.

The route is in the form of a cross flying from El Paso through Torreon to Mexico City. At Torreon two branch lines connect—one west to Mazatlan, on the Gulf of California, and one east to Matamoros, near the Gulf of Mexico. It serves a territory not competitive with the Pan American route. Three thousand eight miles are flown daily, the total mileage of successful operation for the past 21 months approximating 1,500,000 miles. The line is 98 per cent American owned and is considered an economic necessity, particularly to the extensive mining and other American operations. I am told that the Post Office Department considers this service a very desirable addition to our air mail system. Unquestionably it will aid in promoting friendly trade relations with our sister Republic to the south.

Mr. BLAINE. Mr. President, I desire to offer an amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 24, at the end of line 16, to strike out the period and insert a comma and the words:

Thirty-five thousand dollars thereof to be available for the construction and equipment of the Coast Guard station on the coast of Green Bay at or in the vicinity of Strawberry Passage, in Door County, Wis., at such point as the commandant of the Coast Guard may recommend, as authorized by the act entitled "An act to authorize the establishment of a Coast Guard station on the coast of Green Bay at or in the vicinity of Strawberry Passage, in Door County, Wis.," approved September 21, 1922.

Mr. BLAINE. Mr. President, this amendment was incorporated in the appropriation bill at the last session, but was stricken out in conference.

The Coast Guard station to which reference is made was authorized by an act of Congress in 1922, eight years ago. There is a great necessity for that station, which arises from the fact that Green Bay, an arm of Lake Michigan, has a coast line of about 200 miles, and there are no Coast Guard stations on the bay.

The testimony presented before the committees of Congress in 1922 showed that there is a great deal of commerce carried on Green Bay. The bay is shallow in comparison with Lake Michigan or the ocean, and there have been a great many shipwrecks on that body of water. Twenty-three lives have been lost in the vicinity of Strawberry Passage, all of which might have been saved if there had been a near-by life-saving station such as is furnished by the Coast Guard.

There are 20 ports on Green Bay. During the vacation season in the neighborhood of over half a million people visit this portion of Wisconsin and Michigan, and during that time sailing and boating is a pastime with them. It has been known that children have lost their lives in the vicinity of this bay. So the need and demand for this life-saving station is imperative from the standpoint of the saving of life, and also for the protection of commerce upon this mighty bay, which is an arm of Lake Michigan.

There are 200 miles of coast line without any protection whatever, and a half million people visit that section on their vacations. There is a great deal of commerce there, and the evidence shows that 23 lives have been lost, most of which could have been saved had there been a life-saving station at or near this point.

Mr. PHIPPS. Mr. President, will the Senator yield?

Mr. BLAINE. I yield.

Mr. PHIPPS. No witness appeared before the committee requesting this appropriation. I was wondering whether the Senator could tell us why it was not recommended by the department and why an item covering the matter was not sent up from the Budget and included in the bill. The Senate committee was entirely without information regarding the proposed station.

Mr. BLAINE. Of course, I do not follow the hearings of the Committee on Appropriations. I have not the time, serving on a great number of the standing committees and some special committees. I probably might have informed the committee about the matter, but the Commandant of the Coast Guard, Mr. Billard has recommended the establishment of this station year in and year out, and surely anything I could have said before the committee would not have had the force and effect of the recommendations of Commandant Billard. This station has been recommended by Mr. Billard, the records disclose, down to at least the last year or two. I do not know whether there has been any recommendation made respecting any Coast Guard station at this point since then or not.

Mr. PHIPPS. In so far as I may, I will be willing to accept this amendment and take the matter to conference. I should have to inform myself as to the necessity of the station.

Mr. BLAINE. I do not like to have the Senator just accept the amendment for the purpose of having it go to conference, where, I am assured from the outset, it will be stricken from the bill.

Mr. PHIPPS. There is no occasion for saying that, because when conferees appointed on the part of the Senate take amendments into conference, they stand for the views of the Senate in so far as they can for as long as they can.

Mr. BLAINE. I want the Senate to understand that my only interest in this amendment is that we may prevent the loss of life at that place. It seems to me that the Budget Bureau finds plenty of money for every sort of undertaking, but when it comes to the question of preserving and protecting human life, then the economies of the administration are drawn into force and effect in order to have conference committees strike proper amendments from bills. This is an amendment looking to the protection of life, not of the people of Wisconsin alone, but 500,000 people come from all over the United States and visit this section, and they are entitled to this protection. Twenty-three lives have been lost in this area, and I have no doubt but that most of them could have been saved had the recommendation of Commandant Billard been carried out years ago.

I would like to have a vote upon this amendment, and if the conference committee takes the matter out, we may then debate it further.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Wisconsin.

The amendment was agreed to.

Mr. BLAINE. Mr. President, I desire to offer another amendment.

The amendment will be stated.

The CHIEF CLERK. On page 66, at the end of line 5, to insert the following proviso:

Provided, however, That no part of said sum shall be paid as rental on the lease of any quarters for the housing of Government-owned automobiles unless the lease therefor contains a provision that the lease shall be canceled whenever the Government has available a Government-owned building for the housing of Government-owned automobiles: *And provided further,* That no lease for said purpose shall be entered into until there have been competitive bids submitted under the same terms and conditions as far as applicable as competitive bids are now required for the construction of Government buildings under the jurisdiction of the Treasury Department.

Mr. PHIPPS. Mr. President, I consider that a proper amendment. I think it should be incorporated in the bill.

The amendment was agreed to.

Mr. PHIPPS. Mr. President, I ask that the clerks be authorized to make the necessary changes and corrections in totals.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. PHIPPS. Mr. President, I call the attention of the junior Senator from Utah [Mr. KING] to the fact that I have the figures about which the Senator inquired. I find that the total amount of salaries provided for the current fiscal year in the District of Columbia alone is $103,000,000, in round figures, and in the field, outside of the District of Columbia, $288,185,000, in round figures, or a total of $391,185,000. That is everything in the way of salaried positions in the Government service, for personal services.

Mr. KING. Does that include payments made by the War Department for all of its activities?

Mr. PHIPPS. Excepting to enlisted men. It certainly would not cover enlisted men.

Mr. KING. I want to ask the Senator what excuse there is for the constant increase in the amount appropriated for the Bureau of Customs, notwithstanding the present tariff law, which will materially diminish the number of imports and consequently the receipts. I find that the appropriations exceeds that of last year by $22,602,160. May I say that in 1925, when the collections were much greater than they will be during the coming year, the appropriations amounted to $16,061,000; in 1920, to $16,000,000—I give the round figures plus; in 1927, to $19,000,000; in 1928, to $17,000,000; in 1929, to $20,925,000; in 1930, to $22,292,000; and for 1931 the amount is $22,602,000.

In other words, as the customs receipts are being diminished—that is, they will be diminished in the coming year—we are appropriating a larger sum for their collection. I can not understand the justification for an increase of $6,000,000, from $16,000,000 plus to $22,000,000 plus, from 1925 to 1931. It seems to me there is no justification for that great increase. Not being a member of the Committee on Appropriations, I, of course, have not had the opportunity to find out whether there are ample reasons to justify such an enormous increase in the appropriation.

While I have the floor I invite the attention of the Senate to the fact that the Internal Revenue Bureau appropriations were enormous, $34,400,000. Notwithstanding collections for the coming year will be less than in the preceding year, the appropriations are substantially the same. We have been told as an excuse for the enormous appropriations for the Internal Revenue Bureau that they were engaged in ascertaining those who have defaulted in making payments, but as soon as they had cleared the books, so to speak, and brought the accounts to a condition of currency, then there would be a great reduction in the amount appropriated for that bureau. But we find such is not the case. In 1928 $33,000,000 was appropriated; in 1929, $34,000,000; in 1930, $34,000,000; and this year $34,000,000. It seems to me the Internal Revenue Bureau is extravagant, if not wasteful, in its activities and that there ought not to be any reason for such enormous appropriations for the collections in that bureau.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. KING. Certainly.

Mr. McKELLAR. The Senator knows that under the law the Treasury Department is not subject to be investigated by any other power. In other words, the Comptroller General of the United States has control of all the other departments and may investigate as to the proper expenditure of money therein, but the Treasury Department is an exception to that rule. That is under an amendment to the law adopted in a revenue act several years ago.

Mr. KING. It seems to me, in view of the statement made by the Senator, that there ought to be some independent legislation to correct that evil.

Mr. McKELLAR. Of course; that law should be repealed. There is no reason in the world why the Treasury Department should not undergo the same rigid inspection by the Comptroller General of the United States that all other departments do. The law is different, however.

Mr. KING. I hope the Senator will introduce a bill respecting the reform to which he refers and that it will go to the Committee on Finance, where I feel sure it will be sustained.

Mr. President, I want to express my disapproval of the enormous amounts which are appropriated for the two bureaus to which I have referred. I am not in a position to offer an amendment because I have not sufficient information, but I do feel that these two bureaus are receiving under this bill amounts largely in excess of what is reasonable and just.

The PRESIDENT pro tempore. The bill is still before the Senate for amendment. If there be no further amendments, the question is, Shall the amendments be engrossed and the bill be read a third time?

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

RECESS

Mr. McNARY. I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and the Senate (at 5 o'clock and 5 minutes p. m.) took a recess until to-morrow, Tuesday, December 16, 1930, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate December 15, 1930

CONSUL GENERAL

Henry H. Balch, of Alabama, now a Foreign Service officer of class 4 and a consul, to be a consul general of the United States of America.

UNITED STATES DISTRICT JUDGE

Carroll C. Hincks, of Connecticut, to be United States district judge, district of Connecticut, to succeed Warren B. Burrows, resigned.

UNITED STATES ATTORNEY

Philip H. Mecom, of Louisiana, to be United States attorney, western district of Louisiana. (He is now serving in this office under an appointment which expired May 12, 1930.)

REGISTERS OF THE LAND OFFICE

Richard P. Imes, sr., of Montana, to be register of the land office at Billings, Mont., vice Harry B. Drum, deceased.

Murdock D. Nicholson, of Montana, to be register of the land office at Great Falls, Mont. (Reappointment.)

PUBLIC HEALTH SERVICE

Carl Voegtlin to be a pharmacologist director in the grade of medical director in the Public Health Service, to take effect from date of oath.

COAST GUARD

Kenyon Spalding to be a temporary ensign in the Coast Guard of the United States, to take effect from date of oath.

APPOINTMENT, BY TRANSFER, IN THE ARMY

TO FIELD ARTILLERY

First Lieut. Louis William Haskell, Infantry, with rank from March 6, 1928, effective June 10, 1931.

PROMOTIONS IN THE ARMY

To be colonel

Lieut. Col. Walter Eugene Gunster, Infantry, from December 10, 1930.

To be lieutenant colonel

Maj. Melvin Guy Faris, Infantry, from December 10, 1930. 1930.

To be major

Capt. Irvin Vorus Todd, Finance Department, from December 10, 1930.

To be captain

First Lieut. Harry Gage Montgomery, Air Corps, from December 10, 1930.

To be first lieutenants

Second Lieut. Gustavus Wilcox West, Cavalry, from December 6, 1930.

Second Lieut. George Peter Berilla, jr., Cavalry, from December 10, 1930.

MEDICAL ADMINISTRATIVE CORPS

To be first lieutenant

Second Lieut. Douglas Hall, Medical Administrative Corps, from December 4, 1930.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

Rear Admiral William V. Pratt to be Chief of Naval Operations in the Department of the Navy, with the rank of

admiral, for a term of four years from the 17th day of September, 1930.

Capt. Clarence S. Kempff to be a rear admiral in the Navy from the 5th day of June, 1930.

Capt. John Halligan, jr., to be a rear admiral in the Navy from the 14th day of July, 1930.

Capt. William T. Tarrant to be a rear admiral in the Navy from the 1st day of October, 1930.

Capt. George T. Pettengill to be a rear admiral in the Navy from the 16th day of October, 1930.

Capt. Edward B. Fenner to be a rear admiral in the Navy from the 1st day of November, 1930.

The following-named commanders to be captains in the Navy from the 10th day of May, 1930:

Douglas L. Howard.

Arthur L. Bristol, jr.

Commander Walter H. Lassing to be a captain in the Navy from the 11th day of May, 1930.

The following-named commanders to be captains in the Navy from the 5th day of June, 1930:

Ross S. Culp.

Frank J. Fletcher.

The following-named commanders to be captains in the Navy from the 1st day of July, 1930:

John H. Towers.
Julian H. Collins.
Milo F. Draemel.
Walter F. Jacobs.

Commander Leo F. Welch to be a captain in the Navy from the 14th day of July, 1930.

The following-named commanders to be captains in the Navy from the 1st day of September, 1930:

Turner F. Caldwell.

Earl R. Shipp.

The following-named commanders to be captains in the Navy from the 1st day of October, 1930:

Charles M. Austin.

Ferdinand L. Reichmuth.

Commander Harvey Delano to be a captain in the Navy from the 16th day of October, 1930.

Lieut. Commander Lyal A. Davidson to be a commander in the Navy from the 19th day of January, 1930.

Lieut. Commander Edwin J. Gillam to be a commander in the Navy from the 11th day of March, 1930.

Commander Thomas Moran to be a commander in the Navy from the 10th day of May, 1930, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Commander Chester C. Jersey to be a commander in the Navy from the 11th day of May, 1930.

The following-named lieutenant commanders to be commanders in the Navy from the 5th day of June, 1930:

Frank H. Kelley, jr.
James A. Logan.
James T. Alexander.
Francis P. Traynor.
Howard B. Berry.
Henry B. Cecil.
Francis A. La Roche.

Lieut. Commander Spencer S. Lewis to be a commander in the Navy from the 10th day of June, 1930.

The following-named lieutenant commanders to be commanders in the Navy from the 1st day of July, 1930:

Walden L. Ainsworth.
Edward K. Lang.
Roy C. Smith, jr.
James G. Ware.
Charles A. Pownall.

Lieut. Commander Lawrence F. Reifsnider to be a commander in the Navy from the 14th day of July, 1930.

The following-named lieutenant commanders to be commanders in the Navy from the 1st day of September, 1930:

Frederick G. Reinicke.

Miles P. Refo, jr.

The following-named lieutenant commanders to be commanders in the Navy from the 1st day of October, 1930:

Edgar M. Williams.

Howard A. Flanigan.

Marc A. Mitscher.

Lieut. Commander Scott B. Macfarlane to be a commander in the Navy from the 16th day of October, 1930.

The following-named lieutenants to be lieutenant commanders in the Navy, to rank from the dates stated opposite their names:

Laurence E. Kelly, November 7, 1929.
Moses B. Byington, jr., March 31, 1930.
Frank R. Dodge, April 1, 1930.
Vincent R. Murphy, April 13, 1930.
Charles W. Styer, May 10, 1930.
Thomas L. Sprague, May 10, 1930.
Einar R. Johnson, June 5, 1930.
Martin J. Connolly, June 5, 1930.
Pal L. Meadows, June 5, 1930.
Frederick S. Holmes, June 5, 1930.
Thomas B. Inglis, June 5, 1930.
John J. Ballentine, June 5, 1930.
John R. Sullivan, June 5, 1930.
John D. Alvis, June 5, 1930.
George C. Cummings, June 5, 1930.
Clifton A. F. Sprague, June 10, 1930.
Clifton E. Denny, June 30, 1930.
Joseph J. Clark, July 1, 1930.
George C. Hawkins, July 1, 1930.
Rollin Van Alstine Failing, July 1, 1930.
Albert M. Bledsoe, July 1, 1930.
Harold Biesemeier, July 1, 1930.
John J. Bartholdi, July 1, 1930.
Stanley D. Jupp, July 1, 1930.
Albert F. France, jr., July 1, 1930.
Walter S. Macaulay, July 1, 1930.
Staley H. Gambrill, July 1, 1930.
David E. Cummins, July 14, 1930.
Julian D. Wilson, July 25, 1930.
Wilber M. Lockhart, August 1, 1930.
James L. Fisher, August 1, 1930.
Henry Y. McCown, August 1, 1930.
George William Johnson, September 1, 1930.
Jacob H. Jacobson, September 13, 1930.
Ion Pursell, October 1, 1930.
Gordon Rowe, October 1, 1930.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the dates stated opposite their names:

George T. Boldizsar, August 31, 1929.
Sherman R. Clark, October 13, 1929.
John E. Murphy, November 20, 1929.
James E. Baker, January 16, 1930.
Henry E. Eccles, February 4, 1930.
Harry B. Jarrett, March 5, 1930.
Worthington S. Bitler, March 6, 1930.
Alexander F. Junker, March 11, 1930.
Hugh W. Hadley, March 17, 1930.
Gerald U. Quinn, April 1, 1930.
Kenneth O. Ekelund, April 1, 1930.
Robert A. J. English, April 1, 1930.
Carlisle H. Thompson, April 6, 1930.
Karl A. Thieme, April 6, 1930.
Harold C. Patton, April 13, 1930.
William C. Cross, April 18, 1930.
John P. Bennington, April 23, 1930.
Frederick S. Hall, May 2, 1930.
Luther B. Stuart, May 10, 1930.
Ralph Earle, jr., May 16, 1930.
John L. Pratt, May 16, 1930.
Charles W. Crawford, May 16, 1930.
John P. W. Vest, May 27, 1930.
John Y. Dannenberg, June 1, 1930.
Albert K. Morehouse, June 1, 1930.
Thomas D. Wilson, June 1, 1930.
Joseph B. Dunn, June 1, 1930.
Kenmore M. McManes, June 2, 1930.
George L. Menocal, June 2, 1930.
Francis B. Johnson, June 2, 1930.
William B. Terrell, June 2, 1930.
Donald W. Gardner, June 2, 1930.
Hallock G. Davis, June 2, 1930.

Ralph H. Wishard, June 2, 1930.
Hugh W. Lindsay, June 2, 1930.
Alfred J. Homann, June 5, 1930.
Harold R. Stevens, June 5, 1930.
Walter W. Rockey, June 5, 1930.
Daniel W. Harrigan, June 5, 1930.
William P. Davis, June 5, 1930.
Francis J. Mee, June 5, 1930.
John G. Mercer, June 5, 1930.
Albert E. Chapman, June 5, 1930.
Daniel B. Candler, jr., June 5, 1930.
Harry R. Carson, jr., June 5, 1930.
Frank T. Ward, jr., June 5, 1930.
Robert W. Haase, June 5, 1930.
Harry Sanders, June 5, 1930.
Warren S. Parr, June 5, 1930.
John W. King, 3d, June 5, 1930.
Selden B. Spangler, June 5, 1930.
Edward C. Loughead, June 5, 1930.
Frederick K. McElroy, June 5, 1930.
Joseph N. Wenger, June 5, 1930.
Thomas C. Evans, June 5, 1930.
Richard G. McCool, June 5, 1930.
Albert C. Murdaugh, June 5, 1930.
Merrall K. Kirk Patrick, June 5, 1930.
William V. O'Regan, June 5, 1930.
John G. Crommelin, jr., June 5, 1930.
William B. Ammon, June 5, 1930.
Roland N. Smoot, June 5, 1930.
Henry D. Wolleson, June 10, 1930.
Paul C. Wirtz, June 21, 1930.
Mell.h M. Lindsay, jr., June 29, 1930.
Neil M. Dietrich, June 30, 1930.
Charles W. Humphreys, July 1, 1930.
Charles H. Momm, July 1, 1930.
John R. Johannesen, July 1, 1930.
McFarland W. Wood, July 1, 1930.
William H. von Dreele, July 1, 1930.
Alfred C. Olney, jr., July 1, 1930.
Frank V. Rigler, July 1, 1930.
Marshall M. Dana, July 1, 1930.
Stewart Lindsay, July 1, 1930.
William A. Riley, July 20, 1930.
Elliott B. Strauss, July 25, 1930.
James H. Thach, jr., August 1, 1930.
John M. Ocker, August 1, 1930.
Harold D. Krick, August 1, 1930.
Arleigh A. Burke, August 1, 1930.
Howard M. Kelly, August 1, 1930.
Edward S. Pearce, August 1, 1930.
Le Merton E. Crist, jr., August 1, 1930.
Elbert L. Fryberger, September 1, 1930.
Gordon J. Crosby, September 1, 1930.
Robert L. Dennison, September 13, 1930.
Roland M. Huebl, October 1, 1930.
Daniel F. J. Shea, October 1, 1930.
Stanhope C. Ring, October 10, 1930.
Paul F. Dugan, November 1, 1930.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 3d day of June, 1929:

Frederick Mackle, jr.
John C. Eakens.
William A. Gerth.
Lloyd J. S. Aitkens.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 2d day of June, 1930:

John W. Bays.
Herbert C. Zitzewitz.
Lawrence R. Daspit.
Samuel H. Crittenden, jr.
Kenneth A. Knowles.
James H. Hogg.
Paul H. Ramsey.
Albert B. Scoles.
David W. Tolson.
Jack S. Holtwick, jr.
Eliot Olsen.
John C. Bernet.
Welton D. Rowley.
James V. Rigby.
James E. Cohn.
Richard H. Phillips.
Clifford S. Cooper.
William P. Chilton.
William M. Nation.
William H. Organ.
William T. McGarry.
Selman S. Bowling.
Cornelius S. Seabring.
William C. Bryson.
Ernest W. Lamons.
Cecil T. Caufield.
Joseph R. Hamley.
Joseph N. Murphy.
John C. Broach.
Charles M. Heberton.
David B. Overfield.
Alan B. Sutherland, jr.
Harold S. Harnly.
Ralph Hickox.
Robert H. Rice.
Harlan M. Thorpe.
Carl F. Stillman.
Benjamin E. Moore, jr.
Leonard C. Chamberlin.
Delbert F. Williamson.
Harold L. Tallman.
James A. Haley, jr.
Henry B. Stanley.
Halle C. Allan, jr.
Frederic A. Berry, jr.
Theodore C. Fauntz.
Loren A. Morris.
Harry J. Ward.
Roger F. Scott.
Herbert F. Eckberg.
John William Murphy.
William C. Specht.
James A. Jordan.
George L. Heath.
John C. Zahm.
Harry R. Horney.
Daniel T. Eddy.
Jack Maginnis.
Edward H. Eckelmeyer, jr.
Brooke Schumm.
Richard W. Smith.
George K. Fraser.
Carl L. Steiner.
Hilfort C. Owen.
Kenton E. Price.
Thomas B. Klakring.
William Loveland.
Alexander M. Kowalzyk, jr.
John L. Ewing, jr.
Alden D. Schwarz.
James G. Holloway, jr.
Jesse Blackwell.
Rawson Bennett, 2d.
Thomas L. Mayo.
Howard W. Taylor.
James J. McKinstry.
Harold M. Briggs.
Perry K. Jeanes.
Carl R. Midtlyng.
Lester J. Geiger.
Martin P. Hottel.
Christian H. Duborg.
James R. McCormick.
Otis C. Gregg.
Jack F. Bowling, jr.
William E. Ferrall.
Martin J. Lawrence.
Robert S. Quackenbush, jr.
Edmund T. Napier, jr.
Walter H. Price.
Martin R. Stone.
Daniel J. Weintraub.
Robert L. Densford.
Leland R. Lampman.
Jack P. Monroe.
Herbert L. Hoerner.
Edward K. Shanahan.
Charles P. Hill, jr.
Harry F. Bauer.
John F. Henkel.
Gill M. Richardson.
Leon J. Barbot.
Charles B. Beasley.
John T. Corwin.
Clayton R. Dudley.
Richard D. Zern.
John L. De Tar.
John A. Edwards.
Robert B. Alderman.
Thomas L. Greene.
William L. Knickerbocker.
James A. Prichard.
Tyrrell D. Jacobs.
James L. Shank.
Emmanuel T. Goyette.
Howard W. Gordon, jr.
Paul R. Drouilhet.
Creed C. Burlingame.
Arthur K. Ehle.
James W. Blanchard.
Arthur C. W. Baskin.
Robert M. Barnes.
Harold P. Richards.
Charles L. Melson.
Edwin W. Herron.
Thomas O. Oberrender, jr.
Ross R. Kellerman.
Harold M. Zemmer.
Theodore O. Dahl.
David C. White.
Lawrence M. Jensen.
Gerald R. Dyson.
Joe W. Boulware.
Emmett J. Sullivan.
Charles K. Bergin.
Robert E. Dixon.
George L. Hansen.
Richard B. Levin.
Frank Turner.
Ulysses S. G. Sharp, jr.
Eugene E. Lindsey.
Philip A. Tague, jr.
Leo W. Nilon.
Robie E. Palmer.
Wayne T. Stukey.
James S. Willis.
Louis P. Fairlamb.
Robert Brodie, jr.
Frederic S. Habecker.
Robert F. Martin.
Farar B. C. Martin.
Paul L. High.
Gregory A. Ladd.
Hysell P. Cooper.
Howell J. Dyson.
Edward S. Addison.
Willard A. Saunders.
Blinn Van Mater.
Loring O. Shook.
Theodore S. Dukeshire.
George D. Dickey.
William F. Royall.
Thomas B. Neblett.
Newlin Neuhauser.
Thomas M. Dykers.
Arthur G. Bruner.
Floyd C. Camp.
Mitchell D. Matthews.
Frank Bruner.
Eugene B. McKinney.
Thomas J. Flynn.
Alfred R. Truslow, jr.
Walter C. Winn.
Frank T. Corbin.
John Eldridge, jr.
Harry H. McIlhenny.
Albert R. Heckey.
Edwin B. Robinson.

Lucius H. Chappell, jr.	Robert N. Downes.
John E. Fitzgibbon.	Edward P. Southwick.
Levi J. Knight, jr.	Gordon S. Everett.
Joseph J. Carey.	John C. Atkeson.
Wayne R. Loud.	Elmer G. Cooper.
Louis T. Malone.	James J. McRoberts.
John R. Waterman.	John E. Clark.
Eugene F. McDaniel.	Marion M. Byrd.
Louis H. Hunte.	Ray A. Mitchell.
Courtney Shands.	Harry R. Hummer, jr.
George Knuepfer.	William A. Sutherland, jr.
Stanley E. Judson.	Thomas C. Green.
Herbert D. Riley.	John O. R. Coll.
Jules F. Schumacher.	John S. Thach.
Roland F. Pryce.	Francis R. Jones.
Eugene L. Lugibihl.	Henry M. Marshall.
Edwin K. Ponvert.	Robert A. Allen.
Robert V. Hull.	Andrew B. Buttrey.
Edward J. Drew.	Arthur F. Anders.
Francis W. McCann.	Ethan W. Allen.
Arthur D. Marks.	Donald G. Burt.
Julian D. Greer.	John S. Tracy.
Albert E. Fitzwilliam.	George B. H. Stallings.
William R. Caruthers.	William D. Irvin.
Joseph D. Danhoff.	Charles W. Parker.
Joe Taylor.	Alex McL. Patterson.
Renwick S. Calderhead.	David W. Shafer.
Philip H. Ross.	Claude L. Weigle.
Chesley M. Hardison.	Gordon L. Caswell.
Thomas H. Massie.	Robert E. Braddy, jr.
Leonard B. Southerland.	Milton T. Dayton.
Frank Virden.	Julius F. Way.
William R. D. Nickelson, jr.	Clarence E. Boyd.
Myron W. Graybill.	James K. Averill.
Robert J. Foley.	Curtis A. Myers.
Harry L. Hicks.	Albert B. Mayfield, jr.
David B. Coleman.	George A. Lange.
Henry J. Armstrong, jr.	Glenn W. Legwen, jr.
Charles L. Freeman.	Glynn R. Donaho.
William S. Harris.	Alston Ramsay.
Carl M. Dalton.	Paul D. Gross.
Robert T. Symes.	Oscar H. Dodson.
Claren E. Duke.	James P. Walker.
William H. Potts.	Edward R. Johnson.
William H. Brockman, jr.	John W. Chittenden.
John G. McClaughry.	Charles E. Harrison.
William R. Ignatius.	Paul F. Johnston.
Arthur H. Taylor.	Charles J. Hardesty, jr.
Charles J. Skelly.	William M. Gullett.
William E. Kaitner.	John H. Cross.
Bernard M. Gates.	Oscar W. Pate, jr.
George A. Lewis.	Richard E. Myers.
Leonidas W. Pancoast.	Wilton S. Heald.
Alan R. Montgomery.	Jimmie R. Simpson.
William A. Deam.	John J. Branson.
Harry J. Hardwick.	Calvin E. Wakeman.
Malen Durski.	George W. Willcox.
Harry M. Denty.	Joseph R. Rubins.
Michael P. Russillo.	Frank D. Giambattista.
Granville A. Moore.	Thurston B. Clark.
Gus B. Lofberg, jr.	Samuel H. Griffin, jr.
Joseph B. Maher.	Albert S. Carter.

Ensign Elmer O. Davis to be a lieutenant (junior grade) in the Navy from the 4th day of June, 1930.

Ensign William S. Maxwell to be a lieutenant (junior grade) in the Navy from the 15th day of September, 1930.

Medical Inspector Frank X. Koltes to be a medical director in the Navy, with the rank of captain, from the 11th day of May, 1930.

The following-named assistant surgeons to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 5th day of June, 1930:

James R. Fulton.	Bernard S. Pupek.
Ralph H. Hofler.	Henry W. Patton.
James C. Drybread.	David W. Lyon, jr.
Hugo O. G. Wagner.	Bruce V. Leamer.
Rufus A. Schneiders.	LeRoy F. Farrell.
Charles G. McCormack.	David O. Zearbaugh.
Melvin D. Abbott.	

Passed Assistant Dental Surgeon John W. Grassl to be a dental surgeon in the Navy, with the rank of lieutenant commander, from the 7th day of July, 1930.

The following-named assistant dental surgeons to be passed assistant dental surgeons in the Navy, with the rank of lieutenant, from the 5th day of June, 1930:

William R. Burns.

Daniel W. Ryan.

The following-named citizens to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 8th day of July, 1930:

Charles F. Lynch, a citizen of New Jersey.

Curtiss W. Schantz, a citizen of Wisconsin.

Francis V. Lydon, a citizen of Massachusetts.

Albert E. Howell, a citizen of North Carolina.

Warren DeF. Sargeant, a citizen of Iowa, to be an assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade), from the 17th day of July, 1930.

Mack Meradith, a citizen of Oklahoma, to be an assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade), from the 1st day of November, 1930.

Pay Director Joseph J. Cheatham to be a pay director in the Navy, with the rank of rear admiral, from the 7th day of December, 1926.

Passed Assistant Paymaster Albert R. Schofield to be a paymaster in the Navy, with the rank of lieutenant commander, from the 31st day of August, 1929.

The following-named passed assistant paymasters to be paymasters in the Navy, with the rank of lieutenant commander, from the 7th day of January, 1930:

Robert L. Mabon.	Ernest M. Cronin.
Samuel B. Deal, jr.	Raymond V. Adams.

Passed Assistant Paymaster James D. Boyle to be a paymaster in the Navy, with the rank of lieutenant commander, from the 5th day of June, 1930.

Lieutenant (Junior Grade) Noble W. Lowrie to be an assistant paymaster in the Navy, with the rank of lieutenant (junior grade), from the 2d day of June, 1930.

Chief Pay Clerk Cecil O. Hamrick to be an assistant paymaster in the Navy, with the rank of ensign, from the 8th day of August, 1930.

Pay Clerk Robley E. Brown to be an assistant paymaster in the Navy, with the rank of ensign, from the 8th day of August, 1930.

James W. Boundy, a citizen of Washington, to be an assistant paymaster in the Navy with the rank of ensign, from the 29th day of August, 1930.

Willard C. Johnson, a citizen of Washington, to be an assistant paymaster in the Navy, with the rank of ensign, from the 11th day of October, 1930.

Thomas L. Becknell, jr., a citizen of Georgia, to be an assistant paymaster in the Navy, with the rank of ensign, from the 9th day of August, 1930.

James H. Payne, jr., a citizen of Massachusetts, to be an assistant paymaster in the Navy, with the rank of ensign, from the 20th day of August, 1930.

Onnie P. Lattu, a citizen of California, to be an assistant paymaster in the Navy, with the rank of ensign, from the 11th day of November, 1930.

The following-named acting chaplains to be chaplains in the Navy, with the rank of lieutenant, from the 5th day of June, 1930:

Colonel H. Mansfield.

Raymond B. Drinan.

The following-named assistant naval constructors to be naval constructors in the Navy, with the rank of lieutenant, from the 23d day of June, 1930:

Richard M. Watt, jr.	Charles D. Wheelock.
Robert K. Wells.	Oliver D. Colin, jr.
Mortimer E. Serat, jr.	Paul E. Pihl.
Ralph E. McShane.	William C. Powell.

The following-named boatswains to be chief boatswains in the Navy, to rank with but after ensign, from the 9th day of August, 1930:

Paul Smith.	Wilbur A. Therien.
Raymond V. Svendsen.	Edward J. McBride.
Alvin E. Bernson.	Francis E. Dowd.
Theron D. Carter.	Winfred B. Coats.
Edward H. Wootan.	Herman B. Conrad.
William C. Kasmire.	

Electrician Paul MacKay to be chief electrician in the Navy, to rank with but after ensign, from the 1st day of April, 1930.

The following-named electricians to be chief electricians in the Navy, to rank with but after ensign, from the 7th day of August, 1930:

Emil A. Rensch.	Samuel J. Schoenfeld.
Charles D. Koon.	William W. Townsend.
Franklin M. Lewis.	Charles C. Camara.
George Trauth.	

Radio Electrician Chester S. Denton to be a chief radio electrician in the Navy, to rank with but after ensign, from the 28th day of February, 1927.

The following-named radio electricians to be chief radio electricians in the Navy, to rank with but after ensign, from the 8th day of November, 1929:

Raymond C. Taylor.
Luke W. DuFresne.

Machinist Thomas E. McDonald to be a chief machinist in the Navy, to rank with but after ensign, from the 10th day of January, 1930.

The following-named machinists to be chief machinists in the Navy, to rank with but after ensign, from the 30th day of July, 1930:

Harry Melker.	John Sogorka.
Robert G. Weedon.	William C. Wilson.
Jasper M. Cook.	Elmo C. Lake.

Machinist Frank M. Hendricks to be a chief machinist in the Navy, to rank with but after ensign, from the 15th day of September, 1930.

The following-named pay clerks to be chief pay clerks in the Navy, to rank with but after ensign, from the 14th day of August, 1930:

Richard B. Murto, jr.	Walter M. Rotsten.
Walter A. Joyce.	Cannie A. Anderson.
Jack McCleery.	William Ward.
Ernest W. Bolton.	John W. Thomas.
Theodore B. Purvis.	Alexander J. Howard.

The following-named lieutenants to be lieutenants in the Navy, from the dates stated opposite their names to correct the date of rank as previously nominated and confirmed:

Willard J. Suits, June 3, 1929.
Chauncey Moore, June 6, 1929.
Robert B. Higgins, jr., June 13, 1929.
Howard E. Orem, June 15, 1929.
Bates H. Johnston, June 16, 1929.
Eugene E. Elmore, June 18, 1929.
Clarke H. Lewis, June 30, 1929.
Lloyd D. Follmer, July 1, 1929.
Clifford M. Alvord, July 16, 1929.
Walter E. Gist, July 26, 1929.
Charles A. Havard, August 1, 1929.
Thomas T. Beattie, August 2, 1929.
Charles O. Humphreys, August 6, 1929.
George R. Cooper, August 16, 1929.
Valvin R. Sinclair, September 1, 1929.
Harry Keeler, jr., September 6, 1929.
Augustus D. Clark, September 6, 1929.
Charles O. Comp, September 16, 1929.
Edward B. Arroyo, September 24, 1929.
Malcolm M. Gossett, September 27, 1929.
Jesse G. Coward, October 1, 1929.
Robert B. Rothwell, October 1, 1929.
Vernon Huber, October 10, 1929.
Peter J. Neimo, October 11, 1929.
Howard B. Hutchinson, October 13, 1929.
Halstead S. Covington, October 22, 1929.
Horace B. Butterfield, November 1, 1929.
John P. Cady, November 4, 1929.
Edwin E. Woods, November 4, 1929.
Edwin V. Raines, November 7, 1929.
Hubert W. Chanler, November 8, 1929.
Edward H. Pierce, November 10, 1929.
Raymond H. Tuttle, November 15, 1929.
Frank Akers, November 26, 1929.
William R. Terrell, December 7, 1929.
William B. Whaley, jr., December 11, 1929.
Robert C. Strong, jr., January 7, 1930.
Charles M. Furlow, jr., January 8, 1930.
Edward R. Durgin, January 9, 1930.
Frederick J. Eckhoff, January 9, 1930.
Leon J. Manees, January 12, 1930.
Robert A. Knapp, January 16, 1930.
Louis D. Libenow, January 19, 1930.
Rudolf L. Johnson, January 30, 1930.
Anthony R. Brady, February 1, 1930.
Arthur L. Pleasants, jr., February 7, 1930.
Beverly E. Carter, February 10, 1930.
Herbert E. Berger, February 16, 1930.
Roland P. Kauffman, February 17, 1930.
James G. Sampson, March 1, 1930.
Harry St. J. Butler, March 9, 1930.
Delbert S. Cornwell, March 16, 1930.
Byron S. Anderson, March 31, 1930.
Thomas Aldred, April 9, 1930.
Malcolm W. Pemberton, May 10, 1930.
John L. Nestor, June 1, 1930.

Commander Isaac C. Kidd to be a captain in the Navy from the 1st day of November, 1930.

Lieut. Henry E. Thornhill to be a lieutenant commander in the Navy from the 1st day of September, 1930.

Lieut. (Junior Grade) Thomas H. Kehoe to be a lieutenant in the Navy from the 11th day of March, 1930.

Lieut. (Junior Grade) Richard C. Scherrer to be a lieutenant in the Navy from the 21st day of May, 1930.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 2d day of June, 1930:

Liles W. Creighton.
Bosquet N. Wev.

Boatswain Lester R. Kaldenbach to be a chief boatswain in the Navy, to rank with but after ensign, from the 9th day of August, 1930.

Machinist Walter E. Kelly to be a chief machinist in the Navy, to rank with but after ensign, from the 30th day of July, 1930.

Pay Clerk Leigh W. Haydon to be a chief pay clerk in the Navy, to rank with but after ensign, from the 14th day of August, 1930.

POSTMASTERS

ALABAMA

Washington H. Carlisle to be postmaster at Alexander City, Ala., in place of W. M. Carlisle, appointee declined.

Clifford T. Harris to be postmaster at Columbia, Ala., in place of C. T. Harris. Incumbent's commission expired December 13, 1930.

Lillian R. Maugans to be postmaster at Eufaula, Ala., in place of L. R. Maugans. Incumbent's commission expired December 13, 1930.

Mary J. Anthony to be postmaster at Guin, Ala., in place of M. J. Anthony. Incumbent's commission expired January 13, 1930.

Silas E. Sanderson to be postmaster at Leighton, Ala., in place of S. E. Sanderson. Incumbent's commission expired December 13, 1930.

Emmett C. Sellers to be postmaster at McKenzie, Ala., in place of B. F. Beesley. Incumbent's commission expired February 23, 1930.

Frank F. Crowe to be postmaster at Montevallo, Ala., in place of F. F. Crowe. Incumbent's commission expires December 20, 1930.

William R. Bailey to be postmaster at Newbern, Ala., in place of W. R. Bailey. Incumbent's commission expired December 13, 1930.

ARIZONA

John Caretto to be postmaster at Bisbee, Ariz., in place of C. W. Hicks. Incumbent's commission expired June 30, 1930.

Charles J. Alden to be postmaster at Globe, Ariz., in place of C. J. Alden. Incumbent's commission expires December 20, 1930.

ARKANSAS

Raymond M. Jackson to be postmaster at Biscoe, Ark., in place of R. M. Jackson. Incumbent's commission expired December 10, 1930.

John L. Callahan to be postmaster at Booneville, Ark., in place of J. L. Callahan. Incumbent's commission expired December 10, 1930.

Perry W. Hampton to be postmaster at Glenwood, Ark., in place of P. W. Hampton. Incumbent's commission expired June 12, 1930.

Eston G. Berry to be postmaster at Magazine, Ark., in place of E. G. Berry. Incumbent's commission expired December 17, 1929.

Lindley M. Osborne to be postmaster at Marianna, Ark., in place of S. G. Helm, resigned.

CALIFORNIA

Walter S. Sullivan to be postmaster at Agnew, Calif., in place of W. S. Sullivan. Incumbent's commission expires December 17, 1930.

Edward F. Hopkins to be postmaster at Arroyo Grande, Calif., in place of E. F. Hopkins. Incumbent's commission expires December 21, 1930.

Elmer B. Whitson to be postmaster at Balboa, Calif., in place of E. B. Whitson. Incumbent's commission expires December 21, 1930.

Howard C. McCaughey to be postmaster at Bodega, Calif. Office became presidential July 1, 1930.

Fred W. Stein to be postmaster at Camarillo, Calif., in place of F. W. Stein. Incumbent's commission expires December 17, 1930.

Harry C. Smith to be postmaster at Campbell, Calif., in place of H. C. Smith. Incumbent's commission expires December 17, 1930.

James A. Lewis to be postmaster at Carpinteria, Calif., in place of J. A. Lewis. Incumbent's commission expires December 21, 1930.

Gilbert M. Aylesworth to be postmaster at Cupertino, Calif., in place of G. M. Aylesworth. Incumbent's commission expires December 17, 1930.

Harrison P. Gower to be postmaster at Death Valley, Calif., in place of F. W. Corkill, resigned.

Noah A. Mackey to be postmaster at Imperial, Calif., in place of N. A. Mackey. Incumbent's commission expired December 13, 1930.

Phyllis V. Gleason to be postmaster at King City, Calif., in place of P. V. Gleason. Incumbent's commission expires December 21, 1930.

Norman F. Densmore to be postmaster at Laton, Calif., in place of N. F. Densmore. Incumbent's commission expires December 17, 1930.

Frank S. Farquhar to be postmaster at Livingston, Calif., in place of F. S. Farquhar. Incumbent's commission expires December 17, 1930.

Don C. Saunders to be postmaster at Lompoc, Calif., in place of D. C. Saunders. Incumbent's commission expires December 17, 1930.

Ida P. Naylor to be postmaster at Newport Beach, Calif., in place of I. P. Naylor. Incumbent's commission expires December 21, 1930.

Clarence L. Pratt to be postmaster at Pacific Beach, Calif., in place of C. L. Pratt. Incumbent's commission expired December 13, 1930.

Florence E. Cornelius to be postmaster at Piru, Calif., in place of F. E. Cornelius. Incumbent's commission expires December 17, 1930.

James B. Rickard to be postmaster at Santa Barbara, Calif., in place of J. B. Rickard. Incumbent's commission expires December 17, 1930.

Frederic W. Stahler to be postmaster at Yorba Linda, Calif., in place of F. W. Stahler. Incumbent's commission expired December 13, 1930.

COLORADO

Ethel R. Quinn to be postmaster at Cheyenne Wells, Colo., in place of E. R. Quinn. Incumbent's commission expired December 10, 1930.

William H. Cochran, jr., to be postmaster at Del Norte, Colo., in place of W. H. Cochran, jr. Incumbent's commission expired December 14, 1930.

Barnett F. Greene to be postmaster at Dolores, Colo., in place of B. F. Greene. Incumbent's commission expired December 10, 1930.

John W. Moore to be postmaster at Las Animas, Colo., in place of J. W. Moore. Incumbent's commission expires December 21, 1930.

John C. Callaghan to be postmaster at Westcliffe, Colo., in place of J. C. Callaghan. Incumbent's commission expires December 21, 1930.

CONNECTICUT

Charles K. Bailey to be postmaster at Bethel, Conn., in place of C. K. Bailey. Incumbent's commission expired December 13, 1930.

Elbert B. Austin to be postmaster at Cromwell, Conn., in place of E. B. Austin. Incumbent's commission expired December 13, 1930.

Archibald Macdonald to be postmaster at Putnam, Conn., in place of Archibald Macdonald. Incumbent's commission expired December 13, 1930.

Edmund E. Crowe to be postmaster at South Norwalk, Conn., in place of E. E. Crowe. Incumbent's commission expired December 13, 1930.

FLORIDA

Edward S. French to be postmaster at Belleview, Fla., in place of E. S. French. Incumbent's commission expires December 21, 1930.

James C. Young to be postmaster at Dunnellon, Fla., in place of G. J. Pedrick. Incumbent's commission expires December 18, 1929.

Burdett Loomis, jr., to be postmaster at Pierce, Fla. Office became presidential July 1, 1930.

Ida V. Dalton to be postmaster at Vernon, Fla., in place of I. V. Dalton. Incumbent's commission expires December 21, 1930.

GEORGIA

Annie K. Bunn to be postmaster at Cedartown, Ga., in place of A. K. Bunn. Incumbent's commission expires December 22, 1930.

Sherril T. Fassister to be postmaster at Cornelia, Ga., in place of J. H. Foster. Incumbent's commission expired June 7, 1930.

Mrs. Alexander S. Clay to be postmaster at Marietta, Ga., in place of Mrs. A. S. Clay. Incumbent's commission expired December 11, 1930.

IDAHO

Oliver E. Norell to be postmaster at Mountain Home, Idaho, in place of O. E. Norell. Incumbent's commission expired December 10, 1930.

Warren P. Jones to be postmaster at Priest River, Idaho, in place of W. P. Jones. Incumbent's commission expired December 10, 1930.

ILLINOIS

Edgar H. Chadwick to be postmaster at Ashton, Ill., in place of E. H. Chadwick. Incumbent's commission expired December 14, 1930.

William Ryder to be postmaster at Auburn, Ill., in place of William Ryder. Incumbent's commission expired December 14, 1930.

Herman Semmelroth to be postmaster at Belleville, Ill., in place of Herman Semmelroth. Incumbent's commission expires December 22, 1930.

William Kitts, jr., to be postmaster at Bellflower, Ill., in place of William Kitts, jr. Incumbent's commission expired December 11, 1930.

Leonard J. Obery to be postmaster at Chestnut, Ill., in place of L. J. Obery. Incumbent's commission expired December 11, 1930.

Henry C. Voegtle to be postmaster at Collinsville, Ill., in place of W. K. Lepp, resigned.

Earl D. Husted to be postmaster at Cornell, Ill., in place of E. D. Husted. Incumbent's commission expired December 11, 1930.

Louis R. Kelly to be postmaster at Duquoin, Ill., in place of L. R. Kelly. Incumbent's commission expired December 11, 1930.

William W. Austin to be postmaster at Effingham, Ill., in place of W. W. Austin. Incumbent's commission expired June 16, 1930.

Herbert W. Greene to be postmaster at Fairbury, Ill., in place of A. K. Hirstein, removed.

Frank G. Doney to be postmaster at Fithian, Ill., in place of F. G. Doney. Incumbent's commission expired December 11, 1930.

George V. Robinson to be postmaster at Forrest, Ill., in place of G. V. Robinson. Incumbent's commission expired April 28, 1930.

Mary F. Robbins to be postmaster at Glenwood, Ill., in place of M. F. Robbins. Incumbent's commission expired December 11, 1930.

Walter A. Leigh to be postmaster at Jerseyville, Ill., in place of W. A. Leigh. Incumbent's commission expired December 14, 1930.

Fuller Green to be postmaster at Kenney, Ill., in place of Fuller Green. Incumbent's commission expired December 11, 1930.

Orlando H. Akin to be postmaster at Kirkwood, Ill., in place of O. H. Akin. Incumbent's commission expired December 14, 1930.

Thomas W. Collins to be postmaster at Knoxville, Ill., in place of T. W. Collins. Incumbent's commission expired December 11, 1930.

Walter C. Howe to be postmaster at Latham, Ill., in place of W. C. Howe. Incumbent's commission expires December 22, 1930.

Harvey T. Smith to be postmaster at Mendon, Ill., in place of J. B. Frisbie, deceased.

Virgil G. Beauchamp to be postmaster at Meredosia, Ill., in place of V. G. Beauchamp. Incumbent's commission expired December 11, 1930.

Lester Cromwell to be postmaster at Momence, Ill., in place of Lester Cromwell. Incumbent's commission expired December 11, 1930.

Laura B. Hayes to be postmaster at Monroe Center, Ill., in place of L. B. Hayes. Incumbent's commission expired December 11, 1930.

Benjamin A. Kent to be postmaster at Morrisonville, Ill., in place of B. A. Kent. Incumbent's commission expires December 22, 1930.

Franklin S. Lyman to be postmaster at Oak Forest, Ill., in place of F. S. Lyman. Incumbent's commission expired December 14, 1930.

Rue L. Witham to be postmaster at Perry, Ill., in place of A. M. Reineke. Incumbent's commission expired July 3, 1930.

Albert Weiland to be postmaster at Peru, Ill., in place of Albert Weiland. Incumbent's commission expires December 22, 1930.

William C. Roodhouse to be postmaster at Roodhouse, Ill., in place of W. C. Roodhouse. Incumbent's commission expired December 14, 1930.

Viola M. Rowland to be postmaster at Rutland, Ill., in place of V. M. Rowland. Incumbent's commission expires December 22, 1930.

Daniel B. Comegys to be postmaster at Seneca, Ill., in place of D. B. Comegys. Incumbent's commission expires December 22, 1930.

Thomas A. Brown to be postmaster at Sparta, Ill., in place of T. A. Brown. Incumbent's commission expired December 14, 1930.

Frances E. Tinker to be postmaster at Stonington, Ill., in place of F. E. Tinker. Incumbent's commission expired December 14, 1930.

Abraham L. Houk to be postmaster at Tuscola, Ill., in place of A. L. Houk. Incumbent's commission expires December 22, 1930.

Robert E. Laycock to be postmaster at Ursa, Ill., in place of Priscilla Crandal, resigned.

Edwin G. Meyer to be postmaster at Valmeyer, Ill., in place of E. G. Meyer. Incumbent's commission expires December 22, 1930.

Lucila H. McCoid to be postmaster at Venice, Ill., in place of L. H. McCoid. Incumbent's commission expired December 11, 1930.

Joseph E. Shantz to be postmaster at Wilmette, Ill., in place of J. E. Shantz. Incumbent's commission expired December 14, 1930.

INDIANA

Charles A. Gatwood to be postmaster at Albion, Ind., in place of C. A. Gatwood. Incumbent's commission expired December 14, 1930.

Pearle Coffin to be postmaster at Carthage, Ind., in place of Pearle Coffin. Incumbent's commission expired December 14, 1930.

McKinley Ayer to be postmaster at Chrisney, Ind., in place of McKinley Ayer. Incumbent's commission expired December 21, 1929.

John Walker to be postmaster at Fortville, Ind., in place of G. H. Thomas, resigned.

John B. Fornwald to be postmaster at Gaston Ind., in place of J. B. Fornwald. Incumbent's commission expires December 17, 1930.

Albert Neuenschwander to be postmaster at Grabill, Ind., in place of Albert Neuenschwander. Incumbent's commission expires December 17, 1930.

William B. Thornley to be postmaster at Jeffersonville, Ind., in place of W. B. Thornley. Incumbent's commission expired December 13, 1930.

Phineas O. Small to be postmaster at La Porte, Ind., in place of P. O. Small. Incumbent's commission expires December 21, 1930.

Nell Manley to be postmaster at Laurel, Ind., in place of Nell Manley. Incumbent's commission expires December 17, 1930.

William S. Milner to be postmaster at Ligonier, Ind., in place of W. S. Milner. Incumbent's commission expires December 17, 1930.

David R. Scott to be postmaster at Linton, Ind., in place of H. O. Hart, deceased.

Floyd E. Leonard to be postmaster at Mulberry, Ind., in place of F. E. Leonard. Incumbent's commission expired December 14, 1930.

Sam J. Bufkin to be postmaster at Newcastle, Ind., in place of S. J. Bufkin. Incumbent's commission expired December 13, 1930.

George E. Young to be postmaster at Shelbyville, Ind., in place of G. E. Young. Incumbent's commission expired December 13, 1930.

IOWA

Carl G. Anderson to be postmaster at Arthur, Iowa, in place of C. G. Anderson. Incumbent's commission expired December 10, 1930.

Carl E. Meek to be postmaster at Bonaparte, Iowa, in place of C. E. Meek. Incumbent's commission expired December 10, 1930.

Arden W. Keeney to be postmaster at Carlisle, Iowa, in place of A. W. Keeney. Incumbent's commission expires December 16, 1930.

H. Asa Jones to be postmaster at Charter Oak, Iowa, in place of E. F. Glau. Incumbent's commission expired March 30, 1930.

Arthur Ingraham to be postmaster at Conesville, Iowa, in place of Arthur Ingraham. Incumbent's commission expired December 10, 1930.

Gilbert R. West to be postmaster at Corydon, Iowa, in place of G. R. West. Incumbent's commission expired December 10, 1930.

George C. Lloyd to be postmaster at Dallas Center, Iowa, in place of G. C. Lloyd. Incumbent's commission expires December 16, 1930.

William W. Andrew to be postmaster at Dexter, Iowa, in place of W. W. Andrew. Incumbent's commission expires December 21, 1930.

Rhea Sowers to be postmaster at Henderson, Iowa, in place of F. H. Casebolt. Incumbent's commission expired July 2, 1930.

George W. Kennedy to be postmaster at Montrose, Iowa, in place of G. W. Kennedy. Incumbent's commission expires December 16, 1930.

Charles S. Walling to be postmaster at Oskaloosa, Iowa, in place of C. S. Walling. Incumbent's commission expires December 16, 1930.

Homer A. Roth to be postmaster at Ottumwa, Iowa, in place of H. A. Roth. Incumbent's commission expired December 10, 1930.

Frank M. Hood to be postmaster at Sergeant Bluff, Iowa, in place of F. M. Hood. Incumbent's commission expired July 2, 1930.

Anna M. Beck to be postmaster at Solon, Iowa, in place of A. M. Beck. Incumbent's commission expires December 16, 1930.

Cecil E. Wherry to be postmaster at Wyoming, Iowa, in place of C. E. Wherry. Incumbent's commission expires December 16, 1930.

David L. Rundberg to be postmaster at Yale, Iowa, in place of P. W. Hummel, resigned.

KANSAS

Anna B. Jennings to be postmaster at Arnold, Kans. Made presidential July 1, 1930.

Wilbur B. Morris to be postmaster at Eldorado, Kans., in place of W. B. Morris. Incumbent's commission expired December 14, 1930.

Harriet P. Lowell to be postmaster at Fall River, Kans., in place of H. P. Lowell. Incumbent's commission expired December 14, 1930.

Harry W. Mudge to be postmaster at Gridley, Kans., in place of H. W. Mudge. Incumbent's commission expired December 14, 1930.

Maude P. Evans to be postmaster at Hartford, Kans., in place of M. P. Evans. Incumbent's commission expired December 14, 1930.

Wiley Caves to be postmaster to Inman, Kans., in place of Wiley Caves. Incumbent's commission expired December 13, 1930.

Theodore H. Rinne to be postmaster at Kinsley, Kans., in place of A. F. Aderhold. Incumbent's commission expired January 18, 1930.

Roy C. Mortimer to be postmaster at McCracken, Kans., in place of R. C. Mortimer. Incumbent's commission expires December 20, 1930.

John F. Oliver to be postmaster at Oxford, Kans., in place of J. F. Oliver. Incumbent's commission expired December 13, 1930.

Gertrude H. Nuttmann to be postmaster at Paxico, Kans., in place of J. F. Nuttmann, deceased.

Ella J. Starr to be postmaster at Scott City, Kans., in place of E. J. Starr. Incumbent's commission expired May 6, 1930.

Bessie W. Brennan to be postmaster at Strong, Kans., in place of B. W. Brennan. Incumbent's commission expired December 13, 1930.

Caroline Boman to be postmaster at Virgil, Kans., in place of Caroline Boman. Incumbent's commission expires December 20, 1930.

Henry N. Jessen to be postmaster at White Water, Kans., in place of H. N. Jessen. Incumbent's commission expires December 20, 1930.

KENTUCKY

Hobart Ison to be postmaster at Blackey, Ky., in place of Hobart Ison. Incumbent's commission expires December 21, 1930.

Mike C. Winfrey to be postmaster at Columbia, Ky., in place of M. C. Winfrey. Incumbent's commission expired March 22, 1930.

William H. Sergent to be postmaster at Jenkins, Ky., in place of W. H. Sergent. Incumbent's commission expired March 25, 1930.

Willis D. McCammish to be postmaster at Versailles, Ky., in place of U. G. Willis, resigned.

LOUISIANA

Marcie M. Rogers to be postmaster at Baldwin, La., in place of L. A. Shaw, removed.

David Dunn to be postmaster at Columbia, La., in place of David Dunn. Incumbent's commission expired December 14, 1930.

Kate P. McDonnell to be postmaster at Pelican, La., in place of K. P. McDonnell. Incumbent's commission expired December 14, 1930.

Jesse R. Ramsey to be postmaster at Pleasant Hill, La., in place of J. R. Ramsey. Incumbent's commission expires December 21, 1930.

Beckie D. Bradford to be postmaster at Tullos, La., in place of B. D. Bradford. Incumbent's commission expired December 14, 1930.

MAINE

Cleo A. Russell to be postmaster at Bethel, Me., in place of C. A. Russell. Incumbent's commission expired December 14, 1930.

Ray Winchenpaw to be postmaster at Friendship, Me., in place of Ray Winchenpaw. Incumbent's commission expired December 14, 1930.

Frank E. Hoyt to be postmaster at Gorham, Me., in place of F. E. Hoyt. Incumbent's commission expired December 10, 1930.

George W. Hopkins to be postmaster at Howland, Me., in place of G. W. Hopkins. Incumbent's commission expired June 8, 1930.

Ellsworth W. Sawyer to be postmaster at Kezar Falls, Me., in place of E. W. Sawyer. Incumbent's commission expired December 14, 1930.

Luther C. Spiller to be postmaster at Mechanic Falls, Me., in place of L. C. Spiller. Incumbent's commission expired December 10, 1930.

Leonard O. Meader to be postmaster at North Berwick, Me., in place of L. O. Meader. Incumbent's commission expired December 14, 1930.

Velorus T. Shaw to be postmaster at Prouts Neck, Me., in place of V. T. Shaw. Incumbent's commission expired December 10, 1930.

Harry N. Ferguson to be postmaster at Sanford, Me., in place of H. N. Ferguson. Incumbent's commission expired December 14, 1930.

Joe P. Davis to be postmaster at South Berwick, Me., in place of J. P. Davis. Incumbent's commission expired December 14, 1930.

Thomas R. McPhail to be postmaster at Thomaston, Me., in place of T. R. McPhail. Incumbent's commission expired December 14, 1930.

William C. Flint to be postmaster at Waldoboro, Me., in place of W. C. Flint. Incumbent's commission expired December 14, 1930.

MARYLAND

LeRoy T. Mankin to be postmaster at Fort George G. Meade, Md., in place of L. T. Mankin. Incumbent's commission expires December 16, 1930.

Arthur S. Calhoun to be postmaster at Parkton, Md., in place of A. S. Calhoun. Incumbent's commission expires December 16, 1930.

William H. Condiff to be postmaster at Solomons, Md., in place of W. H. Condiff. Incumbent's commission expires December 16, 1930.

Thomas H. Lytle to be postmaster at White Hall, Md., in place of J. F. Wiley. Incumbent's commission expired May 21, 1930.

MASSACHUSETTS

Henry L. Pierce to be postmaster at Barre, Mass., in place of H. L. Pierce. Incumbent's commission expires December 21, 1930.

Almon L. Pratt to be postmaster at Belchertown, Mass., in place of A. L. Pratt. Incumbent's commission expires December 21, 1930.

Alfred A. Averill to be postmaster at Edgartown, Mass., in place of A. A. Averill. Incumbent's commission expires December 21, 1930.

Clarence E. Arnold to be postmaster at Hopedale, Mass., in place of C. E. Arnold. Incumbent's commission expires December 21, 1930.

Louise S. Snow to be postmaster at Middleton, Mass., in place of L. S. Snow. Incumbent's commission expires December 21, 1930.

Nathaniel E. Lewis to be postmaster at Provincetown, Mass., in place of N. E. Lewis. Incumbent's commission expires December 21, 1930.

Edgar S. Woodman to be postmaster at West Medway, Mass., in place of E. S. Woodman. Incumbent's commission expires December 21, 1930.

Samuel Highley to be postmaster at Woburn, Mass., in place of Samuel Highley. Incumbent's commission expired December 14, 1929.

MICHIGAN

Leroy M. Gunniss to be postmaster at Algonac, Mich., in place of L. M. Gunniss. Incumbent's commission expires January 14, 1931.

Marie L. Mottes to be postmaster at Alpha, Mich., in place of M. L. Mottes. Incumbent's commission expires December 21, 1930.

Ernest E. Hawes to be postmaster at Applegate, Mich., in place of E. E. Hawes. Incumbent's commission expired December 11, 1930.

Charles F. Waldie to be postmaster at Bancroft, Mich., in place of C. F. Waldie. Incumbent's commission expired December 14, 1930.

Henry E. Cowdin to be postmaster at Carson City, Mich., in place of H. E. Cowdin. Incumbent's commission expired December 14, 1930.

John M. Eusebio to be postmaster at Caspian, Mich., in place of E. J. Crete, removed.

Samuel C. Kirkbride to be postmaster at Clare, Mich., in place of S. C. Kirkbride. Incumbent's commission expired December 11, 1930.

Charles M. Vermilya to be postmaster at Columbiaville, Mich., in place of C. M. Vermilya. Incumbent's commission expired December 11, 1930.

Asa B. Freeman to be postmaster at Durand, Mich., in place of A. B. Freeman. Incumbent's commission expired December 14, 1930.

Otto C. Miller to be postmaster at East Detroit, Mich., in place of O. C. Miller. Incumbent's commission expired December 11, 1930.

Louis Gee to be postmaster at Farwell, Mich., in place of Louis Gee. Incumbent's commission expired December 14, 1930.

Ernest E. Yerdon to be postmaster at Fenton, Mich., in place of E. E. Yerdon. Incumbent's commission expired December 14, 1930.

Flora Van Zinderen to be postmaster at Grandville, Mich., in place of Flora Van Zinderen. Incumbent's commission expired December 11, 1930.

Henry I. Walker to be postmaster at Greenville, Mich., in place of H. I. Walker. Incumbent's commission expires December 22, 1930.

Edna Donohue to be postmaster at Gregory, Mich., in place of Edna Donohue. Incumbent's commission expired December 14, 1930.

Ethel P. Colwell to be postmaster at Harrisville, Mich., in place of E. P. Colwell. Incumbent's commission expired December 11, 1930.

Fred B. Kay to be postmaster at Lapeer, Mich., in place of F. B. Kay. Incumbent's commission expired December 11, 1930.

George H. Steadman to be postmaster at Lyons, Mich., in place of G. H. Steadman. Incumbent's commission expired December 14, 1930.

John P. Robertson to be postmaster at Metamora, Mich., in place of J. P. Robertson. Incumbent's commission expired December 11, 1930.

Charles J. Kappler to be postmaster at Port Austin, Mich., in place of C. J. Kappler. Incumbent's commission expires January 18, 1931.

Thomas S. Scupholm to be postmaster at Port Huron, Mich., in place of T. S. Scupholm. Incumbent's commission expired December 14, 1930.

John B. Hecox to be postmaster at Portland, Mich., in place of C. T. Lockwood, resigned.

Frank L. Brighenti to be postmaster at Ramsay, Mich., in place of M. A. Brami, resigned.

Charles H. Dodge to be postmaster at Romeo, Mich., in place of C. H. Dodge. Incumbent's commission expires January 18, 1931.

Menno C. Weber to be postmaster at Saranac, Mich., in place of M. C. Weber. Incumbent's commission expired December 11, 1930.

Bert Green to be postmaster at Shepherd, Mich., in place of Bert Green. Incumbent's commission expired December 11, 1930.

James V. Baker to be postmaster at South Lyon, Mich., in place of J. V. Baker. Incumbent's commission expired December 14, 1930.

George Q. Brace to be postmaster at Sparta, Mich., in place of G. Q. Brace. Incumbent's commission expired December 14, 1930.

Oscar W. Greenlund to be postmaster at Stambaugh, Mich., in place of O. W. Greenlund. Incumbent's commission expires December 21, 1930.

Frank P. Church to be postmaster at Stanton, Mich., in place of F. P. Church. Incumbent's commission expires December 21, 1930.

David F. Jones to be postmaster at Unionville, Mich., in place of D. F. Jones. Incumbent's commission expires January 29, 1931.

Enoch J. Andrus to be postmaster at Utica, Mich., in place of E. J. Andrus. Incumbent's commission expired December 14, 1930.

Christopher J. Bristow to be postmaster at Van Dyke, Mich., in place of C. J. Bristow. Incumbent's commission expired December 14, 1930.

James M. Carr to be postmaster at Vassar, Mich., in place of J. M. Carr. Incumbent's commission expired December 11, 1930.

Bea Kelly to be postmaster at Watersmeet, Mich., in place of J. L. Kelly, resigned.

MINNESOTA

Stanley E. Nelson to be postmaster at Adrian, Minn., in place of S. E. Nelson. Incumbent's commission expires December 21, 1930.

Edward R. Bell to be postmaster at Akeley, Minn., in place of E. R. Bell. Incumbent's commission expires December 22, 1930.

John O. Gullander to be postmaster at Belgrade, Minn., in place of J. O. Gullander. Incumbent's commission expires December 22, 1930.

Olney A. Solberg to be postmaster at Brooten, Minn., in place of O. A. Solberg. Incumbent's commission expires December 17, 1930.

Mathias N. Koll to be postmaster at Cass Lake, Minn., in place of N. W. Christensen, resigned.

Michael Hollaren to be postmaster at Ellsworth, Minn., in place of Michael Hollaren. Incumbent's commission expired March 11, 1930.

Claude W. Tucker to be postmaster at Fort Ripley, Minn., in place of C. W. Tucker. Incumbent's commission expires December 17, 1930.

Clyde H. Hiatt to be postmaster at Granada, Minn., in place of C. H. Hiatt. Incumbent's commission expires December 17, 1930.

Carl J. Johnson to be postmaster at Hendricks, Minn., in place of C. J. Johnson. Incumbent's commission expires December 17, 1930.

Herman E. Kent to be postmaster at Sanborn, Minn., in place of H. E. Kent. Incumbent's commission expires December 22, 1930.

Arnold J. Bauer to be postmaster at Wabasso, Minn., in place of Joseph Groebner. Incumbent's commission expired March 11, 1930.

MISSISSIPPI

Matthew T. Patton to be postmaster at Alcorn, Miss., in place of M. T. Patton. Incumbent's commission expired July 2, 1930.

John R. Meunier to be postmaster at Biloxi, Miss., in place of J. R. Meunier. Incumbent's commission expired January 5, 1930.

Hugh A. Sasser to be postmaster at Bogue Chitto, Miss., in place of H. A. Sasser. Incumbent's commission expired July 2, 1930.

William C. Bailey to be postmaster at Como, Miss., in place of A. M. Patterson. Incumbent's commission expired July 2, 1930.

Mary A. Joyner to be postmaster at Houlka, Miss., in place of I. N. Joyner, deceased.

Roy Scott to be postmaster at Lake Cormorant, Miss., in place of N. M. Scott. Incumbent's commission expired March 11, 1930.

Charles C. Swetman to be postmaster at Perkinston, Miss., in place of C. C. Swetman. Incumbent's commission expired June 7, 1930.

Henry P. Patton to be postmaster at Sardis, Miss., in place of H. P. Patton. Incumbent's commission expired April 13, 1930.

Bill J. Martin to be postmaster at Vosburg, Miss., in place of A. N. Utsey. Incumbent's commission expired February 17, 1929.

MISSOURI

William O. Roberts to be postmaster at Doniphan, Mo., in place of J. J. Kennon, deceased.

Edward A. Hackmann to be postmaster at Fayette, Mo., in place of A. B. Cloud. Incumbent's commission expired December 22, 1929.

Charles E. Bedell to be postmaster at Hale, Mo., in place of C. E. Bedell. Incumbent's commission expires December 17, 1930.

MONTANA

Pontus C. Haegg to be postmaster at Charlo, Mont. Office became presidential July 1, 1930.

John B. Randall to be postmaster at Wolf Point, Mont., in place of J. B. Randall. Incumbent's commission expires December 21, 1930.

NEBRASKA

Clarence L. Snyder to be postmaster at Bushnell, Nebr., in place of C. L. Snyder. Incumbent's commission expired December 11, 1930.

William J. Allen to be postmaster at Fort Robinson, Nebr. Office became presidential July 1, 1930.

Orpha A. McCray to be postmaster at Merriman, Nebr., in place of Charles McCray, deceased.

Edward E. Ely to be postmaster at Milford, Nebr., in place of E. E. Ely. Incumbent's commission expires December 21, 1930.

Margaret E. Gleason to be postmaster at Platte Center, Nebr., in place of M. M. Gleason, resigned.

NEVADA

Mabel L. Andrews to be postmaster at Hawthorne, Nev. Office became presidential July 1, 1929.

NEW HAMPSHIRE

Willard G. Holt to be postmaster at Epping, N. H., in place of W. G. Holt. Incumbent's commission expired December 11, 1930.

NEW JERSEY

Clara C. Hurry to be postmaster at Atco, N. J., in place of C. C. Hurry. Incumbent's commission expired April 20, 1930.

J. Ernest Spencer to be postmaster at Beachhaven, N. J., in place of J. A. Beer, resigned.

Forman R. Thompson to be postmaster at Matawan, N. J., in place of F. R. Thompson. Incumbent's commission expires December 21, 1930.

William D. Dolbeer to be postmaster at Millburn, N. J., in place of G. C. Kessler, deceased.

Frank J. Bock to be postmaster at Newark, N. J., in place of F. J. Bock. Incumbent's commission expired December 21, 1929.

J. Reeves Hildreth to be postmaster at Ocean City, N. J., in place of E. A. Corson, deceased.

William S. Dey to be postmaster at South Amboy, N. J., in place of Robert Chapman, resigned.

Charles H. Updike to be postmaster at Trenton, N. J., in place of C. H. Updike. Incumbent's commission expires December 21, 1930.

NEW YORK

Pearla S. Kling to be postmaster at Albany, N. Y., in place of P. S. Kling. Incumbent's commission expired December 11, 1930.

Ernest R. Netzen to be postmaster at Alexander, N. Y. Office became presidential July 1, 1930.

George I. Yost to be postmaster at Ballston Spa, N. Y., in place of G. I. Yost. Incumbent's commission expired December 11, 1930.

Jennie E. Carroll to be postmaster at Cuylerville, N. Y., in place of J. E. Carroll. Incumbent's commission expires December 21, 1930.

Karl L. Whipple to be postmaster at Dannemora, N. Y., in place of L. H. Buck, resigned.

Frederick A. Lowe to be postmaster at Fayetteville, N. Y., in place of H. J. Goodfellow. Incumbent's commission expired March 16, 1930.

I. Wallace Fish to be postmaster at Frankfort, N. Y., in place of R. J. Fuller, deceased.

Henry C. Almy to be postmaster at Friendship, N. Y., in place of H. C. Almy. Incumbent's commission expires December 21, 1930.

Thomas W. Hamer to be postmaster at Lacona, N. Y., in place of T. W. Hamer. Incumbent's commission expires December 21, 1930.

Henry T. Kenyon to be postmaster at Leonardsville, N. Y., in place of H. T. Kenyon. Incumbent's commission expired December 11, 1930.

William H. Ordway to be postmaster at Mount McGregor, N. Y., in place of W. H. Ordway. Incumbent's commission expired December 11, 1930.

William V. Wagner to be postmaster at Nanuet, N. Y., in place of G. M. Edsall, resigned.

Edmund E. Westerman to be postmaster at Pittsford, N. Y., in place of E. E. Westerman. Incumbent's commission expires December 21, 1930.

Hobert Lester to be postmaster at Richland, N. Y., in place of W. D. Streeter, deceased.

George E. Clark to be postmaster at Romulus, N. Y., in place of G. E. Clark. Incumbent's commission expired December 11, 1930.

William P. Andres to be postmaster at Round Lake, N. Y., in place of Elizabeth May. Incumbent's commission expired May 20, 1930.

Rollin G. Giffin to be postmaster at St. Regis Falls, N. Y., in place of E. E. Bandy. Incumbent's commission expired May 20, 1930.

Helen L. Wilcox to be postmaster at Shelter Island Heights, N. Y., in place of H. L. Wilcox. Incumbent's commission expired January 29, 1930.

Caroline A. R. Roberson to be postmaster at Shushan, N. Y., in place of Frank Dobbin, resigned.

August P. Lenz to be postmaster at Thendara, N. Y. Office became presidential July 1, 1930.

William C. Raynor to be postmaster at West Hampton, N. Y. Office became presidential July 1, 1930.

Frank E. Everest to be postmaster at Wilmington, N. Y. Office became presidential July 1, 1930.

NORTH CAROLINA

Jack M. Sentelle to be postmaster at Clyde, N. C., in place of J. W. Shook. Incumbent's commission expired January 26, 1930.

Luadan V. Rhyne to be postmaster at Dallas, N. C., in place of L. V. Rhyne. Incumbent's commission expired April 14, 1930.

Halbert A. Thompson to be postmaster at Fairmont, N. C., in place of J. D. Andrews. Incumbent's commission expired March 23, 1930.

George T. Whitaker to be postmaster at Franklinton, N. C., in place of G. T. Whitaker. Incumbent's commission expired April 13, 1930.

Cadmus P. Wright to be postmaster at Henderson, N. C., in place of V. W. Faris, resigned.

James F. Setzer to be postmaster at Hickory, N. C., in place of H. H. Miller. Incumbent's commission expired March 23, 1930.

Herman A. Merrell to be postmaster at Leicester, N. C. Office became presidential July 1, 1930.

Christopher H. Mattocks to be postmaster at Maysville, N. C., in place of C. H. Mattocks. Incumbent's commission expired March 29, 1930.

Mary E. Ross to be postmaster at New London, N. C. Office became presidential July 1, 1930.

Charles A. Bland to be postmaster at Wadesboro, N. C., in place of C. A. Bland. Incumbent's commission expired December 14, 1930.

Wiley B. Knowles to be postmaster at Wallace, N. C., in place of W. B. Knowles. Incumbent's commission expires December 21, 1930.

Fred T. Tucker to be postmaster at Wilmington, N. C., in place of W. G. Elliott, deceased.

NORTH DAKOTA

Ruth Y. Hardy to be postmaster at Burnstad, N. Dak. Office became presidential July 1, 1930.

Daisy Thompson to be postmaster at Carpio, N. Dak., in place of Daisy Thompson. Incumbent's commisson expired January 5, 1930.

Jacob Krier to be postmaster at Gladstone, N. Dak., in place of Jacob Krier. Incumbent's commission expired June 21, 1930.

Carl C. Harr to be postmaster at Martin, N. Dak., in place of C. C. Harr. Incumbent's commission expires December 16, 1930.

Elvin J. Elstad to be postmaster at Rugby, N. Dak., in place of E. J. Elstad. Incumbent's commission expires December 16, 1930.

Thomas H. Tharalson to be postmaster at San Haven, N. Dak. Office became presidential July 1, 1930.

OHIO

Berman K. Smith to be postmaster at Arcanum, Ohio, in place of B. K. Smith. Incumbent's commission expires December 17, 1930.

Charles E. McClelland to be postmaster at Attica, Ohio, in place of C. E. McClelland. Incumbent's commission expired December 13, 1930.

William Compton, jr., to be postmaster at Blacklick, Ohio. Office became presidential July 1, 1930.

J. Schuyler Hossler to be postmaster at Bloomville, Ohio, in place of J. S. Hossler. Incumbent's commission expired December 13, 1930.

Faith H. Malsbary to be postmaster at Blue Ash, Ohio. Office became presidential July 1, 1930.

James U. Riley to be postmaster at Brookville, Ohio, in place of J. U. Riley. Incumbent's commission expired December 13, 1930.

Clarence E. McCafferty to be postmaster at Chauncey, Ohio. Office became presidential July 1, 1930.

Fred S. McCoy to be postmaster at Fairlawn, Ohio. Office became presidential July 1, 1930.

Albert W. Griswold to be postmaster at Georgetown, Ohio, in place of A. W. Griswold. Incumbent's commission expires December 21, 1930.

George R. Warren to be postmaster at Groveport, Ohio, in place of G. R. Warren. Incumbent's commission expires December 17, 1930.

Arthur H. Wood to be postmaster at Holland, Ohio. Office became presidential July 1, 1930.

George M. Jenkins to be postmaster at Huron, Ohio, in place of E. E. Cook, deceased.

Charles S. Case to be postmaster at Jefferson, Ohio, in place of C. S. Case. Incumbent's commission expired December 13, 1930.

Fred G. Bates to be postmaster at Madison, Ohio, in place of F. G. Bates. Incumbent's commission expires December 17, 1930.

Leo Mutach to be postmaster at Marblehead, Ohio, in place of Leo Mutach. Incumbent's commission expired May 28, 1930.

Benjamin F. Duell to be postmaster at Mogadore, Ohio, in place of K. S. Bauer, resigned.

Alice M. O'Meara to be postmaster at Mount St. Joseph, Ohio, in place of M. A. McCann. Incumbent's commission expired July 2, 1930.

Earl C. Mikesell to be postmaster at New Paris, Ohio, in place of E. C. Mikesell. Incumbent's commission expired December 13, 1930.

Kensel L. Birkhead to be postmaster at Orient, Ohio. Office became presidential July 1, 1929.

Frank P. Johnson to be postmaster at Pataskala, Ohio, in place of F. P. Johnson. Incumbent's commission expires December 17, 1930.

Florence R. Smith to be postmaster at Pomeroy, Ohio, in place of F. R. Smith. Incumbent's commission expired March 2, 1930.

William Schnoor to be postmaster at Put in Bay, Ohio, in place of William Schnoor. Incumbent's commission expired December 21, 1929.

Raymond J. Rowley to be postmaster at Quincy, Ohio, in place of N. P. Swank. Incumbent's commission expired December 17, 1929.

Harlan B. Miller to be postmaster at Shiloh, Ohio, in place of H. B. Miller. Incumbent's commission expired March 2, 1930.

Dwight D. Fierbaugh to be postmaster at South Euclid, Ohio, in place of D. D. Fierbaugh. Incumbent's commission expires December 17, 1930.

Chester W. Holt to be postmaster at Stow, Ohio. Office became presidential July 1, 1930.

Bert E. Woodward to be postmaster at Stryker, Ohio, in place of B. E. Woodward. Incumbent's commission expired December 13, 1930.

Charles A. Alexander to be postmaster at Vanburen, Ohio. Office became presidential July 1, 1930.

Estella Wilson to be postmaster at Warsaw, Ohio, in place of Estella Wilson. Incumbent's commission expired December 10, 1930.

William Disher to be postmaster at Waterville, Ohio, in place of G. W. Hurless. Incumbent's commission expired February 6, 1930.

Josiah T. Gibson to be postmaster at Waverly, Ohio, in place of J. T. Gibson. Incumbent's commission expires December 17, 1930.

Ross H. Hartsock to be postmaster at Waynesville, Ohio, in place of R. H. Hartsock. Incumbent's commission expired December 13, 1930.

Alice C. Griffith to be postmaster at Worthington, Ohio, in place of A. C. Griffith. Incumbent's commission expires December 21, 1930.

OKLAHOMA

Fred G. Marsh to be postmaster at Afton, Okla., in place of C. M. Hudspeth. Incumbent's commission expired July 2, 1930.

Mable C. Heidenreich to be postmaster at Duke, Okla., in place of M. C. Heidenreich. Incumbent's commission expires December 16, 1930.

Edwin B. Minich to be postmaster at Eldorado, Okla., in place of E. B. Minich. Incumbent's commission expired March 10, 1930.

Wayne Anderson to be postmaster at Miami, Okla., in place of L. B. McWilliams, resigned.

Vernon Whiting to be postmaster at Pawhuska, Okla., in place of Vernon Whiting. Incumbent's commission expires December 16, 1930.

James L. Hines to be postmaster at Reydon, Okla. Office became presidential July 1, 1930.

David W. Robinson to be postmaster at Talihina, Okla., in place of D. W. Robinson. Incumbent's commission expires December 16, 1930.

Mary Moore to be postmaster at Valliant, Okla., in place of Judge Griffin, removed.

Porter Z. Newman to be postmaster at Welch, Okla., in place of P. Z. Newman. Incumbent's commission expires December 16, 1930.

OREGON

Joel C. Sturgill to be postmaster at Baker, Oreg., in place of W. S. Bowers, deceased.

Albert R. Barnes to be postmaster at Kinzua, Oreg. Office became presidential July 1, 1930.

John A. McCall to be postmaster at Klamath Falls, Oreg., in place of J. A. McCall. Incumbent's commission expired April 14, 1930.

Teresa H. McComb to be postmaster at Malin, Oreg., in place of T. H. McComb. Incumbent's commission expired July 2, 1930.

John S. Hudson to be postmaster at Troutdale, Oreg., in place of J. S. Hudson. Incumbent's commission expired December 14, 1930.

PENNSYLVANIA

Charles H. Truby to be postmaster at Apollo, Pa., in place of C. H. Truby. Incumbent's commission expired December 21, 1929.

Lemuel A. Bosserman to be postmaster at Barnesboro, Pa., in place of L. A. Bosserman. Incumbent's commission expired April 2, 1930.

William J. Wilson to be postmaster at Bentleyville, Pa., in place of W. J. Wilson. Incumbent's commission expires December 22, 1930.

George Wetmiller to be postmaster at Berlin, Pa., in place of George Wetmiller. Incumbent's commission expired June 8, 1930.

Hilda A. Lago to be postmaster at Bessemer, Pa., in place of H. A. Lago. Incumbent's commission expires December 21, 1930.

Arthur R. Lovell to be postmaster at Blandburg, Pa., in place of A. R. Lovell. Incumbent's commission expires December 21, 1930.

Emma J. Coleman to be postmaster at Braeburn, Pa., in place of E. J. Coleman. Incumbent's commission expired July 2, 1930.

Lewis C. Mensch to be postmaster at Catawissa, Pa., in place of J. R. Diemer, deceased.

Joseph E. Lohr to be postmaster at Central City, Pa., in place of J. E. Lohr. Incumbent's commission expired January 25, 1930.

Clayton S. Bell to be postmaster at Chicora, Pa., in place of C. S. Bell. Incumbent's commission expired May 26, 1930.

J. Henry Gibson to be postmaster at Conneautville, Pa., in place of J. H. Gibson. Incumbent's commission expires December 21, 1930.

Thomas E. Sheridan to be postmaster at Curwensville, Pa., in place of H. S. Crownover. Incumbent's commission expired January 30, 1930.

Vera Ritchey to be postmaster at Dunlo, Pa., in place of Vera Ritchey. Incumbent's commission expired April 5, 1930.

William E. Reed to be postmaster at Duquesne, Pa., in place of W. E. Reed. Incumbent's commission expires December 22, 1930.

George D. Kinkead to be postmaster at Ebensburg, Pa., in place of G. D. Kinkead. Incumbent's commission expired January 6, 1930.

George H. Cole to be postmaster at Evans City, Pa., in place of G. H. Cole. Incumbent's commission expired June 22, 1930.

Alexander Hamilton to be postmaster at Export, Pa., in place of Alexander Hamilton. Incumbent's commission expires December 22, 1930.

William H. Weston to be postmaster at Gallitzin, Pa., in place of W. H. Weston. Incumbent's commission expired January 6, 1930.

Emma M. Schrock to be postmaster at Garrett, Pa., in place of E. M. Schrock. Incumbent's commission expires December 20, 1930.

Harry L. Warnick to be postmaster at Glen Riddle, Pa., in place of H. L. Warnick. Incumbent's commission expired March 11, 1930.

Edward S. Lawrence to be postmaster at Graterford, Pa. Office became presidential July 1, 1930.

Kenneth B. Barnes to be postmaster at Harrisville, Pa., in place of W. K. Speer. Incumbent's commission expired February 18, 1930.

Wilson R. Kulp to be postmaster at Hatfield, Pa., in place of W. R. Kulp. Incumbent's commission expires December 17, 1930.

Aleda U. Shumaker to be postmaster at Jerome, Pa., in place of Z. S. Truax, resigned.

Mae Van Buskirk to be postmaster at Kinzua, Pa., in place of Mae Van Buskirk. Incumbent's commission expired January 14, 1930.

William H. Lowry to be postmaster at Ligonier, Pa., in place of W. H. Lowry. Incumbent's commission expires December 22, 1930.

Thomas B. Conrad to be postmaster at Lilly, Pa., in place of T. B. Conrad. Incumbent's commission expired March 3, 1930.

Harold D. Lowing to be postmaster at Linesville, Pa., in place of H. D. Lowing. Incumbent's commission expires December 21, 1930.

Tillie Bradley to be postmaster at Loretto, Pa., in place of Tillie Bradley. Incumbent's commission expired December 21, 1929.

Edward F. Poist to be postmaster at McSherrystown, Pa., in place of E. F. Poist. Incumbent's commission expired March 11, 1930.

Arch R. Lykens to be postmaster at Martinsburg, Pa., in place of A. R. Lykens. Incumbent's commission expires December 21, 1930.

Thomas V. Diffendafer to be postmaster at Millerstown, Pa., in place of T. V. Diffendafer. Incumbent's commission expires December 16, 1930.

Thomas H. Kelly to be postmaster at Moores, Pa., in place of T. H. Kelly. Incumbent's commission expired January 16, 1930.

Mary M. Davis to be postmaster at Mount Morris, Pa., in place of M. M. Davis. Incumbent's commission expires December 21, 1930.

J. Bertram Nesper to be postmaster at Narberth, Pa., in place of J. B. Nesper. Incumbent's commission expires December 16, 1930.

Elma C. Dryden to be postmaster at New Galilee, Pa., in place of E. C. Dryden. Incumbent's commission expires December 21, 1930.

Mary G. Campbell to be postmaster at Nottingham, Pa., in place of M. G. Campbell. Incumbent's commission expires December 16, 1930.

Homer T. Wear to be postmaster at Orbisonia, Pa., in place of Frank Heidel, removed.

Thomas Powell to be postmaster at Patton, Pa., in place of Thomas Powell. Incumbent's commission expired April 2, 1930.

Samuel E. Crawford to be postmaster at Petrolia, Pa., in place of S. E. Crawford. Incumbent's commission expired July 2, 1930.

Edward Bayley to be postmaster at Picture Rocks, Pa., in place of Edward Bayley. Incumbent's commission expires December 20, 1930.

Smith M. McCreight to be postmaster at Reynoldsville, Pa., in place of S. M. McCreight. Incumbent's commission expires December 22, 1930.

John E. Pennel to be postmaster at Rydal, Pa. Office became Presidential July 1, 1930.

Jennie W. McFarland to be postmaster at Sagamore, Pa., in place of J. W. McFarland. Incumbent's commission expires December 21, 1930.

Jean McPherson to be postmaster at St. Benedict, Pa., in place of Jean McPherson. Incumbent's commission expired January 6, 1930.

Otto W. Petry to be postmaster at Salisbury, Pa., in place of O. W. Petry. Incumbent's commission expired June 8, 1930.

Lucille T. Packer to be postmaster at Skytop, Pa. Office became presidential July 1, 1930.

Hulda J. McCormick to be postmaster at South Connellsville, Pa., in place of H. J. McCormick. Incumbent's commission expires December 21, 1930.

Zola K. Rodkey to be postmaster at Spangler, Pa., in place of Z. K. Rodkey. Incumbent's commission expired June 10, 1930.

Harvey E. Rogers to be postmaster at Spring City, Pa., in place of H. E. Rogers. Incumbent's commission expires December 22, 1930.

Annie O. Sandt to be postmaster at Stockertown, Pa. Office became presidential July 1, 1930.

Vincent S. Pownall to be postmaster at Swarthmore, Pa., in place of V. S. Pownall. Incumbent's commission expired July 3, 1930.

Charles H. Potter to be postmaster at Titusville, Pa., in place of C. H. Potter. Incumbent's commission expires December 21, 1930.

Alvin O. Sieg to be postmaster at Tobyhanna, Pa., in place of A. S. Boening. Incumbent's commission expired May 5, 1930.

Dean R. Clifford to be postmaster at Trafford, Pa., in place of D. R. Clifford. Incumbent's commission expires December 22, 1930.

William D. Ghrist to be postmaster at Uniontown, Pa., in place of W. D. Ghrist. Incumbent's commission expired June 3, 1930.

John F. Dougherty to be postmaster at Villanova, Pa., in place of J. C. Gleason, resigned.

George F. Eisenhower to be postmaster at West Lawn, Pa., in place of A. M. Eisenhower. Incumbent's commission expired January 16, 1930.

PORTO RICO

Juan Aparicio Rivera to be postmaster at Adjuntas, P. R., in place of J. A. Rivera. Incumbent's commission expired December 16, 1929.

Concepcion Torrens de Arrillaga to be postmaster at Anasco, P. R., in place of C. T. de Arrillaga. Incumbent's commission expired December 16, 1929.

Alfredo Gimenez y Moreno to be postmaster at Bayamon, P. R., in place of A. G. y Moreno. Incumbent's commission expired December 16, 1929.

Alfredo F. Irizarry to be postmaster at Cabo Rojo, P. R., in place of A. F. Irizarry. Incumbent's commission expired December 16, 1929.

Julio Ramos to be postmaster at Cayey, P. R., in place of Julio Ramos. Incumbent's commission expired December 16, 1929.

Angel de Jesus Matos to be postmaster at Coamo, P. R., in place of Angel de Jesus Matos. Incumbent's commission expired December 16, 1929.

Jose Carrera to be postmaster at Humacao, P. R., in place of Jose Carrera. Incumbent's commission expired January 26, 1930.

Eduvigis de la Rosa to be postmaster at Isabela, P. R., in place of Eduvigis de la Rosa. Incumbent's commission expired December 16, 1929.

Angel F. Colon to be postmaster at Juana Diaz, P. R., in place of A. F. Colon. Incumbent's commission expired December 16, 1929.

Pedro Muniz Rivera to be postmaster at Manati, P. R., in place of P. M. Rivera. Incumbent's commission expired January 26, 1930.

Luis Clos to be postmaster at Naguabo, P. R., in place of Luis Clos. Incumbent's commission expired December 16, 1929.

Antonio Godinez to be postmaster at Rio Piedras, P. R., in place of Antonio Godinez. Incumbent's commission expired December 11, 1930.

Augusto M. Garcia to be postmaster at Sabana Grande, P. R., in place of A. M. Garcia. Incumbent's commission expired December 16, 1929.

Hortensia R. O'Neill to be postmaster at San German, P. R., in place of H. R. O'Neill. Incumbent's commission expired December 16, 1929.

Francisco Valldejuli to be postmaster at Yabucoa, P. R., in place of Francisco Valldejuli. Incumbent's commission expired December 16, 1929.

Simon Semidei to be postmaster at Yauco, P. R., in place of Simon Semidei. Incumbent's commission expired December 16, 1929.

SOUTH CAROLINA

William R. Rozier to be postmaster at Bethune, S. C., in place of W. R. Rozier. Incumbent's commission expired December 17, 1929.

Conway Dial to be postmaster at Cross Hill, S. C., in place of J. W. Hanna. Incumbent's commission expired March 30, 1930.

Adam C. Dayson to be postmaster at Johns Island, S. C., in place of A. C. Dayson. Incumbent's commission expired December 10, 1930.

Deans Crumpler to be postmaster at Latta, S. C., in place of Deans Crumpler. Incumbent's commission expired January 18, 1930.

George S. McCravey to be postmaster at Liberty, S. C., in place of G. S. McCravey. Incumbent's commission expired December 14, 1930.

Junius S. Bagnal to be postmaster at Manning, S. C., in place of Cary Smith. Incumbent's commission expired March 25, 1930.

John G. Fowler to be postmaster at New Brookland, S. C., in place of E. W. Shull. Incumbent's commission expired January 26, 1930.

William D. Sutton to be postmaster at Pageland, S. C., in place of W. D. Sutton. Incumbent's commission expired December 14, 1930.

Crayton C. Crenshaw to be postmaster at Pendleton, S. C., in place of J. C. Blair, resigned.

SOUTH DAKOTA

Floyd V. Stephens to be postmaster at Canova, S. Dak., in place of F. V. Stephens. Incumbent's commission expires December 17, 1930.

Arthur M. Hanson to be postmaster at Iroquois, S. Dak., in place of A. M. Hanson. Incumbent's commission expired July 2, 1930.

Robert C. Van Horn to be postmaster at Kennebec, S. Dak., in place of R. C. Van Horn. Incumbent's commission expired March 29, 1930.

Elmer N. Rasmussen to be postmaster at Onaka, S. Dak. Office became presidential July 1, 1930.

Reynold H. Peterson to be postmaster at Pollock, S. Dak., in place of R. H. Peterson. Incumbent's commission expires December 17, 1930.

Daisy B. Chamberlain to be postmaster at Quinn, S. Dak., in place of O. N. Hunt. Incumbent's commission expired December 21, 1929.

Lydia H. Johnson to be postmaster at Sanator, S. Dak., in place of R. H. McCullagh, resigned.

Harry D. Crosmer to be postmaster at Scenic, S. Dak. Office became presidential July 1, 1930.

Eloise Holdren to be postmaster at Vale, S. Dak. Office became presidential July 1, 1930.

Archibald B. Elliott to be postmaster at Valley Springs, S. Dak., in place of J. D. Hansen, removed.

Charles E. Sheldon to be postmaster at Watauga, S. Dak. Office became presidential July 1, 1930.

Merrill Kaufman to be postmaster at Wood, S. Dak. Office became presidential July 1, 1930.

TENNESSEE

Homer C. Eastland to be postmaster at Collinwood, Tenn. Office became presidential July 1, 1930.

John M. Thompson to be postmaster at Englewood, Tenn., in place of J. M. Thompson. Incumbent's commission expired December 13, 1930.

Jasper D. Wright to be postmaster at Jamestown, Tenn., in place of J. D. Wright. Incumbent's commission expired April 2, 1930.

Alfred F. Agee to be postmaster at LaFollette, Tenn., in place of A. F. Agee. Incumbent's commission expires December 20, 1930.

Tyson T. Cole to be postmaster at Minor Hill, Tenn. Office became presidential July 1, 1930.

George Wilcox to be postmaster at Monterey, Tenn., in place of J. N. Clouse, resigned.

TEXAS

Willis A. Wilson to be postmaster at Ackerly, Tex. Office became presidential July 1, 1930.

John C. Arnett to be postmaster at Anton, Tex. Office became presidential July 1, 1930.

James L. Hunter to be postmaster at Austin, Tex., in place of J. L. Hunter. Incumbent's commission expired May 28, 1930.

Alice S. Cummings to be postmaster at Balmorhea, Tex., in place of M. C. Lucky. Incumbent's commission expired December 17, 1929.

Charles J. Steves to be postmaster at Bay City, Tex., in place of T. H. Castleton, deceased.

Walter E. Holloway to be postmaster at Detroit, Tex., in place of Bertie Freeman. Incumbent's commission expired May 12, 1930.

Robert C. Carmack to be postmaster at Farmersville, Tex., in place of Hugo Simon, deceased.

Kipling E. Yates to be postmaster at Forney, Tex., in place of W. S. Yates, deceased.

Henry F. Priesmeyer to be postmaster at Garwood, Tex. Office became presidential July 1, 1930.

Earl D. Tracy to be postmaster at Junction, Tex., in place of E. D. Tracy. Incumbent's commission expired June 8, 1930.

John C. Sanders to be postmaster at McDade, Tex., in place of J. W. Moore, deceased.

Lora Barber to be postmaster at Miami, Tex., in place of Ada Rodgers, deceased.

Loyal N. Tyer to be postmaster at Mont Belvieu, Tex. Office became presidential April 1, 1930.

Edward S. Howe to be postmaster at Neches, Tex. Office became presidential July 1, 1930.

Crecy Longmire to be postmaster at Newgulf, Tex. Office became presidential April 1, 1930.

Joe H. Victery to be postmaster at New Willard, Tex., in place of J. H. Victery. Incumbent's commission expired May 26, 1930.

Jesse R. Thigpen to be postmaster at Omaha, Tex., in place of W. C. Vickers. Incumbent's commission expired May 12, 1930.

Joseph R. Gilliland to be postmaster at Paradise, Tex. Office became presidential July 1, 1930.

Manda Fields to be postmaster at Ponta, Tex., in place of A. R. Redden. Incumbent's commission expired January 13, 1930.

Sidney T. Bogan to be postmaster at Quitaque, Tex., in place of Cletus Dunham, removed.

Duma McDonald to be postmaster at Santo, Tex. Office became presidential July 1, 1930.

A. Delta Sanders to be postmaster at Scurry, Tex. Office became presidential July 1, 1930.

Stella W. Schultze to be postmaster at Talco, Tex. Office became presidential July 1, 1929.

John B. Miller to be postmaster at Tyler, Tex., in place of G. E. Longacre, resigned.

Joseph P. Williams to be postmaster at Van, Tex. Office became presidential October 1, 1930.

Julia E. Fones to be postmaster at Village Mills, Tex. Office became presidential July 1, 1930.

Mattie P. Grieve to be postmaster at Walnut Springs, Tex., in place of K. C. Stinebaugh, deceased.

James R. Oliver to be postmaster at Wells, Tex. Office became presidential July 1, 1930.

VERMONT

Margaret P. Cullinan to be postmaster at Arlington, Vt., in place of B. L. Hard. Incumbent's commission expired May 26, 1930.

Mary R. Walker to be postmaster at Hartland, Vt. Office became presidential July 1, 1930.

VIRGINIA

Thelma A. Best to be postmaster at Bluemont, Va., in place of J. C. Beatty, deceased.

Thomas J. Wilson to be postmaster at Clifton Forge, Va., in place of T. J. Wilson. Incumbent's commission expired April 1, 1930.

Harry S. Shuey to be postmaster at Craigsville, Va., in place of H. S. Shuey. Incumbent's commission expired July 2, 1930.

W. Ingles Harnsberger to be postmaster at Grottoes, Va., in place of W. I. Harnsberger. Incumbent's commission expired June 8, 1930.

Charles W. Fuller to be postmaster at Honaker, Va., in place of D. L. Fuller, removed.

Missouri S. Harmon to be postmaster at Melfa, Va., in place of M. S. Harmon. Incumbent's commission expired June 8, 1930.

Frank H. Dame to be postmaster at Newcastle, Va., in place of B. E. Carper, deceased.

James B. Porterfield to be postmaster at Newport, Va., in place of H. Y. Smith, resigned.

Walter C. Franklin to be postmaster at Pamplin, Va., in place of W. C. Franklin. Incumbent's commmission expires December 22, 1930.

Preston H. Edwards to be postmaster at Sweet Briar, Va., in place of W. B. Dew, resigned.

Robert W. Harman to be postmaster at Tazewell, Va., in place of W. G. O'Brien. Incumbent's commission expired June 8, 1930.

Charlie R. Fisher to be postmaster at Wytheville, Va., in place of C. R. Fisher. Incumbent's commission expires December 22, 1930.

WASHINGTON

Alvin E. Scott to be postmaster at Benton City, Wash., in place of A. B. Brewster, resigned.

Elizabeth Grant to be postmaster Delrio, Wash. Office made presidential July 1, 1930.

Lettie M. Madden to be postmaster at Holcomb, Wash. Office became presidential July 1, 1930.

Phillip Abbey to be postmaster at Hoodsport, Wash. Office became presidential July 1, 1930.

Roy F. Chatlien to be postmaster at Monitor, Wash. Office became presidential July 1, 1930.

Charles J. Fredricks to be postmaster at Moxee City, Wash. Office became presidential July 1, 1930.

Paul H. Sceva to be postmaster at Paradise Inn., Wash. Office became presidential July 1, 1930.

Alla G. Thomas to be postmaster at Soap Lake, Wash., in place of N. S. Okerberg, resigned.

WEST VIRGINIA

Thaw Stewart to be postmaster at Dunbar, W. Va., in place of Thaw Stewart. Incumbent's commission expired June 28, 1930.

Rutherford L. Dowdell to be postmaster at Glen Dale, W. Va., in place of F. V. Chambers, resigned.

Eula Collier to be postmaster at Kermit, W. Va., in place of Albert Kirk, resigned.

Thelma F. Settle to be postmaster at Page, W. Va., in place of R. E. Ingram, removed.

Reece G. Johnson to be postmaster at Twin Branch, W. Va., in place of Edgar Hamby, removed.

WISCONSIN

Dennis D. Shea to be postmaster at Arena, Wis. Office became presidential July 1, 1930.

James W. Pryor to be postmaster at Barneveld, Wis., in place of Annie Jordan. Incumbent's commission expired June 19, 1930.

Joseph Wahl to be postmaster at Dallas, Wis., in place of G. C. Grinde, resigned.

Joseph W. Jacobson to be postmaster at Dane, Wis. Office became presidential July 1, 1930.

Charles C. Randolph to be postmaster at East Troy, Wis., in place of H. B. Linde, removed.

Clayton M. Honeysett to be postmaster at Footville, Wis. Office became presidential July 1, 1930.

Stephen M. Peeters to be postmaster at Little Chute, Wis., in place of S. M. Peeters. Incumbent's commission expired June 19, 1930.

Clarence A. Loescher to be postmaster at Menasha, Wis., in place of W. H. Pierce. Incumbent's commission expires January 13, 1930.

James E. Brazeau to be postmaster at Nekoosa, Wis., in place of M. G. Helke, deceased.

Wallace M. Comstock to be postmaster at Oconto, Wis., in place of W. M. Comstock. Incumbent's commission expired May 21, 1930.

Albon Parks to be postmaster at Pickett, Wis. Office became presidential July 1, 1930.

Leo A. Brzezinski to be postmaster at Sobieski, Wis. Office became presidential July 1, 1930.

Raymond E. Lingsweiler to be postmaster at Sturtevant, Wis., in place of J. W. Simmons. Incumbent's commission expired June 19, 1930.

Earl G. Lawsha to be postmaster at Wonewoc, Wis., in place of A. R. White. Incumbent's commission expired June 23, 1930.

WYOMING

Percy G. Matthews to be postmaster at Evanston, Wyo., in place of P. G. Matthews. Incumbent's commission expires December 21, 1930.

Edna C. Jessen to be postmaster at Newcastle, Wyo., in place of E. C. Jessen. Incumbent's commission expired February 27, 1930.

Harry A. Wylam to be postmaster at Superior, Wyo., in place of L. R. Moore, resigned.

HOUSE OF REPRESENTATIVES

MONDAY, DECEMBER 15, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Farther of Mercies, Thou art love, power, and redemption over all the earth. From eternity and through eternity Thou art God over all. Grant that the glimpses that we have of Thee may be so directed that we shall be inspired to go on to virtue, to fortitude, and to aspiration with the utmost endeavor. Blessed Lord God, by faith, by hope, and by love may we hold fast to Thee and patiently wait for Thy disclosures. While all things are transient and are passing away, yet amid all there is a blossoming in the wilderness, untouched and unsmitten. Strengthen us in all patience and make us fruitful in abundant good works. In the Savior's name. Amen.

The Journal of the proceedings of Friday, December 12, 1930, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On December 10, 1930:

H. J. Res. 333. Joint resolution to authorize an appropriation of $10,000 for the expenses of participation by the United States in the Ninth International Dairy Congress, Copenhagen, Denmark, 1931; and

H. R. 13035. An act to extend the times for commencing and completing the construction of a bridge across the Grand Calumet River at East Chicago, Ind.

On December 11, 1930:

H. R. 7996. An act to change the name of Iowa Circle in the city of Washington to Logan Circle; and

H. R. 10093. An act for the relief of Emmett Brooks.

On December 12, 1930:

H. R. 4050. An act donating trophy gun to F. D. Hubbel Relief Corps No. 103, of Hillsboro, Ill.; and

H. R. 12742. An act to amend the act entitled "An act to adjust the compensation of certain employees in the Customs Service," approved May 29, 1928.

ADDRESS BY HON. HENRY W. TEMPLE, OF PENNSYLVANIA

Mr. CHALMERS. Mr. Speaker, I ask unanimous consent to proceed out of order. A few days ago I had an opportunity of reading a very interesting address delivered by our scholarly colleague the gentleman from Pennsylvania, Hon. HENRY W. TEMPLE, on the subject of the national pike. For the past 10 years in driving to and from my district to Washington I have used sections of U. S. 40 in Ohio, West Virginia, Pennsylvania, and Maryland. U. S. 40 is one of the most picturesque and historic automobile highways in this country. Just before the opening of this session I drove it from Webster Groves, Mo., to Frederick, where I left U. S. 40 and dropped down to the District of Columbia over U. S. 240.

Doctor TEMPLE, in his very interesting historical paper, has treated this highway and its points of interest between Wheeling and Cumberland. As we all know from his record here, the distinguished chairman of our Foreign Affairs Committee would make any paper which he proposed of great historical interest. Doctor TEMPLE, for many years, has been a lecturer and professor in Washington and Jefferson College.

I ask unanimous consent, Mr. Speaker, to extend my remarks in the RECORD by printing the address referred to above.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks by printing an address delivered by the gentleman from Pennsylvania [Mr. TEMPLE]. Is there objection.

There was no objection.

The address is as follows:

NATIONAL PIKE

The quality of modern highways and the speed with which we fly along them are among the characteristics of our times. A little more than a hundred years ago Lord Campbell covered the distance between Edinburgh and London, about 400 miles, in three days and three nights. The rate was less than 6 miles an hour, but considering the roads and the means of travel then available the achievement was remarkable. Before he undertook the journey judicious friends warned him against it and assured him that several persons venturesome enough to try it had died from the mere rapidity of the motion.

The roads built by the Roman Government in the days when Rome ruled the world were possibly equal in some respects to the best built now. Some of them are still in use, and their construction is studied by road-building engineers and found interesting for their use of concrete and cut blocks. But from the decay of ancient civilization until our own times road building on a large scale had seldom been attempted. The National Pike was in its day one of the great undertakings of the times. One might almost study the progress of civilization in the United States in the history of this road in its various stages from its beginning to the present day.

We commonly speak of it as the National Pike, but there was a path along that route before there was a nation in the Western Hemisphere. It was made a trade route before there were any white men west of the Appalachian Mountains except a few Indian traders who had established trading posts in the scattered Indian towns, most of which were on the far side of the Ohio River. A few Indians, among them Nemacolin and our local chief, Tingooqua, had their autumn hunting camps in this region, but their towns were for the most part on the streams that flow into the Ohio from the north side. That was a rich country, judged by the standard of riches that appealed to the fur traders.

A little company of adventurers composed of a number of men of Virginia and Maryland organized in 1748 a company which they called the Ohio Company and petitioned the King to give them a grant of land on the Ohio. So far as I know their petition has never been in print. My copy was made from the original in the British Museum. Their arguments in support of the petition are interesting. They promised to build a fort and settle 200 families in the region within seven years, the result of which would be, they said, to protect the frontiers of the older Colonies against Indian raids. Its second effect would be to cut the line of communications between the two great French colonies, one in the valley of the St. Lawrence River and the other at the mouth of the Mississippi; and, as a third consideration, they would gain for the English Colonies the rich fur trade of the country between the Ohio River and the Great Lakes.

Cutting the line of French communications was of great importance to the colonial policy of Great Britain. France was claiming the whole interior of the continent and was sending military expeditions along the line of water transportation between Quebec and New Orleans. Going up the St. Lawrence and Lake Ontario they would carry their canoes around Niagara Falls and launch them in Lake Erie. Proceeding up that lake they would go to Presque Isle, where the city of Erie now stands. From that point they would again carry their canoes 14 miles to the head of French Creek, then down that stream to the Allegheny, the Ohio, and the Mississippi. So that the whole distance from Quebec to New Orleans was water transportation except for the portage around Niagara Falls and the 14 miles between Lake Erie and French Creek.

The advantages of the proposal were quickly perceived by the King's counselors and the grant was made. The Ohio Company sent Christopher Gist to explore the country and pick out the best lands for settlement and the most advantageous spot for the fort. A road, of course, was one of the necessities of the situation.

Instructions to Gist, the company's explorer and pathfinder, were dated July 16, 1751. I shall read you a sentence or two from the document:

"After you have returned from Williamsburg * * * you are to apply to Colonel Cresap for such of the company's horses as you shall want for the use of yourself and such person or persons as you shall think necessary to carry with you, and you are to look out and observe the nearest and most convenient road you can find from the company's storehouse at Wills Creek to the Monongahela; from thence you are to proceed down the Ohio on the south side thereof as low as the Big Conhaway and up the same as far as you think proper, and find good land."

The road from the company's storehouse at Wills Creek, where the city of Cumberland, Md., now stands, was laid out to the Monongahela at the mouth of Redstone Creek, and another storehouse was built there. The place is better known now as Brownsville, Pa. In making the trail Gist had the aid of Colonel Cresap and his friend Nemacolin, an Indian, whose hunting camp was on Dunlaps Creek not far from Redstone. Nemacolin knew the big game paths and the Indian trails which usually followed the game paths, and these were connected up by Gist and his assistants to make the pack-saddle trail for the traders of the company.

While the Ohio Co. was opening its road and preparing to occupy this region their French rivals were not idle. They were building and garrisoning forts along the water route to New Orleans; on the St. Lawrence, on Lake Ontario, and Lake Erie, and three within the present boundaries of Pennsylvania. Governor Dinwiddie, of Virginia, learned of their activity and sent George Washington, then only 22 years old, but already a major in the Virginia militia and adjutant general, with a message to the French officers commanding at the forts on French Creek, warning them that they were encroaching on British territory. Washington, accompanied by Gist, came by the trail already opened as far as the summit of the western ridge of mountains, then leaving Redstone to the west, proceded by a continuation of the trail to the point where the Monongahela unites with the Allegheny, and thence northward to the forts that stood where we now find Franklin at the mouth of French Creek and Waterford at its source. The French commander treated him politely, but, of course, proceeded to carry out the orders he had received from his own superior officers for the further fortification of important points on the line of water communication to New Orleans.

One of these forts of the French was to have been an enlargement of one already built at Logstown on the Ohio, about 18 miles below the junction of the Allegheny and the Monongahela. In 1754, when the French forces came down the river with orders to enlarge the small fort at that place, they found Edward Ward, an officer in the military forces of the Ohio Co., engaged in building a fort near "The Point," where Pittsburgh now stands. Ward had less than 60 men. The French force was more than 600, and they had artillery while Ward had none. Ward was compelled to withdraw. The French completed his unfinished fort and called their work Fort Duquesne.

Coming up the trail from Wills Creek—the road whose historical associations we are recalling—was George Washington with a battalion of Virginia militia for the reinforcement of Ward's small detachment. Hearing that Ward had already been driven away, Washington continued to advance slowly and improve the road as he came westward, hoping for further reinforcements. He had artillery and a wagon train, and he was, of course, compelled to widen the company's packsaddle trail and make it passable for wheeled vehicles. It is plain, then, that the first wagon road over the route we know as the National Pike, or the Cumberland road, or the National Old Trails Highway, was made by none other than Washington himself.

It was on this road also that he had his earliest experiences of battle. The first was the Jumonville skirmish, in May, 1754, when he made a night attack on the scouting expedition sent to locate his forces and report to the commander at Fort Duquesne. The second was in July, five weeks later, when a French force more than twice as strong as his own defeated him at Fort Necessity. The location of that hastily built defense is plainly marked and is within sight of the present road a few miles east of the Summit House. The troops from Fort Duquesne went up the Monongahela in canoes and barges, landing at Redstone, whence they marched over this road. The gay uniforms of the French regulars, the hunting garb of the French Canadians, and the half-naked bodies of the Indians made a striking spectacle as the trail wound through the green of the rhododendron on the mountain side or along the edge of the Great Meadow where Washington had built his fort.

A year after Washington's defeat a larger British Army came up from Cumberland by the same road, and the road was still further improved, as we learn from the notes of Patrick Mackellar, Braddock's chief of engineers, and from the diary of Captain Orme, who was on Braddock's staff. Braddock's melancholy story is brought forcibly to the mind of everyone who drives along the road to-day and stops to read the inscription on the monument that stands beside the grave of the British major general who died in this western wilderness in a battle fought to determine whether King Louis of France or King George of England should rule this part of the world. None in either Army—not even Washington, who that day fought bravely for his king—dreamed then that neither France nor England should possess it long, nor that the road along which they struggled should be the gateway to the western empire of a nation still unborn, but destined within a few generations to be the ally of both of them against a common foe, and strong enough to turn the tide of war when it seemed likely to overwhelm them both.

I see in this audience Ern Weller, who will remember, as I remember with pleasure, a tramp we took, and others with us, over the Braddock trail about 20 years ago. I had spent a year or two on the documents connected with Braddock's campaign—his orders, diaries and letters of officers who accompanied him, the sketches and maps of Mackellar, his chief of engineers. We gathered up local traditions as well as official records, and we located the old trail. It is on the route of the National Pike, not always exactly in the same roadbed—changes have been made in the pike itself since it was first built—but it follows the same route. Sometimes the Braddock military trail is a mile or so on one side of the National Pike, sometimes on the other side, for it crosses the road at various places, but the engineers who laid out the National Pike followed generally the best route, as had the game that made the original paths, the Indians that confirmed the judgment of the big game, and the military engineer who improved the same road for the artillery and wagon train.

For three years after Braddock's defeat, until General Forbes took Fort Duquesne in 1758, this road was the warpath of many Indian parties who, accompanied sometimes by French officers, raided the frontier settlements of Virginia, Pennsylvania, and Maryland, going as far south even as Carolina. But with the success of Forbes, Fort Duquesne became Fort Pitt, and this path to the east was closed to the Indian raiders. When the war between France and England ended this region became British. With the treaty of Fort Stanwix, negotiated with the Indians in 1768, it was open to settlement.

It was then that the Braddock road became the real gateway to the West. Immigrants from the older colonies found it the shortest way to the new lands now opened for their possession. Not only western Pennsylvania and western Virginia, but a great part of Kentucky was settled by those who followed this route. Boone's Wilderness Road led also from southern Virginia, through the Cumberland Gap, to some of the Kentucky settlements, but that was a long and dangerous journey by land. Those who followed the Braddock road, which was the old Ohio Co.'s trail, came from the Potomac at Cumberland to the Monongahela at Redstone (Brownsville) and there bought or built flatboats which carried them, and such goods as they could bring with them, down the Monongahela and the Ohio to their homes in the new land of Kentucky.

We have found the associations of the old road rich and interesting. We have known it as a series of big game paths, as an Indian trail, as the packsaddle path of the Indian traders of the Ohio Co. which hoped to grow into a fourteenth colony, following the precedents of the Virginia Co. and the Massachusetts Bay Co. We have known it as a trail followed by George Washington on a diplomatic mission that failed and on a military expedition that ended in a battle which was the first engagement of a great war, and we have seen it again as an Indian warpath giving access to the cabins of settlers on the frontiers of three colonies. Then we have seen that it was the road of the pioneers, the beginning of the great highway to the West. There are two things more that I want to speak of before I close.

It is interesting to us who live along the highway to know that this road had a great deal of influence in locating the National Capital on the Potomac. And we are interested also to know that it was Thomas Scott, the first Member of Congress from this district, who introduced the first resolution in Congress looking to the selection of what we now know as the District of Columbia. He proposed that Congress, under the authority granted for this purpose by the Constitution, proceed to investigate and choose a

"home for the National Government." His resolution placed three limitations or conditions on the choice. The district selected must be (1) on navigable waters of the Atlantic, (2) as near as may be to the center of wealth and population, and (3) chosen with a view of easy access to the western country.

The "western country" then was Pittsburgh and the regions beyond, which were to be reached through that frontier town, then commonly spoken of by orators who wished to be thought rhetorical as "the gateway to the West." There were then two roads and only two from the East to Pittsburgh. One of them was the route followed by Forbes from Philadelphia, through Carlisle and Bedford; the other was the Braddock Road from Cumberland to the Monongahela. New England and the Northern States favored the Forbes route and a northern location for the Capital. Virginia and the Southern States preferred the route from the Potomac with the Capital located on that river. The controversy was long and stubborn. Many votes were taken and carried by such narrow margins that reconsideration followed, and several times the deciding vote in the Senate was cast by the Vice President. At last the matter was ended by a compromise which decided two controversies at the same time. Hamilton (it is said) agreed to persuade certain men to change to the Potomac or Braddock route, with a location of the Capital on the Potomac if Jefferson in exchange would turn votes enough to carry Hamilton's favorite project, the assumption by the National Government of the debts that had been incurred by the several States in the War for Independence. Thomas Scott, the author of the original resolution for the establishment of a home for the National Government, whose home was on the Braddock Road and whose constituents would have easier access to the Capital if that route were chosen, was one of the three men whose votes were changed to the site on the Potomac. "Ease of access to the western country" was nevertheless the controlling consideration. We who live on this highway concur in the judgment of the fathers; we still believe that this is the best route between the East and West, as it certainly has more interesting historical associations than any other.

I have spoken so far only of the earlier associations of the road, before it was taken over by the Federal Government to become known as the National Pike. Why was this road, above all others, of such national importance that it could not be left for improvement by the States through which it passed? The answer to that question brings out the facts which in our day seem almost incredible.

Transportation of farm products from this region across the mountains to the markets of the East was almost impossible, and it was just as difficult to procure goods from the Atlantic States for the use of the settlers in western Pennsylvania and farther down the Ohio River. So great was the dissatisfaction that fears were actually entertained that the territory west of the Allegheny Mountains, including western Pennsylvania, western Virginia, Kentucky, and the sparse settlements on the north side of the Ohio River, might secede from the United States and set up an independent government in close alliance with Spain, which in those days governed the Louisiana region and controlled the navigation of the Mississippi; and it was that river alone which furnished the natural outlet of the western settlements to the commerce of the world.

In 1784, shortly after his last visit to Washington County, Pa., George Washington expressed the fear that the people of this region might cast their lot with the Spaniards. In a letter dated October 10, 1784, addressed to Benjamin Harrison, Governor of Virginia, Washington pointed out that there were 100,000 people in Pennsylvania west of the mountains who had no strong ties with the East and were in danger of forming close bonds with Spain. He added:

"The western settlers (I speak now from my own observation) stand, as it were, upon a pivot. The touch of a feather would turn them any way. * * * But smooth the road and make easy the way for them, and then see what an influx of articles will be poured upon us."

The literal road he wished to smooth was the highway between the Potomac and the Monongahela, the route that we have been discussing. It was no passing thought with him, for he had long been trying to get the Legislatures of Virginia and Maryland to improve this road and had been in correspondence with Thomas Jefferson, Edmund Randolph, Richard Henry Lee, Governor Johnson of Maryland, and others on the subject.

In a letter dated August 22, 1785, he wrote to Richard Henry Lee saying that the navigation of the Mississippi ought not yet to be opened to the western settlers, and continued, giving his reasons for so thinking:

"On the contrary, until we have a little time to open and make easy the way between the Atlantic States and the western territory, the obstruction had better remain. There is nothing that binds on country or one State to another but interest. Without this cement the western inhabitants, who more than probably will be composed in great degree of foreigners, can have no predilection for us, and a commercial connection is the only tie we can have."

Washington did not know that even then James Wilkinson was organizing the West for independence and a Spanish alliance; but Wilkinson then, and for many years afterwards, when he was a commissioned officer of the United States Army, and even when next to the President he was in supreme command of the Army, was treasonably drawing an annual pension from Spain. It was this unrest in the western country that made the so-called whisky insurrection such a serious matter. It was the same unrest that gave Aaron Burr his hope when later, in conspiracy with Wilkinson, he attempted that expedition which brought him to trial for treason. By that time, however, the cession of Louisiana back to France and the purchase of it from France by the United States had removed the last temptation of an alliance between the western people and any foreign power. Nevertheless the shadow of the old fear was present when in 1906, with Burr's trial yet in the future, the first act was passed by the Congress of the United States for the laying out and construction of a road from Cumberland to the Ohio River.

From Cumberland to Brownsville the highway, now more than 100 years ago but now a part of the National Old Trails Highway, followed the packsaddle path laid out by Gist and Cresap, with the help of Nemacolin. The names of these path makers must be associated with that of Washington, who knew the trail from its earliest days and who was, I believe, the very first to propose that it be taken over by the Federal Government and improved as a means of binding the West to the East in bonds of common interest; with the name also of Jefferson, who as President signed the legislation authorizing its location and construction; with the name of Albert Gallatin, who from his home on the Monongahela advised as to the western part of the route to be followed; and with Henry Clay, who, even after it was authorized, fought many a hard battle for its further prosecution and completion.

This road was cut in the mountain side by the hoofs of deer and buffalo, was worn smooth by the moccasins of Indians, straightened for the fur traders of the Ohio Co., and was made wider for the little military force of Washington on his first campaign and the army of Braddock on his way to death in a war that grew out of the clashing colonial policies of France and Great Britain. It was the immigrant's highway to the land of promise. It was the link that was to remove the temptation for an independent republic of the West. There is not another highway in America so rich in historical associations, so filled with the romance of history, and there are few that have so much of scenic beauty. We are fortunate to have the opportunity of celebrating its reopening with all the advantages that the modern science and practical art of road building can give it, but to us its chief attractions will remain the romance of history which envelops it and the beauty of the region through which it passes.

WASHINGTON, THE LOVER OF TREES

Mr. BLAND. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a speech which I delivered at Richmond last fall on Washington, and to include a quotation from his diary, and patriotic speeches.

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The address is as follows:

The American Tree Society and patriotic organizations of the various States have inaugurated a monument to honor Washington by planting trees in his memory. They are urging an immediate commencement of this work so that these trees may be growing in 1932, when the bicentennial of Washington's birth will be celebrated.

The Governor of Virginia has selected October 18 as the day on which this work shall begin in Washington's native State, and he has requested the Virginia Chapter of the Wakefield National Memorial Association to assume control of the ceremony incident to planting a tree in the Capitol Square at Richmond which is to mark the beginning of the work in Virginia.

I do not know any selection more appropriate than the selection of the Virginia branch of the Wakefield National Memorial Association for that work. I speak advisedly, for I have known the Wakefield National Memorial Association from the days of its inception to the present time. It was my privilege to work with its founders before it had taken form when we were trying to secure an improved highway to Wakefield to take the place of the winding forest road which was so narrow that in many places two machines, or even two buggies, could not pass and so utterly impassable at times that during the period of our activities in the interest of a better road engineers of the War Department traveling to and from Wakefield had sometimes to dig their car out of the mud.

Before that time we had tried to secure the restoration of the wharf at Wakefield which had been carried away by the ice, but upon investigation we concluded that the wharf would not serve the practical needs of the public, for the wharf was located almost, if not quite, a mile from the monument, with no improved highway or walk between, no means of covering the distance except on foot, and was so circumscribed in its use by governmental red tape as to be practically useless.

For this reason, and because of the rapid increase of travel by automobile, we turned our thoughts to a road. I introduced a bill for construction of a road by the United States, but, in view of the contribution made by the United States to Federal-aid highways, it was suggested by the Federal authorities that it would be simpler to let the State make such a road a part of the Federal-aid system. In this we were compelled reluctantly to acquiesce.

Then, when this road had been built there came the question of roads on the grounds, and that work was authorized, though other plans which matured a little later made it wise to abandon

these plans in fullest detail as some of these roads would be useless if later plans should mature.

Then, Mrs. Harry Lee Rust, of Washington, undertook the work of organizing the Wakefield National Memorial Association. She had been working for some time to secure improvements for Wakefield and seeking some solution of its problems. The proposed road system had been her thought and it was also at her request that the bill permitting the erection of a building on the monument grounds was introduced and passed.

I wish to pause for just a moment to pay a brief tribute to Mrs. Rust and the noble band of patriotic women who worked with her and made the later accomplishments possible. There were many men associated with the organization who gave of their time, means, and energies to the work, but Mrs. Rust and the ladies who were working with her, constituted the driving force and supplied the tireless energy that made the restoration of Wakefield possible.

I have seen Mrs. Rust, when many difficulties threatened to overwhelm her, when the obstacles seemed insurmountable, when dark dispair seemed almost to overcome her; but if she flinched, she never faltered, even when her health itself was imperiled. With a supreme faith in the American people to do justice to the great Washington, she continued her work until success crowned her efforts. That which was true of her was true of the band of women who were working with her, both in Washington and throughout the Nation.

Untiringly, the chapters of the parent organization performed their work, and your chapter has borne a noble part in these labors. To you is due the love of the American people. To each of you posterity will accord all honor.

You found Wakefield a little plot of a few acres with the graves of the Washingtons overgrown with weeds and burrowed by ground-hogs. You are making of Wakefield to-day a magnificent memorial which will be, in all time to come, a living testimonial of the love and reverence which his fellow countrymen felt for the great Washington 200 years after his birth. It will be a lasting tribute to his greatness, and conclusive proof that at least one republic has shown itself grateful.

The work of the Wakefield Association is not finished by any means. Many States have not responded as it was hoped they would. Connecticut and Virginia have done well, but much more needs to be done. It will be necessary to raise at least $200,000 in the next 12 months. This should not be difficult. It could be easily accomplished if 2,000 persons in the United States should desire to show their love for Washington and his work by contributing the sum of $100 or an average of about 40 persons in each State.

Washington is more than a memory. He is a living, driving force to-day. Truly, Mr. BECK, in the House of Representatives, on February 22, 1929, said:

"Eulogy seems equally superfluous. His great fame has long since outstripped the power of praise. Even Lincoln, master of felicitous phrase, confessed his inability to pay any adequate tribute to Washington, and simply said:

"'In solemn awe pronounce his name, and in its naked, deathless splendor leave it shining on.'"

The immortal tribute of Lighthorse Harry Lee is as expressive of our sentiments to-day as of Americans who knew Washington and worked with him. He is now as then,

"First in war, first in peace, and first in the hearts of his countrymen."

Washington was surveyor, farmer, warrior, and statesman, but I come to-day to speak of him in none of these capacities. I come to talk of him as a lover of trees. I speak of him as one who wanted to bring them close to his side where they might cheer and comfort and strengthen him, where they might adorn and beautify his home, and where they might bear to posterity for many years to come his message of patience, of perseverance, of preparation, of conservation, and of construction.

One is fascinated in studying his stay at Mount Vernon after the trying years of revolution and when the Nation was in the chaos which preceded our present Constitution. Again and again he planted trees and shrubs. He transplanted others, and he arranged his gardens. He sowed that others might reap and he planted that others might gather the harvest.

After a man reaches 50 the shadows rapidly lengthen and the night swiftly approaches. Washington knew this, and yet to the end we find him planting trees whose overhanging branches he knew would never afford him shelter. He built shade and comfort, and rest and peace even as he built a nation, and at Mount Vernon to-day you and I may enjoy the entrancing beauty of his work and share the refreshing comforts of his foresight.

In the report of Charles Sprague Sargent, director of the Arnold Arboretum, to the council of the Mount Vernon Ladies' Association of the Union, on the trees at Mount Vernon, it is said that the largest trees which border the bowling green were probably planted from 1783 to 1785, for it was in these years following the close of the Revolutionary War and preceding his election to the Presidency that Washington was most actively engaged in the improvement of Mount Vernon, and it was at this time that the bowling green and the adjoining gardens were laid out.

This report, which was made in 1917, says that, judging by their size and position, there were then standing 57 trees which were probably planted by Washington or during his lifetime. There are many large oaks, but as Washington makes no reference in his diary to planting oak trees and as oak trees are native to the region, it is probable that these trees were self-sown.

Washington planted the weeping willows, and these are now represented by weeping willow trees along the river bank. Among the trees said to have been undoubtedly planted by Washington are:

Three tulip trees or yellow poplars, one 120 feet tall, with a trunk 3 feet 10 inches in diameter; another 118 feet tall, with a trunk 3 feet 8 inches in diameter; and a third 89 feet tall, with a trunk 3 feet 9 inches in diameter.

The largest of the lindens, 84 feet tall, with a trunk 4 feet 3 inches in diameter, is said to be one of the noblest of Washington's trees.

Seven buckeye trees, grown from seed gathered in September, 1784, by Washington near the mouth of Cheet River in what is now West Virginia, were planted by him in April of the following year. To botanists these trees are said to be of greater interest than any other plants at Mount Vernon, for the Mount Vernon trees have red, pink, and flesh colored flowers on different individuals, while this species has naturally yellow flowers. It is said that trees with flowers of these colors have long been looked for in vain in the Appalachian forests, and, except at Mount Vernon, they are not known to exist.

According to Sargent, there were among the trees at Mount Vernon probably planted by Washington in his lifetime 8 ash, 2 beech, 3 box, 7 buckeyes, 3 coffee beans, 4 American elms, 3 hemlocks, 14 hollies, 3 lindens, 1 magnolia, 1 mulberry, 3 pecans, 1 red maple, 1 sorbus, 1 sugar maple, and 3 yellow poplar or tulip trees.

According to Sargent there were among the trees at Mount Vernon, which Washington possibly planted, 1 coffee bean, 2 dogwoods, 2 American elms, 4 honeylocusts, 1 horsechestnut, 2 pear trees, 1 redbud, and 1 red cedar. Trees which have been mentioned by Washington in his diary as planted by him at Mount Vernon, but which have disappeared are: Aspen, blackhaw, represented by young plants; balsam tree, black gum, represented by young plants; chestnut, crab tree, fringetree, represented by small plants; Gloucester hickory nut, live oak, represented by young plants; mahogany tree, Mediterranean pine, native pine, represented by young plants; palmetto tree, papaw, pistachio nut, pride of China, small-berried thorn, Spanish chestnut, shellbark hickory, spruce pine, swamp magnolia, represented by small plants; water oak, weeping willow, represented by trees along the river bank; yellow willow and yew, represented by young plants.

Some of the trees which I have mentioned were uprooted by storm and destroyed a few years ago. On January 27 and 28, 1785, Washington's diary shows that he was busy hunting for elm trees for his plantation; and it also shows that the three pecan trees, or Mississippi or Illinois nuts, as Washington called them, were planted March 25, 1775, and, so far as known, are the oldest trees planted by Washington. Sargent's report shows that, apart from the fact that these trees were planted by Washington, these pecans are of great interest, as they were given to Washington by Jefferson, who in 1784 first published a technical description of this tree in his "Notes from Virginia," and who apparently first distributed in the Eastern States living plants from the Mississippi Valley.

On September 15, 1763, Washington "planted in 11 holes on west side of garden 22 English walnuts." In March, 1765, Washington was grafting "15 English mulberries on wild mulberry stocks." On March 28, 1770, he "planted 3 French walnuts in new garden and on that side next the workhouse." On February 9, 1785, he "transplanted English walnut trees from corner near where the old schoolhouse stood to the upper side."

On February 22, 1785, when he was 53 years old and when he might have been receiving appropriately the felicitations of his fellow contrymen on his splendid achievements, he moved several young trees of sassafras, dogwood, and redbud to the shrubbery on the north side of the grass plot.

On February 28, 1785, he "planted all the mulberry trees, maple trees, and black gums in Serpentine walk." On February 28 and March 3, he was planting redbud trees at Mount Vernon. On March 3 he planted sassafras trees in his shrubberies. On March 11 he planted hemlock scions—28 of them—in the shrubbery, and on the next day he planted 2 hemlock trees "in a line with the east end of the kitchen and servants hall and 10 feet from the corner of the post and rail fence at each."

On May 21, 1785, Washington received plants of the large magnolia of South Carolina, which he put in his greenhouse on November 18 for the winter. On April 6, 1786, he transplanted 43 large magnolias of South Carolina, and on April 8 he transplanted as many of the large magnolia into the grove at the north end of the house as made the number there.

On July 5, 1785, he received from General Lincoln various kinds of trees including "two of the fir or hemlock in half barrels, which seemed to be healthy and vegetating."

On November 10, 1785, Washington planted eight more hemlocks, and on January 30 he planted another hemlock.

Sargent says that the three box trees on the west side of the bowling green, near the entrance to the kitchen garden, were probably planted by Washington; and while two of these trees are healthy and handsome, one which stands nearly opposite the gate of the kitchen garden is 21 feet tall, with gracefully drooping branches, and is "one of the handsomest and most interesting trees at Mount Vernon."

On Wednesday, February 8, 1786, Washington finished planting all the young pine trees in the wilderness on the left, and on the following Saturday, February 11, he transplanted a peach tree, transplanted the 14th of last March from the gardener's nursery, and by the stumps of the cornation cherry, and apricot which were removed into the same garden on the 26th of last October (not expecting either of them to live), he planted a white-heart cherry, and one of the small cherries that used to grow in the walk in front of the house.

But not alone was Washington thinking of his trees, for on the same day he records:

"Brought a goose and gander of the Chinese breed of geese, from the Reverend Mr. Griffiths." Then he returns to his trees again: "And also two of the large white (or Portugal) peach trees; and two scions from a tree growing in his garden, to which he could give no name—the last for my shrubberies."

On February 27, 1786, Washington planted a number of fruit trees which he received from his nephew, Mr. William Washington.

On March 14, 1786, he planted the intervals between his forest trees in his serpentine roads, or walks, to the house from the front gate, with weeping willow. Then he adds: "Note, part of these (nearly all on the right side going to the gate) were planted on Wednesday the first day of this month, whilst I was on the business of the Potomak Co. at the Great Falls."

On March 16, he finished the mound on the right and planted the largest weeping willow in his nursery in the center of it, but the ground was too wet to do anything to the other mound on the left.

However, two days later he "got the mound on the left so far completed as to plant the next largest of his weeping willows thereon, the buds of which were quite expanded, and the leaves appearing in their unfolded state." He questioned, however, how much too far in this state of the sap the season was advanced. He also "planted the cuttings from, on trimming, of these trees in a nursery, they being in the same forward state." Then he spaded up some of the ground in his botanical garden for the purpose of planting the "scaly bark hiccory nut of Gloucester in."

Two days later, on March 20, he planted in that square of his botanical garden, adjoining to the servants and spinning house, in two and an half rows, 95 of the "Gloucester hiccory nut." They are on that side of the square next the house, between the walk and a locust tree standing within the square. "Trimmed all the weeping-willow trees which had been planted in the serpentine walks, both sides, and which had begun to display their leaves."

Especially interesting as reflecting the caution and wisdom of this great man in all matters is his entry on the next day. He says: "The Count de Cheize D'Artingnon (so calling himself) was sent, with my horses, to-day, at his own request, to Alexanda."

"Mr. Shaw went to town to-day on my business. In the So. west square of my fruit garden, beginning with the upper row, next the cross wall, the following trees were planted, viz: First row, 4 damisons; 3rd row, 4 common plumbs; 5th row, 4 damisons; 7 row, 4 common plumbs; 9th row, 4 damisons—according to my gardiner's account, all from Mr. Manley's place. And in the So. east square at the east side of the 3rd row (counting from the cross walk) are 2 pears (common) from the same place."

"A Captn. Hite came here between breakfast and dinner to see if I would join him in an iron work on the So. Branch, wch. proposition I rejected."

Washington was diligent in his work of tree planting for their fruit as well as for ornamental purposes. He was also looking after his orchard, for on the next day, March 22, he says:

"Hoed the ground behind the garden again and planted therein, in three rows, 177 of the wild, or Cherokee, plumb (sent me by Mr. Geo. A. Washington) 8 inches apart in the rows with 18-inch intervals." Then on March 23, "Along side the Cherokee plumb (planted yesterday) I planted in a row and piece the Spanish chestnuts sowed last fall.

"And next these 43 rows, 1 foot apart and about an inch asunder in the row, between seventeen and eighteen thousand seed of the honey locust.

"Next these, in three rows, planted 160 of the Portugal peach stone.

"And adjoining these are three other rows of the common chestnut."

He allowed five days to intervene, one of which was Sunday, but he was busy, for on the 24th he went to his plantations at Dogue Run, Muddy Hole, and in the Neck, and sowed oats and orchard grass.

On Saturday and Monday he rode over all of his plantations, looked after planting his oats, repaired sill and ends of post and studding about the Venetian window at the north end of the house.

On the 28th he finished sowing his oats "in the neck" and turned again to his trees, for on that day he sowed in several rows in his botanical garden "1 foot asunder and about three-fourths of an inch apart in the rows all the seed I had of the palmetto royal." Also—

"Replaced the following trees in my shrubberies which were dead or supposed to be so, viz, 10 swamp magnolias, 4 redbuds, 5 blackhaws, 3 locusts, swamp redberry."

On Thursday, March 30, Washington's diary records:

"Planted in the holly clumps in my shrubberies a number of small holly trees which some months ago Colonel Lee, of Stratford, sent me in a box with earth, also in the same shrubberies some of the slips of the tree box. I also planted several holly trees which had been sent to me the day before by a neighbour, Mr. Thomas Allison."

Washington's work of making his home a splendid heritage and inspiration for the American people, though his inherent modesty forbade any thought of this kind, continued even while the burdens and responsibilities of building a nation rested on his shoulders, for on March 1, 1795, nearly six years after his first inauguration, he planted a circle of dogwood with a redbud in the middle close to the old cherry tree, and 1 year later on March 8, 1796, a little more than 3 years before his death and with less than 12 months of the last year of his presidency left, he makes the entry in his diary, said to be the last relating to trees. He says:

"On Saturday last the dead cedars in my shrubberies were replaced by live ones just taken up."

Sargent says that this is the only mention of the red cedar in Washington's diary though he must have known the value as it is one of the common trees in the Potomac Valley.

May I express the hope that in the process of restoring and adorning Wakefield its sponsors carry on there the great work which Washington began at Mount Vernon and which in later years the noble women of the Mount Vernon Association have so nobly carried forward.

May we not hope that by the activity of this and other chapters of the Wakefield National Memorial Association there will be planted at Wakefield every kind of tree in which Washington manifested an interest? The place where he first saw the light and his last resting place will ever prove an inspiration and an example.

The many-sided Washington still lives. His glorious memory can never die. Other peoples now acclaim his greatness. His patriotism still inspires and in the darkest hours of our national life his presence may be felt restraining here, impelling there, and ever guiding our thoughts, our hopes, our aspirations upward and onward toward liberty and the light.

Standing upon the last scene of his glorious military endeavors, delivering in 1881 the oration when the corner stone of the monument at Yorktown was laid, the eloquent Winthrop, of Massachusetts, said:

"'While the Coliseum stands, Rome shall stand,' was the familiar proverb of antiquity. We associate the durability of our free institutions with no material structure. Columns and obelisks, statues and monuments, consecrated halls and stately capitols may crumble and disappear; the little St. John's Church in Virginia, where Patrick Henry exclaimed, 'Give me liberty or give me death'; the old statehouse in Boston, where James Otis 'breathed into this Nation the breath of life'; the Old South, Faneuil Hall, Carpenter's Hall, and the Hall of Independence, at Philadelphia, one after another, may be sacrificed to the improvement of a thoroughfare or fall before the inexorable elements; but when the character and example of Washington shall have lost their hold upon the hearts of the people, when his precepts shall be discarded and his principles disowned and rejected, we may then begin to fear, if not to despair, for the perpetuity of our Union and of our freedom."

The same thought was expressed nearly 50 years later by another great orator of the American people, when, in 1929, the Hon. JAMES M. BECK, of Pennsylvania, speaking on the floor of the House of Representatives on the one hundred and ninety-seventh anniversary of Washington's birth, used there words with which I bring this wholly inadequate message to a close:

"Let us to-day reverently thank the God of our fathers that Washington's influence is still a shining light. It illuminates as none other the soul of America. It is to-day, as it has ever been, a vital force. From his grave in Mount Vernon he still guides the destinies of the American people. When the seas are smooth we little feel his presence, but when the ship of state plunges into a storm and is threatened by angry seas his mighty shade is again our helmsman.

"The Arthurian legend tells us that King Arthur sleeps at Avalon, but that he will come again and unsheath his sword if ever England were in desperate need.

"Our Arthur, bravest of the brave and knightliest of the knightly, sleeps at Mount Vernon, but whenever disaster menaces our institutions the American people again become conscious of his potent influence, and while that influence remains the Republic will endure."

CASH PAYMENT OF SOLDIERS' BONUS

Mr. GLOVER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD upon the subject of the soldiers' bonus.

The SPEAKER. Is there objection?

There was no objection.

Mr. GLOVER. Mr. Speaker, ladies and gentlemen of the House, much discussion has been recently had on the floor of this House with reference to cashing bonus certificates now held by the soldiers and veterans of the World War, which are not payable until 1945 under the present law.

No one can justly say that the bonus was not right, but were these boys fairly treated by this Congress in deferring payment of that which it acknowledged to be a just debt we owed them to say by act of Congress that the bonus certificates should not bear interest and not be paid until 1945?

Not only that the law prevents them from negotiating them, and permits them to borrow on them at a high rate of interest, which in time will absorb them.

It is surprisingly strange that some make the argument that it is not best for the veterans to have their money now, that they would not properly invest it or use it for their good and that of their families. They had the intelligence to fight a world battle and give us our liberty, and made

the world safe for democracy, then it is a shame to say that they need the Government as a guardian over them, to preserve and handle their own money.

The argument has been used here that these certificates should be paid now to relieve the unemployed. Of course that is a logical argument, but I desire to discuss this subject from the principle of right and justice.

It is true that we now have an example of distress from unemployment that has never been witnessed in this country before and I hope will never be equaled again. We have now an estimated number of 7,000,000 people out of employment and many of whom are in absolute distress and want.

There is no darker picture that can be drawn to me, than to see a man willing and anxious to work, with a family looking him in the face and expecting him as the bread winner to furnish them with food and clothing, and can not find anything to do. We hear it argued that we are producing too much in the United States. I do not believe it. If the hungry was properly fed and clothed as they would like to be, we would have no surplus. It is estimated that we have about 45,000,000 acres of land in cultivation in this country and some argue that the acreage should be cut down one-third of what it now is so as not to produce so much. Let us follow out this argument and see the results of such folly. We have about 30,000,000 people on the farms and engaged in agriculture. If we cut the acreage one-third, then we must cut out of employment one-third of the number or 10,000,000 of them. You would then add 10,000,000 more to the number of 7,000,000 that you now have and would give 17,000,000 in the unemployed list.

It is not overproduction that is hurting; it is the lack of opportunity to earn the money with which to buy that which is produced. If working conditions were brought back to normal times, the consumption would be greater and there would be no surplus.

What we need to do is put agriculture on the basis that it should be and encourage our people to remain on the farms so far as possible. It is the happiest life anyone ever lived under the right kind of environments.

On May 28, 1929, the gentleman from Texas [Mr. PATMAN] introduced H. R. 3493 to provide for the immediate payment to veterans of the World War the face value of their adjusted-service certificates and this is now and has since that time been pending before the Ways and Means Committee. I am in favor of passing this bill now and there is no good reason why it should not be done.

To date 3,478,956 veterans of the World War and who reside in every section of the United States hold adjusted-service certificates for amounts from $51 to $1,585.

These certificates are sometimes referred to as bonus certificates. They are not a bonus, but they represent the Government's confession of a debt for services rendered. They date from January, 1925, to January, 1945. The veterans of Arkansas, if this bonus as it is called or debt of the Government was paid now would receive the sum of $52,354,808.84. It would not only be a great help to them, but would be a great help to the State as a whole, and what is true of this State is true of all the other States. The payment of this sum now would enable these noble men to build a home for their family or start some kind of business for life that would mean much to them and to the country as well.

There is now in the United States Treasury the large sum of $748,222,715 as a reserve fund to pay these certificates when they mature in 1945. Why not let them have it now?

The Secretary of the Treasury, Mr. Mellon, is quoted as being opposed to the payment of these certificates now, for the reason he claims that it would be detrimental to the public-debt operations of the Government.

If the Government is not willing to take up these certificates at their face value as provided for in this bill, then let us do the next best thing and that is call in these certificates and issue in lieu of them 3 per cent negotiable Government bonds, so that the veterans may cash them at their full face value and receive their money now rather than wait until 1945, when many of them will not be living to enjoy it. I have recently signed a petition on the clerk's desk asking that this bill be taken from the committee now having it in their possession and bring it on the floor of this House for discussion and final vote. There is not the slightest doubt in my mind that 75 per cent of the House and Senate would record their vote for this bill, if given a chance to do so. Will the committee do us the kindness to give an early consideration of this bill and let us have a chance to vote on it?

LEAVE TO ADDRESS THE HOUSE

Mr. McCLINTIC of Oklahoma. Mr. Speaker, I ask unanimous consent that to-morrow, after the reading of the Journal and the disposition of matters on the Speaker's desk, I be permitted to address the House for 10 minutes.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that to-morrow, after the reading of the Journal and the disposition of matters on the Speaker's desk, he may be permitted to address the House for 10 minutes. Is there objection?

Mr. SNELL. Mr. Speaker, reserving the right to object, as I understand the program, we are to have an appropriation bill for consideration to-morrow.

Mr. TILSON. That is the expectation. The subcommittee of the Committee on Appropriations in charge of the agricultural appropriation bill will probably report this bill to-morrow.

Mr. McCLINTIC of Oklahoma. I want only about 10 minutes.

Mr. TILSON. I think the gentleman will be able to get more than that in general debate.

Mr. McCLINTIC of Oklahoma. If it will be satisfactory to the gentleman, I would be perfectly willing to put it over until Wednesday.

Mr. TILSON. That is Calendar Wednesday.

Mr. McCLINTIC of Oklahoma. Then Thursday.

Mr. TILSON. I hope the gentleman will not ask to have us break the good practice we have started out with this session of having all our general debate under general debate on appropriation bills.

Mr. McCLINTIC of Oklahoma. Then I ask that next week, on Monday.

Mr. TILSON. Next week, Monday; certainly. [Laughter.]

ABSENCE OF A MEMBER

Mr. ADKINS. Mr. Speaker, the gentleman from Oregon, Mr. BUTLER, is necessarily absent to-day on account of death in his family.

ORDER OF BUSINESS

Mr. GARNER. Mr. Speaker, before the Clerk begins the call of the Consent Calendar, in view of the fact that a great many Members would like to transact business in the departments or in their offices, until such time as suspension of the rules begins, if at all to-day, will not the Speaker make the usual statement in respect to when he expects to recognize Members to move to suspend the rules and upon what subject?

The SPEAKER. The Chair understands that the Committee on Agriculture will ask recognition to bring up the so-called drought-relief measure and will also ask for an extension of time in order that there may be a fuller debate. If the gentleman from Iowa [Mr. HAUGEN] asks recognition about 2 o'clock this afternoon, it is the intention of the Chair to recognize him for that purpose.

Mr. GARNER. Has the Chair any knowledge of how much time the gentleman from Iowa expects to ask unanimous consent to extend debate for?

The SPEAKER. The Chair could not say with certainty, but he understands the gentleman from Iowa will ask for an hour on a side instead of the usual time under the suspension rule. That will give time for full consideration of the measure.

Mr. JONES of Texas. May I ask in that connection if it is the intention to call up the House bill or the Senate bill?

The SPEAKER. The Chair is not entirely informed on that subject.

TO PREVENT PROFESSIONAL PRIZE FIGHTING AND TO AUTHORIZE AMATEUR BOXING IN THE DISTRICT OF COLUMBIA

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

The first business on the Consent Calendar was the bill (H. R. 9182) to prevent professional prize fighting and to authorize amateur boxing in the District of Columbia, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, this bill, for many sessions, was passed over at the request of the gentleman from Texas [Mr. PATMAN]. The gentleman is in the Chamber. Has the gentleman withdrawn his opposition to the measure?

Mr. PATMAN. No; I have not withdrawn my opposition to the bill. I hope it will not be insisted upon at this time. I object, Mr. Speaker.

ALASKA GAME LAW

The next business on the Consent Calendar was the bill (H. R. 11285) to amend the Alaska game law.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, may I say to the gentleman from Wisconsin [Mr. STAFFORD] that this bill has been on the calendar quite a long time? It was my impression that the objections pointed out by the gentleman from Wisconsin had all been explained to him by the Delegate from Alaska [Mr. SUTHERLAND], that those features were existing law at this time.

Mr. STAFFORD. I desecrated the Sabbath yesterday, as usual, in the consideration of bills on the Consent Calendar, and I did not have time to go at length into the proposed amendment. I hope that I may have an opportunity to do so before the next call of the calendar.

Mr. LAGUARDIA. And to dispose of it at that time?

Mr. STAFFORD. Or two weeks after the next call. I intend to take a vacation during the Christmas recess and not work on the Consent Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

TO AMEND SECTION 24 OF THE IMMIGRATION ACT OF 1917

The next business on the Consent Calendar was the bill (H. R. 10881) to amend section 24 of the immigration act of 1917, as amended.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, in its present form, I must object to the bill. I think it would be better to pass it without prejudice in order to give an opportunity to confer with the gentleman from Ohio. I had no time to confer with the gentleman during the holiday recess.

Mr. JENKINS. The gentleman has been very kind with reference to this matter, although I want to say this is not a private bill on my part. Does the gentleman really want to press his request that it be passed without prejudice?

Mr. STAFFORD. Yes; I ask unanimous consent, Mr. Speaker, that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

TO AMEND SECTION 22 OF THE FEDERAL RESERVE ACT

The next business on the Consent Calendar was the bill (H. R. 10560) to amend section 22 of the Federal reserve act.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, the gentleman from Georgia [Mr. BRAND] I notice is in the Chamber. This bill was severely contested on the floor at the prior session, and recommitted after drastic action taken toward the bill. Is the bill in any different form from that when it was originally considered?

Mr. BRAND of Georgia. Yes; it is quite different from the original bill. The former one was very vigorously assailed, and virtually defeated as I thought in the minds of the small membership present and I therefore requested that it be recommitted to the Banking and Currency Committee for reconsideration, which request was granted. The committee at my request amended the bill by striking from it the principal objections urged against its passage. After this action on the part of the committee the bill as amended was, without objection, again favorably reported to the House.

Mr. LAGUARDIA. I have H. R 10560 before me.

Mr. BLANTON. Will the gentleman yield?

Mr. BRAND of Georgia. I yield.

Mr. BLANTON. It was simply passed over without prejudice the last time.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. COCHRAN of Missouri. Is this the bill which the gentleman from Georgia [Mr. BRAND] refused to acknowledge as his child here on the floor one day, after it had been amended?

Mr. BRAND of Georgia. That bill was virtually defeated by the adoption of the amendment submitted by the gentleman from Nebraska.

Mr. COCHRAN of Missouri. It was killed by the entire House. What changes have been made in this bill since it was brought back to the House? No, it was not defeated by the House because the House did not vote on it. The amendment referred to made the bill more objectionable and for this reason I asked that it be referred to the committee for further consideration.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. LAGUARDIA. As a matter of fact, this bill follows the language of the statutes of most States, does it not?

Mr. BRAND of Georgia. Yes; that is true, except it is now much simpler and I believe more workable, and therefore more satisfactory.

Mr. STAFFORD. Would the gentleman have any objection to allowing this bill to go over to give the Members an opportunity to examine it? I have in my files a proviso which reads:

Provided, That subdivision G shall not apply where such false statement is made, published, uttered, repeated, or circulated in the same State in which the National or State member bank affected is located, and where the statutes of such State specifically define such crime and provide a penalty for such violation.

Is that a proviso which the gentleman prepared?

Mr. BRAND of Georgia. I wish to be frank with the gentleman. I submitted it to the gentleman for his consideration because he was one of the gentlemen who objected previously. In the present shape all objections made by the distinguished gentleman who contested this bill before have been removed from the bill and it is now in such simple form that any layman can understand it. This bill has the written indorsement of Mr. Mellon, Secretary of the Treasury; Mr. Pole, Comptroller of the Currency; Mr. Young, governor of the Federal Reserve Board; and the American Banking Association. Such legislation has been recommended by the Comptroller of the Currency in his reports to Congress for the last two years.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. BRAND of Georgia. I yield.

Mr. LAGUARDIA. I am sure the gentleman will find that the proviso suggested by the gentleman from Wisconsin is the usual form of limitation which is put on all bills where there may be concurrent jurisdiction.

Mr. BRAND of Georgia. I have not the slighest objection to the House approving the amendment to which the gentleman from Wisconsin refers.

Mr. STAFFORD. Has the gentleman any objection to this bill going over so we may give further consideration to it?

Mr. BLANTON. Will the gentleman from Wisconsin yield?

Mr. STAFFORD. Yes.

Mr. BLANTON. If we are ever going to pass a bill like this to protect the banks of the country, now is the time to do so, because the banks are now in a most crucial situation. The gentleman knows about the recent calamity in New York and the experience had in Baltimore Saturday. The gentleman knows what disaster may follow causeless runs being made on banks, so that now is an opportunity to help them.

Mr. STAFFORD. But there were no false statements made in connection with the run on that bank, on the bank in New York, or the runs made on banks in other States of the country.

Mr. LAGUARDIA. Let me say to the gentleman that it is a time like this when chain banks absorb the smaller banks.

Mr. DYER. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

MESSAGE FROM THE PRESIDENT—FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

The SPEAKER laid before the House the following message from the President, which, together with the accompanying papers, was referred to the Committee on Foreign Affairs and ordered to be printed.

To the Congress of the United States:

I transmit herewith a report by the Secretary of State showing all receipts and disbursements on account of refunds, allowances, and annuities for the fiscal year ended June 30, 1929, in connection with the Foreign Service retirement and disability system, as required by section 18 (a) of an act for the reorganization and improvement of the Foreign Service of the United States, and for other purposes, approved May 24, 1924.

HERBERT HOOVER.

THE WHITE HOUSE, *December 15, 1930.*

BUREAU OF LABOR STATISTICS OF THE DEPARTMENT OF LABOR

The next business on the Consent Calendar was the bill (H. R. 995) to create in the Bureau of Labor Statistics of the Department of Labor a division of safety.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOGG of Indiana. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

MICHAUD DIVISION OF THE FORT HALL INDIAN IRRIGATION PROJECT, IDAHO

The next business on the Consent Calendar was the bill (H. R. 10880) authorizing the construction of the Michaud division of the Fort Hall Indian irrigation project, Idaho, an appropriation therefor, and the completion of the project, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SMITH of Idaho. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

PRELIMINARY EXAMINATION OF SUNDRY STREAMS

The next business on the Consent Calendar was the bill (H. R. 12190) to authorize preliminary examinations of sundry streams with a view to the control of their floods, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I want to call the attention of the House to the fact that this bill includes eight or nine projects, and that you have on the calendar separate bills for eight or nine other preliminary surveys.

Mr. STAFFORD. By considering the separate bills we can determine the respective merits of the various projects and hit those that are unworthy.

Mr. LAGUARDIA. Yes; and I think that is the best way to consider them, rather than to establish the policy of passing an omnibus flood control bill.

Mr. JENKINS. It is my understanding that is the reason why these separate bills were voted out, and in order to meet the objection which was made when this bill was up for consideration during the last session.

Mr. LAGUARDIA. For the present I will object to this bill and take the others up on their merits.

POST OFFICE DEPARTMENT

The next business on the Consent Calendar was the bill (H. R. 8568) to compensate the Post Office Department for the extra work caused by the payment of money orders at offices other than those on which the orders are drawn.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I object. The reason is that the Post Office Committee will have its day next Wednesday, and we can dispose of this bill at that time.

Mr. STAFFORD. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. STAFFORD. If my memory serves me correctly, the Committee on the Post Office and Post Roads has had two days on Calendar Wednesday.

Mr. LAGUARDIA. No; they have had one day.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. Did not the Committee on the Post Office and Post Roads have a Calendar Wednesday day during the last session?

The SPEAKER. The Committee on the Post Office and Post Roads has had only one day, and will have next Wednesday.

Mr. LAGUARDIA. Mr. Speaker, I object.

The SPEAKER. This bill requires three objections.

Mr. STAFFORD and Mr. PATTERSON also objected.

RADIO DIVISION OF THE DEPARTMENT OF COMMERCE

The next business on the Consent Calendar was Senate Joint Resolution 176, transferring the functions of the Radio Division of the Department of Commerce to the Federal Radio Commission.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. GRIFFIN. Mr. Speaker, reserving the right to object, this bill presents a very controversial subject. My colleague has a bill before the House, which I believe is still in committee, reversing the process contemplated in this bill. The matter came up in the Subcommittee on Appropriations, under the heading of the Department of Commerce, and I believe there is a very marked difference of opinion on this matter. I would like to ask the gentleman, if he is present, to pass over the bill for to-day.

The SPEAKER. Is there objection?

There was no objection.

ADDITIONAL DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MISSOURI

The next business on the Consent Calendar was the bill (H. R. 12347) to provide for the appointment of an additional district judge for the eastern district of Missouri.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, this seems to be a sort of filibuster against the appointment of additional judges for the southern and eastern districts of New York. I called the attention of the House to this at the last session and in order that the appointment of all these judges may be considered at one time, on their merits, I shall object for the present.

The SPEAKER. Objection is heard.

ASSAY OFFICE AT DAHLONEGA, GA.

The next business on the Consent Calendar was the bill (H. R. 6998) to establish an assay office at Dahlonega, Lumkin County, Ga.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. I object.

AMENDMENT OF DEPARTMENT OF AGRICULTURE APPROPRIATION BILL

The next business on the Consent Calendar was the bill (H. R. 11400) to amend the act of March 4, 1911 (36 Stat. L. 1235–1253–4; U. S.C., title 16, sec. 5), entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1912."

Mr. STAFFORD. Mr. Speaker, reserving the right to object, when this bill was last under consideration it provoked considerable discussion as to whether we should give the power companies the privilege of granting a right of way over our public domain without any compensation whatever. This is an important bill and I think it is one that should be further considered.

Mr. LAGUARDIA. If the gentleman will permit, I had some doubt about it at the time and I am ready now to object, and I intend to do so.

I object, Mr. Speaker.

WARM SPRINGS TRIBE OF INDIANS

The next business on the Consent Calendar was the bill (S. 2895) authorizing the bands or tribes of Indians known and designated as the Middle Oregon or Warm Springs Tribe of Indians of Oregon, or either of them, to submit their claims to the Court of Claims.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I would want to present an amendment to this bill at the end, similar to the amendment carried in the California bill and some others with reference to the use of these funds for other than per capita payments.

Mr. LEAVITT. I would accept that.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I direct the attention of the House to the provision that five years is granted for the presentation of claims in the Court of Claims. To me this seemed to be a rather unusual period in which to allow claims to be presented. I thought two years would be adequate time to allow the claimants or their attorneys to run around the country to find claims against the Government instead of allowing them a 5-year period.

Mr. LEAVITT. If the gentleman will yield, the request is the result of conference with the Indians and their attorneys. They wish to have time to be sure their case is fully prepared and that justice is done to the Indians. That is the only reason for that period of time.

Mr. STAFFORD. Why should they be granted five years in which to prepare their claims? Why would not two years be adequate time? I do not want to foreclose any of their rights by having the Government take snap judgment against the Indians.

Mr. HASTINGS. If the chairman of the committee will permit, let me say that with reference to the Five Civilized Tribes we changed that policy and substituted five years for two years, and so far as I know in all of the subsequent bills five years has been inserted instead of two years, and even with the Five Civilized Tribes they did not have all of their suits ready and the time had to be extended for about a year and three or four months, or until June 30 of this last year.

Mr. LEAVITT. It requires the searching of records and the gaining of various kinds of information.

Mr. CRAMTON. If the gentleman will yield——

Mr. STAFFORD. I yield.

Mr. CRAMTON. I am not sure to what extent this condition affects the first preparation or the beginning of the suit, but it is a fact that because of the great number of these claims and there being only about one set of books that can be used in the Interior Department and so many trying to use them in the court and elsewhere considerable delay results.

Mr. STAFFORD. Then the gentleman does not believe that a period of two years would be adequate for an efficient attorney to prepare his case?

Mr. CRAMTON. I doubt it, and I do not see any particular harm in a longer time, so that we may be sure that we have given them ample time. If the time is short, then they have a good excuse to come back and get it extended.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred on the Court of Claims, with the right of appeal by either party to the Supreme Court of the United States, notwithstanding the lapse of time or statutes of limitation and notwithstanding the provisions of the act of June 6, 1894 (28 Stat. 86), to hear, determine, and adjudicate, and to render final judgment on all legal and equitable claims of whatsoever nature of the Warm Springs Tribe of Indians, or any band thereof, against the United States arising under or growing out of the original Indian title, claim, or rights of the said tribe of Indians, or any band thereof, in connection with the Warm Springs Indian Reservation in the State of Oregon, including all claims, title, or rights growing out of or incident to the treaties of June 25, 1855, ratified by the Senate on March 8, 1859, and proclaimed by the President April 18, 1859 (12 Stat. 963) and of November 15, 1865, ratified by the Senate on March 2, 1867, and proclaimed by the President March 28, 1867 (14 Stat. 751), or either of them, relating to the Warm Springs Indian Reservation in Oregon; and all claims of whatsoever nature growing out of the erroneous payment of any sum or sums of money due under the treaties of June 25, 1855 (12 Stat. 963), and November 15, 1865 (14 Stat. 751), or to any misapplication or misappropriation of any such funds or moneys to purposes not contemplated by the said treaties.

SEC. 2. Any and all claims against the United States within the purview of this act shall be forever barred unless suit or suits be instituted or petition, subject to amendment, be filed with the Court of Claims within five years of the date of this act; and in any such suit or suits the Warm Springs Tribe of Indians of Oregon, or any band thereof, shall be party or parties plaintiff and the United States shall be the party defendant. The petition of the said Indians shall be verified by the attorney or attorneys employed to prosecute such claim or claims, under contract with the Indians, approved in accordance with existing law, upon information and belief as to the facts therein alleged, and no other verification shall be necessary. Official letters, papers, documents, records, maps, historical works, and affidavits in official files, or certified copies thereof, may be used in evidence, and the departments of the Government shall give access to the attorney or attorneys of the said Indians to such treaties, papers, maps, correspondence, reports, documents, or affidavits as they may require in the presentation or prosecution of any suit or suits instituted under this act.

SEC. 3. In the said suit or suits the court shall also hear, examine, consider, and adjudicate any claims which the United States may have against the said Indian tribe or bands thereof, or any of them, and any payment or payments which have been made by the United States upon any such claim or claims shall not operate as an estoppel, but may be pleaded as an offset in such suit or suits, as may gratuities, if any, paid to or expended for said Indian tribe or bands, or either of them.

SEC. 4. Any band of Indians associated with the Warm Springs Tribe of Indians deemed necessary to a final determination of any suit or suits brought hereunder may be joined therein as the court may order: *Provided*, That upon final determination of the court of any such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee, not to exceed 10 per cent of the amount secured, to be paid the attorney or attorneys employed as herein provided, together with all necessary and proper expenses incurred in the preparation and prosecution of such suit or suits to be paid the attorney or attorneys employed herein as provided, and such fee or fees and such expense or expenses shall be included in the decree, and shall be paid out of any sum or sums adjudged to be due said tribe or bands or either of them; and the balance of such sum or sums shall be placed in the Treasury of the United States to the credit of such tribe or bands,

where it shall draw interest at the rate of 4 per cent per annum, and shall be subject to appropriation by the Congress of the United States for any and all proper tribal purposes.

Mr. CRAMTON. Mr. Speaker, I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Strike out, on page 4, line 20, "any and all proper tribal purposes" and insert in lieu thereof "educational, health, industrial, and other purposes for the benefit of said Indians, including the purchase of lands, building of homes, and no part of said judgment shall be paid out in per capita payments for said Indians."

Mr. STAFFORD. Mr. Speaker, I rise in opposition to the amendment. Wherein does the proposed amendment differ from the general language which the gentleman moves to strike out?

Mr. CRAMTON. In most cases the per capita payments are frittered away. The amendment first provides for educational, health, and industrial purposes, and expressly authorizes the purchase of lands and the building of homes. It is similar to amendments we have put in other bills heretofore.

Mr. STAFFORD. Is there any serious objection to its being paid out for per capita payments?

Mr. CRAMTON. In nine times out of ten it is a waste of money.

Mr. STAFFORD. May I inquire of the gentleman from Montana whether the Senate bill conforms in all particulars to the recommendations of the Department of the Interior? I read the bill and the report on the bill, but could not follow closely enough to know whether the bill and report contained those recommendations.

Mr. LEAVITT. Yes; it was reported out by the House committee after a study which showed that those recommendations had been incorporated and that no further amendment was necessary on the part of the House.

The SPEAKER pro tempore (Mr. SNELL). The question is on the amendment offered by the gentleman from Michigan.

The question was taken, and the amendment was agreed to.

The bill, as amended, was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

CLAIM OF THE CHOCTAW AND CHICKASAW INDIAN NATIONS

The next business on the Consent Calendar was the bill (S. 3165) conferring jurisdiction upon the Court of Claims to hear, consider, and report upon a claim of the Choctaw and Chickasaw Indian Nations or Tribes for fair and just compensation for the remainder of the leased district lands.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. JENKINS. Reserving the right to object, and I expect to object unless somebody clarifies the situation——

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent, in view of the fact that this is a most important bill involving many million dollars and one I have given some consideration to prior to the recess, but did not have time on yesterday to go over it now—I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

Mr. CARTWRIGHT. I object.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. STAFFORD. I object.

AMENDING AN ACT FOR THE SURVEY OF PUBLIC LANDS

The next business on the Consent Calendar was the bill (H. R. 725) to amend an act entitled "An act making an appropriation for the survey of public lands lying within the limits of land grants, to provide for the forfeiture to the United States of unsurveyed land grants to railroads, and for other purposes," approved June 25, 1910.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. JENKINS. Reserving the right to object, I would like to ask the author of the bill, the gentleman from California, if he is here, a question. If not, I shall ask to have the bill passed over without prejudice.

Mr. STAFFORD. As I understand, the Committee on Public Lands will be called after the Committee on Post Offices and Post Roads have had their day. This bill can then be called up for consideration. Has the gentleman many bills to be considered on the calendar?

Mr. COLTON. We have a number of important bills, but inasmuch as the gentleman from California is not here at the moment, I submit that the request of the gentleman from Ohio be granted.

Mr. JENKINS. That the bill be passed over without prejudice?

Mr. COLTON. Yes.

The SPEAKER pro tempore. Without objection, the bill will be passed over without prejudice.

There was no objection.

CONTROL OF FLOOD WATERS

The next business on the Consent Calendar was the bill (H. R. 12129) for the control of the destructive flood waters of the United States, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Reserving the right to object, I pointed out when the bill was under consideration before that this bill starts off with a stump speech upon the question of flood control. Surely it is not the desire of the House to incorporate in law any such language as the following, which I quote from the bill:

Be it enacted, etc., That due to the widespread cause and effect of the destructive flood waters of the various streams of the United States, flood control has ceased to be exclusively a local problem, and on such streams as are subject to periodic destructive floods, a Federal interest is declared to exist; that wherever flood control is feasible and economically justifiable, as shown by surveys authorized by Congress, the United States will, when a project therefor has been authorized, participate in flood control upon a cooperative basis with local interests and on streams and parts of streams lying without the backwater areas of the Mississippi River, will contribute to the extent of one-third of the cost of protective works, but only upon condition that local interests contribute the remaining two-thirds of the cost, furnish all rights of way for levees along the main channel of such streams, and agree to maintain the works after their completion free of cost to the United States, all work to be done under the direction of the Secretary of War and the supervision of the Chief of Engineers.

I do not believe we ought to write any such declaration of policy into a law.

Mr. CRAMTON. Furthermore, the report carries no expression of any kind from any department or from the Budget as to the attitude of the administrative officials concerning the bill. The House is entitled to that.

Mr. LAGUARDIA. I call the gentleman's attention also to the proviso on page 3. I think that establishes a policy that ought to be considered very carefully. I refer to the acceptance of nonnegotiable bonds where the localities are unable to finance the matter. That is a very big question in itself.

Mr. CRAMTON. Before the House acts on this I think it is entitled to have before it an expression from the responsible administrative authorities, including the Budget.

Mr. JENKINS. And in addition to that, I call attention of the House to the fact that this bill calls for an expenditure of $15,000,000.

Mr. LAGUARDIA. Otherwise the bill seems to be all right. For the present I object.

PUBLIC WORKS AT PARRIS ISLAND, S. C.

The next business on the Consent Calendar was the bill (H. R. 11367) to provide for certain public works at Parris Island, S. C.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

RATIFYING CERTAIN LEASES WITH THE SENECA NATION OF INDIANS

The next business on the Consent Calendar was the bill (H. R. 11203) to ratify certain leases with the Seneca Nation of Indians.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I reserve the right to object. We are asked here to ratify a treaty, and the treaty itself has never been filed with the Federal Government.

Mr. MEAD. Copies of the leases have been filed both with the committee and the Commissioner of Indian Affairs. The second letter confirms that they have copies of the leases down there.

Mr. O'CONNELL. This has the approval of the department. The last time the bill was under consideration it was objected to by the gentleman from Michigan [Mr. CRAMTON] because the department had not approved it. It now has the approval of the department.

Mr. LAGUARDIA. I have nothing before me to indicate that.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting the letter which I have now before me, which the gentleman from New York [Mr. MEAD] secured from the Commissioner of Indian Affairs as a result of some discussion at the last session.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The letter referred to is as follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, March 18, 1930.

MY DEAR MR. MEAD: Receipt is acknowledged of your letter of March 10, 1930, transmitting a copy of a letter from Martin J. Krull, Irving, N. Y., together with the leases and other documents mentioned therein involving lands on the Cattaraugus Indian Reservation.

The State of New York has heretofore exercised sovereignty and jurisdiction over these Indians which the Federal Government to a large extent has not, due to the fact that Congress has never expressly directed this or any other department of the Federal Government to assume active control and supervision over the New York Indians. Because of this, leases have, where necessary, practically always been approved by the Congress of the United States. Therefore, the leases between the town of Brant, N. Y., and Mr. John L. Snyder are being returned with the suggestion that such approval as is necessary be given by Congress. As the leases appear to be in proper form we see no objection to the ratification thereof by Congress.

The easements transmitted with your letter are also being returned. It is believed that sufficient authority exists under sections 3 and 8 of the act of February 19, 1875 (18 Stat. L. 330), as amended by the act of September 30, 1890 (26 Stat. L. 558), to permit the town of Brant to acquire such easements without any further approval by either this department or the Congress of the United States.

A carbon copy of this letter is also inclosed.

Sincerely yours,

C. J. RHOADS, *Commissioner.*

Approved March 20, 1930.

RAY LYMAN WILBUR,
Secretary.

Mr. LAGUARDIA. Further reserving the right to object to the consideration of the bill, a letter contained in the committee's report and the letter I refer to is from the Office of Indian Affairs, dated June 5, 1930. It says no copies of either of the leases are in the files, but it appears that one lease is for the purpose of establishing a park for the use of the town of Brant, and the other is for a right of way. It seems to me it is a peculiar situation to put Congress in—asking it to ratify a treaty that has never been presented and is not before us.

Mr. MEAD. I sent the leases to the department, and on March 18, 1930, received a letter signed by Commissioner Rhoads in which he says that receipt is acknowledged of my letter of March 10, 1930, transmitting a copy of a letter from Martin J. Krull, supervisor, of Brant, N. Y., together with the leases and other documents mentioned therein, involving lands on the Cattaraugus Indian Reservation. We have taken this matter up two or three different times, and they merely go through the formality of saying that the State of New York has exercised jurisdiction and sovereignty over these Indians, and that they—the Bureau of Indian Affairs—have, by reason of the limited authority given them by Congress, almost no control over the New York Indians, and that therefore they will approve the lease, without going into their files to look up the past record of other requests.

Mr. LAGUARDIA. If the Federal Government has relinquished jurisdiction over these Indians, if we have nothing to do with them, then why is the ratification of Congress necessary?

Mr. MEAD. The ratification of Congress is not exactly necessary, but it has always been invoked and granted without hesitation; they followed this method of procedure. First of all, the Commissioner of Indian Affairs directs us to the attorney general at Albany, and then when Albany is satisfied that the leases are correct, and they are properly presented to the department at Washington, they usually enter no objection to them whatever.

Mr. LAGUARDIA. Very well. Then, why is this matter being urged now for ratification?

Mr. MEAD. This is being urged now because the town of Brant, adjacent to the Seneca Nation Reservation, has this 32 acres of lake-shore property, where they provide a public recreation grounds for the Indians and residents of this town, and they have, from time to time, spent large sums of money in the improvement of this property. They were involved in some litigation some time ago, due to some drownings along this beach. The rights of the town were questioned by certain people involved in the case, and it was suggested to the town that they had no legal rights here, in view of the fact that although their leases had been approved by the Indian council and approved by the department, there was still the requirement of an authorization by Congress.

Mr. LAGUARDIA. The gentleman, I assume, is asking for this ratification on behalf of the town?

Mr. MEAD. On behalf of the town and in accordance with the action of the Indian council.

Mr. LAGUARDIA. Has the gentleman anything from the Indians?

Mr. MEAD. Yes. It is all here in the record.

Mr. LAGUARDIA. I would like to see that.

Mr. MEAD. All of their resolutions approving the action of the town and council are here.

Mr. LAGUARDIA. No, no. Are they asking for a ratification of this treaty?

Mr. MEAD. Yes; they are.

Mr. LAGUARDIA. Will the gentleman put that in the RECORD?

Mr. MEAD. I will be very glad to. Here is the action of the Seneca Nation, signed by their clerk, and all the other documents are in this file. I will be glad to publish it in the RECORD if the gentleman wishes.

The agreement follows along.

In council of the Seneca Nation of Indians, held at the courthouse, Shongo, Allegany Reservation, on the 22d day of June, 1923, at 10 o'clock a. m., and was called to order by the Hon. William C. Hoag, president of the Seneca Nation of Indians.

Quorum present.

George Patterson offered the following resolution:

"*Resolved*, That this council confirm and ratify the hereinafter-described lease for 'park purposes' for the term of 40 years, executed by and between John L. Snyder, of the Cattaraugus Reservation, party of the first part, and the town of Brant, county of Erie, State of New York, party of the second part."

Unanimously adopted.

SENECA NATION OF INDIANS,
Allegany, Cattaraugus, and Oil Springs Reservations, ss:

I, Walter Kennedy, clerk of the Seneca Nation of Indians, do hereby certify that I have compared the foregoing copy of a resolution with the original filed in the records of the Seneca Nation of Indians on the 22d day of June, 1923, and now remaining therein, and that said copy is a true transcript therefrom and of the whole of said original.

In witness whereof I have hereunto subscribed my name and affixed the seal of the Seneca Nation of Indians this 29th day of August, 1923.

[SEAL.]

WALTER KENNEDY,
Clerk of Seneca Nation.

Mr. LAGUARDIA. I do not question the agreements. I do not know what has transpired between these Indians and the town of Seneca since 1923.

Mr. MEAD. I will say to the gentleman that the Seneca Nation of Indians, in tribal council, unanimously adopted a resolution approving this transaction.

Mr. LAGUARDIA. Of the treaty?

Mr. MEAD. Of the treaty.

Mr. LAGUARDIA. In 1923?

Mr. MEAD. Yes.

Mr. LAGUARDIA. I grant you that, but I do not know what has transpired since then. Can the gentleman between now and next consent day get a statement from the council of Seneca Indians asking for this ratification?

Mr. MEAD. It is here right now.

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent that this go over without prejudice until we can look at these things.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. LAGUARDIA]?

There was no objection.

WIDENING OF WISCONSIN AVENUE, SQUARES 1299, 1300, AND 1935

The next business on the Consent Calendar was the bill (S. 3895) to authorize the Commissioners of the District of Columbia to widen Wisconsin Avenue abutting squares 1299, 1300, and 1935.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. JENKINS. Mr. Speaker, reserving the right to object, I would like to ask one question. I notice in the report of the commissioners this language:

> The commissioners have no authority to condemn this land under existing law for the reason that the location is within the limits of the old city of Georgetown.

I am wondering whether or not we do not create a departure if the commissioners are trying to appropriate land over which they have no jurisdiction. In other words, over which their authority does not extend. If they are, it looks as though that would be establishing a dangerous precedent.

Mr. STAFFORD. Do I understand the gentleman to hold that the Commissioners of the District have no jurisdiction over that part of the District which is included in old Georgetown?

Mr. JENKINS. That is what I am asking, whether or not this involves any question like that.

Mr. STAFFORD. I understand the authority of the commissioners is coterminus with the District.

Mr. CRAMTON. Mr. Speaker, I have no direct knowledge on this point, but the commissioners have authority over the entire District as far as general problems of administration go, but it may be very possible that there is some old statute authorizing condemnation for this purpose, while this still was a city of Washington, and that statute would not be basis for a suit in Georgetown. I think that must be the situation.

Mr. PATTERSON. With the explanation of the gentleman from Michigan [Mr. CRAMTON], and since that may be the case, why not give general authority? I ask unanimous consent that this be passed over without prejudice until we can look into it further.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

CLERICAL ASSISTANCE TO CLERKS OF STATE COURTS EXERCISING NATURALIZATION JURISDICTION

The next business on the Consent Calendar was the bill (H. R. 12740) relating to clerical assistance to clerks of State courts exercising naturalization jurisdiction.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Reserving the right to object, my objection is based on the provision in this bill permitting separate funds and permitting fees to be taken and not covered into the United States Treasury. The bill that was passed over without prejudice a few moments ago had a similar provision in it. Now, if the Congress is going to embark upon a policy of permitting separate funds and fees to be taken in and expended by a department without the regular routine of being covered into the Treasury and then spent on authority of appropriation by Congress, we are going to have a very complex bookkeeping system, and we will lose absolute control over and destroy the very fiscal system of this country.

Mr. CRAMTON. Will the gentleman yield?

Mr. LAGUARDIA. Certainly.

Mr. CRAMTON. I have prepared an amendment to this bill, which I expected to offer when we reached the proper point, to strike out lines 9 to 15, inclusive, and to insert in lieu thereof the following:

> Payment of such allowances may be made from the appropriations for general expenses of the Bureau of Naturalization under such regulations as the commissioner, with the approval of the Secretary of Labor, may prescribe.

Mr. LAGUARDIA. That will meet my objection entirely.

Mr. STAFFORD. Reserving the right to object, the report contains no letter from the department showing whether it approves the bill or not.

Furthermore, as I read the bill, it would authorize and permit clerks of State courts to receive this money and pocket it without accounting for the same. A further objection is the fact that the status has changed since the committee in the last Congress raised the fee for naturalization from $2 to $10 and in some instances $20. The work is not of the same pressing nature since the committee raised the fee—inordinately, as I view it—from what it was prior thereto. A different picture now presents itself, as the clerks of the State courts are not burdened now with this work. Congress passed a fee bill with which I am not in sympathy at all, because that bill seeks to discourage worthy persons who desire to become American citizens to become such. I favor the policy that all who are desirable, all who are competent and able to qualify, should be admitted to citizenship without being obliged to pay the large fee which your committee reported in the Congress before last. I am not in sympathy with that policy which tends to keep worthy foreigners from becoming American citizens. The gentleman was a member of the committee at the time it reported that bill.

Mr. JENKINS. I do not remember about that.

Mr. STAFFORD. It was in the last Congress.

Mr. JENKINS. Then, I was. Will the gentleman permit me to make a statement to the House?

Mr. STAFFORD. Yes.

Mr. JENKINS. I am not personally interested in this bill, but I think something should be said in behalf of the author of it, the gentleman from New York [Mr. WAINWRIGHT]. I do not see him here to-day, but he has been before our committee several times, and he seems to be very zealous in his prosecution of this proposition. It would seem that the clerk of the court in his home district is about the only clerk who would be involved in any way in this legislation. There may be two or three others. From the showing which the gentleman was able to make before our committee I want to say that as far as I can see his claim is very meritorious. While I have no personal interest in this bill—and I do not think any member of the committee has—still I wanted to make this statement.

Mr. STAFFORD. In view of the statement by the gentleman from Ohio that the gentleman from New York [Mr. WAINWRIGHT] is interested in this bill, but not now in the Chamber, and as I hold him in high esteem, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, in the meantime I would like to call the attention of the gentleman from Michigan to the fact that the language on page 2, from lines 13 to 15, is likewise objectionable.

Mr. CRAMTON. I propose to strike out from line 9 to line 15, and insert the language I have suggested, which, I may say, was prepared for me by the clerk of the Committee on Appropriations.

The SPEAKER pro tempore. Is there objection?

Mr. COLLINS. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if the committee considered the constitutional provisions of many of the States which provide that a State officer can not at the same time be a Federal officer. If this bill should pass, it would work a discrimination against the States that have this provision in their constitutions.

Mr. JENKINS. I do not believe that matter was presented.

Mr. LAGUARDIA. I think that is a very wholesome inhibition.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ENROLLMENT OF INDIANS OF THE KLAMATH INDIAN RESERVATION IN THE STATE OF OREGON

The next business on the Consent Calendar was the bill (S. 3156) providing for the final enrollment of the Indians of the Klamath Indian Reservation in the State of Oregon.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, I object.

Mr. LEAVITT. Will the gentleman withhold his objection?

Mr. CRAMTON. Yes.

Mr. LEAVITT. The gentleman from Oregon, Mr. Speaker, who is interested in this bill, has been called away on account of a death in his family. Therefore I would like to have permission to have the bill go over without prejudice.

Mr. CRAMTON. That will be all right.

The SPEAKER pro tempore. The gentleman from Montana asks unanimous consent that this bill be passed over without prejudice. Is there objection?

There was no objection.

AMENDMENT OF THE NATURALIZATION LAWS

The next business on the Consent Calendar was the bill (H. R. 12487) to amend the naturalization laws in respect of residence requirements, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HOGG of Indiana. Mr. Speaker, I object.

RESERVATION OF CERTAIN LANDS ON THE PUBLIC DOMAIN IN ARIZONA

The next business on the Consent Calendar was the bill (S. 2231) to reserve certain lands on the public domain in Arizona for the use and benefit of the Papago Indians, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I suggest that there be an amendment, which I suggested when the bill was called before, that no part of said amount to be available unless all the privately owned lands within said addition shall be acquired for not more than said amount. That is a protection for the Government which, I think, is desirable.

Mr. DOUGLAS of Arizona. Will the gentleman permit me to make a statement?

Mr. CRAMTON. Yes.

Mr. DOUGLAS of Arizona. When this legislation was originally contemplated the names of those owning property to be purchased under the legislation were recited. The original legislation was then changed so that those names were eliminated. If the amendment suggested by the gentleman from Michigan were now to be included, in view of the absence of the names of those who own this agricultural land, it would bar the expenditure of the money appropriated unless certain patented mining claims and certain unpatented mining claims held by private individuals, by reason of having done their annual assessment work, were also acquired. It is not contemplated that mineral lands held by virtue of holding a patent or held by virtue of doing the annual assessment work shall be acquired under the legislation, and, as I understand, there is a very limited acreage involved.

Mr. CRAMTON. With a little more time the gentleman could probably adjust that; but the difficulty is that we appropriate $165,000, and we think we are going to buy certain lands. We go in there and buy two-thirds of the land, and then checkerboarded in with that land, so as to make the purchase largely useless, are certain other privately owned lands on which they put prohibitive prices and gouge the Government. I should have to object to the bill unless this protection is given.

The gentleman ought to be able to suggest language that will take care of his situation, and I ask unanimous consent that the bill go over without prejudice so that that may be done.

Mr. DOUGLAS of Arizona. Reserving the right to object, may I request that the gentleman change his unanimous consent and ask to go back to the bill within a period of 15 or 20 minutes. In the meantime I shall be delighted to work out language that will suit the gentleman, I am sure.

Mr. CRAMTON. If it goes over until the next consent Monday, that will not make very much difference.

Mr. JENKINS. Mr. Speaker, I reserve the right to object for one purpose. I want to call the attention of the gentleman from Arizona [Mr. DOUGLAS] to the fact that the Secretary of the Interior makes a suggestion in a letter that he wrote to the gentleman's Senator on April 24, with respect to another amendment, and I should think the gentleman would like to have that amendment so that when he amends the bill he may follow that suggestion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan that the bill be passed over without prejudice?

There was no objection.

SENECA NATION OF INDIANS

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent that we may return to No. 700 on the calendar, the bill (H. R. 11203) to ratify certain leases with the Seneca Nation of Indians, which was passed over without prejudice at my request.

The information I requested has since been given me by my colleague, the gentleman from New York [Mr. MEAD], which shows that the Seneca Nation of Indians ratified this treaty or reratified it as late as December 6, 1929, just prior to the introduction of this bill, and that satisfies my objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. LAGUARDIA]?

There was no objection.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That two leases bearing date of March 26, 1917, and June 22, 1923, between the Seneca Nation of Indians and the town of Brant, N. Y., be, and the same are hereby, ratified and confirmed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

Mr. MEAD. Mr. Speaker, I ask unanimous consent to insert here a copy of the approval of the bill on the part of the Seneca Nation of Indians, as suggested by the gentleman from New York [Mr. LAGUARDIA].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The matter referred to follows:

EXECUTIVE DEPARTMENT SENECA NATION OF INDIANS,
December 6, 1929.

At a regular meeting of the council of Seneca Nation of Indians, held at the courthouse at Jimersontown, Allegany Reservation, N. Y., December 6, 1929, the following resolution was offered by Warren Kennedy and moved for its adoption:

"Whereas that the agreement made between Augustus Jimerson and the town of Brant; and

"Whereas the said Augustus Jimerson has granted unto the town of Brant a strip of land 3 rods wide and 56½ rods long for the purpose of ingress and egress to and from Brant Park so long as the said Brant Park shall be maintained by the town of Brant: Therefore be it

"*Resolved*, That the grant and agreement made between the said Augustus Jimerson and the town of Brant be, and the same is hereby, in all things approved and ratified by this council of Seneca Nation of Indians."

Adopted.

SENECA NATION OF INDIANS,
Clerk's Office, ss:

I, Adlai Williams, clerk, Seneca Nation of Indians, hereby certify that the foregoing resolution passed by the council of Seneca Nation is a true copy as it appears in the records of Seneca Nation. Whereof I have caused the seal of the Seneca Nation hereunto affixed this 21st day of December, 1929.

[SEAL.] ADLAI WILLIAMS,
Clerk Seneca Nation of Indians.

PILLAGER BANDS OF CHIPPEWA INDIANS IN MINNESOTA

The next business on the Consent Calendar was the bill (S. 4051) authorizing the Pillager Bands of Chippewa Indians, residing in the State of Minnesota, to submit claims to the Court of Claims.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, I object.

PRINTING ANNUAL PROCEEDINGS OF THE GRAND ARMY OF THE REPUBLIC AND OTHER PATRIOTIC ORGANIZATIONS

The next business on the Consent Calendar was the joint resolution (H. J. Res. 250) to print annually as separate House documents the proceedings of the national encampment of the Grand Army of the Republic, the United Spanish War Veterans, the Veterans of Foreign Wars of the United States, the American Legion, and the Disabled American Veterans of the World War.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, we started in 1914 authorizing the printing of these reports of veterans' organizations and we have continued up to 1929, and as we go along we pick up new organizations. Now, it is up to the House whether we are going to print and distribute at Government expense, if you please, under the frank, the annual reports of organizations as they are created. If you are going to do that, then pass this resolution. If not, object to it and rescind the whole thing, because, after all, I doubt the value of many of these reports.

I am free to say this, because I do not think they will criticize me as being opposed to the veterans' organizations. I belong to many of them and am in sympathy with their purposes and have helped them at every opportunity on the floor of this House, but if we are going to print these annual reports and increase the number of them, it is going to be quite an item eventually.

Mr. BLANTON. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BLANTON. We were all interested in our soldiers when the distinguished gentleman from New York [Mr. LAGUARDIA] and others were leaving from Hoboken and other ports going across, and we are still interested in them. The members of all of these various organizations provided for in this bill have done valuable service for the country. Why should they not have the proceedings of their annual conventions printed?

Mr. LAGUARDIA. We have the Grand Army of the Republic, the Spanish War Veterans, the Veterans of Foreign Wars, the American Legion, and the Disabled American Veterans of the World War.

Mr. BLANTON. And they all performed brave and valuable services for their flag and their country.

Mr. LAGUARDIA. There is no doubt about that, but does the House want to continue to print these reports?

Mr. BLANTON. Yes. It is a small expense compared to the service that they rendered to the country. Such printing is insignificant.

Mr. DYER. Mr. Speaker and gentlemen, the gentleman from New York has raised an inquiry which I think is very appropriate. These organizations are all founded for patriotic purposes and to assist the widows and dependents of veterans and to teach and practice good government, but the proceedings in these conventions are, in a large degree, of no interest to the public. The action of these organizations with reference to legislation is very proper, but they all have legislative committees to bring these matters to the attention of Congress and to the committees thereof. I myself am connected with one of these organizations and at one time I was at the head of it. I know whereof I speak when I say that much of the proceedings of these conventions is of no special interest to the public, and it is a pure waste of the public money to print these proceedings. If the gentleman will yield to me, I shall object.

The SPEAKER pro tempore. Objection is heard, and the Clerk will report the next bill.

Mr. GRAHAM. Mr. Speaker, this bill just objected to, as I understand under our rule, requires three objections.

The SPEAKER pro tempore. The gentleman from Pennsylvania is correct.

Mr. DYER. Mr. Speaker, I withdraw the objection I made, and I ask that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

Mr. BLANTON. I object.

Mr. DYER. Then, Mr. Speaker, I withdraw my objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Resolved, etc., That hereafter the proceedings of the national encampment of the Grand Army of the Republic, the United Spanish War Veterans, the Veterans of Foreign Wars of the United States, the American Legion, and the Disabled American Veterans of the World War, respectively, shall, with accompanying illustrations, be printed annually as separate House documents of the session of Congress to which they may be submitted.

SEC. 2. That section 2, chapter 277, volume 43, page 473, of the Revised Statutes, approved June 6, 1924, be, and is hereby, repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

SALE OF TIMBERLANDS TO THE STATE OF OREGON

The next business on the Consent Calendar was the bill (S. 3557) to provide for the acquisition of certain timberlands and the sale thereof to the State of Oregon for recreational and scenic purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. CRAMTON. Mr. Speaker, I object.

Mr. COLTON. Mr. Speaker, inasmuch as the gentleman from Oregon [Mr. BUTLER] is interested in this bill and is not present on account of sickness in his family, I will ask the gentleman to withdraw his objection so that I can ask that it go over without prejudice.

Mr. CRAMTON. I withdraw the objection.

Mr. COLTON. Mr. Speaker, I ask unanimous consent that the bill be passed without prejudice.

Mr. LAGUARDIA. Mr. Speaker, I want to say that I, for one, will want additional information. The bill is involved, and I have looked up all of the references to the laws and I find that it needs a great deal of explanation.

Mr. COLTON. I am not interested in the proposition, but Judge BUTLER is interested in it, and I am asking simply that it be deferred until he can be here.

Mr. CRAMTON. I think it might be well to call attention to the fact that this affects the Interior Department and there is no report from that department carried in the committee report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

PAYMENT TO THE UINTAH, WHITE RIVER, AND UNCOMPAHGRE BANDS OF UTE INDIANS

The next business on the calendar was the bill (S. 615) authorizing an appropriation for payment to the Uintah, White River, and Uncompahgre Bands of Ute Indians in the State of Utah for certain lands, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

REDEMPTION OF INTERNAL-REVENUE STAMPS

The next business on the Consent Calendar was the bill (H. R. 10658) to amend section 1 of the act of May 12, 1900 (ch. 393, 31 Stat. 177), as amended (U. S. C., sec. 1174, ch. 21, title 26).

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, this bill creates a new policy upon the question of tax refund and raises the question squarely of whether the tobacco, cigar, and cigarette tax is a manufacturers' tax or a sales tax. If it is a sales tax, there might be some argument to sustain the refund designed in the bill. If it is a manufacturers' tax, I do not think there is any justification for refunding the taxes on these products.

Mr. BLANTON. Mr. Speaker, this is the bill of the gentleman from Kentucky [Mr. THATCHER]. I ask unanimous consent that the bill go over without prejudice.

The SPEAKER pro tempore. Is there objection.

There was no objection.

CLOSING OF STREETS, ETC., IN DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (H. R. 11013) to authorize the Commissioners of the District of Columbia to close streets, roads, highways, or alleys in the District of Columbia rendered useless or unnecessary, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLLINS. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

BRIDGE ACROSS WABASH RIVER, IND.

The next business on the Consent Calendar was the bill (H. R. 5661) authorizing the Sycamore Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Wabash River at or near Fleshers Ferry, Ind.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. PATTERSON. Mr. Speaker, I reserve the right to object. Is this a private toll bridge?

Mr. STAFFORD. Mr. Speaker, I believe this bill, although I have not examined it, contains the necessary phraseology to protect the Government and the users of the bridge. It has the customary clause providing for recapture. Numerous bills of this purport have been passed without objection.

Mr. ROWBOTTOM. Mr. Speaker, this bill was introduced at the instance of the chamber of commerce of Mount Vernon, Ind., and the Kiwanis Club and is indorsed by the chamber of commerce and the Kiwanis Club of Evansville, Ind. The chamber of commerce has an agreement with the highway commission that they will construct a hard road to the approach of this bridge. A number of people have been drowned there on account of the steep embankment. The people have got together, and they want to build this bridge. The State can not build the bridge there because they have contracted already for two bridges, one at Lawrenceville and the other at Princeton. This bridge is essential and is favored by the members of the chamber of commerce of Mount Vernon and is to be built without any profit to anybody.

Mr. PATTERSON. And the gentleman feels it will be carried on on that basis and finally get into the hands of the public authorities?

Mr. ROWBOTTOM. The counties eventually are going to take the bridge over.

Mr. LAGUARDIA. There is a 5-year clause in it that the State will take it over. It is about the best form of bridge bill that we can have on this subject. I do not like any of these toll bridges, but I think the State is protected. If the State wants to protect its citizens, it can do so. The gentleman will find in section 4 that any time after five years the bridge may be acquired by condemnation, and then there is a limitation as to the factors which may enter into the question of valuation.

Mr. PATTERSON. What are those factors—the outrageous tolls that might be charged?

Mr. LAGUARDIA. There is a partial control by the Secretary of War. How far that control has ever been exercised I do not know. Personally, I believe that the State ought to first safeguard its citizens in toll bridges that are intrastate; and that as to bridges that are interstate, the Interstate Commerce Commission should look into it.

Mr. PATTERSON. I withdraw the objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in order to promote interstate commerce, improve the Postal Service, and provide for military and other purposes, the Sycamore Bridge Co., its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Wabash River, at a point suitable to the interests of navigation, at or near Fleshers Ferry, Ind., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the Sycamore Bridge Co., its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said Sycamore Bridge Co., its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, either the States of Indiana or Illinois, any public agency or political subdivision thereof within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor by purchase or by condemnation or expropriation in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of five years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

SEC. 5. If such bridge shall at any time be taken over or acquired by the States of Indiana or Illinois, or by any municipality or

other political subdivision or public agency thereof, under the provisions of section 4 of this act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing costs, as soon as possible under reasonable charges, but within a period of not to exceed 15 years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 6. The Sycamore Bridge Co., its successors and assigns, shall, within 90 days after the completion of such bridge, file with the Secretary of War and with the highway departments of the States of Indiana and Illinois a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and at the request of the highway departments of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Sycamore Bridge Co., its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the Sycamore Bridge Co., its successors and assigns; and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. All contracts made in connection with the construction of the bridge authorized by this act and which shall involve the expenditure of more than $5,000 shall be let by competitive bidding. Such contracts shall be advertised for a reasonable time in some newspaper of general circulation published in the States in which the bridge is located and in the vicinity thereof; sealed bids shall be required and the contracts shall be awarded to the lowest responsible bidder. Verified copies or abstracts of all bids received and of the bid or bids accepted shall be promptly furnished to the highway departments of the States in which such bridge is located. A failure to comply in good faith with the provisions of this section shall render null and void any contract made in violation thereof, and the Secretary of War may, after hearings, order the suspension of all work upon such bridge until the provisions of this section shall have been fully complied with.

SEC. 9. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

SULLYS HILL NATIONAL PARK

The next business on the Consent Calendar was the bill (H. R. 8534) for the transfer of jurisdiction over Sullys Hill National Park from the Department of the Interior to the Department of Agriculture, to be maintained as the Sullys Hill National Game Preserve, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Reserving the right to object, I suggest an amendment to section 2, which is a committee amendment, by inserting after the word "otherwise" the words "at a price not to exceed the sum of $7,500."

Mr. CRAMTON. Mr. Speaker, if the gentleman will permit, from such information that I have, unless these 80 acres have some special improvements on them, land generally in that vicinity would not be worth $100 an acre.

Mr. LAGUARDIA. I take it from the department's letter of June 21, 1930.

Mr. CRAMTON. Some water-supply development on the land, or something like that?

Mr. LAGUARDIA (reading):

In view of the emergency which exists at this point with reference to the water supply for the use of the large number of people who annually visit this refuge, this department requested the Bureau of the Budget to reconsider H. R. 8534 on the basis of acquiring at this time only the land needed in connection with the development and protection of the water supply at the preserve, at a total estimated cost of $7,500.

Mr. CRAMTON. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. CRAMTON. I am not advised as to that particular 80 acres. Personally I am disappointed that it seemed necessary to change section 2, but I am glad the committee has reported the bill, even with the amendment which they have recommended.

May I suggest that it is a very desirable bill. Primarily, my interest in it is because it carries the name of a national park. It carries the same designation as Yosemite and Yellowstone. Many people, depending upon that, go there and find a little area of only 600 acres, a hill or two, and some trees and some game. But, as a matter of fact, this is administered now by the Department of Agriculture as a game preserve, and the entrance gate carries just that title, "Sullys Hill National Game Preserve," so that it should be taken out of one service and put in the other. There is a lot of cheap land that could very well be added to it. I am sorry it seemed necessary to the Budget to eliminate the purchase of that cheap land to extend the game preserve.

Mr. LAGUARDIA. I have another amendment upon which I would like to advise the gentleman from Michigan. On page 2, line 15, at the proviso, insert after the word "provided" the following: "That no hunting shall be permitted within said game preserve"; and then on line 17, after the words "for recreation purposes," insert "but not for hunting."

Mr. CRAMTON. There certainly will be no hunting permitted there. It is a small acreage and there is no more thought that hunting would be permitted there than that hunting would be permitted in Central Park in New York.

Mr. LAGUARDIA. The very character of it would prevent hunting?

Mr. CRAMTON. Yes. And the sentiment of the State is such that there would be no danger of permitting that.

Mr. STAFFORD. Reserving the right to object, would some Member acquaint the membership of the House with the policy of the Government of purchasing lands in States simply for the purpose of establishing a game preserve? Wisconsin is establishing game preserves on its own initiative. Why should the National Government launch a policy of performing a State function?

Mr. CRAMTON. This has to do with an area that has already been acquired and set aside, and now carries a designation——

Mr. STAFFORD. Oh, it is a spot.

Mr. CRAMTON. And now carries a designation "Sullys Hill National Park." It is unfair to the park system to have that continued.

Mr. STAFFORD. Well, let us repeal the original law providing for a national park which contains less than a section of land.

Mr. COLTON. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. COLTON. This is now administered by the Agricultural Department.

Mr. STAFFORD. But, why should the National Government launch such a policy of purchasing lands in a State to establish game preserves, local in character and having no national features whatsoever?

Mr. CRAMTON. The practical question is this: The area exists now, and is administered as a game preserve. The principal effect of this bill is to change the name to have the name correspond with the facts.

Mr. STAFFORD. The principal effect of this bill is to authorize some one to buy ten times as much land as is now incorporated in this misnamed national park.

Mr. CRAMTON. No; because the bill only authorizes them to buy 80 acres. They now have 640 acres, or something like that.

Mr. STAFFORD. As originally introduced, this bill contemplated the acquisition of some 3,000 acres of privately owned lands.

Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

TO LEGALIZE A PIER CONSTRUCTED IN CHESAPEAKE BAY AT ANNAPOLIS ROADS AND TO LEGALIZE AN INTAKE PIPE IN WARREN COVE AT PLYMOUTH, MASS.

The next business on the Consent Calendar was the bill (S. 4400) to legalize a pier constructed in Chesapeake Bay at Annapolis Roads, Md., and to legalize an intake pipe in Warren Cove at Plymouth, Mass.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the pier owned by the Beach and Tennis Club, built in Chesapeake Bay at Annapolis Roads, Md., is hereby legalized to the same extent and with like effect as if said pier had been completed in accordance with plans heretofore approved by the Secretary of War under the provisions of section 10 of the river and harbor act of March 3, 1899: *Provided*, That any changes in said pier which the Secretary of War may deem necessary and order in the interest of navigation shall be promptly made by the owner thereof.

SEC. 2. The intake pipe laid by the Eel River Beach Club of Plymouth, Mass., under the waters of Warren Cove at Plymouth, Mass., be, and the same is hereby, legalized to the same extent and with like effect as to all existing or future laws and regulations of the United States, as if the permit required by the existing laws of the United States in such cases made and provided had been regularly obtained prior to the construction of said intake pipe: *Provided*, That any changes in said structure which the Secretary of War may deem necessary and order in the interest of navigation shall be promptly made by the owner thereof.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BLANTON. Toward the end of a session there is no objection to passing a bill without reading it; but at this time we are early in the session, and there are several months ahead of us, perhaps until summer time. Is there any necessity of that now? I do not want to interfere with the procedure of the Chair.

The SPEAKER pro tempore. The bill was a long bridge bill, and the Chair thought it was not necessary to read the entire description. If the House desires to have it read, it will be read in full.

Mr. BLANTON. But some of these bills are important and they may need amendment.

The SPEAKER pro tempore. They will be read in full if the gentleman desires.

Mr. BLANTON. As to bridge bills I will not raise any question.

CHRISTOPHER COLUMBUS MEMORIAL LIGHTHOUSE AT SANTO DOMINGO

The next business on the Consent Calendar was the resolution (H. J. Res. 255) authorizing the appropriation of the sum of $871,655 as the contribution of the United States toward the Christopher Columbus Memorial Lighthouse at Santo Domingo.

The Clerk read the title of the House joint resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. LINTHICUM. Mr. Speaker, I object.

Mr. STAFFORD. I object.

Mr. BLANTON. I object.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate insists upon its amendments to the bill (H. R. 14804) entitled "An act making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon; and appoints Mr. JONES, Mr. SMOOT, Mr. HALE, Mr. GLASS, and Mr. BROUSSARD to be the conferees on the part of the Senate.

ELIMINATION OF GRADE CROSSINGS IN THE DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (S. 4223) to amend the act entitled "An act to provide for the elimination of grade crossings of steam railroads in the District of Columbia, and for other purposes," approved March 3, 1927.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I object.

Mr. CRAMTON. Will the gentleman withhold his objection?

Mr. BLANTON. I withhold the objection.

Mr. CRAMTON. Reserving the right to object, in the last session, in connection with the District of Columbia appropriation bill, there were some grade separations in controversy that were allowed. Is this the item that was involved at that time?

Mr. STAFFORD. May I say to the gentleman from the Committee on Appropriations that I was under the impression that this item was included in the second deficiency bill.

Mr. CRAMTON. There was an item of that kind, but whether this is the one I am not sure.

Mr. STAFFORD. As I recall my reading of the second deficiency bill reference is there made to this very proposition.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that this bill may go over without prejudice.

Mr. BLANTON. Mr. Speaker, I withdraw my objection and ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

APPOINTMENT OF TWO ADDITIONAL DISTRICT JUDGES FOR THE NORTHERN DISTRICT OF ILLINOIS

The next business on the Consent Calendar was the bill (S. 3614) to provide for the appointment of two additional district judges for the northern district of Illinois.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, for the reasons I stated earlier in the afternoon, I shall object.

The SPEAKER pro tempore. This bill requires three objections. One objection is heard.

Mr. HOGG of Indiana and Mr. BLANTON also objected.

WHARF OR DOCK ON THE SHORES OF THE POTOMAC RIVER WITHIN THE DISTRICT OF COLUMBIA

The next business on the Consent Calendar was Senate Joint Resolution 182, prohibiting location or erection of any wharf or dock, or artificial fill or bulkhead, or other structure on the shores or in the waters of the Potomac River within the District of Columbia without the approval of the Commissioners of the District of Columbia and the director of Public Buildings and Public Parks of the National Capital.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution.

Mr. MOORE of Virginia, Mr. DREWRY, and Mr. BLAND objected.

Mr. CRAMTON. Will the gentleman from Virginia withhold his objection for a moment?

Mr. MOORE of Virginia. Yes.

Mr. CRAMTON. As the gentleman no doubt knows, since our last session the Sun Oil Co. case has passed into the discard, the Secretary of War having declined to approve their permit, and I had hoped that would change the gentleman's point of view with reference to this legislation and that now we might have his cooperation.

Mr. MOORE of Virginia. I was as much opposed to the Sun Oil Co. project as the gentleman from Michigan, and I am more opposed to general legislation which I think infringes the rights of people on the south side of the Potomac.

APPOINTMENT OF ADDITIONAL DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF ILLINOIS

The next business on the Consent Calendar was the bill (H. R. 11967) to provide for the appointment of an additional district judge for the southern district of Illinois.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice. The gentleman from New York [Mr. LAGUARDIA] is temporarily out of the Chamber.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

INDEMNITY TO THE BRITISH GOVERNMENT

The next business on the Consent Calendar was the bill (H. R. 9702) authorizing the payment of an indemnity to the British Government on account of losses sustained by H. W. Bennett, a British subject, in connection with the rescue of survivors of the U. S. S. *Cherokee*.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to the British Government, as an act of grace and without reference to the question of the legal liability of the United States in the matter, the sum of $253.50 as full reimbursement for losses sustained by H. W. Bennett, a British subject, in connection with the rescue of survivors of the U. S. S. *Cherokee*, in February, 1919, as set forth in the message of the President of January 31, 1930, and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS THE BOGUE CHITTO RIVER

The next business on the Consent Calendar was the bill (H. R. 13130) granting the consent of Congress to the Louisiana Highway Commission, to construct, maintain, and operate a free highway bridge across the Bogue Chitto River between Sun and Bush, St. Tammany Parish, La.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge and approaches thereto across the Bogue Chitto River, at a point suitable to the interests of navigation, between Sun and Bush, La., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

SALARY OF THE GOVERNOR OF ALASKA

The next business on the Consent Calendar was the bill (S. 4142) to fix the salary of the Governor of the Territory of Alaska.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SUTHERLAND. Mr. Speaker, I object.

Mr. STAFFORD. Will the gentleman reserve his objection?

Mr. SUTHERLAND. Yes.

Mr. STAFFORD. I had grave doubts as to whether we should level up the salary of the Governor of Alaska to make it the same as that of the Governor of Hawaii. My position was that the responsibilities were different; that those in Hawaii were much heavier than those in Alaska.

The SPEAKER pro tempore. Is there objection?

Mr. SUTHERLAND. Mr. Speaker, I object.

AMENDMENT OF THE JUDICIAL CODE

The next business on the Consent Calendar was the bill (H. R. 5624) to amend section 83 of the Judicial Code, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MOORE of Kentucky, Mr. NEWHALL, Mr. DORSEY, and Mr. GREGORY objected.

Mr. GRAHAM. Mr. Speaker, I would like to ask unanimous consent, on behalf of the author of the bill, that this bill may be withdrawn from the calendar.

Mr. STAFFORD. What does the gentleman mean by that?

Mr. GRAHAM. I want to take it off of the calendar. I want it withdrawn without prejudice.

Mr. O'CONNOR of New York. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. O'CONNOR of New York. There is no such procedure, is there?

The SPEAKER pro tempore. As the Chair understands, the gentleman from Pennsylvania wants to withdraw the bill from the Consent Calendar?

Mr. GRAHAM. Yes.

The SPEAKER pro tempore. The objection takes it off, unless the gentleman puts it back.

Mr. GRAHAM. But in the one case it is stricken from the calendar, while in the other case it is withdrawn by authority of the author of the bill.

The SPEAKER pro tempore. The Chair does not think that makes any material difference.

Mr. O'CONNOR of New York. There is no such procedure as withdrawing a bill from the Consent Calendar.

SALARY OF SECRETARY OF ALASKA

The next business on the Consent Calendar was the bill (H. R. 11368) to fix the annual compensation of the secretary of the Territory of Alaska.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire of the Delegate from Alaska wherein the proposed increase for the secretary is different from the proposed increase for the governor?

Mr. SUTHERLAND. Simply because a few years ago the secretary of the Territory was also the surveyor general, receiving a fixed salary for that work. The office was dispensed with and he is now simply the secretary of the Territory, although his duties are just about the same.

Mr. STAFFORD. Ergo, because he has been relieved of certain duties, we should increase his salary about 50 per cent.

Mr. SUTHERLAND. His salary is absolutely insufficient, and this man has a great deal of work to do. If the gentleman will get the committee hearings, he will find that they show the amount of work he has to perform for a very small salary.

Mr. CRAMTON. Mr. Speaker, if the gentleman will permit, the report from the department bases this salary upon the allegation that the salary of the secretary of Hawaii is $5,800. The salary of the secretary of Hawaii is fixed by law at $5,400 and any increase above that has been because they have alleged that the Welch Act or something or other applies to that office. In my judgment, where a salary is fixed by statute, neither the Welch Act nor the Brookhart Act nor any of the rest of them has any application. So the salary is not now $5,800 and I should object to this salary.

Mr. MAAS. Will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from Minnesota.

Mr. MAAS. I would like to point out that in addition to the fact that the secretary of Alaska was also the surveyor general and received additional compensation from the Territory which was later held unconstitutional, when the office of surveyor general was abolished, his duties were not changed, and in addition to this, the Governor of Alaska is away for long periods of time and it has become necessary for the secretary to act as Governor and to entertain at his own expense. The Governor is furnished with a house at Government expense, a very fine residence, while the secretary has to rent his home and do all of this entertaining out of this small amount of salary, and I think $5,800 is certainly not too much compensation for the secretary.

Mr. BLANTON. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. BLANTON. Had we better not reduce the salary of the governor and give the difference to the secretary if the governor does not stay there and attend to his business?

Mr. MAAS. It is not that he does not stay there and attend to his business, but he is frequently called to the Department of the Interior here in Washington on official business and it takes a long time to get here and then get back to Alaska. I do not mean to say that the Governor of Alaska is overpaid, but there is a great difference in the compensation.

Mr. STAFFORD. I should like to direct an inquiry with regard to the criticism made by the gentleman from Michigan [Mr. CRAMTON] that the established salary of the secretary of Hawaii is $5,400 rather than $5,800.

Mr. MAAS. I did not know the way they arrived at $5,800. We got that information from the department. However, there is a great deal more necessity for the secretary of Alaska drawing $5,800 than the secretary of Hawaii, because of the difference in the cost of living and because of the entertainment that is necessary to be done by the secretary of Alaska.

Mr. CRAMTON. If the gentleman will permit, the Governor of Alaska has responsibility far beyond anything a clerical official has. He is now drawing $7,000, as I recall. The Delegate from Alaska has to-day objected to the salary of the governor being increased.

Mr. MAAS. If the gentleman will permit, he is provided with a house at Government expense, which is worth $3,000 or $4,000 a year.

Mr. CRAMTON. I think we should let these matters be considered together.

Mr. MAAS. Does the gentleman intend to offer an amendment to this bill?

Mr. CRAMTON. The salaries of the officers of Hawaii were fixed without any thought on the part of the House. They were tucked away in the Hawaiian rehabilitation act some years ago and Congress did not know they had raised those salaries until some time afterwards. So there is no particular logic in fixing the Alaska salaries on the same basis; but before this one passes, in view of the action of the Delegate from Alaska in objecting to an increase for the governor, who is a very able official and has heavy responsibilities, I shall have to object, unless the gentleman wants to have it passed over.

Mr. MAAS. I would rather have it passed over.

Mr. CRAMTON. Then I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Without objection, the bill will be passed over without prejudice.

There was no objection.

POSTAGE CHARGE FOR DIRECTORY SERVICE

The next business on the Consent Calendar was the bill (S. 3178) to authorize the collection of additional postage on insufficiently or improperly addressed mail to which directory service is accorded.

The Clerk read the title of the bill.

Mr. COCHRAN of Missouri. I object, Mr. Speaker.

Mr. KELLY. Mr. Speaker, this measure will be under consideration on Calendar Wednesday and should be given more consideration than is possible under present procedure, and I ask unanimous consent that the bill be passed over without prejudice.

Mr. LAGUARDIA. Why not object and let the bill go off the calendar?

Mr. COCHRAN of Missouri. I withdraw my objection, inasmuch as the gentleman from Pennsylvania asks that the bill go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

Mr. LAGUARDIA. I object, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. I object, Mr. Speaker.

AUTHORIZING ALTERATIONS AND REPAIRS FOR CERTAIN NAVAL VESSELS

The next business on the Consent Calendar was the bill (H. R. 12964) to authorize alterations and repairs to certain naval vessels.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON, Mr. PATTERSON, and Mr. LAGUARDIA objected.

CONSERVATION, ETC., OF NAVAL PETROLEUM AND OIL-SHALE RESERVES

The next business on the Consent Calendar was the bill (H. R. 13158) for the conservation, care, custody, protection, and operation of the naval petroleum and oil-shale reserves, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, this is a most important bill, and consideration should be given it by the Rules Committee rather than having it on the Unanimous Consent Calendar. You are authorizing the department to exchange oil lands, to buy without any limitation whatever oil lands within the reservation.

Mr. BLANTON. I object to the bill.

Mr. HALE. Will the gentleman permit it to go over without prejudice?

Mr. BLANTON. Yes; Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

MINIMUM AGE LIMIT FOR ENLISTMENT IN NAVAL RESERVE OR MARINE CORPS

The next business on the Consent Calendar was the bill (H. R. 6145) to regulate the minimum age limit for enlistments in the Naval Reserve or Marine Corps Reserve.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. COLLINS. Mr. Speaker, I ask that the bill go over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

TO AMEND THE NATIONAL DEFENSE ACT OF JUNE 3, 1916

The next business on the Consent Calendar was the bill (H. R. 12918) to amend the national defense act of June 3, 1916, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

PRELIMINARY EXAMINATION OF FOX RIVER, WISCONSIN

The next business on the Consent Calendar was the bill (H. R. 11201) to authorize a preliminary examination of the Fox River, Wis., for the purpose of flood control.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Reserving the right to object, I would like to know how many gallons of water flow down the Fox River?

Mr. REILLY. This is a bill introduced by my predecessor, Mr. Lampert, and provides for an examination by the War Department of the Fox River, with a view to flood control. There are a great many counties in the district, and some in Mr. SCHNEIDER's district, farther north. The bill does not require any great expenditure of money, simply for the Government to send engineers to examine it. There are thousands of acres there that are flooded. The city of Fond du Lac is most interested in this. It simply wants the War Department to examine it and see if it can not be controlled.

Mr. LAGUARDIA. Have there been any floods in the Fox River?

Mr. REILLY. Yes; annually.

Mr. STAFFORD. Wherein do the floods on the Fox River differ from any other stream in Wisconsin? We have floods on the Milwaukee River, but it is always regarded as a municipal question.

Mr. REILLY. I will say that the Fox River, from Portage Lake, where it rises, to the city of Fond du Lac, covers 100 miles, and it has a fall of only 40 feet. It goes through a low country without any great fall. The Wolf River is responsible for the most of the water that flows down the Fox River. In a former bill Congress authorized the survey of the Wolf River.

Mr. STAFFORD. The Wolf River is a minor stream. I remember seeing it away back when I was on the House committee on pulp and newsprint paper, making an investigation of available pulpwood and visiting the Menominee Indian Reservation. That was back in 1908, 22 years ago, but I do not recall that the Wolf River presented any problem of flood control.

Mr. REILLY. It does present a question of flood control, and it is in the Fox River that it is designed to have the investigation for the controlling of the floods.

Mr. COLLIER. As I understand it, Congress already having consented to a survey of the Wolf River, it is necessary to take the two together.

Mr. REILLY. Yes. As the gentleman from Mississippi has stated, in view of the fact that there has been a survey of the Wolf River, it is advisable to examine the Fox River also as to flood control.

Mr. GREENWOOD. With a river that lies entirely within a State, it has been my experience, where the Federal Government makes a survey like this, that invariably they report that it is not a Federal project, and that the Federal Government has nothing to do with, except to make a preliminary report which is not valuable at all in controlling floods. They merely look it over at a small expense, and then make a report that it is not a Federal project, and leave it to be handled as a State project.

Mr. LAGUARDIA. Is this a navigable river?

Mr. REILLY. Yes.

Mr. LAGUARDIA. Actually or theoretically?

Mr. REILLY. Oh, the lower river is actually navigable. The Government has 10 locks that it controls and operates in the lower part of the river.

Mr. STAFFORD. So far as these locks are concerned, the National Government has been seeking to have the State take over jurisdiction, because there is no navigation in those locks at all. Is it not a matter that was imposed upon the National Government years ago?

Mr. REILLY. Oh, my colleague is mistaken. There is navigation on the lower Fox. A great deal of the coal comes down from Green Bay to factories there.

Mr. STAFFORD. I beg the gentleman's pardon. I gave the House a wrong impression. What I had in mind were the locks adjoining the Fox and the Wisconsin.

Mr. REILLY. That is different.

Mr. GREENWOOD. What particularly valuable information does the gentleman expect from a preliminary examination like this?

Mr. REILLY. In Fond du Lac and Oshwosh Counties, two of the largest counties in my district, a flood-control committee has been working actively with the War Department officers and with the paper-mill officers to find some way to control this water, the object being to find out if there is not some way by which a reservoir can be constructed to hold the water during high water, and as to whether something can not be done also with the Wolf River.

Mr. GREENWOOD. If the gentleman feels that he will get any valuable information from this measure other than a mere report from the Federal Government that it is not a Federal project, then I withdraw my objection. It has been my experience that you never get any benefit from it at all.

Mr. PATTERSON. I think they should undertake an investigation. Flood control is an important matter.

Mr. LAGUARDIA. Does the gentleman want to embark on a policy of surveying all of the streams of the United States?

Mr. O'CONNELL. It ought to be done under Federal control.

Mr. LAGUARDIA. Why, in Manhattan they could flood it ten times and they would not come down to our help, and the gentleman knows it.

Mr. O'CONNELL. We would take care of it ourselves.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Fox River, Wis., with a view to the control of floods in accordance with the provision of an act entitled "An act to provide for control of the floods of the Mississippi River and the Sacramento River, Calif., and for other purposes," approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

FLOOD CONTROL IN AND ABOUT CITY OF MIDDLESBORO, KY.

The next business on the Consent Calendar was the bill (H. R. 11230) to authorize an appropriation for flood control in and about the city of Middlesboro, State of Kentucky.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, the bill as originally introduced asked for an appropriation of $550,000. In the report it says that the cost of the preliminary examination will be $1,500.

Mr. FINLEY. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. FINLEY. Is the gentleman advised that the committee practically rewrote the bill?

Mr. LAGUARDIA. That is what I see.

Mr. FINLEY. The bill has been rewritten and provides not for an appropriation as the original bill but just as a survey.

Mr. LAGUARDIA. The original bill provided for construction itself?

Mr. FINLEY. Yes.

Mr. O'CONNELL. The original bill was the construction of embankments.

Mr. LAGUARDIA. Yes.

Mr. FINLEY. The original bill was for an appropriation, but it has been rewritten by the committee and simply calls for a survey.

Mr. LAGUARDIA. Have there been any floods down there?

Mr. FINLEY. Oh, yes.

Mr. LAGUARDIA. On this river?

Mr. FINLEY. Yes. If the gentleman will examine the report he will find that the Government building in Middlesboro has been flooded at times.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. Without objection, the Clerk will report the committee amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of Yellow Creek and other tributaries of the Cumberland River in and about the city of Middlesboro, Ky., with a view to the control of their floods in accordance with the provisions of section 3 of an act entitled 'An act to provide for control of the floods of the Mississippi River, and of the Sacramento River, Calif., and for other purposes,' approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors."

Mr. STAFFORD. Mr. Speaker, I move to strike out the last word. I rise to obtain fuller information from the gentleman from Kentucky [Mr. FINLEY] who has introduced the bill. The Cumberland is a long stream, traversing a valley for hundreds of miles. Does the gentleman know whether there has been any survey of the Cumberland, so far as providing for flood control is concerned, in any other legislation?

Mr. FINLEY. At any other point? I do not know.

Mr. STAFFORD. How far from the mouth of the Cumberland is Middlesboro?

Mr. FINLEY. Middlesboro is up toward the head of the stream. The mouth of the Cumberland is 300 miles down. It flows down through Kentucky into Tennessee and back again into Kentucky.

Mr. STAFFORD. What is the depth of water during the average season of the year in Yellow Creek.

Mr. FINLEY. Yellow Creek in the dry season is just a run.

Mr. STAFFORD. Can you jump across it?

Mr. FINLEY. No; you can not do that. In the report there is a statement like this:

Middlesboro is situated at the junction of two creeks, Pettys Fork and some other fork. They are mountain streams which come down from the high mountains to form Yellow Creek. Yellow Creek flows through a very flat section. The town of Middlesboro itself is situated in a level region, somewhat like a saucer. The waters that come down from the mountains through these creeks can not possibly escape fast enough to prevent the flooding of Middlesboro. During the last flood the water was 8 feet deep in the Government post office at Middlesboro.

Mr. STAFFORD. Over how large an area did the flood extend in Middlesboro?

Mr. FINLEY. Two-thirds of the town was a raging torrent.

Mr. STAFFORD. How long did the flood last?

Mr. FINLEY. It takes two or three days to run down.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The title was amended to read as follows: "A bill to authorize a preliminary examination of Yellow Creek and other tributaries of the Cumberland River in and about the city of Middlesboro, Ky., with a view to the control of their floods, and for other purposes."

MOHICAN RIVER DITCH FROM LAKE FORK, OHIO

The next business on the Consent Calendar was the bill (H. R. 8290) to authorize and direct a preliminary examination of the Mohican River ditch from Lake Fork, Ohio, south a distance of 8 miles.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, we just had a bill dealing with a creek. We first started with a river, then we got down to a creek, and now we have a ditch of which they are asking to have a survey made.

Mr. McCLINTOCK of Ohio. As a matter of fact, this is a river, and this bill provides for a survey for a distance of about 9 miles. This river eventually empties into the Ohio River. In the flood of 1929 by the overflow of this stream it destroyed crops on more than 20,000 acres. The War Department has recommended this survey and the War Department says it will not cost more than $1,500. In the report on this bill the gentleman will find a statement of the Flood Control Committee, where they made a careful investigation of this bill and recommended it.

This stream is, in the most part, a navigable stream. This survey provides for only 9 miles, and if the territory within this 9 miles can be made so that it will not overflow, we will have an entire navigable stream. This only provides for a survey.

Mr. STAFFORD. Will the gentleman yield?

Mr. McCLINTOCK of Ohio. Yes.

Mr. STAFFORD. How frequently in recent years have there been floods on this stream?

Mr. McCLINTOCK of Ohio. There was an overflow in 1929 which destroyed crops on nearly 21,000 acres. There was an overflow in the year 1926, and a small one in 1927. This is practically the only part of this stream where there is an overflow.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Mohican River and its tributaries, especially the Mohican River ditch south of Lake Fork, Ohio, a distance of 8 miles, with a view to control the floods in accordance with the provisions of section 3 of an act entitled "An act to provide for control of the floods of the Mississippi River, and of the Sacramento River, Calif., and for other purposes," approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes.

With the following committee amendment:

Page 2, line 3, strike out the words "such purposes" and insert "examinations, surveys, and contingencies of rivers and harbors."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

TITTABAWASSEE AND CHIPPEWA RIVERS, MICH.

The next business on the Consent Calendar was the bill (H. R. 2936) to provide for a survey of the Tittabawassee and Chippewa Rivers, Mich., with a view to the prevention and control of floods.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, will the gentleman who is interested in this bill give the House some picture of the conditions that justify this survey?

Mr. SWING. Mr. Speaker, as chairman of a subcommittee, I held hearings on this bill, and the hearings have been printed. The report has been presented, which covers the general information on the subject.

Mr. STAFFORD. I assume that the hearings were of such character that they made some impression upon the mind of the gentleman from California, so that he might be

able to tell the House in just a few words what is the occasion for this bill.

Mr. SWING. I can not add anything to what is in the report.

Mr. STAFFORD. There is very little in the report, I may say.

Mr. SWING. It was a year ago when this matter was taken up. I was impressed at the time with the fact that the information to be obtained by the preliminary report would be of value to the committee in helping the committee to decide what further action, if any, should be taken on this matter.

Mr. STAFFORD. This is not a ditch?

Mr. SWING. No. This is a river.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to cause a survey to be made of the Tittabawassee and Chippewa Rivers, Mich., with a view to preparing plans and estimates of the cost of such work as may be necessary for the prevention and control of floods, in accordance with the provisions of an act entitled "An act to provide for control of the floods of the Mississippi River, and the Sacramento River, of California, and for other purposes," approved March 1, 1927.

With the following committee amendments:

Page 1, line 4, strike out "survey" and insert "preliminary examination"; line 11, strike out "1927" and insert "1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The title was amended.

PRELIMINARY EXAMINATION OF HOCKING RIVER

The next business on the Consent Calendar was the bill (H. R. 8736) to authorize and direct a preliminary examination of the Hocking River for the distance that it flows through Athens County, Ohio.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HASTINGS. Mr. Speaker, reserving the right to object, I have not had time to examine this bill as closely as I should like to and the hearings as well, and for the time being I am constrained to object.

PRELIMINARY EXAMINATION AND SURVEY OF MOKELUMNE RIVER, CALIF.

The next business on the Consent Calendar was the bill (H. R. 9779) authorizing a preliminary examination and survey of the Mokelumne River, Calif., and its tributaries, with a view to the control of floods.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, the gentleman from California [Mr. SWING] may have more definite information about this stream, since it is in California, than the gentleman had with reference to the trout stream in Michigan a little while ago.

Mr. SWING. The gentleman from Wisconsin should not refer facetiously to these rivers.

Mr. STAFFORD. Was the gentleman ever acquainted with this stream, the Mokelumne River, before it was called to his attention in the committee?

Mr. SWING. I only know the testimony which was presented.

Mr. STAFFORD. Is it a navigable stream?

Mr. SWING. It is not a navigable stream, but it is one of the principal tributaries to a stream that is navigable, and carries a substantial amount of navigation; that is, the San Joaquin River, which is navigable from San Francisco up to the large city of Stockton.

The question involved is how to handle the flood control upon this, its main tributary, so that floods may not be aggravated on the main stream immediately below; but, on the contrary, that the flood control on the tributary may add to the navigability of the San Joaquin River during low water.

Mr. STAFFORD. I notice from the report that the problem involves not only the Mokelumne but also its tributaries, the Cosumnes River and Dry Creek. Is there any water in Dry Creek?

Mr. SWING. It is the survey of the Mokelumne that is important. That is the stream which is involved. And, as I say, the question is how to handle flood control so as not to aggravate the flood problem on the lower stream, the San Joaquin, and at the same time contribute to the navigability of the San Joaquin in low water. It is quite an important matter.

Mr. STAFFORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination and survey to be made of the Mokelumne River and its tributaries below Woodbridge, Calif., with a view to the control of floods in accordance with the provisions of "An act to provide for control of the floods of the Mississippi River and the Sacramento River, Calif., and for other purposes," approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

With the following committee amendment:

Page 1, line 4, strike out the words "and survey."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended.

DROUGHT RELIEF

Mr. HAUGEN. Mr. Speaker, I move to suspend the rules and pass Senate Joint Resolution 211, for the relief of farmers in the drought and/or storm stricken areas of the United States, with an amendment.

The SPEAKER. The gentleman from Iowa moves to suspend the rules and pass the joint resolution (S. J. Res. 211), with an amendment, which the Clerk will report.

The Clerk read as follows:

Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States

Resolved, etc., That the Secretary of Agriculture is hereby authorized, for the crop of 1931, to make advances or loans to farmers in the drought and/or storm stricken areas of the United States, where he shall find that an emergency for such assistance exists, for the purchase of seed of suitable crops, fertilizer, feed for work stock, and/or fuel and oil for tractors, and, when necessary, to procure such seed, fertilizer, feed, and fuel and oil and sell the same to such farmers. Such advances, loans, or sales shall be made upon such terms and conditions and subject to such regulations as the Secretary of Agriculture shall prescribe, including an agreement by each farmer to use the seed and fertilizer thus obtained by him for crop production. A first lien on all crops growing or to be planted and grown during the year 1931 shall, in the discretion of the Secretary of Agriculture, be deemed sufficient security for such loan, advance, or sale. All such loans, advances, and sales shall be made through such agencies as the Secretary of Agriculture may designate and in such amounts as such agencies, with the approval of the Secretary of Agriculture may determine. For carrying out the purposes of this resolution, including all expenses and charges incurred in so doing, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $30,000,000.

SEC. 2. Any person who shall knowingly make any material false representation for the purpose of obtaining an advance, loan, or sale, or in assisting in obtaining such advance, loan, or sale under this resolution shall upon conviction thereof be punished by a fine of not exceeding $1,000, or by imprisonment not exceeding six months, or both.

The SPEAKER. Is a second demanded?

Mr. ASWELL. Mr. Speaker, I demand a second.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent that a second may be considered as having been ordered. Pending that I ask unanimous consent that the time be

extended to two hours and the time to be equally divided between the gentleman from Louisiana [Mr. ASWELL] and myself.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the time for debate on his motion be limited to two hours, one half to be controlled by himself and the other half to be controlled by the gentleman from Louisiana [Mr. ASWELL]. Is there objection?

Mr. COCHRAN of Missouri. Mr. Speaker, reserving the right to object, I would like to say that it is not the question of debate with which I am concerned, nor the length of time this resolution is to be debated, but the fact that the House is denied an opportunity to offer any amendment to this resolution. I have not even reached a decision as to the amount I would vote for, but I am opposed to denying the Members of the House an opportunity to offer amendments, and, therefore, I object to any extension of time for debate.

I propose to vote against the motion to suspend the rules, not because I am opposed to extending help to these unfortunate people but solely for the purpose of securing for any Member who so desires the right to offer amendments when the bill is returned for consideration under the general rules of the House to-morrow. As to using the money to feed the family rather than buying seeds, if the people are starving there they can buy food if they so desire, so far as I am concerned. I do not care if we are setting a precedent. It might be well to do so before it is too late.

The SPEAKER. Is there objection to ordering a second? [After a pause.] The Chair hears none, and a second is considered as ordered. The gentleman from Iowa [Mr. HAUGEN] is recognized for 20 minutes, and the gentleman from Louisiana [Mr. ASWELL] for 20 minutes.

Mr. MOORE of Virginia. Mr. Speaker, may I make an inquiry?

The SPEAKER. Yes.

Mr. MOORE of Virginia. In the confusion I did not understand the amendment suggested by the gentleman.

The SPEAKER. The Clerk read the resolution as amended and the gentleman from Iowa moves that the rules be suspended.

Mr. MOORE of Virginia. I understood he was suggesting an amendment to his original resolution.

The SPEAKER. No. The gentleman has moved to suspend the rules and pass the Senate resolution, with an amendment, which has been read by the Clerk.

Mr. CRISP. Mr. Speaker, may I submit a parliamentary inquiry?

The SPEAKER. The gentleman will state it.

Mr. CRISP. Do I understand now that the motion is to suspend the rules and pass the Senate bill with an amendment substituting new text for what was in the resolution as it passed the Senate?

The SPEAKER. As the Chair understands the situation, the effect of the amendment is to substitute a House bill for the Senate bill, but the Senate bill is being considered.

Mr. CRISP. That is what I wanted to clearly understand. That is what I apprehended was being done, but I could not hear in the confusion.

Mr. HAUGEN. Mr. Speaker, Senate Joint Resolution 211 carries an authorization of $30,000,000 to make advances and loans to farmers in the drought and storm stricken areas in the United States for crop production in 1931.

The letter of the Acting Secretary of Agriculture of December 2 outlines the area and describes the conditions therein, and recommends that an appropriation be authorized of $25,000,000 along lines of previous legislation of this nature. The conditions are generally recognized, and undoubtedly they are as outlined by the Secretary of Agriculture.

During the summer and fall months of 1930 the United States suffered the most severe and widespread drought in its history, covering an area that included a number of the Southern States, practically all of them, and a number of Northern and Western States, including Ohio, Illinois, Indiana, South Dakota, Wyoming, Montana, and Washington.

A number of such loans have been made in the past. I shall insert a table covering the various acts of this nature.

Act	Amount appropriated	Amount loaned	Principal collected to Oct. 31, 1930	Percentage collected	Principal outstanding
Mar. 3, 1921	$2,000,000.00	$1,957,407.20	$1,377,864.66	70.4	$579,542.54
Mar. 20, 1922	1,500,000.00	1,480,106.69	1,154,058.68	78	326,048.01
Apr. 26, 1924	1,000,000.00	413,983.15	276,620.48	66.8	137,362.67
Feb. 28, 1927	250,000.00	244,204.63	108,218.74	44.3	135,985.94
Feb. 25, 1929	6,000,000.00	5,758,650.34	4,618,383.64	80.2	1,140,266.70
Mar. 30, 1930	6,000,000.00	5,343,856.08	2,123,710.85	39.7	3,220,145.23
Total	16,750,000.00	15,198,208.09	9,658,857.05	63	5,539,351.09

Collections are being made continuously on these loans and considerable additional amounts have been repaid since October 31, 1930, particularly on the loans made in the spring of 1930. In addition to the cash collections the department holds warehouse receipts on cotton in storage as security for loans in the Southeastern States valued at about $70,000 to cover 1929 loans and approximately $280,000 to cover 1930 loans. Repayment of citrus and vegetable loans made in Florida in 1929 is just now beginning.

Six such laws have been enacted, and $16,750,000 has been appropriated, of which amount about $15,198,000 was loaned and about $9,660,000 has been collected, leaving loans outstanding amounting to approximately $5,540,000. Collections have been made ranging in percentage from 39 to 80 per cent of the amount loaned; in other words, the average collection has been approximately 63 per cent.

With the established policy of Congress to authorize appropriations and make advances and loans for like purposes, at this time above all others, such loans should be made that are consistent with public interest. There are, of course, certain limitations.

The question may well be asked, Shall the Federal Government under existing conditions carry the whole load, or may it be expected that the several States and the various communities also do their part to assist in caring for the unfortunate and depressed in their respective localities? I believe it is fair to say that is sound business policy and, may I add, as prudent action on the part of legislative bodies, acting under their oath of office, that due consideration should be given to the burden imposed upon the public, especially at this time.

If so, with the current conditions of the Federal Treasury, and the people staggering under the weight, in these times of world-wide economic depression, it is a fair question, Is the Federal Treasury warranted in taking on the whole burden?

The President, in his recent message, gives warning. See pages 5, 6, 7, and 8. The President called attention to the Budget estimates of receipts and expenditures for the current year, which were made by the Treasury and the Budget Bureau, at a time it was impossible to forecast the severity of the business depression. At that time a surplus of about $123,000,000 was estimated for the fiscal year. A reduction in taxes of $75,000,000 was authorized by the Congress, thus reducing the estimated surplus to about $48,000,000. The President also states the revised estimate of the tax, postal, and other receipts for the current year indicated a decrease of about $430,000,000, of which about $75,000,000 is due to the tax reduction and $355,000,000 due to depression. Moreover, legislation enacted by Congress, subsequent to the submission of the Budget, enlarging Federal construction work to expand employment, and for increase in veterans' services and other items have increased expenditures during the current fiscal year by about $225,000,000.

We have, therefore, a total of $655,000,000 above the estimated revenue and expenditures, an amount exceeding the estimated surplus of $532,000,000. The indicated deficit of $532,000,000 was partly offset, as pointed out by the President, by the application of $185,000,000 of interest payments upon the foreign debt to current expenditures; by arrangements of the Farm Board to reduce net cash demands upon the Treasury by $100,000,000, and about $67,000,000 in econo-

mies and deferments brought about in the Government, reducing the actual deficit to about $180,000,000.

The President adds that it will be necessary in the public interest to further increase expenditures during the current fiscal year in aid of unemployment by speeding up construction work, and aid to the farmers affected by the drought, to which expressions he adds:

I can not emphasize too strongly the absolute necessity to defer any other plans for increase of Government expenditures.

According to this, we shall, if the $185,000,000 is applied to the public debt, and all, I am sure, agree as stated by the President we do not favor encroachment upon the statutory reduction of the public debt, and the $100,000,000 to maintain advantageous domestic markets for agricultural commodities as provided for in the agricultural marketing act is to again be made available to the Federal Farm Board as originally authorized, and $67,000,000 deferments made good, start out with a deficit of $532,000,000 minus economies effected.

The committee extended the scope of the bill to apply to storm-stricken areas, and increased the amount carried by $5,000,000 over the amount recommended by the Budget Bureau and the Department of Agriculture.

What shall be done about it? Shall taxes be increased? Yes. It was suggested by the President that the temporary tax reduction of last year shall be discontinued, but still we would be $562,000,000 in the red. Shall bonds be issued in times of peace? Not an attractive program under the adverse conditions now prevailing. Although the emergency is deserving of most generous consideration, taking it all into consideration, it would seem wise that the whole picture be considered before incurring additional obligations and placing additional burdens upon the already heavily burdened public under the existing adverse conditions.

In the opinion of the committee, $30,000,000 will be adequate to meet the most urgent needs, and will go a long way to relieve the most unfortunate existing conditions, and believing that the Red Cross, the States, and communities will also take steps to aid in the relief, the committee determined that $30,000,000 Federal authorization would be amply sufficient.

Much has been said in the past about State rights. It is believed that the same pride still exists in connection with this problem now confronting us. In fact, I have it from reliable sources, that numerous counties in one State within a stone's throw of the District of Columbia have resolved to meet their own emergencies.

Mr. SUMMERS of Washington. Will the gentleman permit a question before he yields the floor?

Mr. HAUGEN. Yes.

Mr. SUMMERS of Washington. As the gentleman very well knows, summer fallowing is a part of our crop procedure, and, as the gentleman will recall, we testified in regard to summer fallowing before the gentleman's committee. Is it the gentleman's understanding that summer fallowing as well as seeding is included in the bill?

Mr. HAUGEN. My understanding is that would be taken care of and that loans would be made for that purpose.

Mr. SUMMERS of Washington. The same as for seeding?

Mr. HAUGEN. Yes.

Mr. HILL of Washington. Will the gentleman yield?

Mr. HAUGEN. I can not yield for any length of time, but I will yield for a question.

Mr. HILL of Washington. May I ask if it is the intention to take care of the summer-fallowing feature?

Mr. HAUGEN. I just answered that question. I believe it will be taken care of; yes.

Mr. ASWELL. Mr. Speaker, I have been on the Committee on Agriculture a long time. Heretofore we have considered all agricultural legislation without reference to politics. This is the first time that any member of the Committee on Agriculture has been subjected to political highjacking and banditry, instigated by Secretary Hyde and executed by some gentlemen on the committee. [Laughter.] You now undertake to perpetuate this banditry to-day.

The distinguished Speaker, with his elegance and culture, tries to be fair, and sometimes he is—often he is—but I am not surprised that he, wealthy and living in luxury and culture in a great city, is unable to visualize the suffering and the tragedy of a poor man who has to borrow $300. I do not expect him to understand it, and yet in the State of Ohio there are to-day 60 of its 88 counties in distress. I do not expect the Speaker to be able to see that. So he yields himself to being used in this nefarious debauchery, in handling a question of this character through political trickery.

A lot of loose talk has been used with respect to this bill. The gentleman from Connecticut talked about hospital supplies and other devices. One man talked about clothes and shoes and coal, and another one became excited about a dole. I have heard a lot of loose talk here about a dole. The dole they evidently have in mind is the system that is being followed in England, which I have personally investigated and to which I am strongly opposed. These loose talkers about "dole" do not know whether a dole is an insect or a fowl. They do not know anything about it.

Gentlemen, this measure is merely an authorization.

The Appropriations Committee has yet to act, and the money will be turned over to the Secretary of Agriculture to use at his will. He can loan 1 per cent or 10 per cent or 100 per cent if he will. I do not understand why the Speaker and the party he represents, the small group of leaders, have become so afraid to trust the Secretary of Agriculture when the money is really not out of the Treasury of the United States until the loans are actually made.

I call upon all men and women in this House who are free, who are able and allowed to think for themselves and act for themselves, to vote down this monstrous rule, to vote down this nefarious scheme, and permit the men and women of this House to vote untrammeled their own will and not be driven into the shackles like the ox in the ox team.

If you will vote down this gag rule, we on both sides of the Chamber will force a rule in here to-morrow and get this resolution on motion to recommit squarely between sixty and thirty million dollars, which is the right way to do it. It is a cowardly act you are trying to put across here. The proper, the decent, the regular order would be to take up the Senate resolution and have it considered at length. And yet we have here these leaders and would-be leaders trying to find some scheme to prevent it from open and free consideration.

Here are some of the facts: Illinois, 40 counties out of 102 are in distress; Indiana, 44 counties out of 92 counties; Missouri, 34 out of 114; Ohio, 60 out of 88; Pennsylvania, one-quarter of the State; West Virginia, 65 counties, almost the entire State.

I want to remind you gentlemen from 24 drought States that it is one thing to take and obey orders of your party in Washington and quite another thing to answer back home.

These gentlemen permit themselves to be hog tied here, but refuse to recognize the sufferings of their people at home. If they continue this performance, it is well known that in 1932 they will join the ranks of the unemployed. [Laughter and applause.]

Mr. HAUGEN. Mr. Speaker, I yield the balance of my time to the gentleman from Indiana [Mr. PURNELL].

Mr. PURNELL. Mr. Speaker, there is much more involved in this matter than the mere question as to whether we shall authorize an appropriation of $30,000,000 or $60,000,000. I will say to you very frankly—and I think I express very largely the sentiment of the members of the committee on this matter—that if the amount to be loaned was all that is to be considered we might have avoided much of this trouble. But the Senate bill which we are seeking to amend injects a new and serious issue in the matter of relief loans which we should not pass over lightly.

I have supported every single seed-loan resolution that has come before this Congress. I have not only voted for but have helped to draft all of them. We started out by loaning Government funds for the purpose of purchasing seed. The next year we added feed, and later nursery stock,

fuel and oil for tractors, and finally fertilizer. Now, it is sought to add food for human beings.

I want to direct the attention of the House to a prophecy made by one of my good friends on the Democratic side of this House, Mr. RAINEY, of Illinois, who, during the course of the debate on the seed loan bill of 1927, when it was sought to add fertilizer, made this statement:

> This is worse than any of them. That establishes a precedent which may be continued for all the years, and if you furnish fertilizer for the States where they need it—all the States in the whole South need it—why not furnish horses, why not furnish mules for them, and why not feed the negroes while they are making the crops?

I am not wedded to this figure of $30,000,000 as against $60,000,000, but I am opposed to the establishment of this principle of purchasing food for farmers with Government funds. If we purchase food for the farmers of the country, be it through loans or otherwise, there is no good reason why we should not also loan money to every unemployed man and woman in the country who may be out of food. [Applause.]

Mr. BYRNS. Mr. Speaker, will the gentleman yield?

Mr. PURNELL. I am sorry I can not. If every last one of the 120,000,000 people of the United States were gradually to approach the precipice of starvation, the last human being on this earth to survive would be the American farmer.

A drought-relief conference was held in this city on November 20, attended by representatives from the drought-stricken States, selected by their several governors at the suggestion of the President of the United States. The conclusions of that conference were clearly set out in the resolutions which they adopted and to which I now call your attention.

REOLUTIONS OF THE NATIONAL DROUGHT-RELIEF CONFERENCE

WASHINGTON, D. C., *November 20, 1930.*

Whereas the United States during recent months has been visited by the most widespread and disastrous drought in our history, extending from the Atlantic coast to the Rocky Mountains; and

Whereas production of feed, hay, and other crops over wide areas has been materially decreased so that each income of farmers has been depleted and unusual expenditures for feed and food have been and will continue to be necessary; and

Whereas, although farmers are practicing unusual economies and State and local agencies are mobilizing their resources to the full to provide assistance, activities which we commend most highly; and

Whereas notwithstanding the largest possible use of local resources, credit facilities throughout the drought area will fall short of the needs of crop production: Therefore be it

Resolved, That the National Drought Conference urge the Congress of the United States to enact such appropriate legislation as will authorize loans to farmers in the drought area, for crop production in 1931, for seed of suitable crops, fertilizers, feed for livestock, and for such other purposes of production as may be prescribed by the Secretary of Agriculture; that funds be appropriated by Congress in such amount as may be required for such loans, and that the conference urge the Congress to pass the necessary legislation at the earliest possible date.

For the relief of unemployment in the drought area we recommend that Congress enact an additional road appropriation of $50,000,000 to be distributed to the drought-designated States by the Secretary of Agriculture without the necessity of matching such appropriation by a State receiving the same, and to be repaid by each State by an annual deduction from the normal Federal road appropriation over a period of 10 years.

Whereas the drought has brought about widespread suffering throughout more than 1,000 counties; and

Whereas the need for food, clothing, and fuel in rural areas will tax the charitable organizations; and

Whereas the American Red Cross has already extended extensive relief: Be it

Resolved, That the national drought conference urge the people of the United States to contribute liberally to the American Red Cross to enable that organization to meet the relief problems in drought-stricken areas; and

Whereas the county extension agents are most essential in the development and rehabilitation of agriculture in the drought-stricken areas; and

Whereas many counties are unable to collect sufficient taxes to meet current expenses: Be it

Resolved, That the Secretary of Agriculture be urged to request Congress to provide sufficient funds to relieve the drought-stricken counties of their share of the cost of maintaining the extension agents to June 30, 1932.

Whereas the railroads of the United States have granted reduced railroad rates on hay and feed into and livestock out of more than 1,000 drought-stricken counties and have moved more than 60,000 cars on these reduced rates at a great sacrifice of revenues and a material saving to farmers: Therefore be it

Resolved, That the National Drought Conference express to the railroads of the United States its appreciation of the very substantial contribution to the drought-relief work.

THOMAS COOPER, *Chairman.*
HARRY F. BYRD.
M. L. WILSON.
PERRY L. GREEN.
H. C. COUCH.
J. G. PUTERBAUGH.
PAUL BESTOR.

A careful reading of the foregoing resolutions will show conclusively that this conference, the way for which was paved by the President of the United States, had no thought at any time of asking the Congress of the United States to write into a seed loan bill a provision for purchasing food for American farmers. On the other hand, it discloses a very definite conclusion that the matter of providing food should be left to the Red Cross and other humanitarian agencies.

Mr. Speaker, this is not the end of this legislation. The action sought here would merely send the bill to conference. The conferees must come back to this House for final instructions. This is not the last opportunity you will have to express your wishes in connection with it.

I regret exceedingly that objection was made by the gentleman from Missouri to the request for an extension of time for this debate. I wanted those who advocate the insertion of food into this program to have full opportunity to discuss it, but we are confined to 20 minutes on a side, and shall therefore have little time for extended discussion.

Whom are we to believe? We are asked to appropriate $60,000,000. To me there is no particular magic in the amount, nor am I wedded to any particular figure. We are also asked to add the word "food" to this long list that has been growing with each succeeding relief bill. We had before our committee Doctor Warburton, of the Department of Agriculture, who perhaps knows more than any other man about what has gone before and what may be needed for the future. When he came before the committee I asked him upon what he based his estimate of $25,000,000, that being the amount recommended by the Department of Agriculture and the Director of the Budget.

Mr. ASWELL. Mr. Speaker, will the gentleman yield?

Mr. PURNELL. I regret that I have only a few minutes and I can not yield.

Mr. ASWELL. I can help the gentleman.

Mr. PURNELL. I know the gentleman would be glad to do that, but I can not yield.

Doctor Warburton, in substance, made the statement that he based that estimate upon his experience, covering the past several years, during which the Government has contributed to these seed-loan projects. It is stated that 22 States will need help this time. Last year we appropriated $6,000,000 to care for 15 States. It does seem to me that with but a few additional States to be taken care of, an additional $19,000,000 is fully adequate to do the job. I am surprised and have been a number of times at the attitude of gentlemen on the other side of the aisle, all of them my good friends. I am afraid that some of them are trying to turn this into a planters' relief bill rather than a seed loan bill. I for one can not subscribe to this doctrine of reaching into the Federal Treasury for funds with which to purchase food for individual farmers in the country. No man has more sympathy for the people who live on the farms than I, but I undertake to say that if a farmer has reached the point where he has to borrow money with which to buy food, he is not a very good subject for a loan for the purpose of purchasing seed. The only thing to do with him is to leave him to the mercy of his friends and neighbors, and if they are unable to cope with the situation, then his State, and ultimately the National Red Cross, which is equipped to take care of him and his family. I hold in my hand a copy of a telegram sent by the Governor of the State of Virginia to the Governor of the State of Iowa. It reads as follows:

I am informed to-day effort being made reduce proposed sixty million loan fund for seed fertilizer and seed in drought States to twenty-five million. From information conveyed to me I am convinced that minimum of sixty million for 21 drought States will be essential. Am writing President urging him recommend that sixty million be retained. Hope you wire President at once, making similar request.

There is not one word in that telegram asking this House or the distinguished delegation from Virginia to go on record in favor of adding food to this bill. I understand upon good authority—and I stand corrected if I am not stating the fact—that ex-Governor Byrd, who heads the Virginia drought relief committee, made the strongest argument in that conference against including food in the bill.

Mr. Speaker, I reserve the remainder of my time. [Applause.]

Mr. ASWELL. I yield five minutes to the gentleman from Texas [Mr. GARNER].

Mr. GARNER. Mr. Speaker, ladies and gentlemen of the House, we are to be congratulated upon one thing, and that is that the spokesman for the Republican side has conceded that $60,000,000 will be included in the bill. I think we have made some progress over the condition of last week.

What is the issue here in this 20-minute debate? As I see it, there is but one issue, and that is whether you will permit the House of Representatives to consider a very important piece of legislation without tying its hands. Give them, under the rules of the House, an opportunity to perfect the legislation wherever, in their judgment, it needs perfecting. Instead of that, you propose to pass a very important piece of legislation, one of the very most important that will come before this session of Congress, under a suspension of the rules, without the opportunity of amendment, with 40 minutes' debate. Is there a man on the Republican side of the House that can defend it in his own conscience? Is there a man on that side—Republican—who thinks that is the way to legislate in the House of Representatives? I submit, in good conscience, that no one can defend such a policy. What is the reason for it? The reason came out in the remarks of the gentleman from Indiana [Mr. PURNELL] that he is not afraid for the House to vote on the $60,000,000. The gentleman is willing to concede the $60,000,000, but he does not want to give the Republican side an apportunity to vote on food. [Applause.]

Mr. Speaker, it is wonderful when the gentleman makes a plea for those in the cities who might need food. Members of the House, speaking for myself alone, if it ever comes to a point in the House of Representatives that starving people must be taken care of, I will help take care of them if and when absolutely necessary out of the Treasury of the United States. [Applause.] It is unconscionable to think that you may picture a situation where a large percentage of the people of this country are starving and that we, as Members of Congress, can not find a sound economic policy that will help them, out of the Treasury of the United States.

I will tell you what I can do, and I am giving you the figures of the Treasury Department and not my own figures. If necessary, I could increase the surtax on individual incomes of over $100,000 five per cent and get $108,000,000. Every man and woman in this country who has an income in excess of $100,000 ought to be willing, temporarily, at a time like this to contribute something to help take care of the poor. [Applause.] A 5 per cent increase in surtax on incomes over $100,000, by just one resolution of six lines, would produce over $100,000,000 to the Treasury of the United States for feeding the poor of this country. Do you tell me, sir, that there is something in your conscience, something in the Constitution that would prohibit you from exercising your right in this House to collect that money, if need be, to use in feeding the poor of your city and your State?

The Democratic Party, I believe, will never tolerate human suffering in this country when we can relieve it. [Applause.] Why, Mr. Speaker, picture the plight of the poor man that borrows $300—yes; he borrows $300 and puts it in the bank. It is placed to his credit to buy stock, feed, grain, and fertilizer for his farm. He has not a particle of food in his house. He has a wife and children, and in order to get food for them he must go to the Red Cross. The Red Cross replies, "You have $300 in the bank." He says, "No; I can not use that for food. My mules are fat. My grain is here to plant. Here is feed for the stock, but my children are suffering. I must have food." The result is, you say, you can not give it to him. Why, gentlemen, that is ridiculous. You make a fraud out of that farmer. You can not tell me that human nature is such that if that man is loaned $300 for grain, fertilizer, and feed for his stock he will not use it for his children. [Applause.] You can not go against human nature, and the natural thing is for that man to feed his family. You make a fraud out of him by telling him that you will loan him $300, but he must put in his bank and that he can not use any of it for his suffering children. You are just making a liar out of him, because he must and will take care of his family first, and the prime purpose of borrowing that money is to protect his family for the next year.

Give us an opportunity to vote on this under the rules of the House. Let us have free and fair discussion with opportunity for amendment, and then pass the legislation that should be passed. [Applause.]

Mr. ASWELL. I yield one-half minute to the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM. Mr. Speaker and ladies and gentlemen, the gentleman from Indiana [Mr. PURNELL] has quoted ex-Governor Byrd, of Virginia, who is chairman of the Virginia State drought-relief committee. I suppose the gentleman did that because the gentleman wanted to bring to the House the opinion of that distinguished gentleman.

I have in my hand a telegram from ex-Governor Byrd in which he protests against the provisions of this bill because they violate the specific understanding had between the Secretary of Agriculture and the chairman of the drought-stricken areas in two respects:

First, the question of the amount. In the conference referred to it was understood in all of the discussions that the amount of $60,000,000 would be required for the relief of the drought-stricken areas. My own State of Virginia is one of the largest sufferers from this drought. It is conservatively estimated that our loss is $100,000,000, and all of our 100 counties were designated as drought stricken by the Department of Agriculture. It was certainly understood by the various chairmen of the drought-stricken areas that the administration and the Department of Agriculture would approve the amount of $60,000,000. Let me direct your attention to the fact that the amount specified in the bill, whether it be thirty or sixty million dollars, is to be controlled by the Secretary of Agriculture, and if all of it is not needed it will not be drawn from the Treasury. It is not a gift, it is a loan to the unfortunate victims of the drought, and experience shows that a substantial portion of these loans are repaid.

The second respect in which the present bill fails to carry out the understanding of the conference is in that a provision "and for other purposes of crop production" was stricken out of the present bill. The result of this will mean that our orchardists and vegetable growers in Virginia and in other drought-stricken areas will be deprived of any benefit under the present bill.

The question of whether or not this legislation should provide that the money authorized can be used for the purchase of human food is one that may well have serious consideration of the Congress. In my judgment, such a provision should either be carried in this bill or, and probably the better way, is to make a direct, substantial appropriation and place it in the hands of the American Red Cross for the alleviation of human suffering. As I stated before the Agricultural Committee when they were considering this legislation, many of our farmers are much more vitally concerned with what they are going to eat this winter, and how they will be able to feed their families, than they are about the planting of a crop for next year; and in many instances it will be an idle gesture to make a loan to drought-stricken farmers for the purchase of seed,

fertilizers, and feed for stock with which to make a crop next year, when they have no meat and bread to keep soul and body together during this winter.

I propose to vote against the bill as it is now brought before the House as a protest against the action of the administration in not keeping faith with the chairmen of our drought-stricken committees, believing that by defeating this bill we will then be given an opportunity to consider the matter under the general rules of the House and write a bill carrying an adequate amount for the purpose I have indicated. [Applause.]

I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ASWELL. Mr. Speaker, I yield to the gentleman from Virginia [Mr. MOORE].

Mr. MOORE of Virginia. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and in that connection include several quotations from the report made by Governor Byrd to the public in Virginia, telegrams sent me by Governor Byrd, and also adding a compilation made by the Legislative Reference Service showing all of the relief measures which have been enacted by Congress from 1803 down to this time.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MOORE of Virginia. In view of the serious condition in the drought-stricken States and the importance of providing without delay a relief program, it is most unfortunate that the administration seems to have abandoned the plan which had its approval on the 20th of November, less than one month ago. That was the date of the conference here of the representatives of 20 States and the Secretary of Agriculture representing the President. In that conference Virginia was represented by former Governor Byrd, a man of great ability and the accuracy of whose report of what occurred is not open to question and who would vote against the measure if here. I shall now quote from that report, which was made public in Virginia on November 25. Referring generally to what occurred at the conference and to three specific recommendations which were unanimously agreed, Governor Byrd has this to say:

The meeting was called to order by Secretary Hyde. Each State was requested to outline the situation existing by reason of the drought. It developed that 1,000 counties were designated as drought-suffering counties, and of this number 100 were so designated in Virginia. On this basis, it was estimated that 10 per cent of the drought damage occurred in Virginia. The States of Virginia, West Virginia, Kentucky, and Arkansas apparently suffered the most. After each State had made its report, a committee of five was appointed to make recommendations as to relief measures, and to report to the general meeting. I was appointed by Secretary Hyde as a member of this committee. The committee made the following important recommendations, and upon submission to the general committee all were unanimously approved.

Secretary Hyde stated that the recommendations as made would also have the strong support of the administration.

After this preliminary statement, which shows that Secretary Hyde pledged the support of the administration to the recommendations which were adopted, Governor Byrd proceeds to detail those recommendations. He first takes up the recommendation of a loan to agriculturists, giving the text of a resolution and commenting upon what took place during its discussion, and he makes it perfectly clear that all of those who participated in the conference were of opinion that the amount of the loan should be approximately $60,000,000. The following is an extract from his report dealing with that particular subject:

Resolution 1

The text of this resolution is as follows:

"In view of the serious agricultural situation existing throughout the drought-stricken area of the United States: Be it

"*Resolved*, That the national drought conference urge the Congress of the United States to enact such appropriate legislation as will authorise loans to farmers in the drought areas, for crop production in 1931, for seed of suitable crops, fertilizers, feed for livestock, and/or fuel and oil for tractors, and for such other purposes of crop production as may be prescribed by the Secretary of Agriculture; that funds be appropriated by Congress in such amount as may be required for such loans; and that the conference urge the Congress to pass the necessary legislation at the earliest possible date.

"In the discussion incident to the adoption of this recommendation it was emphasized that a fund of approximately $60,000,000 would be required, and that loans would be made to deserving farmers, without unnecessary restrictions or red tape, such loans to be for all purposes of crop production, such as feed, fertilizer, seed, spray materials, gasoline and oil for tractors"—

And so forth.

It is beyond controversy that if Secretary Hyde had authority, and this must be assumed as a fact, to speak for the President, the administration on November 20 favored an appropriation of approximately $60,000,000 to be loaned for the purposes set forth in the resolution. Nevertheless, now it is contended that the appropriation should not exceed $25,000,000 or $30,000,000, and that the loans shall be more narrowly restricted than was designed by the resolution. The resolution, having mentioned seed, fertilizer, and so forth, used this broad language which is not found in the Haugen measure, "and for such other purposes of crop production as may be prescribed by the Secretary of Agriculture."

After it became apparent that a measure authorizing appropriations of much less than $60,000,000 would be insisted on by the administration, I received a wire from Governor Byrd stressing the fact that the action of the November conference and its recommendations are being flouted, and that telegram I now insert:

WINCHESTER, VA., *December 7, 1930.*

HON. WALTON MOORE,
House of Representatives, Washington, D. C.:

Opposition of administration to Aswell bill in House committee which resulted in amendments to reduce appropriation to thirty million and eliminated "other purposes of crop production" is not in accordance with agreement made by Mr. Hyde with drought chairmen at recent Washington meeting. Resolution then adopted called for adequate appropriation, which was estimated in discussion at minimum of sixty million, and language for other purposes of crop production was suggested by Secretary Hyde himself and incorporated in the resolution. This language essential if fruit and vegetable growers of Virginia are to get any relief. Please do everything possible to pass the original Aswell bill.

HARRY F. BYRD.

In his report Governor Byrd comments as follows upon two additional recommendations, which, so far as I am informed, are now being ignored by the administration, although they are covered by bills introduced in the Senate and House, and their importance can not be disputed by those who have any knowledge of the seriousness of the situation in the States represented in the November conference:

Resolution 2

The drought chairmen of the 20 States unanimously approved the Virginia road plan suggested by Governor Pollard, namely, that $50,000,000 be appropriated for the improvement of roads of cheaper types of construction, so as to utilize in full measure local labor, and without the restrictions now applying to the expenditure of Federal-road aid on costly types of roads.

Resolution 3

It was unanimously approved that the Federal Government pay the entire compensation of the local farm agents now jointly paid by the State and Federal Governments for a period of from one to two years as a relief in local taxation.

Simply to avoid any misunderstanding or the charge of any lack of frankness, I wish to say that that feature of the Aswell measure which contemplates loans to provide food for people was not included in the conference agreement, nor has Governor Byrd ever so asserted. But whether considered or not, it should be dealt with by Congress on its merits in the light of all the facts. And certainly the distinguished leader of the majority, Mr. TILSON, of Connecticut, in declaring that there is no precedent for such action, has lost sight of what has very frequently been done throughout a long period. In order that the House may have a full picture of relief legislation enacted from almost the beginning of the Government, as early as 1803, up to the present time, I append to my remarks a compilation prepared by the Legislative Reference Service, from which it will appear that many appropriations have been made, not only to supply food for suffering people in other nations but to supply food

and other means of subsistence to people in various localities of this country who were the victims of flood, cyclone, and other calamities.

LIBRARY OF CONGRESS—LEGISLATIVE REFERENCE SERVICE

[Acts of Congress granting relief to sufferers from floods, fires, earthquakes, etc.]

Act of February 19, 1803 (6 Stat. 49, c. 6). Extension of time for discharging customhouse bonds of sufferers from Portsmouth fire.

Act of March 19, 1804 (6 Stat. 53, c. 28). Extension of time for discharging customhouse bonds of sufferers from fire at Norfolk.

Act of May 8, 1812 (2 Stat. 730, c. 79). Appropriation of $50,000 for provisions to be sent to Government of Venezuela for earthquake sufferers.

Act of February 17, 1815 (3 Stat. 211, c. 45). Persons owning lands in New Madrid County, Missouri Territory, injured by earthquakes authorized to exchange such land for other public lands.

Act of January 24, 1827 (6 Stat. 356, c. 3). Appropriation of $20,000 for relief of fire sufferers at Alexandria, D. C. (now Virginia).

Resolution of February 1, 1836 (5 Stat. 131, No. 1). Rations to be distributed to sufferers from Indian depredations in Florida; no amount specified.

Act of March 19, 1836 (5 Stat. 6, c. 42). Extension of time for discharging customhouse bonds of sufferers from fire at New York.

Resolution of March 3, 1847 (9 Stat. 207, No. 10). Use of U. S. S. *Macedonian* and *Jamestown* for transporting contributions for relief of famishing poor of Ireland and Scotland.

Act of February 16, 1863 (12 Stat. 652, c. 37). Relief of persons damaged by Indian depredations in Minnesota; payment from Indian annuities—not exceeding $200,000.

Joint resolution of July 4, 1864 (13 Stat. 416, No. 76). Appropriation of $2,000 for relief of sufferers from explosion in cartridge factory at Washington arsenal.

Joint resolution of March 17, 1866 (14 Stat. 351, No. 14). Appropriation of $2,500 for distribution among sufferers from explosion at Washington arsenal.

Act of July 27, 1866 (14 Stat. 304, c. 285). Admission, free of duty, of foreign contributions for relief of sufferers from fire at Portland, Me.

Resolution of July 27, 1866 (14 Stat. 369, No. 92). Suspension of collection of internal-revenue duties from sufferers from fire at Portland, Me.

Joint resolution of February 22, 1867 (14 Stat. 567, No. 23). Use of public vessel for transportation of food and clothing contributed for relief of people of Southern States.

Joint resolution of March 29, 1867 (15 Stat. 24, No. 17). Charter of vessel by Secretary of the Navy for transportation of provisions to Wilmington, N. C., for distribution among destitute people of the South.

Joint resolution of March 30, 1867 (15 Stat. 28, No. 28). Issue of food supplies through Freedmen's bureau for relief of persons in Southern and Southwestern States, no amount specified.

Joint resolution of March 30, 1867 (15 Stat. 28, No. 29). Transfer of $50,000 from funds in charge of Freedmen's bureau to Commissioner of Agriculture for purchase of vegetable and cereal seeds for distribution in Southern States.

Joint resolution of January 31, 1868 (15 Stat. 246, No. 7). Issue of desiccated vegetables through Freedmen's Bureau for relief of destitute persons in the South; no amount specified.

Joint resolution of February 10, 1871 (16 Stat. 596, No. 28). Use of naval vessels for transportation of supplies contributed for relief of destitute persons in France and Germany.

Act of April 5, 1872 (17 Stat. 51, c. 88). Admission, free of duty, of foreign contributions for relief of sufferers from Chicago fire. Drawback on import duties on building materials for reconstruction. Suspension of collection of internal revenue taxes from fire sufferers.

Act of April 23, 1874 (18 Stat. 34, c. 125). Issue of food and Army clothing to sufferers from overflow of lower Mississippi River; no amount specified.

Act of May 13, 1874 (18 Stat. 45, c. 170). Appropriation of $190,000 for purchase of food and clothing for relief of sufferers from overflow of Mississippi River.

Act of January 25, 1875 (18 Stat. 303, c. 25). Appropriation of $30,000 for special distribution of seeds among sufferers from grasshopper ravages.

Act of February 10, 1875 (18 Stat. 314, c. 40). Appropriation of $150,000 for issue of food and clothing among sufferers from grasshopper ravages.

Joint resolution of February 25, 1880 (21 Stat. 303, No. 16). Use of naval or chartered vessel for transportation of contributions for relief of famishing poor of Ireland; indefinite appropriation.

Act of March 5, 1880 (21 Stat. 66, No. 33). Admission, free of duty, of foreign contributions for the relief of colored emigrants.

Joint resolution of April 28, 1880 (21 Stat. 594, No. 27). Loan of 500 tents to Governor of Missouri for relief of tornado sufferers.

Joint resolution of May 4, 1880 (21 Stat. 306, No. 30). Issue of 4,000 Army rations for relief of sufferers from cyclone, at Macon, Miss.

Joint resolution of February 25, 1882 (22 Stat. 378, No. 6). Appropriation of $100,000 for purchase and distribution of subsistence stores for sufferers from overflow of Mississippi River and tributaries.

Joint resolution of March 10, 1882 (22 Stat. 378, No. 8). Use of Army hospital tents for shelter to sufferers from overflow of Mississippi River; no amount specified.

Joint resolution of March 11, 1882 (22 Stat. 378, No. 9). Use of Government vessels for transportation and distribution of rations and supplies for sufferers from overflow of Mississippi River and tributaries; indefinite appropriation.

Joint resolution of March 21, 1882 (22 Stat. 379, No. 12). Appropriation of $150,000 for furnishing food for sufferers from floods in Mississippi River and tributaries.

Joint resolution of April 1, 1882 (22 Stat. 379, No. 16). Appropriation of $100,000 for purchase and distribution of subsistence stores for sufferers from overflow of Mississippi River and tributaries.

Act of April 11, 1882 (22 Stat. 44, c. 77). Appropriation of $20,000 for purchase of seeds and distribution among sufferers from overflow of Mississippi River and tributaries.

Joint resolution of February 12, 1884 (23 Stat. 267, No. 9). Appropriation of $300,000 for purchase and distribution of subsistence stores, clothing, etc., for sufferers from overflow of Ohio River and tributaries. Use of Army tents for shelter to sufferers. Use of Government vessels for transportation and distribution of supplies.

Joint resolution of February 15, 1884 (23 Stat. 268, No. 12). Additional appropriation of $200,000 for same objects (Ohio River, etc.).

Act of March 31, 1890 (26 Stat. 33, c. 58). Appropriation of $25,000 for purchase of 2,500 tents to be loaned to State authorities for use of sufferers from floods in Arkansas, Mississippi, and Louisiana.

Joint resolution of April 25, 1890 (26 Stat. 671, No. 16). Appropriation of $150,000 for purchase and distribution of subsistence stores for sufferers from overflow of Mississippi River and tributaries. Use of Government vessels for transportation and distribution of supplies.

Joint resolution of September 1, 1890 (26 Stat. 679, No. 44). Reappropriation of unexpended balance of appropriation of April 25, 1890, to Territory of Oklahoma for sufferers from drought.

Joint resolution of May 28, 1896 (29 Stat. 475, No. 57). Loan of Army tents to mayors of St. Louis, East St. Louis, etc., for tornado sufferers; no amount specified.

Joint resolution of February 19, 1897 (29 Stat. 701-702), and April 7, 1897 (30 Stat. 219), amended June 1, 1898 (30 Stat. 220, No. 12). Use of naval or chartered vessels for transporting contributions for famishing poor of India. Indefinite appropriation.

Joint resolution of April 7, 1897 (30 Stat. 219, No. 9). Appropriation of $200,000 for purchase and distribution of subsistence stores for sufferers from overflow of Mississippi River and tributaries and Red River of the North.

Joint resolution of May 24, 1897 (30 Stat. 220, No. 11). Appropriation of $50,000 for purchasing and furnishing of food, clothing, and medicines for destitute citizens of the United States in Cuba, and for their transportation home.

Joint resolution of June 9, 1897 (30 Stat. 221, No. 14). Reappropriation of $10,000 (remaining under resolution of April 7, 1897) for purchase and distribution of subsistence stores and payment of transportation for sufferers from overflow of Rio Grande near El Paso.

Act of December 18, 1897 (30 Stat. 226, c. 2). Appropriation of $200,000 for purchase, transportation, and distribution of subsistence stores, etc., for destitute persons in mining regions of Alaska. Use of Army and purchase of reindeer, etc., authorized.

Act of March 30, 1898 (30 Stat. 346). Payments on account of injuries, etc., suffered in destruction of U. S. S. *Maine*. Indefinite appropriations.

Act of May 18, 1898 (30 Stat. 419, c. 345). Issue of subsistence, medical and quartermaster's supplies, etc., to destitute inhabitants of Cuba; no amount specified.

Act of March 3, 1899 (30 Stat. 1069). Appropriation of $100,000 for subsistence supplies to be issued to destitute inhabitants of Cuba.

Act of May 13, 1902 (32 Stat. 198, c. 787). Appropriation of $200,000 for procurement and distribution of provisions, clothing, medicines, etc., for destitute people of French West Indies (eruption of Mount Pelee).

Joint resolutions of April 19, 21, and 24, 1906 (34 Stat. 827, 828, Nos. 16, 17, 19). Appropriation of $2,500,000 for purchase and issue of subsistence, quartermaster's and medical supplies for sufferers from San Francisco earthquake and fire.

Act of January 18, 1907 (34 Stat. 850, c. 154). Distribution of provisions, clothing, medicines, etc., among sufferers from earthquakes and fire in Jamaica; no amount specified.

Joint resolution of April 30, 1908 (35 Stat. 570, No. 17). Use of Army tents, provisions, and supplies for relief of sufferers from cyclone in Southern States; no amount specified.

Joint resolution of May 11, 1908 (35 Stat. 572, No. 20). Appropriation of $250,000 for procurement and issue of subsistence and quartermaster supplies, medicines, etc., for sufferers from cyclone in Southern States.

Act of May 23, 1908 (35 Stat. 251, c. 191). Allowance of $600 for expenditures by naval station pay director and $150 by Marine Hospital Service for care of sufferers from fire at Chelsea, Mass.; additional authorization of hospital care, up to $3,600.

Act of January 5, 1909 (35 Stat. 584, c. 7). Appropriation of $800,000 for procurement and distribution of provisions, clothing, medicines, etc., for suffering and destitute people of Italy (Messina earthquake).

Joint resolution of July 1, 1909 (36 Stat. 183, No. 4). Extension to October 1, 1909, of time allowed for treatment of accident, etc., cases in Chelsea Marine Hospital.

Act of May 13, 1910 (36 Stat. 367, c. 232). Distribution of tents, blankets, etc., among sufferers from earthquakes in Costa Rica; no amount specified.

Act of February 18, 1911 (36 Stat. 919, c. 114). Appropriation of $50,000 for transportation of supplies donated for famine sufferers in China.

Joint resolution of May 9, 1912 (37 Stat. 633, No. 19). Appropriation of $1,239,179.65 for tents, rations, etc., for sufferers from floods in Mississippi and Ohio Valleys.

Act of August 26, 1912 (37 Stat. 597). Appropriation of $30,000 to reimburse Revenue Cutter Service for relief of sufferers from volcano near Kodiak, Alaska.

Same (p. 601). Appropriation of $4,500 for mileage of Army officers and contract surgeons in connection with relief of flood sufferers in Mississippi and Ohio Valleys.

Act of March 4, 1913 (37 Stat. 919). Use of $18,173.69 of funds appropriated May 9, 1912, to reimburse Quartermaster Corps and Medical Corps for relief of flood sufferers in Mississippi, Ohio, and Green River Valleys.

Act of October 22, 1913 (38 Stat. 211). Appropriation of $5,000 to reimburse Life Saving Service for rescue and relief of flood sufferers in Middle West.

Same (p. 215). Appropriation of $654,448.49 to reimburse certain Army appropriations for relief of sufferers from floods, tornadoes, and fires in Mississippi and Ohio Valleys, Peach Tree, Ala., and Nebraska.

Same (p. 216). Credit of $42,431.75 to certain Army accounts for expenditures for relief of flood sufferers in Mississippi Valley. Appropriation of $130,940.38 to reimburse naval appropriations for relief of flood sufferers in Ohio and Indiana and on Ohio and Mississippi Rivers and tributaries.

Joint resolution of November 15, 1913 (38 Stat. 240, No. 15). Use of unexpended balance under act of August 26, 1912 (first provision cited above), for relief of sufferers from storm in northern Bering Sea.

Act of August 1, 1914 (38 Stat. 637). Appropriation of $500 for refund of rentals to lessees on Muskingum River damaged by flood conditions; abatement of rentals and termination of leases.

Same (p. 681, par. 13). Appropriation of $200,000 for relief of sufferers from fire at Salem, Mass.

Joint resolution of February 15, 1916 (39 Stat. 11, c. 28). Loan, issue or use of tents, provisions, and supplies of Quartermaster's and Medical Departments for relief of sufferers from overflow of Mississippi River and tributaries; no amount specified.

Act of April 11, 1916 (39 Stat. 50, c. 70). Supply of Army tents, cots, blankets, etc., for sufferers from fire at Paris, Tex.; no amount specified.

Joint resolution of August 3, 1916 (39 Stat. 434, c. 267). Appropriation of $540,000 for relief of flood sufferers in Southern States, including issue of seeds and Army supplies and supplying employment for destitute persons.

Joint resolution of August 24, 1916 (39 Stat. 534, c. 404). Last preceding provision to apply to West Virginia also.

Act of February 25, 1919 (40 Stat. 1161, c. 38). Appropriation of $100,000,000 as revolving fund for furnishing foodstuffs, etc., to populations in Europe, etc. Note: Deficiency appropriation of $107,746.17 in act of March 20, 1922 (42 Stat. 460).

Act of March 30, 1920 (41 Stat. 548, c. 113). United States Grain Corporation authorized to sell 5,000,000 barrels of flour for cash or credit to relieve populations in Europe, etc.

Joint resolution of June 8, 1921 (42 Stat. 19, c. 17). Issue of subsistence and quartermaster supplies to persons suffering from overflow of Arkansas River and tributaries in Colorado; no amount specified.

Act of December 22, 1921 (42 Stat. 351, c. 15). Expenditures of $20,000,000 from funds of United States Grain Corporation for purchase and distribution of corn, seed grain, and preserved milk for people of Russia.

Act of January 20, 1922 (42 Stat. 357, c. 30). Transfer of $4,000,000 worth of surplus medical supplies to American organizations for Russian relief.

Act of May 28, 1924 (43 Stat. 195). Expenditure from naval supply account of issues for relief of earthquake sufferers in Japan; no amount specified.

Act of February 24, 1925 (43 Stat. 963, c. 297). Credit of $6,017,069.03 in Army accounts for issue of supplies, etc., for earthquake sufferers in Japan.

Joint resolution of March 3, 1925 (43 Stat. 1252, c. 478). Credit of $8,548.27 in Army accounts for issue of quartermaster stores for relief of sufferers from cyclone at Lagrange and West Point, Ga.

Act of March 4, 1925 (43 Stat. 1285, c. 547). Credit of $10,575.58 in Army accounts for issue of quartermaster stores, etc., for relief of sufferers from fire at New Bern, N. C.

Act of March 4, 1925 (43 Stat. 1286, c. 548). Credit of $4,582.33 in Army accounts for issue of quartermaster stores for relief of sufferers from cyclone in northwestern Mississippi.

Act of February 9, 1927 (44 Stat. 1065, c. 89). Issue of $936.62 quartermaster stores for fflood-relief work in Texas.

Act of February 14, 1927 (44 Stat. 1097, c. 136). Issue of $1,775.80 Army stores for relief of sufferers from fire at Astoria, Oreg.

Act of February 28, 1927 (44 Stat. 1251). Loans, etc., up to $253,000 to owners of crops and livestock damaged or destroyed by Florida hurricanes.

Act of February 25, 1927 (44 Stat. 1792, c. 213). Determination of losses to property owners near Hatch and Santa Teresa, N. Mex., by overflow of Rio Grande; and appropriation of $75,000 authorized.

NOTE.—The flood control act of May 15, 1928 (45 Stat. 536, par. 3), provides specifically that the United States is not to be liable for damage from floods at any place.

Joint resolution of May 21, 1928 (45 Stat. 688), as amended February 8, 1930 (46 Stat. 67, c. 45). Authorization of $5,000,000 for compensating farmers for losses due to enforcement of noncotton zones, primarily in Texas. The appropriation was carried in act of May 29, 1928 (45 Stat. 895), and limited strictly to the crop 1928. Establishment of noncotton zones was continued for 1929 by act of February 16, 1929 (45 Stat. 1216), without specifying compensation to farmers; and the act of February 8, 1930, reduced the authorization to $2,500,000, limited to crop of 1930, unless Federal appropriation matched by State funds.

Joint resolution of December 21, 1928 (45 Stat. 1067, c. 46). Authorization of $6,000,000 for rehabilitation of agriculture, $2,000,000 for schoolhouses, and $100,000 for purchase of seeds, etc., in Porto Rico following hurricane of September, 1928. Appropriations of $7,130,000 were made in act of March 4, 1929 (45 Stat. 1609).

Joint resolution of February 25, 1929 (45 Stat. 1306, c. 318). Loans for purchase of seed, fertilizer, etc., in storm and flood stricken areas of Southeastern States; $6,000,000 authorized—appropriated in deficiency act of March 4, 1929 (45 Stat. 1635).

Joint resolution of May 17, 1929 (46 Stat. 3, c. 5). Loans under resolution of February 25, 1929, above, in respect of storms between that date and May 17.

Joint resolution of January 22, 1930 (46 Stat. 57, c. 23). Additional appropriations authorized—$1,000,000 for loans to coffee planters, etc., and $2,000,000 for rebuilding of schools—in Porto Rico.

Joint resolution of February 7, 1930 (46 Stat. 66, c. 43). Appropriation of $587,500 for control of pink bollworm in Arizona; compensation to farmers in noncotton zones dependent on local contributions.

NOTE.—The language of this act amplies that compensation was actually payable to farmers under the terms of the act of February 16, 1929, noted above.

NOTE.—Items contained in general appropriation bills are not included in the above enumeration.

Joint resolution of March 3, 1930 (46 Stat. c. 68). Loans to farmers in storm and drought stricken areas of 15 States—for purchase of seed, etc.; extended to include tractor fuel, etc., by resolution of April 24 (46 Stat. 254).

NOTE.—A. Relief of a different sort has frequently been granted by the United States in the form of loans to farmers in crop-failure areas, for purchase of seed grain, etc. Such loans are usually secured by a first lien on the crop produced, and are subject to other terms and conditions in the discretion of the Secretary of Agriculture. They therefore constitute assistance quite different from the outright relief granted in most of the cases cited in the memorandum on "Relief to Sufferers from Floods," etc. Two or three instances of the sort were cited in that memorandum (e. g., 45 Stat. 1306, c. 318—"storm and flood stricken areas of Virginia" and five other Southern States; 45 Stat. 1067, c. 46, and 46 Stat. 57, c. 23—relief in Porto Rico following hurricane of 1928). But there are several others that may be cited, where the relief was occasioned rather by drought or generally unfavorable season than by some specific disaster.

Act of May 31, 1920 (41 Stat. 730), released from repayment of amounts borrowed those farmers whose yield was five bushels or less per acre. Note: The authority for the loans referred to in this act is somewhat obscure. The act of August 10, 1917 (40 Stat. 274, par. 3), authorized the Secretary of Agriculture to procure seed and furnish to farmers for cash at cost; appropriating $2,500,000 for the purpose. And further appropriations were made under that section by acts of March 28, 1918 (40 Stat. 494), and November 21, 1918 (40 Stat. 1045). No specific authority for loans during 1918 and 1919 appears, but again in 1923 (42 Stat. 1322, c. 120), Congress practically repeated the act of May 31, 1920—releasing from repayment of loans made in 1918 and 1919 where the crop was a failure—and further refunding to farmers who, in spite of crop failure, had repaid their loans prior to May 31, 1920.

It may be noted that something similar happened in 1926–27: 44 Statute 1251 confirmed the action of the Secretary of Agriculture in using money appropriated for eradicating contagious diseases of animals, and for making loans to farmers damaged by the hurricane in Florida in September, 1926.

Act of March 3, 1921 (41 Stat. 1347, c. 127), appropriated $2,000,000 for purchase of seed grain, etc., and for advances or loans to farmers "in the drought-stricken areas of the United States."

Act of March 20, 1922 (42 Stat. 467, c. 109), appropriated $1,500,000 for loans by the Secretary of Agriculture "where he shall find that special need for such assistance exists."

Joint resolution of April 26, 1924 (34 Stat. 110, c. 132), appropriated $1,000,000 for procurement of seed and loans to farmers "in the drought-stricken areas of New Mexico." The right was reserved to the Secretary to designate the crop to be planted in each case.

Act of February 25, 1927 (44 Stat. 1245, c. 203), authorized $8,600,000 for procurement of seed, etc., and for loans to farmers "in the drought and storm stricken areas, comprising what are known as the Northwestern States and cotton States of the United States," and for the crop of 1927. The item was carried in the

second deficiency bill, which failed of passage in the Sixty-ninth Congress.

Joint resolution of March 3, 1930 (46 Stat. 78, c. 68), authorized $7,000,000 for loans for the crop of 1930 to farmers "in the storm, flood, and/or drought stricken areas of 15 States." Six million dollars of this was appropriated in the deficiency act of March 26 (46 Stat. 99). Relief under this resolution was extended, by resolution of April 24, 1930 (46 Stat. 254), to include loans for purchase of tractor fuel.

Independent offices appropriation act of April 19, 1930 (46 Stat. 240), appropriates $1,000,000 additional for loans to coffee planters, etc., in Porto Rico, under authorization of December 21, 1928 (45 Stat. 1067).

B. Generally speaking, the legislative provisions for relief of storm and flood sufferers, etc., have been separate acts—both in case of use of Government property, etc., and appropriations. In a number of cases expenditures of regular appropriations for emergency relief work have been confirmed in deficiency appropriation acts; see e. g. 37 Stat. 597, 601, and 38 Stat. 211, 215, and 216; i. e., reimbursement of such appropriations has been made, instead of a definite appropriation in the first instance.

In at least two instances relief appropriation has been made in regular appropriation acts without prior authorization, viz, 30 Stat. 1069—$100,000 for starving people of Cuba; 38 Stat. 681 par. 13—$200,000 for relief of sufferers from conflagration at Salem, Mass.

The more recent tendency is, first, to authorize the expenditure, and then appropriate: Cf. 45 Stat. 1067, 1609—Porto Rico relief; 45 Stat. 1306, 1635—storm areas of Southeastern States; 46 Stat. 78, 99—storm areas of 15 States; and in some cases the authorization has not been acted upon, as in 44 Stat. 1245.

Our index does not in general cover local provisions contained in appropriation acts; consequently it is possible that there may be a few additional provisions for the relief of sufferers which we have not been able to locate.

Mr. ASWELL. Mr. Speaker, I yield to the gentleman from Virginia [Mr. DREWRY].

Mr. DREWRY. Mr. Speaker, I am in favor of the $60,000,000 appropriation and, therefore, opposed to the $30,000,000. It is not a new thing for the United States through congressional action to take care of suffering humanity, both at home and abroad. This country has a full record for relieving suffering, not only at home but in foreign countries.

According to a compilation of acts of Congress bearing on this subject made by the Legislative Reference Service, which may not be complete, as early as 1812 Congress appropriated $50,000 for provisions to be sent to Venezuela for earthquake sufferers. In 1847 relief was given the famishing poor of Ireland and Scotland. In 1871 supplies were contributed for the relief of destitute persons in France and Germany. Again in 1880 the famishing poor of Ireland were helped. In 1897 the poor of India were succored, and in 1898–99 the destitute in Cuba were relieved. Next aid was given in 1902 to the destitute people of the French West Indies suffering from an eruption of Mont Pelee. Then a few years afterward help was sent to Jamaica. In 1909 an appropriation of $800,000 was made for the suffering and destitute people of Italy. Then in 1910 supplies were sent to Costa Rica and in 1911 to China.

In 1919 there was an appropriation of $100,000,000 as a revolving fund for furnishing foodstuffs to populations in Europe. One year later the United States Grain Corporation was authorized to sell 5,000,000 barrels of flour for cash or credit to relieve populations in Europe. If flour was then selling at $6 per barrel, about what the price is to-day, there is represented a further fund of $30,000,000 for the populations of Europe—the exact amount that the distressed farmers of our own country are to-day being so generously offered by the administration through the House resolution now under discussion. The next year (1921) the expenditure of $20,000,000 was authorized to purchase and distribute corn, seed grain, and preserved milk for the people of Russia. Twenty million dollars for corn and seed grain and milk for Russia and only $30,000,000 for our own people. Apparently our present Government does not believe that "charity begins at home." Then a month later $4,000,000 more for Russia—$24,000,000 in two months for Russia—$30,000,000 for the United States. In 1925 more than $6,000,000 for Japan's earthquake sufferers. In 1928 nearly $8,000,000 for rehabilitation of agriculture and purchase of seeds and the building of school houses in Porto Rico following the hurricane of that year. Three million dollars more authorized in January of this year for Porto Rico for similar aid.

I am not citing these appropriations for the suffering and destitute people of other countries in a critical or captious spirit. I voted for some of them. I would do it again. In this approaching season of "good will on earth," I am glad that our country felt impelled to give out of the fullness of its heart to those far away who were not as blessed as we were. Now, we are called upon to meet distressing conditions at home—in our own family, as it were. It was blessed charity to give to others who had no claim on us but that claim which suffering humanity has on every man of kindly heart and generous impulses. Relief of one's family is not charity—it is a duty.

Congress has recognized that duty from the beginning of this Government. It has helped sufferers from disastrous fires (at Portsmouth and Norfolk and Alexandria, Va., at New York City, here in Washington, at Portland, Me., at Chicago, at San Francisco, at Chelsea and Salem in Massachusetts, at Paris, Tex., at New Bern, N. C., at Astoria, Oreg.) all over this country from Massachusetts to Texas, from Virginia to California and Oregon. It has aided sufferers from earthquakes, tornadoes, cyclones, and volcanic eruptions, storms and hurricanes, and from Indian depredations, and the boll weevil (from Minnesota to Florida). It aided the destitute of the South after that great conflict between brothers of the North and the South. It has relieved the suffering occasioned by the overflows of our great rivers. Relief has frequently been granted by the United States in the form of loans to farmers in crop-failure areas, for purchase of seed grain and for advances and loans to farmers in drought-stricken areas.

It will therefore be seen that such relief is not "revolutionary" either in the way of advancements for food or for purchases of seed grain and other objects. Nor can any distinction of importance be drawn between the appropriations cited above and the appropriation asked for in the Senate resolution so far as appropriating money for food and so forth. The farmers in the drought-stricken areas are suffering just as surely as the sufferers from war, floods, and storms. It makes no difference what caused the suffering—the point at issue is, how to relieve it.

If the foregoing statements be correct, then the only question remaining to be settled is the amount to be appropriated. It will be recalled that when the necessities and destitution of those in the drought-stricken areas in this country were brought to the attention of the people, the President, with what seemed to be a somewhat unnecessary "blare of trumpets," announced that immediate relief would be given by the Government. The Executive proceeded to call together the governors of the States affected and after a conference it was agreed that the State executives should return home and appoint drought relief commissions. This was done and the chairmen of the relief commissions thus appointed met in conference with the Secretary of Agriculture in Washington. Each chairman brought with him estimates of the damage done in the State which he presented.

The minimum estimate of the total of the amount needed for relief was put at $60,000,000, and the relief was to be afforded by supplies of food, seeds, fertilizers, fuel for tractors, and for other purposes. This amount, $60,000,000, and the purposes aforesaid were agreed upon unanimously and bills were drawn in accordance with this agreement for presentation to both Houses of Congress when they met on the first Monday in December of this year. Instead of immediate relief, it will be noted that several months elapsed before the final machinery was set in motion. The Senate passed the resolution as presented to it without a dissenting vote, and it now lies on the Speaker's table. The party in power can take up said resolution and pass it as quickly as it chooses. However, it has not pursued that course. The resolution was presented to the Committee on Agriculture and that committee reported back to the House the said resolution in amended form, having stricken out the supplying of food as one of the relief measures proposed, and hav-

ing reduced the amount from $60,000,000 to $30,000,000. Although the ranking Democrat on said committee and the floor leader of the Democratic Party have insisted upon immediate consideration, it has been held up for a week, and it is now proposed to take up the House bill under suspension of rules, under which procedure no amendment can be offered, and under which debate of only 20 minutes is allowed to each side. Under such circumstances those of us who are satisfied that there should be more relief given than is afforded by the resolution of the House committee are forced to vote against the proposal to suspend the rules and take up such an important matter without full opportunity for discussion.

I believe, and it is the belief of many of the Members representing the drought-stricken areas, that $60,000,000 is the minimum amount necessary to relieve the distress which now confronts these suffering sections of the country. The conditions are well known to all of us, and the need is urgent for immediate relief in sufficient amount to take care of the destitution. It will be recalled that this was the minimum estimate placed by the chairmen of the States affected after conference with the Secretary of Agriculture. Since that time conditions have grown worse instead of better. I wish to quote from several letters addressed to me by prominent men in some of the counties in my district affected by the drought, who are not given to any but the most conservative statements.

From one county comes this report:

Peanuts are grown here very extensively and the month of September is the main growing month for peanuts. It has been dry here all of August and in some portions of the county very dry all of July. (The drought continued through September.) In addition to this, a hailstorm came across a portion of the county and absolutely destroyed the crop of a number of farmers. In this portion of the county tobacco was grown, and in some instances, it was a total loss.

From another county:

From the best information I can get, the corn crop will not exceed 30 per cent of the normal crop, and the damage to the peanut crop is indeterminate at this time. If we can not have rain, plenty of it and that soon, the peanut crop will be almost a total loss.

From another county:

There are a number of people in this county who will have to be fed by the Red Cross this winter, which means, of course, that without some governmental help, they can not finance themselves to produce a crop next year. I would be a godsend if Congress would pass a resolution and help such people as need it who can not secure credit elsewhere, setting aside money with which to allow these people to buy fertilizers and feed to pitch a crop on and actual needs of food.

From another county:

About two-thirds of the farmers of this county will not make half enough to live on until another crop can be made. When you include tenant farmers, not more than 50 per cent will have enough bread and meat for the winter.

From another county:

I can assure you that the situation is not exaggerated. We are still without any relief whatever from the drought, and we are now going into the fall and winter without any fall seeding of any any consequence being done, and no prospect of early grazing crops next year and no prospect of grain unless we have rain in time for the same to be seeded.

Consider also the following report of drought-relief committees of 16 tobacco-growing counties held at South Boston, Va., on September 23, 1930:

The tobacco-growing portion of the State of Virginia, like other portions of the State, has this year been visited by the most disastrous drought in the memory of our oldest citizens, as a result of which the tobacco crop in Virginia will be curtailed more than 50 per cent and the quality greatly damaged, and the price being below the cost of production.

Other crops grown in this portion of the State, such as corn, hay, cotton, potatoes, and truck crops have been damaged or completely destroyed to an amount in excess of the damage to the crop of tobacco.

For the past few years the tobacco crop has been sold for very little more than the actual cost of production, leaving practically nothing as profit for the farmer, which would have enabled him to prepare for the disaster which has now come upon him, as a result of which a vast majority of our farmers find themselves in dire financial straits, unable to further finance their farming operations; to provide foodstuffs for their work animals, cows, sheep, poultry, and hogs; to pay debts already incurred in attempting to make crop during the present year, or any past indebtedness.

From another county:

The utter failure of crops in our county is causing many farmers to lose their farms. Several instances have occurred here recently. Tobacco selling from 1 to 6 cents (some bringing more, of course, but quantity not large), the average being under $6 per hundredweight. Our county not only had the drought, but two hailstorms, wiping out some crops entirely and reducing the quality of many other crops to such a low price that it practically brings nothing, not enough to pay fertilizer bill. So little corn made that farmers have not enough to fatten their hogs. We are greatly troubled as to the actual living—bread and meat—for a large number of tenants in our county. Banks, merchants, and other former sources of supply can not collect; hence ability to further help exhausted.

These are fair statements of the situation in the southside section of Virginia. The situation is not exaggerated. Relief can not be given by the banks, which are full of "frozen credits." The State can not give any immediate relief because of a constitutional provision which forbids the issuance of bonds until an election has been held directing a bond issue, and such an election can not be held until 90 days after passage of a bill calling for the election. Therefore, it becomes necessary to fall back on the Federal Government for help in this crisis. Of the amount allocated to Virginia under the act of February 25, 1929, providing for advancements and loans to the farmers, nearly 90 per cent was collected. I believe that if the people of Virginia and the other drought-stricken States were given this aid they would make every effort to honorably take care of such obligation.

It is an insult to say that these destitute people are asking for a "dole." They are not asking for a gift; they are asking for a loan to carry them over their period of distress. They would not willingly ask even for a loan, but that their children are facing starvation and they are forced to put their pride in their pocket. They see Congress appropriating large sums for things which could wait until a more prosperous time. They can not wait, they must have assistance in order to live. They ask for a minimum for their necessities and the answer of their Government is that they must get along with half a loaf. Their Government giving hundreds of millions of dollars for furnishing foodstuffs, and so forth, to populations in Europe and giving them only one-half of what everyone admits is a minimum amount necessary. In addition, they are told that their starvation is not caused by war, therefore it is not as necessary to relieve them. This argument is not very convincing to a starving man.

Mr. ASWELL. Mr. Speaker, I yield one minute to the gentleman from New York [Mr. O'CONNOR].

Mr. O'CONNOR of New York. Mr. Speaker, ladies and gentlemen of the House, according to the last Federal census over 54 per cent of the people of our Nation were concentrated in our cities. The Republican Party and this administration likewise have always centered their solicitude upon the rural sections of the country. It is the party of the rural element and to-day, more so than ever, do they show their utter contempt for the people in the great metropolitan centers of our cities, toward whom they offer no help nor no solution of this mammoth problem of unemployment. [Applause.] If the farmer is entitled to the help of his Government in food and clothing, as well as seed and fertilizer, so are the starving men and women out of employment in the great cities of this Nation. [Applause.]

Mr. ASWELL. Mr. Speaker, I yield one minute to the gentleman from Minnesota [Mr. KVALE].

Mr. KVALE. Mr. Speaker, I rise respectfully to remind the House that last Friday, in the consideration of another measure, a Member of high standing in this House, the gentleman from Indiana [Mr. WOOD] said, in effect, "Are we mere puppets? Are we everlastingly to take the dictates of the Bureau of the Budget and of the President? If so, dissolve Congress, for we are no longer needed."

Applying that thought to-day, it occurs to me that if we, as Members of a legislative body, are forced to shackle our-

selves, yield our rights, and deny ourselves the right of amendment in the consideration of an important measure like this, we are justified in defeating the measure now being considered under suspension of rules, in order to have a fair chance to amend and to vote on another measure that will surely follow close on the heels of this bill. [Applause.]

Mr. ASWELL. Mr. Speaker, I yield one-half minute to the gentleman from Oklahoma [Mr. McCLINTIC].

Mr. McCLINTIC of Oklahoma. Mr. Speaker, I have just had a long-distance telephone conversation with Mr. J. G. Puterbaugh, the chairman of the Oklahoma State Drought Relief Committee, who resides at McAlester, Okla., in which he made the statement that he is in accord with the amount of money carried in the Senate bill for drought relief, and he expressed the hope that the House of Representatives would concur in such measure.

For the reason the entire time allotted to the Democrats is only 20 minutes, it is not possible for anyone to have a sufficient amount of time to discuss the merits of this legislation. Therefore I shall extend as a part of my remarks letters and telegrams sent me relative to this subject. The first is a telegram from my home city—Snyder, Okla.

SNYDER, OKLA., *December 12, 1930.*

ALL MEMBERS IN CONGRESS FROM OKLAHOMA,
CARE JIM McCLINTIC, M. C.:

Livestock dying; people menaced by hunger and disease; very urgent that relief authorizations be passed and ample funds be made available now.

CHARLES M. PORTWOOD,
President Chamber of Commerce.

Another telegram is from former residents of Oklahoma who now reside at Quanah, Tex., which is in the district so ably represented by the Hon. MARVIN JONES.

QUANAH, TEX., *December 5, 1930.*

Hon. JIM McCLINTIC,
United States Congressman, Washington, D. C.:

Words are almost inadequate to express the distressed conditions existing in our section and southwest Oklahoma. We are banking on you, Jim, and your friends who are familiar with an agricultural community to do your utmost in putting over the drought relief appropriation loan fund. Letter follows. Your old Oklahoma friends.

BOB WILLINGHAM.
A. B. WEY.
A. P. PIERCE.

There is much distress in western Oklahoma at the present time. In fact more than has come under my observation at any time during my residence in this section of more than 25 years. Many of our prominent citizens realize that unless ample provision is made for food that our people will be compelled to use a portion of any sum obtained from the Government for the purpose of buying the necessities of life. This fact is emphasized in the following telegram received from the Altus Chamber of Commerce:

ALTUS, OKLA., *December 6, 1930.*

JAMES V. McCLINTIC,
Member of Congress:

We understand present relief bill is for feed, seed, and fertilizer only. It will be necessary to include food and fuel if you want to enable Oklahoma farmers to make a crop. Food and fuel are the essentials to relieve suffering that now exist and will be more severe in 30 days. We urge you to appeal to all Representatives from Oklahoma to insist that food and fuel be included in this measure. Advise with Puterbaugh.

ALTUS CHAMBER OF COMMERCE.
JACKSON COUNTY DROUGHT RELIEF COMMITTEE.

Everyone who is acquainted with famines realizes that when individuals are not properly nourished they are more liable to be attacked by different kinds of diseases. This being true it is very necessary for the welfare of the country that the destitute be given the kind of aid which will enable them to maintain a healthy status, and to do this sufficient funds must be provided. The following telegram from Dr. J. D. Ballard, a prominent citizen of Mountain View, Okla., calls attention to this situation.

MOUNTAIN VIEW, OKLA., *December 7, 1930.*

Hon. J. V. McCLINTIC,
3719 Fulton Street NW., care Miss Sorenson.

Dailies mentioned preliminary consideration drought-relief measures affecting farmer only. This section has thousands homeless, indigent never-do-wells living in cabins, tents, covered wagons, constituting insupportable charges upon our various communities. Lack of food, clothing, bedding, foster disease and death. Lived here since 1917. Know whereof I speak. Was in State auditor's office when you were in State legislature.

J. D. BALLARD, M. D.

When it is taken into consideration that there are certain sections in the United States where crops have failed for several years in succession one can realize that the farmers are not asking for charity, but, on the other hand, are basing their request on their desire to either secure employment or to have the privilege of borrowing a sufficient amount of money to tide them over this winter so that they can produce another crop next year. In western Oklahoma, in certain counties where the drought condition was the most severe, a very large percentage of those who till the soil will have to receive aid from some source if they are to remain on the farms during the winter. If this help is not given them, the only alternative they will have will be to remove themselves and families to the cities and become objects of charity. How much better it will be for the Government to provide loans so that they can remain on their farms, keep their livestock and farm implements intact, thereby making it possible to produce another crop, which is the only solution to the present situation. The following telegram from Mountain Park, which is in the same county that I reside, calls attention to the percentage of those in need of aid.

MOUNTAIN PARK, OKLA., *December 9, 1930.*

JIM McCLINTIC,
Member of Congress, Washington, D. C.

We the representative farmers this community in mass meeting December 9, 1930, petition Congress, through our Representatives, take immediate action on relief measures, giving immediate assistance to drought-stricken farmers, those present being 106 of the 115 that need assistance.

J. T. NICHOLS,
WALTER OWENS,
HUGH ORR.

When the first survey was made in Oklahoma conditions did not appear as bad as a later investigation proved, and for this reason the first estimate as to the number of farmers in need of aid and the amount of money necessary to tide them over was far too small. This situation has been emphasized in a number of telegrams, one of those being from the chamber of commerce of my home city, which is as follows:

SNYDER, OKLA., *December 4, 1930.*

ALL OKLAHOMA REPRESENTATIVES IN CONGRESS,
CARE J. V. McCLINTIC, *Washington, D. C.:*

Very bad weather prevailing here; people and livestock will suffer more than first estimates indicated. Six or seven million dollars will be needed for Oklahoma drought relief to get through winter and make 1931 crop.

Quick action urged to prevent suffering.

SNYDER CHAMBER OF COMMERCE.

The first application for drought relief in Oklahoma was presented to our distinguished governor, W. J. Holloway, by a delegation from Harmon County and myself. Later the governor called a state-wide meeting for the purpose of finding out just how serious this situation was. I attended such meeting and assisted in the preparing of plans for the purpose of bringing this situation to the attention of our National Government. Later an exhaustive survey was made by Hon. D. P. Trent, of the Oklahoma Agricultural and Mechanical College, at Stillwater, Okla., for the purpose of finding out the exact condition of the farmers residing in each of the 77 counties. This survey showed that aid would have to be given in 54 of the counties and that a large percentage of these people were without sufficient milch cows or poultry. Therefore, the governor, myself, and other members of the Oklahoma delegation forcefully brought this situation to the attention of the President and other officials in Washington for the purpose of asking the proper officials to provide the kind of relief that would be necessary to take care of the large per cent of the farmers residing in these drought-stricken counties. I do not believe that any more efficient service could be given to any State than that which has been supplied by the governor, Chairman Puterbaugh, and the various committees appointed in all of the counties affected, and it is to their

credit that the class of work that has been performed in this connection has been done without the thought of pay.

I feel that Oklahoma is especially fortunate in having as the chairman of this work a man who has made special trips to Washington and other places for the purpose of cooperating with those engaged in this most humane work, and he has at all times cooperated with the Oklahoma delegation in doing that which he thought was best for its drought-stricken citizens. The following communication from the Hon. J. G. Puterbaugh, of McAlester, Okla., gives his ideas as to the legislation now under consideration.

OKLAHOMA STATE DROUGHT RELIEF COMMITTEE HEADQUARTERS, STATE CHAMBER OF COMMERCE, OKLAHOMA CITY

McALESTER, OKLA., *December 12, 1930.*

DEAR SIR: I submit below copy of letter I have just received from Mr. C. W. Warburton, secretary Federal drought-relief committee:

UNITED STATES DEPARTMENT OF AGRICULTURE,
DIRECTOR OF EXTENSION WORK,
Washington, D. C., December 8, 1930.

J. G. PUTERBAUGH,
Chairman State Drought Relief Committee,
McAlester, Okla.

DEAR MR. PUTERBAUGH: In the absence of the secretary I am acknowledging your telegram of December 4 with reference to loans to farmers in the drought area for seed, feed, and fertilizer. It is the view of this department that an appropriation of $25,000,000 to $30,000,000 will be ample to provide for the needs of those in the drought territory who are unable to obtain funds from any other source if the purposes for which loans are to be made are confined to seed, fertilizer, feed for work stock, and fuel and oil for tractors used in crop production.

The Senate Committee on Agriculture and Forestry voted Friday to report a resolution authorizing loans for food, seed, fertilizer, feed for livestock, and fuel and oil for tractors used in crop production. The House Committee on Agriculture voted Saturday to report a resolution authorizing an appropriation of $30,000,000 for seed, fertilizer, feed for work stock, and fuel and oil for tractors used in crop production. With the Senate committee proposing to authorize loans for food and feed for livestock rather than simply for work stock used in crop production, naturally a considerably larger amount will be needed. The department has had no experience on which to base an estimate of this additional requirement. In any event, it seems probable that both Houses of Congress will give very early consideration to the legislation and that agreement will be reached in the near future on a sum ample to provide for those in the drought area who can not obtain funds from any other source. Of course, you understand this is simply an authorizing resolution and that the funds to provide the loans will have to be carried in an appropriating bill at a later date, but I feel certain that prompt action will be taken on that as well as on the authorizing resolution.

Very truly yours,

C. W. WARBURTON,
Secretary Federal Drought Relief Committee.

Also telegram I have just received from Hon. Harry F. Byrd, chairman Virginia State drought-relief committee, as follows:

WINCHESTER, VA., *December 12, 1930.*

J. G. PUTERBAUGH,
McAlester, Okla.:

Have just returned from Washington to find administration determined on Monday to force through under suspension of rules thirty-million drought-relief measure eliminating food and for other purposes of crop production. Regard this as totally inadequate to meet situation and contrary to sentiment expressed to drought-relief conference by administration leaders. Imperative that Representatives in House from drought States vote against thirty-million measure on grounds inadequate to meet situation. Request you send urgent telegram your Representatives in House to follow Congressman ASWELL and vote against any measure inadequate to meet conditions.

HARRY F. BYRD

From the above it appears that the issue is whether the drought relief bill as passed shall be so worded as to allow some portion of the money loaned drought-stricken farmers to be used for the purchase of food and other necessities of life, or whether the use of the money shall be restricted to the purchase of "seed, fertilizer, feed for work stock, and fuel and oil for tractors used in crop production."

It is my understanding that the administration is opposing the $60,000,000 resolution as passed by the Senate not because of the increased amount of money but because it is opposed to any portion of the money being spent for food.

When the State drought-relief committees were appointed in August it was the general understanding and belief that a very large number of drought-stricken farmers and their families would have to be furnished with food, fuel, and clothing this winter, and reports were that the American Red Cross would have to put on a nation-wide drive and raise from $60,000,000 to $100,000,000.

As the various State committees completed surveys and studied in to the situation they realized that to compel 200,000 or 300,000 American farm families to accept charity distributed through the Red Cross and the county committees would be exceedingly harmful; that, in the first place, there was much doubt as to the possibility of the Red Cross being able to raise that amount of money for this purpose under present depressed conditions, and, secondly, it was believed that thousands who have never accepted charity and who are most reluctant to begin would, if forced to do so through one winter, become accustomed to accept, and to thereafter expect a dole. It was further realized that the mere feeding of the destitute farmer and his family through the winter would not put him in a way to raise a crop, and that under that program we would be confronted in the fall of 1931 with exactly the same condition that confronts us now.

As these facts became clear, it became more and more apparent to the various State committees that the logical way out of this emergency is for Congress to make available a sufficient amount to enable the Secretary of Agriculture to loan to bona fide farmers enough money to enable them to continue on their farms and to plant, cultivate, and harvest average crops next year.

It is the opinion of the drought committees and those who have been actively engaged in this work for the past four months that loans should be restricted to actual farmers who own or control by lease cultivated lands and who have sufficient work animals and equipment to carry on farm operations; that the amounts to be advanced on applications approved by the Secretary of Agriculture should be paid to the borrowing farmer in approximately five or six equal monthly installments under the advice and supervision of the local county drought-relief committees, and that the Secretary of Agriculture or his representatives should have authority to discontinue advancements on loans previously approved in any case where the borrowing farmer failed or neglected to proceed in good faith to prepare the soil, to purchase and plant the seed, or to cultivate the crops.

Some few of these farmers have enough feed to take care of their work animals, but may be short of seed and food for their families or the means of procuring food; some others may have seed sufficient for next year's plantings but be short of feed for their work animals and some of the things that are necessary to keep their family alive during the winter. It has been the opinion of the writer, and the opinion of every State committeeman with whom I have discussed the matter, that the terms of the loan should be broad enough to enable the borrowing farmer to not only provide seed and keep his work animals in condition to work but also to enable him, if necessary, to spend some portion of the money for human necessities. I am convinced that if this relief is limited to the purchase of seed and feed for work animals that thousands of the farmers we are proposing to help will have to be fed and assisted throughout the next six months by charitable relief extended through the American Red Cross. This is the one thing that the various State drought committees desire most to avoid.

We deem it most necessary and important to enable these farmers to retain their self-respect and independence and to continue as the heads and supporters of their families. We are perfectly willing that they should have to struggle and work hard to pull out of their present difficulties and we do not desire that the Federal Government should loan a single farmer one dollar more than he really needs to get by and plant, cultivate, and, in so far as weather conditions make possible, harvest an average crop in 1931; but the facts are that the families of the farmers we are attempting to help are in many cases without food, credit, or money, and unless the relief which Congress proposes to extend is sufficient to enable them to exist, they will not be there to plant the seed or to take care of the work animals for the welfare of which their Government has been more solicitous than for its farmers.

Again, it seems perfectly clear that from a practical standpoint a farmer would not spend money which has been advanced him by the Government for horse feed and mule feed if his family and himself were as hungry as the horses and the mules. Regardless of how the congressional resolution reads, the borrowing farmers will undoubtedly spend the money, once it is in their hands, to protect their most urgent necessities. This being the case, is it not better to discontinue purely academic discussion and to advance these farmers barely enough, in addition to what he has or can get otherwise, to enable him to survive through the winter and to plant and harvest next years' crops?

For these loans the borrowers will give their interest-bearing notes and a first lien upon their 1931 crops. If 1931 crops conditions are favorable, at least 75 per cent of the amount thus loaned should be repaid, and the farmer will be left in a far better condition to get through next winter and the economic conditions of not only the drought-stricken States but of the country will be tremendously improved because the farmers have been enabled to remain on their farms and given a chance to come back.

In the above-quoted letter Mr. Warburton, Director of Extension Work, and unquestionably the best-informed representative of the Government on agricultural conditions and particularly the subject of drought relief, concedes that the $30,000,000 appropriation makes no provision for amounts that might be needed for human necessities; as a matter of fact, in such a widespread emergency it is hard for anyone to forecast accurately how much will be required.

It is contemplated that each and every application must be approved by members of the county drought committees and thereafter approved by the Secretary of Agriculture.

Several hundred thousand farmers are at this moment holding on pending the decision of Congress and advice as to whether they

will be granted relief sufficient to enable them to remain on their farms and continue in the farming business. If the word goes out from Washington that they are to be helped and enabled to continue on their farms, the fund made available to the Secretary of Agriculture must beyond any question of doubt be sufficiently large to go around.

It is the belief of those who have studied this matter and who listened to reports from each and every State in the Washington conference of November 21 that $60,000,000 is a sufficient amount, but that quite possibly a smaller amount will prove inadequate. If an insufficient amount is provided, the Secretary of Agriculture in administering the fund would have to unduly limit the loans as made or run the risk of falling short before all applications are received.

I personally feel that these details should have been fully discussed and conclusions should have been reached and agreed upon at the conference which was held at the office of the Secretary of Agriculture on November 21, so that the recommendations of the State drought committees and their chairmen and the recommendation of the Secretary of Agriculture would have been one and the same.

The various State drought committees are composed of substantial and public-spirited citizens who have given most of their time for the past four months to a study of this particular subject. The indications are that a large share of the responsibility of carrying on this work during the coming six months will be theirs. These committees are very insistent that the amount made available for loans to drought-stricken farmers be sufficient to enable the Secretary of Agriculture, in his discretion, to loan to all bona fide farmers the amounts actually necessary to enable them to survive and plant, cultivate, and gather an average crop in 1931, and that the borrower give his interest-bearing note for the full amount and that this note be secured by a first lien upon 1931 crops.

We deem it very necessary that this relief be granted, not only to enable these farmers to stay on their farms and get in better shape before another winter but to completely avoid the necessity of a national Red Cross drive for a fund to be used in buying food for farmers' families.

Very truly yours,

J. G. PUTERBAUGH,
Chairman Oklahoma State Drought Relief Committee.

When it is taken into consideration that our Government in the past has always lent aid to the worthy regardless of whether or not they were citizens of this country, it will be remembered that when our President, Mr. Hoover, was the food dictator under a Democratic President he recommended that $100,000,000 be appropriated to take care of the distressed citizenship residing in certain portions of Europe. At that time the Democratic Congress was in power, and this authority was immediately granted without practically any opposition. Now, when the shoe is on the other foot and this same individual is occupying the highest position in the land, it is to be regretted that he has seen fit to criticize certain Democratic Members of Congress because they were in favor of providing a sufficient amount of money to take care of the unfortunate and distressed in the United States. Likewise, it is to be regretted that the leaders of the Republican Party in the House of Representatives cracked the party whip and used every method known to defeat legislation which would provide the same sum, $60,000,000, as was passed by the Senate, to be loaned to those engaged in agriculture in order that they might preserve their homes, feed their families, and maintain themselves in a way sufficient to enable them to go through the winter. Since I have been a Member of Congress I have always voted to relieve suffering wherever it was found in this country, and so long as I am a Representative of any citizenship I will continue carrying out this policy, having in mind that if the Nation is to remain strong and maintain a loyal citizenship it must provide the necessary methods for the preservation of its subjects.

Mr. ASWELL. Mr. Speaker, I yield one-half minute to the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Speaker, the adoption of the pending motion to suspend the rules and amend the Senate relief bill by striking out all after the enacting clause and inserting the House bill will result in the passage of the ordinary seed and feed loan legislation to provide for the most widespread and serious drought that ever occurred in the United States, the effects of which are intensified by the unprecedented financial depression of the past 12 months, which is not only nation-wide but world-wide. The obligation of the Government can not be thus discharged.

In many areas, including the district that I represent, food and feed crops were a total failure. The cotton crop is from 50 to 60 per cent of the 1929 production, and the proceeds of the crop are from one-fourth to one-third of the proceeds of the 1929 crop. The chief production in the district is cotton, and there was the longest and most serious drought in 1930 ever known.

MISSISSIPPI

In Mississippi 85 per cent of the population depends solely upon agriculture. Seventy-three of the 81 counties are seriously affected by the drought of 1930. The farmers in the district that I represent will be unable to liquidate but little more than 25 per cent of their 1930 indebtedness. The bank deposits will be less than 50 per cent of last year. In Mississippi the banks lend approximately $160,000,000 annually for production credit. In 1931 this amount will be limited to less than $80,000,000. In addition to the banks, the merchants advance from $175,000,000 to $200,000,000 for agricultural production. Farmers in Mississippi are borrowers and cotton crops are produced by loans and advances, largely with the crop as security. Because of decreased production and unprecedentedly low prices, banks and merchants have been unable to collect, and thus will be unable to make advances for another year in probably the majority of the cases.

Cotton to-day is selling for approximately one-half what it sold for a year ago. With the failure of food crops there is already destitution.

RELIEF LEGISLATION

Previous legislation for feed and seed loans has been authorized as a result of floods and droughts. Previous legislation for loans and donations for food have been authorized as a result of war. I am more interested in the effect than in the cause. Hunger and famine follow in the wake of flood, drought, and war. The magnitude determines the remedy. The drought of 1930 embraced 24 States, extending at intervals from the Atlantic to the Pacific and from the Chesapeake Bay to the Gulf of Mexico. In many States the destruction of food and feed crops was just as real as if a great flood or an invading army had swept through the land.

NATIONAL RESPONSIBILITY

The President of the United States recognized the responsibility of the Nation. The case was not parallel with previous droughts or with any flood in the history of the country. Relief was necessary. The President assumed leadership. Under his direction a national drought-relief committee was organized, and at his request State drought relief committees were organized and directed to make careful surveys in all drought-stricken areas. There were meetings of the national drought-relief committee with the State drought-relief committees, and the last meeting was held in Washington on November 20, 1930, at which meeting a resolution was passed calling upon Congress to enact appropriate legislation for crop production in 1931. The administration has proposed the ordinary feed, seed, and fertilizer loans that have been made during recent years, commencing with the appropriation under the act of March 3, 1921, for $2,000,000 in the Northwest, and including the appropriation of $6,000,000 under the act of February 25, 1929, for the Southeastern States, 80.2 per cent of which last appropriation has been repaid, as shown by the hearings.

MEASURES

What has been the result of the leadership assumed by the President in this great calamity? There have been conferences and pep meetings, and cheer leaders have been appointed. The railroads made temporary reductions in freight rates on feed and livestock in the drought areas. The President has recommended, as I repeat, the seed and feed loans that have heretofore been made, where droughts and floods were limited in their scope. The responsibility of the Nation has not been discharged. The Government has failed to function. Reduced freight rates were rescinded on November 30, 1930. It is known that these rates in the cotton territory were of but little benefit, inasmuch as

farmers can not buy feed until they have procured loans with which to make the 1931 crop.

SENATE AND HOUSE RESOLUTIONS

There are pending two measures for relief in drought-stricken States—House Resolution 411, reported by the chairman of the House Committee on Agriculture, and Senate Resolution 211, already passed by the Senate.

Both of these resolutions depart from the resolutions heretofore passed by Congress, in that they apply to all the drought and flood stricken areas in the United States. Previous seed and feed loans have been limited to the States named in the resolution. There is thus a confession that the usual remedy will not apply. The distress obtains in one-half the 48 States of the Union.

DIFFERENCES

Both resolutions provide for loans for seed, fertilizer, feed, fuel and oil for tractors used for crop production, and that the loans be secured by first liens on all crops of 1931. The loans are to be administered by the Secretary of Agriculture, under the same conditions that have heretofore obtained in feed and seed loans. The Senate resolution follows the recommendations of the drought-relief committees in 22 of the drought States, especially as to the amount of the authorization.

The differences in the two resolutions are as follows:

First. The House resolution provides for feed for work stock, whereas the Senate resolution provides for feed for livestock.

Second. The House resolution stipulates that the Secretary of Agriculture may procure seed, feed, fertilizer, fuel, and oil and sell to farmers. The Senate resolution contains no such provision.

Third. The Senate resolution authorizes the Secretary of Agriculture to make loans or advances "for such other purposes of crop production as may be prescribed by the Secretary of Agriculture." There is no such authorization in the House resolution.

Fourth. The Senate resolution carries an authorization of $60,000,000 while the House resolution provides for $30,000,000.

Fifth. The sharpest difference between the two resolutions is that the Senate resolution provides for loans for food while the House resolution makes no provision for food.

OPPOSITION

The opposition to the legislation centers around the provision for loans for food. The opponents admit that loans for seed, feed, and fertilizer are sound. They concede that loans and donations for food to people suffering from the ravages of war are to be commended. Moreover, those who oppose loans for food maintain that industrial workers are entitled to similar loans. But the Government has not overlooked labor. Public works have been provided for industrial workers. They have been or will be given the equivalent of the relief here asked for farmers. Again, farmers give liens on their crops for food, whereas industrial workers have no such security. I plead for loans for food to farmers but freely concede the equivalent relief to industrial workers.

WITHOUT MERIT

The proposed loans in the Senate resolution for food are to be administered under the same conditions and with the same security as the loans for feed and fertilizer. All are to be handled by the Secretary of Agriculture. The same agencies are to be utilized as in previous loans for seed and feed. I emphasize that the proposed loans for food, as well as the loans for feed, seed, and fertilizer, are all to be secured by liens on the crops of 1931.

The average cotton farmer, and especially the tenant, is a borrower. He has only his crop to offer for advances for food and feed. Unfortunately, tenant farmers are almost 100 per cent borrowers. If their crops are pledged for feed and fertilizer, they have no security for loans for food.

The proposed loans for food are not charity. They are no more charity than the loans made by banks, with the crops as security for crop production. I challenge the soundness of the doctrine of those who concede loans for feed and oppose loans for food. There is the same security and there are the same conditions. Those who oppose food loans are in the anomalous position of advocating loans for feed and opposing loans for food. It will be kept in mind that the Senate resolution provides loans for food and not donations for food. Loans for both food and feed are founded upon the same principle. There is no distinction. If there is a distinction, it is in favor of food. It is more important to feed men, women, and children than it is to feed mules, horses, and cattle. There is no difference between a lien on the crop for feed and a lien on the crop for food. The Government has heretofore undertaken to discharge its liability in disaster by making loans. It is the method of the Government to aid farmers who have lost their all through no fault of their own. Local credit agencies are inadequate and Government loans are imperative to save agriculture and to prevent destitution. It is loans now or charity later. In the interest of the drought sufferers of the Nation, I plead for loans to enable worthy citizens to help themselves. I ask that the Government do for its citizens what the citizens are unable to do for themselves. The welfare of the Nation and of all its citizens is the object of the Government.

The opposition to loans for food is typified by the speech delivered by the gentleman from Connecticut, the majority leader, Mr. TILSON, on Friday, December 12, 1930, as shown by page 628 of the RECORD. He admits the soundness of the loans for feed and seed, but undertakes to differentiate between these loans and loans for food. He asserts that the loans, with the same conditions and with the same security, are sound for feed for cattle and unsound for food for human beings. In admitting the soundness of feed loans the distinguished majority leader admits himself out of court. Mr. TILSON has confused the issue and his argument falls to the ground. Again the distinguished majority leader knows that the Government has not only aided suffering at home but distress abroad. He makes reference to the resolution of Congress appropriating $100,000,000 for the relief of Europe, except Germany and the Central Powers, on February 25, 1919, United States Statutes 40, page 1161. The appropriation, while providing for reimbursement, was really a donation for foodstuffs and other urgent supplies. Again there was the appropriation of $20,000,000 as a donation to the suffering Russians for seed, grain, and milk, with no provisions made for repayment, by Congress on December 22, 1921, United States Statutes 42, page 351. Congress on March 30, 1920, United States Statutes 41, page 548, provided 5,000,000 barrels of flour for cash sale or for sale on a credit to the distressed of Europe and contiguous countries. If the United States could aid the suffering of Europe, following the destruction of the World War, surely it can do no less by making loans to her own citizens following a destruction just as certain as if an army had invaded the drought-stricken States.

I shall not indulge in refinements. Hunger is hunger, whether caused by flood, by war, or by drought. Destitution is destitution, whether caused by shot and shell or by drought or by flood. The obligation of the Government is admitted. Ours it is to discharge that obligation.

The gentleman from Connecticut concedes that loans to the suffering of Europe were justifiable, and by this concession, his argument in opposition to the proposed legislation is without merit.

PARLIAMENTARY SITUATION

As I have said, the pending measure is to substitute the Senate bill for the House bill under a suspension of the rules. Debate is limited. Amendments are inadmissible. Is it not passing strange that the Administration is unwilling for the House to have no more than 40 minutes to debate one of the major issues confronting Congress? There is an abject confession of the weakness of the position of the Administration leaders. The adoption of the pending motion would result in limiting the appropriation to $30,000,000, and eliminating any provision for food with which to make the 1931 crop.

RED CROSS

Some months ago the Red Cross announced that it had $5,000,000 available for relief at home and abroad. Thus far it has expended in the drought-stricken areas about $500,000, principally in furnishing seed for fall planting.

I may say in passing that the work of the local Red Cross chapters in Mississippi is functioning in an admirable manner, and that they will exhaust their own resources before calling upon the American Red Cross for assistance.

Calls have already come from storm-stricken San Domingo and from other countries to the Red Cross. I have been in touch with the American Red Cross. There is no assurance of adequate aid by the National Red Cross. On account of the large area, the National Red Cross will be unable to supply the necessary food. Provision may be made for the next 60 days. This will not suffice.

ACTIVITIES WITHIN THE STATE

The State of Mississippi and the various subdivisions thereof are providing public improvements. Building and construction programs are being authorized. All available credit agencies will be utilized, but they will not suffice. The people ask for an opportunity to help themselves.

AMENDMENTS

I should like to see the pending legislation amended so as to authorize the Secretary of Agriculture to subscribe to the capital stock of agricultural-credit associations organized for the purpose of making production loans to farmers in the drought-stricken areas. The intermediate credit banks can not deal with individuals. They can only deal with an association representing the farmers. The farmers are without funds with which to organize credit corporations. If the Government was justified in subscribing stock in the Federal land banks and the Federal reserve banks, surely in the present emergency advances to promote the organization of credit corporations are justified.

FEDERAL LAND BANKS AND JOINT-STOCK LAND BANKS

In the drought-stricken areas farmers are not only unable to meet their loans for advances with which to make their crops but they have no funds with which to discharge their maturities to the Federal land banks and joint-stock land banks. These are quasi-governmental institutions. The set-up was approved by the Government. They were patterned very largely after similar institutions in continental Europe and other countries, where there is but little change in land values. No reserves were made for unprecedented emergencies. A mistake was made. Congress can not escape its responsibility. The Federal land banks have issued bonds, and these bonds with interest must be retired. The borrowers have no money with which to pay taxes. If loans are made to them to meet their maturities and to pay their taxes, and if worthy borrowers are granted an extension, the banks will not lose. Provision should be made to enable these banks to extend maturities at least for another year.

CHARITY

I do not ask for charity for the farmers. I oppose the dole. I plead for credit. If credit is not given, then there will be no alternative except charity. The whole agricultural fabric is founded upon credit. The Senate bill recognizes this principle. Hence I favor the Senate bill and oppose the substitution of the House bill in its place. The farmers ask for an opportunity to work out their own salvation.

The supreme aim of the Government is the welfare of the people. The extension of the principle of previous legislation is demanded. Unusual conditions necessitate unusual remedies. Immediate action is necessary. The feed and seed loans are utterly inadequate. These loans would suffice for ordinary calamities. Unless Congress makes provision for food in the drought-stricken areas in the existing unprecedented emergency the responsibility of the Government will not be discharged. [Applause.]

Mr. ASWELL. Mr. Speaker, I yield one-half minute to the gentleman from Washington [Mr. HILL].

Mr. HILL of Washington. Mr. Speaker, I had hoped an opportunity would be permitted to offer an amendment to this bill which would specifically provide for summer-fallowing, which is a necessary farm procedure in the Pacific Northwest States. The bill is brought up under a motion that shuts out the possibility of offering any amendment to it. For that reason the present motion should be voted down so that the bill can be brought up in the regular way and amended to meet in specific terms the need of the farmers of my State for relief in summer fallowing. If this motion is not voted down, we can not offer the amendment necessary to take care of the farmers of my State. Without such relief the drought-stricken farmers of the State of Washington will be discriminated against and receive proportionately only one-half the relief granted to other States.

We are compelled to plow our land in the spring of the year and let it lie fallow until the following fall or spring before seeding the crop. The normal precipitation permits only one crop in two years on the same land. Only one half of our land is in crop in any one year and the other half is plowed and lying fallow. Hence it is just as important to our farmers that they have financial assistance in spring plowing their land as in seeding the lands now plowed and ready for crop. I am glad, however, that the chairman of the Committee on Agriculture believes that summer-fallow is included within the terms of the bill.

Mr. ASWELL. Mr. Speaker, I yield the balance of my time to the gentleman from Texas [Mr. JONES].

Mr. JONES of Texas. Mr. Speaker, in response to the request of several Members, I submit herewith for printing in the RECORD a statement by Doctor Warburton, explaining the procedure under which drought-relief programs have been handled, and the essentials of how the program under the pending act will probably be conducted.

Of course, some slight modifications may be found necessary, but no doubt in the main the same general course of procedure will be adhered to in so far as is practicable.

The statement is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
DIRECTOR OF EXTENSION WORK,
Washington, D. C., December 9, 1930.

Hon. MARVIN JONES,
House of Representatives.

MY DEAR MR. JONES: In response to your telephone request for information as to how the Department of Agriculture has administered appropriations made from time to time by Congress for loans to farmers in drought and storm stricken areas the procedure has been as follows:

Regulations setting forth the general conditions under which the loans will be made are issued by the Secretary of Agriculture. If the loans are to be made over a wide area with varying conditions in different portions of the area, several sets of regulations may be issued in which the maximum rate per acre or the maximum loan to the individual or other items may differ. Copy of the regulations under which loans were made in the Southeastern States in 1930 is inclosed. The department prepares and distributes application forms, note and mortgage forms, and other necessary papers for use in handling loan applications. The application blanks vary in accordance with conditions in different sections and the mortgage forms accord with the provisions of the laws of the various States governing such mortgages.

Full information as to how loans may be obtained is sent to the county agricultural agent in each county within the distressed area with the request that this information be made available to the local newspapers. Supplies of application blanks and other forms are sent to county agents for distribution to banks and other convenient places from which farmers may obtain them. A field office is established at some central point within each area, the office handling loans in the six Southeastern States, for instance, having been located at Columbia, S. C.

In each county a county committee is designated by the department. This committee usually consists of the leading banker in the county and two prominent farmers. Suggestions for such committee membership are obtained from the State director of extension and county agents. They are urged to name men of good judgment, broad acquaintance, and excellent reputation. These men serve without compensation. If the county is a large one the extension agent and county committee are asked to set up community committees. The county committee makes recommendation to our seed-loan office with reference to each application, their recommendation being based either on personal knowledge of the applicant or on recommendation of the community committee. The application blank which is inclosed shows the nature of the questions asked the applicant and the information which the community and county committees are asked to supply. The county extension agent does not in any case serve as a member of the county committee, nor takes any responsibility for determining whether or not an individual shall receive a loan.

On completion of the application and other necessary forms by the applicant, he turns them over to the county committee or to the county agent for delivery to the county committee. The county committee then passes on the application, makes its recommendation to the department, and forwards the application and all papers connected therewith to the department's seed-loan office.

On receipt at the seed-loan office all papers in connection with each application are given a serial number and a card-index record is made, on which some of the essential facts regarding the application are noted. The application and other papers are then examined for completeness and correctness, and if in proper form are examined with a view to determining whether or not a loan should be granted and in what amount. This examination is usually completed in 24 to 48 hours after receipt at the central office. The applicant is then notified whether or not his loan is approved and if approved, in what amount, which may be less than the amount for which he has applied. If the loan is reduced, the applicant is informed of the reasons for the reduction, as is also done if the application is rejected. If any papers in connection with the application are incorrect or incomplete they are sent back for correction at the earliest possible moment.

When an application is approved, check on the Treasury of the United States is drawn by a special disbursing agent detailed to the seed-loan office. This may be the full amount of the loan, or if the expenditures contemplated are to extend over a considerable period it may be for only a portion of the amount, with provision for payment of further installments at later dates as they may be needed by the applicant.

When a check is issued it is usually mailed to a representative of the department in the county, or perhaps operating in several counties, who then searches the county records to determine whether or not other liens against the crop are on file. If the record is found to be clear, the mortgage given by the borrower to secure payment of his loan to the Federal Government is filed and check released to the borrower. If, however, the county records show liens against the crop on file, on which waivers have not been supplied in the amount of the Government's claim, the department's representative gets in touch with the borrower or the mortgagee, obtains the necessary waivers, and then files our mortgage.

The foregoing, in brief, is the procedure followed in making previous loans and is essentially what we will expect to do if the Congress grants an appropriation for similar loans for 1931 crops. In addition to the regulations and forms used last spring in the Southeastern States, I am inclosing copy of a circular in which a number of questions as to the handling of the loans are asked and answered. This little pamphlet is issued each year in sufficient quantity for general distribution to applicants.

If the foregoing does not give you all the information you desire, I shall be glad to answer any additional questions which may occur to you.

Yours very truly,

C. W. WARBURTON,
Director of Extension Work.

Mr. HAUGEN. Mr. Speaker, I yield the remainder of my time to the gentleman from Connecticut [Mr. TILSON]. [Applause.]

Mr. TILSON. Mr. Speaker, I am glad that the gentleman from Texas has announced the policy that he would follow to the effect that he would at once raise taxes in a very, very substantial amount and proceed at once to carry out a program of relief providing for the United States to feed the poor and the hungry. I am glad that the gentleman from Texas has made his program clear. I am not in favor of such a program and I do not believe that it is necessary under the present or any other conditions.

I believe that, so far as the poor and the hungry are concerned, the States, the municipalities, the Red Cross, and the other agencies all over this country will take care of the situation and will take care of it well. They are doing it now as it should be done. It would be a most unfortunate mistake for the United States Government to make a new departure now, going farther than it has ever gone before, by proceeding to appropriate money out of the Federal Treasury to feed the poor of one particular class in our own country. There can be no doubt that if we do this for one class, in all fairness we should do it for others. The planters of the South and Southwest are not the only people of our country who may need food before the winter ends. Would the gentleman be willing to double or treble the $60,000,000 and divide it between the planters and the poor of the cities? This would at least be fair if it has nothing else to commend it. We are starting here on a long road if we vote this $60,000,000 out of the Federal Treasury for food and other necessities of life and we do not know where the end may be. When we start appropriating funds out of the Treasury of the United States to feed the poor and the needy in one part of the United States it will inevitably and necessarily lead to doing the same for all parts of the country. No other course would be fair or acceptable to the country as a whole. I warn the House against entering upon any such a policy. [Applause.]

The SPEAKER. The question is on the motion of the gentleman from Iowa to suspend the rules and pass the bill as amended.

Mr. GARNER and Mr. ASWELL asked for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 205, nays 159, not voting 68, as follows:

[Roll No. 4]

YEAS—205

Ackerman	Elliott	Jonas, N. C.	Selberling
Adkins	Ellis	Kelly	Selvig
Aldrich	Englebright	Kendall, Ky.	Shott, W. Va.
Allen	Estep	Kendall, Pa.	Shreve
Andresen	Esterly	Ketcham	Simmons
Arentz	Evans, Calif.	Kiefner	Simms
Bachmann	Fenn	Kinzer	Sinclair
Bacon	Fish	Kopp	Sloan
Baird	Fitzgerald	Korell	Smith, Idaho
Barbour	Fort	LaGuardia	Snell
Beck	Fuss	Langley	Snow
Beedy	Free	Leech	Sparks
Beers	Freeman	Letts	Speaks
Black	French	Loofbourow	Sproul, Ill.
Blackburn	Gibson	Luce	Sproul, Kans.
Bohn	Gifford	McClintock, Ohio	Stafford
Bolton	Goodwin	McCormick, Ill.	Stobbs
Bowman	Goss	McFadden	Strong, Kans.
Brand, Ohio	Graham	Maas	Strong, Pa.
Britten	Guyer	Magrady	Summers, Wash.
Brumm	Hadley	Manlove	Swanson
Buckbee	Hale	Mapes	Swick
Burdick	Hall, Ill.	Martin	Swing
Burtness	Hall, Ind.	Menges	Taber
Cable	Hall, N. Dak.	Merritt	Taylor, Tenn.
Campbell, Pa.	Halsey	Michener	Temple
Carter, Calif.	Hardy	Miller	Thompson
Chalmers	Hartley	Moore, Ohio	Thurston
Chindblom	Haugen	Mouser	Tilson
Christopherson	Hawley	Murphy	Timberlake
Clague	Hess	Nelson, Me.	Tinkham
Clancy	Hickey	Newhall	Treadway
Clark, Md.	Hoch	Niedringhaus	Turpin
Clarke, N. Y.	Hogg, Ind.	Nolan	Vestal
Cochran, Pa.	Hogg, W. Va.	Palmer	Vincent, Mich.
Cole	Holaday	Parker	Wason
Colton	Hooper	Pittenger	Watres
Cooke	Hope	Pratt, Harcourt J.	Watson
Cooper, Ohio	Hopkins	Pratt, Ruth	Welch, Calif.
Coyle	Houston, Del.	Pritchard	White
Cramton	Hudson	Purnell	Whitley
Crowther	Hull, Morton D.	Ramey, Frank M.	Williamson
Culkin	Hull, William E.	Ramseyer	Wolverton, N. J.
Dallinger	Irwin	Reece	Wolverton, W. Va.
Darrow	James, Mich.	Reed, N. Y.	Wood
Dempsey	Jenkins	Rich	Woodruff
Denison	Johnson, Ill.	Robinson	Wurzbach
Dickinson	Johnson, Ind.	Rogers	Wyant
Dowell	Johnson, Nebr.	Rowbottom	Yates
Dunbar	Johnson, S. Dak.	Sanders, N. Y.	
Dyer	Johnson, Wash.	Schafer, Wis.	
Eaton, N. J.	Johnston, Mo.	Sears	

NAYS—159

Abernethy	Cochran, Mo.	Finley	Hull, Tenn.
Allgood	Collier	Fisher	Hull, Wis.
Almon	Collins	Fitzpatrick	Jeffers
Arnold	Condon	Fuller	Johnson, Okla.
Aswell	Connery	Fulmer	Johnson, Tex.
Auf der Heide	Cooper, Tenn.	Gambrill	Jones, Tex.
Ayres	Cooper, Wis.	Garber, Okla.	Kading
Bankhead	Cox	Garber, Va.	Kemp
Bland	Craddock	Garner	Kennedy
Blanton	Crisp	Garrett	Kerr
Bloom	Cross	Gavagan	Kunz
Box	Crosser	Glover	Kvale
Boylan	Davis	Goldsborough	Lambertson
Brand, Ga.	DeRouen	Granfield	Lanham
Briggs	Dickstein	Green	Lankford, Ga.
Browne	Dominick	Greenwood	Lankford, Va.
Browning	Dorsey	Gregory	Larsen
Brunner	Doughton	Griffin	Lea
Buchanan	Douglas, Ariz.	Hall, Miss.	Leavitt
Busby	Doxey	Hancock, N. C.	Lindsay
Byrns	Drane	Hare	Linthicum
Campbell, Iowa	Drewry	Hastings	Lozier
Canfield	Driver	Hill, Ala.	Ludlow
Cannon	Edwards	Hill, Wash.	McClintic, Okla.
Cartwright	Eslick	Howard	McCormack, Mass.
Christgau	Evans, Mont.	Huddleston	McDuffie

McKeown	O'Connell	Ramspeck	Tarver
McMillan	O'Connor, N. Y.	Rankin	Taylor, Colo.
McReynolds	Oldfield	Rayburn	Tucker
McSwain	Oliver, Ala.	Reilly	Underwood
Mansfield	Owen	Rutherford	Vinson, Ga.
Mead	Palmisano	Sanders, Tex.	Warren
Montague	Parks	Sandlin	Whittington
Montet	Parsons	Schneider	Williams
Moore, Ky.	Patman	Schaffer, Va.	Wilson
Moore, Va.	Patterson	Smith, W. Va.	Wingo
Morehead	Pou	Somers, N. Y.	Woodrum
Nelson, Mo.	Prall	Steagall	Wright
Nelson, Wis.	Ragon	Sullivan, N. Y.	Yon
Norton	Rainey, Henry T.	Sumners, Tex.	

NOT VOTING—68

Andrew	Douglass, Mass.	Lehlbach	Seger
Bacharach	Doutrich	McLaughlin	Short, Mo.
Bell	Doyle	McLeod	Sirovich
Brigham	Eaton, Colo.	Michaelson	Spearing
Butler	Erk	Milligan	Stalker
Carley	Frear	Mooney	Stevenson
Carter, Wyo.	Gasque	Morgan	Stone
Celler	Golder	O'Connor, La.	Sullivan, Pa.
Chase	Hancock, N. Y.	O'Connor, Okla.	Thatcher
Chiperfield	Hoffman	Oliver, N. Y.	Underhill
Clark, N. C.	Hudspeth	Peavey	Wainwright
Connolly	Igoe	Perkins	Walker
Corning	James, N. C.	Quin	Welsh, Pa.
Crail	Kahn	Ransley	Whitehead
Cullen	Kearns	Reid, Ill.	Wigglesworth
Davenport	Knutson	Romjue	Wolfenden
De Priest	Kurtz	Sabath	Zihlman

So (two-thirds having failed to vote in favor thereof) the motion to suspend the rules and pass the bill was rejected.

The following pairs were announced:

On this vote:

Mr. Bacharach and Mr. Seger (for) with Mr. Whitehead (against).
Mr. Crail and Mr. Thatcher (for) with Mr. Sabath (against).
Mr. Wainwright and Mr. Corning (for) with Mr. James of North Carolina (against).
Mr. Kurtz and Mr. Short of Missouri (for) with Mr. Igoe (against).
Mr. Andrew and Mr. Brigham (for) with Mr. Stevenson (against).
Mr. Wigglesworth and Mr. Chiperfield (for) with Mr. Cullen (against).
Mr. Hoffman and Mr. Davenport (for) with Mr. Sirovich (against).
Mr. Perkins and Mr. Lehlbach (for) with Mr. Carley (against).
Mr. Chase and Mr. Connolly (for) with Mr. Celler (against).
Mr. Golder and Mr. McLeod (for) with Mr. Oliver of New York (against).
Mr. Welsh of Pennsylvania and Mr. Michaelson (for) with Mr. Clark of North Carolina (against).

General pairs until further notice:

Mr. Cooper of Ohio with Mr. Bell.
Mr. Eaton of Colorado with Mr. Gasque.
Mr. Underhill with Mr. Milligan.
Mr. Reid of Illinois with Mr. Morgan.
Mr. Erk with Mr. Quin.
Mr. McLaughlin with Mr. Mooney.
Mr. Ransley with Mr. Douglass of Massachusetts.
Mr. Wolfenden with Mr. O'Connor of Louisiana.
Mr. Sullivan of Pennsylvania with Mr. Romjue.
Mr. Frear with Mr. Spearing.
Mr. Knutson with Mr. Hudspeth.
Mr. Doutrich with Mr. Doyle.
Mrs. Kahn with Mr. Peavey.
Mr. Carter of Wyoming with Mr. Walker.
Mr. Hancock of New York with Mr. O'Connor of Oklahoma.

The result of the vote was announced as above recorded.

Mr. GARNER. Mr. Speaker, I ask unanimous consent that to-morrow morning after the disposition of business on the Speaker's table we take up the House bill or the Senate bill—I prefer the Senate bill—and immediately consider it under the general rules of the House to final passage.

The SPEAKER. The gentleman from Texas asks unanimous consent that to-morrow the Senate or House bill be taken up and considered under the general rules of the House. Is there objection?

Mr. SPROUL of Illinois. I object.

Mr. TILSON. Mr. Speaker, I understand that the chairman of the Committee on Agriculture intends to call the committee together, probably to-morrow, to consider the Senate bill.

Mr. GARNER. Do I understand the gentleman from Connecticut to say that we have been considering to-day a bill that the Committee on Agriculture has never considered?

Mr. TILSON. The House has considered to-day a proposed amendment to the Senate bill.

Mr. GARNER. We have been all day debating a bill which has never been considered by the Committee on Agriculture.

Mr. TILSON. The gentleman realizes that he has not stated the situation at all. The proposed amendment which the House has been considering is, in fact, the bill that the Committee on Agriculture has reported and is now on the calendar.

EXTENSION OF REMARKS—DROUGHT RELIEF

Mr. ASWELL. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days within which to extend their own remarks on the bill.

The SPEAKER. The gentleman from Louisiana asks unanimous consent that all Members may have five legislative days in which to extend their remarks on this bill. Is there objection?

There was no objection.

Mr. GARBER of Oklahoma. Mr. Speaker and Members of the House, the Senate joint resolution now pending before the House Agriculture Committee authorizes an appropriation of $60,000,000 to be utilized by the Secretary of Agriculture for advancements or loans to destitute farmers in the drought-stricken areas with which to purchase seed, feed, and food for use in putting in the crop for 1931, such loans to be made only to those farmers who are unable to secure credit for such purchases from their local credit agencies. The House joint resolution authorizes an appropriation of $25,000,000 for like purposes, with the exception that food for the destitute families is not to be included.

At the outset it is conceded that if the loans to be made may include food relief for the destitute the $60,000,000 authorized would not exceed the amount required for such purposes. What are the facts as to the conditions requiring such relief? They have been fully investigated through the respective organizations effected for that purpose. The facts and conclusions stated in their reports are not in dispute. The drought through the summer and fall of 1930 in its area, severity, and destruction of crops is conceded to be the most disastrous in our history. As early as August of this year it was recognized as being so serious as to require emergency legislation; so serious that the President called a conference of the governors of the drought-stricken States to meet in the Capital; so serious that at such conference it was decided that the President should appoint a national drought-relief committee and that the governors of the States should appoint special drought-relief committees to make thorough surveys in their respective States. On the 20th day of October the State commissioners of agriculture met in Washington and appointed a committee to draft and recommend necessary legislation for the relief of such conditions and fixed the amount of the appropriation at $60,000,000. A month later, on the 20th day of November, the national drought-relief committee appointed by the President convened in Washington and adopted resolutions calling upon Congress to enact immediate emergency relief. The following is a copy of such resolution:

RESOLUTIONS OF THE NATIONAL DROUGHT-RELIEF CONFERENCE

WASHINGTON, D. C., *November 20, 1930.*

Whereas the United States during recent months has been visited by the most widespread and disastrous drought in our history, extending from the Atlantic coast to the Rocky Mountains; and

Whereas production of feed, hay, and other crops over wide areas has been materially decreased so that each income of farmers has been depleted and unusual expenditures for feed and food have been and will continue to be necessary; and

Whereas although farmers are practicing unusual economies and State and local agencies are mobilizing their resources to the full to provide assistance, activities which we commend most highly; and

Whereas notwithstanding the largest possible use of local resources, credit facilities throughout the drought area will fall short of the needs of crop production: Be it

Resolved, That the National Drought Conference urge the Congress of the United States to enact such appropriate legislation as will authorize loans to farmers in the drought area for crop production in 1931, for seed of suitable crops, fertilizers, feed for livestock, and for such other purposes of production as may be prescribed by the Secretary of Agriculture; that funds be appropriated by Congress in such amount as may be required for such loans; and that the conference urge the Congress to pass the necessary legislation at the earliest possible date.

For the relief of unemployment in the drought area we recommend that Congress enact an additional road appropriation of

$50,000,000 to be distributed to the drought-designated States by the Secretary of Agriculture without the necessity of matching such appropriation by a State receiving the same, and to be repaid by each State by an annual deduction from the normal Federal road appropriation over a period of 10 years.

Whereas the drought has brought about widespread suffering throughout more than 1,000 counties; and

Whereas the need for food, clothing, and fuel in rural areas will tax the charitable organizations; and

Whereas the American Red Cross has already extended extensive relief: Be it

Resolved, That the National Drought Conference urge the people of the United States to contribute liberally to the American Red Cross to enable that organization to meet the relief problems in drought-stricken areas.

Whereas the county extension agents are most essential in the development and rehabilitation of agriculture in the drought-stricken areas; and

Whereas many counties are unable to collect sufficient taxes to meet current expenses: Be it

Resolved, That the Secretary of Agriculture be urged to request Congress to provide sufficient funds to relieve the drought-stricken counties of their share of the cost of maintaining the extension agents to June 30, 1932.

Whereas the railroads of the United States have granted reduced railroad rates on hay and feed into and livestock out of more than 1,000 drought-stricken counties and have moved more than 60,000 cars on these reduced rates at a great sacrifice of revenues and a material saving to farmers: Therefore be it

Resolved, That the National Drought Conference express to the railroads of the United States its appreciation of the very substantial contribution to the drought-relief work.

THOMAS COOPER, *Chairman*.
HARRY F. BYRD.
M. L. WILSON.
PERRY L. GREEN.
H. C. COUCH.
J. G. PUTERBAUGH.
PAUL BESTOR.

The report of the Senate Agriculture Committee in support of Senate Resolution 211 passed by that body and which is now pending before the House Agriculture Committee states:

During the summer and fall months of 1930 the United States suffered the most severe and widespread drought in its history, with resultant heavy reduction in crop production, particularly of corn, hay, and forage crops. The drought also greatly depleted pastures, making it necessary for farmers to begin feeding their livestock much earlier than usual. As a result, farmers over a wide area will have difficulty in financing the feeding of livestock through the winter months and in obtaining seed and fertilizer for crop production in 1931. These conditions appear to justify the authorization of an appropriation by the Congress for food, seed, fertilizer, and feed loans along the line of previous legislation for drought and storm relief, except that the inclusion of food is an expansion of the relief acts heretofore passed by the Congress.

The drought of 1930 was most severe in an area extending from the Atlantic coast of Virginia and Maryland to southeastern New Mexico. This area included all of the States of Virginia, West Virginia, Maryland, Kentucky, and Arkansas; the larger part of Tennessee, Mississippi, Oklahoma, and Missouri; very considerable portions of Ohio, Indiana, Illinois, Texas, Louisiana, Alabama, and Pennsylvania; and small portions of North Carolina and Georgia. There was also severe drought over a very considerable area in Montana and smaller areas in Wyoming, North Dakota, and Washington.

As an indication of the severity of the drought, the average acre yield of corn in Virginia was estimated at 11.5 bushels, as compared with a 10-year average of 26.8 bushels, and that of hay at 0.6 ton, as compared with a 10-year average of 1.16 tons. In Maryland the average yield of corn was 15 bushels, as compared with a 10-year average of 39.4 bushels. In Ohio, only a part of which was seriously affected by drought, the average yield of corn for the entire State was 25 bushels, as compared with a 10-year average of 39.2 bushels, and that of hay 0.89 ton, as compared with a 10-year average of 1.37 tons. The State most seriously affected by the drought was Arkansas, with an average yield of corn for the entire State of 4.5 bushels, as compared with a 10-year average of 18.5 bushels, and cotton 111 pounds, as compared with a 10-year average of 167 pounds. Acre yields and total production of corn, hay, and cotton in several of the States seriously affected by drought are shown in the table which is inclosed. In Montana the average yield of wheat was 8 bushels per acre, as compared with a 10-year average of 12.1 bushels, and that of flax was 3.7 bushels, as compared with a 10-year average of 6 bushels.

The figures just given on crop yields indicate only a part of the serious loss incurred by farmers. Over much of the area practically no pasture was available for livestock after August 1, so that the feeding of hay and forage was necessary over a much longer period than usual. With greatly reduced production of hay and forage, farmers over a wide area have been compelled to buy large quantities of hay and feed or to sell a part of their livestock, or both. In many instances dairy and beef cattle have been sacrificed because of inability of farmers to buy feed. On many farms and in villages and towns the shortage of water has constituted a serious problem. This, again, has caused some farmers to sell their livestock. The depleted income of farmers from reduced crop production, coupled with the necessity of making unusual purchases of hay and feed, has exhausted the resources of many farmers in the drought area. Further, these farmers have not been able to repay money borrowed from banks and other agencies for crop production in 1930, and these local agencies will have difficulty in financing these farmers again in 1931. There would appear to be, therefore, greater justification for relief legislation this year by the Federal Congress than on any previous occasion. As the area involved is so very much greater than in any previous year when seed-loan legislation has been passed, it is believed that an appropriation of $60,000,000 will be necessary to make advances to farmers along the lines of such loans made in previous years and to meet the enlarged demands made essential by the provision to include food in the commodities that may be purchased.

The imperative need for food relief is shown by the reports of the committees of the several States to the national drought committee, of which the Secretary of Agriculture was chairman and C. W. Warburton, director of extension work, Department of Agriculture, in charge of the general supervision of seed loans made under special resolutions of Congress. Mr. Warburton appeared as a witness before the Senate Agriculture Committee. Senator THOMAS of Idaho asked him the following question:

Have you considered the condition of the people? Are not a great many people entirely destitute—without food, without groceries, and without clothing?

To which Mr. Warburton replied:

The American Red Cross has been very active in strengthening its county chapters, and has had some calls for food and for assistance by way of fuel and clothing, and naturally more than would normally be the case. There are always poor people, but usually poor people are poorer under these conditions that exist this year than usual. They have been able to produce less on the farms, and naturally the call in the way of charity has been larger than usual. Requests for charity naturally are going to increase as the winter goes on. People are going to utilize their own resources as long as they last, and it is generally only as a last resort that they ask for assistance. Unquestionably in some sections, due primarily to drought injury, there will be a considerable number of people who will have to have assistance in the matter of obtaining food, and probably there will be some who will not have fuel or clothing. Fortunately a very large part of the area affected by the drought contains considerable timber, and the people can get wood if they will go out and cut it, at a fairly low cost. But the section most seriously affected in that respect is the area of Texas which is included in this drought section, where practically no fuel is available.

Senator THOMAS of Idaho. You feel, then, it would be necessary to provide provisions for some of these people?

Mr. WARBURTON. Provision certainly will have to be made through some agency, either county poor organizations or the American Red Cross or some other agency.

So that the only question presented here is whether or not the Secretary of Agriculture, under wise and efficient administration, should be authorized to advance loans for seed, feed, and food relief to the destitute families in the drought-stricken areas for the crop production of 1931. Such authority is granted in the Senate resolution and denied in the resolution reported to the House by the House Agriculture Committee. Under the Senate resolution an applicant, to have food relief included in a loan for seed and feed, would have to show:

First, that he and his family reside on a farm in a drought-stricken area;

Second, that he is without resources and credit to secure necessary feed for his livestock or seed for his 1931 crop; and

Third, that he and his family are in destitute circumstances, without resources or credit to procure necessary food to sustain themselves on the farm to carry on the work necessary for the crop production of 1931.

Visualize the condition, with a picture of such a destitute family on the farm in a drought-stricken area. Are you satisfied that food should not be included in the loan? Are you going to resolve the doubt against the applicant? Are you going to arbitrarily refuse such assistance? Is not food for the family of immeasurably greater importance than food for the livestock? After all, is not the ultimate object the maintenance of the family on the farm? But, it is suggested that the livestock is evidence of credit for food

for the family. Wherever such credit exists, the loan would not include such item.

The evidence shows in many areas two or three crop failures in succession, and that with the prevailing low prices, the livestock has long since been mortgaged, while the credit of the family is exhausted at the local stores and banks; that such credit agencies have long since exhausted their ability to extend any additional credit, so that only two alternatives remain for such families during the coming winter months—either they must seek charity from relief organizations, already overburdened, or abandon the farm and attempt to find work in the cities, already filled with unemployed. The inclusion of food would insure the retention of the family on the farm.

It would seem that good sense and judgment alike would approve of such a humanitarian and economic purpose; that money thus wisely used would be for the promotion of substantial relief for the deplorable conditions existing in the cities as well as on the farms of the country. The present depression is world-wide and nation-wide. It affects every industry and section of our country. Intensified by unprecedented drought conditions and low prices, it has almost exhausted the resources and credits of those engaged in our basic industries. This, in turn, has exhausted the credit of our banks and merchants, so that with such agencies it is no longer a question of dividends and profits but "How long can we continue in business?" Under such conditions, the resources of our charitable organizations in such areas have diminished in greater degree than the price of farm products. The contributor under normal conditions who gladly gave $100 or $1,000 will, under present conditions, seriously hesitate to give one-half of his former contribution, and, in a large percentage of cases, the former contributor would be unable to contribute anything; for, like other members of his community, he, too, has been seriously affected.

From what source, then, will food relief come for the unemployed in our cities? The Red Cross and other charitable organizations, already overtaxed, should not be expected to extend food relief to the destitute families on the farms in the drought-stricken areas of the country.

It is clearly apparent that they will be unable to do so. With their former resources so seriously curtailed and destroyed the imperative need for such relief from other sources becomes apparent. Will the charity organizations in the big cities be able to meet the demand of such emergency conditions? The destitution and hunger of the women and children of the ever-increasing number of the unemployed in our cities during the coming winter months contain potential elements of menacing danger to the very foundations of the Government. In the midst of a depression caused by the surplusses, more than sufficient to supply every human want, you can not expect the unemployed to approve and acquiesce, with their women and children suffering from cold and hunger. Unless adequate food and fuel are supplied for relief, organized resistance to such conditions may be expected and will be the result. Strikes and lockouts will occur. Disorderly assemblies and law violations will increase. The smouldering discontent now existing may become volcanic in its explosion and destruction later on. It is to insure against such results that every safeguard and precaution should be taken now. The extension of such relief of food and fuel to the destitute families of the unemployed in our cities would change their constant fear into a sense of security, their rapidly growing discontent into gratified appreciation, and instill a feeling of confidence that after all this Government stands for all, that the adequate care and protection for its poor and needy is its first and primary concern. It would instill a feeling of brotherhood, that after all we are in the same boat, members of the same family, citizens of a common country of allegiance to the same Government; that in working in cooperation together and helping each other lies the only proven course for us to take toward immediate and permanent relief.

Mr. IRWIN. Mr. Speaker, I am asking for a few moments of the time of the committee to discuss the merits of this so-called "drought relief bill." At the beginning of my remarks I want to commend Mr. TILSON, our honored floor leader, for the statement made to the press in the issue of the Washington Star under date of December 13, in which he outlines and discusses this question in a clear, concise manner, and I take this opportunity to say that I am in perfect accord with him. As I understand it, this is a drought-relief measure.

I have been a Member of this House for the past six years and I am sure my record will bear me out in the statement that I have voted and given my influence to every measure that came before this House in the interest of agriculture, and I will go along and am in favor of giving the farmer from this drought-stricken district relief out of the Federal Treasury so as to enable him to procure feed for his stock, seed for spring planting, and for fertilizer, but I can not see the right or justice in giving to the farmer financial aid for food and clothing and medical care and at the same time to deny the coal miner and the day laborer and many of the tradesmen of my district the same relief. The drought situation has only existed the past season, while with the coal miner and the laborer they have been out of work for years until they have been brought in many cases to a state of starvation. The condition of the poorest farmer is better than that of the city worker or laborer for many reasons—rent, water, fuel, and other necessities are cheaper on the farm than in the city. Even with the severe drought of last summer most of the farmers produced something on the farms to at least help to keep them from starvation. But this is not true of the city workman whose only asset is his daily work and where he has to buy everything he consumes. I reiterate here that the poorest farmer in the land can better help himself in this day of depression than can the city workman who is out of work and is starving.

In the past few weeks, since winter is here, I have had a number of appeals from people in my district who are on the verge of starvation, all coming from the cities and villages, some of those appeals heart-rending, showing a condition of utter despair and want. I have, like I suppose most of our membership, contributed to the many charitable organizations such as the Red Cross, the St. Vincent de Paul Society, and the Salvation Army, who have always performed splendid service in times of distress and need. I believe that the question of relief in emergency should come from the home communities, commencing from the smallest political subdivision of the village, the township, the county, up to the State, and that it is not a problem for Federal consideration until such time as it is conclusively shown that the smaller political divisions are unable to cope with the situation. We hear much of State rights, of the usurpation of the rights of the States by the Federal Government, and, strange to say, many Members of this body who ordinarily are loud in their demands for State rights are the ones who are to-day willing to surrender the right and duty of the States to the Federal Government.

I am firmly convinced that the drought-situation emergency in my county and State can be amply taken care of in my county and State by the charitable organizations in my county and State, and I know that, left alone, such matters will be taken care of by such organizations; and to the State and county and smaller communities belong such responsibilities, and they will not be derelict to those responsibilities. And I firmly believe every State in this Union, through its county and township charitable institutions, can give immediate relief, to the end that not one life will be sacrificed on account of hunger and cold if this responsibility rests with the communities at home, where it belongs. And let each Member of this House contribute his mite to his district and not vote to take from the Federal Treasury funds which it is obvious should come from other sources. Let the States go on record and proclaim that they are able and ready to take care of every citizen within their respective borders and there will be no need of such legislation as we have under consideration to-day. And until such time as it is conclusively shown that the States can not cope with the situation we, as the Representatives of the

people, should protest by our votes against a raid on the Federal Treasury for such purposes.

Mr. GLOVER. Mr. Speaker, ladies and gentlemen of the House, in my opinion no more important legislation than bill now pending before the House for consideration has been introduced in this House since I became a Member of Congress.

This bill is to provide relief for the drought-stricken people in many of the States that are to-day suffering from the worst drought that has ever been experienced in this country. The bill that passed the Senate and which is now before the House for consideration is a bill well prepared and will take care of those affected by the drought in an intelligent and substantial way.

We are very sorry, indeed, that there is a disposition on the part of the party in power who ought to urge the immediate passage of this Senate bill, to now come and try to substitute another measure introduced in the House which only provides for one-half the amount of funds proposed in the Senate bill for relief and is not a bill calculated to relieve those suffering from the drought as would the Senate bill, as we shall discuss later.

The Senate bill provides a loan to agricultural people suffering from drought and a condition which has been brought about and over which they had no control. The Senate bill proposes a loan of $60,000,000, and the bill sought to be substituted by the House only provides for a loan of $30,000,000. Or, in other words, just cutting the loaf of bread half in two.

Not only that, but also the Haugen bill limits the advancing of a loan to the farmers of the drought or storm stricken areas of the United States where the Secretary of Agriculture should find that an emergency of such a condition existed, for the purpose of seeds for suitable crops, fertilizer, feed for work stock, and for fuel and oil for tractors.

The Senate bill differs from the bill that is proposed to be substituted for it in this, that it authorizes the loan of $60,000,000 to be expended in securing seed, feed, and other supplies necessary to enable the farmer in the drought-affected area of the United States who were unable otherwise to finance operations to produce and harvest crops during the year 1931.

In other words, if the Haugen bill were substituted for the Senate bill you would shut the farmer out from expending $1 of the amount he borrowed for the purpose of buying food and any supplies of any kind whatever for his family. You would provide that he could buy feed for his pigs, but he could not buy food for his children. He could buy feed for his horses and cattle, but he could not buy food for himself and wife.

Many of them could not now make a crop without having some aid toward buying food for themselves. Besides that, this is a loan and not a gift to the farmer, who is honest and will pay back every dollar of it, then why would the Government want to tell him just how he should expend every dollar that he borrows?

The substituted bill provides that for all loans made a first lien shall be retained on the crop grown during the year 1931. The Senate bill is much more liberal in its provisions with respect to the loan than is the substituted bill proposed. The Senate bill provides as follows:

> The advancements and expenditures herein authorized may be made upon such terms and conditions as the President may prescribe or approve, with or without security, it being the intention of the Congress to provide assistance to farm producers disclosing their intention to cooperate in carrying out this act.

Are you afraid to risk the President of the United States in handling this fund for the relief of those that are now in distress; and are you not willing to risk the farmers of the United States without binding them up with a first lien on that which they make and then prescribe the manner in which they should expend the funds borrowed?

Not only is the bill S. 4786, the Senate bill, more preferable than the substituted bill proposed for the loan above stated, but let us follow the bill further and see if it does not go very much farther in other respects in relief for the drought-stricken people than does the substituted bill.

The title of the Senate bill is "For the relief of the drought-stricken area," and it proposes, not only the plan as set out above, but also further provides as a manner of giving relief to the drought-stricken area that the Secretary of Agriculture, with the approval of the President, may advance to any State held to be gravely affected by the drought in 1930 the sum of $5,000,000 or less, upon such terms and conditions as the President and the governor of such State may agree upon or approve, to be expended by the State in the construction of highways other than those receiving or eligible to receive Federal aid, said sum so advanced to be repaid in 20 equal annual installments. Many of the States in the drought-stricken area would be glad to avail themselves of this proposition and thus enable the States to join with the Government with this act, if passed, and add a great deal of relief to the drought-stricken area which it could not do otherwise.

Not only that, the Senate bill has another provision that is worthy of consideration and is contained in section 3 of the bill, and provides as follows:

> The Secretary of Agriculture is hereby authorized to employ such agents as may be required to carry on agriculture extension work in counties embraced within areas gravely affected by droughts in 1930 where the county authorities are found to be unable to make the contribution of agriculture extension work contemplated by law. That in addition to any amounts now authorized for agricultural extension there is hereby authorized to be appropriated for the purpose of this section the sum of $3,500,000, or so much thereof as may be necessary out of any moneys in the Treasury not otherwise appropriated.

Every man who has had any experience with agriculture, knows it would be hazardous at this time to cut off agriculture extension work. The condition that now prevails in the agricultural States that without relief of the kind suggested as above inserted in the Senate bill much of the extension work in the South will have to be cut off because the counties are wholly unable to pay for this work.

I have recently had letters from several of the county judges in my district in which they state that unless relief of this kind is given that they will be forced to cut off their extension agents. We do not want this done, but without the help as provided in this section, there will be many counties, on account of not being able to bear this expense, necessarily have to cut off their farm agents.

Not only is this provision contained in the Senate bill that is not contained in the substituted bill, but also there is another provision in the Senate bill which I think would be a very great and material help to the drought-stricken people.

The President is authorized under the Senate bill to make requisition from time to time on the Federal Farm Board, and the Farm Board is authorized to deliver without cost on such requisition, the wheat or any part thereof which may have been required by the Federal Farm Board and which may remain undisposed of at the time of such requisition. Said wheat may be distributed through Red Cross agencies, or other agencies that may be designated by the President, for use as seed, feed, or food in such quantities and upon such terms and conditions as the President may prescribe or approve. From the reports made from the agencies set up by the President to gather information as to what the real conditions in the drought-stricken areas are, it was shown that there are hundreds of thousands of people in the drought-stricken areas that must go hungry unless some relief is provided as the one suggested above.

Here we are with the United States Government holding a hundred million bushels of wheat in its elevators and 100,000,000 people starving to death for food. We have given much to the starving nations of other countries when they were in distress, and what shall our own people say at home that are in distress with the multiplied millions of bushels of wheat piled up and owned by the Government, and then saying to our own suffering people that you are not as worthy of bread as those of a foreign land.

I do not believe that this Government will permit a condition of this kind to go on without giving the necessary relief. This wheat that is now held could be distributed through the Red Cross agencies and given direct to the

people who need it so badly, relieve the Government of a surplus of wheat and relieve the starving humanity at the same time.

We are presented at this time with a very awkward situation. Our Federal Farm Board is advocating the reduction of crops and claiming an overproduction in the United States and with millions of people at our door who are suffering for food. It is not overproduction but it is underconsumption.

If you will give to the people of the United States food that they would readily consume you will have no surplus production of that kind in the United States.

I hope the Senate bill may pass without any amendments and it will give permanent relief to those so badly in need of it.

Mr. ESLICK. Mr. Speaker and Members of the House, as I view it the issue is whether Congress will give substantial aid to the farmers of the drought-stricken area or hand him a mere pittance coupled with a big promise. The press has been filled with what the administration will do for the farmers of the drought-stricken area. The time of promises has past; the period of fulfillment is here.

Senate Joint Resolution 211 is identical with House Joint Resolution 403, offered by the gentleman from Louisiana, Doctor ASWELL. Both provide for advances or loans to farmers in the drought-stricken area of the United States where the Secretary of Agriculture shall find that an emergency for such assistance exists "for the purchase of food, seed of suitable crops, fertilizers, feed for livestock, or fuel and oil for tractors used for crop production," and so forth. And a $60,000,000 appropriation is authorized to carry out the purposes of the act. The Senate passed its resolution. The House committee refused to report out the Aswell bill, but reported the House resolution (H. Res. 411), which is practically the same as the Aswell bill, except it makes no provision for human food and fixes the relief fund at $25,000,000 instead of $60,000,000. This bill was indorsed by the Department of Agriculture. It was and is an administration measure. It was amended so as to fix the amount at $30,000,000 instead of $25,000,000, as originally provided.

As I understand, the procedure before the House to-day is to suspend the rules and pass the Senate bill or resolution, after amending it by striking out all the Senate measure after the enacting clause and substituting the House resolution. In plain English it means gag rule, done intentionally to limit debate to 20 minutes to each side and so that no amendment can be offered to the bill. It means that the drought relief bill will be limited to $30,000,000 instead of $60,000,000, as provided by the Senate bill. It means that none of this fund can be spent for human food, but must be used for seed for planting, fertilizer, feed for livestock, or fuel and oil for tractors. This is a relief measure. It gives the helpless farmer the privilege and aid to feed his work mule—but he must withhold food from his hungry child. By governmental aid the farmer may have a fat work mule, but this help will be denied the farmer's lean and hungry family. Somehow I believe my farmers are humane enough to feed the hungry people first and then turn to the animal fold. My people prize the human equation as taking precedence "over the beast of the lower kingdom."

The Secretary of Agriculture has tried faithfully to solve the questions of the farmer and overproduction. The approval of the Haugen bill was by the Acting Secretary. The Secretary certainly was not at home when that department sent its letter to Chairman Haugen.

It was only a few months ago that Secretary Hyde made an illuminating speech on overproduction. In substance, he said, if we would destroy the dieticians of the United States and let the people eat what they want, our cribs would soon be empty and overproduction would be solved—and now his "Acting Secretary" declares for rations for the work horse and mule but no food for the plowman.

The Secretary of Agriculture and the Acting Secretary probably have not enough experience in farming to know it takes food to give the farmer strength to guide the plow just as well as it takes food to give "Old Beck" the strength to pull the plow.

Mr. Speaker, I represent one of the greatest agricultural districts in America—rich and great in production and versatility in production. Our people were bowed under the "financial depression" (heretofore called "panic") of 1929 and the spring and early summer of 1930. Then came the drought. From the middle of May to the middle of September there was scarcely any waterfall in Tennessee—at least, in middle Tennessee. We had an unprecedented drought in the early spring of 1930. In my section we have not exceeding 35 per cent of a crop. Especially grain, oats, wheat, and rye, were failures. The hill corn did not make; it burned up. Our valley and bottom corn was light, nearly all of it late, and the early frost and freezes destroyed the larger part of this. I speak not only in a general way of conditions but personally I know what I am talking about. Our pastures in August were dead and dry enough to burn. Near the railroads many of them did burn. Prices of farm products and grain and livestock are on the rocks.

My country is usually a land of plenty. Now, without fault on their part, a large part of my people are in the direst distress. Never before have my people needed help; they have heretofore met every problem without a murmur. The 11 counties in my district are in the stricken section. Seventy-nine counties of the 95 counties in the State of Tennessee are in this area. If I remember correctly, every county in middle Tennessee is in the stricken district. Five thousand families in Tennessee are in need of assistance. Hard-working, honest people, heretofore making a comfortable living. They labored this year, but the fruits of their labor never ripened. The drought took all from them. The story of the drought in my country is the same picture as in many other sections and States.

Relief of this kind is not new to Congress. Money from the Public Treasury has been donated or given in a large number of cases to fire, flood, and earthquake sufferers. I venture the Public Treasury has been called on to aid the unfortunate more than a hundred times. The amounts have ranged from small to large. Some years ago "the world citizen," now the President, fed the hungry people of Europe with American moneys—$107,000,000 was appropriated at one time. It was spent to ease "human misery" and hunger. It was a donation. That gift from the United States Treasury, distributed by the President then was right, but the advance or loan to the American farmer in his distress must be pared down to the pittance of $30,000,000 to take care of the people in distress in 21 States—in whole or part—1,016 counties are within the territory needing this aid. The States affected have approximately 50,000,000 people. The loan or advancement is but a pittance measured by the drought calamity. Then, too, it is limited to seed, feed, fertilizer, fuel—no human food. And in order to put over the President's policy in the parliamentary situation, the gag rule is applied to cut off full debate and to prevent all amendments so as to eliminate an increase in amount.

If the President is to take credit by and have the glory of feeding the hungry hordes of Europe from our Treasury, he must take the responsibility of denying reasonable loans to the worthy American farmer, rendered hungry and helpless in part by the drought.

Aid to the drought-stricken area is not a party question. It is an appeal to the humane side of Congress.

The gentleman from Connecticut [Mr. TILSON] says the planters of the South and Southwest are not the only ones who will be hungry before the winter is over; others will need food. I believe him. We were promised a marvelous prosperity by the administration of to-day. But instead prosperity is on a long, long strike; the laborer can not get employment to earn his wage, his savings are spent, and necessarily hunger is "turning the corner," coming toward him. But to relieve this man surely we should not buy him a pick and shovel or a set of tools. He is hungry. What he wants is bread. Let us either lend or give him the money to get it.

Mr. Speaker, I do not care what business or trade a man comes from; if this man and his family are hungry, without fault on his part, if it is because of drought, cyclone, fire, or earthquake, or from business conditions, taking from him the power to earn a living for himself and his family, for one, I am willing to feed him from the Public Treasury till a better day comes.

I shall vote against the bill under consideration as amended. It offers little relief as now offered as a drought measure. If it comes back to us and the opportunity presents itself, I shall vote for it carrying the $60,000,000 authorization with the right to buy human food.

Mr. SANDERS of Texas. Mr. Speaker, ladies and gentlemen of the House, notwithstanding this Congress convened on the 1st day of this month, the Republican Party has been so muddled and inefficient in handling the affairs of the Nation that we have not had the opportunity until today to consider one of the most important matters submitted to us for our consideraion—the matter of making some provision for the farmers in the drought-stricken sections of the United States—and even then the bill comes before us under a gag rule to prevent debate and to make it impossible to offer amendments. Two Saturdays have passed since Congress convened and no session was held on either day for the reason that ball games were being played. It would have been far better if these two wasted Saturdays had been spent in the consideration of this very urgent and important legislation.

The President of the United States, in his message to Congress on the 2d day of this month, called attention to the drought situation. Among other things, he said:

> It has affected particularly the States bordering on the Potomac, Ohio, and lower Mississippi Rivers, with some areas in Montana, Kansas, Oklahoma, and Texas. It has found its major expression in the shortage of pasture and a shrinkage in the corn crop from an average of about 2,800,000,000 bushels to about 2,090,000,000.

Then the President called attention to the fact that on August 14 he—

> Called a conference of the governors of the States most acutely affected and as a result of its conclusions appointed a national committee comprising the heads of the important Federal agencies under the chairmanship of the Secretary of Agriculture.

Then he mentioned the fact that the Governors appointed State committees, and said:

> In order that our Government may meet its full obligations toward our countrymen in distress through no fault of their own, I recommend that an appropriation should be made to the Department of Agriculture to be loaned for the purpose of seed and feed for animals.

This was a noble expression, but has the President pursued the idea of "working it out constructively"? The fact is, he has not, nor has he dealt fairly with Congress and with the drought-stricken sections, as the facts will show. The National Association of Commissioners of Agriculture held its annual meeting on October 20 of this year. Congressman ASWELL, of Louisiana, cooperated with that committee and the Secretary of Agriculture in preparing a joint resolution and introduced it in the House on December 1, and the same resolution was introduced in the Senate by Senator MCNARY. That resolution provided for an appropriation of $60,000,000, and further provided that—

> Such advances or loans shall be made upon such terms and conditions and subject to such regulations as the Secretary of Agriculture shall prescribe—

and provided for a first lien on all crops for the year 1931.

On November 20 last the drought-relief committees from 22 States met in Washington under call of the Secretary of Agriculture and submitted their reports, which are to be found in the CONGRESSIONAL RECORD of December 1. These reports are very exhaustive and very illuminating. The minority views on this bill, based on those reports, show a minimum appropriation for the following States to be: Arkansas, $20,000,000; Kentucky, $10,000,000; Louisiana, $6,000,000; Mississippi, $25,000,000; Oklahoma, $7,000,000; Texas, $5,000,000; Virginia, $5,000,000; West Virginia, $3,500,000; all of which makes a total of $81,500,000, to say nothing about the fact that the report shows deplorable conditions in Illinois, Indiana, Kansas, Maryland, Missouri, Montana, New Mexico, Ohio, Pennsylvania, Tennessee, and Wyoming. If human testimony is to be believed, then even the 60,000,000 named in the Aswell resolution is not sufficient to meet the needs. I seriously doubt if 5,000,000 is sufficient to meet the requirement for Texas. The Texas drought committee did not consider east Texas when as a matter of fact some parts of east Texas were hard hit and there will be suffering there. In a well-written article by Dabney White, of Tyler, published in the Houston Post Dispatch, Mr. White, who had visited the drought-stricken sections of Texas, gave an illuminating description of the drought in Texas and the deplorable conditions left in its wake. Judge Edwin Lacy, of Longview, Tex., stated in a letter to me that he had visited 30 counties in east Texas and that in traveling over these counties he noted the sorry crops due to the drought, and "found the farming class in real distress." He said:

> I have been making inquiry among the farming classes within the past few weeks and I find that many of the farmers are in dire want and need throughout all of this section. I do not see how they are going to get through the winter and it seems that it will be utterly impossible to start a crop for the new year if some sort of governmental aid is not given to them.

This item of sixty millions introduced in both the Senate and House had the indorsement of the Secretary of Agriculture and there is no reason why it should have been abandoned by the administration, and there is no reason why it should not have been promptly reported by the Committee on Agriculture and passed. The next time we heard of this bill was on the 8th day of this month when the Democratic leader, Mr. GARNER, inquired of the Republican leader, Mr. TILSON, and Mr. TILSON expressed no idea as to when it would be considered. However, on the 9th the resolution carrying $60,000,000 was passed by the Senate without a dissenting vote, the President's recommendation of $25,000,000 to the contrary, notwithstanding. The next time we heard of this resolution was on the 9th when the gentleman from Louisiana [Mr. ASWELL], pressed for its consideration but was denied. Then again on the 11th the Democratic leader [Mr. GARNER] inquired of the Republican leader [Mr. TILSON] when the bill would come up and Mr. TILSON stated that he did not know whether the Committee on Agriculture had the bill ready or not. I mention this legislative history of the bill to show the little interest manifested by the Republican Party with its large majority in this House, in this emergency bill when so many people of this Nation, for whose benefit the bill was reported, are destitute and starving. Why did the administration abandon the plan for $60,000,000 which it approved on November 20 last? As we have received more information about the dreadful conditions prevailing in the drought stricken sections, the actual facts show it to be worse than we thought on November 20. Then why this change? The gentleman from Indiana [Mr. PURNELL] bases his argument against the sixty-million resolution on the ground that it provides for buying food for the starving.

This seems to be the main objection of the majority of Republicans. It is because they do not want it written that under the administration of the great engineer, "seasoned in the ways of business and skilled in coordinating vast enterprises," this deplorable condition prevailed? They seem perfectly satisfied to appropriate a meager sum for the purchase of feed for work stock, but they are unwilling for the farmers to buy food for their families. It is all right, according to their viewpoint, for the work stock to be rolling in fat while the undernourished mother gives her withered breast to the starving baby. When did stock get to be worth more than human beings? It is all right from their viewpoint to provide for an inadequate sum to buy fertilizer but not food. I am glad that those of us in the minority do not hold to such sordid and unworthy views. All of the evidence we have in regard to this matter shows that sixty million was agreeable to the President and his Secretary of Agriculture on November 20. The majority leader, Mr. TILSON, leads the forces against extending the proper relief

to these unfortunate people, claiming that there is no precedent for this action. He should have qualified his statement as was suggested by the negro who said, "There was no such thing as heart-felt religion." A friend suggested that he should add to that statement "not that you know of." Relief of this kind by the Federal Government dates back to 1803, and since that time Congress has considered and passed acts of a similar character on 96 occasions, referring to different localities. These acts have not been confined to the United States. They are not only justified in the United States under the general-welfare clause of the Constitution but as a matter of humanity—as a matter of dealing justly with our fellow men.

In 1812 Congress appropriated $50,000 for earthquake sufferers in Venezuela. In 1847 Congress went to the rescue of Ireland and Scotland. Some of our naval vessels were brought into use in 1871 for the relief of destitute persons in France and Germany. Even the ravage of grasshoppers was not overlooked in 1875. We helped Ireland again in 1880. The helping hand of the Government was extended to the famishing poor of India in 1897, and in the same year we took cognizance of the destitute citizens of the United States in Cuba and appropriated $200,000 for the relief of destitute persons in the West Indies. In 1909 an appropriation of $800,000 was made for suffering people in Italy. An act appropriating $100,000,000 as a revolving fund for Europe was passed in 1919. Russia received an appropriation of $20,000,000 from this Government in December, 1921, and $4,000,000 of medical supplies was furnished them in January, 1922. We helped Japan in 1924 and 1925. An authorization for $6,000,000 was made for Porto Rico in 1928 and in January, 1930. In 1924, $10,000,000 was voted for German relief. Other instances could be cited. Why all this charity for foreign nations and none for our own people? I have always been taught that "charity should begin at home." Congress has on numerous occasions helped our own people when they were the victims of different disasters. Why deny them help now? Under the terms of this resolution money is to be loaned and not given, and, according to the testimony on this drought situation, the sum of $60,000,000 is not sufficient, while the sum of $25,000,000, championed by the administration, is a mere bagatelle.

But why all this supposed economy? Why a deficit? If the administration continues to squander money, of course the revenues are going to be short. Let us keep constantly in mind that the Government is wasting money; that it is tearing down perfectly good buildings; that it is paying approximately $30,000,000 annually for rents; that it is failing to exercise ordinary business judgment; that it has fastened on us a billion dollar tariff bill which is an indirect tax; that the Secretary of the Treasury, since he has unfortunately held that position, returned approximately $3,000,000,000 to the great corporations and trusts of this country as rebates on income and excess-profits tax; that $400,000 was voted at this session for a library for a negro school, not a Government institution, and a like amount to follow; that those who contribute to the Republican fund realize that it is bread cast upon the waters to be gathered in the very near future; that they know they will get it back in the tariff or in refunds from Secretary Mellon. May I say that since I have been in Congress I have opposed paying out of the public Treasury money for other nations. It is only under the general-welfare clause of the Constitution that we are authorized to pay it out in this Nation. If we want to really do all we can for the people, let us pass this bill for $60,000,000. Let us pay the ex-service men in full what is due on their adjusted-service certificates. Let us stop gambling in cotton futures. Lets us give the Farm Board a chance to prove if it is of value; and, last but not least, let us pass the bill which I introduced in the House on the 15th, and which is H. R. 15142, and which provides that, for a period of two years from the date of approval of the act, all Federal land banks are authorized and directed, subject to the approval of the Federal Farm Loan Board (1) to withhold foreclosure of any mortgage securing a loan made by such bank if the borrower is in default under the terms of the mortgage, and (2) to extend the time for the payment of any installment due or to become due under the terms of any such mortgage for a period of not to exceed two years.

Section 2 of this bill provides that the Secretary of the Treasury is authorized and directed, upon the request of any Federal land bank, subject to the approval of the Federal Farm Loan Board, to advance to any such bank, out of any money in the Treasury not otherwise appropriated, a sum sufficient to cover the amount of interest payable by such bank during a period of not to exceed two years from the date of approval of the act on any Federal farm-loan bonds issued by it. The sums so advanced shall be used exclusively for the purpose of making such interest payments, and the Federal land bank receiving any such advance shall repay the same to the United States without interest in such manner and under such terms and conditions as the Secretary of the Treasury and the Federal Farm Loan Board, acting jointly, shall prescribe. Section 3 provides that any Federal land bank which has acquired, during a period of 12 months preceding the date of approval of this act, the land of any borrower from such bank upon foreclosure of a mortgage securing a loan made by the bank to such borrower is authorized, in its discretion, subject to the approval of the Federal Farm Loan Board, if the bank still holds title to such land, to permit such borrower to redeem his interest in the land so acquired and held by the bank. Such redemption shall be permitted upon the payment, within a period of not to exceed two years from the date of approval of the act, of all installments due under the terms of such mortgage at the time of foreclosure thereof, together with all installments which would have become due under the terms of such mortgage to the time of such redemption and all expenses incurred by the bank in connection with the foreclosure proceedings. In the event of any such redemption the mortgage shall be revived and continued as security for all subsequent installments payable under the terms of the mortgage.

This bill is very important to every section in the United States. Most of the farmers who have their land mortgaged to the Federal land banks will be absolutely unable to pay the interest charges. Many of them appealed to me when I was at home during vacation, and many of my constituents have written to me here making a like appeal. If this bill does not pass this session, the profiteers of the country will take advantage of these poor, unfortunate farmers and they will lose their lands. These farmers constitute the backbone of this Nation. They pay their debts when they can. They are not on the "beat"; neither are they on the "bum." They are doing their best. They are battling with wind and wave, drought and pestilence, over which they have no control. If given a chance they will make good. The Government makes a mistake when it does not do justly by its citizens, and if its citizens in the time of this national distress are denied that to which they have a right, then it will be unfortunate, indeed.

When the masses rise like Samson,
Trying if their strength be shorn,
Feeling through their pulses
Quiver the fresh energies of the morn,
Brooding on the wrongs of ages,
Trembling in their new-roused hate,
Piercer for the wakened devil rushing
Through the patience gate;
What will be the end, O dreamer?
What disasters dire shall swarm,
When the thongs that bound fall broken,
And the masses lift their arm?

Mr. FULMER. Mr. Speaker, when the drought relief bill was up for consideration I offered an amendment proposing to give the Secretary of Agriculture the power to make loans wherever an emergency exists, regardless of the cause of the emergency but it was voted down. On page 3, lines 3 and 4, of the bill as it now stands the Secretary will not be able to give any relief to farmers in any section or State, regardless of how grave the emergency might be, unless the

emergency was brought about by a drought or storm. My amendment proposed to strike out on lines 3 and 4 after the word "areas" the following phrase "of the United States" and insert in lieu thereof "and." In line 5 insert after the word "exists" the phrase "in the United States." Thus amended this part of section 1 of the bill would read as follows:

That the Secretary of Agriculture is hereby authorized, for the crop of 1931, to make advances or loans to farmers in the drought and/or storm stricken areas, and where he shall find that an emergency for such assistance exists in the United States, for the purchase of seed of suitable crops, fertilizer, feed for work stock, and/or fuel and oil for tractors, used for crop production.

I am satisfied that as far as my State is concerned, which is in a serious condition, as far as production credit for farmers in 1931 goes, that our farmers will not receive any benefits under this bill without this amendment. I was very sorry to see the House vote down the amendment of my colleague [Mr. JONES of Texas], which proposed to increase the appropriation from $30,000,000 to $60,000,000. I am satisfied that you will find after Congress shall have adjourned March 4, that there will be a much greater need and demand for these funds than can be supplied with a $30,000,000 appropriation. I want to state to the House that one of the real reasons for the great need of this type of legislation at this time is because of the bad financial condition of agriculture everywhere and also because of the lack of credit facilities in the agricultural sections. If the farmers of my State and other agricultural States were to blame for this condition it would be very unfair on their part to request through their Representative this type of legislation. I hope to show you later on in my discussion that the party in power is largely to blame for these conditions.

I want to challenge the statement made by the Republican floor leader [Mr. TILSON], as well as others, who have stated that this legislation proposing a loan of $60,000,000 to farmers is a dole. I have the credit of starting the fight in the fall of 1928 for a similar loan for the storm-stricken areas of the Southeast. We succeeded in securing $6,000,000 for this section of the country with the loan office located in Columbia, my district. I am glad to be able to report that our people paid 85 per cent of these loans back to the Government. Our farmers accepted same as a loan and not a dole from their Government, and, although they had a very bad year because of continued heavy rains, they were able to pay back this percentage of the amount loaned to them. One of the reasons these loans were not paid in full was because of the lost motion on the part of Congress in passing the bill so that farmers could get the money in time to properly plant their crops. Since the coming of the boll weevil in the South we have had to plant cotton very early so as to get a crop of bolls before the weevils get so bad; even then, if we have a rainy spell during July or August, the weevils not only get all of the top crop but much of the early crop of bolls.

Ordinarily I would be against this type of legislation and asked for it in 1929 for my section only because it seemed to be a fixed policy of this Government, inasmuch as several bills had been passed by Congress previous to 1929 for other sections. I contend that if agriculture were getting a square deal from the administration in power that we would not need this type of legislation. If you want to give relief and bring prosperity to this country you should undertake to undo some of the things you have done in the past 10 years that have absolutely paralyzed agriculture, which disease is fast extending to industry.

This will mean millions of unemployment, and under your present policies it will not be long before you will stand here on this floor passing legislation in the way of a dole to take care of suffering and hungry humanity. If this type loan to farmers wherein you take a mortgage over all his crops which includes his garden, his labor, and that of his wife and children, millions of them slaving in the fields, hungry and half clad, is a dole, what about Government loans to railroads made in 1918? Is it not a fact that you have also given to the railroads of the country, by special legislation through the Interstate Commerce Commission, the right to fix exorbitant freight rates, thereby robbing agriculture out of millions, especially on short hauls? This is one of the disastrous evils to agriculture that you could remedy, but when I mention the plan whereby you could reduce freight rates on agricultural products on a fair basis, according to the value of the products, I am called a radical. Farm products moving into the channels of trade and to the factory are bulky and heavy. Yet, freight rates are based on bulk—space—and weight. You can ship a suit of clothes that would sell for $50 as cheap or cheaper than a bushel of corn that would sell for 75 cents for the same distance. This will apply to practically all farm products in comparison with practically all manufactured products. I understand even with these special privileges the railroads of this country, or a great many of them, are getting in bad shape and are asking the cancellation of their obligation to the Government. Who is to blame for the condition of these railroads today? Certainly not the farmer or the local cotton buyer who has to pay these extremely high freight rates. Because of the tremendous savings by hauling cotton in the South by trucks, farmers, cotton merchants, and cotton factors have been forced to go into the business of trucking their cotton. For the past two years this has meant thousands of dollars to farmers. The railroads, because of excessive freight rates, have driven these people into trucking cotton and now they want legislation passed placing truck lines under the Interstate Commerce Commission.

I have a bill pending before the Interstate Commerce Committee of the House that would bring about high density gin compression of the farmers' cotton wherein railroads would be able to load 100 bales in a box car; whereas, with the type of bale that we now have, being the same type we have had for the past hundred years, the railroads can only put about 35 bales in a box car. With the passage of this bill it would enable the railroads to cut freight rates on cotton one-third or more. In the meantime I can not even get my bill considered by the committee. Why? Because the Interstate Commerce Commission seems to think more of the railroads, who have been receiving fixed high rates, and the well-organized large compress owners located in the cotton centers and at the ports who now have a monopoly in compressing cotton at the expense of the cotton farmer, and the local shipper, than they do farmers. The Department of Agriculture says this is good legislation. The Farm Board says it would mean millions to farmers; but many of you, like myself, interested in your people and who would like to do things that would mean relief, know that it is almost impossible to pass legislation in Congress, or even get consideration of same by a committee, unless you can go over to some department that has to do with the legislation and get a favorable report on same.

I again ask Mr. TILSON and his administration the question: "If this drought-relief legislation is simply a dole to farmers, what would you call the tariff bills passed in 1922 and last year, that are robbing farmers out of millions for the benefit of special manufacturing interests?" These bills were passed with the excuse that they were for the purpose of saving agriculture and keeping labor working and prosperous in the United States.

Certainly you have millions of unemployed and more poverty and misery with agriculture to-day than ever before in the history of this country; therefore, you have absolutely fallen through on the excuse offered for the passage of this legislation. Oh, yes; you say that manufacturers are also getting in bad shape financially. I agree with you, and your tariff legislation is one of the chief causes, and before you will be able to bring prosperity to this country you are going to have to reduce the uncalled-for high rates placed in the tariff bill for the manufacturer at the expense of agriculture and the consuming public. By these unreasonable rates contained in these tariff acts you have paralyzed and robbed farmers out of what little purchasing power was left them, and, of course, when merchants can not sell to these millions of farmers there are no orders going from them to the manufacturer. This means the closing down or part-time

operation on the part of the manufacturers, and it further means the laying off of labor and the reducing of wages, which is unjust and not in line with your tariff theory. It also means the paralyzing of the purchasing power of the millions of unemployed people in the United States.

No, my friends; these loans are not doles on the part of the Government to farmers, neither is the bad condition of agriculture caused from overproduction, which we here on the floor of this House term "surplus." These conditions are brought about because of underconsumption, which was brought about by the paralyzing of the purchasing power of the farmer, labor, and the consuming public. You can pass your various so-called relief bills, but it is my belief that this type of relief will only be temporary. Eventually you are going to have to cut out special privileges and doles to big business and the well organized and put agriculture and labor on a square, fair, and equal basis with other groups.

For the past 10 years you have given to at least 52 industries another dole at the expense of agriculture and the consuming public by allowing the antitrust laws to become inactive and thereby allowing industries to combine, merge, monopolize, and fix prices not only on what they sell but for the raw materials, the farmer's products. Not only has the Department of Justice gone to sleep on the job but the Federal Trade Commission, whose business it is to keep real competition in business active and alive, has actually joined in with industry by holding for and with them trade practice conferences and indorsing fixed rules and trade practices whereby competing industries can get together and fix prices. For the past 10 years, under the Republican rule, there has been more merging, combining, monopolizing, and price fixing without regard to antitrust laws, thereby robbing farmers and the consuming public, than any other period of the history of this country. We have also had the wildest orgy of speculation and robbing of the public on unreasonable paper prices on the stock market, in many instances selling absolutely worthless stock. This gang of robbers were privileged to use without a protest the names of President Coolidge and President Hoover in giving propaganda to the press in boosting their unhampered scheme as the Coolidge boom and the Hoover boom. In the meantime farmers could not borrow money to carry on because of fancy interest rates on call money in New York, which was as high as 15 and 20 per cent, thereby draining every section of the country of funds that should have been used for agriculture and other purposes. Every paper that you would pick up was full of Coolidge prosperity. Every time you would listen in on the radio you would hear a Republican broadcasting prosperity and promising a continuation of same if the people would keep the Republican Party in power.

What about the Automobile Trust that fixes the prices all the way down the line, even to the purchaser with a contract, stating that if any dealer or agent at any time cuts prices his head is immediately cut off? What about the Bread Trust? Flour, that sells for $6 per barrel, when made into bread sells for $30. Senator CAPPER is calling for an investigation at this minute and says that we have the largest Bread Trust in the face of starving millions of American citizens that we have ever had. We have had this trust with us for some time and it seems to be satisfactory to the Federal Trade Commission and the Department of Justice. Most of you know that my colleague, Mr. PATMAN, and I have been fighting the Cottonseed Oil Mill Trust for the past 12 months, and if there is a Member of Congress or anybody else who believes that this industry is not enjoying the most hog-tied trust ever formed, indorsed by the Federal Trade Commission, he should read the hearings now being conducted by the Federal Trade Commission of this industry. We have caught them right in the middle of the road with the goods. You might say, What are you going to do about it? I say that it is up to the Department of Justice and the Federal Trade Commission, both of them operating under a Republican administration and seemingly satisfied with these doles to this industry.

When your party for the past 10 years has been promising relief for farmers and talking loud what you have done and are going to do for farmers and labor, you have brought bankruptcy, poverty, and unemployment to millions with actual suffering because of what you have done to them and allowed special interest to do to them. I was in the office of the Comptroller of the Currency the other day on special business and several times while there one of the office force would come in and stick a bunch of papers in the hands of the comptroller. The comptroller remarked: "Can not you come in here for anything else except to give me notice of more closed banks?" Yet, when I offered my amendment to the drought relief bill proposing to give the Secretary of Agriculture power to make loans anywhere in the United States where he found an emergency, the Republican side of the House promptly voted it down.

What about thousands of farmers, good, honest farmers, living in sections, even in counties where they have not a single bank left, no corporations functioning under the intermediate credit bank; therefore no place to go and get money to run their farms? This is one of the emergencies that I am talking about. Very few of the banks left will furnish money to farmers. Yet, under this bill, there is no relief for these sections or farmers and you refuse to extend it by voting down my amendment.

In 1918 the railroad interests came to Congress and said, "We haven't anywhere to go and get funds to carry on; in the meantime we have very little collateral to offer, investors will not buy our obligations; therefore, we want Uncle Sam to make us a loan." We find these railroads were in the same condition at that time that hundreds of sections and thousands of farmers are in to-day. Farmers offer you their all in the way of a mortgage over their crops and their labor, including the labor of their wives and children, yet you call it a dole and refuse to do it with a sufficient amount to bring relief. The railroads on their request were loaned $985,000,000, yet this Congress refuses a $60,000,000 loan to farmers who find themselves in similar circumstances. Listen to what Andrew Mellon says about the loans to railroads and what he wants Congress to do about it at this time:

> At the time the Government made loans to the railroads we had just emerged from the World War. The state of the money market and the financial condition of the railroads did not permit them to borrow sufficient funds in the market to carry them through the reconstruction period.

Mr. Mellon further states:

> The railroads owe the Government a balance of $55,000,000, and perhaps the Government will be able to collect about half of this amount and the balance will be a loss.

He also requests that Congress pass legislation at this time giving him the right to make settlements for balance due by the railroads so as to accept compromises, cancel any part of this amount that can not be collected, and the privilege of reducing interest rates from 6 per cent to 3½ per cent.

While considering the drought relief bill Judge BRAND, of Georgia, one of the ablest Members in Congress, a man who is always trying to assist farmers, offered an amendment providing that interest rates on loans to farmers should not exceed 4 per cent. A Republican, the only negro Congressman in Congress, objected to the amendment. Out of the loans made in the Southeast during the past two years, thousands of negroes received loans. Yet DE PRIEST would refuse to let his Government do unto his race what Mellon would have the Government do for the railroads. You talk about radicalism and communism in this country, even to the extent that you have a special committee investigating so as to see what progress is being made by these people. Just keep up the unfair tactics toward the great masses and continue to hand out tariff doles, special legislation, and special favors and privileges to big business at the expense of the masses, and you will not have to have a committee to look around to be able to ascertain the fact that you have thousands of Bolsheviks in this country. How can you expect farmers to be in a position to pay their debts or borrow money when, on December 1, prices of 21 principal crops averaged 31 per cent below 1929, and 1929 was bad enough?

You added a tariff of 45 cents to wheat and this year's crop, although smaller than 1929, is selling for 39 per cent below last year. Cotton production is smaller than 1929, yet cotton is selling for 8 and 9 cents, or 50 per cent below 1929. If this cotton cost farmers $25 to $35 per bale more to produce it than they actually receive for it, would you not think that emergencies exist in many of the cotton States, even though they did not have a storm or drought?

I am hoping that in 1932 the Democratic Party will come in power. Then we can put tariff rates on a competitive basis, thereby giving American industry a fair chance and not a dole. In the meantime we can bring back friendly relations with foreign nations and trade relations that we ought to be enjoying now. This would mean the exportation of our surplus cotton and many other surplus farm products. I have a bill proposing to extend credit to 5,000,000 farmers now owning homes in drainage districts who, because of what has been done to them, find themselves in the positions of the railroads that came to Uncle Sam in 1918 and received a blessing. I am wondering what the Congress is going to do about giving this relief. I tell you, my friends, that unless Uncle Sam extends a line of credit to farmers in drainage districts, now in distress, with a very small rate of interest or no interest at all, and take them out of the hands of private holders of drainage bonds, thousands of perfectly good farmers who now own their homes, wood lots, pastures, and farming implements will be driven into tenantry or to the increasing ranks of the unemployed. What will happen then? These lands will be farmed by corporations—chain farming. Ask the gentleman from Illinois [Mr. HULL] what has happened in his State in cases where thousands of acres of land have already been taken over and he will paint you a sad picture, as far as independent farming is concerned.

I have a bill now pending that would pay ex-service men the face value of their adjusted-service certificates, but we are unable to get consideration thereon, even from the committee, because of the administration with its leader, Mr. Mellon, against it. Again Mr. Mellon says the Treasury and the taxpayers of the country can not stand for the amount that would be needed to pay these boys what Uncle Sam owes them. No; these boys are borrowing from year to year on their certificates small dribs of their own money and paying the Government for the privilege of doing so at a rate of 6 per cent interest. Oh, no; you do not see a statement coming up from Mr. Mellon even asking that interest rates be reduced to 3 or 4 per cent on these loans, but he has sent in a request for the railroads. Yet you wonder why there is so much unrest and so many dissatisfied citizens. There are thousands of these boys to-day who have not enough bread and meat to feed their wives and children for 30 days. Many of them are out of work and need to be in hospitals, and as far as South Carolina is concerned, we have hundreds on the waiting list that can not find a vacant bed. It would be a real relief to turn this money loose in every nook and corner of the United States.

I advocate the building of suitable post-office buildings for second and third class post offices in the United States. At present there are thousands of localities that do not have decent quarters. Certainly this Government could float bonds for 2 to 3 per cent and give this relief work to the country as well as proper buildings and save millions in exorbitant rents now paid in nearly every case.

I have a bill pending without any consideration because I can not get the Farm Board to give me its approval to transfer the intermediate credit bank and its operations over to the Federal Farm Board so that they might work out some plan whereby the intermediate credit bank might function and furnish production credit to farmers. I have had several conferences this fall requesting that the Federal Farm Board furnish through the cooperatives the capital to organize corporations to furnish loans to farmers at reasonable interest rates, which they can do under the powers given them by the marketing act; however, the board refuses, stating that they might lose some money. I tried hard during the first of the cotton season to have the board announce a policy through the cooperatives that they would take all farmers' cotton offered on the market at market price as offered from day to day and hold same for a profit. In the meantime having the farmers sign up for a reduction in acreage for 1931. No; they preferred to offer a 90 per cent loan, and if cotton advanced to 11 or 12 cents a 75 per cent loan on cotton that was at that time selling from $25 to $35 per bale below the cost of production, and at a time when farmers could not pay their obligations even at full market price. By offering a loan scheme, as stated, rather than give the full price for cotton, the board lost a wonderful opportunity to have farmers come into the cooperative association. If the board is ever to be successful, farmers will have to organize. In the meantime they have let the bulk of this cheap cotton go into the hands of cotton factors, speculators, and mills. I would like to see the board at this time, when cotton is selling for 8 and 9 cents, step into the market and buy 5,000,000 bales of cotton and allot same to farmers, who would be glad to accept same on a basis of the number of bales made during this year or an average for the past five years. If the board would do this, farmers would be glad to sign a contract not to plant an acre of cotton in 1931.

Certainly farmers would be glad to do this because it would save a large fertilizer bill and the borrowing of money that they will need in planting cotton next year, which will be very hard to get. Why would farmers want to plant cotton at these prices, which is $25 to $35 per bale below the cost of producing same, if the board would carry this cotton for them. I am a cotton planter and I will gladly sign up on these bases. Now, what would this scheme mean? All these farmers would come into the cotton "co-ops" and I mean the best cotton farmers of the South. It will bring about the proper reduction in acreage that never has nor never will be by voluntary reduction. No; the board will not do this because it would mean prosperity to cotton farmers and the whipping of the cotton interest that has organized pooling millions to fight the Farm Board, so as to keep the cotton farmer at their mercy, where they have had him for the past 50 years. Practically every middleman, many of them real parasites that have been sapping the life blood out of producers and consumers along with the United States Chamber of Commerce, is fighting the Farm Board to the last ditch. They are doing everything possible to keep farmers from organizing, and in the meantime it looks as if every time the Farm Board moves they spend more money, do the wrong thing, and get in a worse position.

In closing, my friends, I know of no better evidence that can be offered to sustain my charges concerning the actions and policies of the Republican administration than a statement made by ex-President Calvin Coolidge in the Washington Post this morning, wherein he stated:

> It is an axiomatic policy of government that it be conducted for the benefit of the people. The question always is how this best can be done. More and more our people are becoming interdependent. A few practically independent—but the mass are connected with large producing organizations. Their welfare depends not only on their own efforts and skill but on the ability and success of the management of large concerns. Only if the concern prospers are they secure.
>
> That is why the Government encourages industry. It is difficult to assist the wage earner directly. But he can be benefited by making it profitable to employ him.

Mr. Coolidge plainly states that the Government should be deeply concerned in giving the mass a square deal, but the Republican way of doing it is to hand out doles, special privileges, and legislation to industry and the few believing that industry and big business generally will divide with the masses and thereby make them prosperous. I am glad to state that the great common mass of people who have thus been treated by the party in power spoke with no unspeakable words in the last election, and I am predicting Democratic victory in 1932, whereby we may be able to restore the Government to the people and extend prosperity to the masses.

Mr. SPROUL of Illinois. I call for the regular order.

RESIGNATION

The SPEAKER laid before the House the following communication:

WASHINGTON, D. C., *December 1, 1930.*

The Hon. NICHOLAS LONGWORTH,
The Speaker, House of Representatives,
Washington, D. C.

DEAR MR. LONGWORTH: I hereby respectfully submit my resignation as a member of the Committee on Labor, and also my resignation as a member of the Committee on Enrolled Bills.

Most respectfully submitted.

JOE J. MANLOVE.

PRELIMINARY SURVEY OF THE WACCAMAW RIVER, N. C. AND S. C.

The SPEAKER. The Clerk will proceed with the call of the Consent Calendar.

The next business on the Consent Calendar was the bill (H. R. 10264) to provide a preliminary survey of Waccamaw River, N. C. and S. C., with a view to the control of its floods.

The Clerk read the title to the bill.

The SPEAKER is there objection?

Mr. STAFFORD. Reserving the right to object, my reading of the report of the bill shows that the bill is for a survey for the removal of some snags and logs on a little creek. I would like to be informed whether this comes under the flood control or is it a survey to remove snags and logs?

Mr. PATTERSON. Let me say to the gentleman——

Mr. STAFFORD. I will read from the report. This river for navigation purposes has been abandoned. Consequently the upper reaches of the river have become clogged with sunken logs, snags, and débris of various kinds. On account of this fact and the obstructions aforesaid the water moves out very slowly, and under any unusual rainfall at all the result is that not only the flatland immediately adjacent to the river is flooded but because of the abnormal amount of water accumulating in the river and the adjacent farms it is impossible to procure proper drainage of the highlands lieing farther back, the whole adjacent country being flat.

Mr. PATTERSON. I am informed that the gentleman from North Carolina is unable to be here.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PRELIMINARY EXAMINATION OF FRENCH BROAD RIVER

The next business on the Consent Calendar was the bill (H. R. 10720) to authorize a preliminary examination of the French Broad River for the purpose of flood control.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, I would like to inquire from some member of the committee who knows the facts, whether this French Broad River is a part of the general scheme that is supposed to be taken over in the Muscle Shoals project? The French Broad River is one stream intended to be flooded under the Cove Creek Dam project.

Mr. COLLINS. I understand it is a broad river.

Mr. STAFFORD. The name is rather broad. Other than that, I do not know whether it is broad, deep, or shallow.

Mr. DOUGLAS of Arizona. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

CONSTRUCTION OF PUBLIC BUILDINGS OUTSIDE DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (H. R. 14255) to expedite the construction of public buildings and works outside of the District of Columbia by enabling possession and title of sites to be taken in advance of final judgment in proceedings for the acquisition thereof under the power of eminent domain.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, I reserve the right to object. I would like to have the chairman of the Committee on the Judiciary express his opinion as to whether this bill should not, in its broad powers, be restricted to the Treasury Department. Its purpose is to advance the construction of public buildings, and those buildings are exclusively under the jurisdiction of the Treasury Department. Under the authority here conferred, you would extend that to any bureau or other instrumentality of the Government.

Mr. GRAHAM. Mr. Speaker, this bill is a bill that was prepared in the Department of Justice by the Attorney General. It is exactly similar to the one which we passed at the end of 1929 for the District of Columbia, and the purpose of the bill is simply to remove some of the obstructions in the way of condemnation proceedings by the Government, allowing the Government to take title at once, paying the money into court, reserving the right for full compensation to the party aggrieved.

Mr. STAFFORD. If the gentleman will permit, I think he is not accurate when he says that it is an exact duplicate of the District bill.

Mr. GRAHAM. I did not say that.

Mr. STAFFORD. Which we passed in the last Congress, providing for the taking of lands in the District of Columbia. In the District of Columbia we have other agencies besides the one department for the taking over of lands. The purpose of this bill is to expedite the taking of property so that the Government may go ahead and begin building operations. The bill the gentleman refers to, passed in the last Congress, is a much broader bill. The only part of the bill incorporated here is section 10 of that law, and there is not only that difference, but I invite attention to whether we should not limit this exclusively to the Treasury Department.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. CRAMTON. The general statute that provides for the condemnation of lands needed for Federal use is not limited to the Treasury Department. That statute reads that any official of the Government may avail himself——

Mr. STAFFORD. Of the instrumentality of the States.

Mr. CRAMTON. He may avail himself of condemnation proceedings.

Mr. STAFFORD. As provided by State law.

Mr. CRAMTON. Oh, no; I am not speaking about that.

Mr. STAFFORD. I am.

Mr. CRAMTON. I am emphasizing that other departments than the Treasury Department have the authority now to initiate condemnation proceedings, and, of course, the Department of Justice carries on the suit, and hence they ask this change in procedure. This is changing the procedure; it is not making any change in the authority to construct buildings.

Mr. STAFFORD. I take issue with the gentleman there. I would like first to have settled this question that I have difficulty in bringing myself to agree with. In section 3 the language provides that action under this statute—irrevocably committing the United States to the payment of the ultimate award—shall not be taken unless the chief of the executive department or agency or bureau of the Government empowered to acquire land shall be of opinion, and so forth. We are vesting very broad authority under this bill in certain departments, and also bureaus and agencies of the Government. I recognize the need of providing methods to expedite the Government taking possession of the property to advance Government construction work, but whether we should go to the extent of conferring on the head of a bureau or other agency this power, I have serious doubt.

Mr. GRAHAM. If the learned gentleman will reread the bill, he will understand that the bill does not confer any jurisdiction upon departments to do this, that, or the other. It is simply taking up a general procedure in condemnation and altering that procedure in one particular, to wit, so that the Government will not be obstructed and hindered by unnecessary motions and appeals, but may pay the money

into the court where the proceeding is pending, and let that money stand for the result of the condemnation procedure. If the gentleman will notice, the bill simply recites that in any proceeding in any court in the United States outside of the District of Columbia, and so forth.

That is all that is intended. It is the power to do this one single act in the course of the procedure in condemnation, to pay the money into court, and to transfer recovery in a suit for damages to the money, giving title to the Government at once.

Mr. STAFFORD. I direct the attention of the learned chairman of the Committee on the Judiciary to the language of the first line of page 2:

A declaration of taking signed by the authority empowered by law to acquire the lands described in the petition.

Mr. GRAHAM. Yes; it does not confer any new power to take or do anything.

Mr. STAFFORD. Who is that authority? It says, "Signed by the authority," not by an officer of the Government empowered by law. Who is the authority?

Mr. GRAHAM. I do not know. In the case of the Veterans' Bureau it might be through General Hines, and in the Treasury it might be through Mr. Mellon, and in a dozen other ways it might be done, but we do not change the law with respect to who shall begin any procedure of condemnation. We simply provide that whenever a procedure of that kind has been begun, we, instead of permitting dilatory motions to prevent the vesting of title and the commencement of building operations, provide that the United States may pay the money into court, and the money is substituted in the litigation.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. CHINDBLOM. I think this legislation has two elements of virtue. First, it is going to expedite enormously the present proceedings for construction by the Federal Government. Secondly, very often owners of property find themselves in the position of having been compelled to protect and defend themselves against condemnation proceedings, and then, for some reason, the Government authority—I do not mean merely the Federal Government, but some department—decide that the price is too high and change their minds, and the owners have been put to the expense and annoyance of defending their rights. I think it well, right in the beginning of the proceeding, when the Federal Government attempts to acquire property and take it away from an owner for Federal purposes, to tighten up the matter so that there can be no change in the purpose and no question whatever about the ultimate acquisition of the property.

Mr. STAFFORD. The gentleman means so that they can not change their minds overnight.

Mr. CHINDBLOM. Yes.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. LAGUARDIA. I think section 3, which the gentleman has some misgiving about, is for the very purpose of preventing abuses and undue expenditures which the gentleman seeks to avoid. It states that before you can avail yourselves of the benefit of this law, a responsible head must certify that the land in question will not cost, even in condemnation, beyond the amount authorized by Congress.

Mr. STAFFORD. The very purpose of my inquiry was to confine the authority to some responsible head, and not to some mere agency or bureau, because this is a great power that is to be exercised under the provisions of this bill.

Mr. LAGUARDIA. The reason is that instead of having a pro forma certification by the head of a department in Washington, it places that responsibility on one who knows value or one who is in a position to certify truthfully to the value.

Mr. STAFFORD. Oh, it might be some superintendent of an Indian agency out in the field. It just says "agency."

Mr. LAGUARDIA. I think the gentleman is too apprehensive about that.

Mr. COLLINS. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. COLLINS. I would like to ask the gentleman a question. Of course we are all in sympathy with the purpose of this legislation, but does not the Government by this bill invade the power of the States by providing a different method of procedure in the State courts from the methods that are provided by the States themselves, and will not the enactment of the legislation accomplish a different purpose than the purpose attempted? To illustrate: The States have the right to provide rules of procedure in their courts. The Federal Government under this legislation attempts to provide rules of procedure in the State courts, and I am fearful we are going farther than we have a right to go. What is the opinion of the gentleman on this?

Mr. GRAHAM. May I suggest to the gentleman that this does not change the procedure so far as the jurisdiction or right to take over in condemnation proceedings is concerned. Wherever the United States rightfully and properly is taking condemnation proceedings under Federal statutes, then there is inserted this provision, that in such case the Government may take title at once by paying the money into court.

Mr. CHINDBLOM. Not take title, but take possession?

Mr. GRAHAM. No; it takes title. Power is given to get an additional verdict if the deposit should be inadequate.

Mr. STAFFORD. Will the gentleman yield?

Mr. GRAHAM. I yield.

Mr. STAFFORD. As I understand this bill it is a measure providing procedure, to advance the regular work of condemnation after a condemnation suit has been instituted.

Mr. GRAHAM. That is all it does.

Mr. LAGUARDIA. And deposit the money in court.

Mr. GRAHAM. Yes, sir.

Mr. STAFFORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in any proceeding in any court of the United States outside of the District of Columbia which has been or may be instituted by and in the name of and under the authority of the United States for the acquisition of any land or easement or right of way in land for the public use, the petitioner may file in the cause, with the petition or at any time before judgment, a declaration of taking signed by the authority empowered by law to acquire the lands described in the petition, declaring that said lands are thereby taken for the use of the United States. Said declaration of taking shall contain or have annexed thereto—

(1) A statement of the authority under which and the public use for which said lands are taken.

(2) A description of the lands taken sufficient for the identification thereof.

(3) A statement of the estate or interest in said lands taken for said public use.

(4) A plan showing the lands taken.

(5) A statement of the sum of money estimated by said acquiring authority to be just compensation for the lands taken.

Upon the filing of said declaration of taking and of the deposit in the registry of the court, to the use of the persons entitled thereto, of the amount of the estimated compensation stated in said declaration, title to the said lands in fee simple absolute, or such less estate or interest therein as is specified in said declaration, shall vest in the United States of America, and said lands shall be deemed to be condemned and taken for the use of the United States, and the right to just compensation for the same shall vest in the person entitled thereto; and said compensation shall be ascertained and awarded in said proceeding and established by judgment therein, and the said judgment shall include, as part of the just compensation awarded, interest at the rate of 6 per cent per annum on the amount finally awarded as the value of the property as of the date of taking, from said date to the date of payment; but interest shall not be allowed on so much thereof as shall have been paid into the registry. No sum so paid into the registry shall be charged with commissions or poundage.

Upon the application of the parties in interest, the court may order that the money deposited in the registry of the court, or any part thereof, be paid forthwith for or on account of the just compensation to be awarded in said proceeding. If the compensation finally awarded in respect of said lands, or any parcel thereof, shall exceed the amount of the money so received by any person entitled, the court shall enter judgment against the United States for the amount of the deficiency.

Upon the filing of a declaration of taking, the court shall have power to fix the time within which and the terms upon which the parties in possession shall be required to surrender possession to the petitioner. The court shall have power to make such orders in respect of encumbrances, liens, rents, taxes, assessments, insurance, and other charges, if any, as shall be just and equitable.

SEC. 2. No appeal in any such cause nor any bond or undertaking given therein shall operate to prevent or delay the vesting of title to such lands in the United States.

SEC. 3. Action under this statute irrevocably committing the United States to the payment of the ultimate award shall not be taken unless the chief of the executive department or agency or bureau of the Government empowered to acquire the land shall be of the opinion that the ultimate award probably will be within any limits prescribed by Congress on the price to be paid.

SEC. 4. The right to take possession and title in advance of final judgment in condemnation proceedings as provided by this act shall be in addition to any right, power, or authority conferred by the laws of the United States or those of any State or Territory under which such proceedings may be conducted, and shall not be construed as abrogating, limiting, or modifying any such right, power, or authority.

SEC. 5. In any case in which the United States has taken or may take possession of any real property during the course of condemnation proceedings and in advance of final judgment therein and the United States has become irrevocably committed to pay the amount ultimately to be awarded as compensation, it shall be lawful to expend moneys duly appropriated for that purpose in demolishing existing structures on said land and in erecting public buildings or public works thereon, notwithstanding the provisions of section 355 of the Revised Statutes of the United States: *Provided*, That in the opinion of the Attorney General, the title has been vested in the United States or all persons having an interest therein have been made parties to such proceeding and will be bound by the final judgment therein.

With the following committee amendments:

On page 2, line 17, strike out "registry of the."

Page 3, line 8, strike out the word "registry" and insert the word "court."

Page 3, line 11, strike out the words "registry of the."

The committee amendments were agreed to.

Mr. LaGUARDIA. Mr. Speaker, I move to strike out the last word.

Many members of the committee were not unmindful of the fact that this bill is purely to meet the emergency condition which exists, and to avoid delay in the actual commencement of the building of structures heretofore authorized. I am sure we will all watch how this will work out; and if it is found that there are grave abuses in the awards, or that it does not work to the satisfaction of the Government, then, of course, it can always be amended or repealed, as the case might require. In all likelihood it will work out well, but I am sure it was the great emergency which prompted the committee to report the bill out at this time.

Mr. DOUGLAS of Arizona. Will the gentleman yield?

Mr. LaGUARDIA. I yield.

Mr. DOUGLAS of Arizona. Might it not be wise to place some time limitation?

Mr. LaGUARDIA. Well, we thought about that; but after consideration we think it best to let it go this way, so that the Government will have everything necessary and can go in without any delay and acquire possession and go ahead with the building.

Mr. GRAHAM. I would like to say to the gentleman that in my opinion this is not strictly an emergency measure. While it is called forth by conditions which exists now, it is a permanent feature of the law. This same procedure exists in many of our States and has operated well. The constitutionality of the procedure, as I have stated in the report, has been passed upon and approved, so that the only question is that this shall be done in condemnations which are meant solely to be the taking by a power that has the right to take a piece of property for a public use, and the only thing that an owner has is the right to just compensation. That is preserved in this bill to the fullest extent, and the power of the Government not to wait for dilatory pleas or motions but to take advantage of this privilege of paying the money into court is the only additional thing. I can not see how under any circumstances it can ever work any hardship or injury.

Mr. GREENWOOD. Who fixes the amount that is paid into court in the first instance? Upon what basis is that fixed.

Mr. GRAHAM. That is set out in the bill.

Mr. GREENWOOD. Can the gentleman give me the information? I did not understand it.

Mr. GRAHAM. It is appraised by competent authorities, and the provision is in the bill that if that is inadequate and the jury should find more, the Government can not shirk its responsibility to pay full compensation.

Mr. GREENWOOD. Then there is no way for the Government to refuse to take it? If the court decides they should pay more, they must pay more and take it?

Mr. GRAHAM. Yes.

Mr. DYER. There was a case recently in the District of Columbia where the amount was fixed upon, and afterwards the commissioners had to come to the House and ask for more money because the property owners had taken the matter to the courts, and the court had allowed through a jury a different amount than the amount at which the commissioners had appraised the property.

Mr. STAFFORD. Will the gentleman acquaint the committee with the fact of whether in the purchase of these Government lands there is any negotiation on the part of Government representatives to try to secure the land at a low price? This bill will virtually result in leaving the Government at the mercy of a condemnation jury.

Mr. GRAHAM. This bill only operates after preliminary negotiations and attempts to purchase have been exhausted. Then when it comes back to the resort of the Government, the Government steps in and by its power of eminent domain takes, and when it takes, the bill simply provides that it shall not be hindered and obstructed by dilatory motions. The money may be paid into court and possession had at once.

Mr. O'CONNOR of New York. For years in New York we have had a provision similar to this, where by resolution title would vest in the Government. In that case, however, the property owner gets interest at the usual rate from the date of vesting. Is that true in this bill?

Mr. GRAHAM. Certainly; because the verdict is a verdict plus interest.

Mr. O'CONNOR of New York. From the date of vesting? If that is not specifically provided there will be some question about it on the ground that the owner is put out of possession of his property. The Government is entitled to go in and he has no right to the property, and unless he does get interest from the date of the vesting of title his full rights are not protected.

Mr. GRAHAM. My friend from Wisconsin [Mr. STAFFORD] calls my attention to these lines in the bill:

And the said judgment shall include as part of the just compensation awarded interest at the rate of 6 per cent per annum on the amount finally awarded as the value of the property as of the date of taking.

Mr. CHINDBLOM. Read the balance.

Mr. GRAHAM (reading):

From said date to the date of payment; but interest shall not be allowed on so much thereof as shall have been paid into the court. No sum so paid into the court shall be charged with commissions or poundage.

Mr. O'CONNOR of New York. That, of course, is not fair to the man. He is deprived of his property and has not the use of the money deposited in court.

Mr. DYER. The bill also provides that the money paid into court may be paid to the owners immediately.

Mr. O'CONNOR of New York. The full amount?

Mr. DYER. The full amount they have agreed upon, and they get the additional amount allowed, if any, with interest from the date of vesting.

Mr. O'CONNOR of New York. Let me cite this instance. The Government might condemn property worth a half million dollars; that might be the ultimate award, but the Government might only pay into court $100,000 and the man whose property has been condemned can by application go into court and get the $100,000, but later the court determines the property to be worth a half million dollars and he does not get interest on the $400,000 from the time of the vesting of title.

Mr. DYER. Yes; that is what he does get. He would not get interest on the $100,000, because he can go in and take it, and if he does so he does not get interest.

Mr. CHINDBLOM. If the gentleman will permit, a little while ago there was some discussion as to whether upon the depositing of the money the title actually vested. I had not then observed the language on page 2, line 16.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. CHINDBLOM. Mr. Speaker, I ask unanimous consent that the gentleman from New York may have five minutes longer on the pro forma amendment.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CHINDBLOM. I had not then observed the language on page 2, line 16, reading as follows:

> Upon the filing of said declaration of taking and of the deposit in the court, to the use of the persons entitled thereto, of the amount of the estimated compensation stated in said declaration, title to the said lands in fee simple absolute, or such less estate or interest therein as is specified in said declaration, shall vest in the United States of America, and said lands shall be deemed to be condemned and taken for the use of the United States, and the right to just compensation for the same shall vest in the persons entitled thereto.

Under that language, no doubt, the owner could go in immediately and receive from the court the money which had been deposited for his use.

Mr. GRAHAM. That was the idea.

Mr. CHINDBLOM. That is the purpose of the committee, is it not?

Mr. GRAHAM. Yes.

Mr. JENKINS. Would that prevent the owner from going ahead with the prosecution of his rights?

Mr. GRAHAM. Not at all.

Mr. O'CONNOR of New York. Is it optional with the governmental agencies as to whether or not they shall vest title immediately under this bill or let it proceed as is now done under general condemnation?

Mr. GRAHAM. The gentleman from Illinois [Mr. CHINDBLOM] has recited the act. The title vests at once.

Mr. O'CONNOR of New York. In every instance of condemnation?

Mr. GRAHAM. No, no; I did not say that. Wherever this right to pay money into court is exercised the title vests in the Government and the man who owns the property gets that in addition to the money, and the Government of the United States may take over whatever estate they are trying to take over, in fee simple absolute, or such less estate or interest therein as is specified in the declaration.

Mr. O'CONNOR of New York. I am not sure the gentleman has answered my question. The Government determines to condemn a certain piece of property outside of the District of Columbia. Will that in every instance vest the title by depositing the funds or do they have the option of letting it go under ordinary condemnation as now? Do they have both options?

Mr. GRAHAM. It is very clear that the Government has the option on filing its petition to pay into court.

Mr. DYER. Under the present law we can not proceed to take over the property and start public works until the Attorney General has certified that the Government has the title to the property and we can not do that as long as proceedings are pending on appeal in connection with these matters. So this is simply to change that and say it shall take the title over at once.

Mr. O'CONNOR of New York. It could take the title?

Mr. DYER. Yes.

Mr. CHINDBLOM. The bill says that in any condemnation proceedings filed by the Government the petitioner, being the governmental authority—

> May file in the cause, with the petition or at any time before judgment, a declaration of taking signed by the authority empowered by law to acquire the lands described in the petition, declaring that said lands are thereby taken for the use of the United States.

And thereupon the money shall be deposited and the right to the money so deposited will accrue to the owner.

Mr. DYER. And title vests.

Mr. GREENWOOD. I would like to ask whether the Government has the same right of appeal as the property owner has after the money has been paid in? Suppose the Government authorities are not satisfied with the award, can they pay in the money and take an appeal also?

Mr. GRAHAM. The same as the existing practice; yes.

Mr. DYER. Whatever the present law is pertaining to condemnation.

Mr. GRAHAM. That is not changed at all.

The pro forma amendment was withdrawn.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

CROW INDIAN RESERVATION, MONT.

The next business on the Consent Calendar was the bill (H. R. 12871) providing for the sale of isolated tracts in the former Crow Indian Reservation, Mont.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ENCAMPMENT OF THE UNITED CONFEDERATE VETERANS, MONTGOMERY, ALA.

The next business on the Consent Calendar was the bill (H. R. 14266) authorizing and directing the Secretary of War to lend to the Governor of Alabama 250 pyramidal tents, complete; fifteen 16 by 80 by 40 foot assembly tents; thirty 11 by 50 by 15 foot hospital-ward tents; 10,000 blankets, olive drab, No. 4; 5,000 pillowcases; 5,000 canvas cots; 5,000 cotton pillows; 5,000 bed sacks; 10,000 bed sheets; 20 field ranges, No. 1; 10 field bake ovens; 50 water bags (for ice water); to be used at the encampment of the United Confederate Veterans, to be held at Montgomery, Ala., in June, 1931.

There being no objection, the Clerk read the bill, as follows:

> *Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized to lend, at his discretion, to the entertainment committee of the United Confederate Veterans, whose encampment is to be held at Montgomery, Ala., June 1, 2, 3, 4, and 5, 1931, 250 pyramidal tents, complete with all poles, pegs, and other equipment necessary for their erection; fifteen 16 by 80 by 40 foot assembly tents, complete with all poles, pegs, and other equipment necessary for their erection; thirty 11 by 50 by 15 foot hospital-ward tents, complete with all their poles, pegs, and equipment necessary for their erection; 20 field ranges, No. 1, with necessary equipment for their erection; 10 field bake ovens with necessary equipment for their erection; 50 water bags (for ice water); 10,000 blankets, olive drab, No. 4; 5,000 pillowcases; 5,000 canvas cots; 5,000 cotton pillows; 5,000 bed sacks; and 10,000 bed sheets: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property, the same to be delivered from the nearest quartermaster depot at such time prior to the holding of said encampment as may be agreed upon by the Secretary of War and the general chairman of the said entertainment committee, Mr. F. J. Cramton: *Provided further*, That the Secretary of war, before delivery of such property, shall take from said F. J. Cramton, general chairman of the Forty-first Annual Confederate Reunion, a good and sufficient bond for the safe return of said property in good order and condition and the whole without expense to the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. HILL of Alabama. Mr. Speaker, I ask unanimous consent that the title may be amended in line 2 by striking out the words "Governor of Alabama" and inserting in lieu thereof the words "entertainment committee of the United Confederate Veterans."

Mr. LaGUARDIA. Does that change the context of the bill?

Mr. HILL of Alabama. It does not change the context at all. It simply makes the title conform to the text of the bill.

Mr. LaGUARDIA. Does the bill provide for a bond being given?

Mr. HILL of Alabama. Yes; a bond is provided for, and everything else that is necessary.

The SPEAKER. Without objection, the title will be amended as indicated.

There was no objection.

A motion to reconsider was laid on the table

DONATIONS TO INSTITUTIONS FOR THE BENEFIT OF INDIANS

The next business on the Consent Calendar was the bill (H. R. 13053) to authorize the Secretary of the Interior to accept donations to or in behalf of institutions conducted for the benefit of Indians.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, I think this bill should go over. It is late in the afternoon, and the gentleman knows how I feel about these donations.

Mr. LEAVITT. I have no objection to the bill going over, and I am sure when the gentleman has studied the bill he will be in favor of it.

Mr. STAFFORD. Mr. Speaker, we have had a pretty complete day to-day, and I think it would be a good time now to conclude our work, and I make the point of order there is not a quorum present.

ORDER OF BUSINESS

Mr. TILSON. Mr. Speaker, will the gentleman withhold the point of no quorum for a moment?

Mr. STAFFORD. I will be very pleased to accommodate the leader and withhold the point of no quorum.

The SPEAKER. As a matter of fact, the bills following are not eligible under the rules.

Mr. TILSON. Mr. Speaker, I wish to announce that on to-morrow it is the expectation that the House will take up the appropriation bill for the Department of Agriculture.

Mr. STAFFORD. Will the gentleman yield?

Mr. TILSON. Yes.

Mr. STAFFORD. Can the gentleman give any horoscope as to when the farm emergency relief bill will be considered in the House?

Mr. TILSON. No; I can not. The gentleman realizes that that bill was rejected to-day. Evidently there is no hurry for it. It will undoubtedly be considered in due time.

Mr. HASTINGS. The bill to-morrow is to be the general appropriation bill, and not the special bill we had up to-day?

Mr. TILSON. No; I can assure the gentleman it will be the general appropriation bill.

Mr. DYER. At least one-third of the Members of the House do not want this emergency appropriation.

Mr. TILSON. More than one-third of the House.

Mr. HASTINGS. The Members of the House will have a chance to vote for it in due time.

APPOINTMENTS TO COMMITTEES

Mr. TILSON. Mr. Speaker, I offer a resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Connecticut offers a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 320

Resolved, that the following Members be, and they are hereby, elected as chairman, and members of the standing committees of the House, to wit:

FRANK CROWTHER, of New York, as chairman of the Committee on Memorials; JOE J. MANLOVE, of Missouri, Committee on Memorials.

ROBERT L. HOGG, of West Virginia, Committee on the Post Office and Post Roads.

ROBERT F. RICH, of Pennsylvania, Committees on Flood Control and Patents.

EDMUND F. ERK, of Pennsylvania, Committee on Foreign Affairs.

EDWARD W. GOSS, of Connecticut, to the Committee on Military Affairs.

FREDERICK C. LOOFBOURROW, of Utah, Committees on Mines and Mining and the District of Columbia.

The resolution was agreed to.

A GREAT CIRCLE TRANSCONTINENTAL HIGHWAY

Mr. STRONG of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a paper written by Professor Hawarth on the Great Circle Transcontinental Highway.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. STRONG of Kansas. Mr. Speaker, under permission granted me by the House, I place in the RECORD a paper prepared by Prof. E. Haworth, 3116 East Second Street, Wichita, Kans., who was for 20 years professor of geology in the State University of Kansas, the subject of the paper being A Great Circle Transcontinental Highway, and is as follows:

In time of peace build for safety.
In time of plenty build for the future.

I. THE OBJECTIVE

Were I the President of the United States, and the Congress in session, all in one, in less than five minutes I would pass a bill and sign it providing for the construction of an ocean-to-ocean highway along the arc of the great circle connecting New York and San Francisco, 2,565 miles in length, according to figures supplied by the United States Coast and Geodetic Survey. It would be a straight-line highway with grades rarely more than 15 feet to the mile, and these for only a few miles here and there along the highway.

Near the eastern limit branches should reach down to Philadelphia, Baltimore, and Washington. Likewise, near the western limit, probably close to Provo, Utah, a branch should extend down to Los Angeles and another to Portland. This would bring Los Angeles as close to New York as is San Francisco, and Portland would be less than 200 miles farther.

The highway should carry at least six independent railroad tracks as close together as safety would permit for rapidly moving trains. Along stretches through largest amount of traffic districts the number of independent tracks might be increased should conditions require it.

A well-built hard-surfaced roadway should lie on either side of the railroad tracks, wide enough for three automobiles to travel abreast in safety.

This new straight-line great-circle highway should be built as an important assistant to national safety in times of trouble from without and as a means of better long-distance domestic traffic in times of peace. Railroad trains should travel over it at an average speed of a hundred miles an hour with safety, and automobiles on the hard-surfaced roadway should go about as fast as their drivers desired. The 1-way tracks for both steam and gasoline and the unusually low grades would make this possible. The late E. H. Harriman stated in public on more than one occasion main-line railroads of the future should have nothing less than 125-pound steel, with rolling stock to match, and that a sustained speed of 100 miles per hour with safety was awaiting us in the near future.

Many people to-day consider the construction and operation of such a highway desirable, as adding to our safety should foreign foes attack us from without and as a great addition to our transcontinental travel in times of peace.

II. WHY AGITATE NOW?

Under our present laws railroads are combining at a rapid rate. News items of yesterday hinted at a complete combination of all railroads in the United States under one ownership and one general management. The farther we go toward unity of ownership the more difficult it will be to bring about any serious modification of old lines or the building of new. If we are to have serious modifications in our present railroad systems, or material additions thereto, now is the time for making them.

III. ARGUMENTS FOR

Just now we are all aflame with enthusiasm for peace. The Kellogg treaties and the recent disarmament conference in London may become epoch-making events in our history. The Lord grant that such may be the case and that we may have no more war. The very thought of doing away with war sends thrills through our souls and the closer we come to a realization of our desires the greater the thrills.

But away down deep with our most secret thinking and feeling lurks a shadow of a doubt, an embryonic fear lest time may prove our enthusiasm too great. A careful review of thoughts and feelings throughout Europe and Asia reveals the unpleasant fact in different parts of the world that the spirit of greed, the spirit of jealousy, the spirit of strife, of might makes right, the spirit of war and of bloodshed still stalk abroad.

Crowding war off the field of action by treaties, and by forced inhibition of lesser nations, those who in a degree feel themselves under bondage to greater nations can be only temporary in effect. For treaties have been known to become scraps of paper, and who can foretell what nations may be the lesser ones and what

nations may be the greater ones within the near future, as we measure time in history?

This fear will not down. Nations do not last forever. The greater the territory covered, the greater our stretches of boundary, the larger the number of vulnerable points we offer for attack. But nations do not have to fall. They fall only when committing deeds they should have left undone, or when neglecting duties they should have fostered. Internal unity in thought, and in spirit, and in action, and proper safeguards against outside foes are essentials for national longevity. As the ways of the world go and have gone throughout all history, proper and efficient internal policing at times becomes as important as defense against outside aggression. Such a highway would be most serviceable in this connection also.

Throughout the world's history certain great causes have produced great wars, not only during historic times, but far back in unwritten history, as best we can learn from legendary tales and folk songs of the nursery. First of these great causes is the necessity of food and clothing and shelter, a home. This should be considered in the broadest sense. Cutting off opportunities for producing foods amounts to the same as deprivation of food directly. Complications of society make transportation and commerce essential, and make them count as strongly as other factors in production of foods and raiments.

The United States has vast domains, as great as the most aggressive can desire, as large as can be held together well under one government. Our soils are the most productive, our livestock industry the most helpful and prolific, our mineral wealth is mined and brought into a state of utilization, our raw materials are manufactured into usable forms for everyday life, and our surplus of all these is sent into the markets of the world and when necessary from our standpoint are sold at ruinously low prices ruinous to our competitors.

This brings us into competition with other portions of the civilized world. Most emphatically is this true of Europe, holders of the great centers of manufacturing industries. While we were young and devoting ourselves mainly to agriculture and stock raising Europe did not mind us, but was glad to buy our surplus. But when we began manufacturing our raw materials into usable forms and sending them into world markets we began attracting unfavorable attention, and the more we manufacture and the greater our success in world markets the more conspicuous we become. Successful competition tends to starve the other fellow. When starvation reaches an acute stage danger is near, and this entirely regardless of former degrees of friendship.

Therefore our rapidly growing foreign trade, of which we are so proud, and our great wealth in money with which to finance industry and commerce, already have become in a degree a menace to peace, a bait with which all unwittingly we may draw the enmity of our neighbors across the seas, who by concerted action might for a time drive our merchant marine from the oceans of the world and greatly damage all or a part of our great stretches of coastal borders. Signs of unrest are becoming more noticeable as time passes, unrest in Europe and in other parts of the world. A great European statesman recently touched upon this when he said that "all Europe is in danger of becoming a colony of those whom luck has favored more than us," evidently referring to the United States.

The second great factor in promoting wars is one we have cultivated almost to the danger line, and probably will continue to cultivate. It deals with the different blood lines of different nationalities. Our backdoor neighbors live across the Pacific. The more rapidly the world grows smaller the more surely are they our neighbors. Wise heads generally are united in the belief that sooner or later we will be compelled to right about face and behold the vast multitudes inhabiting Asia and her Pacific islands. This is an unpleasant thought, but it carries a great possible truth. Not so many centuries ago, as we reckon history, and at a time when means of travel were far inferior to the present, hordes of Asiatics overran large portions of Europe and conquered wherever they went. Largely it was a war of blood lines.

We have no biologic evidence that amalgamation of different bloods widely apart ever can be countenanced by nature. Life forms spread rather than converge. Racial differences always will exist and even grow more pronounced as long as present laws of nature abide. The hope that America some day may become a "melting pot," engulfing within her great maw children of all nationalities coming to our shores and turning them out as brothers and sisters instead of like "cousins and aunts," as they went in, never can become even "an irridescent dream." It will work with those not far separated, as the Europeans in general, but with the "wide-flung" nationalities, never. Time can only add to the strife engendered by a manifestation of the spirit "I am better than thou." And this is the very thing we do and continue doing and, as far as can be seen, never can quit doing.

It is the whites who will not amalgamate. It is the others who will strike first should their pride of descent become sufficiently aggravated, and should their material prosperity become sufficiently great to give them hope of success. We hear much talk about a race war between unrelated peoples living on widely separated continents, one which may develop into great proportions should it become started. Some are sure they can see already such a war raising its murky head in the offing. It is generally believed that should it become a reality, American soil will witness the greatest carnage and the bottom of the Pacific will become the last resting place for many thousands of combatants from either side.

With such a war upon us, and with our slow and complex possibilities for safe and rapid transit of great bodies of men and equipment across the continent, how we will long for the straight and broad highway for use as a means of preserving our national integrity! This will be all the more emphatic should a number of European countries, or should a considerable portion of Latin America, form an alliance with our possible enemies from the west and the two make simultaneous attacks upon our shores.

Our lack of mobility in transportation facilities has just grown up due to an inharmonious manner of locating our transcontinental railroad lines and the shorter lines feeding them. Our railroads were located without any idea of cooperation outside of commerce. They were built with competition uppermost in mind. They wander here and there as though seeking out traffic in hidden places. Few of them have good geographic terminals, and not one of them follows a straight line from end to end. Neither are they built for greatest speed and greatest and best haulage capacity. Their curves are sharp, their grades are steep, their distances are long, making rapid and economical transit impossible. Our experience in mobilizing troops and supplies in preparation for our part in the recent World War revealed strongly our lack of cooperation in transportation, due to the geographic location of our different lines. But the need of hurrying up then was almost as nothing to what it may become in the not distant future.

Could our great highway be utilized in times of peace for general traffic, as is our Panama Canal, its construction would be amply justified as a commercial enterprise. The absence of curves, the shortened line, the low grades would make a great reduction in cost of transporting our enormous freighting from east to west and from west to east. Our long-distance passenger traffic would be improved and enlarged, because excursionists would greatly increase in number, and the busy man who now can spare time for but an occasional ride from ocean to ocean then could take many. Perishable freight could be delivered at destination in no more than half the time now consumed, and mail would go almost as rapidly as it does now by our splendidly growing air service. To be modern is to be speedy, for speed is a great factor in modern civilization.

IV. LOCATION OF HIGHWAY

The highway should connect two coastal cities, one on each side of the continent. New York and San Francisco have been mentioned as most desirable, but either could be replaced without in any way decreasing the desirability of the highway. It would be better, however, to choose a point for each terminal a short distance inland, far enough to be out of danger from warships lying close by. Here, great barracks and storehouses should be built, and facilities for rapid entraining and detraining large bodies of men and supplies, all of which should be protected in some way from all sorts of bombing by air squadrons of the enemy.

This would place the eastern terminus across into New Jersey. A number of good points might be selected for the western terminus. One good one would be near Benicia, 6 or 8 miles from our Mare Island Navy Yards. Little work would be required here to make a good harbor right at the terminus sufficiently large for all purposes. Fortifications could be built into the mountain side along an eastern slope and at the water's edge of Suisun Bay.

From the eastern terminus near New York the line would pass westward through northern Pennsylvania and Ohio, just dodging the southern points of Lake Erie and Lake Michigan and on to Des Moines, then to Norfolk, Nebr., and on to southern edge of Cheyenne. From here it should follow as nearly a straight line as possible to Provo, Utah. The two western branches should start near here, the one to Los Angeles and the other to Portland. It will be a difficult task to build a straight-line highway from Provo to San Francisco, for the Sierra Nevada Mountains will claim more curves and steeper grades than are desirable. But deep cuts and long tunnels should be used to as great a degree as possible. To shorten the line and to reduce grades is the great point in building the highway.

The main line with its important branches passes through or very close to 19 different States, with more than half our entire population and very much more than half our traffic, passenger and freight. In no sense can it be called section or partial to any particular area. The line chosen is the logical one from ocean to ocean from every standpoint of national safety in time of danger from without and for general internal traffic in times of peace.

V. CONTROL AND FINANCING

Obviously the highway should be under direct governmental control. Our experience during World War times lessens this importance somewhat. It will be recalled that President Wilson commandeered every road within the United States thought desirable as a war measure. It could be done likewise at any time thought desirable by our governmental authorities. But control somewhat as our Panama Canal is controlled would be better.

It would be an easy matter to finance the great circle highway. Laymen can not well estimate what such a line would cost. But nowadays appropriations of half a billion dollars are not unheard of. Our several States are collecting a tax on gasoline sold which alone would require but a few years to supply all added costs on account of the hard-surfaced roads for automobiles. The average citizen did not at all feel the cost of the Panama Canal. Our General Government now is appropriating a hundred and fifty millions a year for hard-surfaced roads crisscrossing our entire country with no reference whatever, except in the most general way,

of ever using them as a means of defense. The problem of financing the highway need not deter anyone from encouraging its building.

VI. PRECEDENT FOR GOVERNMENT ACTION

We find in our short history as a Nation a number of instances in which our General Government has taken upon itself responsibility for obtaining or creating public highways for general public use. A few may be mentioned here.

LOUISIANA PURCHASE

President Jefferson consummated the purchase of Louisiana from Napoleon in 1803. In 1795 President Washington made a treaty with Spain, the then owners of Louisiana, by which the Mississippi River and the port at New Orleans were to be open to free use by American citizens. In 1802, however, Spain declared the river and port closed to all citizens of the United States. Soon after this word reached America a second bit of news came also. It was that Spain had ceded to Napoleon all her landed possessions in America.

This filled our citizens living west of the Alleghenys with terror. Freedom of the Mississippi River and the port of New Orleans was vital to them. Without it they were shut off from all imports and the products of their fields and herds beyond local consumption would rot on their hands. For the Atlantic coast was too far away to permit of freighting in and out across the mountains, especially as no good road had yet been made. In their desperation a sort of community call to arms was made all along the frontier and an expedition was organized to prevent landing of French troops should an attempt be made. The Legislature of Kentucky resolved against "invasion" and even pledged their lives and their fortunes to sustain their rights.

President Jefferson was greatly concerned. He decided to try forming a new treaty with France by which the river and the port would be open to all Americans free of incumbrance or to buy outright New Orleans and a small amount of adjacent territory. Accordingly, he instructed Mr. Livingston, our representative in Paris, to open up negotiations for one of these. But Napoleon, it seems, had no desire to occupy any of American soil and was more than glad for an opportunity to sell all he had obtained from Spain.

So the great Louisiana Purchase was initiated and consummated entirely for the purpose of opening up and maintaining a public highway for citizens of the United States. In one of his letters to Mr. Livingston President Jefferson wrote:

"The cession of Louisiana and the Floridas by Spain to France works sorely in the United States. * * * There is on the globe one single spot the possessor of which is our natural and habitual enemy. It is New Orleans through which the produce of three-eighths of our territory must pass."

UNION PACIFIC

The present generation can not well appreciate the pressure resulting from a combination of events which led up to the building of the Union Pacific Railroad, provided for by act of Congress in 1862.

There was Mexico, with her menacing gestures for the retaking of Texas, California, Nevada, and New Mexico. There was the discovery and production of gold in California in such large quantities it was likely to excite the cupidity of the entire world. We were very uneasy lest some foreign power would join Mexico in an effort to regain this vast territory. Subsequent to this date it was shown that Napoleon III did attempt this very thing. We were in the midst of the great Civil War, which required almost all our resources, leaving little for defense from a foreign power. We had no ships to speak of on the Pacific Ocean, and it required about three months to go by water from New York to San Francisco. The building of a transcontinental railroad seemed to be an absolute necessity. The Union Pacific resulted.

PANAMA CANAL

This was urged by President Roosevelt and by the people in general as a military necessity in times of stress from foreign attacks and in times of peace as a great commercial enterprise. It is so recent an enterprise that all of us remember about it. At one time it was reported in the press that the President silenced some of the few objectors who insisted there was no law for the enterprise by asking if there was any specific law against it. When told there was not he replied, "Then we will build the canal."

PRESENT-DAY ROAD BUILDING

Little need be said on this subject as we are in the midst of it now and all are in favor of it. Within little more than a decade, as it now appears, we will have our entire territory crisscrossed by excellent all-weather hard-surfaced highways the best in the world. For these the General Government by direct appropriation supplies about half the entire cost of construction and all of them are built under its general supervision.

The layman can not estimate costs for building the proposed great circle highway from coast to coast. It seems reasonable to conclude, however, that in our present affluent condition the question of financing the enterprise is about the least difficulty confronting us.

The present, with so many men out of employment, would seem to be an exceptionally favorable time for inauguration of the great circle highway enterprise. Added to the great unemployment as an urge for beginning now are the never-ceasing rumors of the great unrest in Europe menacing the peace of the world. Likewise the unrest in Latin America, as shown so emphatically very recently, should be taken as warnings of what may arise over night almost within our borders.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to—

Mr. WAINWRIGHT, on Monday, on account of important business.

Mr. SIROVICH, indefinitely, on account of illness.

ADJUSTED-COMPENSATION CERTIFICATES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

Mr. CHINDBLOM. Upon what subject?

Mr. PATMAN. On the subject of paying in cash now the adjusted-service certificates.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, a majority of the Members of the House favor the proposal of the Government paying in cash now the adjusted-compensation certificates.

Many Members believe that there should be a cash option or a twofold plan. Others favor 25 per cent, 50 per cent, or 75 per cent cash payments.

A Member favoring any plan should sign the petition to force the Committee on Ways and Means to grant a hearing on the proposal.

No plan can be considered until 218 Members of the House have signed the petition, then any plan may be considered.

The Journal Clerk has in his possession my motion to compel the Ways and Means Committee to report in 15 days H. R. 3493, entitled "A bill to provide for the immediate payment to veterans the face value of their adjusted-service certificates." If you favor this bill or you favor considering any plan of cash payment of these certificates you should sign the petition in support of this motion. I can not personally present the petition to you and ask your signature, but the Journal Clerk will permit you to sign it.

How can a Member be favorable to any proposal of cash payment of the certificates and not take the necessary action to force consideration?

LEAVE OF ABSENCE

Mr. LAGUARDIA. Mr. Speaker, the gentleman from Indiana, Mr. HICKEY; the gentleman from Kansas, Mr. SPARKS; the gentleman from Texas, Mr. SUMNERS; the gentleman from Tennessee, Mr. BROWNING; and myself are members of a special committee appointed by the House. We are leaving the city for Tennessee to-morrow evening on special business in connection with that committee, and I ask leave of absence for the balance of the week for those gentlemen.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

ELIMINATION OF GRADE CROSSINGS OF STEAM RAILROADS IN THE DISTRICT OF COLUMBIA

Mr. CRAMTON. Mr. Speaker, when No. 754 on the Consent Calendar (S. 4223) was touched on to-day a question was raised, and I have verified the facts with reference to it. The bill is for the purpose of amending the act providing for the elimination of grade crossings of steam railroads in the District of Columbia and has to do with the crossing at Fern Place and Piney Branch Road. I have examined the appropriation bill for the District of Columbia for the fiscal year 1931. It carries that item, and there is no further occasion for the bill, Senate 4223. I ask unanimous consent that it be stricken from the Consent Calendar and from the Union Calendar and lie on the table.

The SPEAKER. The Chair thinks the better way would be to have it indefinitely postponed.

Mr. CRAMTON. Then I make that motion.

The motion was agreed to.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 10 minutes p. m.) the House adjourned until to-morrow, Tuesday, December 16, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Tuesday, December 16, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(11 a. m.)

State, Justice, Commerce, and Labor Departments appropriation bill.

COMMITTEE ON PUBLIC LANDS

(10 a. m.)

To provide for the establishment of the Everglades National Park in the State of Florida (H. R. 12381).

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To authorize the construction of certain naval vessels (H. R. 14688).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

706. A letter from the Secretary of the Navy, transmitting a draft of a bill for the relief of Lieut. Jack C. Richardson, United States Navy; to the Committee on Claims.

707. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill authorizing the President to dispose of certain vessels in conformity with the treaty for the limitation and reduction of naval armament, signed at London on April 22, 1930; to the Committee on Naval Affairs.

708. A communication from the President of the United States, transmitting a supplemental estimate of appropriation pertaining to the Legislative Establishment, United States Senate, for the fiscal year 1931, in the sum of $14,000 (H. Doc. No. 678); to the Committee on Appropriations and ordered to be printed.

709. A communication from the President of the United States, transmitting supplemental estimate of appropriations for the fiscal year 1931, for the Executive Office and certain departments and independent establishments, amounting to $91,526,740 (H. Doc. No. 677); to the Committee on Appropriations and ordered to be printed.

710. A letter from the Secretary of Commerce, transmitting annual report of the Department of Commerce for the fiscal year 1930; to the Committee on Interstate and Foreign Commerce.

711. A letter from the Secretary of Agriculture, transmitting reports of the Department of Agriculture for the fiscal year 1930 on the following subjects: Federal-aid road work, forest roads and trails, revenues and disbursements Center Market, Washington, D. C., sale of waste paper; to the Committee on Roads.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. IRWIN: Committee on Claims. H. R. 7776. A bill for the relief of Francis Engler; without amendment (Rept. No. 2096). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 8840. A bill for the relief of Don C. Fees; without amendment (Rept. No. 2097). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 13094. A bill for the relief of H. L. Todd; without amendment (Rept. No. 2098). Referred to the Committee of the Whole House.

Mr. JOHNSON of Nebraska: Committee on Claims. S. 899. An act authorizing the Treasurer of the United States to refund to the Farmers' Grain Co., of Omaha, Nebr., income taxes illegally paid to the United States Treasurer; without amendment (Rept. No. 2099). Referred to the Committee of the Whole House.

Mr. JOHNSON of Nebraska: Committee on Claims. S. 3620. An act for the relief of the Fairmont Creamery Co., of Omaha, Nebr.; without amendment (Rept. No. 2100), Referred to the Committee of the Whole House.

Mr. JOHNSON of Nebraska: Committee on Claims. S. 4018. An act for the relief of the Lebanon Equity Exchange, of Lebanon, Nebr.; without amendment (Rept. No. 2101). Referred to the Committee of the Whole House.

Mr. FITZGERALD: Committee on Claims. H. R. 9460. A bill for the relief of Pinkie Osborne; with amendment (Rept. No. 2102). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 7165) granting a pension to Helen F. Brady; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 14830) for the relief of the Lehigh Briquetting Co.; Committee on Ways and Means discharged, and referred to the Committee on Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COLTON: A bill (H. R. 15130) to amend section 37 of the act of Congress approved February 25, 1920 (41 Stat. 437), and for other purposes; to the Committee on the Public Lands.

Also (by request), a bill (H. R. 15131) to amend section 37 of the act of Congress approved February 25, 1920 (41 Stat. 437), and for other purposes; to the Committee on the Public Lands.

Also (by request), a bill (H. R. 15132) concerning annual assessment work upon oil-shale lands; to the committee on the Public Lands.

By Mr. ELLIS: A bill (H. R. 15133) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Mo.; to the Committee on Interstate and Foreign Commerce.

By Mrs. RUTH PRATT: A bill (H. R. 15134) to amend section 25 (a) of the Federal reserve act; to the Committee on Banking and Currency.

Also, a bill (H. R. 15135) to amend section 25 (a) of the Federal reserve act; to the Committee on Banking and Currency.

Also, a bill (H. R. 15136) to amend title 1, subtitle B, section 22 (b) of the revenue act of 1928; to the Committee on Ways and Means.

By Mr. COOPER of Ohio: A bill (H. R. 15137) to extend the times for commencing and completing the construction of an overhead viaduct across the Mahoning River at or near Niles, Trumbull County, Ohio; to the Committee on Interstate and Foreign Commerce.

By Mr. RANKIN: A bill (H. R. 15138) granting the consent of Congress to the State highway commission and the Board of Supervisors of Itawamba County, Miss., to construct a bridge across Tombigbee River; to the Committee on Interstate and Foreign Commerce.

By Mr. BRITTEN: A bill (H. R. 15139) authorizing the President to dispose of certain vessels in conformity with the treaty for the limitation and reduction of naval armament signed at London on April 22, 1930; to the Committee on Naval Affairs.

By Mr. DOWELL: A bill (H. R. 15140) to authorize the erection of an addition to the Veterans' Bureau hospital at Knoxville, in the State of Iowa, and to authorize the appro-

priation therefor; to the Committee on World War Veterans' Legislation.

By Mr. GIFFORD: A bill (H. R. 15141) providing for an examination and survey of the shore at Manomet Point, Plymouth Harbor, Mass.; to the Committee on Rivers and Harbors.

By Mr. SANDERS of Texas: A bill (H. R. 15142) to provide for extending during the present emergency the time of payment of loans made by Federal land banks, and for other purposes; to the Committee on Banking and Currency.

By Mr. EDWARDS: A bill (H. R. 15143) to authorize the building of a highway and bridge about three-fourths of a mile in length to connect the Government quarantine station with the highway leading from Savannah to Savannah Beach in Georgia; to the Committee on Interstate and Foreign Commerce.

By Mrs. LANGLEY: A bill (H. R. 15144) to amend section 83 of the Judicial Code, as amended; to the Committee on the Judiciary.

By Mr. McSWAIN: A bill (H. R. 15145) to provide for the purchase of additional land adjacent to the Federal building in Greenville, S. C.; to the Committee on Public Buildings and Grounds.

By Mr. GLOVER: A bill (H. R. 15146) to amend the Federal highway act of November 9, 1921, so as to provide Federal aid to the States in building lateral post roads over which the United States mail is now or may hereafter be carried; to the Committee on Roads.

By Mr. GREEN: A bill (H. R. 15147) giving compensatory rights of action against the United States in the United States Court of Claims or other competent tribunal to owners of slaves, their heirs, devisees, assignees, etc., for loss thereof, under the emancipation proclamation, dated January 1, 1863, by President Abraham Lincoln as Commander in Chief of the Army and Navy during the Civil War to end the same; to the Committee on the Judiciary.

By Mr. ZIHLMAN: A bill (H. R. 15148) to authorize the widening of Thirteenth Street NW. in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. BROWNE: A bill (H. R. 15149) to amend the act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, exportation of oleomargarine," approved August 2, 1886, as amended; to the Committee on Agriculture.

By Mr. LUCE: Joint resolution (H. J. Res. 438) to make available to the Congress the services and data of the Interstate Legislative Reference Bureau; to the Committee on the Library.

By Mr. JOHNSON of Washington: Joint resolution (H. J. Res. 439) to suspend for a period of two years general immigration into the United States; to the Committee on Immigration and Naturalization.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREW: A bill (H. R. 15150) granting a pension to Adga S. Plummer; to the Committee on Invalid Pensions.

By Mr. AYRES: A bill (H. R. 15151) granting a pension to John D. Nite; to the Committee on Pensions.

Also, a bill (H. R. 15152) for the relief of James Max Oldson; to the Committee on Naval Affairs.

Also, a bill (H. R. 15153) granting an increase of pension to Nellie Greenamyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15154) granting an increase of pension to Minnie Beach; to the Committee on Invalid Pensions.

By Mr. BACHMANN: A bill (H. R. 15155) granting an increase of pension to Augusta L. W. Dahnhart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15156) granting an increase of pension to Susie Leeson; to the Committee on Invalid Pensions.

By Mr. BAIRD: A bill (H. R. 15157) granting an increase of pension to Edith Stickels; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15158) granting an increase of pension to Mary E. Spencer; to the Committee on Invalid Pensions.

By Mr. BEERS: A bill (H. R. 15159) for the relief of Willis Neiswander; to the Committee on Military Affairs.

By Mr. BOWMAN: A bill (H. R. 15160) granting an increase of pension to Elizabeth Gordon; to the Committee on Invalid Pensions.

By Mr. BRITTEN: A bill (H. R. 15161) for the relief of Lieut. Jack C. Richardson, United States Navy; to the Committee on Naval Affairs.

By Mr. BROWNING: A bill (H. R. 15162) for the relief of Elmer Eugene Derryberry; to the Committee on Military Affairs.

Also, a bill (H. R. 15163) granting a pension to Thopheny Morgan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15164) granting a pension to Sarah E. Nolen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15165) granting a pension to Eliza Roberts; to the Committee on Invalid Pensions.

By Mr. CABLE: A bill (H. R. 15166) for the relief of Flora Kammerer; to the Committee on Ways and Means.

Also, a bill (H. R. 15167) to authorize reinstatement of war-risk insurance of John D. Deardourff, deceased; to the Committee on Ways and Means.

By Mr. CANFIELD: A bill (H. R. 15168) granting an increase of pension to Mary J. Green; to the Committee on Invalid Pensions.

By Mr. CRADDOCK: A bill (H. R. 15169) granting a pension to Ida Florence Kinney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15170) granting a pension to Benjamin R. Middleton; to the Committee on Invalid Pensions.

By Mr. CULKIN: A bill (H. R. 15171) granting a pension to Minnie Palen; to the Committee on Invalid Pensions.

By Mr. DICKSTEIN: A bill (H. R. 15172) authorizing the President to appoint Mortimer J. Israel, formerly a first lieutenant of Infantry, Organized Reserves, a first lieutenant of Infantry, United States Army; to the Committee on Military Affairs.

By Mr. DOMINICK: A bill (H. R. 15173) for the relief of John D. Keys; to the Committee on Military Affairs.

By Mr. DUNBAR: A bill (H. R. 15174) granting an increase of pension to Nathaniel S. Conrad; to the Committee on Pensions.

Also, a bill (H. R. 15175) granting a pension to Nettie Roberts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15176) granting an increase of pension to Julia Boultinghouse; to the Committee on Invalid Pensions.

By Mr. EVANS of Montana: A bill (H. R. 15177) granting a pension to Rosa Victoria Buck; to the Committee on Pensions.

By Mr. FITZGERALD: A bill (H. R. 15178) granting a pension to Louise Timmons; to the Committee on Invalid Pensions.

By Mr. GREENWOOD: A bill (H. R. 15179) granting an increase of pension to Sarah J. Hastings; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15180) granting an increase of pension to Nancy E. Trueblood; to the Committee on Invalid Pensions.

By Mr. HALSEY: A bill (H. R. 15181) granting an increase of pension to Alice A. Turner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15182) granting an increase of pension to Lizzie Long; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15183) granting an increase of pension to Frances Booher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15184) granting an increase of pension to Mary S. Drysdale; to the Committee on Invalid Pensions.

By Mr. HOGG of Indiana: A bill (H. R. 15185) granting an increase of pension to Elizabeth Heath; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15186) granting an increase of pension to Elizabeth A. Frets; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15187) granting an increase of pension to Tina M. Gates; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15188) granting a pension to Edith L. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15189) granting an increase of pension to Hannah J. Donnell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15190) granting an increase of pension to Flora Myers; to the Committee on Invalid Pensions.

By Mr. HOPE: A bill (H. R. 15191) granting a pension to Charles G. Hostutler; to the Committee on Pensions.

By Mr. HOPKINS: A bill (H. R. 15192) granting a pension to Fanny Martin Conwell; to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 15193) for the relief of Donald K. Warner; to the Committee on Claims.

By Mr. JOHNSON of Washington: A bill (H. R. 15194) granting a pension to Emma D. Jones; to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 15195) granting an increase of pension to Mary Hysle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15196) granting an increase of pension to Levorah Hawkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15197) granting a pension to Eliza A. Waggoner; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 15198) granting an increase of pension to Louisa C. Pangburn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15199) granting an increase of pension to Sarah J. Chapman; to the Committee on Invalid Pensions.

By Mr. KORELL: A bill (H. R. 15200) for the relief of Charles Y. Wilson; to the Committee on Military Affairs.

By Mr. KVALE: A bill (H. R. 15201) granting a pension to Francis X. Mayer; to the Committee on Pensions.

By Mr. LEAVITT: A bill (H. R. 15202) granting an increase of pension to Lucenda S. Chase; to the Committee on Invalid Pensions.

By Mr. LETTS: A bill (H. R. 15203) granting an increase of pension to Eliza R. Shockley; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 15204) granting an increase of pension to Wildras Boothe; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 15205) to amend "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever," approved February 28, 1929; to the Committee on Military Affairs.

By Mr. MANLOVE: A bill (H. R. 15206) granting a pension to Angeline Hart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15207) granting a pension to Mrs. James E. Douglas; to the Committee on Invalid Pensions.

By Mr. MENGES: A bill (H. R. 15208) granting an increase of pension to Louisa J. Kottcamp; to the Committee on Invalid Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 15209) granting an increase of pension to Mary J. Siegfried; to the Committee on Invalid Pensions.

By Mr. MOUSER: A bill (H. R. 15210) granting an increase of pension to Emma E. Kanzleiter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15211) granting an increase of pension to Elnora L. Monroe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15212) granting an increase of pension to Mary J. Holden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15213) granting a pension to Rachel A. Updegraff; to the Committee on Invalid Pensions.

By Mr. NELSON of Maine: A bill (H. R. 15214) granting an increase of pension to Lucy E. Tuell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15215) granting a pension to Mary Jane Blackman; to the Committee on Invalid Pensions.

By Mr. O'CONNELL: A bill (H. R. 15216) for the relief of Arthur J. L. Hock; to the Committee on Naval Affairs.

By Mr. O'CONNOR of Louisiana: A bill (H. R. 15217) authorizing Edwin B. Kirwin to accept a decoration from the French Government; to the Committee on Foreign Affairs.

By Mr. PARKER: A bill (H. R. 15218) granting a pension to Patrick J. Whalen; to the Committee on Pensions.

By Mr. PERKINS: A bill (H. R. 15219) granting an increase of pension to Emma L. Quackenbush; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 15220) granting an increase of pension to Maggie Kinart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15221) granting a pension to Eliza Holtz; to the Committee on Invalid Pensions.

By Mr. RAMSPECK: A bill (H. R. 15222) to provide payment of six months' pay to Nell R. Swartz, widow of William R. S. Swartz, late field clerk, Quartermaster Corps, United States Army; to the Committee on Military Affairs.

Also, a bill (H. R. 15223) granting a pension to William R. Minter; to the Committee on Pensions.

Also, a bill (H. R. 15224) granting a pension to Marton O. Barnes; to the Committee on Pensions.

By Mr. REECE: A bill (H. R. 15225) for the relief of Julia Wardrep; to the Committee on Claims.

Also, a bill (H. R. 15226) granting an increase of pension to Elizabeth Painter Menoher; to the Committee on Pensions.

By Mr. REED of New York: A bill (H. R. 15227) for the relief of Grape Belt National Bank, Westfield, N. Y.; to the Committee on Claims.

By Mr. RUTHERFORD: A bill (H. R. 15228) for the relief of James O. King; to the Committee on Claims.

Also, a bill (H. R. 15229) for the relief of Mrs. Herman M. Warr; to the Committee on Claims.

By Mr. SHREVE: A bill (H. R. 15230) granting an increase of pension to Delia M. Allen; to the Committee on Invalid Pensions.

By Mr. SLOAN: A bill (H. R. 15231) granting an increase of pension to Julia A. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15232) granting an increase of pension to Maggie E. Wake; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 15233) for the relief of Anna B. McCaleb; to the Committee on Claims.

By Mr. SMITH of West Virginia: A bill (H. R. 15234) for the relief of Harry C. Anderson; to the Committee on Military Affairs.

By Mr. SPEAKS: A bill (H. R. 15235) granting a pension to Estella H. Long; to the Committee on Pensions.

By Mr. STALKER: A bill (H. R. 15236) granting an increase of pension to Ella Andrews; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 15237) granting a pension to Elizabeth Kridler; to the Committee on Invalid Pensions.

By Mr. SWANSON: A bill (H. R. 15238) granting an increase of pension to Ellen Wornom; to the Committee on Invalid Pensions.

By Mr. SWING: A bill (H. R. 15239) for the relief of the heirs of Facunda Gonzales; to the Committee on Claims.

By Mr. TABER: A bill (H. R. 15240) granting a pension to Sarah E. Schott; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 15241) granting a pension to John J. Rosier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15242) for the relief of M. E. Parmelee; to the Committee on Military Affairs.

By Mr. THOMPSON: A bill (H. R. 15243) granting an increase of pension to Mollie A. Bradford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15244) granting a pension to Sarah A. Cupp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15245) granting a pension to Birdett D. Soles; to the Committee on Pensions.

By Mr. TURPIN: A bill (H. R. 15246) for the relief of Lester Leroy Weidow; to the Committee on Naval Affairs.

By Mr. UNDERWOOD: A bill (H. R. 15247) granting an increase of pension to Mary E. Nutting; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15248) granting an increase of pension to Sarah E. Koehler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15249) granting an increase of pension to Ella Grove; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15250) granting an increase of pension to Mary Briggs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15251) granting a pension to John W. Hamilton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15252) granting a pension to Stella Littlejohn; to the Committee on Invalid Pensions.

By Mr. VESTAL: A bill (H. R. 15253) granting an increase of pension to Lulu F. Hope; to the Committee on Pensions.

By Mr. WOOD: A bill (H. R. 15254) granting an increase of pension to Mollie V. Eppler; to the Committee on Invalid Pensions.

By Mr. WYANT: A bill (H. R. 15255) granting an increase of pension to Maria E. Meals; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7913. Petition of Southside Citizens' Organization, Waukegan, Ill., asking for a main post-office building in the central business district of Waukegan, Ill., and protesting against the Morrow-Wheeler site; to the Committee on Public Buildings and Grounds.

7914. Petition of Veterans of Foreign Wars, Post No. 21, Connellsville, Pa., favoring the passage of House bill 3493, for immediate payment of adjusted-compensation certificates; to the Committee on Ways and Means.

7915. By Mr. FINLEY: Petition of business men of Corbin, Ky., urging Congress for the repeal of the bankruptcy laws and urge all reasonable means to put forth efforts to amend laws to such an extent that it may not be used so disastrously against them; to the Committee on the Judiciary.

7916. By Mr. FITZGERALD: Petition of 13 citizens of Ohio, urging passage of bill to pay adjusted-service certificates in cash; to the Committee on Ways and Means.

7917. By Mr. GARBER of Oklahoma: Petition of Honorable Order of the Blue Goose International, Oklahoma division, to have area extended and improve Wichita National Forest and Game Preserve; to the Committee on the Public Lands.

7918. Also, petition of Center Market Dealers' Association, for extension of one year in the closing of Center Market, District of Columbia; to the Committee on Public Buildings and Grounds.

7919. Also, petition of executive committee, American Electric Railway Association, indorsing and approving the position of the national association of motor-bus operators in regard to House bill 10288; to the Committee on Interstate and Foreign Commerce.

7920. By Mr. GLOVER: Petition of the unemployment committee of Desha County, Ark., urging the Congress of the United States to continue legislation in the behalf of the drought sufferers; to the Committee on the Judiciary.

7921. Also, petition of citizens and firms of Fordyce, Ark., asking that legislation be immediately enacted for the payment of adjusted-service certificates to soldiers, sailors, and marines of the World War veterans; to the Committee on Ways and Means.

7922. By Mr. HALE: Petition of L. D. Beck, of Greenland, N. H., and 66 registered voters of the first congressional district of New Hampshire, expressing their accord with House bill 7884 for the exemption of dogs from vivisection in the District of Columbia, and expressing their conviction that said bill should receive early consideration and be passed as reported by the committee, without qualification or amendment; to the Committee on the District of Columbia.

7923. Also, petition of Mrs. G. A. Phelps, Manchester, and 432 registered voters in the first congressional district of New Hampshire, expressing their accord with House bill 7884 for the exemption of dogs from vivisection in the District of Columbia, and expressing their conviction that said bill should receive early consideration and be passed as reported by the committee, without qualification or amendment; to the Committee on the District of Columbia.

7924. By Mr. HUDSON: Petition of citizens of Pontiac, Mich., urging the payment in full of the adjusted-compensation certificates; to the Committee on Ways and Means.

7925. By Mr. JOHNSTON of Missouri: Petition of sundry citizens of Webster County, Mo., praying for the passage of legislation granting payment of adjusted-service certificates to World War veterans; to the Committee on Ways and Means.

7926. By Mr. MEAD: Petition of the Associated Cooperage Industries of America, with reference to unemployment and the Volstead law; to the Committee on the Judiciary.

7927. By Mr. O'CONNELL: Petition of the Associated Cooperage Industries of America, favoring an amendment to the Volstead Act to permit the manufacture of light wines and beer and the prompt issuance yearly of permits for medicinal whisky as a national relief measure for unemployment; to the Committee on the Judiciary.

7928. Also, petition of the Chamber of Commerce of New York, favoring the passage of House bill 14811 for additional land for West Point Military Academy; to the Committee on Military Affairs.

7929. By Mr. RAMSPECK: Petition of 100 honorably discharged veterans of the World War, asking that legislation be immediately enacted for the payment of their adjusted-service certificates (bonus); to the Committee on Ways and Means.

7930. By Mr. STONE: Petition of 100 signatures for payment of World War veterans' adjusted-service certificates in cash; to the Committee on Ways and Means.

7931. By Mr. STRONG of Pennsylvania: Petition of citizens of Armstrong County, Pa., favoring the immediate cash payment of adjusted-service certificates; to the Committee on Ways and Means.

7932. Also, petition of citizens of Indiana County, Pa., favoring the immediate cash payment of adjusted-service certificates; to the Committee on Ways and Means.

7933. By Mr. SWING: Petition of the Cooper Ornithological Club, Berkeley, Calif., regarding conservation of wild life; to the Committee on Agriculture.

7934. By Mr. WYANT: Petition of Greensburg Aerie, Fraternal Order of Eagles, by Walter Davey, worthy president, and Wilfred Hoyle, worthy secretary, plan for relief of unemployment; to the Committee on the Judiciary.

SENATE

TUESDAY, DECEMBER 16, 1930

(Legislative day of Monday, December 15, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The PRESIDENT pro tempore. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed the bill (S. 4400) to legalize a pier constructed in Chesapeake Bay at Annapolis Roads, Md., and to legalize an intake pipe in Warren Cove, at Plymouth, Mass.

The message also announced that the House had passed the bill (S. 2895) authorizing the bands or tribes of Indians known and designated as the Middle Oregon or Warm Springs Tribe of Indians of Oregon, or either of them, to submit their claims to the Court of Claims, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed bills and a joint resolution of the following titles, in which it requested the concurrence of the Senate:

H. R. 2936. An act to provide for a preliminary examination of the Tittabawassee and Chippewa Rivers, Mich., with a view to the prevention and control of floods;

H. R. 5661. An act authorizing the Sycamore Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Wabash River at or near Fleshers Ferry, Ind.;

H. R. 8290. An act to authorize and direct a preliminary examination of the Mohican River Ditch from Lake Fork, Ohio, south a distance of 8 miles;

H. R. 9702. An act authorizing the payment of an indemnity to the British Government on account of losses sustained by H. W. Bennett, a British subject, in connection with the rescue of survivors of the U. S. S. *Cherokee;*

H. R. 9779. An act authorizing a preliminary examination of the Mokelumne River, Calif., and its tributaries, with a view to the control of floods;

H. R. 11201. An act to authorize a preliminary examination of the Fox River, Wis., for the purpose of flood control;

H. R. 11203. An act to ratify certain leases with the Seneca Nation of Indians;

H. R. 11230. An act to authorize a preliminary examination of Yellow Creek and other tributaries of the Cumberland River in and about the city of Middlesboro, Ky., with a view to the control of their floods, and for other purposes;

H. R. 13130. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Bogue Chitto River between Sun and Bush, St. Tammany Parish, La.;

H. R. 14255. An act to expedite the construction of public buildings and works outside of the District of Columbia by enabling possession and title of sites to be taken in advance of final judgment in proceedings for the acquisition thereof under the power of eminent domain;

H. R. 14266. An act authorizing and directing the Secretary of War to lend to the entertainment committee of the United Confederate Veterans 250 pyramidal tents, complete; fifteen 16 by 80 by 40 foot assembly tents; thirty 11 by 50 by 15 foot hospital-ward tents; 10,000 blankets, olive drab, No. 4; 5,000 pillowcases; 5,000 canvas cots; 5,000 cotton pillows; 5,000 bed sacks; 10,000 bed sheets; 20 field ranges, No. 1; 10 field bake ovens; 50 water bags (for ice water); to be used at the encampment of the United Confederate Veterans, to be held at Montgomery, Ala., in June, 1931; and

H. J. Res. 250. Joint resolution to print annually as separate House documents the proceedings of the National Encampment of the Grand Army of the Republic, the United Spanish War Veterans, the Veterans of Foreign Wars of the United States, the American Legion, and the Disabled American Veterans of the World War.

SENATOR FROM NORTH CAROLINA

The PRESIDENT pro tempore laid before the Senate the credentials of JOSIAH WILLIAM BAILEY, chosen a Senator from the State of North Carolina for the term commencing March 4, 1931, which were read and ordered to be filed, as follows:

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November, 1930, JOSIAH WILLIAM BAILEY was duly chosen by the qualified electors of the State of North Carolina a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1931.

Witness: His excellency, our governor, O. Max Gardner, and our seal hereto affixed at Raleigh, this the 8th day of December, in the year of our Lord, 1930.

O. MAX GARDNER, *Governor.*

By the governor.

[SEAL.] J. A. HARTNESS, *Secretary of State.*

SURPLUS HYDROELECTRIC POWER GENERATED AT WILSON DAM, ALA., SOLD TO THE ALABAMA POWER CO. (S. DOC. NO. 222, PART 2)

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, in further response to Senate Resolution 307 (agreed to June 28, 1930), transmitting copies of contract with the Alabama Power Co. for the sale of surplus hydroelectric power generated at Wilson Dam, Muscle Shoals, Ala., which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

COMPENSATION FOR TRANSPORTATION OF THE MAILS

The PRESIDENT pro tempore laid before the Senate a communication from the Postmaster General, reporting, pursuant to law, relative to a special contract which had been entered into with the Rio Grande Southern Railroad Co. by Victor A. Miller, receiver, for carrying the mails on the roads on route No. 114781, between Ridgway and Durango, Colo., which was referred to the Committee on Post Offices and Post Roads.

DEPARTMENT OF AGRICULTURE REPORTS

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, reports on Federal-aid road work, and forest roads and trails, which, with the accompanying papers, was referred to the Committee on Post Offices and Post Roads.

He also laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, reports on the sale of waste paper, fiscal year 1930, and on the revenues and disbursements of the Center Market, Washington, D. C., which, with the accompanying papers, was referred to the Committee on Appropriations.

"THE LAST ROLL CALL"—FUNERAL OF THE LATE SENATOR OVERMAN

Mr. HEFLIN. Mr. President, I send to the clerk's desk a poem entitled "The Last Roll Call." It has reference to the death of the late Senator OVERMAN. I ask that it be read from the desk.

The PRESIDENT pro tempore. The clerk will read, as requested.

The Chief Clerk read as follows:

[From the Washington Daily News of December 13, 1930]

THE LAST ROLL CALL

By George Sanford Holmes

The Senate pauses; silenced is debate;
Before the rostrum rests a sombre pall,
Where all that now is mortal lies in state
Of one who answers to the last roll call.

So passes OVERMAN and goes his way,
A courtly figure faded from men's view;
A broken link 'twixt ante bellum day
And all this strange and changing order new.

His finger tips could graze those distant years
When civil strife appalled his boyish eyes;
His was the rôle of those who dried their tears
And helped a land united to arise.

Hushed is the Senate; stifled all debate,
As colleagues pass before the shrouded pall
Where he who served so long the Old North State
Is answering "Here" unto his last roll call.

INTEREST RATES ON SHIP CONSTRUCTION LOANS

Mr. VANDENBERG. Mr. President, on yesterday during calendar hour the Senate gave brief but inconclusive consideration to H. R. 7998, which is Senate Calendar No. 520. It is vitally important that this legislation should pass if the Public Treasury shall be saved from indefensible drain through low-interest rates on ship-construction loans. The situation exists because the loans must be made by the Shipping Board at the lowest rate of yield of any Government security. When this provision was written into the law it was presumed that the lowest rate of yield would be the average rate carried by Government bonds. This would have been in the neighborhood of 3½ per cent. But the Government now is making short-time loans as low as 1.7 per cent. As a result, the ship-building loans are made for 20 years on the basis of a temporary low rate which has no warrant of permanence.

I apprehend that the theory of the Jones-White law was that the Government should loan its credit to the new American merchant marine at cost; which is to say, without profit or loss. But the existing arrangement spells inevitable loss.

Our average cost of public money over the years is about 3½ per cent. On every million dollars loaned at 1.7 per cent for 20 years, the loss to the Government in that period is $360,000. Inasmuch as the loans are large, the loss also will be large.

When I called this situation to the attention of the Shipping Board several months ago the board promptly recognized the jeopardy. It joined me in the demand for relief. The pending bill, recommended by the Commerce Committee, resulted. It has repeatedly failed of passage in the Senate because extraneous amendments were sought to be attached. The situation has become progressively critical. I urge Senators to familiarize themselves with the facts so that the bill may pass on the next call of the calendar.

The only other factor in the bill relates to an identification of the construction period of shipbuilding as being one of the periods when the favorable interest rate shall apply. This is in line with the intent of Congress. It is of justified advantage to the shipbuilder during one year of his loan; but the balance of the bill is to the heavy and essential advantage of the Government during the other 19 years of the loan.

I ask unanimous consent to print in the RECORD certain letters from the Secretary of the Treasury and the United States Shipping Board urgently requesting Congress to perfect this legislation as speedily as possible.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The letters are as follows:

THE SECRETARY OF THE TREASURY,
Washington, December 12, 1930.

Hon. ARTHUR H. VANDENBERG,
United States Senate.

MY DEAR SENATOR: Please refer to Senate Report No. 522, Seventy-first Congress, second session, submitted by you on behalf of the Committee on Commerce, in connection with H. R. 7998, entitled "An act to amend subsection (d) of section 11 of the merchant marine act of June 5, 1920, as amended by section 301 of the merchant marine act of May 22, 1928," and to my letter to you dated April 22, 1930, reporting on H. R. 7998.

As you know, in my letter of April 22, 1930, I expressed complete agreement with your views that the provision in section 301 (d) of the merchant marine act reading as follows:

"During any period in which the vessel is operated in foreign trade the rate shall be the lowest rate of yield (to the nearest one-eighth of 1 per cent) of any Government obligation bearing a date of issue subsequent to April 6, 1917 (except postal-savings bonds), and outstanding at the time the loan is made by the board, as certified by the Secretary to the board upon its request,"

should be changed, and stated that I believed that a 3½ per cent flat rate would be better than an average rate of yield of Government obligations for five years prior to the date of the loan in each instance.

I note that H. R. 7998 as reported by you with amendments provided that the rates on construction loans during the period in which vessels are operated in foreign trade, instead of being based upon the rate of yield of outstanding obligations, would be "as fixed by the board, but not less than 3½ per cent per annum," and for the reasons set forth in your letter to the Committee on Commerce, a copy of which appears in Senate Report No. 522, the Treasury strongly recommends that section 301 (d) of the merchant marine act be changed in so far as the interest rates on construction loans during the period in which vessels are operated in foreign trade are concerned, in conformity with the change in that respect made by your committee in H. R. 7998, and it is respectfully urged that early consideration be given to the enactment of this change.

Very truly yours,

A. W. MELLON,
Secretary of the Treasury.

UNITED STATES SHIPPING BOARD,
Washington, December 11, 1930.

Hon. ARTHUR H. VANDENBERG,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Referring to our conversation a few days ago in connection with expediting the passage of bill H. R. 7998, "To amend subsection (d) of section 11 of the merchant marine act of June 5, 1920, as amended by section 301 of the merchant marine act of May 22, 1928," may I again urge the desirability of bringing about the enactment of this measure as soon as possible.

In keeping with a recent informal opinion of the Attorney General (copy of which I understand you have seen), the board to-day because of some impending loans upon which rates of interest must be fixed, took action to abide by the Attorney General's opinion. This will undoubtedly mean that very low rates of interest will result, running probably around 1.7 per cent per annum.

The board feels that every effort should be made to amend the law so as to avoid these extremely low rates of interest for long-term loans.

Very truly yours,

T. V. O'CONNOR, *Chairman.*

PETITIONS AND MEMORIALS

The PRESIDENT pro tempore laid before the Senate a resolution adopted by the municipal assembly of the city of Ponce, P. R., requesting that the project for the improvement of Ponce Harbor, approved March 3, 1925, be modified and amended in so far as regards the provisions for local cooperation by exempting the city of Ponce from its share in the dredging expenses or, if such exemption would be deemed improper, by substantially reducing the amount of local cooperation, which was referred to the Committee on Territories and Insular Affairs.

He also laid before the Senate petitions of the Chambers of Commerce of Arkansas City, Kans., and Newkirk and Ponca City, Okla., praying that an appropriation in the sum of $150,000 be made, to be immediately available, for the purpose of constructing and equipping a high-school building and auditorium for the Chilocco Indian School at Chilocco, Okla., which, with the accompanying statement, were referred to the Committee on Indian Affairs.

He also laid before the Senate a communication from the Chamber of Commerce of Pawnee, Okla., suggesting that appropriations be made to care for urgent and immediate needs of the Pawnee Indian Agency, at Pawnee, Okla., which was referred to the Committee on Indian Affairs.

Mr. NORRIS presented a petition of sundry citizens of the State of Nebraska, praying for an investigation of the Balfour declaration of the British Government relative to Palestine of November 2, 1917, alleging violations thereof and demanding "that the mandatory government of Great Britain to Palestine allow the Hebrews to enter free to the land of Judea and the land of Israel, called the land of Canaan in the Scriptures, as agreed in the Balfour declaration," which was referred to the Committee on Foreign Relations.

Mr. SIMMONS presented a letter in the nature of a petition from sundry World War veterans of Erwin, N. C., praying for the immediate payment in cash at face value of adjusted-service certificates of ex-service men, which was referred to the Committee on Finance.

Mr. TYDINGS presented a petition of sundry employees of the Annapolis (Md.) post office, praying for the passage of House bill 6603, the so-called Kendall shorter work week bill, which was referred to the Committee on Post Offices and Post Roads.

Mr. SHIPSTEAD presented a resolution adopted by the Lakefield (Minn.) Commercial Club, favoring the passage of the bill (S. 5082) to provide for the early completion of the works of improvement on the adopted and authorized river and harbor projects, including the connecting channels of the Great Lakes, and to authorize the issuance of bonds therefor, which was referred to the Committee on Commerce.

Mr. BINGHAM presented a telegram in the nature of a memorial from the Connecticut branch of the Central Verein, of New Haven, Conn., opposing the passage of the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Wethersfield, Conn., praying for the prompt ratification of the World Court protocols, which was referred to the Committee on Foreign Relations.

He also presented letters and a telegram in the nature of petitions from Branch 522, United National Association of Post Office Clerks, of Bristol; Branch 60, National Association of Letter Carriers, of Stamford; and clerks and carriers of the post office at Manchester, all in the State of Connecticut, praying for the passage of House bill 6603, the so-called Kendall shorter week work bill, which were referred to the Committee on Post Offices and Post Roads.

Mr. BINGHAM. I present a resolution adopted by the Clearing House Association of New London, Conn., which I

ask may be referred to the Appropriations Committee and printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

Recognizing the unusual conditions that are now existing in our country and the universal desire to aid as far as possible in alleviating the attendant discontent and actual sufferings, we appreciate the effort that is being made by many to remedy this condition and restore confidence and the ultimate return to this land of the prosperity and happiness that has been ours for so many years. We are conscious of the consideration and thought given to this situation by our President and appreciate the difficulties under which he is laboring as apparently many of his colleagues in our House and Senate are forgetful of their duty to the Nation as a whole and are local in their thought and action to their own constituents.

At a meeting of all the banks of New London as represented by the Clearing House Association of New London these matters were given careful consideration, and it was unanimously

Resolved, That this association heartily approves the action of the President and deplores the attitude of Congress and requests our Representatives in the Congress to recall their duty to the country at this time of universal need and urges that they give their support to our President in his recommendations and his efforts to prevent unwise raids and demands upon the Treasury.

Voted: That a copy of this resolution be signed in behalf of the Clearing House Association of New London by the president and secretary and forwarded to each Member of the House and the Senate from Connecticut and to President Hoover.

J. A. STANNERS, *President*.
HAROLD G. POND, *Secretary*.

NEW LONDON, CONN., *December 13, 1930*.

Mr. HARRISON presented copy of the proceedings of a mass meeting held at Rosedale, Bolivar County, Miss., together with the resolutions there adopted, which was ordered to lie on the table and to be printed in the RECORD, as follows:

PROCEEDINGS OF MASS MEETING HELD AT ROSEDALE, BOLIVAR COUNTY, MISS., DECEMBER 11, 1930, TO DISCUSS WAYS AND MEANS FOR RELIEF FROM CONDITIONS CAUSED BY DROUGHT AND BUSINESS DEPRESSION

At a meeting of the people of Bolivar County for the purpose of investigating and reporting to Congress the unprecedented conditions resulting from business depression, low prices, and the recent drought visited upon this section, the following proceedings were had:

The meeting was called to order by Hon. Walter Sillers, sr., who stated its object.

Senator W. B. Roberts, of Rosedale, was elected chairman and C. B. Black, of Rosedale, was elected secretary.

After numerous citizens had given statements of the effect of short crops and low prices and the condition of the people of the various communities as a result therefrom, a committee consisting of Walter Sillers, jr. (chairman), T. Y. Williford, H. H. McGowen, and J. W. McLellan were appointed, with instructions to give hearing to the people from each neighborhood represented and to make report of their findings to the meeting.

The committee made the following report and recommendations, to wit:

"The undersigned committee, after hearing the statements and having questioned reliable and informed persons regarding conditions prevailing in the various communities of the county, beg leave to submit the following report:

"The conditions which obtain throughout the county are appalling to a people who heretofore have been noted for their energy, thrift, and prosperity, and while humilitating it has become imperatively necessary for them to appeal to the National Government for aid to tide them through this unprecedented disaster, aggravated and made doubly serious by the low prices of cotton and cottonseed, upon which these people rely as their sole source of subsistence.

"We find that families in these communities who in 1929 produced from 17 to 18 bales of cotton and received from 18 to 20 cents a pound therefor, and from 10 to 12 tons of cottonseed, from which they received $34 to $35 a ton, have this year produced from 5 to 6 bales of cotton on the same land and have received but from 10 to 12 cents a pound therefor, and from 3 to 3½ tons of cottonseed, from which they received from $23 to $24 per ton, with the result that only a few made enough to pay for their food; that this is illustrative of the conditions that prevail throughout the entire county, with but few exceptions. Tenants have not been able to pay rent and mule feed, and have made no corn or hay to feed their stock through the winter, and, moreover, are unable to feed and clothe themselves or to pay taxes on their stock.

"We find that only in rare instances have landowners been able to pay their bankers, and as a rule bankers are not able to carry the landowners and their tenants, and the landowner as a rule is not able to carry his tenants or even pay his taxes.

"Such conditions have affected business, merchants, planters, bankers—all business alike. Distress such as never before existed even during the most disastrous floods stalks through our midst. It is with dismay that our people are awakening to the deplorable condition. It is tragic! Men and women are spending sleepless nights, and soon will be suffering from cold and hunger unless aid comes from the National Government—the only source from which relief can be hoped for or expected.

"In view of this approaching calamity, we recommend that copies of this report, with the accompanying resolutions, be sent to our Senators and Representatives in Congress, with the urgent request that they lay the conditions of our people before Congress with their plea for relief.

"WALTER SILLERS, *Jr., Chairman*.
"J. W. MCLELLAN,
"T. Y. WILLIFORD,
"H. H. MCGOWEN,
Committee."

RESOLUTION MEMORIALIZING SENATORS AND REPRESENTATIVES IN CONGRESS FOR GOVERNMENT AID FOR DROUGHT SUFFERERS

Whereas on account of the crop failure caused by the most destructive drought ever visited upon our people, and the business depression now upon us, the income of our cotton producers has been lowered to less than one-third of the average yearly income, and there is now widespread destitution in the county, and it is evident that this deplorable condition will steadily grow worse during the coming winter months on account of the want of employment; and

Whereas from reports of representatives of the Red Cross it is estimated that more than 4,000 families (an average of 5 persons to the family, making more than 20,000 people) in Bolivar County are in want and are unable to obtain for themselves food and clothing; and

Whereas the local communities, having no funds to contribute, are unable to care for these suffering people, and it is ascertained that the Red Cross, on account of lack of funds, is unable to handle the situation; and

Whereas unless aid is obtained from the National Government these suffering human beings will be left to the ravages of cold and hunger during the coming winter months: Now, therefore, be it

Resolved by the citizens of Bolivar County, Miss., in mass meeting assembled, at Rosedale, on this, the 11th day of December, 1930, That our Senators and Representatives in Congress are urged to use their best efforts to secure from the National Congress an appropriation to be used in alleviating this distressed condition and give aid and relief to these thousands of suffering people.

That copies of this resolution be forwarded to the Senators and Representatives in Congress from Mississippi.

RESOLUTION MEMORIALIZING SENATORS AND REPRESENTATIVES IN CONGRESS TO SECURE LEGISLATION LIBERALIZING CREDITS TO FARMERS IN THE DROUGHT-STRICKEN AREAS

Whereas it has become evident that on account of the drought and current business depression our local banks and other sources of credit will be unable to provide sufficient funds to make loans necessary for the making of the 1931 crop, making it imperative that the farmers of the county apply to Federal agencies to secure funds with which to carry on their farming operations: Therefore be it

Resolved by the citizens of Bolivar County, Miss., in mass meeting assembled on this 11th day of December, 1930, That the Senators and Representatives in Congress from Mississippi be requested to urge Congress to enact legislation authorizing the proper authorities to so liberalize the requirements of the farm-loan banks, the intermediate credit banks, and other credit associations, that they may make loans in proper cases on the sole security of the crop and livestock and farming implements as deserving farmers may have to offer.

That copies of this resolution be sent to the Senators and Representatives in Congress from Mississippi.

The above resolutions were unanimously adopted.

There being no further business, the meeting was adjourned.

W. B. ROBERTS, *Chairman*.
C. B. BLACK, *Secretary*.

I, C. B. Black, secretary of the mass meeting of citizens of Bolivar County, Miss., held at Rosedale, on Thursday, the 11th day of December, 1930, do hereby certify that the above and foregoing is a correct copy of the minutes of said mass meeting.

Witness my signature this the 11th day of December, 1930.

C. B. BLACK.

Mr. METCALF presented the following telegram, which was referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

PROVIDENCE, R. I., *December 16, 1930*.

Hon. JESSE H. METCALF,
United States Senate:

The central relief committee appointed by the Providence unemployment committee meeting this morning after a thorough discussion of the situation passed the following resolution:

"(1) We reaffirm former statements and policies of long standing that the city and voluntary agencies are prepared to meet the needs for relief in the present emergency. By relief we mean the furnishing of food, fuel, clothing, and shelter to families and individuals found to be in actual need.

"(2) This committee believes that the existing private charitable agencies of the city of Providence and the department of public aid are able to take care of the actual distress in Providence and it believes that the proposal that the Federal Government appropriate money for relief is unwise and unnecessary at the present time. Approved by Thomas H. West, jr., Providence emergency unemployment committee."

HENRY F. BURT,
Secretary Central Relief Committee.

Mr. COPELAND presented a resolution adopted by a meeting of the Steuben Society of America, at New York, N. Y., which was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

NATIONAL COUNCIL OF THE STEUBEN SOCIETY OF AMERICA,
New York, N. Y.

Resolution of the Steuben Society of America adopted at a meeting held at the office of the national council, 369 Lexington Avenue, New York City, N. Y., December 12, 1930

Whereas the President of the United States has addressed a special message to the United States Senate requesting the adherence of this country to the World Court; and

Whereas it is our conviction and belief that the World Court is detrimental to and will vitally affect the interests of our country; and

Whereas the Steuben Society of America wishes to go on record as being fundamentally opposed to any change in the policy laid down by our immortal George Washington; and

Whereas the policies of the founders of this Republic still hold good to-day: Therefore, be it

Resolved, That we reaffirm the following resolution adopted at the National Convention of the Steuben Society of America held at Chicago in 1928, to wit:

"We believe in keeping the United States free from entangling alliances with foreign nations. We further declare that we will oppose with all honorable means at our command our country's definite entrance into the World Court, or any other movement of a similar nature, which would tie the hands of the Nation and prevent its acting in international affairs unfettered. We point to the tried institution of the International Arbitration Court at The Hague as a forum to which we can resort for the solution of any question which we may be willing to submit to international arbitration."

Respectfully submitted.

[SEAL.] CHAS. J. WOLFRAM,
Secretary.

Mr. COPELAND also presented a communication from United Brotherhood of Carpenters and Joiners of America, Local Union No. 66, which was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

UNITED BROTHERHOOD OF
CARPENTERS AND JOINERS OF AMERICA,
Jamestown, N. Y., December 15, 1930.

Senator COPELAND,
Washington, D. C.

DEAR SIR: This resolution has been indorsed by Local Union No. 66 of the Carpenters and Joiners of America, of Jamestown, N. Y.:

"Whereas the Congress of the United States provided in the last tariff act that no goods, products, wares, or merchandise made wholly or in part by convict labor or by forced or indentured labor be allowed to be shipped into the United States; and

"Whereas section 307 of the 1930 tariff act was adopted principally through the efforts of the American Federation of Labor, the American Federation of Labor realizing that by allowing such materials to enter the United States ports would prove most detrimental to American industries and American free labor; and

"Whereas certain goods—namely, lumber, pulpwood, coal, iron ore, etc.—have been allowed to be entered into this country wherein it was alleged said goods were manufactured by convict labor and strong proof was offered to substantiate said allegations; and

"Whereas the United States Treasury Department, by its ruling, placed the burden of proof upon the parties objecting to such shipments instead of upon the shipper; and

"Whereas with the present depression existing in this country causing millions of working people to be without employment, therefore everything possible should be done to cooperate with the President of the United States and the numerous committees now functioning to relieve the present depression. The stimulating of American industries by encouraging consumption of commodities manufactured in American plants by free labor would in a great measure help to overcome the present depression."

Fraternally yours,

B. LUND, *Recording Secretary.*

ANNIVERSARY OF DEATH OF GENERAL BOLIVAR

Mr. BINGHAM. Mr. President, December 17 is the one hundredth anniversary of the death of Gen. Simon Bolivar, the greatest hero in northern South America. To-morrow I shall endeavor to secure the floor at the conclusion of the routine morning business to make a few remarks in honor of his life and services and in commemoration of the one hundredth anniversary of his death.

DROUGHT AND FARM RELIEF

Mr. ROBINSON of Arkansas. Mr. President, I ask unanimous consent to have published in the RECORD a number of telegrams, including one from the Governor of Arkansas; one from H. L. Cogle, chairman of the agricultural committee, whose address is Snyder, Okla.; another from H. C. Couch, chairman of the State drought-relief committee, at Little Rock, Ark.; another from R. B. Knott, executive vice chairman Louisiana Drought Relief Committee, of Ruston, La.; and a number of other telegrams and letters.

The telegrams and letters were referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

SNYDER, OKLA., *December 15, 1930.*

JOE T. ROBINSON,
United States Senator, Washington, D. C.:

Must impress on you condition here. Alarming. Livestock dying; people suffering. Loans must be available now for food and feed. Next spring too late. Loans wanted, not doles. Red Cross funds not obtainable. All local assistance possible being extended; grossly inadequate. Local business can not extend further credit.

H. L. COGLE,
Chairman Agricultural Committee.

LITTLE ROCK, ARK., *December 5, 1930.*

Hon. JOSEPH T. ROBINSON,
Senate Office Building:

We urgently request that Arkansas congressional delegation do everything possible to assure appropriation of at least $60,000,000 for drought relief. Sum proposed by HAUGEN far too small to meet situation in view of number of States requiring assistance. We are confident proponents of measure carrying small appropriation do not realize disastrous effects of drought. If our committee can be of assistance in supplying data, please command us.

H. C. COUCH,
Chairman State Drought Relief Committee.

RUSTON, LA., *December 8, 1930.*

Senator JOE ROBINSON, *Senate:*

People answering call of nations in distress with twenty-five billions in money; five millions American youth spilling its blood on foreign lands that democracy might live. Surely can not be so poor as to refuse its own people loan of pitiful sum of sixty millions in order that American families might live to enjoy this good democracy that has cost the Nation so much in blood and money. We respectfully urge support of the Aswell-Robinson bill, for it seems like a near-war measure.

Respectfully submitted.

R. B. KNOTT,
Executive Vice Chairman Louisiana Drought Relief Committee.

LITTLE ROCK, ARK., *December 12, 1930.*

Senator JOE T. ROBINSON,
Washington, D. C.:

Whereas illness necessarily follows depressed economic conditions; and

Whereas poverty and want are acute to the point of misery in many of our counties; and

Whereas lowered vital resistance necessarily and absolutely follows the kind of times which we are now experiencing and it is found after careful investigation by the county health units of the State that more than twice as many children are seriously undernourished as was the case at this date last year; and

Whereas it is understood that the Congress has under consideration a bill to make available funds with which to maintain county agricultural agents; and

Whereas it is equally vital to provide for the protection and welfare of human beings and support our county health units as to provide for the welfare of livestock and the other material interests of the people; and

Whereas in times of stress health activities should be increased; and

Whereas no funds are available or can be acquired by the counties to meet the emergency thus existing, which in our opinion exceeds in severity anything of the nature which the citizens of Arkansas have heretofore encountered: Therefore be it

Resolved by the county judges' association of Arkansas, That each and every member of our delegation in the Congress is earnestly importuned to use every resource at his command to pro-

vide at once necessary funds by amending bills pending or introduction of a separate bill for the purpose indicated herein.

Adopted December 12, 1930.

ARKANSAS COUNTY JUDGES' ASSOCIATION,
JOHN C. SHEFFIELD, *President.*
W. F. SIBECK, *Secretary.*
JAMES M. SMITH.
STATE AND COUNTY HEALTH AUTHORITIES ASSOCIATION,
T. C. WATSON, M. D., *President.*
C. W. GARRISON, M. D., *State Health Officer.*

SEARCY, ARK., *December 5, 1930.*

Hon. JOSEPH T. ROBINSON,
United States Senator:

It would be a hollow gesture to offer our farmers loans for feed, seed, and fertilizer without provision for necessities of life for their families. Furnishing security for such loans would prevent obtaining loans for other necessities. We think you are absolutely right in asking that there should be no such restrictions. We believe your estimate of $60,000,000 is not too high.

SEARCY KIWANIS CLUB.

ENGLAND, ARK., *December 2, 1930.*

Senator JOSEPH T. ROBINSON,
Washington, D. C.:

We appreciate your efforts for drought-relief legislation. Do not permit the seriousness of the situation to be discounted. We consider production credit preferable to charity. If we had food and feed we could start soil preparation now.

Citizens Bank & Trust Co., Dr. S. S. Beaty, Ben B. Morris, Albert G. Sexton, J. H. Lawhorn, Fred Hutto, P. Weintraub & Son, J. B. Duncan Co., Dr. J. C. Tankersley, G. W. Morris, Dr. E. L. Hutchinson, Bank of England, and 50 others.

FOREST CITY, ARK., *December 5, 1930.*

JOE T. ROBINSON,
United States Senate, Washington, D. C.:

My investigation in this county convinces me that one-third of the population are in actual want for food and the other two-thirds not able to help. If possible, provide some means of immediate relief.

S. H. MANN,
Chairman County Committee on Employment.

LITTLE ROCK, ARK., *December 12, 1930.*

Senator JOE T. ROBINSON,
Washington, D. C.:

In conference with the health authorities of Arkansas, I am profoundly impressed with the need for urgent assistance to seriously undernourished and unprotected human beings. The health authorities are forwarding resolutions to you, to which I invite your careful considerations.

HARVEY PARNELL, *Governor.*

STUTTGART, ARK., *December 15, 1930.*

Senator JOE T. ROBINSON,
Washington, D. C.:

Note press dispatches say Mr. Legge and yourself suggested Senate Agricultural Committee in connection with Capper resolution probably better to supply several commodities for relief rather than straight wheat. Rice very cheap and clean broken rice highly nutritive food ready without further preparation for cooking is available for less than cent and half per pound. Please urge use of rice as not only being most highly concentrated food but such use to be outlet for surplus rice therefore benefiting rice farmers suffering from low prices incident to overproduction.

THE ARKANSAS RICE GROWERS
COOPERATIVE ASSOCIATION,
R. E. SHORT, *Vice President.*

MCGEHEE, ARK., *December 8, 1930.*

Senator JOE T. ROBINSON,
Washington, D. C.

DEAR SENATOR ROBINSON: This will acknowledge the receipt of your letter of recent date advising me that you intend to do everything possible toward securing emergency relief for our county health units.

I notice from press dispatches of recent date that you and the other members of our Arkansas delegation are doing all you can to secure adequate drought relief for Arkansas. I sincerely hope that somewhere or somehow you will be able to include emergency relief for county health units and agricultural units. If ever an emergency existed in these respects, we have it now.

Our criminal courts are very rapidly consuming our county revenues. The hard times among our people are causing a tremendous amount of crime, and our jail is filled continuously to twice its capacity. At the present rate our county revenues will be exhausted long before the end of the year. In fact, it looks like July 1, 1931, will see all of our funds gone. With this situation facing us it will be impossible for us to undertake to maintain our units.

The work of the farm agents must be carried on in aid to our drought relief, regardless of what provision is made in this respect. We have had an abundance of communicable diseases break out among our people, and it is keeping our doctor and nurse busy trying to prevent the spread of these diseases. Doubtless we will have an abundance of charity cases of sickness during the winter that must receive attention. In fact, we are already having them to take care of. If it is at all possible, I sincerely hope that you will consider these two phases of drought relief along with the other phases of relief that we know that you are undertaking to secure.

We feel that you, along with the other members that we have in Congress, will do all you can, and we are standing ready to do whatever we can toward assisting you.

With kindest personal wishes, I am yours very truly,

JAMES M. SMITH, *County Judge.*

MONTICELLO, ARK., *December 11, 1930.*

Hon. JOSEPH T. ROBINSON,
Washington, D. C.

DEAR SIR: The condition of county finance in Arkansas is such that unless Federal aid is obtained in the support of health and agricultural units, many of these units throughout the State will have to be discontinued after January 1.

If ever there was a time when the various counties needed the services of these units it is now. I know of no other agencies so necessary in coping with drought conditions as these. It is for this reason that I write to ask that you do what you can to secure for the counties of Arkansas a substantial Federal aid in carrying on this constructive and necessary work.

Very truly yours,

W. E. SPENCER.

RELIEF OF UNEMPLOYMENT

Mr. BLEASE. Yesterday the Senator from Wisconsin [Mr. LA FOLLETTE] read a telegram signed by C. H. Greene. I have a telegram here from A. C. Mann, mayor of Greenville, S. C., which I ask to have printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

GREENVILLE, S. C., *December 16, 1930.*

COLE. L. BLEASE,
Senator:

Your wire. Estimated unemployed from 2,000 to 2,500. Chairty organizations, Red Cross, community chest, and civic bodies are performing obligations in commendable way. In addition, industrial plants are assisting unemployed and needy in their communities. A campaign has been formulated to raise an additional $10,000 by the community chest to aid needy cases. Citizens of this city are responding well to charity demands, and so far the situation has not grown acute or alarming.

A. C. MANN,
Mayor, Greenville, S. C.

REPORTS OF COMMITTEES

Mr. STEIWER, from the Committee on the Judiciary, to which was referred the bill (S. 2358) to provide for the appointment of an additional district judge for the western district of Washington, reported it with an amendment and submitted a report (No. 1181) thereon.

Mr. DALE, from the Committee on Commerce, to which were referred the following bills, reported them severally with an amendment and submitted reports thereon:

S. 4795. An act to extend the times of commencing and completing the construction of a free highway bridge across the Hudson River between the cities of Albany and Rensselaer, N. Y. (Rept. No. 1183);

S. 4796. An act to extend the times for commencing and completing the construction of a free highway bridge across the Hudson River at the southerly extremity of the city of Troy, N. Y. (Rept. No. 1184); and

S. 5036. An act to extend the time for completing the construction of a bridge across the Delaware River near Trenton, N. J. (Rept. No. 1186).

Mr. DALE also, from the Committee on Commerce, to which were referred the following bills, reported them severally with amendments and submitted reports thereon:

S. 4810. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Ouachita River at or near Monroe, La. (Rept. No. 1185);

S. 4812. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Black River at or near Jonesville, La. (Rept. No. 1187); and

S. 4818. An act to revive and reenact the act entitled "An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct, maintain, and operate a bridge across the Tennessee River on the Dayton-Decatur Road between Rhea and Meigs Counties, Tenn." (Rept. No. 1188).

Mr. DALE also, from the Committee on Commerce, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 4808. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Shreveport, La. (Rept. No. 1190); and

S. 4817. An act to grant the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Elk River on the Fayetteville-Winchester Road near the town of Kelso, in Lincoln County, Tenn. (Rept. No. 1189).

INTERIOR DEPARTMENT APPROPRIATIONS

Mr. SMOOT. From the Committee on Appropriations I report back favorably with amendments the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes, and I submit a report (No. 1182) thereon.

I should like to give notice that I desire to call up this appropriation bill as soon as possible. There are no controverted matters in it of which I am aware, and I think it will take but a short time to pass the bill.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McKELLAR:

A bill (S. 5365) to repeal section 7 of the postal act approved May 29, 1928; to the Committee on Post Offices and Post Roads.

By Mr. NORRIS:

A bill (S. 5366) granting a pension to Frieda Gilliland; to the Committee on Pensions.

By Mr. PATTERSON:

A bill (S. 5367) for the relief of Walter E. Pearson; to the Committee on Claims.

By Mr. STEIWER:

A bill (S. 5368) making unclaimed deposits in national banks subject to the escheat laws of the States; to the Committee on Banking and Currency.

A bill (S. 5369) to provide for the improvement of the Columbia and Snake Rivers; to the Committee on Commerce.

A bill (S. 5370) to prohibit importation of products of convict, forced or indentured labor, and for other purposes; to the Committee on Finance.

By Mr. HASTINGS:

A bill (S. 5371) to provide for the inspection of eviscerated poultry and the products thereof; to the Committee on Agriculture and Forestry.

A bill (S. 5372) for the relief of Charles E. Lynch (with an accompanying paper); and

A bill (S. 5373) for the relief of Robert Wolfe (with an accompanying paper); to the Committee on Military Affairs.

By Mr. SHEPPARD:

A bill (S. 5374) for the relief of J. M. Badt (with accompanying papers); to the Committee on Claims.

A bill (S. 5375) granting an increase of pension to Lucille E. Hanigan; to the Committee on Pensions.

A bill (S. 5376) for payment of part of expense of street improvement near Federal building in Greenville, Tex.; to the Committee on Public Buildings and Grounds.

A bill (S. 5377) to amend paragraph 50, title 38, United States Code, relating to transmission of pension checks or warrants through the mails; to the Committee on Post Offices and Post Roads.

By Mr. CAPPER:

A bill (S. 5378) for the relief of Sydney McCurdy (with accompanying papers); to the Committee on Finance.

By Mr. HATFIELD:

A bill (S. 5379) for the relief of Joseph E. Myers; to the Committee on Military Affairs.

By Mr. SMOOT:

A bill (S. 5380) to amend the merchant marine act, 1928, as amended, in respect of ocean mail contracts; to the Committee on Commerce.

By Mr. JOHNSON:

A bill (S. 5382) for the protection of the Palo Verde Valley, State of California, against injury or destruction by reason of Colorado River floods; to the Committee on Irrigation and Reclamation.

By Mr. McKELLAR:

A bill (S. 5383) granting an increase of pension to Elizabeth Painter Menoher; to the Committee on Pensions.

By Mr. SHORTRIDGE:

A bill (S. 5384) for the relief of Stanley Nolan; to the Committee on Naval Affairs.

By Mr. VANDENBERG:

A bill (S. 5385) to provide for a preliminary examination of the Tittabawassee and Chippewa Rivers, Mich., with a view to the prevention and control of floods; to the Committee on Commerce.

By Mr. FRAZIER (by request):

A bill (S. 5386) to amend an act entitled "An act to authorize the cancellation under certain conditions, of patents in fee simple to Indians for allotments held in trust by the United States"; to the Committee on Indian Affairs.

By Mr. BROOKHART:

A bill (S. 5387) to amend the retirement act, approved May 29, 1930; to the Committee on Civil Service.

By Mr. McNARY:

A bill (S. 5388) granting an increase of pension to Nellie A. Worden (with accompanying papers); to the Committee on Pensions.

By Mr. ROBINSON of Arkansas:

A bill (S. 5389) to authorize the Secretary of Agriculture to carry on agricultural-extension work within drought areas where counties are unable to make contribution; to the Committee on Agriculture and Forestry.

By Mr. HARRIS:

A bill (S. 5390) for the relief of Arthur Bussey; to the Committee on Claims.

A bill (S. 5391) authorizing the appointment of Roy L. Cecil as a major, Ordnance Department, United States Army; to the Committee on Military Affairs.

By Mr. SHIPSTEAD:

A bill (S. 5392) to legalize a bridge across the Pigeon River at or near Duluth, Minn.; to the Committee on Commerce.

By Mr. GLENN:

A joint resolution (S. J. Res. 220) directing the Federal Radio Commission to assign three clear channels to Government departments; to the Committee on Interstate Commerce.

By Mr. REED:

A joint resolution (S. J. Res. 221) amending section 1 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 3, 1930, relating to the Monongahela River, Pa.; to the Committee on Commerce.

PARCEL-POST RATES

Mr. McKELLAR submitted the following resolution (S. Res. 373), which was referred to the Committee on Post Offices and Post Roads:

Whereas the postal act approved May 29, 1928, contains the following provision in section 7 thereof:

"The classification of articles mailable, as well as the weight limit, the rates of postage, zone or zones, and other conditions of mailability under this section, if the Postmaster General shall find on experience that they or any of them are such as to prevent the shipment of articles desirable, or to permanently render the cost of the service greater than the receipts of the revenue therefrom, he is hereby directed, subject to the consent of the Interstate Commerce Commission, after investigation, to re-form from time

to time such classifications, weight limit, rates, zone or zones, or conditions, or either, in order to promote the service to the public or to insure the receipt of revenue from such service adequate to pay the cost thereof "; and

Whereas recently the Postmaster General has called on the Interstate Commerce Commission to raise the rates established in said act under such provision; and

Whereas it is believed that a raise of the rates submitted by the Postmaster General will greatly injure the Parcel Post Service and work to the advantage of the express companies: Now, therefore, be it

Resolved, That the Postmaster General be, and he is hereby, requested to withdraw his request for a change in said rates until the Congress shall pass upon the bill repealing the provision under which said rates may be changed by the approval of the Interstate Commerce Commission, and that the Interstate Commerce Commission be, and is hereby, requested to take no further steps in said rate matter until the matter is passed upon by the Congress.

Mr. McKELLAR. Mr. President, in connection with the resolution which I have just submitted I ask that there may be printed in the RECORD also an excerpt from the CONGRESSIONAL RECORD of February 14, 1927.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[Excerpt from CONGRESSIONAL RECORD of February 14, 1927, p. 3671]

Mr. MOSES. With reference to making the service self-supporting, Mr. President, I am not sure that that could ever be done, although with the rates on fourth-class matter as they are now, under the legislation of 1925, fourth-class mail is more than paying its way, I should say, although I must say this to the Senator from Nebraska and to my colleagues generally:

I have always been skeptical regarding the figures adduced by the Post Office Department with reference to fourth-class mail matter. I can not convince myself that a class of mail matter is self-supporting which comprises more than 60 per cent of the total weight of the mails—and we sell postage by weight—and which comprises almost 70 per cent of the total bulk of the mails—and we buy transportation for the mails by bulk—and which, though more than 60 per cent in weight and almost 70 per cent in bulk, pays only 27 per cent of the total postal revenues.

Mr. NORRIS. With those figures and with that view, there is not any doubt but that it is not self-supporting.

Mr. MOSES. In my own mind there is no doubt, Mr. President; and I have hoped that the Interstate Commerce Commission might be asked to do this work as provided in the law as I hope it will be reenacted.

Mr. NORRIS. Mr. President, the point I want to bring to the attention of the Senate is whether the Senate desires to give to the Postmaster General authority and, in one sense of the word, instructions in this law to increase the rates on parcel post. I refer to the part of the bill on page 7, commencing with line 3 and ending with line 15. The Senator from Ohio [Mr. FESS] has just called my attention to the fact that—

" he is hereby directed, subject to the consent of the Interstate Commerce Commission, after investigation, to reform from time to time such classifications, weight limit, rates, zone or zones, or conditions, or either, in order to promote the service to the public or to insure the receipt of revenue from such service adequate to pay the cost thereof."

Mr. MOSES. Mr. President, that has been the law ever since the Parcel Post Service was created, back in 1913 I think, and I have wished many times that the Postmaster General would make use of it; but, there being no penalty section, I see no way of bringing that about.

Mr. NORRIS. I am not anxious to have him do it, because, from all I have heard—of course, I have not had either the opportunity or the ability to get as much information on it as the chairman of the committee has—I have never had my mind satisfied on these cost figures on any of the postal activities. Of course, we know that there is a deficit, but as to how much should be allocated to each branch I think there is a large field for disagreement.

Mr. MOSES. If I may drop into the vernacular after hearing the Senator from Nebraska make that statement, I will say that he has nothing on me in that regard.

Mr. NORRIS. I am glad to have approval of my idea from the chairman of the committee; but, Mr. President, as I said before, I have never believed that we ought to sacrifice efficiency in the Post Office Department in order to make it pay financially, or even pay its own way. There are a good many things in the Post Office Department that I do not believe anybody would abolish that everybody knows run behind.

There is the rural free delivery, for instance. I remember when it was started, and it was an experiment then, but it has now covered the entire country. It costs a great deal of money. It does not come anywhere near sustaining itself, and yet there is not anybody that I know of in any line of business that would throw it aside, because it enters into the homes and the convenience and the happiness of all the people, and we would not discard it for anything.

The same thing can be said to some extent about some other things connected with the Post Office Department. I was always a great believer in the parcel post. I think we were justified in establishing it. It did not bring on the destruction that a great many honest citizens thought it would bring to men in business in the smaller towns of the country. I do not believe there are many people in the country who would like to abolish it; but, from the best I can learn, while I could not reach any definite figure to satisfy myself, it costs more money to operate it than we get out of it. I believe that can be said; and I would rather it would continue to run that way than to have it abolished or to have the rates made so that it would abolish itself in practical application; and what I fear is that we are giving a direction to the Postmaster General here the effect of which, if he follows it, will be to abolish the parcel post.

The rates provided for are somewhat reduced here. The 2 cents parcel service charge is abolished entirely. I remember when we put that on. I should like to ask the Senator from New Hampshire now if the results under that service have been about what it was anticipated they would be when we put it on?

Mr. MOSES. Very closely, I will say to the Senator.

Mr. NORRIS. Now as to the rates. That is the only change made in the rates?

Mr. MOSES. That is the only change made in the rate for mere transportation; but, Mr. President——

Mr. NORRIS. Before the Senator leaves that, how much money did we get during the last year from this service charge of 2 cents a package?

Mr. MOSES. Something like $18,000,000.

Mr. NORRIS. Of course, it is safe to say that that much would be lost by that reduction.

Mr. MOSES. Oh, clearly.

I do not want to take the Senator from the floor.

Mr. NORRIS. No; I am glad to have the Senator interrupt me, because I am trying to get information.

Mr. MOSES. I share with the Senator the opinion that the people of the country do not care a rap whether the Postal Service is self-supporting or not. What they want is service; and I have been grieved and shocked at times to see the manner in which some branches of the Postal Service have been made to suffer because of what I conceived to be a false idea of real economy.

We have repeatedly made provision here in Congress for the maintenance and the extension of certain classes of the Postal Service; and yet we have seen Postmasters General, in pursuit of the will-o'-the-wisp of economy, fail to carry out the plain intent of Congress, thereby bringing about a reduction in Postal Service which has been very detrimental to the business of the country.

The Railway Mail Service, for example, has not for many years been maintained at the point of personnel or of pound mileage of transportation such as Congress by its appropriations has intended the Postal Service to have; and yet all those elements—detrimental, as I believe, to the efficiency of the Postal Service as a governmental unit—are made use of to make up a record for efficient administration of a great executive department, contrary, as I maintain, to the desires of the people and contrary to the expressed intent of Congress in the appropriation bill.

As for the parcel post, the Senator is quite right in saying that nobody wants it to be done away with.

As far as the Rural Free Delivery Service is concerned, nobody wants even to curtail that. In all the testimony which the subcommittee took—and that subcommittee was the most diligent of any body of its character that I have known in my service in the Senate—not a line of testimony was adduced in any section of the country looking to the reduction of anything in the Postal Service except the payment of money on the part of the public. Everybody wanted to pay less money and to get better service.

Mr. NORRIS. Mr. President, what the Senator says about the Post Office Department often really misconstruing what seems to be the plain meaning of the law, in order to make a record of economy, agrees absolutely with the conclusion I have reached from several years of experience in looking up various items that have been called to my attention connected with the Post Office Department. I am glad to know that the judgment I have formed is also the judgment of the Senator from New Hampshire. I think that a great many Postmasters General have gone to the extreme and have often misinterpreted law that to me seemed to be perfectly plain, for the sole and only reason that they wanted to make a record of economy; and they did it, in my judgment, at the cost of efficient service.

Sometimes, I think, in administering some statutes that we passed, the Postmaster General, with the idea in view of saving as much money as possible, has not been fair to some of the employees, particularly in the rail service. I have had my attention called several different times to statutes that we had passed—I helped to pass them, or voted for them, at least, and I thought I understood them when I voted for them—to do some particular thing; I have no particular thing in mind now; some amendment to the law because we thought that as a result of the way it had been administered an injustice had happened or inefficiency had occurred; and I have seen it all perverted by the construction put on the new law by the Postmaster General.

It is always difficult to complain of the Postmaster General or any other public official who is trying to economize, because every one of us would like to see economy practiced everywhere; but we can be foolish about it, I think. We can economize at the expense of efficiency; and the Post Office Department is something that is established and maintained, as I view it, for the comfort and the convenience and the happiness and the education of all the people. We have to pay that bill anyway, and it does not make very much difference whether we pay it in one way or whether we pay it in another. It does not make very much difference, if we are going to get a certain amount of efficiency and have a certain work done, whether we pay it by buying postage stamps or whether we pay it

out of the Treasury directly. It is all paid, in any case, by the people of the country.

Mr. McKELLAR. Mr. President——

Mr. NORRIS. I yield to the Senator from Tennessee.

Mr. McKELLAR. I just want to suggest that the average yearly increase in the postal revenues is 7 per cent; and the Senator can easily see that just from the ordinary increase of business the deficit that we now have is not at all likely to continue. Indeed, the Postmaster General, I think, about a year ago testified that probably within less than two years, with the normal increase of business, the increased revenues would wipe out the deficit.

Mr. NORRIS. Mr. President, I want to say just one word more about parcel post. I do not believe it is necessary to argue that we all want to maintain it; we want it to be efficient; we do not want to cripple it. If a higher rate would ruin it, I would be opposed to making the rate higher. If it can pay its way, I would be glad to have it do so. I think we are all convinced that it can not pay its way; that there will be a deficit in this particular class, as there will be in some other classes in the Post Office Department.

Suppose we pass the pending bill and the Postmaster General does what I really think we direct him to do by this measure, that he increases or doubles the rates on all parcel post. Everybody will be criticizing the Postmaster General, and yet he can come back here and say, "I have done that under the law you passed, where you even used the word 'direct,' telling me how to carry it out." I do not believe we ought to pass this kind of a measure.

Mr. MOSES. I understand this has been in the law ever since the parcel post law was enacted, and we simply carried it over in this description of fourth-class matter, with the rates, so that this measure in itself would be complete in its language without making various provisos.

Mr. NORRIS. One of the objects I had in view was to call the attention of Senators to this matter, and I wanted to get an expression, if I could, from other Senators, and I wanted it to go to the country in the RECORD. I particularly wanted an expression from the chairman of the committee, and I have now obtained it. If the Postmaster General were disposed to take such a step, he probably would be deterred somewhat if his attention were called to the discussion.

Mr. SHORTRIDGE. May I call attention to the language immediately following on lines 10 and 11, where it is provided that the Postmaster General "is hereby directed, subject to the consent of the Interstate Commerce Commission after investigation."

Mr. McKELLAR. That has been the law for a number of years, and it has not been resorted to yet.

Mr. NORRIS. Does the Senator go on the theory that it will not be resorted to?

Mr. McKELLAR. I do not believe it will be.

Mr. NORRIS. Does the Senator want the Postmaster General to carry out that law?

Mr. McKELLAR. No; I prefer that he should not.

Mr. NORRIS. Would it not be better to put in an amendment saying, "This is the law, but we do not want you to enforce it"?

Mr. McKELLAR. No.

Mr. NORRIS. Should we not express our true judgment? Do we expect to say to the Postmaster General that he shall disregard this law and obey all other laws?

Mr. McKELLAR. It is not mandatory upon him.

Mr. NORRIS. I do not know. It says that he is hereby directed, if he can get the consent of the Interstate Commerce Commission.

Mr. McKELLAR. Provided a certain state of facts arises.

Mr. NORRIS. That state of facts, at least judging from his figures, has already arisen. He has already demonstrated by his investigation, so the chairman of the committee tells us, that the parcel post does not pay its own way, and if it does not pay its own way, we say he shall raise the rates.

Mr. MOSES. The Senator misunderstood me. That was the case prior to the application of the service charge. The estimated deficit in fourth-class matter in the fiscal year 1923, according to the cost-ascertainment report, was something between six and seven million dollars. According to the report of 1925, after putting in the service charge of 2 cents for each package of fourth-class mail matter, we increased the revenue about $18,000,000, so that under the present rate structure fourth-class mail matter, parcel post, is self-sustaining and pays a profit.

Mr. McKELLAR. It is more that self-supporting.

Mr. COPELAND. Mr. President, why does not the Senator from Nebraska suggest an amendment to strike out lines 3 to 15, inclusive?

Mr. NORRIS. I want to say to the Senator from New York that I would be glad to do that if I thought there was any show on earth of having it approved by the Senate; but we are considering this bill, in my judgment, in a way other than that in which we should consider it. It is one of the most important items of legislation that we have had before us at this session, and I insist that it ought to be properly considered and disposed of by the Senate; but with the vast amount of other legislation that we are going to try to consider and pass before the 4th of March it is a physical impossibility to give to this the attention it ought to have.

I realize, too, that perhaps a very large majority of the Senate is in favor of the other bill to be considered to-night, after we dispose of this one, and I suppose I will be criticized a great deal for saying what I have said. If I had my way about it, I would not insert in the bill the language which has already been approved, as a matter of fact, by the committee. If there is any possibility of taking it out, I will help to take it out, and I will move to take it out, but I think I realize the situation here to-night, and that you could not take it out if you had a regiment of soldiers here to pull one end of the string.

ELLEN, ANNIE, JAMES, AND ANDREW PAYNE

Mr. McNARY submitted the following resolution (S. Res. 375), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1930, to Ellen and Annie Payne, sisters, and James and Andrew Payne, brothers, respectively, of George H. Payne, late a laborer in the stationery room of the Senate, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred as indicated below:

H. R. 9702. An act authorizing the payment of an indemnity to the British Government on account of losses sustained by H. W. Bennett, a British subject, in connection with the rescue of survivors of the United States ship *Cherokee*; to the Committee on Foreign Relations.

H. R. 11203. An act to ratify certain leases with the Seneca Nation of Indians; to the Committee on Indian Affairs.

H. R. 14255. An act to expedite the construction of public buildings and works outside of the District of Columbia by enabling possession and title of sites to be taken in advance of final judgment in proceedings for the acquisition thereof under the power of eminent domain; to the Committee on the Judiciary.

H. R. 2936. An act to provide for a preliminary examination of the Tittabawassee and Chippewa Rivers, Mich., with a view to the prevention and control of floods;

H. R. 5661. An act authorizing the Sycamore Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Wabash River at or near Fleshers Ferry, Ind.;

H. R. 8290. An act to authorize and direct a preliminary examination of the Mohican River Ditch from Lake Fork, Ohio, south a distance of 8 miles;

H. R. 9779. An act authorizing a preliminary examination of the Mokelumne River, Calif., and its tributaries, with a view to the control of floods;

H. R. 11201. An act to authorize a preliminary examination of the Fox River, Wis., for the purpose of flood control;

H. R. 11230. An act to authorize a preliminary examination of Yellow Creek and other tributaries of the Cumberland River in and about the city of Middlesboro, Ky., with a view to the control of their floods, and for other purposes; and

H. R. 13130. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Bogue Chitto River between Sun and Bush, St. Tammany Parish, La.; to the Committee on Commerce.

H. R. 14266. An act authorizing and directing the Secretary of War to lend to the entertainment committee of the United Confederate Veterans 250 pyramidal tents, complete; fifteen 16 by 80 by 40 foot assembly tents; thirty 11 by 50 by 15 foot hospital-ward tents; 10,000 blankets, olive drab, No. 4; 5,000 pillowcases; 5,000 canvas cots; 5,000 cotton pillows; 5,000 bed sacks; 10,000 bed sheets; 20 field ranges, No. 1; 10 field bake ovens; 50 water bags (for ice water); to be used at the encampment of the United Confederate Veterans, to be held at Montgomery, Ala., in June, 1931; to the Committee on Military Affairs.

H. J. Res. 250. Joint resolution to print annually as separate House documents the proceedings of the National Encampment of the Grand Army of the Republic, the United Spanish War Veterans, the Veterans of Foreign Wars of the United States, the American Legion, and the Disabled American Veterans of the World War; to the Committee on Printing.

APPROPRIATIONS FOR EMERGENCY CONSTRUCTION—CONFERENCE REPORT (S. DOC. NO. 230)

Mr. JONES. Mr. President, I submit the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment. I give notice that on the convening of the Senate to-morrow I shall ask that the report be taken up. I ask that the report may be printed and lie on the table.

There being no objection, the report was ordered to lie on the table and to be printed, and it is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 6, 7, 8, 9, and 10.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SPECIAL ROAD ITEMS

"National forest highways: For the construction and improvement of highways within the boundaries of the national forests, fiscal year 1931, $3,000,000."

And the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Roads on unappropriated or unreserved public lands, nontaxable Indian lands, and so forth: For the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, under the provisions of the act entitled 'An act to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes,' approved June 24, 1930 (46 Stat. 805), fiscal year 1931, $3,000,000."

And the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 11, 12, 13, and 14.

The Senate recedes from its amendment amending the title of the bill.

W. L. JONES,
REED SMOOT,
FREDERICK HALE,
CARTER GLASS,
E. W. BROUSSARD,
Managers on the part of the Senate.

WILL R. WOOD,
LOUIS C. CRAMTON,
EDWARD H. WASON,
JOSEPH W. BYRNS,
J. P. BUCHANAN,
Managers on the part of the House.

THE SHEPPARD-TOWNER ACT

Mr. BINGHAM. Mr. President, I present an article from the New York Times of May 14, 1930, relative to the Sheppard-Towner Act, which I ask may be published in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE SHEPPARD-TOWNER ACT—HEARING ON BILL FOR ITS REESTABLISHMENT IS URGED

To the EDITOR OF THE NEW YORK TIMES:

All fair-minded persons, whether or not they favor the bill to reestablish the provisions of the Sheppard-Towner Maternity and Infancy Act, which expired last year, should be in hearty accord with the action of the executive committee of the Sentinels of the Republic, as reported in the Times, in asking that the measure be recommitted for a hearing.

Not only was this bill reported out of committee without a hearing, but when the maternity and infancy act was extended in 1927 to June 30, 1929, it was with the distinct understanding that the law was to be permanently repealed.

In his Budget message to Congress December 8, 1926, President Coolidge declared that he was in favor of the proposed legislation extending the period of operation of the maternity and infancy act, but with a view to the gradual withdrawal of the Federal Government in this field, and that he had referred in previous Budget messages to the advisability of restricting and curtailing Federal subsidies to the States, and that the maternity act offered concrete opportunity to begin that program.

The act passed in 1927 definitely provided that the maternity and infancy act shall after June 30, 1929, be of no force and effect, and when the bill was under consideration in the House, Representative PARKER, who had introduced the measure, in reply to the question, "Does the gentleman from New York construe the language of the Senate amendment to be a virtual repealer act?" said: "In answer to the gentleman, I will say I do, judging from the discussion which took place in the Senate regarding this amendment."

In other words, President Coolidge went on record as favoring the termination of the law; the act was allowed to pass extending the provisions of the original law another two years, with the definite understanding that it was to be repealed at the expiration of that time, and now a bill is introduced and railroaded out of committee without a hearing to permanently extend the work contemplated under the original Sheppard-Towner law.

H. B. ANDERSON,
Secretary Citizens' Medical Reference Bureau (Inc.).
New York, *May 8, 1930.*

WELFARE OF MOTHERS AND INFANTS

Mr. JONES. Mr. President, I ask that the unfinished business may be laid before the Senate.

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, Senate bill 255.

The Senate resumed the consideration of the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the motion proposed by the Senator from Connecticut [Mr. BINGHAM] to recommit the bill.

ELECTION OF PRESIDENT

Mr. BLEASE. Mr. President, I ask unanimous consent to have inserted in the RECORD three newspaper articles, an excerpt from a speech, and two letters relating to the election of President.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matters referred to are as follows:

[From the Washington Times, Tuesday, November 25, 1930]

BLEASE NAMES THREE TICKETS FOR 1932; SEES COOLIDGE AS NOMINEE—HOOVER DONE, IS VIEW OF SENATOR—ROOSEVELT TO HEAD DEMOCRATS, AND BORAH NEW DRY PARTY, WITH SENATOR SHEPPARD AS MATE

There will be three presidential tickets in the 1932 election, with the prohibitionists of both major parties organizing a third ticket against the regular Republican and Democratic candidates, Senator BLEASE (Democrat), of South Carolina, the dry "who takes a drink once in a while," predicted to-day.

SEES HOOVER OUT OF IT

Senator BLEASE named the nominees he believes will represent each of the three parties. They are:

Regular Republican—Former President Calvin Coolidge and Senator CHARLES L. MCNARY, of Oregon, as his running mate.

Regular Democratic—Gov. Franklin D. Roosevelt, of New York, with Senator James Hamilton Lewis, of Illinois, as his running mate.

Dry ticket—Senator WILLIAM E. BORAH (Republican), of Idaho, with Senator MORRIS SHEPPARD (Democrat), of Texas, as his running mate.

SOUTH TO STAY DRY

BLEASE said he expected President Hoover would not be a candidate for reelection. He conceded the President could force his own renomination by control of the convention machinery but insisted the President would not run. He looked upon Coolidge as the logical nominee if Hoover withdrew. Senator BLEASE said: "If the Democrats nominate a wet candidate, and they now intend to nominate Governor Roosevelt, a very fine man, and put

an antiprohibition plank into their platform, the South will not remain Democratic. The South will stand for prohibition and is for prohibition, whether or not it has prohibition now."

Even if the Democrats refrain from adopting a wet plank and merely nominate two wets—like Roosevelt and Lewis—BLEASE said he thought a third party would be created on the prohibition question. He picked BORAH as the logical nominee for this party, despite the Idaho Senator's loyalty to the Republican Party in the past.

[From the Anderson Independent and Tribune, Wednesday, December 3, 1930]

BLEASE PREDICTS

Senator BLEASE'S prediction of a third party, which will espouse the dry cause nationally if both Democrats and Republicans adopt wet platforms and nominate wet candidates, is interesting and in accord with general conviction on that subject.

He thinks the Republicans will nominate Coolidge and give him Senator MCNARY as his running mate. If Hoover gracefully stepped aside and acquiesced in that program, that would be a very strong ticket, for there is no doubt business men generally, Democratic as well as Republican, have confidence in Coolidge and believe he was in some way responsible for the good times which prevailed during his occupancy of the White House. MCNARY is the idol of those farmers who look to the Government for farm relief and he would make that ticket as strong in the West as Coolidge undoubtedly would make it in the North and East.

That program can hardly be put through if Hoover seek renomination and employ the powers of his control of the National Government to aid his candidacy for renomination. Roosevelt was stronger than Coolidge, being far more magnetic and having captured the popular fancy as it can never be captured by as cold a man as Coolidge, but even he was unable to prevent the Republican renomination of Taft, who won out in the convention largely through the backing of Federal office holders. And, the Coolidge-McNary ticket would be robbed of much strength if nominated in spite of a desire of Hoover for renomination.

BLEASE named the strongest possible Democratic ticket, if the Democracy go wet, Roosevelt and Lewis.

He thinks BORAH and SHEPPARD would be the nominees of a third, or prohibition party. He admits that Pinchot might be named, rather than BORAH. Undoubtedly, for BORAH is handicapped by hailing from a small State, which has but four electoral votes, whereas Pinchot is from Pennsylvania, which has 38 electoral votes. And Pinchot has just been elected Governor of Pennsylvania, despite the opposition of the wets and the machine politicians.

BLEASE probably guesses wrong when he thinks SHEPPARD would desert the Democracy to accept a second-place nomination of a third party.

[From the Anderson Independent, Thursday morning, December 11, 1930]

WASHINGTON, D. C., *December 6, 1930.*

The EDITOR ANDERSON INDEPENDENT,
Anderson, S. C.:

In reference to your editorial of Wednesday, December 3, please allow me to say that the interview published in the Washington Times Tuesday, November 25, 1930, as coming from me was about as correct as you could expect when no notes were taken. The reporter and myself just had an off-hand conversation.

What I really said was: If the Democratic wet organization controls the convention of 1932 and nominates candidates for President and Vice President who are in favor of the repeal of the Volstead Act and a plank is put into the platform advocating the repeal of that act and the eighteenth amendment or either, and the Republicans nominate candidates holding similar views and adopt similar platforms, the South will stand for prohibition, and—the South is the Democratic Party—and will not follow those leaders who are attempting to repeal the prohibition laws, but will nominate a ticket that will favor the enforcement of the Volstead Act and the eighteenth amendment.

I did not say nor did I mean that the South would vote the Republican ticket or that the South would leave the Democratic Party, but that, being the Democratic Party, she would not follow that branch of the party which calls itself the Democratic organization in supporting a wet candidate for President and the repeal of the prohibition laws and at the same time give the Nation a high tariff. Do the people of the South favor repeal of the prohibition laws and a high tariff act? I say, "No."

Will they blindly follow leaders who do favor liquor and a high tariff because, forsooth, they say, "We are Democrats," and in temporary control of the party offices?

I made a speech at Bishopville, S. C., on November 24, 1927, which was published in the CONGRESSIONAL RECORD of December 13, 1927, in which I said:

"I repeat, let the personal consequences be what they may, I favor the southern delegates to the next Democratic National Convention standing up in the convention and demanding to be represented and demanding that what they favor be written in the platform of the party, and if the two-thirds rule be abolished and their demands are not agreed to, that they withdraw from that convention and hold a Simon-pure Democratic convention and invite all of the citizens of the United States of America to join with them in the election of their nominees and not allow mugwumps and camouflaged so-called Democrats to control the Democratic convention—men who do not want the Democrats to succeed but want both Democrat and Republican candidates from their own crowd, so it matters not which gets in, they win and the people lose. As I suggest, if anyone is to bolt, let it be them and not us. Why let delegates from States that never have and never will give the Democrats an electoral vote, name whom we shall vote for and what issues we shall advocate?"

I delivered an address before the House of Representatives of South Carolina on February 15, 1928. An account of it was sent out by the Associated Press, as follows:

"NOMINATION OF SMITH USELESS, SAYS BLEASE—PEOPLE WILL REJECT ADVOCATE OF DRY-LAW REPEAL, ASSERTS SENATOR—ADDS HE WILL NOT BOLT

"COLUMBIA, S. C., February 15.—If the Democrats nominate Gov. Al Smith for President they may as well save their time and money, United States Senator COLE. L. BLEASE declared to-day, addressing the South Carolina House of Representatives.

"Senator BLEASE did not state his own preference to head the party's ticket. He said he was not opposed to the New York governor because of the latter's religion, but because he had 'permitted the nullification of the prohibition law in his State' and because he was a product of the 'most corrupt organization' in the history of the country.

"No matter who is nominated, however, Senator BLEASE declared, he would not bolt the party and said South Carolina would not bolt. 'If they do away with the two-thirds rule,' he added, 'I'd be in favor of southern delegates withdrawing and holding their own convention to nominate a real Democrat.'

"Al Smith, the Senator asserted, may be nominated, but will not be elected, because 'whatever you may think of it or I may think of it, the people of this country are not going to elect anybody who favors a repeal of the eighteenth amendment or the Volstead law. If Smith is nominated I know he will be badly defeated, and I fear you will find in our State some very lukewarm Democrats.'"

In an interview July 17, 1928, I said, as published in the Chicago Tribune and other papers:

"(Special cable to the Tribune)

"PENDLETON, S. C., July 17.—Senator COLE. L. BLEASE, in a letter written to-day to Mr. John J. Raskob, the new chairman of the Democratic National Committee, declares that had the South known that Gov. Al Smith and Mr. Raskob would propose the revision of the prohibition laws several Southern States would have refused to participate in the Houston convention.

"The South Carolina Senator thinks that the Democrats probably will be defeated because of Governor Smith's stand on prohibition, but he ends his letter by declaring that he remains dry but will support his party's nominees."

To just what extent time has justified and will further justify my predictions I am satisfied to let the record speak for itself now and to await future developments.

I am a Democrat born and reared and have no intention of bolting the Democratic Party; but I will decline to follow some people who are camouflaging as Democrats and who, if it became necessary, would destroy the party in order to reinstate King Alcohol and get a high tariff act.

COLE. L. BLEASE.

[Excerpt from speech of Senator BLEASE delivered at Bishopville, S. C., November 24, 1927]

"THE SOUTH IS THE DEMOCRATIC PARTY"

The South is the Democratic Party!

It is seen and known by all men that those who to-day are endeavoring to control the Democratic Party have no genuine love for the South, and no good can come to the South from those sources which are endeavoring to obtain for themselves or their candidate the office of the Presidency of the United States by their present campaign of slander an abuse of that section of this Nation which has made it possible for it to be what it is. And what ill will of God's or man's could induce men to speak so contemptuously, as they do, of that section of our common country that waged the Revolutionary War and built here a Government which has raised the standards of human living and safety to heights hitherto unknown? That the South built the Republic and that men who built the Republic then organized the Democratic Party as an "association of patriots" to preserve the Republic the most illiterate among our people must see and appreciate.

Let only a recital of some of the events and outmarks in our history serve here to remind you of these facts, although to review all of the achievements of the southern patriots and statesmen would require more time than one could rehearse and might become tedious to those who are not in sympathy with them.

First of all, it was the feeble Colonies of South Carolina and Georgia that first wrote to the strong Virginia Colony Legislature, or House of Burgesses, suggesting the calling of the First Continental Congress to band the colonies together for their mutual protection against the encroachment of the power of the tyrannical foreign monarchy that then held them subject to his crown; it was Patrick Henry, the burning torch of human liberty, a Virginian, who lighted the flames of the Revolutionary War, and he was the first commander of the American Army, which he organized and mobilized on the James River near Williamsburg, until George Washington was placed in command in his stead by the combined Colonies; and what need is there in relating with what glory and valor the South participated in that frightful war and what por-

tion of the victories they achieved. It will be interesting to relate that one event of that awful conflict might be sufficient rehearsal here to fix the greatness of her sons in your minds; I refer to the battle of Kings Mountain, of which Senator John W. Daniel, of Virginia, said in his one hundredth anniversary oration at the base of the monument in 1880: "It is indeed a mountain which kings may well remember." In that period of our struggle for independence Florida and Georgia had gone down under the merciless onslaughts of the conqueror; General Washington, his men exhausted from campaign and battle, and his southern troops laid beneath the sod from death due to affliction and the rigors of that awful winter at Valley Forge, were on the verge of general collapse, and the British knew of his condition.

On December 26, 1779, Sir Henry Clinton, the British commander in chief, set out from London with 8,500 new troops for the strengthening of the forces already on this continent; on May 12 General Lincoln, who had been second to General Gates at Saratoga and now in command at Charleston, was beleaguered, and, after desperate resistance, surrendered the fort with 5,000 men, shipping, stores, artillery, and arms, and then it seemed that the heel of the conqueror had fastened a death grind on the necks of the colonists, for there was nowhere now for succor to come from, so it seemed. But they had failed to take note of the fact that the Presbyterians who had fled from the British Isles in search of religious liberty had taken up their homes in the valleys of southwestern Virginia and upper east Tennessee and northwestern North Carolina. To these liberty-yearning people the word went out from the British commander, Ferguson, who had taken up his quarters on Kings Mountain, from which he boasted that "All the rebels this side of hell can not dislodge me." Those patriots from beyond the mountains quickly met and marched through the mountains, living on parched corn, to North Carolina, where they were joined by the little company of 70 North Carolina troops who were standing guard of their homes, and under forced march arrived at Cowpens, S. C., where the remaining 200 South Carolina troops from the heroic colony, already bled white from fighting, joined them on October 6, and on the morning of October 7 they set out, and in four columns advanced up the four sides of that mountain with the results that only the runner talebearer of the British escaped to warn his fellow soldiers farther to the north, while these southern heroes rolled the tide of the Revolution back to Yorktown. Of the result of this battle Senator Daniel, in his above-mentioned oration, said:

"As the victory of Moultrie at the palmetto fort was the early morning star, so Yorktown was the glorious and undimmed sunrise of American independence; and so Kings Mountain came like a vivid flash from the storm clouds of expiring night, dazzling darkened eyes with lambent light that played around this hoary crest, the patriots' eyes caught in prophetic vision an inspiring glimpse of Morgan and his men emerging through the smoke of Cowpens upon the heels of the flying Tarleton; beheld Cornwallis retreating before Greene after the dreadful carnage of Guilford, while at the close of the vista rose up in luminous splendor that grand historic picture which marks the dawn of a new era in the history of mankind, the sword of the conquered conqueror presented humbly to 'The Father of His Country,' while the tricolors of France and the flag of the great Republic floated in mingled glory over the ramparts of Yorktown."

Who was it but the Southern Colonies that in the constitutional conventions defeated the effort to make the new Government a limited monarchy, or a republican form of government in which the Chief Executive and the Senate would be elected for life; who but the southern delegates led by Patrick Henry saved to the people that glorious heritage "State rights," and had incorporated into the Constitution the Virginia Bill of Rights, which saved to the people the right of trial by jury among their own people, the writ of habeas corpus, the freedom of speech, freedom of the press, and the right to worship God according to the dictates of one's own conscience? It was also Patrick Henry, as first Governor of Virginia, who organized the counties of Illinois, Indiana, and Ohio in the northwest territory of Virginia, and on the 3d day of May, 1784, the Virginia General Assembly ceded these three counties to the Federal Union with the stipulation that they should become three independent States.

These negotiations were handled between the State and the Federal Government by James Monroe, Thomas Jefferson, Samuel Hardy, and Arthur Lee; this same Virginia gave also its right to the Territory of Tennessee and Kentucky and West Virginia to the Federal Government that this territory might become separate States in the Union; it was the South and southern statesmen that were with their means and brawn building the great seat of government at Washington when the British invaded our country in 1812, and, although we had a treaty of peace with the British, they destroyed our little Army and Navy at Baltimore and Bladensburg Road, drove President Madison and his wife from the seat of government, applied the torch first to the Library of Congress, then in the Capitol, then to the White House, after gorging themselves with what they found in it; sacked and burned the Treasury and the plant of the only newspaper of importance; sailed down the Potomac, bombarding Alexandria, and then into the open sea, which they had cleared of our ships, and on to New Orleans, where they encountered Andrew Jackson, born on the soil of South Carolina, and his southern troops; and the historian, Parton, tells the story that of the British dead on the field 80 per cent were shot between the eyes; and their commander, Pakenham, taken dead from the field, was pickled in rum and shipped to his brother-in-law, the Duke of Wellington, who received it on the eve of the Battle of Waterloo. And soon after this battle and as a sequel to it Florida came into the possession of the United States as a part of our national domain through the campaign of Jackson and the diplomacy of John C. Calhoun, of South Carolina, the two outstanding figures in history of their day; and Jackson organized the first Territorial government over it and prepared it to be converted into a State. Of its acquisition and the part he played in it, John C. Calhoun, upon retiring from the portfolio of Secretary of War in the Cabinet of President Monroe, in an address to the people of South Carolina, replying to the attacks of Benton on him for the part he had had in this bit of statecraft, said:

"Although the youngest of Monroe's six Cabinet members, I have been attributed by Benton of being the author of the Florida treaty, the acquisition of which Territory he sees as a disaster to the Republic. I have said it is a good treaty, not without due reflection. We acquired much by it; it gave us Florida, an acquisition not only important in itself but also in reference to the whole southwestern frontier. There was at that time four powerful tribes of Indians, two of whom, the Creeks and Choctaws, were contiguous to Florida and the two others, the Chickasaws and Cherokees, were adjoining. They were the most numerous and powerful tribes in the United States, and from their position were exposed to be acted on and excited against us from Florida. It was important that this state of things should terminate, which could only be done by the obtaining of Florida. But there were other and powerful considerations for the acquisition. We had a short time before extinguished the Indian title to large tracts of country in Alabama, Mississippi, and Georgia lying upon streams and rivers which passed through Florida to the Gulf—lands in a great measure valueless without the right to navigate those streams to their mouths. The acquisition of Florida gave us this right and enabled us to bring into successful cultivation a great extent of fertile lands which have added much to the increased production of the great staple, cotton. It also terminates a very troublesome dispute with Spain growing out of the capture of St. Marks and Pensacola by General Jackson in the Seminole war, and, finally, it perfected our title to Oregon by ceding to us whatever right Spain had to that Territory."

It was John C. Calhoun, as chairman of the Foreign Affairs Committee of the House of Representatives in Washington in 1812, who forced on Congress the resolution declaring war on Great Britain because they were raiding and destroying our ships on the high seas and carrying our seamen away as prisoners into foreign dungeons or putting them to death when captured in their avocation beyond the protection of their own country; and Calhoun also wrote his philosophy of government into books which form bright jewels in our libraries and schools of political economy.

Was it not Thomas Jefferson, a southern man, and the original organizer of the Democratic Party, who negotiated the Louisiana Purchase and added to our domain that vast stretch of the finest valley and prairie land in the world, now formed into mighty States with cities teeming with a mighty and independent population? Was it not James K. Polk, a southern man, born on the soil of North Carolina, who added all that vast domain of the Southwest and Pacific coast and the Rocky Mountains, and Oregon, Washington, and Idaho to our public domain to become great and immensely wealthy States of the Republic? Of this territory the great Democratic orator from Indiana, Daniel Voorhees, once said, in a speech in the Senate, "It embraces more gold and silver than is contained in all the world besides." Polk's enemies charged that he was turning the Republic into an empire by this act and that the people would thereby lose their liberties; but the same flag floats over them to-day that floats from the Capitol at Washington, and their people enjoy the same liberty and protection of government as do the people of New York or Pennsylvania. And it was Sam Houston, the boy house carpenter from Virginia, whose journeys into the Southwest placed him in command of the army of patriots battling against marauders and alien enemies who were seeking to make our Government a failure and to turn us back to the tyrants of Europe, and after that glorious victory in war and the more glorious achievements in setting up and governing the Republic of Texas, brought it into our dominion to add the States of Texas, part of New Mexico, part of Oklahoma, and part of Colorado and Wyoming to our Republic. And Houston, after he had twice served as President of that short-lived but glorious Republic, and was in the United States Senate from Texas, refused to allow interests he thought not best for the future safety of the Republic of the United States to put his name forward for the Democratic nomination for President when he might have had the nomination by consenting to accept it. And after this vast domain was added to our Republic, extending its borders to the shores of the fartherest ocean and lifting its greatness to the heights of glory never before known among men, and conducted without the breath of scandal ever being breathed against it, it was a Democrat in Congress, Andrew Johnson, born in North Carolina, and without a home of his own, who was the father of our homestead laws which gave all that vast domain acquired by southern statesmen as homes for the people, an administration of equal justice in government that was only attempted once before in history—that being in Rome during the administration of Julius Cæsar and Mark Antony and his brother, Lucius Antony, and for which the conspiracy against their lives was hatched.

With this glorious record of southern Democracy in building and conducting this Republic to such exalted heights, why should we allow it now to be dragged into the dirt to satisfy the vain desires of some candidate for office who has no sympathy for the people who made it, or for the party whose political faith he professes, only to gain his ends and gratify the gall of his backers?

If you turn to the sentimental aspect which our gallant and glorious Southland has added to this Republic, you have only to stand at attention when a band plays our national anthem, the Star-Spangled Banner, written by a southern man on a greasy paper which had been wrapped around the coarse food that was brought him to eat while he was imprisoned in the hold of a British warship that was bombarding Fort McHenry, in Chesapeake Bay.

When evil days came upon the Republic, and with them graft and scandal and outrages of justice and lowering of the standards of greatness and duties of government, was it not our Southland which gave to the world the martial air Dixie, and the gallantry and bravery of the Confederate soldier? The escutcheon of the Southern Confederacy is adorned with more illustrious names in proportion to the duration of its existence than ever graced the pages of history of any government that ever existed. Of the Confederate Nation Senator John W. Daniel, of Virginia, in an oration before the annual reunion of Confederate veterans at New Orleans in 1892, said:

"There was no Confederate before 1861, and there were none after 1865. The Confederacy marked its boundaries with the bayonet; it flashed into the family of nations like a sword from its scabbard; it vanished from the family of nations like a sword into its scabbard. Its birth was registered and its epitaph written in the blood of the brave. It was born, it lived, it died amid the roll of drum and the blast of the bugle, the rattle of musketry, and the thunder of cannon. Its constitution was dissolved in the flames of war; its flag fell to rise no more; its institutions perished."

The sons and grandsons of the Revolutionary War and the Mexican War, the Confederate soldiers, fought for the greatest principles ever advocated by man, the right of the States to govern themselves as they best saw fit. They whose forefathers had made America possible; and upon the foundation which they laid the present great United States of America is built. When they returned to their homes from what is called the Civil War (God only knows how anybody could call a war civil, yet it seems that that has been adopted, and I have used it, not that I indorse it but to express certain ideas) they were without money; their property gone; their servants all set free; no mules; no horses; no cows; no hogs; even the sheep and goats gone; their barren land, which had laid in waste for four long years; many of the loved ones which they had left at home sleeping in the silent graveyards. Any other race of people would have been heartbroken, discouraged, possibly have gone as emigrants to another country more prosperous to look for something to eat and for happiness; but no; they spurned it, and like the men they were they went into their own homes, some of them pulled a plow while the good wife held it, to plant the seed for sustenance for the body; and in the late hours of the night the good housewife would sit and sew that she and he might have cloth in such shape as to hide their nakedness; they went to work; they went to their churches on Sunday and worshiped their God and asked for His assistance. I say to you, my fellow citizens, that they were the builders of this Nation and they should demand the right to say what this Nation stands for and what its principles should be. They met the deadliest foes ever known to man—the carpetbagger, the scalawag, the thief, the robber; yea, more than that, the black faces that had been their servants, which God had not made their equal and who will never be their equal or their associates. They proved that they could not be treated thus, for they threw off that yoke of thraldom and oppression.

I repeat that no other people on earth would have done that or could have done it, and I repeat that we are the backbone of the American Nation; and if you take the South out of the American Nation to-day she would perish like Rome and Carthage and the other countries that are known now only in the dim pencilings of history. Then why should we not demand our rights? Why should we not stand in the Democratic convention and say that "This is what we want, and by the Eternal God we shall have it"?

And in the Spanish-American War the South sent her troops and stood ready with every man, woman, and child within her borders to defend the United States and her people and did gallant service when called upon.

If you look to our aid to humanity, you will notice that it is the cotton of Dixie that clothes the naked and furnishes beds for the tired workman to rest upon from his toil; it furnishes the swadling cloth which wraps the babe when it is born into the world, and it furnishes the winding sheet for old age when it quits the walks of life; it furnishes the sails for the ships which sail the seven seas and rope to hang traitors in all parts of the world; it makes life more comfortable for the rich and the poor, and it shelters the soldiers on the field and in the camp when war devastates the land; it is made into belts to drive your machinery in your factories. In fact, there is no other one article of production on which our civilization so much depends as it does on cotton.

And if you look still for bravery on the field of battle, I will remind you that it was the Thirtieth Division, composed of troops from South Carolina, North Carolina, and Tennessee, which broke the Hindenburg line and sent William II into his present retreat at Doorn, where he afterwards furnished some enlightening interviews, in one of which he expressed his view that Dixie was the greatest martial air that was ever written—and on that opinion I think he was qualified to speak as an authority.

And yet there are Democrats to-day, so called, who are cursing the South. Adherents of some of the candidates for the Presidency have been condemning the South for doing things they do not approve of. Let me tell you that the South made this country and handled it for 40 years without a blot on its escutcheon. No charges of graft or corruption. I repeat, let the personal consequences be what they may, I favor the southern delegates to the next Democratic National Convention standing up in the convention and demanding to be represented and demanding that what they favor be written in the platform of the party, and if the two-thirds rule be abolished and their demands are not agreed to, that they withdraw from that convention and hold a Simon-pure Democratic convention and invite all of the citizens of the United States of America to join them in the election of their nominees and not allow mugwumps and camouflaged so-called Democrats to control the Democratic convention; men who do not want the Democrats to succeed but want both Democratic and Republican candidates from their own crowd, so it matters not which gets in, they win and the people lose. As I suggest, if anyone is to bolt, let it be them and not us. Why let delegates from States that never have and never will give the Democrats an electoral vote name whom we shall vote for and what issues we shall advocate?

If I were writing the Democratic platform of 1928, I would put in it the Constitution of the United States and the bill of rights. Obedience to the Constitution and laws of the United States. Strict enforcement of all the laws to all men alike. Equal rights to all and special privileges to none; this to apply both to the individual and the corporations. Standing upon this platform, the two men as President and Vice President (such as I would nominate had I the power) would bring to the country peace, prosperity, and happiness. I would rather be defeated standing upon these principles and a supporter of the men who would be placed at the head of the ticket than to be elected, realizing that I was sacrificing all that was sacred to the people who made this country and bowing to the whip of the money power. I would rather be defeated than win, if winning means the sacrifice of the principles of freedom, justice, and truth.

RASKOB LETTER TO SENATOR BLEASE

NEW YORK CITY, *July 9, 1928.*

Senator COLE. L. BLEASE,
Senate Office Building, Washington, D. C.

DEAR SENATOR BLEASE: Social conditions throughout our country have reached a state of decadence that demands correction. My feeling is that a scheme of control of the manufacture, sale, transportation, and consumption of intoxicating liquors under which it may be had for home consumption (and prevent the return of the saloon which was the medium through which the use of liquor was abused) in such communities as vote therefor under a local option law, would be welcomed by all.

All right-thinking people are for temperance, law, and order, but we must have respectable laws if we expect them to be respected. All must agree that there is a wide lack of respect for the eighteenth amendment and the Volstead law, so that it behooves all of us to endeavor to secure such modification of existing laws as will result in the restoration of respect for ourselves, our laws, and our great Constitution.

I would appreciate having your views on this important question after reading the inclosed copy of letter to Mr. P. H. Callahan.

Sincerely yours,

JOHN J. RASKOB.

SENATOR BLEASE'S REPLY TO RASKOB LETTER

PENDLETON, S. C., *July 13, 1928.*

HON. JOHN J. RASKOB,
Chairman National Democratic Executive Committee,
1775 Broadway, New York City.

DEAR SIR: Yours of the 9th instant received.

As to the first statement therein, as follows: "Social conditions throughout our country have reached a state of decadence that demands correction," I do not agree to, nor do I believe conditions to be as serious as your letter indicates.

Therefore I do not concur in your second sentence, which reads as follows: "My feeling is that a scheme of control of the manufacture, sale, transportation, and consumption of intoxicating liquors under which it may be had for home consumption—and prevent the return of the saloon, which was the medium through which the use of liquor was abused—in such communities as vote therefor under a local option law would be welcomed by all"; and I think that just such statements and position will cost the Democratic Party thousands of votes and very probably bring to pass its defeat in the coming November elections.

If the people of this Nation had known three months ago that this was to be the position of Governor Smith and the chairman of the National Democratic Executive Committee, I am satisfied that but few, if any, of the Southern States would have participated in the Houston convention, but would have held a Simon-pure Democratic convention of their own and have placed in the field a platform and candidates of their choice, and invited all citizens of the United States of America to join them in the election of such candidates.

I am supporting and expect to support the nominee of the Houston convention because I am a Democrat, and having participated in that convention will support its nominees. However, I fear very much for the result unless we stand by and uphold the Constitution in all respects as it is written.

As a Senator of the United States I shall not vote to repeal the eighteenth amendment nor to modify or repeal the present laws for its enforcement.

Very respectfully,

COLE. L. BLEASE.

Mr. BLEASE subsequently said: Mr. President, I ask to have printed in the RECORD two editorials from the Anderson (S. C.) Independent of December 23 and December 25, 1930; also an article from the Washington Post of December 27, 1930, and a letter to the author.

There was no objection.

[From the Anderson Independent, Anderson, S. C., December 23, 1930.]

"TO THY DISTILLERIES, O ISRAEL!"

On July 9, 1928, a certain letter was sent out from headquarters of the Democratic National Executive Committee, 1775 Broadway, New York City, signed by John J. Raskob, then and now chairman of the committee.

This letter read in part as follows, quoting:

"Social conditions throughout our country have reached a state of decadence that demands correction. My feeling is that a scheme of control of the manufacture, sale, transportation, and consumption of intoxicating liquors under which it may be had for home consumption (and prevent the return of the saloon, which was the medium through which the use of liquor was abused) in such communities as vote therefor under a local option law would be welcomed by all."

The sinister significance of the peculiar phraseology used by Chairman Raskob to express his "feeling" on this all-important question appears to have been overlooked by those of Democratic faith who still believe in national prohibition. The words "intoxicating liquors under which it may be had for home consumption" command attention to the full import of the "scheme" to which the great Democratic Party is committed.

Swept aside by the very language of our chairman are the specious arguments for modification of the national prohibition laws to permit the return of light wines and beer because they are said to be nonintoxicating. Mr. Raskob strikes at the heart of the eighteenth amendment. The meaning of "intoxicating liquors" is restricted to hard liquors, distilled, such as whisky, rum, brandy, and the like that cause drunkenness. It does not include light wines and beer whose advocates stoutly contend do not produce intoxication. The Raskob plan comprehends hard liquors "under a local option law—for home consumption."

The home—that hallowed spot; the sanctuary of the hand that rocks the cradle; the haven of the mother and wife; the shelter of little children; the castle of man; the pillar of the church; the corner stone of government; the foundation of civilization—this temple of holiness is to be made the place for the "consumption" of "intoxicating liquors."

The party of Thomas Jefferson and Andrew Jackson, the South of Robert E. Lee and Stonewall Jackson led by a Raskob, an ex-Republican, New York millionaire, who "feels" that a "scheme" under which "intoxicating liquors may be had for home consumption would be welcomed by all."

Two years ago Senator BLEASE, of South Carolina, replied as follows to the Raskob letter, quoting in part:

"I think that just such statements and position will cost the Democratic Party thousands of votes and very probably bring to pass its defeat in the coming November elections. If the people of this Nation had known three months ago that this was to be the position of Governor Smith and the chairman of the Democratic National Executive Committee, I am satisfied that but few, if any, of the Southern States would have participated in the Houston convention, but would have held a Simon-pure Democratic convention of their own and have placed in the field a platform and candidates of their choice, and invited all citizens of the United States of America to join them in the election of such candidates. * * * I fear very much for the result unless we stand by and uphold the Constitution in all respects as it is written. As a Senator of the United States I shall not vote to repeal the eighteenth amendment nor to modify or repeal the present laws for its enforcement."

The prophecy of Senator BLEASE was fulfilled in the crushing defeat and stinging rebuke administered to Raskob and his cohorts by the American people in the 1928 presidential election. Since that time the chairman of the Democratic National Committee has not recanted or resigned, nor has he been removed. He remains steadfastly at his post, apparently redoubled in his determination to again lead Democracy to the slaughter with his pet "scheme" for the assassination of the eighteenth amendment. Are you prepared to follow him in 1932?

It is high time that the good men and women of the Democratic Party in South Carolina serve notice on the imposters masquerading as Democrats that they will have no more of Mr. Raskob and his schemes by replacing the national executive committeeman and committeewoman from this State with a man and a woman not afraid to speak out and to carry on a militant fight to restore the ancient honor and dignity of the party.

Failing in this, we have left the suggestion of Senator BLEASE that we hold "a Simon-pure Democratic convention" of our own and name candidates upon a platform of our choice, candidates who can not be bribed by even so choice a plum as the vice presidency.

[From the Anderson Independent, Anderson, S. C., December 25, 1930.]

THE FUTURE

While Editor Smoak avows he lays no claim to clairvoyance, he ventures the prediction that the Democratic Party will die if it nominate a presidential condidate on a wet platform. The result he foresees will not necessarily follow. If the Republicans nominate a dry on a dry platform, the Democratic Party will not die, but it probably will remain a minority party. However, if both the present major parties—as is a possibility—nominate wets on wet platforms, inevitably a strong third party will be born; a party which will nominate a dry on a dry platform. Our country has not furnished fertile soil for three parties at a time in national politics. Whenever a third party has lived it has been because one of the old parties died and made room for it. When both old parties have persisted it has been the third party that died. If formation of a prohibition party be forced by a flat-footed stand against prohibition by both the Democratic and Republican Parties, one of them will probably die; but that does not necessarily mean that it will be the Democracy that will turn its toes up to the daisies. If a dry party be formed, the wets will in an election or two gravitate into one party and it will be the one of the old parties which shows the greater strength after the new prohibition party has drawn recruits from both of the present major parties. In the North and East the Democracy is wetter than the Republican Party, because it is stronger in the big cities, where sentiment against prohibition is greater. This fact may make the democracy the survivor, if formation of a prohibition party sound the death knell of one of the present major parties.

[From the Washington Post, Saturday, December 27, 1930]

AN INSULT TO THE SOUTH

To the EDITOR OF THE POST.

SIR: A writer in one of the big eastern dailies, who is described as an "able political correspondent," is quoted as saying concerning the 1932 presidential election: "The wetness of the Democratic candidate and the Democratic platform is really settled now. There is no way out of it. * * * Regardless of merits, principles * * * (or) convictions * * * the Democratic side must be the wet side. * * * Everybody concedes these Southern States are safely Democratic with any Protestant candidate, no matter how wet." He thinks that this is their only chance to win.

The meaning of this can only be that this "able political correspondent" thinks that the people of the South will not consider the "merits" of the case in selecting their candidate and writing their platform, whether they are good or bad, right or wrong; that they will throw all their "principles" to the winds, as well as their "convictions" on the question of prohibition, and vote for a wet platform and any wet candidate whom the northern and eastern wet Democrats will name, provided he is a Protestant. This, to me, is absolutely unbelievable, and to my thinking this "able political correspondent," who is probably one of John J. Raskob's paid publicity agents, will find that he never was farther from the truth in his life.

Are the people of the South the kind who are indifferent as to the "merits" of their candidate or platform? Do they care for nothing but the spoils of office? Are they a people without "principle," as this writer charges, who will throw to the winds their "convictions" of right and wrong, wisdom or folly, in order to win a political victory? They certainly are not. In this our "able political correspondent" grossly slanders the people of the South.

The South has repeatedly and persistently shown itself to be dry, as a matter of principle, and all self-respecting southern Democrats will indignantly resent the bruiting abroad of this baseless insult that the South is "safely Democratic," even though the Democrats of northern and eastern wet centers should by any chance foist upon them a wet candidate and a wet platform, as though southern people do not think for themselves and have no convictions by which they are guided and will allow the liquor interests of the North and East to run roughshod over them.

To say that a man will pursue a given course of action, regardless of its merits—as to whether it is good or bad, and that he will cast aside his "principles" and "convictions," is to say that he will ignore the question of whether a proposed action is good or bad, right or wrong, honest or dishonest, and whether or not it violates the rights of property. In that case you have the stuff out of which a thief is made, or a bank robber, a hijacker, a perjurer, or any other sort of criminal. Criminals can not be made out of any other sort of material. A man who cares nothing for the merits and principles of right or wrong involved in his actions is at heart a potential criminal, who is capable of committing any crime that he thinks he can get away with.

And this is the baseless charge that this "able political correspondent" thrusts wholesale at the people of the South. If he does it purposely he is a malicious monger of vile slanders, whose vulgar mouthings no respectable paper should publish. If he does it unwittingly he is densely ignorant of the nature of the southern people, whom alone he singles out for this insolent indignity.

Of all the insults that were ever hurled at the southern people this is among the grossest, the vilest, the most poignant, and the most malicious. If our people in the South are the sort that he describes, who in their conduct will ignore "merit" and "principles" of right and wrong, morality and immorality, honesty and dishonesty, they are at heart potential criminals and are of all

people on earth the most despicable. They are unfit for citizenship or even to associate with respectable people.

The paper that published those vulgar mouthings of this "able political correspondent" owes the people of the South an apology for the insult to them it carried in its columns, and the correspondent himself will make an abject retraction if he has left any sense of justice or any sort of respect for the southern people.

In forecasting what will happen in the 1932 presidential election it would be well for the wet Democrats to reflect that in 1928 the Democrats of the South demonstrated that they were willing to forsake even the traditions and party affiliations of a lifetime to register their disapproval of a wet candidate and that they would not cast aside their "principles" and "convictions" on election day. There are millions of the same sort of Democrats in the South to-day. In fact, a determined dry sentiment has been rapidly growing of late in both the South and North, supported, as it is, by the dictates of economic sanity, scientific research, and the moral and business leadership of the country.

H. BEAUCHAMP.

DALLAS, TEX., *December 23.*

WASHINGTON, D. C., *January 5, 1931.*

Mr. H. BEAUCHAMP,
Dallas, Tex.

DEAR SIR: Your letter received, and I heartily agree with you. We should take charge of the Democratic Party and take it out of the hands of the whisky crowd that is now running it. But we should not allow anyone to drive us out of our party. I am by my party like I am by my church; there may be people in it that I do not like, and they can get out if they want to, but I do not propose to let them drive me out.

I expect to have your article inserted in the CONGRESSIONAL RECORD. Would have done so before, but you know Congress has been in recess.

It will be a pleasure for me to endeavor to get a copy of the Annotated Federal Constitution for you.

With my kindest regards and best wishes, I am,

Very respectfully,

COLE. L. BLEASE.

INVESTIGATION OF WHEAT AND BREAD PRICES

Mr. WAGNER. Mr. President, I submit a resolution which I ask to have read and to go over under the rule.

The PRESIDENT pro tempore. The resolution will be read.

The Chief Clerk read the resolution (S. Res. 374), as follows:

Whereas the price of wheat has undergone a precipitate decline during the past year; and

Whereas the price of flour has likewise declined; and

Whereas the retail price of bread has not reflected the decline in the price of wheat and flour:

Resolved, That the Committee on Interstate Commerce of the Senate or a duly authorized subcommittee thereof is authorized and directed to investigate and report to the Senate the reasons for the failure of the price of bread to reflect the decline in the price of wheat and flour and particularly whether such failure is a result of a combination in restraint of trade.

For the purpose of this resolution such committee or subcommittee is authorized to hold hearings and to sit and act at such times and places as it deems advisable to employ experts and clerical, stenographic, and other assistance; to require by subpœna or otherwise the attendance of witnesses and the production of books, papers, and documents; to administer oaths and to take testimony, and to make all necessary expenditures as it deems advisable.

The cost of stenographic services to report such hearings shall not be in excess of 25 cents per 100 words. The expenses of such committee, which shall not be in excess of $15,000, shall be paid from the contingent fund of the Senate.

The PRESIDENT pro tempore. Under the rule and under the statute, the resolution must be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, and it will be so referred.

Mr. McNARY. Mr. President, may I call the attention of the Senator from New York to the fact that it occurs to me the reference is incorrect. The resolution should go to the Committee on Agriculture and Forestry, as that committee has jurisdiction of matters of the kind covered by the resolution. Personally, I am not seeking business for that committee; we have a lot to do; but we have made studies along those lines, and I do not think the resolution should go to the Committee on Interstate Commerce.

Mr. WAGNER. I am not concerned with the particular committee to which the resolution should be referred. I am particularly concerned with having the investigation.

Mr. McNARY. I am only concerned with having reference made to the committee having general jurisdiction of the subject matter, and for that reason I raised the point.

Mr. WAGNER. I am quite content to have it referred to the Committee on Agriculture and Forestry.

The PRESIDENT pro tempore. Ultimately the resolution must go to the Committee to Audit and Control the Contingent Expenses of the Senate. In the meantime if it is desired to have it referred to the Committee on Agriculture and Forestry to have a study made, it will be so referred.

Mr. FESS. Mr. President, I hope the Chair will make that order, because, as a member of the Committee to Audit and Control, I would like to have the proper standing committee first recommend the investigation.

The PRESIDENT pro tempore. The Chair has made that order.

Mr. KING. Mr. President, I would like to say to the Senator from New York and to other Senators that the Committee on the District of Columbia has before it a resolution for a similar investigation—that is, to investigate the price of bread—which will involve the question as to why the price of bread has not gone down commensurate to the decline with the price of wheat and flour. That investigation, as I understand the chairman of the committee, the senior Senator from Kansas [Mr. CAPPER], was to have gone forward last week, and I am informed a hearing has been set upon that subject for to-morrow afternoon.

It would seem to me, in view of the fact that the question will be investigated by the District Committee, it might be well to have that committee suspend its operations and have one committee make the full investigation or have the investigation contemplated by the Senator from New York carried forward by the District Committee, of which the Senator from Kansas is chairman. I merely call the attention of the Senate to it in order that the Senator from New York and other Senators may take such course as they deem proper.

Mr. WAGNER. I would suggest to the Senator from Utah that the investigation to be conducted by the District of Columbia Committee is confined to the District of Columbia. My resolution is of nation-wide application.

"A CURE FOR LAWLESSNESS"

Mr. FLETCHER. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Florida Times-Union of December 15, entitled "A Cure for Lawlessness."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Florida Times-Union, December 15, 1930]

A CURE FOR LAWLESSNESS

Hon. Alexander Akerman, United States court judge for the southern district of Florida, on frequent occasions has called attention to prevailing lawlessness and proper means to be employed for the cure thereof. Recently, when charging the grand jury at the opening of a term of court in this city, Judge Akerman declared that "these are precarious times;" that "there is a spirit of lawlessness abroad in the land." And then, still addressing the grand jurors, the learned and carefully observing judge said: "Unless you, as jurors, do your duty in bringing people who are guilty of lawlessness to trial, and unless citizens bring acts of lawlessness to the attention of our grand jurors, no matter what it is, and unless trial lawyers do their duty, and unless courts of law do their duty, the outlook for this country is not very good. So, now is the time for every man, every citizen, and every official to do what he can to restore confidence in our laws and in our Constitution."

Following this call on law-abiding and law-respecting citizens to cooperate with the courts in efforts to cure an unprecedented outbreak of crime, Judge Akerman gave attention to present and prolific sources of crime, saying:

"The court has been advised that in this district certain representatives of—I won't say foreign countries—but organizations in foreign countries have taken advantage of the spirit of unrest in this district and are now distributing communistic literature and undertaking to organize communists right here in this district. I am not entirely familiar with the laws on this subject, but I am going to ask the district attorney to look into the matter and see whether there is any law that will prevent foreigners coming into this country and taking advantage of our hospitality by trying to stir up strife here in our own country. This country has from time immemorial welcomed immigration of good citizens to the United States, but this country has no place for those who come in here with the intention of stirring up strife and inculcating principles which are contrary to our principles of government and to the Constitution.

"I have in my possession now a circular which is being circulated in Tampa, advising the laboring man not to permit his children to join the Boy Scouts, all because the Boy Scouts teach respect and reverence for the laws of the land and the enforcement of the law. This circular says that the Boy Scouts are being trained to maintain a capitalistic government. We have no capitalistic government. This is a government of the people, and the humblest man has as much right as any other man, and these foreigners who come in here and agitate against the Boy Scouts on the theory that they are supporting a capitalistic government ought to be in the penitentiary."

In saying what he did, as above quoted, Judge Akerman called attention to really serious conditions of the present time and also to the dangers that threaten American life and government unless strenuous and lawful means are employed for assuring safety to American people and at the same time similar efforts are used at least to suppress those who would destroy righteous government and put in its stead rule by dictators and their followers, who know no law but that formulated in their own minds. Judge Akerman very properly refutes those who assert that the Government of this country is capitalistic, declaring that under our form of government "the humblest man has as much right as any other man" and that this is "a government of the people," which it was set up to be and which it continues to be to this very day, except where there is attempted interference with this right by those who would impose the will of the individual and of unlegalized organizations, and thus take away whatever rights that the law provided by the people themselves guarantees.

Assuredly, more of serious attention than has been given in the recent past must be given to the matters discussed by Judge Akerman in his address to a grand jury in his court. So, also, more of preventive action of the right sort must be taken with reference to government destroyers, whose work so plainly is in evidence. Civic and other organizations are beginning to realize the seriousness of conditions that are prevailing and are proceeding in orderly manner to check lawlessness and to promote right and justice in order that there may be assured to the people that proper protection of the law by which they are to be enabled to enjoy the privileges of free citizenship. Individuals also are realizing that if they wish to continue to live under a righteous government they must do their share in preserving the Government whose protection they expect to have.

Judge Akerman is doing his part to inspire more of loyalty to and support of government in order that freedom and liberty under the law shall not be made to give way in this country to tyranny and oppression. What he commends is worthy of doing by all loyal citizens.

BUSINESS DEPRESSION—ARTICLE BY SENATOR SHIPSTEAD

Mr. PITTMAN. Mr. President, I have here an article written by the Senator from Minnesota [Mr. SHIPSTEAD], published in the Magazine of Wall Street on the 13th instant. The article is entitled "What We Can Do to Get Back on Our Feet." It is a very able discussion of the present conditions, with suggestions of remedies for the depression. I ask leave to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHAT WE CAN DO TO GET BACK ON OUR FEET—A FEARLESS DIAGNOSIS OF THE WEAK SPOTS IN BUSINESS AND HOW THEY CAN BE ELIMINATED

By Senator HENRIK SHIPSTEAD

The big objective of the entire world is the restoration of prosperity. However we may disagree on the causes of the present business depression and the means of overcoming it we are all agreed that the times are bad and that we most decidedly want them better—and that soon.

It is necessary, though, to consider where we are and how we got there, because the present status and past conditions are inextricably bound up with what may come to pass.

This is no ordinary business depression that is tormenting us. It should be understood that 1930 is not comparable to the depressions of 1924 and 1927. The latter were merely the troughs of a summer sea, whereas the present trough is more like the one between the billows of a great storm. In my opinion the present lethargy of business is similar to the long-drawn-out depressions of 1893–1896 and 1873–1879. It is a question in my mind as to just when the present period began. We all know when the stock-market boom collapsed but I question whether our so-called prosperity of 1928–29 was very substantial. You will remember that in those years there was a good deal of talk about profitless prosperity. I think that it was justified. The way I look at it our prosperity has been more or less artificial and of the paper-profits variety for some years. Artificial prosperity feels about as good as real prosperity while it lasts, for many elements of the community, but its aftermath is not so pleasant.

PAST PROSPERITY GENUINE?

Briefly, the reason why I question whether our recently past prosperity was genuine is that the increase in the production of wealth was insignificant compared with the orgy of spending and the delirium of the stock market. Most of the industrial advance we have made in the last 10 years was made prior to 1923. We came back from the short post-war depression, severe as it truly was, with a lively bound; but since then our real progress has been nothing to boast of.

According to the figures of the United States Bureau of the Census the value of manufactures in 1925 was $65,000,000,000, in 1927 it was sixty-six and three-hundredths billion, and in 1929 sixty-eight and four-tenths billion. The nominal gain in four years of supposed high prosperity was less than $3,000,000,000, which can easily be accounted for by price variations. We know also that during this period there was at times great unemployment, and always a serious amount. In the winter of 1928 unemployment was for a time almost as great as it is now.

Between 1923 and 1929 employment in the manufacturing industries fell off 10 per cent and the total yearly wages in these industries was 4 per cent less in 1929 than in 1923—and yet 1929 was considered as the peak year of the boom.

There was nothing in the progress of the country from 1923 to 1929 to justify the enormous increase in the valuation of securities. I attribute the inflation, the counterdeflation of which we are now suffering, to the stimulation of security prices, started by the Federal Reserve Board when it reduced rediscount rates in 1924. Federal reserve credit has mostly benefited—or shall we say injured—the stock market. The great speculative boom was caused by the policy of the Federal Reserve Board, which in 1924 actually purchased a billion dollars' worth of Government securities, thus turning loose a flood of money that was largely absorbed in speculation.

EMERGENCY AND FUNDAMENTAL MEASURES

To restore prosperity and maintain stability thereafter we must consider both emergency and fundamental measures. One of the latter is the question of the world's gold supply and its proper utilization. Another is legislation affecting the authority of the Federal Reserve Board and banks. The Federal reserve is, unfortunately, a bankers' institution, whereas the central banks of England and France are merchants' banks. I incline to think that ultimately we shall need legislation that will restrict the functions of commercial banks. The scrambling of commercial banks, trust companies, investment companies, investment trusts, and investment banking houses has produced an unsound and, I think, unethical condition. The banker who accepts the funds of the commercial community ought not to have these diverting and confusing sidelines. The situation promotes the dangerous diversion of customers' money from constructive and productive use to dubious security flotations and the financing of speculation. Strictly speaking, the ordinary commercial bank ought not to lend money for the financing of speculation. It is not a prudent and faithful use of deposited funds, for while such a loan is, perhaps, the most secure type of all it tends to stimulate inflation and unsettle substantial business.

Another fundamental problem that will have to be cleared up before the world can become commercially and financially stable is that of the international debts. The collapse of commodity prices—and they are going lower—so piles up the debtors' burden, and also that of the producers, that wholesale repudiation abroad is not impossible, and this may include in Europe certain private as well as public debts. A powerful contribution to the stabilization of commodity prices would be the proposed remonetization of silver in the Orient, where the purchasing power of a billion people has been cut in two by the fall of silver.

THE REMEDIES

Among the measures that can be undertaken at once to relieve the situation are:

First. Legislation for direct unemployment relief.

Second. An aggressive public-works program, including inland waterways improvement, the rapid completion of Mississippi River flood control, highways, and Federal buildings.

Third. Steps to prevent the inflation and deflation of credit.

Fourth. A better balanced distribution of national income.

Fifth. Tariff legislation.

Sixth. Conservation and control of natural resources.

Senator WAGNER, of New York, has introduced three meritorious measures dealing directly with the problem of involuntary unemployment. One provides for an interconnected employment agency system—Federal, State, and municipal—which would blanket the country. The second would have the Federal Government set an example for the States by accumulating during good times plans for public-improvement projects for orderly realization in depressions. The third would have the Federal Government blaze the way for the development of unemployment insurance, whether public, private, or both.

This is the right time for rapid development of public works. The piecemeal system of improving the inland waterways should be abandoned. The whole undertaking, for which Congress has already authorized appropriations of about $500,000,000, should be rushed to completion within the next 5 years instead of 20 years, as contemplated. The Mississippi River control should be accomplished within the same period. There is neither sense nor economy in dawdling with the construction of needed public buildings.

If the Government were to go at all of these projects the way a private corporation would, if it had them to do in its own business, employment would be given to hundreds of thousands of men now idle and large sums of money would go for the purchase of machinery and materials. Money spent on these public works is not wasted, it is true capital investment. But it has the merit of not being immediately productive of goods in a situation that is commonly attributed to overproduction. While private capital is not in a position to force employment, for to do so means the

production of goods at once for which there is no demand, the Government can do it in a truly economic manner without danger of making conditions worse at a later time.

This is no time for half-way measures. We must act on the theory that business is going through a critical period which is likely to be of long duration. Such remedial measures as the Government undertakes in the way of public works should be of a volume and period that are calculated to produce a substantial offset instead of a mere palliative for a short time. Sooner or later we shall do everything that I advocate. The question is whether we shall do it now, when costs are much lower than they have been or will be in the future, and when it will help take up the slack in business and employment. Moreover, any work that is promptly carried out in accordance with plans, costs less in the long run than patchwork procedure and is better done.

These vast public works can be financed in either of two ways: We can issue bonds for them, as we did for the Panama Canal, or we can postpone for one year the retirement of the public debt, which now goes on at the rate of a billion dollars a year. Some favor the latter way, because it would put the money at work instead of paying it out to private investors, who at this time can find no remunerative use for it. Idle capital pays no income taxes. On the other hand, the Government can now borrow money at most favorable interest rates should a bond issue be preferred. The 1 per cent reduction in the normal income-tax rate can not be continued.

MORE FOR DIVIDENDS

We need legislation to prevent the wrongful use of credit. Some way must be found to keep the resources of the Nation from being used to finance speculation when it has reached the gambling stage. Speculation of the gambling type certainly should not be financed by credit. Let it be paid out of the capital of the speculators.

Speculation on borrowed money is both morally and commercially dangerous. Some of our great business concerns have been as guilty in the matter of financing inflationary speculation as the banks themselves. They have taken money that belonged in large part to dividend distributions to their shareholders and put it into the stock exchanges in the form of loans for speculation. If they had paid that money out as dividends, instead of retaining it—to avoid income taxation—they would have done two constructive things: (1) They would have contributed to the public's purchasing power, and (2) they would not have contributed to an inflation that could be succeeded by severe business depression. It might be said that at one and the same time they reduced their markets and assisted in their demoralization.

This brings us to the matter of balancing the division of the national income. It is my opinion that we are suffering to-day from underconsumption rather than overproduction. Not enough of the gross income of the corporations goes back into immediate and broadly distributed individual income. In other words, the potential buyers are not adequately provided with the means of buying. When the gross amount paid out in wages decreases as the volume of the product increases an impasse is sure to come. It has been recently shown—contrary to what we have all thought—that labor is receiving a smaller proportion of the value it assists in creating than it did 90 years ago. The corporations are accumulating too much capital from profits and unwisely holding back dividend disbursements. Rich men and corporations tend to withdraw a greater part of their income from consumptive use than do average individuals.

A hundred men will put more of a combined income of $100,000,000 back into the cycle of industry and commerce than one man with a singular income of that amount. But even at the present rate of disbursement of profits the corporations are increasing them, while the pay rolls decline. The balance can be restored by shorter working hours, higher wages, or lower prices for manufactured products.

DISTRIBUTING NATIONAL INCOME

While I have mentioned work on the inland waterways as a means of increasing employment and stimulating business it is also important as a means of balancing the distribution of national income, because it will offset the disturbing influence of the Panama Canal on Mid West industry and particularly, agriculture. The cost of transportation from coast to coast has greatly decreased since the canal was built, whereas railway rates to and from the interior have increased. Agriculture to-day has about one-fourth of the people of the United States and only 0.1 of the income. This is a most dangerous lack of balance.

I have favored high tariffs because I desired to help keep commodity prices up. But high tariffs do not help agricultural products of which we have a surplus. Consequently, I believe that Congress should adopt the proposed export debenture amendment to the tariff law. I see no reason why other nations should be offended if we choose to keep our farmers from losing money on the products they export. That will help equalize the distribution of income.

Our national prosperity has always rested in large measure on our extensive and varied natural resources. We must hasten to husband and conserve them if we wish to insure future prosperity.

Now, I do not say that legislation alone can effect the cures that we need, but it can contribute. We need more intellect in business concerned with the long-time problems of business success than those of immediate profits. We need business statesmen. While legislation is indispensable both as a corrective and as a pattern, it is largely up to business leaders to correct the delinquencies of our present commercial and financial processes if they wish to preserve them. I hope that I will give no personal offense if I say that our troubles are largely due to intellectual bankruptcy of the men both in business and Government whose duty it is to deal with the fundamental problem of business.

We need patriotic statesmen in private business quite as much as in public affairs.

CALL OF THE ROLL

Mr. HEFLIN obtained the floor.

Mr. McKELLAR. Mr. President, will the Senator yield to me to enable me to suggest the absence of a quorum?

Mr. HEFLIN. I yield for that purpose.

Mr. McKELLAR. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	Kendrick	Sheppard
Barkley	Fletcher	King	Shipstead
Bingham	Frazier	La Follette	Shortridge
Black	George	McGill	Simmons
Blaine	Gillett	McKellar	Smith
Blease	Glass	McMaster	Smoot
Bratton	Glenn	McNary	Steiwer
Brock	Goff	Metcalf	Stephens
Brookhart	Goldsborough	Morrow	Swanson
Brousard	Gould	Moses	Thomas, Idaho
Bulkley	Hale	Norbeck	Thomas, Okla.
Capper	Harris	Norris	Townsend
Caraway	Harrison	Nye	Trammell
Carey	Hastings	Oddie	Tydings
Connally	Hatfield	Patterson	Vandenberg
Copeland	Hawes	Phipps	Wagner
Couzens	Hayden	Pine	Walsh, Mass.
Cutting	Hebert	Pittman	Watson
Dale	Heflin	Ransdell	Wheeler
Davis	Howell	Reed	Williamson
Deneen	Johnson	Robinson, Ark.	
Dill	Jones	Robinson, Ind.	

The PRESIDENT pro tempore. The Chair announces the absence of his colleague the junior Senator from New Hampshire [Mr. KEYES] on account and illness and will let the announcement stand for the day.

Mr. FESS. I have been requested to announce that the Senator from Colorado [Mr. WATERMAN] is engaged in committee.

The PRESIDENT pro tempore. Eighty-six Senators having answered to their names, a quorum is present. The Senator from Alabama [Mr. HEFLIN] is entitled to the floor.

UNEMPLOYMENT AND DEPRESSION—NEW YORK STOCK EXCHANGE

Mr. HEFLIN. Mr. President, I send to the Secretary's desk a bill which I am introducing for the regulation of the New York Stock Exchange. I ask that the bill may be read in my time.

The PRESIDENT pro tempore. The clerk will read as requested.

The bill (S. 5381) prohibiting trading in margins on the New York Stock Exchange, and for other purposes, was read the first time by its title and the second time at length, as follows:

Whereas a large per cent of the New York Stock Exchange transactions are of an interstate character: Therefore

Be it enacted, etc., That trading on margins on the New York Stock Exchange is injurious to legitimate business in the several States, harmful to the public, and is hereby declared to be unlawful.

SEC. 2. That the rate of interest on money loaned in New York City, now known as "call money," for the purpose of trading on the New York Stock Exchange, shall in no instance be more than 8 per cent. That the interest rate on all "call money" loaned for speculative purposes in New York City shall be not more than 8 per cent.

SEC. 3. That for each violation of the provisions of this act the person guilty of same shall be fined not less than $10,000 and not more than $50,000 and imprisoned for a period of not less than 2 years and not more than 10 years.

It shall be the duty of the Attorney General of the United States to enforce the provisions of this act, and he is hereby authorized and empowered to formulate such rules and regulations as he shall deem necessary for the rigid enforcement of the provisions of this act.

Mr. HEFLIN. Mr. President, much is being said about the cause of depression in the United States. I want to read to the Senate an excerpt from an article in the New York Times of October 25, 1929:

The most disastrous decline in the biggest and broadest stock market of history rocked the financial district yesterday. * * *

The total losses can not be accurately calculated because of the large number of markets and the thousands of securities not listed on any exchange. However, they were staggering, running into billions of dollars.

Fear struck the big speculators as well as the little ones, big investors and little ones. Thousands of them threw their holdings into the whirlwind stock exchange for what they would bring. Losses were tremendous and thousands of brokerage and bank accounts, sound and healthy a week ago, were completely wrecked in the strange debacle, due to the combination of circumstances but accelerated into a crash by fear.

I invite the attention of western Senators to this other statement:

BIG DROP IN WHEAT—PIT IN TURMOIL

CHICAGO, October 24, 1929.—Fortunes in paper value were wiped out for the midwestern investors and speculators to-day as prices for grain and securities on the Chicago Stock Exchange, reacting to the selling wave in Wall Street, recorded sensational declines.

Mr. President, one of the most important questions before Congress and the country to-day is the New York Stock Exchange. How to curb its dangerous activities and protect legitimate business from its harmful practices are questions that demand our earnest and immediate consideration. But it is claimed by those who do not wish to have anything done that this is a State institution and that as such it can operate to its heart's content without fear of Federal interference. It is also claimed that it has never been incorporated and is simply a private concern operated in New York State by private individuals for their own entertainment and convenience, and that it is therefore beyond the reach of Congress. Can anyone contend successfully that private individuals can set up a harmful speculative agency in one State where its activities are destructive to the business of people of other States?

The New York Stock Exchange is a colossal institution. Its continued existence as it is now operated is a matter of serious concern to every State in the Union. Its activities injuriously affect the business of the people of every State, and certainly the representatives of these States in Congress owe it to the people who sent them here to put a stop to its harmful practices. This can be done by limiting the use of the mail, the telephone, and telegraph to stock-exchange transactions where shares and stocks are bought and sold outright. Such transactions should be recognized as a safe, necessary, and legitimate business. So far as I know no one familiar with transactions of this character has any desire to interfere with such trading on the stock exchange. But, on the other hand, there is universal complaint against the evil and the dangers of unlimited trading in margins on the stock exchange. There is where the trouble is.

Trading on margin is speculation pure and simple, and some of it is gambling of the wildest kind. Each broker on each and every individual contract is the sole judge of the amount of money in margins that he will require to be put up and each banker fixes at will the interest rate he will charge for call money used in margin trading on the stock exchange.

The law should carry a provision compelling the borrower of money for speculative purposes to state whether the securities pledged were carried on margin or owned by the borrower. If trading on margin is to be permitted at all on the stock exchange, the amount and duration of such contracts should be specified and the amount of margins to be charged made uniform and designated publicly.

There should also be a provision in the law fixing the interest rate on call money to be used for speculative purposes on the New York Stock Exchange, and my bill provides for that. As I have said, the New York banker who loans money on a stock-exchange contract, based on margins, is permitted to charge any rate of interest that he desires to charge. By raising the interest rate from time to time as the borrower is compelled to get money in order to put up his margins, the banker makes it difficult for him to follow his transaction through to a successful conclusion. He is at the mercy of the banker who can close him out at will. Not only that, but the high rates of interest charged on call money for use on the New York Stock Exchange, ranging from 5 to 100 per cent, put a premium upon money for speculative purposes and draw it from everyday business to New York by the millions and hundreds of millions. It takes that money out of the channels of legitimate business and penalizes and punishes the enterprise and industry of men and women in the other States who must have an adequate money supply to meet their business needs. My bill would prevent that. The broker has a provision in his contract with the man who speculates on margins which permits him to take over the contract and all that has been paid in on it when the speculator fails to put up the additional margin demanded.

Mr. President, the far-reaching and dangerous practices now permitted on the New York Stock Exchange have seriously injured the business of labor, and of the farmer, the merchant, the banker, the manufacturer, and the railroads.

I am seeking to eliminate from the New York Stock Exchange the reprehensible and very costly practices which have made it so harmful, so dreaded, and so despised by the masses of our people.

Mr. President, I want to make it impossible for any speculative concern or gambling institution to ever again become the dominant force in finance or in productive industry in America. If the New York Stock Exchange is, as its friends claim, purely and wholly a State institution, subject only to State regulation and control, then in the name of justice and fair play to the American people we are justified in demanding that Governor Roosevelt shall take the step necessary to put an end to its harmful activities which now so injuriously affect the everyday business of all our people.

The friends of Governor Roosevelt have suggested him as a candidate for President in 1932. If he is wise enough, big enough, and brave enough to be President of the United States, he will show it now by helping to put an end to this giant evil in his own State, a giant evil that is daily injuring the people in every other State.

The dangerous and destructive practices of the New York Stock Exchange have already made it a national issue, and either President Hoover now or some candidate for President in 1932 will pledge himself to the Herculean task of relieving the American people of the destructive, inexcusable, and indefensible practices now permitted on the New York Stock Exchange. As operated to-day, that exchange puts "fictitious values" and speculattion in "watered stocks" above the things created in productive industry. And the authorities that permit such a known and dangerous condition to continue deserve the criticism and condemnation of patriotic Americans everywhere.

Senators, the Louisiana State lottery shielded its gambling activities for a long time behind the claim that it was a State institution and could not be reached by any other authority, but its evil influence became so harmful and far-reaching that an indignant and nation-wide public opinion demanded its destruction and it was destroyed.

If Congress at this session fails to do its utmost to put an end to this great evil, it will fail in its duty to the American people. This evil can be removed by preventing trading in margins on the stock exchange and by limiting the interest rate on call money for use in speculative deals on the New York Stock Exchange to 8 per cent. My bill provides for both.

I would not hamper the New York Stock Exchange in the matter of selling shares and stocks and securities. It has a great and useful field of service in those things. I am seeking to draw the distinction between the "professional trader," the "wild speculator," and the bona fide "investor."

The New York Stock Exchange as now operated stands condemned at the bar of public opinion in America. The "gambling features" of that exchange must be destroyed. The failure of Congress at this session to undertake that task would be a serious reflection upon the sincerity and the courage of every Member. The need for action and the opportunity for action are both here. What are we going to do about it? The question is whether we will permit the enterprise and industry of millions of Americans in every walk of life to become objects of prey for those who use the stock exchange to control the price of everything

produced by the people. Shall buying and selling under natural conditions in the market places of the country be restored, where the buyer and seller can both exercise their price-fixing power over the commodity itself, rather than have prices fixed on a speculative exchange through the maneuvers and sharp practices of the idle rich?

Money is the life blood of business; and yet it is admitted that the stock exchange draws vast quantities of money out of the body of American business, weakening and impairing it all the time. They tell us that the law of supply and demand governs prices; and yet any well-informed person will tell you that with money enough you can literally control the price on the stock exchange. So it must be admitted that concentrated wealth in the hands of a few men on a speculative exchange can absolutely control the price of everything.

We must decide whether the buyer shall have a chance to judge the thing itself in the open market, where seller and buyer must agree upon the price, or whether a speculative exchange shall fix the price of everything. We are called upon to decide whether certain citizens of New York State shall continue to operate a stock exchange in New York City that injures legitimate business of every kind in every other State in the Union.

Those who want the exchange, so they can buy the farmers' products at the lowest price possible, have more money to use on a speculative exchange to beat down the price than any other organized group has to advance the price. I want the law of supply and demand to be permitted to operate without deceptive and misleading interferences of any kind. I want to relieve the farmer who has wheat on his farm from competition with the fellow who sells fictitious wheat on the exchange. I want to relieve the farmer who has cotton from competition with the fellow who sells on the exchange, in unlimited quantities, a fictitious stuff called cotton.

Shall our demand for the orderly marketing of farm products upon a profitable basis, the manufacture and sale of goods at remunerative prices, adequate pay to the wage earners of America, and a fair deal for legitimate business of every kind in all the States be abandoned now in order that certain evil practices of the New York Stock Exchange may continue undisturbed?

The fight is on between actual markets where farm products and manufactured goods and wares are bought and sold, and the artificial exchange markets where fictitious values are produced by speculation on imaginary products. Under the latter's deadly operation, business of every kind has suffered because of an artificial market where fictitious values and imaginary commodities have been used to control the money supply of the Nation and dictate prices on everything produced in America. There can be no overproduction of food when millions of people can not get enough to eat. There can be no overproduction of cotton when millions of people are half clad and crying for clothes to wear.

If we had a sufficient amount of money in circulation, and had the stock exchange's artificial interferences with legitimate business removed, we would have prosperity in the United States all the time. [Applause.] Gambling or speculating in unlimited quantities on fictitious stuff on an exchange of any kind is the deadly enemy of legitimate business of every kind.

Mr. President, farmers, merchants, manufacturers, and railroad men in the South and West complain that heavy speculation on the stock exchange in New York City has drawn to the call-loan markets there millions of dollars needed to meet the business requirements of those sections. They declare what we all know is true—that legitimate business is made to suffer in order to promote speculation on the stock exchange. The activities of the stock exchange as carried on to-day are not only harmful but they are destructive to business of every kind.

Not so very long ago Mr. Ralph B. Wilson, of New York, president of the Babson Statistical Organization, in a published statement, said:

> At the peak of the bull market the yield on many issues had been cut to as little as 1 per cent, while the prices of the stock soared to thirty or forty times their earning power.

At the same time Mr. Roger W. Babson, himself decrying some of the investments on the New York Stock Exchange, said:

> They are operated as blind pools and are especially dangerous.

Continuing, he said:

> This situation will not be finally closed until investment trusts and finance companies are compelled to make public statements of their holdings and have their accounts examined, as are the accounts of national banks.

I brought these charges to the attention of the Senate in 1929 at the last regular session of Congress in a Senate resolution which I introduced requesting the lobby investigating committee of the Senate to investigate the New York Stock Exchange and recommend needed remedial legislation, but we could not get favorable action on the matter at that time. Since then the New York Stock Exchange has continued to carry on operations that have been hurtful and destructive to all kinds of legitimate business, and the cry is coming up from men and women in every walk of life urging us to do something now to control in some way the harmful activities of the New York Stock Exchange.

Mr. President, they who dig the mine and fell the oak; they who manufacture goods and sell them; they who transport them over land and sea; and they who produce that which feeds and clothes the world must all wait upon the whim and caprice of those who gamble on the stock exchange.

Time was, when work in the mine; when the sound of hammer and saw; when the growing crop; when healthy labor conditions; the manufacture and sale of goods; and transportation were the paramount things in the business life of America. Then the importance of supplying sufficient money to meet the needs of legitimate business was the chief concern of the Government and the people. But we have fallen upon a time when speculation on the stock exchange has come to be the all-absorbing and all-powerful force in the market places of America. To-day its edicts are felt and feared in every State in the Union and in every community in the country. It wields the power of life and death over business of every kind. It depresses the price of wheat on the grain exchange and beats down the price of cotton on the cotton exchange. It is the producer and spreader of business depression and stagnation among the people of every State. Day after day, through its speculative activities, it draws from among the people millions of dollars that should be left in the States to supply the needs of legitimate business. It has disturbed the hum of industry in thousands of towns and cities. It has driven millions of wage earners into the ranks of the unemployed. It has destroyed the business of thousands of once well-to-do merchants, and closed the doors of many hundreds of banks once prosperous and useful in their communities. It has spread financial distress and want among millions of American farmers, and all but paralyzed the once great farming industry of the United States.

Here we have a great national tragedy—the New York Stock Exchange throwing its giant shadow across the field of every human endeavor in our country and holding at bay all kinds of business. With a fling of the dice American citizens lost more money on the stock exchange in a single day last fall than the entire income from all the farms of the United States in the whole year of 1929. The loss on the New York Stock Exchange for the month of October in 1929 was $50,000,000,000, more than ten times the amount of all the money in circulation in the whole United States.

That exchange has grown so big and powerful that it controls speculation of every kind and dictates the price of farm products in every market in the country. As run to-day the New York Stock Exchange is the Moloch of America, feeding upon the lifeblood of legitimate business of every kind. Its habitat is a sporting place where the idle rich amuse themselves and increase their fortunes in a well-manipulated game of chance. It is at the same time an alluring gambling

hall, where thousands of American men and women lose the earnings of a lifetime in a day. Its demoralizing and depressing influence is found in every avenue of business and felt in every walk of life.

In the wild delirium of unbridled speculation on the New York Stock Exchange its rich devotees gaily play the game and clip their coupons, while unnumbered thousands lose their all and pitifully pass from the picture. What had once seemed to them a gilded palace full of hope and promise has proven itself to be a den of demons and a hall of horrors. Some of its victims are driven to the madhouse and others down to the suicide's grave, leaving behind them wives and children in abject poverty. And these are some of the terrible and sickening fruits of speculation on the New York Stock Exchange.

Mr. President, people engaged in legitimate business all over the country are demanding that Congress do something to put a stop to the wrongful and harmful activities of the New York Stock Exchange. Hundreds of thousands of American men and women who have lost all they had on the New York Stock Exchange are calling on us to either regulate it or abolish it.

The question is: Will Congress act? Will there be courage enough found in this great body of American Senators to tackle this big problem and solve it to the highest and best interests of all concerned?

Mr. President, when the activities of the stock exchange result in financial distress, business depression, and the destruction of human life it is time for Congress to act. Let me read just one of many sad and pathetic notices of deaths that have occurred on account of the operations of the New York Stock Exchange. This one is from California, out on the Pacific slope.

I read from Time Magazine, December 8, 1930:

> Near Santa Monica, Calif., three sisters—Mrs. Ada McKeon, Abba Miller, and Jessie Miller—destitute because of stock-market losses, unable to pay taxes, waded into the Pacific Ocean and drowned themselves.

Mr. President, while some statesmen are indulging in the delightful delusion of nosing around seeking some immaterial and inconsequential something on which to lay the blame for this distressing and disastrous period of depression I want to see a majority of this Senate face the issue squarely and take hold of this giant evil which is doing so much harm amongst the people and sapping the lifeblood of legitimate business in every State in the Union.

Mr. President, President Hoover in his last message to Congress said this:

> The origins of this depression lie to some extent within our own borders through a speculative period which diverted capital and energy into speculation rather than constructive enterprise.

The President has seen the evil and the danger of unbridled speculation on the stock exchange and he is calling our attention to it. I think that stronger language should have been used in dealing with this subject. But the responsibility to legislate on the subject is ours. Here is a question propounded by Mr. John F. Sinclair, of New York, which appeared in the Washington Star on November 26. He asks:

> Has the Federal reserve favored stock speculation as against the business needs of the Nation?

Well, that is a very fair and pertinent inquiry and one that all patriotic Americans are interested in.

Let the Federal Reserve Board answer. Surely this great panic-preventing Federal reserve banking system has not become a partner in crime with the stock-gambling operations of the New York Stock Exchange. It is our business to find out just what great power it is that is enabling the New York Stock Exchange to control every speculative market and every spot market in the United States. The attempt to evade the issue by some reminds me of the old fable about the lion hunter. He asked a farmer if he had seen any lion tracks on his farm. The farmer said, "Yes; the biggest lion in this section is lying under an oak tree up there on top of the hill." The man turned and rode in the other direction, saying, "I am looking for lion tracks." [Laughter.] Senators, if you want to get at the lion himself, beard this New York lion in his den.

Mr. President, we can not have prosperity in the United States with the New York Stock Exchange continuing to operate as it is operating to-day. Legitimate business of every kind withers and dies in its presence just as vegetation dies in the presence of the deadly upas tree. We are told that in the island of Java there grows this deadly upas tree which gives off a deadly odor and exudes from its body a poisonous gum, and that convicts serving a life sentence are given the chance to obtain their freedom by risking their lives on a pilgrimage to the upas tree to procure some of this poisonous gum for their Government.

If the wind blows the poisonous odors in the opposite direction, and blows them that way long enough, some have been known to procure a portion of the gum from the upas tree and escape with their lives. But for a half mile around in every direction the ground is white with the bleached bones of those who perished there. That is true of the New York Stock Exchange. A few succeed, but millions fail.

Mr. President, there has sprung up in the New York Stock Exchange a deadly upas tree. Its poisonous odors have stifled individual enterprise and industry in America and struck down legitimate business in every State in the Union. And the question is, Will the Senate do its duty now and deliver the people of all the States out of the bondage into which they have been thrown by the crafty, avaricious, and tyrannical practices of the New York Stock Exchange?

Mr. President, millions of dollars and sometimes billions of dollars are lost on the New York Stock Exchange in a single day. Think of a billion dollars being lost on the New York Stock Exchange in a day—that is about one-fourth of the amount of money in circulation in the greatest Government in all the world. We have a little more than $4,000,000,000 in circulation. We ought to have $10,000,000,000 in circulation. The greatest economists of the world have held that $1 should be put in circulation for every $25 of national wealth. That would give us $10,000,000,000 in circulation in the United States, and if $10,000,000,000 were in circulation in the United States you would cease to hear of low-priced cotton and low-priced wheat, and cotton goods would go back to a profitable basis, the hum of industry would be heard on every hand, and general prosperity would abound.

There can not be a healthy condition in the great body of American business without sufficient blood to circulate in it, and money, as I have said, is the lifeblood of business. Put $5,000,000,000 more into circulation and stop gambling in margins on the New York Stock Exchange, and good times will quickly return to the United States.

Mr. President, later I shall have more to say upon this subject. I do not understand why some one of the leaders has not already introduced a bill seeking to correct these terrible stock-exchange evils. Of course, the big predatory interests do not want Congress to curtail the activities of the New York Stock Exchange, and unfortunately some public men are slow to tackle a big problem if they think it will hurt them politically. Here is an opportunity for real service to the people of the United States, and the question is, Are we going to show ourselves worthy of the positions we hold and equal to the task that is before us?

Mr. President, there are some mighty good men in the Senate on both sides, and I am hoping that enough of them will see the importance and necessity for legislation regulating the New York Stock Exchange at this session of Congress.

I have shown that the losses on the New York Stock Exchange in a single day were greater than the income from every farm in the United States for a whole year (1929), and the loss in the month of October, 1929, was ten times as much as the amount of money in circulation in the whole United States.

Mr. TRAMMELL. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Florida?

Mr. HEFLIN. I yield.

Mr. TRAMMELL. That enormous decline, which has occurred in the stock market within one day, is not the result of any certain decline in the commercial and business affairs of the country, is it?

Mr. HEFLIN. No.

Mr. TRAMMELL. What is the cause of it?

Mr. HEFLIN. It is the result of a continuation of the drive by organized forces, one side wanting to keep prices up and the other side trying to pull them down.

Mr. TRAMMELL. We have to have some place where trading can be carried on; but as I view the situation we ought to devise some plan whereby we could control at least the bear interests operating on the exchange.

Mr. HEFLIN. I agree with the Senator. They are the destructive forces.

Mr. TRAMMELL. They attack the business of the country when it is already in a more or less weak condition and take advantage of that to try to make money. It is very largely the question of selling short.

As an illustration of short selling, I may refer to something I saw in the Wall Street Journal. I do not know whether the Senator read it last night, but I read in the Wall Street Journal—and the bankers say this, not I—that they have traced a short interest of 20,000,000 shares alone in Auburn automobiles, when as a matter of fact there exist only 185,000 shares in the Auburn automobile, and the bears, in order to break down the market, have sold 20,000,000 shares, and the bankers say they can trace 20,000,000 shares of stock in Auburn automobiles which have been sold short.

Mr. HEFLIN. That is an outrageous thing and ought not to be permitted.

Mr. TRAMMELL. In other words, in this particular stock two hundred and odd shares have been sold for every share that actually exists. I think what we need is something to require delivery within a given time. That would help to check the short selling. Of course, I have no brief for the bull interests. In a way they go to work and inflate prices, but they do it in prosperous times and under prosperous conditions. The bear interests try to take advantage of the misfortunes of everybody to depress the market to a ridiculously low point. To-day many stocks have been beaten down by the professional bears to prices far below their actual value.

Mr. HEFLIN. Mr. President, the Senator from Florida has called attention to the fact that two hundred and odd shares are being sold against one share which actually exists. If any man out in the common walks of life should mortgage something or sell something he did not have in order to obtain money, he would be convicted of obtaining money under false pretenses and would be sent to the penitentiary. But the gamblers of Wall Street can sell millions of stocks and shares that are not in existence and make millions of dollars on such unlawful transactions. Nobody says anything to them. They tell us that the stock exchange is a State institution and therefore Congress can not reach it, and the State will not reach it. We are face to face with the proposition of having to submit to this outrageous business of exercising our own authority, of making the effort, at least, to put an end to this deadly evil.

Every Senator from the cotton-growing States will recall his experience time and time again in picking up the paper in the morning to see what cotton prices did the day before and what wheat did on the western exchanges in the grain-growing section, and reading that "cotton went down $2 a bale yesterday because of the crash on the stock exchange," and that "wheat lost 3 cents a bushel because of the crash on the stock exchange."

In conclusion I want to repeat what I said in the outset, that the stock exchange dominates every market in the country. Every speculative market and every spot market is controlled by it. As a result, nobody is willing to buy or build on a large scale while the stock exchange is playing havoc with all kinds of business in New York City. Something must be done and done at once to put a stop to the harmful activities of the New York Stock Exchange.

The PRESIDENT pro tempore. The bill introduced by the Senator from Alabama will be referred to the Committee on the Judiciary.

THE EMERGENCY LEGISLATION

Mr. SHIPSTEAD. Mr. President, has there been any communication from the White House transmitting the report of the President's Emergency Unemployment Commission in response to the resolution of the Senate adopted some two weeks ago? Is there anything here this morning in the nature of such a report?

The PRESIDENT pro tempore. No message of that character has been received this morning.

Mr. SHIPSTEAD. Mr. President, I hope that the leaders in the cooperative program of both the Republican and Democratic Parties will cooperate with the President in helping him transmit the information to the Senate.

Congress has been in session for three weeks. In those three weeks three bills have been considered in the nature of emergency measures. One provides for loans of $60,000,000 to drought-stricken areas. That is a loan to be repaid by the areas suffering from the drought. Another measure is the public-building program, which consists of the regular building program authorized by preceding prosperity Congresses and the Supervising Architect of the Treasury, with the exception that in this emergency program $11,000,000 has been added. This is not an experiment in charity. It is to provide buildings for the Government so it shall not have to pay exorbitant rentals such as are paid by the Government in Washington. It is true capital investment. The regular building program has been increased by $11,000,000. That can not be considered a raid upon the Treasury. The $80,000,000 proposed for roads is a reimbursable advance to the States.

In all of this program called emergency legislation there is not the possibility of one cent being paid in extra taxes by the taxpayers of the United States unless some of the drought-stricken areas shall be unable to return some of the money loaned them; but past history shows that of all the money that has been loaned by the Federal Government in emergencies, the greatest loss sustained has been 20 per cent; so the only possible raid upon the Treasury under the emergency program in the light of past history could be 20 per cent of the $60,000,000 to be loaned to the drought-stricken areas, or $12,000,000, and we are not sure that the taxpayer will have to stand even that much of a loss. Let me point out to the Senate that out of the entire emergency program the only part of it that can be pointed to as a Federal Government contribution to this great national emergency is the possibility that there may be a total loss of $12,000,000.

The $60,000,000 was incorporated in the Senate bill by the Republican assistant floor leader, the Senator from Oregon [Mr. McNARY], at the request of the Secretary of Agriculture. The Senate passed that bill, the Secretary of Agriculture's own bill. When the Senate passed the bill the President deemed it necessary to issue a statement accusing the Congress of "playing politics at the expense of human misery" by "making raids upon the Treasury." It has taken the Senate a week to deny those charges. The filibuster thus started was continued yesterday in the House by administration Members.

These are the facts relating to emergency legislation in the nearly three weeks Congress has been in session. I want to point out that in this "comedy of errors" there has been more time than "love's labor lost," and certainly there has been "much ado about nothing." I fear we are making a very grave mistake in underestimating the national emergency and the economic depression. The longer we wait the greater will be the emergency and the more we will have to pay.

WELFARE OF MOTHERS AND INFANTS

The Senate resumed the consideration of the bill (S. 255) for the promotion of the health and the welfare of mothers and infants, and for other purposes.

The PRESIDING OFFICER (Mr. FESS in the chair). The pending question is the motion of the Senator from Con-

necticut [Mr. BINGHAM] to recommit the bill to the Committee on Commerce.

Mr. BRATTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	Kendrick	Sheppard
Barkley	Fletcher	King	Shipstead
Bingham	Frazier	La Follette	Shortridge
Black	George	McGill	Simmons
Blaine	Gillett	McKellar	Smith
Blease	Glass	McMaster	Smoot
Bratton	Glenn	McNary	Steiwer
Brock	Goff	Metcalf	Stephens
Brookhart	Goldsborough	Morrow	Thomas, Idaho
Broussard	Gould	Moses	Thomas, Okla.
Bulkley	Hale	Norbeck	Townsend
Capper	Harris	Norris	Trammell
Caraway	Harrison	Nye	Tydings
Carey	Hastings	Oddie	Vandenberg
Connally	Hatfield	Patterson	Wagner
Copeland	Hawes	Phipps	Walsh, Mass.
Couzens	Hayden	Pine	Watson
Cuttings	Hebert	Pittman	Wheeler
Dale	Heflin	Ransdell	Williamson
Davis	Howell	Reed	
Deneen	Johnson	Robinson, Ark.	
Dill	Jones	Robinson, Ind.	

The PRESIDING OFFICER. Eighty-five Senators having answered to their names, a quorum is present.

MODERNIZATION OF BATTLESHIPS

Mr. KING. Mr. President, yesterday the senior Senator from Virginia [Mr. SWANSON] called attention to a motion to reconsider, which is now pending, relating to Senate bill 4750, providing for the appropriation of $30,000,000 for the reconditioning of three battleships.

I indicated to the Senator on yesterday when he desired to take up the motion that I should join with him in bringing it to the attention of the Senate as soon as possible, and I also stated, as I recall, that I would ask to have the motion considered to-day. I regret to learn that the Senator from Virginia is not here. In his absence, of course, it would be highly improper for me to invite the attention of the Senate to the motion. I want the RECORD to show, however, that those who desire to speak in opposition to the bill and in support of the motion to reconsider are here in attendance and ready to take the matter up at any time which will suit the convenience and pleasure of the Senator from Virginia.

Mr. MCNARY. The Senator from Maine [Mr. HALE] spoke to me about the motion to reconsider this morning. Does the Senator from Utah desire to take the motion up to-morrow during the morning hour?

Mr. KING. Whenever it will suit the convenience and pleasure of the Senator from Virginia I shall be ready to have the motion to reconsider taken up. The Senator from Virginia is very anxious, but I am in no hurry, I will say very frankly, to take the matter up. I should be very glad to see the bill go over for the session; but, acting in good faith and in accordance with my promise to the Senator from Virginia, I shall feel constrained whenever he is here and desires to take it up to ask the Senate to permit that to be done.

AFFAIRS IN CUBA

Mr. WALSH of Massachusetts. Mr. President, before speaking to the measure under consideration, I want to call the attention of the Senate to another matter. I refer to the situation in Cuba. I have refrained from discussing various aspects of this question because of the pressing character of our economic questions here at home, but something has happened within the last day or two that compels me to request that a document in the nature of a petition be received and to ask to have it referred to the Committee on Foreign Relations. Before submitting that document I wish to have read at the desk a leading editorial on the front page of the Habana American of the issue of Friday, December 12. The Habana American is one of the few, if not the only, certainly it is the leading American newspaper in Habana. In view of the strict censorship now being maintained in Cuba, I think this editorial is of great importance, as it indicates from a very conservative source the latest picture of conditions in Cuba. We have been unable to get accurate accounts of conditions and therefore reports have been conflicting. I think this editorial will be enlightening to the Senate and to the country. I ask that it may be read at the desk.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The legislative clerk read as follows:

BACK IN THE OPEN

Habana, and also all of Cuba, is again under martial law.

Of course, Habana has already experienced 18 days of martial law, and except for the death of about 8 persons and hospitalization of some 75 more, and the practical paralyzation of commerce and industry the Cuban capital came out none the worse for it.

But this is the first experience that all of Cuba will have under a suspension of the guaranties since General Machado assumed the reins of government.

It is true that each Province has long had its military commander and its quota of armed forces, and for several weeks have enjoyed the extra luxury of provincial military supervisors who have under their direct command or through municipal supervisors all the police forces of the country.

Cuba, being situated as it is, far removed from any possible complications with a foreign power, is well protected and armed. The standing army and navy comprise a personnel of some 12,000 men, while the Habana police force alone is about 4,000 strong. Adding the provincial, judicial, secret, and the various police forces of the municipalities, the nation is represented by a well-equipped and splendidly armed force of near 30,000 men.

As a matter of fact, the suspension of the constitutional guaranties leaves Cuba in practically the same position it was before. To all practical purposes it has been under martial law since the middle of October, but it will probably be more consoling to the people themselves to know that the Government has at last come out in the open.

Hope for a tourist business this winter disappeared with the signing of the decree yesterday at noon by President Machado suspending the guaranties. Most probably a few thousand fearless and venturesome Americans will come to Habana during the season, but the many thousands which would have come could the President have found another way to solve the predicament into which the country has been thrown by the economic depression and political disorders will go to other climes.

It seems to be a case of the survival of the strongest, and at this writing President Machado certainly has the force with him. What the end will be is a question that can only be answered with the events.

The funds in the national treasury are low; large payments in interest and amortization on the bonded debt must be met soon; salaries of Government employees may not be paid, and commerce and industry, already at a practical standstill, will become stagnant or die.

We would like to belittle the importance of the action of the President, but it is too important, its baneful effects will be too apparent and too far-reaching not to give the signing of the decree suspending the constitutional guaranties that paramount importance that rightfully belongs to the act.

There may not be disorders, and there may be bloodshed and revolution.

The President himself has declared that a state of war exists in Cuba and that the citizens and residents of Cuba are no longer entitled to the full right provided and guaranteed to them in the country's constitution.

Cuba is now under a military dictatorship and President Machado has named himself dictator, and done this through the almost unanimous consent of the Cuban Senate and the Cuban House of Representatives.

We don't believe that martial law will bring or in any way restore prosperity nor tranquillity to Cuba nor to the Cuban people.

There was another road, one that has been suggested in many quarters. President Machado might have tendered his resignation; this would have at least brought about a temporary tranquilizing political effect whatever the ultimate result might have been.

But the President took the course that appeared best to him. He may be right; time will tell; but we believe that he has acted unwisely and diametrically contrary to the good of the country and its people.

Whether the constitutional guaranties will remain suspended for the full 60 days depends on coming events.

Vox populi, vox Dei.

Mr. WALSH of Massachusetts. Mr. President, I had that editorial read preliminary to what I am about to present. I thought the editorial presents a very dispassionate account of the present situation in Cuba.

This morning there was presented to me a document, written in Spanish but which has been translated, signed by a large number of the leading educated women, some of them professional women, of Habana and of other localities in Cuba. The signers of this document, which is described as a manifesto, are referred to by those who know them, as follows:

Among the signers are the most prominent women in Cuba. Some of them are professional women, such as doctors and lawyers; others are daughters and nieces of Cuba's great patriot, Maximo Gomes, a leader in the revolution against the Spanish régime. The prominent leadership of these women can not be challenged by even the Cuban ambassador. They can not be branded as communists or irresponsibles, because they have always advocated a constitutional and lawful government contemplated by and provided for in the Cuban constitution of 1901.

Accompanying the statement of grievances set out in this manifesto by the women of Cuba is another memorandum which I should like to read:

A copy of this manifesto was found to-day—

This was two days ago—

by one of the Government's spies, as a result of which all these ladies are now being arrested and sent to jail.

In view of that information, and assuming no responsibility for the allegations in the manifesto, I am asking permission to present it, have it treated as a private document, as if in executive session, and referred to the Committee on Foreign Relations, and to be treated in the nature of a petition. I submit it to that committee for their consideration.

Mr. JONES. Mr. President, I do not know whether the Senator's request is contrary to the rules of the Senate or not, but I am rather inclined to think it is.

Mr. WALSH of Massachusetts. I should be glad to have the Senator call my attention to the rule.

Mr. JONES. On page 12 of the manual, under Rule VII, paragraph 5, after referring to petitions, and so forth, this language is found:

But no petition or memorial or other paper signed by citizens or subjects of a foreign power shall be received unless the same be transmitted to the Senate by the President.

Mr. WALSH of Massachusetts. I think the Senator may be correct. I appreciate his calling my attention to that rule, so I will withhold for the present the manifesto; but I will, as an American Senator, take the responsibility of asking the Committee on Foreign Relations to give consideration to what I have stated here upon the floor of the Senate, and to inquire into whether or not our contractual relations with Cuba, as set forth in the Platt amendment, are operating to the destruction of personal liberty and the security of life in Cuba.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Utah?

Mr. WALSH of Massachusetts. I yield to the Senator from Utah.

Mr. KING. The rule which the Senator from Washington has just invoked was called to the attention of the Senate a number of years ago, when there was being presented in the Senate a statement coming from Haitian sources and critical of conditions then existing and of the part played by the United States in maintaining, as was claimed, a tyrannous government by the use of military force. Objection was made to the presentation of the statement because it came from citizens of a foreign country. The question was briefly considered and the position taken by myself—and perhaps by others—that, notwithstanding the fact that Haiti was a foreign country, it and the Haitian people were dominated by the United States, whose representatives were there and were supported by American bayonets.

There was no question but that Haiti was controlled by the United States, though the fiction was preserved by our Government that it was a free and independent nation. It seemed to me, as it seemed to others, that it was absurd to claim that the United States could invade a foreign country with its military forces, oust its governmental authority and set up a political organization controlled by the United States and maintained by American bayonets, and then contend that the people of such country could not present their grievances to the Senate and make known to it their protests against what they contended to be an unjust and alien rule.

There is an analogy to be drawn between that situation and the case now presented. The Platt amendment, in one form or another, and perhaps in an indefinite way, links Cuba to the United States. Under the Platt amendment our Government has intervened in Cuba and contended that it had the right to interfere in Cuban affairs under certain circumstances. Personally, I should be glad if the Platt amendment were repealed and Cuba given absolute independence. It will be claimed, of course, that Cuba is an absolutely free and sovereign State; however, as I have stated, the Platt amendment as interpreted reserves to the United States certain rights which may affect, or possibly limit the sovereignty of Cuba. In view of the relations between the United States and Cuba growing out of the Platt amendment, it would seem that for the purpose of presenting complaints and petitions because of alleged wrongs, citizens of Cuba should not be treated by the Senate as beyond the pale of its consideration.

Mr. WALSH of Massachusetts. I will say to the Senator that that is the very issue raised in the manifesto. The Senator has touched upon the vital issue involved. The petition of these women is based upon a belief that the policy of the United States is tending to perpetuate a despotic and tyrannical government in Cuba; so it would seem to have particular importance and relationship to the jurisdiction of the Foreign Relations Committee of the Senate.

Mr. KING. I concede that if it were not for the Platt amendment the rule could be invoked with propriety; but it seems to me that the claims made by the United States under the Platt amendment give to the situation a significance that makes the rule invoked inapplicable.

Mr. WALSH of Massachusetts. I have said enough to call public attention to the present situation.

Mr. JONES. Mr. President, I merely want to say that it occurred to me that the condition the Senator described as existing in Haiti is entirely different from that in Cuba. I do think some question might possibly be raised over the Platt amendment; but I think the course the Senator suggests he will take is the wiser course under the circumstances.

Mr. WALSH of Massachusetts. I appreciate the delicacy of the situation. That is why I have not discussed the question earlier, though I visited Cuba in the early fall, and had a chance to observe at first hand the conditions there, but up to the present time I have refrained from speaking concerning it in the Senate. I do not care to say or do anything that would contribute in any way to making conditions worse for the Cuban people. I did feel, though, when my attention was called to the fact that these cultured, patriotic women were being imprisoned because they circulated a manifesto seeking to restore a fair measure of personal liberty and freedom in their country, that I ought to call public attention to it, and say to the Committee on Foreign Relations that I think now a situation has arisen where we can not much longer remain silent.

The PRESIDING OFFICER. The Senator withdraws his request?

Mr. WALSH of Massachusetts. For the present.

Mr. VANDENBERG. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Michigan?

Mr. WALSH of Massachusetts. I do.

Mr. VANDENBERG. Inasmuch as the Senator is asking for an inquiry by the Foreign Relations Committee, at least unofficially, I want to suggest to him that one of the great perplexities the committee finds is a definition of its right of contact with foreign governments to make an inquiry of this nature. I am wondering what the Senator's view is respecting the relative right of the Senate through one of its agencies and the relative right of the State Department primarily to make a contact of this nature.

Mr. WALSH of Massachusetts. If we were dealing with any other country than Cuba, I should have no differences with the Senator. Our relationship with Cuba is different from our relationship with any other country in the world. In the first place, we compel the Government of Cuba to

submit for our approval all its financial loans. No such condition is attached to our relationship with any other country in the world. In the second place, in our treaty giving the Cuban people their freedom we reserved the right to intervene in the event of the Government of Cuba being unable to maintain protection to life, property, and liberty.

The Cuban people construe the Platt amendment and those terms and conditions to impose upon us a responsibility. Apparently the American Government is taking the position that we have no responsibility. Therefore I have reached the conclusion, as the Senator from Utah has, that we ought not to be holding up to the people of Cuba that we propose to do something that we never intend to do, and that we ought to repeal the Platt amendment and let these people go to borrow money where they choose, maintain the kind of government they choose, have tyrants if they desire, have illegal elections if they choose; it is none of our business. But with the Platt amendment, and with the power to control the public purse, many of the people of Cuba feel that we can not fold our arms and permit them to be the victims of a tyrannical form of government; and especially do they feel that our very attitude, in view of the Platt amendment, indirectly gives support and comfort to those whom they accuse of being despotic and tyrannical in their government of the people of Cuba.

I would agree with the Senator if it were not for the unusual and exceptional relationships that exist, by reason of the Platt amendment, between our country and Cuba.

Mr. President, I do not care to prolong the discussion. I refer to it at this time only because of the fact that it has been very difficult to get a correct picture of conditions in Cuba; and I am very much impressed with the editorial, because I can visualize the circumstances under which it was written and can observe the great amount of courage that the writer of the editorial exercised in giving voice to the sentiments expressed therein. Then I was moved out of deep sympathy and pity at the suggestion that the good women of Cuba who have raised their voice against tyranny and oppression and are crying out for the enjoyment of that which we promised them—liberty—were being incarcerated, sent to jail, merely for petitioning or setting forth their grievances.

I sincerely hope that the Committee on Foreign Relations will study the situation. I know some of them have already been giving thought to it, and I hope they will determine just what our obligation is in the premises. Let us say to the people of Cuba that we have no special concern and no direct interest in their welfare; or, if we find that the Platt amendment does place an obligation upon us, let us state what that obligation is, definitely and immediately.

Mr. VANDENBERG. Mr. President, before the Senator leaves the subject, may I clarify my question to this extent?

I am not quarreling at all with the Senator's viewpoint respecting the merits of the issue.

Mr. WALSH of Massachusetts. I understand.

Mr. VANDENBERG. I happen to be chairman of a subcommittee of the Foreign Relations Committee which has had a Venezuelan protest before it for many months. I have been unable to find any authority by which the Senate, through one of its agencies, could proceed to make the essential contact to get the necessary information. I think the Senator makes a fair point when he insists that the Platt amendment creates an extra relationship which possibly changes the entire responsibility.

Mr. WALSH of Massachusetts. There is no comparison between Venezuela and Cuba. We do not have anything to do with the fiscal affairs of Venezuela. We have no contract with them under which we reserve to ourselves the right to intervene under certain conditions. There is no comparison whatever. Cuba, however, is in an unusual and exceptional situation. We have or we have not an obligation. The Platt amendment means something or it means nothing. Apparently—and I do not say this in any critical way—apparently it is thought to mean nothing so far as preserving what I think we ought to preserve basically, honest elections.

I do not think there can be any guaranty that people are free where there is not the opportunity to have an honest election. I do not believe we ought to choose between tyrants or corrupt governments in Cuba, or take any sides with them; but I do think that while we are holding on to the purse of the people of Cuba and passing judgment upon every fiscal obligation that that country incurs in the way of loans outside of its own domain, we ought under those circumstances to see to it that honest elections are conducted there. It seems to me that is primary.

Mr. KING. Mr. President——

Mr. WALSH of Massachusetts. I yield to the Senator.

Mr. KING. May I say in addition to what has been so well stated by the Senator from Massachusetts that the Cuban situation is sui generis. It is so different from any other that it would seem that the Senate's right to ascertain the facts concerning conditions in Cuba from sources other than the State Department would be unquestioned.

The Senator from Michigan will recall that the United States intervened in Cuba and sent military forces at great expense to establish peace. This action was taken because of what was claimed to be definite obligations resting upon the United States. However, the situation called for action by Congress, and large appropriations were made by Congress to meet the expenses of the military expedition. No one questions the right of the executive department to deal with our foreign affairs, and no one would interfere with the legitimate exercise of such authority. That does not mean, however, that Congress may not take cognizance of situations and conditions which may directly or indirectly affect the United States, and particularly where it is claimed that there is an obligation upon the part of the United States to take cognizance of conditions which may require affirmative action upon its part. It may also be said that the interpretation placed by some upon the Platt amendment would require the United States to keep a vigilant watch upon Cuban affairs to prevent any revolutionary movement, even though its aim was to secure constitutional government and the liberty which belongs to a free people. I think I speak accurately when I say that efforts are made by some persons to create the impression in Cuba that the United States is giving moral support to the Machado régime and that any revolutionary movement will bring upon the Cuban people the powerful hand of the United States.

I feel sure that the people of the United States desire that the Cuban people shall have peace and enjoy a high degree of prosperity. Cuba is our closest neighbor and it is to the best interests of both countries that there shall be the most cordial relations between them. However, Cuba belongs to the Cuban people and they have the right to determine their own form of government and to control their own internal and domestic affairs. If a situation develops such as indicated in the editorial from the Habana paper which has just been read, and if the people of Cuba feel constrained to adopt a course contrary to the administration in power in their own country, that is their business and not ours.

Mr. WALSH of Massachusetts. Mr. President, I appreciate the amplification of my views by the Senator from Utah, and I am in full accord with the sentiments expressed by him. I feel that this is a subject which we ought to have a right to discuss in the Senate, and we should not have to wait until bloodshed and destruction of all vestige of liberty in Cuba is eliminated or until any mistaken policy upon the part of our Government might involve us in the expenditure of very large sums of money, and necessitate our intervention, which I am sure the Senator from Utah does not desire and which I do not desire.

Now, Mr. President I wish to proceed for a brief time to discuss another subject, the pending bill.

WELFARE OF MOTHERS AND INFANTS

The Senate resumed the consideration of the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

Mr. WALSH of Massachusetts. Mr. President, the Legislature of Massachusetts was one of the first of the legisla-

tive bodies of this country to refuse to accept the provisions of law which the pending bill seeks to perpetuate.

Its opposition was and is not based upon antagonism to giving of aid to needy mothers at time of childbirth and the subsequent immediate care of their infants.

Its opposition is based on the ground that this measure and governmental activity is an intrusion of the Federal Government with matters distinctly local, which can be handled far more satisfactorily and at less expense by the States, counties, and municipalities. Very briefly, that is the position of the Commonwealth of Massachusetts, which I have the honor in part to represent here.

So strongly did the State feel about this legislation that the legislature asked—after the enactment of the original act—the attorney general of the Commonwealth to render an opinion upon the constitutionality of the law. That opinion was written by Attorney General Allen, and he, after painstaking research of the law, declared that in his judgment the law was unconstitutional.

Later the State brought a suit in the United States Supreme Court seeking to have the law declared unconstitutional. The United States Supreme Court dismissed the suit, holding it had not jurisdiction, and declining to pass upon the question of the constitutionality of the law.

The Medical Society of the State of Massachusetts has unanimously recorded itself as in opposition to this legislation.

The Sentinels of the Republic, an organization of some 10,000 men and women throughout the country, have gone on record as opposed to this legislation. The Sentinels of the Republic are advocating the preservation of State rights, and have declared warfare against the growing tendency of the Federal Government to usurp the rights of the several States. So upon this question they have declared that this work is a State function, and that it should not be directed, controlled, or aided by the Federal Government.

Mr. President, I am not going to take the time to argue the various aspects of this question which might be argued, and which have already been fully discussed, but I am going to read extracts which in a very pithy way set forth all that can be said in opposition to the measure.

I first read from the Constitutional Liberty League of Massachusetts. Their statement is as follows:

CONSTITUTIONAL LIBERTY LEAGUE OF MASSACHUSETTS

As drafted and presented we suppose this bill to be in contravention of the constitutional principles of our Government.

It would constitute an improper and unjust infringement of the rights of the several States to govern themselves and their people.

It would set a very bad and dangerous precedent for the introduction of all kinds of miscellaneous new features of government.

It would multiply departments and offices, involving very considerable, and, as we believe, practically useless expense. It would certainly strengthen the present deplorable tendency of our people toward bureaucracy; and we are convinced that this tendency should be promptly checked lest our people become bureau crazy.

The next statement I wish to have placed in the RECORD is a statement issued by the Massachusetts Medical Society, prepared by Dr. Alfred H. Quessy. It is as follows:

MASSACHUSETTS MEDICAL SOCIETY, N. W.

Dr. Alfred H. Quessy

Physicians oppose maternity legislation, State or national:

Because such legislation is unnecessary and superfluous. It is not really a health measure as it is claimed, but is essentially socialistic in tendency as it is in Germany and elsewhere, and we don't want socialism parading in this Nation under the guise of health measures.

Because maternity legislation and its accompanying bills are in error, are exaggerated, and are based upon assumptions which are fundamentally wrong.

Because they point to the wrong cause and the wrong remedy for maternal and infant mortality.

Because they are a direct attempt to give autocratic power to the department of health in each State where advisory power alone should prevail.

Because they are an entering wedge to State or national control of the practice of medicine.

Because they are an invasion on the realm of private rights, personal liberties, and constitutional safeguards.

The Massachusetts Civic Alliance issued a statement, which is as follows:

MASSACHUSETTS CIVIC ALLIANCE

Eben W. Burnstead, Secretary

This society is opposed to State care of maternity. The infant mortality in the United States is not high. We believe that a change of this system that we now have from private to public control will not give you any less infant mortality, but it would tend to a greater infant mortality, because you will have a system that has not worked efficiently in other matters to take the place of a system that has made America what she is.

The next statement I would like to have inserted in the RECORD is from the Citizens' Medical Reference Bureau. It is as follows:

CITIZENS' MEDICAL REFERENCE BUREAU

The Sheppard-Towner bill would serve as an entering wedge for numerous other measures centralizing public-health work and costing hundreds of millions of dollars annually.

It would mean sending out propaganda for making various fads and fashions in medicine compulsory, thereby stirring up further unrest among the people.

Public-health work is chiefly a local and State problem.

The Federal State-aid plan is economically unsound.

Statistics offered are misleading, there being no assurance that any benefits would be derived.

To call this a women's bill would stamp it as class legislation. Opposition among both sexes is overwhelming.

The next statement is from the Illinois State Medical Society. Their statement is as follows:

ILLINOIS STATE MEDICAL SOCIETY

The Sheppard-Towner bill deals with problems 95 per cent medical—hence medical, not lay, supervision is demanded.

The maternity question is a matter for State and local authorities. It is highly improper for the Federal Government to usurp legitimate activities of the States.

The Sheppard-Towner bill is a mixture of paternalism, socialism, State medicine, and sentimental politics. It means unfair, unequal, and greater tax burdens.

The political machine thus created will menace the efficiency of the health activities of every State.

The Children's Bureau is given dangerous power.

Federal health activities should be directed by the United States Public Health Service, not by a lay bureau.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Kentucky?

Mr. WALSH of Massachusetts. I yield.

Mr. BARKLEY. What was the name of the organization which issued the statement last read by the Senator?

Mr. WALSH of Massachusets. The Illinois State Medical Society.

Mr. BARKLEY. Is the Senator able to advise us whether these various organizations which complain against this legislation on the ground that it is Federal and that it infringes the rights of the States have favored or opposed the same sort of legislation when attempted in the States?

Mr. WALSH of Massachusetts. I do not know as to that. I would judge from one of the communications that they oppose such legislation, in one instance, at least. I do know, though, that in most these States—in fact, all of the States which did not accept the provisions of the Sheppard-Towner Act—they have independent health activities taking care of this public activity.

Mr. BARKLEY. My question is prompted by the fact that, without any reference to these opponents from whom the Senator is reading, many of those who habitually oppose legislation by the National Government of a social or welfare nature on the ground that the activity ought to be engaged in by the States likewise, and with equal vigor oppose similar legislation when it is attempted in the States.

Mr. WALSH of Massachusetts. I think the Senator may be correct, and it is possible that some medical societies are opposed even to State activities along this line.

Mr. President, I might say to the Senator that I do not know of any public question where there has been such unanimity of opposition in my State as to this particular measure. The position the State took on the child-labor amendment to the Federal Constitution is well known. It was the first State most emphatically, I think, by a referendum vote of nearly 3 to 1, to repudiate the child-labor amendment; yet Massachusetts has the best laws of any

State in the Union for the protection of children engaged in factory or other work. There is a very deep and growing feeling, which is gaining headway constantly, that the States should not be interfered with by the Federal Government in the working out of their own social welfare and educational problems. The sentiment of my State is very strongly against the cooperative plan in the management of State activities, such as health and education.

The United States Public Health Service, through Dr. Hugh S. Cumming, Surgeon General, is quoted as expressing the following sentiments:

UNITED STATES PUBLIC HEALTH SERVICE

H. S. Cumming, Surgeon General

The Public Health Service believes that the most important factor in conserving the health of the people is the development in local communities of a sense of responsibility for their own health conditions to the point where they are willing to finance and support adequate local health organizations.

The most effective work in the protection of maternal and child life will be done by such local health organizations as a part of the general-health program for the protection of the health of the people in that community.

Rather than create additional medical agencies, the fullest utilization should be made of the medical and sanitary personnel of the Public Health Service; and

Instead of giving the health problem of the country fractional treatment, the aim of the bill should be to support a general-health program of which, of course, the protection of maternal and child life would be an important part.

Mr. President, in addition to the statement which I have just read I should like to have placed in the RECORD a copy of the letter sent by the Sentinels of the Republic to President Hoover on June 15, 1930.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter is as follows:

SENTINELS OF THE REPUBLIC,
Washington, D. C., June 17, 1930.

Senator DAVID I. WALSH,
Senate Office Building, Washington, D. C.

DEAR SENATOR WALSH: Thinking it may be of interest in connection with S. 255, we are inclosing copy of letter sent to the President by our vice president.

As you will see this letter was sent as a protest against what we considered as misleading statements in the petition presented to the President in favor of this bill by certain women's organizations.

Very truly yours,

SENTINELS OF THE REPUBLIC,
H. G. TORBERT, *Executive Secretary.*

[Inclosure]

WASHINGTON, D. C., *June 15, 1930.*

His Excellency the PRESIDENT OF THE UNITED STATES,
Washington, D. C.

SIR: Inasmuch as representatives of certain women's organizations have seen fit to lay before you a petition, urging you to support a program calling for immediate enactment of legislation to renew the provisions of the defunct maternity act, I take the liberty, on behalf of the Sentinels of the Republic, of inviting your attention to certain pertinent considerations that should aid in determining the proper course to be pursued in this matter.

While in most instances condemnation of the adversary advocate is a poor argument, in cases such as the present, where the obvious purpose is to give an impression of overwhelming strength and to exert influence through a show of force rather than by an appeal to sound judgment, the character of the representatives, and their representations should be considered.

The petitioners describe themselves as the representatives of 13 national women's organizations and thereby give the impression of great numerical strength—an important factor if there actually great numerical strength and the petitioners actually represented the intelligent deliberations of a substantial proportion of the population. An investigation will disclose that there is considerable overlapping in the memberships of the organizations allegedly represented and, in fact, that there is considerable identity of membership.

The petition alleges that the work of the Children's Bureau in the administration of the maternity act "has received the approval of social workers, health officers, physicians, and other technical experts," and that the "evidence in favor of a renewal of the program has been overwhelming, both from the point of view of popular interest and on the basis of technical appraisals of the work done."

In connection with the representations referred to in the last preceding paragraph, it is only fair that you should be advised that, outside of a small group of what might charitably be described as professional legislative welfarers, those who have placed their stamp of approval on the work of the Children's Bureau, have given evidence in favor of renewal of the maternity act program, and have made favorable technical appraisals of the work done, are mostly persons connected with the Children's Bureau or State and local officials and attachés whose emoluments and prestige have been enhanced through the 50–50 appropriations from the Federal Treasury, the inevitable pay-roll clique that is ever ready to indulge in self-praise in the promotion of self-interest.

The members of the organization for which I speak at this time are at least as sincerely interested in the welfare of mothers and children as are the proponents of Federal legislation on those subjects. Furthermore, members of this organization are not only desirous that the lives of mothers and babies be saved but that those lives shall be lived fruitfully as American citizens under American principles of government, which, as has been proven by experience, provide the best-known guaranties of opportunity for individual advancement toward happiness and prosperity.

The maternity act and similar Federal legislative measures are un-American and are violative not only of the provisions of the Constitution but also of the great principle of individual, family, and community responsibility upon which the expressed provisions of the Constitution are founded and which are customarily described in the phrase "local self-government," that inestimable heritage of the American people.

Such Federal legislation serves to inject the Federal Government into fields of endeavor where the powers and responsibilities of the States and local communities are, under the American theory of government, exclusive. Through control of the purse strings, Federal bureaucrats, acting in the name and on behalf of the Federal Government, exercise powers that the Federal Government does not and ought not possess. Such Federal control, or even participation, serves to deaden the sense of responsibility of the States, local communities, and individuals, and gradually to reduce those once self-reliant, self-governing elements of the Nation to a state of dependency.

The hysterical demands for a revival of the maternity act program furnish the best evidence of some of the outstanding vices of this sort of legislative interference in local affairs.

Among the claims made for the act, when first projected, was that it would "stimulate" the States to undertake and develop activities contemplated under the provisions of the act. After eight years of such "stimulation" what do we find? We find the proponents of the measure now crying out that the States can not or will not efficiently carry on the work without further and continued "stimulation" from the Federal Treasury. This merely demonstrates the fact that, like all others who have come to rely upon periodical administration of drugs or other stimulants, the States have become "stimulant" addicts. The only known cure for stimulant addiction is the discontinuance of stimulants. That cure should be administered to the States in this instance. Their sense of responsibility and their strength to discharge that responsibility can not be rehabilitated by continuing the doses that brought about the disease.

Another fact that the demand demonstrates is that when once the Federal Government is launched upon a supposedly temporary program of intermeddling in local affairs it is almost impossible to prevent its activities from being permanently continued. A Federal bureau is loath to relinquish its grasp upon power, prestige, and perquisites flowing from the control of appropriations once committed to its charge, and such a bureau at once becomes an instrumentality of propaganda looking to the continuance and enhancement of its power, devoting considerable of its energies to the task of self-perpetuation rather than the task delegated to it.

Instead of there being an overwhelming demand for the reenactment of the maternity act or similar legislation, on the contrary there is strong opposition to it among those who are best able to judge of the practical effect of the activities of the Children's Bureau and its associates in the work carried on under the act. Among such opponents are found the American Medical Association, leading obstetr.cians and other reputable physicians, the United States Public Health Service, as well as leaders in the field of practical and effective maternity and infancy welfare work, such as Mrs. William Lowell Putnam and others. In fact, some of the original supporters of the act have, in the face of observation and experience, recanted and now oppose revival of the act.

So far there has been no evidence that the bureaucrats in the Federal Children's Bureau or those associated with them locally throughout the country have actually accomplished any beneficial results under the act. It is true there has been a gradual decrease in the rate of deaths among mothers and infants. This decrease has come about during a period of advance knowledge and of unprecedented nation-wide prosperity, with a corresponding rise in the general standards of living, and with unmeasured advances in the means and facilities for transportation and for dissemination of information. Undoubtedly, also, benevolences of nature have contributed something toward the desirable decrease in the death rates.

It is as ridiculous to credit the maternity act and the Children's Bureau with these decreases, and it would be unfair to blame that act and that bureau for the material increases in the death rates of mothers and infants in the year 1928 over the year 1927. In this connection it might well be pointed out that in two States—Kentucky and Virginia—whose health officers have been among the most vociferous and extravagant acclaimers of the maternity act and the Federal Children's Bureau, there were violent increases in the maternal and infant mortality rates in 1928 as compared with 1927. In Kentucky the infant-mortality rate rose from 61 in 1927 to 71 in 1928, while the maternal-mortality rate rose from 49 to 60. In Virginia the infant-mortality rate rose from 75 in 1927 to 76 in 1928, and the maternal-mortality rate

rose from 62 to 75. Throughout the entire birth-registration area the infant-mortality rate rose from 65 in 1927 to 68 in 1928, while the maternal-mortality rate rose from 65 to 69. All this occurred while the maternity act was in full force and effect and long after the experimental stage of its operation had been passed.

Even if such legislation as the maternity act were constitutional, the only theory upon which it could be justified would be that the respective States have not the intellectual, moral, and financial resources to care for their purely local problems. As yet there is no State that has reached that degraded condition, and the only threat of such degradation in the future lies in the continuance of the Federal policy of purchasing or otherwise usurping the power to intermeddle in purely local affairs.

For the foregoing reasons the Sentinels of the Republic respectfully urge that you not only decline to lend your support to any program looking to a revival of the maternity act, but that you exert the tremendous influence of your high office toward the restoration in practice of the principles of American government, whereunder responsibility is coincident only with power, and that as the Federal Executive you insist that the States shall resume their responsibilities and discharge them without Federal aid or interference.

Respectfully,

SENTINELS OF THE REPUBLIC,
By FRANK L. PECKHAM,
Vice President.

Mr. WALSH of Massachusetts. I would also like to have inserted in the RECORD several other letters upon this subject.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letters are as follows:

BOSTON, *December 10, 1930.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SENATOR: I notice that the Senate is debating the maternity act. Maybe it has already passed the Senate, as the committee declined to give any hearings. This act originally passed years ago for five years, extended for two more, and finally died in the summer of 1929, as the Senate refused to extend the time, although Miss Grace Abbott, head of the Children's Bureau, and all her lobby did everything possible to get the act renewed. The original expenditure of $25,000 per year had, before the end of the period, been increased to over $1,000,000 per year. Massachusetts never acted under the act, but most of the States on a 50-50 plan did get some money out of the Federal Government.

Grace Abbott was the real head of the movement for the child labor amendment, which everybody, including Calvin Coolidge, thought was a good thing until it was actually submitted to the people of Massachusetts when you recollect it was defeated 3 to 1 and that amendment died; but Grace Abbott and her bureau have never given up the idea of having control of all persons under 18 years of age, and she has built up a very substantial bureau under the guise of a social-welfare service, but really, as I believe, has the same ideas that govern the Soviet Russian Government, of centralizing all power and controlling all persons under 18 years of age.

In the fall of 1929 I was asked to talk to the National Coal Association in Cincinnati, and I am inclosing herewith what I said. It will not take more than five minutes to read it. The talk was not an address. It was not prepared.

I expected to be in Washington before now, but I have had nothing special to go for and have not been down for a long time.

This letter requires no answer. I am simply writing to get the subject off my chest.

Yours very sincerely,

W. H. COOLIDGE.

[Extract from speech]

Take the maternity act. The Children's Bureau wanted to handle babies. They even started to get out an order that as soon as a woman became pregnant she must send her name to Washington in order that the Children's Bureau might send one of their social workers to tell her how to conduct herself. Then they tried to put through a so-called child-labor amendment. That would have given the Children's Bureau control over all persons under 18 years of age. What you eat, what you drink, what you must not drink are all now determined from Washington. The bureaus pass their rules and regulations and the statutes say that their rules and regulations have the authority of law.

It seems to me that the thing that is of more importance than any other, that the real issue of this country—we may not see it perhaps—the real issue that must be decided in this country is whether the Government, the officeholders, shall run the people, or the Government shall be controlled by the people.

Paraphrasing Shakespeare, "Upon what meat do these, our Cæsars, feed that they have grown so great?"

BOSTON, MASS., *December 6, 1930.*

Hon. DAVID I. WALSH,
United States Senate:

On November 14 Sentinels sent to Senator JOHNSON telegram as follows: Executive committee of Sentinels of the Republic in session in New York City November 14 earnestly protest against refusal of Committee on Commerce to give public hearings on Jones maternity and infancy bill (S. 255) and demand that bill be recommitted. Copies of this telegram were recently sent to all Senators. Am informed bill has been made unfinished business for Monday in Senate. May I ask these questions: First, can telegram to Senator JOHNSON be inserted in CONGRESSIONAL RECORD; second, can anything be done to postpone consideration of bill in Senate?

ALEXANDER LINCOLN.

SENTINELS OF THE REPUBLIC,
Milton, Mass., December 3, 1930.

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

MY DEAR SENATOR WALSH: The following telegram was sent on November 14, 1930, to Senator HIRAM JOHNSON:

"Hon. HIRAM JOHNSON,
"*Chairman Committee on Commerce,*
"*United States Senate, Washington, D. C.*

"Executive committee of Sentinels of the Republic in session in New York City November 14 earnestly protest against refusal of Committee on Commerce to give public hearings on Jones maternity and infancy bill (S. 255) and demand that bill be recommitted.

(Signed) "ALEXANDER LINCOLN,
"*President.*
"THOMAS F. CADWALADER,
"*Chairman Executive Committee.*"

We shall appreciate it greatly if you will help us to secure justice in this matter.

KATHARINE T. BALCH, *Secretary.*

LEAGUE OF CATHOLIC WOMEN,
Boston, Mass., December 8, 1930.

Hon. DAVID I. WALSH,
United States Senate Building, Washington, D. C.

MY DEAR SENATOR: I understand that there is a concerted drive to spring a surprise in the Senate Monday morning in an attempt to railroad through the Jones maternity and infancy bill (S. 255), which is an attempt to revive in substance the old Sheppard-Towner Maternity Act which was to go out of existence by the terms of its last appropriation act in June, 1929, last. When that appropriation act was passed there was a solemn agreement entered into by the friends of the measure, inside and outside of Congress—CONGRESSIONAL RECORD, January 13, 1927, pages 1590–1598—by the President of the United States and the opponents.

What I hope is that this will be fought by you and all opponents of such legislation to the end that it will not pass during this session, and if it comes to a vote that a roll call may be emphatically demanded. The general reasons for opposing it are well known to you. Special reasons:

First. No public hearing was permitted by the committee in charge.

Second. That it breaks a solemn agreement that in these days is a serious matter.

Third. The people of our State are overwhelmingly opposed to such measures and emphatically rejected the maternity act through their legislature.

Fourth. Any activities of this kind should be under the United States Health Service, under scientific men and not under women politicians.

Your active assistance will be greatly appreciated.

Sincerely yours,

LILIAN F. SLATTERY,
President League of Catholic Women.

Mr. WALSH of Massachusetts. I would also like to have inserted in the RECORD some comments upon the opinion of the United States Supreme Court and a statement by the attorney general of Massachusetts.

The PRESIDING OFFICER. Without objection, it is so ordered.

The opinion and statement are as follows:

ATTORNEY GENERAL OF MASSACHUSETTS URGES STATE TO CONTEST MATERNITY ACT IN SUPREME COURT AS VIOLATION OF TENTH AMENDMENT AND USURPATION OF STATE'S RESERVED POWERS

(Extracts from Attorney General Allen's opinion, May, 1922)

To the HONORABLE SENATE AND HOUSE OF REPRESENTATIVES,
Statehouse.

GENTLEMEN: You have requested my opinion on the following questions:

1. Is the act of Congress, approved November 23, 1921, entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," within the constitutional powers of the Federal Government?

2. Has the Commonwealth of Massachusetts any right, as a sovereign State, to question the constitutionality of said act?

3. Would the Commonwealth of Massachusetts, by the acceptance of said act, waive its right as a sovereign State, if such rights exist, to contest the constitutionality of said act before the courts of the United States?

4. If, in his opinion, said act is unconstitutional, what procedure can the Commonwealth adopt to raise the question of constitutionality?

It is a matter of considerable delicacy for a State official to venture to pass upon the validity of acts of Congress and the rights of sovereign States before the Supreme Court of the United States, and it is with some hesitation that I undertake to comply with your request. It would seem, however, that it is within the statutory duty imposed upon me, as that duty has been construed by my predecessors in office, to give you an opinion upon questions of law when such opinion is requested in order that you may be informed as to your powers and duties with respect to pending matters of legislation.

I. The act of Congress, approved November 23, 1921, entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," commonly known as the Sheppard-Towner Act, authorizes annual appropriations "to be paid to the several States for the purpose of cooperating with them in promoting the welfare and hygiene of maternity and infancy." It contains provisions substantially as follows:

It authorizes the appropriation, for the purpose of the act, of $480,000 for the current year and $240,000 for subsequent years, for a period of five years, to be equally apportioned among the several States, and an additional sum of $1,000,000 a year for a period of five years to be apportioned $5,000 to each State and the balance among the States in proportion to their population, with a proviso that no payment out of the additional appropriation shall be made in any year to any State until an equal sum has been appropriated by such State.

The act creates a "board of maternity and infant hygiene," with certain supervisory powers. It provides that the "Children's Bureau of Department of Labor" shall be charged with the administration of the act, and gives the Children's Bureau all necessary powers to cooperate with the States in such administration, for which purpose the Children's Bureau may deduct an amount not exceeding 5 per cent of the additional appropriation in any year.

STATES REQUIRED TO SUBMIT TO CHILDREN'S BUREAU

Every State is required, in order to secure the benefits of the appropriations authorized, through its legislature to accept the provisions of the act and to designate or authorize the creation of a State agency to cooperate with the Children's Bureau.

Any State desiring to receive the benefits of the act is required by its agency to submit to the Children's Bureau detailed plans for carrying out the provisions of the act within such State, such plans to be subject to the approval of the board.

Within 60 days after any appropriation under the act the Children's Bureau is directed to make the apportionment provided for, to certify to the Secretary of the Treasury the estimated expense of administration, and to certify to the Secretary of the Treasury and to the treasurers of the various States the amount apportioned to each State. Within the same period and from time to time thereafter the Children's Bureau is directed to ascertain the amounts appropriated by the several States and to certify to the Secretary of the Treasury the amount to which each State is entitled by reason of such appropriation.

BOARD MAY HOLD BACK PAYMENTS

Each State agency cooperating with the Children's Bureau is required to make such reports concerning its operations and expenditures as shall be prescribed by the Children's Bureau, which may, subject to the supervision of the board, withhold the certificate authorizing payment to any State whenever it is determined that the agency thereof has not properly expended the money paid to it or the moneys required to be appropriated by the State for the purpose of the act, an appeal being given from such determination to the President of the United States.

Thus in effect a system is created by which appropriations are to be made by the Federal Government and the States which accept the provisions of the act; plans are to be submitted to Federal boards, the nature of which appears to be wholly undetermined, except that they must have some relation to the "welfare and hygiene of maternity and infancy" and are subject to certain restrictions stated in the act. Those plans are to be administered by officials, agents, and representatives of the Children's Bureau in cooperation with the different State agencies, and control over the conduct of the State agencies is vested in the Children's Bureau and the board by the provision authorizing the withholding of the Federal appropriation in cases where it is determined as to any State that Federal or State funds have not been properly expended.

The purpose and effect of the Federal Constitution was to secure a Federal Government with limited and enumerated powers, for national purposes, reserving all other powers to the States and the people. (McCulloch *v.* Maryland, 4 Wheat. 316, 405; United States *v.* Cruikshank, 92 U. S. 542, 549–551; Kansas *v.* Colorado, 206 U. S. 46, 81.) The powers expressly granted to Congress, including the power to make all laws necessary and proper for carrying the powers enumerated into execution, are all stated in Article I, section 8, of the Constitution. All powers not granted to the United States by the Constitution are reserved by the tenth amendment to the States or the people. (United States *v.* Cruikshank, 92 U. S. 542, 551.)

The powers given to the Federal Government are only those which are necessary to the existence and effective maintenance of the Nation. There is no grant of power to Congress to regulate the internal affairs of the States (excepting that given by the eighteenth amendment). The police power is a necessary part of the sovereign powers of the States and was reserved to them by the tenth amendment. Each State has the right and duty to provide for the general welfare of its people, and in those respects the authority of the State is complete, unqualified, and exclusive. (New York *v.* Miln, 11 Pet. 102, 139; In re Rahrer, 140 U. S. 545, 554, 555; Keller *v.* United States, 213 U. S. 138; Hammer *v.* Dagenhart, 247 U. S. 251, 274–276; The Federalist, No. 45.)

ATTEMPT TO USURP POWERS RESERVED TO THE STATES

The present act vests in the Federal Government certain powers relating to maternity and infancy. These matters manifestly fall within the scope of the police power. Most of the expense will be borne by a small minority of the States, while a majority of the States will receive a corresponding benefit for which they do not pay. If the United States possesses no police power, as the Supreme Court of the United States has often held, it would seem that this act is an attempt to usurp an authority reserved to the States and to exercise it at the expense of a minority of them, of which this Commonwealth is one.

It appears from the debates in Congress that the proponents of this measure attempt to support it upon the ground that it is a provision for the general welfare of the people of the United States. * * *

CONCLUSIONS ON "GENERAL-WELFARE CLAUSE"

In United States *v.* Boyer (85 Fed. 425) it was held that the "general-welfare clause" did not confer any distinct and substantial power on Congress to enact any legislation, but constituted a limitation upon the taxing power.

The text writers also are agreed that the words "to pay the debts and provide for the common defense and general welfare of the United States" are to be construed as if they were preceded by the words "in order," or similar words amounting to a declaration of purpose. (Story on the Constitution, secs. 906–911; Miller on the Constitution of the United States, pp. 229–231.)

The form of the Constitution lends strong support to this construction. The document in the rolls of the Department of State shows that in Article I, section 8, each of the enumerated powers is numbered, from 1 to 18 inclusive, the first being the power "to lay and collect taxes, duties, imposts, and excise, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States"; and the second the power "to borrow money on the credit of the United States"; and that each power is separated by a semicolon. (Curtis's Constitutional History of the United States, Vol. I, p. 728, note 731.) * * *

NO DEFINITE APPROPRIATION MADE

The question as to the extent of the "general-welfare clause" in its application to appropriations of money was expressly reserved by the Supreme Court in United States *v.* Realty Co. (163 U. S. 427, 440), where the court said:

"It is unnecessary to hold here that Congress has power to appropriate the public money in the Treasury to any purpose whatever which it may choose to say is in payment of a debt or for purposes of the general welfare. A decision of that question may be postponed until it arises."

But the question which I have to determine does not depend for its answer upon a solution of the controversy concerning the limits of the power of Congress to appropriate money. In fact, the Sheppard-Towner Act makes no appropriation of money. It merely purports to authorize sums to be appropriated, thereby announcing, it seems, an intention to appropriate at some future time. It does, however, establish a system by which States desiring to secure the benefits of promised appropriations are required to submit plans for carrying out the provisions of the act to designated Federal authorities for their approval, to make appropriations to match Federal appropriations, and to cooperate with the Federal authorities in the administration of the act, subject to the supervision of those authorities, who, if they determine that either Federal or State funds have not been properly expended, may withhold the Federal appropriation.

This, in my judgment, is not an appropriation bill but an attempted exercise of power over the subject of maternity and infancy, and thus an incursion into the field of the local police power reserved to the States by the tenth amendment. The objections to the act go farther in that the proposed appropriations are not general in their application but are confined to those States which accept the act and appropriate their own funds to be used for its purposes. Hamilton, in his report on manufactures cited above, although contending for the broad power of appropriation, says that "the object to which an appropriation of money is to be made must be general and not local." For this reason the appropriations, if made, in my opinion would not be for the "general welfare of the United States," even if those words are given the broadest signification. Indeed, it is yet to be determined that Congress has the power to appropriate to the States, according to any method of apportionment, revenues raised from the people of the United States for national purposes.

STATE LEGISLATURES CAN NOT YIELD POWERS RESERVED TO THEM—SUCH POWERS CAN ONLY BE GRANTED TO CONGRESS BY AN AMENDMENT TO THE CONSTITUTION

If the powers attempted to be exercised by the Sheppard-Towner Act are outside the powers conferred upon Congress by the Constitution and within the field of the powers reserved to the States, the act is not made constitutional and valid by the circumstance that those powers will only be exercised in or with respect to those States whose legislatures accept it; for Congress can not assume and the State legislatures can not yield the powers reserved to the States by the Constitution. They can only be granted to the Federal Government by an amendment to the

Constitution. On this precise subject President Monroe, in his message vetoing the Cumberland road bill, referred to above, holding that Congress had not the power, even with the consent of the States affected, to establish turnpikes with gates and tolls as internal improvements, said:

"I am of opinion that Congress does not possess this power; that the States, individually, can not grant it; for, although they may assent to the appropriation of money within their limits for such purposes, they can grant no power of jurisdiction or sovereignty by special compacts with the United States. This power can be granted only by an amendment to the Constitution and in the mode prescribed by it."

THE ACT IS UNCONSTITUTIONAL

In reply to your first question I am, therefore, constrained to say that I am of opinion that the act referred to is not within the constitutional powers of the Federal Government.

II. Your second question, whether the Commonwealth of Massachusetts has any right as a sovereign State to question the constitutionality of the act, and your fourth question, what procedure can be adopted to raise the question of constitutionality, will be considered together.

It is well established that any person whose rights are directly affected by an act of Congress may question its constitutionality before the court, and that it is the court's duty in a proper case, where an act of Congress infringes upon the provisions of the Consitution, to declare that act unconstitutional and void. (Vanhorne's Lessee *v.* Dorrance, 2 Dall. 304, 308, 309; Marbury *v.* Madison, 1 Cranch 137; M'Culloch *v.* Maryland, 4 Wheat. 316, 400, 401.)

But the right to declare an act unconstitutional can be exercised only when proper parties are before the court in an actual controversy involving the constitutional question in the determination of the rights of litigants. (Steamship Company *v.* Emigration Commissioners, 113 U. S. 33, 39; Muskrat *v.* United States, 219 U. S. 346, 361; Fairchild *v.* Hughes, No. 148—October term, 1921.)

SUGGESTS EQUITY PROCEEDINGS AGAINST FEDERAL OFFICIALS—DIRECT METHOD OF CONTESTING CONSTITUTIONALITY OUTLINED BY ATTORNEY GENERAL

The most direct method of testing the constitutionality of the Sheppard-Towner Act, if not the only method, is by proceedings in equity against those officials of the Federal Government who are acting or preparing to act to carry its provisions into effect. By United States Constitution, Article III, section 2, the Supreme Court has original jurisdiction of all cases in which a State shall be a party. The inquiry therefore is, in the first instance, whether the Commonwealth may maintain such a suit in the Supreme Court as party plaintiff, and secondly, whether the suit will lie against Federal officials as parties defendant. * * *

QUESTION "CLEARLY JUSTICIABLE"

The question whether an act of Congress is in violation of the reserved powers of the States and therefore unconstitutional seems clearly justiciable, and the Supreme Court has so decided in Hammer *v.* Dagenhart (247 U. S. 251). In that case the court held that a United States district attorney should be enjoined from enforcing an act of Congress prohibiting the transportation in interstate commerce of products of child labor, on the ground that the law was an invasion of the local police power, reserved to the States by the tenth amendment.

Where an act of Congress encroaches upon the rights reserved to the States by the tenth amendment any State affected thereby must have the right to resort to some tribunal for the protection of those rights or be without remedy. That the States themselves are entitled to such protection by the judicial power, and that it is the duty of the court, in a proper case, to hold such an act unconstitutional and to grant relief has several times been declared. (Ableman *v.* Booth, 21 How. 506, 519, 520; Gordon *v.* United States, 117 U. S. 697, 700, 701, 705; Matter of Heff, 197 U. S. 488, 505; South Carolina *v.* United States, 199 U. S. 437, 448.)

STATE HAS RIGHT TO ACTION

If, for the reasons stated, the Sheppard-Towner Act is unconstitutional as representing an attempt by Congress to exceed its constitutional powers and to usurp the rights reserved to the States by the tenth amendment, it follows that the Commonwealth in a proper case can raise the question of constitutionality by bringing suit in the Supreme Court if and when it is affected by the act.

The act does not confer upon the Federal agencies created or designated by it any authority which operates in Massachusetts unless and until its legislature accepts the act and makes the required appropriation. If the legislature purports to accept the act, the right of the Commonwealth subsequently to complain that the act is unconstitutional, as hereafter stated in reply to your third question, will be open to serious question. If the act is not accepted and does not become operative within the Commonwealth, there would be no encroachment upon the police power of Massachusetts if the act should be put into effect in other States.

IF MASSACHUSETTS ACCEPTS ACT, IT WILL RECEIVE LESS THAN HALF AMOUNT IT PAYS

It does not follow, however, that the Commonwealth is not affected if the act is put into effect in other States. The grants to such States are to be paid out of the Federal Treasury. That Treasury is replenished by internal-revenue taxes paid by the people of the several States. It has been estimated that 5.66 per cent of those taxes are paid by the citizens of Massachusetts. If Massachusetts can and does accept the act, it has been estimated that the return to it thereunder will be less than half the amount collected from its citizens. If Massachusetts does not accept the act, its citizens will be taxed in order to carry into effect an unconstitutional law in other States. Assuming that a Federal tax, otherwise lawful, imposed to raise revenues for lawful purposes does not become unconstitutional because it taps and diminishes a source of revenue available to the States (Knowlton *v.* Moore, 178 U. S. 41; New York Trust Co. *v.* Eisner, 41 Sup. Ct. Rep. 506), it does not follow that a State whose revenues are diminished by Federal taxation imposed in order to execute an unconstitutional law is not so affected thereby that it can not attack that expenditure in the Supreme Court of the United States. If the State is without remedy, it is under the dilemma of consenting to be stripped of a power reserved by the tenth amendment in order to share in such unconstitutional benefits as Congress may choose to accord, or else of bearing unheard and without redress a part of the burden of conferring such alleged benefits on other States.

RIGHTS OF TAXPAYERS EVADED

The right of Massachusetts to bring suit may be supported upon the further ground that the rights of its taxpaying citizens are invaded. It is doubtful whether taxpayers can maintain suits in their individual capacity to restrain an unconstitutional expenditure. (See Bradfield *v.* Roberts, 175 U. S. 291; Millard *v.* Roberts, 202 U. S. 427, 438.) There is, however, in my opinion, strong argument for the view that the State can present the question on their behalf as parens patriæ, following the analogy of the nuisance cases already cited. If neither the State nor the taxpayer can sue, then there can be no remedy against such an unconstitutional exercise of power by Congress, although the issue is plainly justiciable.

The novelty of the question prevents a more definite answer to your inquiry. It is for the legislature, in its wisdom, to determine whether a question of such vital importance to the State, involving, as it does, a principle capable of indefinite application in the broad and paternalistic field of social welfare, should not be submitted for adjudication to our highest court.

2. It remains to be considered whether suit may be brought against the Federal officials whose duty it is to administer the act. * * *

CITES PROHIBITION RULING

In the National Prohibition Cases, 253 U. S. 350, two of the cases were suits by the States of Rhode Island and New Jersey against the Attorney General and the Commissioner of Internal Revenue, seeking to have the eighteenth amendment and the Volstead Act declared unconstitutional and void and to enjoin the enforcement of the act. The main ground on which unconstitutionality was claimed was that the amendment and the act constituted an interference with the sovereign rights of the States to govern their internal affairs; that is, the local police power. Original bills in each of the two cases were permitted by the court to be filed (252 U. S. 570), and no question of jurisdiction was raised or reserved in the opinion by which all the suits were dismissed on the merits.

The opinion in the recent case of Texas *v.* Interstate Commerce Commission, No. 24 Original, October Term, 1921, contains an intimation that the original jurisdiction of the court over suits where States are parties may be somewhat narrow, but the decision of the case goes on the ground that necessary parties were not before the court.

I conclude, therefore, that assuming that the Commonwealth may bring the suit as party plaintiff, the fact that the defendants would be Federal officials would not defeat it.

INCONSISTENT TO ACCEPT ACT

III. Your third question is whether the Commonwealth by accepting the act would waive any right it may have to contest the constitutionality of the act before the courts of the United States.

The act provides that any State in order to secure the benefit of Federal appropriations must accept the provisions of the act, designate the State agency with which the Children's Bureau is to cooperate, and submit to the Children's Bureau detailed plans for carrying out the provisions of the act within the State. It contemplates also appropriations by the State to match Federal appropriations. These provisions, it seems to me, must be construed as a proposal for a contract with the several States which, when accepted by any State, would constitute an agreement by the State to be bound by the terms of the act, if such an agreement could be made. Whether the State, acting by its legislature alone, or in any manner other than that provided by the Constitution itself, can contract away its sovereign rights is a matter of grave doubt. But apart from any question of validity of such a contract, there would appear to be an inconsistency in accepting the benefits of the act and then bringing suit to avoid its obligations and effect.

I am therefore of opinion that the passage of an act by the general court accepting the provisions of the Sheppard-Towner Act would place the Commonwealth in a less favorable position to contest its validity.

Very truly yours,

J. WESTON ALLEN, *Attorney General.*

(262 U. S. 447)

SUPREME COURT DECLINES TO PASS ON MATERNITY ACT—MASSACHUSETTS AND FROTHINGHAM CASES DISMISSED "FOR WANT OF JURISDICTION, WITHOUT CONSIDERING THE MERITS OF THE CONSTITUTIONAL QUESTIONS"—DECISION DOES NOT PREVENT SUIT BY CITIZENS DIRECTLY INJURED

The Supreme Court of the United States on Monday, June 4, 1923, declined to pass on the validity of the Sheppard-Towner Maternity Act, but dismissed "for want of jurisdiction" the two cases brought against the maternity act by the Commonwealth of Massachusetts, in an original suit, and by Mrs. Randolph Frothingham, of Boston, as a Federal taxpayer.

Mr. Justice Sutherland delivered the opinion of the court:

"These cases were argued and will be considered and disposed of together. The first is an original suit in this court. The other was brought in the Supreme Court of the District of Columbia. That court dismissed the bill, and its decree was affirmed by the District Court of Appeals. Thereupon the case was brought here by appeal. Both cases challenge the constitutionality of the act of November 23, 1921 (42 Stat. 224, c. 135), commonly called the maternity act. Briefly it provides for an initial appropriation and thereafter annual appropriations for a period of five years, to be apportioned among such of the several States as shall accept and comply with its provisions, for the purpose of cooperating with them to reduce maternal and infant mortality and protect the health of mothers and infants. It creates a bureau to administer the act in cooperation with State agencies, which are required to make such reports concerning their operations and expenditures as may be prescribed by the Federal bureau. Whenever that bureau shall determine that funds have not been properly expended in respect of any State, payments may be withheld.

"It is asserted that these appropriations are for purposes not national but local to the States, and together with numerous similar appropriations constitute an effective means of inducing the States to yield a portion of their sovereign rights. It is further alleged that the burden of the appropriations provided by this act and similar legislation falls unequally upon the several States, and rests largely upon the industrial States, such as Massachusetts; that the act is a usurpation of power not granted to Congress by the Constitution—an attempted exercise of the power of local self-government reserved to the States by the tenth amendment; and that the defendants are proceeding to carry the act into operation. In the Massachusetts case it is alleged that the plaintiff's rights and powers as a sovereign State and the rights of its citizens have been invaded and usurped by these expenditures and act; and that, although the State has not accepted the act, its constitutional rights are infringed by the passage thereof and the imposition upon the State of an illegal and unconstitutional option either to yield to the Federal Government a part of its reserved rights or lose the share which it would otherwise be entitled to receive of the moneys appropriated. In the Frothingham case plaintiff alleges that the effect of the statute will be to take her property, under the guise of taxation, without due process of law.

"We have reached the conclusion that the cases must be disposed of for want of jurisdiction without considering the merits of the constitutional questions.

"In the first case, the State of Massachusetts presents no justiciable controversy either in its own behalf or as the representative of its citizens. The appellant in the second suit has no such interest in the subject matter, nor is any such injury inflicted or threatened as will enable her to sue.

"First. The State of Massachusetts in its own behalf in effect complains that the act in question invades the local concerns of the State and is a usurpation of power, viz, the power of local self-government reserved to the States.

"Probably it would be sufficient to point out that the powers of the State are not invaded, since the statute imposes no obligation but simply extends an option, which the State is free to accept or reject. But we do not rest here. Under Article III, section 2, of the Constitution the judicial power of this court extends 'to controversies * * * between a State and citizens of another State' and the court has original jurisdiction 'in all cases * * * in which a State shall be a party.' The effect of this is not to confer jurisdiction upon the court merely because a State is a party but only where it is a party to a proceeding of judicial cognizance. Proceedings not of a justiciable character are outside the contemplation of the constitutional grant. * * *

"In Georgia *v.* Stanton (6 Wall. 50, 75) and kindred cases, to which we shall presently refer, jurisdiction was denied in respect of questions of a political or governmental character. On the other hand, jurisdiction was maintained in Texas *v.* White (7 Wall. 700), the State of Florida *v.* Anderson (91 U. S. 667), and Alabama *v.* Burr (115 U. S. 413), because proprietary rights were involved; in Georgia *v.* Tennessee Copper Co. (206 U. S. 230, 237), because the right of dominion of the State over the air and soil within its dominion was affected; in Missouri *v.* Holland (252 U. S. 416), because, as asserted, there was an invasion by acts done and threatened of the quasi-sovereign right of the State to regulate the taking of wild game within its borders; and in other cases because boundaries were in dispute. It is not necessary to cite additional cases. The foregoing for present purposes sufficiently indicate the jurisdictional line of demarcation.

"What, then, is the nature of the right of the State here asserted and how is it affected by this statute? Reduced to its simplest terms, it is alleged that the statute constitutes an attempt to legislate outside the powers granted to Congress by the Constitution and within the field of local powers exclusively reserved to the States. Nothing is added to the force or effect of this assertion by the further incidental allegations that the ulterior purpose of Congress thereby was to induce the States to yield a portion of their sovereign rights; that the burden of the appropriations falls unequally upon the several States; and that there is imposed upon the States an illegal and unconstitutional option either to yield to the Federal Government a part of their reserved rights or lose their share of the moneys appropriated. But what burden is imposed upon the States, unequally or otherwise? Certainly there is none, unless it be the burden of taxation, and that falls upon their inhabitants, who are within the taxing power of Congress as well as that of the States where they reside. Nor does the statute require the States to do or to yield anything. If Congress enacted it with the ulterior purpose of tempting them to yield, that purpose may be effectively frustrated by the simple expedient of not yielding.

"In the last analysis, the complaint of the plaintiff State is brought to the naked contention that Congress has usurped the reserved powers of the several States by the mere enactment of the statute, though nothing has been done and nothing is to be done without their consent; and it is plain that that question, as it is thus presented, is political and not judicial in character, and therefore is not a matter which admits of the exercise of the judicial power.

"In Georgia *v.* Stanton, supra, this court held that a bill to enjoin the Secretary of War, and other officers, from carrying into execution certain acts of Congress, which it was asserted would annul and abolish the existing State government and establish another and different one in its place, called for a judgment upon a political question and presented no case within the jurisdiction of the court. * * *

"It follows that in so far as the case depends upon the assertion of a right on the part of the State to sue in its own behalf we are without jurisdiction. In that aspect of the case we are called upon to adjudicate, not rights of person or property, not rights of dominion over physical domain, not quasi-sovereign rights actually invaded or threatened, but abstract questions of political power, of sovereignty, of government. No rights of the State falling within the scope of the judicial power have been brought within the actual or threatened operation of the statute, and this court is as much without authority to pass abstract opinions upon the constitutionality of acts of Congress as it was held to be, in Cherokee Nation *v.* Georgia, supra, of State statutes. If an alleged attempt by congressional action to annul and abolish an existing State government 'with all its constitutional powers and privileges,' presents no justiciable issue, as was ruled in Georgia *v.* Stanton, supra, no reason can be suggested why it should be otherwise where the attempt goes no farther, as it is here alleged, than to propose to share with the State the field of State power.

"We come next to consider whether the suit may be maintained by the State as the representative of its citizens. To this the answer is not doubtful. We need not go so far as to say that a State may never intervene by suit to protect its citizens against any form of enforcement of unconstitutional acts of Congress, but we are clear that the right to do so does not arise here. Ordinarily, at least, the only way in which a State may afford protection to its citizens in such cases is through the enforcement of its own criminal statutes, where that is appropriate, or by opening its courts to the injured persons for the maintenance of civil suits or actions. But the citizens of Massachusetts are also citizens of the United States. It can not be conceded that a State, as parens patriae, may institute judicial proceedings to protect its citizens of the United States from the operation of the statutes hereof. While the State, under some circumstances, may sue in that capacity for the protection of its citizens (Missouri *v.* Illinois and Chicago District, 180 U. S. 208, 241), it is no part of its duty or power to enforce their rights in respect of their relations with the Federal Government. In that field it is the United States, and not the State, which represents them as parens patriae, when such representation becomes appropriate; and to the former, and not to the latter, they must look for such protective measures as flow from that status.

"Second. The attack upon the statute in the Frothingham case is, generally, the same, but this plaintiff alleges, in addition that she is a taxpayer of the United States; and her contention, though not clear, seems to be that the effect of the appropriations complained of will be to increase the burden of future taxation and thereby take her property without due process of law. The right of a taxpayer to enjoin the execution of a Federal appropriation act, on the ground that it is invalid and will result in taxation for illegal purposes, has never been passed upon by this court. In cases where it was presented, the question has either been allowed to pass sub silentio or the determination of it expressly withheld. (Millard *v.* Roberts, 202 U. S. 429, 438; Wilson *v.* Shaw, 204 U. S. 24, 31; Bradfield *v.* Roberts, 175 U. S. 291, 295.) The case last cited came here from the Court of Appeals of the District of Columbia, and that court sustained the right of the plaintiff to sue by treating the case as one directed against the District of Columbia, and therefore subject to the rule frequently stated by this court that resident taxpayers may sue to enjoin an illegal use of the moneys of a municipal corporation. (Roberts *v.* Bradfield, 12 App. Cases D. C. 453, 459–460.) The interest of a taxpayer of a municipality in the application of its moneys is direct and immediate and the remedy by injunction to prevent their misuse is not inappropriate. It is upheld by a large number of State cases and is the rule of this court. (Crampton *v.* Zabriskie, 101 U. S. 601, 609.) Nevertheless, there are decisions to he contrary.

See, for example, Miller *v.* Grandy (13 Mich. 540, 550). The reasons which support the extension of the equitable remedy to a single taxpayer in such cases are based upon the peculiar relation of the corporate taxpayer to the corporation, which is not without some resemblance to that subsisting between stockholder and private corporation. (IV Dillon Municipal Corporation, 5th Ed., sec. 1580, et seq.) But the relation of a taxpayer of the United States to the Federal Government is very different. His interest in the moneys of the Treasury—partly realized from taxation and partly from other sources—is shared with millions of others; is comparatively minute and indeterminable; and the effect upon future taxation, of any payment out of the funds, so remote, fluctuating and uncertain, that no basis is afforded for an appeal to the preventive powers of a court of equity.

"The administration of any statute, likely to produce additional taxation to be imposed upon a vast number of taxpayers, the extent of whose several liability is indefinite and constantly changing, is essentially a matter of public and not of individual concern. If one taxpayer may champion and litigate such a cause, then every other taxpayer may do the same, not only in respect of the statute here under review but also in respect of every other appropriation act and statute whose administration requires the outlay of public money, and whose validity may be questioned. The bare suggestion of such a result, with its attendant inconveniences, goes far to sustain the conclusion which we have reached, that a suit of this character can not be maintained. It is of much significance that no precedent sustaining the right to maintain suits like this has been called to our attention, although, since the formation of the Government, as an examination of the acts of Congress will disclose, a large number of statutes appropriating or involving the expenditure of moneys for non-Federal purposes have been enacted and carried into effect.

"The functions of government under our system are apportioned. To the legislative department has been committed the duty of making laws; to the executive the duty of executing them; and to the judiciary the duty of interpreting and applying them in cases properly brought before the courts. The general rule is that neither department may invade the province of the other and neither may control, direct, or restrain the action of the other. We are not now speaking of the merely ministerial duties of officials. (Gaines *v.* Thompson, 7 Wall. 347.) We have no power per se to review and annul acts of Congress on the ground that they are unconstitutional. That question may be considered only when the justification for some direct injury suffered or threatened, presenting a justiciable issue, is made to rest upon such an act. Then the power exercised is that of ascertaining and declaring the law applicable to the controversy. It amounts to little more than the negative power to disregard an unconstitutional enactment, which otherwise would stand in the way of the enforcement of a legal right. The party who invokes the power must be able to show not only that the statute is invalid but that he has sustained, or is immediately in danger of sustaining, some direct injury as the result of its enforcement, and not merely that he suffers in some indefinite way in common with people generally. If a case for preventive relief be presented the court enjoins, in effect, not the execution of the statute but the act of the official, the statute notwithstanding. Here the parties plaintiff have no such case. Looking through forms of words to the substance of their complaint, it is merely that officials of the executive department of the Government are executing and will execute an act of Congress asserted to be unconstitutional; and this we are asked to prevent. To do so would be not to decide a judicial controversy, but to assume a position of authority over the governmental acts of another and coequal department, an authority which plainly we do not possess."

(Special to the Woman Patriot)

BOSTON, March 8, 1922.—The joint legislative committee on public health and social welfare unanimously rejected and withdrew to-day both the Sheppard-Towner Federal Baby Act and the Spencer State maternity bill, after hearing Mr. Louis A. Coolidge, Mrs. B. L. Robinson, and Mrs. Frank Sanborn, of the Massachusetts Public Interests League, and Miss Monica Foley, of the State labor department, who all spoke in opposition to acceptance of the act by Massachusetts.

Rejection of the Federal baby act in Massachusetts was already foreshadowed when the house, following a vigorous attack on the act by Representative Henry L. Shattuck, and the introduction of a resolution by Representative Eben S. Draper, of Hopedale, calling upon the attorney general for an opinion as to its constitutionality, unanimously adopted an order for complete information as to the cost and constitutionality of the act.

On March 9 the senate unanimously accepted the report of the committee against the maternity bills, and on March 10 reconsideration was refused by vote of 21 to 4.

Mr. WALSH of Massachusetts. Mr. President, I am tempted to prolong the discussion upon the subject, which is a very important one, but I fear that I would be repeating myself and be repeating sentiments expressed in the statements which I have read. I felt that I ought to present the views of my State and to ask the Senate to give weight and consideration to the fact that a growing number of States do not desire to cooperate in movements of this kind. I therefore hope the motion to recommit the bill to the Committee on Commerce, where it is claimed the opponents of the measure were denied a hearing, will be agreed to by the Senate.

Mr. CARAWAY. Mr. President, I think that I as much as anyone deplore the necessity of the Government extending its activities in matters which are not of their very nature those which the Government alone should decide. But in this particular instance I am at a loss to find any reason why any measure which tends to relieve suffering, to prevent death, and to assure a race of stronger and healthier children and, therefore, the future men and women to be better specimens physically and mentally than the present generation, should meet any serious opposition.

I have yet to meet a woman who does not favor the legislation. Most of the opposition to it, if I may be permitted to say it, as I observe it, comes from sources that hope to profit by the defeat of the legislation; that is, they are professional men who feel that the field of their activity is being invaded and their chance of making a profit out of human suffering is being limited. I do not feel that that is an objection which ought to weigh heavily with the Senate. I am at a loss to know why anyone should oppose the possibility of lessening the pain of a mother who is going down into the shadow of death to give birth to a child or should object to relieving her of one hour of anxiety in caring for her offspring. The amount asked is but a pittance. The good which is sought to be accomplished is infinitely great.

I have laid aside in this particular matter my objection which I have voiced heretofore to the Government going into activities which are not of their very nature public activities, and I intend to vote to have the measure finally passed instead of referring it back to the committee, because if it is referred back it is merely for the purpose of killing it.

It seems to me to be idle to contend that anyone interested in the measure has not had an opportunity to be heard. Legislation of this kind has been before the Senate ever since I have been a Member of it. Everybody who has ever had any idea, or thought he had one, that he wanted to express has had full opportunity to do it. The Senate has debated the question, there have been hearings, it has been the subject of every active organization presenting on the one side the necessity for the legislation and on the other side the reasons for opposing it, until I can think of no question that has been so thoroughly exhausted so far as hearings are concerned or so far as public debate may shed light upon it, as the question before the Senate to-day. I hope we have a vote on it. First, of course, we will have to vote down the motion to recommit the bill, which is, of course, merely one way of seeking to defeat the legislation altogether.

Mr. KING. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	Kendrick	Sheppard
Barkley	Fletcher	King	Shipstead
Bingham	Frazier	La Follette	Shortridge
Black	George	McGill	Simmons
Blaine	Gillett	McKellar	Smith
Blease	Glass	McMaster	Smoot
Bratton	Glenn	McNary	Steiwer
Brock	Goff	Metcalf	Stephens
Brookhart	Goldsborough	Morrow	Thomas, Idaho
Broussard	Gould	Moses	Thomas, Okla.
Bulkley	Hale	Norbeck	Townsend
Capper	Harris	Norris	Trammell
Caraway	Harrison	Nye	Tydings
Carey	Hastings	Oddie	Vandenberg
Connally	Hatfield	Patterson	Wagner
Copeland	Hawes	Phipps	Walsh, Mass.
Couzens	Hayden	Pine	Watson
Cutting	Hebert	Pittman	Wheeler
Dale	Heflin	Ransdell	Williamson
Davis	Howell	Reed	
Deneen	Johnson	Robinson, Ark.	
Dill	Jones	Robinson, Ind.	

The PRESIDING OFFICER. Eighty-five Senators having answered to their names, a quorum is present.

Mr. BINGHAM. Mr. President, there is pending a motion to recommit this bill to the committee with instructions to hold hearings. On the day when this bill was first brought to the attention of the Senate the Senator from Maryland [Mr. TYDINGS] said that he would like to inquire of the Senator in charge of the bill whether an association known as Sentinels of the Republic had had an opportunity to be heard in opposition to the bill. The Senator from Washington [Mr. JONES] replied:

Mr. President, I do not remember ever hearing about an organization called the Sentinels of the Republic; but, of course, I do not doubt the existence of it. I never had any request—at least, I have no recollection of any request—from an organization of that kind, nor from anybody opposing the bill. Of course, this bill was reported almost a year ago, and it lay before the committee for some little time before it was acted upon by the committee. They had, I am sure, ample opportunity to ask for a hearing, and I am satisfied that if they had submitted to the Commerce Committee a request for a hearing, they would have had it.

Mr. President, it is obvious the Senator from Washington had forgotten what had taken place. On the 24th of April, 1929, one of the officials of the American Medical Association of Chicago sent a telegram to the Senator from Washington, as follows:

On behalf of American Medical Association I ask to be afforded an opportunity to appear at any hearing given by the Committee on Commerce on S. 255, a bill for promotion of health and welfare of mothers and infants. Notice may be sent to me by telegram collect at 535 North Dearborn Street, Chicago, Ill.

WILLIAM C. WOODWARD.

To which the Senator from Washington replied on April 25, 1929:

MY DEAR MR. WOODWARD: Your telegram of April 24, asking for an opportunity to be heard in connection with Senate bill No. 255, for promotion of health and welfare of mothers and infants, at hand.

I doubt very much if the committee will conclude to take this bill up at the present session, but I shall be glad to keep your name on file and notify you in the event hearings are held during the next regular session.

Mr. President, I am informed by the officers of the American Medical Association that no notice was received by them and no invitation was extended to them in reply to their request to be heard in regard to this bill.

Mr. COPELAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from New York?

Mr. BINGHAM. I will yield in just a moment. I shall not take long. I desire to have all this evidence go in the RECORD without interruption.

The PRESIDING OFFICER. The Senator from Connecticut declines to yield.

Mr. BINGHAM. The Senator from Washington did not know that there was any organization entitled the "Sentinels of the Republic," but on December 4, 1930, the Senator from Washington wrote to the secretary of the Sentinels of the Republic as follows:

Mrs. KATHARINE T. BALCH,
Secretary, Sentinels of the Republic, Milton, Mass.

MY DEAR MRS. BALCH: Your favor of December 3, giving me a copy of the telegram which you have sent to Senator JOHNSON regarding my bill (S. 255) at hand.

I shall be very glad to call this matter to the attention of Senator JOHNSON, and it will have careful consideration.

As you probably have seen, this bill was called up yesterday and went over.

Thanking you for your letter, I am, very truly yours,

W. L. JONES.

On the 21st of March, 1930, the executive secretary of the Sentinels of the Republic wrote a letter to Senator JOHNSON, chairman of the Committee on Commerce, asking that they be notified in advance of any hearing on Senate bill 255, and the chairman replied as follows:

Mr. H. G. TORBERT,
Executive Secretary, Sentinels of the Republic,
1367 National Press Building, Washington, D. C.

MY DEAR MR. TORBERTS: I acknowledge receipt of your letter of the 21st, asking that you be notified in advance of hearings on S. 255, the so-called Jones-Cooper bill. Your letter has been referred to the subcommittee appointed to consider this measure, of which Senator DALE is chairman.

Sincerely yours,

HIRAM W. JOHNSON, *Chairman.*

Mr. President, I have no desire to question the good faith of any of those who are advocating this measure. I have already pointed out that it was understood by the Senator from Utah [Mr. KING], the then Senator from Missouri, Mr. Reed, and myself and others who were opposing the measure some few years ago, at the suggestion of the Senator from Texas [Mr. SHEPPARD], that if we would agree to an increase in the time during which the so-called Sheppard-Towner bill was to be in operation from one year to two years, then and thereafter this whole matter should be dropped and that seven years all told thereby allowed would be considered sufficient to instruct the people of the United States how to bring babies into the world and how to raise them. That understanding was not kept.

The advocates of the measure almost immediately got busy on another bill, which was not passed during the last session. They then secured the services of the Senator from Washington to introduce the pending bill. Instead of being referred to the Committee on Education and Labor, as similar measures have always been referred in the past, he had it referred to his own committee—the Committee on Commerce. I find no fault with that, although it seems to me extraordinary that a bill dealing with maternity should be referred to the Committee on Commerce instead of the Committee on Education and Labor.

Requests were made for hearings. The Sentinels of the Republic made a request for a hearing; the great American Medical Association, composed of the leading physicians of this country to the number of several thousand, asked for hearings; but no hearings were held on the bill.

Mr. President, that is the reason why I have asked that the bill be recommitted to the committee, with instructions to hold hearings, in order that the physicians of this country and their organization may be given an opportunity to tell the committee, and through the committee the Senate, what they think of this measure.

There are other organizations, such as the Sentinels of the Republic, which desire to be heard; and it seems to me, in view of the letter which was written by the author of the bill, the former chairman of the committee, that the least that can be done is to show good faith in the matter by sending the bill back to the committee in order that hearings may be held.

Mr. JONES. Mr. President, I want to say just a word. Of course, I do not pretend to remember the multitude of letters which I receive about this, that, and the other. Even the mention of the name "Sentinels of the Republic" does not bring any recollection to my mind of ever hearing the name before it was mentioned here on the floor.

If a person had a mind to be technical, it might be said that communications such as those referred to do not make direct requests for a hearing, but simply say, "if hearings are going to be held, the writers would like to be heard."

This proposed legislation has been considered for a long time; the subject matter was considered very fully when the original act was passed, and then when it was extended. The pending measure has been before the Senate for a long while, and no particular pressure, so far as I know at any rate, has been exerted to have a hearing until the bill comes up here for actual consideration.

So, Mr. President, as far as I am concerned, I feel under no obligation whatever to ask that the measure be recommitted to the committee, and I hope the motion to recommit will be voted down whenever we may have an opportunity to vote on it.

The PRESIDING OFFICER. The question is on the motion to recommit the bill to the Committee on Commerce.

Mr. KING. Mr. President, I am somewhat surprised at the statement just made by the Senator from Washington [Mr. JONES]. I am unable to understand how he reaches the conclusion that the letters just read by the Senator from Connecticut [Mr. BINGHAM] do not constitute a request for a hearing upon the pending measure. It seems to me that no stronger language could have been employed in asking for a hearing than that found in these letters.

The bill under consideration was introduced by the Senator from Washington, who was then chairman of the Committee on Commerce, and the bill for some reason was referred to that committee. In my opinion that was an improper reference, because the measure should have been considered by the Committee on Education and Labor. By no stretch of the imagination can it be considered as a measure dealing with commerce. Obviously the bill belonged to the Committee on Education in the absence of a Committee on Public Health.

The Constitution of the United States preserves the right of the people to petition, and yet this constitutional right was denied to persons who desired to be heard before the appropriate committee of the Senate upon a matter of great importance. Senators feel constrained when they receive communications in the nature of petitions, and relating to public matters, to present them to the Senate or to refer them to appropriate committees. The provision in our Constitution was intended as a shield to prevent wrongs and abuses existing in autocratic governments where the right of petition was denied and the voice of the people not heard by those in governmental authority.

The rules of the Senate provide for committees, and it is the duty of Senate committees to duly consider the views of persons who support or oppose measures pending before such committees. Reasonable opportunity should be afforded the public to be heard before committees, particularly when important measures are under consideration. The bill before us was not referred to the Committee on Education and Labor, where, in my opinion, it should have been considered, but was referred, as I have indicated, to the Committee on Commerce, the Senator introducing the bill being at that time chairman of the committee. The bill should be recommitted, in my opinion, to the Committee on Education and Labor, and all persons interested in the measure should be advised that full opportunity would be given them to present their views to the committee. If measures are pushed through the Senate without giving persons interested in the same opportunity to be heard the Senate will be justly criticized, and that criticism will be more deserved if persons who have sought an opportunity to present their views before committees have been misled without their fault by those upon whom they were entitled to rely.

Mr. President, reference has been made during the discussion of this measure to the so-called Sheppard-Towner bill which was enacted into law a number of years ago. Perhaps no further discussion will be of any avail. It is quite likely that most of the Senators have already decided how they will vote when this bill is put upon its final passage. When the Senator from Texas and the Senator from Washington addressed the Senate a few days ago in support of the bill there were not a dozen Senators upon the floor.

Subsequently the Senator from Connecticut [Mr. BINGHAM] delivered an able and illuminating address in opposition to the bill. A limited number of Senators evinced interest in the strong presentation and unanswerable arguments which he submitted. I presume that if further addresses shall be delivered in opposition to the bill or, for that matter, in favor of it, they will be accorded silent treatment. I do not mean to infer that the forces back of this measure have been silent or inconspicuous. They are omnipresent, and I was about to say omnipotent. Propaganda in favor of the principle embodied in this bill has been persistent and aggressive for more than a decade. It was inevitable that appeals for the welfare of infants and mothers should arouse deep interest throughout the country. Perhaps no question makes a stronger appeal to the emotions and to the hearts of the people than that relating to the protection of infants as well as care for those noble women who pass through the shadows that humanity may live. Opposition to this bill does not mean a lack of interest in the welfare and happiness of infants and mothers. I have no doubt that the strongest opponents of measures of this character are those who have an abiding love for children, who have made sacrifices for infants and mothers, for the sick and afflicted, and those who are bowed beneath the burdens of life. I know of mothers who count their wealth in the number of their children and who would gladly give their lives for their children, but who are unwilling to give their support to the pending measure; and I know of some persons who have never been called "mother" who are the most vociferous advocates of this bill.

Mr. President, there is one aspect of this matter that justifies emphasis and should control the action of the Senate. The so-called Sheppard-Towner bill, which was approved November 23, 1921, was not intended to be a permanent measure. By its terms it expired by limitation at the end of five years. It was regarded as a temporary measure, ostensibly to encourage the States to adopt suitable measures for the "promotion of the welfare and hygiene of maternity and infancy." It was recognized that the duty rested upon the States, and not upon the Federal Government, to adopt suitable measures for the health and welfare of the people within their respective borders.

When the measure was first brought to the attention of Congress it was conceded that it was not the function of the Federal Government to take over the duties and responsibilities of the States with respect to their internal and domestic affairs, and it was believed by many who supported the measure that it infringed upon the rights of the States and was an improper intrusion upon the part of the Federal Government into legitimate State activities. However, emotional and sentimental appeals were made, as they are now made, and support for the measure was thus secured.

That many who supported it doubted the constitutionality of the measure is, I think, demonstrated from the fact that it was made as a temporary measure only and was surrounded by restrictions which aimed at the prevention of the Federal Government from interfering too much with the right of the States in the control of their internal affairs. These restrictions, however, were not in harmony with the views of some who had no interest in protecting the sovereignty of the States but were imbued with paternalistic, if not socialistic, notions and desired Federal bureaucracy to supersede the jurisdiction and authority of the States. The propaganda in favor of the measure was persistent, and organized pressure was brought upon Congress in its behalf. Many opponents of the measure reluctantly supported it, or failed to oppose it, when the plea was made that the measure would have a short life and that it would accomplish the desired result within the five years allotted to it. It was alleged that the States which were not sufficiently interested in the "welfare and hygiene of maternity and infancy" would, within the period mentioned, adopted measures that would provide for this matter, so that the Federal Government's activities would no longer be required.

However, as is always the case when Federal bureaus are created an itch for power and ambition for immortality develop, and although dates have been fixed for their demise, they generate seeds for their perpetuity, and devote no little part of their energies in carrying on vigorous and unrelenting propaganda to secure that result. Before the 5-year period provided in the act of 1921 had expired the Children's Bureau and the Women's Bureau and the Department of Labor were active in their efforts to secure legislation prolonging the life of the measure. They brought to their support a large number of individuals who were receiving compensation either from the Federal Government or State organizations developed and operating under the provisions of the so-called maternity act. Efforts were made to obtain the support of women's organizations throughout the country and to impress upon the people that the States without Federal aid were incompetent to deal with the mothers and infants and the general health of the people. Parenthetically, may I add that one of the stock arguments of Federal bureaus is that the people lack interest in their own welfare and are so incompetent in

dealing with their own domestic and internal affairs that the General Government must be superimposed upon them and its powerful arm must be stretched forth to direct and protect them.

Bureaucracy is always the enemy of democracy, of individualism; and, so far as the United States is concerned, Federal bureaucracy should have no place in our dual form of government because it menaces local self-government and constantly seeks to undermine the States.

A nation-wide propaganda to continue the maternity bill resulted in the introduction in the House early in 1926, as I now recall, of a bill for that purpose. This bill, as it passed the House, extended the life of the so-called Sheppard-Towner bill for a period of two years. It came to the Senate and was referred to the Committee on Education and Labor. That committee on the 3d of May, 1926, reported the bill to the Senate, but amended it so that the original act would be continued for one year instead of three. The committee in its report stated that it believed—

That the very fact that the attempt to meet this problem through Government aid has met with response in 43 States justifies Congress in taking cognizance of the original 5-year limitation and of the general thought then in the minds of legislators, namely, that the work of the bureau was to be educational and inspirational in order to lead the States to appreciate the value of such State activities and to undertake them, within a short period of time, entirely at the State's expense. Certainly it was not thought then that such financial aid would become a permanent function of the Federal Government or that such Federal appropriations should be continued indefinitely from year to year.

Your committee feels, therefore, that a definite date for the discontinuance of such aid should now be established, that the question should be decided at this time in order that State legislatures may arrange their budgets accordingly and make plans to continue the entire work at their own expense. It has been strongly argued, however, that there should be no abrupt termination of Federal aid, especially as State legislatures do not meet every year, and the committee recognizes this fact in its amendment, making the effective date of such termination June 30, 1928. As the bill will doubtless be acted upon during the present session of Congress, notice of more than two years would thereby be given to the States as to the fulfillment of the Government's part of the program, in so far as financial aid is concerned; and this should certainly prove sufficient for the purpose.

It should be unnecessary to advance arguments to show that the policy of the Federal Government in this regard should not be indefinitely continued, and that a time limit should now be fixed. The following facts, however, might properly be borne in mind:

1. The original purpose and intent of Congress to encourage the States to take up this important work is rapidly approaching fulfillment, if indeed that time has not already come. It is conceded that the experiment or demonstration has been a success, and that many States have established the necessary machinery, which is now functioning properly and adequately, even where they have declined to accept Federal aid.

2. It is also generally admitted that this work as conducted in the several States is strictly a local function. They should therefore be encouraged to stand on their own feet rather than to lean upon the Central Government, thus tending to impair the prestige, power, and sovereignty of local self-government. As already indicated, the very object of granting such Federal aid fails if the States, instead of learning to take care of matters connected with maternity and infancy through their own efforts, grow to be dependent upon Washington for this purpose.

3. The enactment of the pending bill, with the committee's amendment, and the fixing of a definite time for the cessation of Federal aid, will have no direct effect upon the infancy and maternity work conducted by the Children's Bureau and the Women's Bureau in the Department of Labor in Washington. In other words, the bill only refers to Federal aid to the several States. When this aid is discontinued, there will still exist these governmental agencies in Washington which will proceed with their important research work, issue pamphlets, and be a general clearing house of information on this subject in order to aid the people of the United States.

Notwithstanding the report of the committee, an effort was made, when the bill came before the Senate, to extend the life of the Sheppard-Towner bill for three years instead of one. During the debate which followed it was apparent that the opponents of the bill might be successful in their opposition. At this juncture—when I had the floor and was discussing the measure—supporters of the measure indicated that they were willing to agree upon a compromise under which, if the bill were amended so as to continue the maternity act for two years beyond the 5-year period of its existence, they would be satisfied, and would not attempt thereafter to prolong the life of the bill or to secure legislation of the same character. The Senator from Texas [Mr. SHEPPARD] offered an amendment stating that "after June 30, 1929, the measure should be of no force and effect."

It was understood by Senators that this proposition was in the nature of a compromise, and that if the terms were accepted the maternity act would end June 30, 1929, and no attempt would be made to renew it. The opponents of the bill acted in good faith, and I feel sure that the proponents of the measure, who initiated the compromise proposition, also acted in good faith. The Senator from Connecticut, in his address on the 9th instant, quoted from the CONGRESSIONAL RECORD the compromise agreement to which I have referred. Persons interested in this understanding and agreement may learn its terms by examining the RECORD of that date.

Mr. President, notwithstanding this solemn agreement which was entered into and which it was supposed would end this Federal legislation, we now have before us the same old Sheppard-Towner law which was enacted in 1921 and which was to expire within five years, but which, under the compromise agreement referred to, was continued until June 30, 1929.

Mr. President, I desire to read a statement from an editorial appearing in the New York Times on January 18, 1927, which refers to the fact that the Sheppard-Towner bill could only be passed by limiting appropriations under it for five years. It also mentions the compromise to which I have referred, under which the act was extended until June 30, 1929. The editorial is as follows:

[New York Times, January 18, 1927]

FEDERAL MATERNITY AND HYGIENE

In 1921 Congress was persuaded to pass the so-called Sheppard-Towner Act "for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes." Only by limiting the appropriations under it for five years could it have got through. It appropriated annually $240,000, to be divided equally among the States at the rate of $5,000 a State plus a sum proportionate to population. To get this bounty, paid in part by itself, the State had to appropriate an equal sum. Five States—Connecticut, Illinois, Kansas, Maine, Massachusetts—have never taken a cent of it. Now the Senate has accepted without a roll call an amendment continuing the appropriation for two years, but declaring that the maternity act shall be of no force and effect after June 30, 1929.

This action was a compromise. Presumably it was the best that could be done. So we are to have two years more of Federal "encouragement." Its results seem to be invisible to the American Medical Association. Doubtless the members of that body are prejudiced. Only the sponsors of the law, largely lay sentimentalists, are capable of estimating its value. That any Congressman who gives even occasional lip service to State rights could support this Federal subsidy and this Federal interposition in State legislation and taxation would be comical if there were not so few Democrats left not willing to leave their States as foundlings on Uncle Sam's doorstep, if there were not so few Congressmen of any party willing or able to resist the wheedlings or the threats of noisy minorities.

Many lips will still open longingly for Uncle Sam's magic nursing bottle after 1929. The next or some other Congress may revive "inspirational" work by a subsidy; and the Children's Bureau of laymen and laywomen will continue its beneficent activities though there be no Sheppard-Towner Act to enforce.

Mr. President, I make bold to declare that when the Sheppard-Towner bill was before Congress in 1921, if it had been declared that it was to be permanent legislation, it would not have been approved by Congress. I shall not say that its passage was secured under misrepresentation, because I believe that those who supported it in both the House and the Senate regarded the measure as merely temporary and accordingly gave it their support.

However, I am not willing to admit that Miss Abbott and others in the Federal bureau referred to entertained that view. I am rather inclined to think they recognized that they could not obtain permanent legislation and trusted to the future to enable them to fasten this measure upon the Federal Government and to thus increase the power of the Children's Bureau. However, I should state that when the measure to prolong the life of the maternity act was under consideration in 1926, Miss Grace Abbott appeared before the House committee, which was considering the measure, and testified. Senators will recall that Miss Abbott is the Director of the Children's Bureau. The question was under

consideration as to how much longer the bill was to remain in force, and she was asked the following questions:

Is it the purpose that the United States Government should retire from this field?

Miss Abbott said:

I do not see why it should not be able to retire from this field eventually.

Then several other questions were propounded; and Mr. Lee asked this question:

As I understand it, you think that there is no possibility that two years will be a sufficient time for the Government to complete its part?

Miss Abbott answered:

No.

Mr. LEE. What time would you specify for a certainty that, in your judgment, the United States should remain in this work?

Miss ABBOTT. Well, I do not want to specify for a certainty.

Mr. LEE. Do you think four years?

Miss ABBOTT. No; I would rather say five as the time that the Government would, without question, need to continue the work.

Nearly five years have elapsed since Miss Abbott made the statement referred to. Nevertheless she and Florence Kelly and others are demanding that the old Sheppard-Towner bill shall be revived and enacted into permanent law. Apparently their position is that the States have not the ability, the courage, or competency to handle their own affairs and that the Federal Government must continue to discharge functions which belong to the States.

Mr. President, it is unfortunate that the form of government established by our forefathers should be perverted, and the States little by little undermined and destroyed. History is replete with examples of the aggressions of centralized governments under which liberal and democratic institutions were crushed and the people subjected to a powerful and too often despotic national government. When the foundations of this Republic were laid the forces of democracy challenged those of centralized authority. It was believed by a majority of the people that the Revolution would not be complete if the National Government were not restricted and its authority clearly and specifically enumerated. From the day the National Government was organized efforts have been made to strengthen the Federal Government and to weaken the States. During the past two or three decades assaults upon the States have increased in vigor and have been attended with astounding success. It is obvious that with nearly 1,000,000 people whose compensation is paid by the Federal Government and who occupy positions in departments, bureaus, Federal agencies, and national organizations, the authority of the Federal Government would be strengthened and the authority of the States diminished. The Federal bureaus are never satisfied with the limitations imposed upon them and spend much of their time in seeking expansion, increased authority, and larger contributions from the Federal Treasury. The Children's Bureau is an example of this ambition for power. It began as a modest organization with a limited field in which to operate. It has now become a formidable agency which seeks the entire United States as a field for its activities.

Mr. President, the Federal Government has no authority under the Constitution to enter the States and care for the education of the children or to provide for their welfare. Those matters belong to the States; and our fathers were unwilling to confer upon the Federal Government authority to look after their domestic and internal affairs. There is no clause in the Constitution authorizing the measure before us. Neither in the general welfare clause nor any other provision can there be found warrant for this proposed legislation.

Mr. President, I have before me the minority report submitted by Congressman MERRITT when H. R. 7555 was before the House Committee on Interstate and Foreign Commerce in 1926. The majority of the committee submitted a favorable report, but a minority report was submitted by Congressman MERRITT. I ask that this report may be inserted as a part of my remarks without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The report is as follows:

MINORITY REPORT

(H. R. 7555)

The so-called maternity act passed in the Sixty-seventh Congress authorized for five years the appropriation each year for each State of $5,000 flat (i. e., without being matched by any State appropriation) and an additional appropriation of $1,000,000 to be apportioned among the States at the rate of $5,000 to each State plus an amount proportional to its population, but to receive any part of this additional appropriation a State must first appropriate from its own treasury an equal amount to be used for the purpose of this bill.

In reporting this bill in the Sixty-seventh Congress some members of the committee felt grave doubts whether the objects sought by the bill could by any process of reasoning be brought under the powers granted by the Constitution to Congress. It was argued that appropriations of this sort could be brought under the so-called general-welfare clause in section 8 of the Constitution. But high constitutional authorities are of the opinion that the general welfare referred to in the first paragraph of section 8 is strictly limited by the enumerated powers which are set forth in that section.

Any other interpretation would lead to the practical abolition of section 8, because, presumably, any legislation enacted by Congress would be with the intention of promoting in some way, directly or indirectly, the welfare of the Nation, and thus the enumerated powers would be no check on congressional legislation. It is well often to revert to contemporary opinion as to the meaning and powers granted and reserved under the Constitution. The powers granted to the Congress are defined as follows by Hamilton in No. 23 of the Federalist:

"The common defense of the Members; the preservation of the public peace, as well against internal convulsions as external attacks; the regulation of commerce with other nations and between the States; the superintendence of our intercourse, political and commercial, with foreign countries."

The powers reserved to the States are set forth by Madison in Nos. 45 and 56 of the Federalist as follows:

"The powers reserved to the several States will extend to all the objects which in the ordinary course of affairs concern the lives, liberties, and properties of the people and the internal order, improvement, and prosperity of the State. * * *

"By the superintending care of these (the States) all the more domestic and personal interests of the people will be regulated and provided for. With the affairs of these the people will be more familiarly and minutely conversant."

But nothing is so appealing to the emotions as maternity and infancy, and so the committee, taking counsel of their hearts rather than of their heads, reported the bill favorably, the writer of this report joining with them at that time.

The bill as reported by the committee and passed by Congress was modified materially from its original form as introduced. It made the Children's Bureau a clearing house for the receipt and dissemination of information and instruction in the hygiene of maternity and infancy. The bureau was to carry out the purposes of the act through certain designated State agencies, over whose plans and operations in this regard it had a certain amount of control. The general idea was that the bureau was on this subject to be educational and inspirational and that after the 5-year period the States appreciating the value of the work would continue it at their own expense. It is generally conceded that the bureau has performed its work well and with good results.

But, as invariably happens, now that the period of five years is about to expire, the bureau is asking that the appropriation be extended for another two years. The chief of the bureau testified that the work is costing about $1,000,000 per year, and gentlemen have argued that whether it is constitutional or not the sum is so small relatively to general Government expenses as to be inconsiderable. It is agreed that the performance of an unconstitutional function by the General Government is of greater moment than the money involved, but it is always the duty of Congress to avoid needless expenditure of public funds.

As tending to show that further appropriation is needless, a few States varying widely in situation, area, wealth, and population are selected and in one column are set down the amounts these States paid to the General Government in 1925 in income and miscellaneous taxes and in another column the amounts they are entitled to draw from the United States in 1926 under the maternity act if they comply with its provisions:

	Income and miscellaneous internal revenue, 1925	Maternity, 1926
California	$121,000,000	$26,000
Delaware	5,000,000	11,000
Idaho	1,750,000	8,000
Iowa	15,000,000	26,000
Nevada	617,000	10,000
New York	658,000,000	80,000
Pennsylvania	246,000,000	68,000

Even in the case of the State with the smallest tax return it would appear that with income and business sufficient to warrant a payment to the Federal Government of $617,000 it might spare $10,000 for its mothers and babies, and at the other end of the line, where the great States of New York and Pennsylvania pay into the United States Treasury $900,000,000 annually, it surely is a reductio ad absurdum for the United States to hand these two States an annual dole of $148,000 to help in their purely domestic affairs.

The Children's Bureau reports that 43 States have accepted the aid granted under the maternity act, while five States, Maine, Massachusetts, Connecticut, Illinois, and Kansas are not now accepting it.

Obviously these five States do not wish the appropriation continued, while the other States have had opportunity by the use of the United States contributions, matched by their own appropriations, to become well acquainted with the work which the maternity act is designed to aid. They are, therefore, in a position to decide for themselves whether they think this work is of sufficient value to be continued, and if they decide in the affirmative the resources of every State, as shown by their payments to the General Government in taxes, are fully able to carry on this work without a money contribution from the United States.

If it be argued that United States aid is necessary or desirable for some States of great area and sparse population, the scheme of this bill which appropriates money for 40 States which certainly do not need it to help 8 States which may need it is a sad waste of public funds. And it illustrates forcibly the difficulty which the Federal Government will always encounter in endeavoring to remedy local ills and troubles which are quite outside its constitutional powers. As has been said, nothing so appeals to one's sympathy and emotion as a mother and baby, and they should have skillful and gentle care; but this should be given by their own community, city, county, or State. There is no more ground for the United States to care for the babies of New York or Philadelphia or San Francisco than to feed and clothe them when they are 5 or 10 years old.

This bill is not in itself of major importance either in the amount of its appropriation or the good or harm it will cause, but it is an example, and rather an extreme example, of the bad tendency to shift responsibility from States and communities where it belongs to the United States where it does not belong.

For the reasons above set forth such legislation is believed to be unconstitutional, and it is fundamentally objectionable because it tends to destroy local self-government in purely local matters.

If local communities or States look to a distant government for help in their own peculiar concerns, and if they look for instructions to a distant bureau laying down rules for a whole continent and for hundreds of millions of people, it is clear that these communities can not have either the sense of responsibility or the direct and vital interest in their own affairs which is not only essential for the communities themselves but for the independence and self-reliance and initiative of the citizens who make up these communities. And if the independence and self-reliance of the citizenship of the States is weakened, then the very foundation of a democratic nation is in danger.

SCHUYLER MERRITT.

Mr. KING. Mr. President, I referred a moment ago to the establishment of the Children's Bureau in 1912. It was then represented that this organization was a small fact-finding statistical agency to obtain statistics regarding children. It was given no administrative authority and it was never conceived that it would develop into its present swollen proportions.

Senator BORAH, speaking of the bill providing for its establishment, said:

I am not myself and have never been in favor of extending this kind of legislation to the point where it might be said to impinge upon the rights of the States. But this bill goes no farther than to gather the information such as is now being done by the Government in other departments concerning other matters of interest.

Senators will perceive how far the bureau departed from the purpose which inspired its establishment.

In 1913 the appropriation for the bureau was only $21,936; in 1914, $25,640; in 1926 the salaries and expenses, including bonus and classification, amounted to $313,000. In addition, there was appropriated $1,000,000 for "maternity and infancy, including bonus and classification." Within a short time after the bureau was created the Woman's Journal, formerly the Woman Citizen, the official organ of the National American Woman Suffrage Association, of which Mrs. Kelley was vice president, declared editorially that—

We shall not be willing to let the establishment of the Children's Bureau mean simply investigation—it must mean power to change things. (Woman's Journal, May 11, 1912.)

Since the establishment of this bureau it has been an aggressive agency for power and has exhibited a determined purpose to project the Federal Government into the States. This bureau, or some of its leading officials, have joined hands with Mrs. Kelly, an active socialist, to secure amendments to the Constitution of the United States under which all persons under 18 years of age would be subjected in a very large degree to the control of the National Government.

In my opinion, Mr. President, the Children's Bureau will not be content with the authority given by this measure, if it shall pass, but it will engage in propaganda to augment its power and to entrench itself within the States for the purpose of controlling not only the education but the activities of all persons under 18 years of age. Senator Heyburn, of Idaho, foresaw the ambitious program that would ultimately be developed by the Children's Bureau. He stated that, while upon the face of the measure establishing the bureau, provision was made merely for the taking of statistics or the accumulation of knowledge—

* * * yet we know from other measures which have been introduced, some from the same source, that it contemplates the establishment of a control through the agencies of government over the rearing of children. There are other measures now pending in committees of this body going much farther, going to the extent of interference with the control of a parent over the child. * * *

After referring to the ability of the mothers to care for their children, he asks the question:

* * * Are we to create, as this (bill) contemplates in every State and Territory and corner of the United States a nursery that shall pass upon the wisdom of the mothers and the fathers of the land? Are we, as this contemplates, to appoint Federal officers to superintend the nurseries of the country or the cradles of the poor? Are we, through this agency, to say what school of medicine shall be invoked for the assistance of the child that is ill? Are we to provide that some one may step in and be substituted for the parent in the care of the child merely because of a difference of opinion? * * * (CONGRESSIONAL RECORD, December 11, 1911, p. 189.)

He further stated that he had asked persons who had corresponded with him what they hoped to accomplish, and their answer was—

* * * if not in uniform speech, in spirit, that they hope to be in a position to exercise jurisdiction over children who, in their judgment, are not being properly cared for. They want to become substitutes for the parents. Perhaps some of them may be parents. Many of them, to my knowledge, are not. But they are anxious to secure an opportunity, which they may not have improved on their own part, of becoming the parents in fact of other people's children. (CONGRESSIONAL RECORD, January 24, p. 1248.)

In support of Senator Heyburn's prognostication I refer to Miss Julia C. Lathrop, who was formerly Chief of the Children's Bureau, who, in a signed article appearing in the American Journal of Public Health (Vol. IX, No. 4, April, 1919, pp. 270–274), stated—in reference to some of the work done by the bureau—

* * * that the surroundings of each child were traced to the first year of life * * * by women agents of the bureau who called upon each mother. * * * while it was plainly necessary to accept the mother's statement with reference to matters directly pertaining to the daily life of the baby, it was thought that she might not always know about her husband's earnings and that other sources of information might be more important. Pay rolls were consulted and employers and the fathers themselves were interviewed. * * *

Senator REED, in a speech which he delivered on the maternity bill in 1921, quoted from one of the publications of the Children's Bureau a statement which he called "this choice bit of communism"—

* * * The cost of living must come down or there must be a nationalization of financial responsibility which will relieve the individual family of a portion of the cost which they must now bear or wages must rise to cover the cost of living. * * *

If I had time I should like to read from publications of the bureau and statements made by its representatives which would show the socialistic bent of some connected with this organization and some who are supporting it. There is much talk about the sociological side of the bureau; that its work is broader than that relating purely to health, and that its real purpose is for extension work, and its

activities belong to the social-service division of a proposed welfare department.

Senator MOSES, a distinguished Member of this body, stated when the maternity bill was passed, that—

> * * * The so-called maternity bill is designed to create jobs and to procure the circulation of literature accompanied by unwelcome and unwise intrusion into the most intimate of private affairs. If the real desire of the proponents of the measure is to give real help to expectant mothers, they should realize that provisions should be made for doctors and not documents, for medical men instead of meddlesome "matties."

Mr. President, I have before me the statements of various persons who have urged this legislation, as well as reports and publications emanating from the Children's Bureau, all of which indicate a purpose to have the Children's Bureau and Federal agencies exercise control over individuals, families, communities, and States, and to usurp the functions of the parents.

It is needless to say that this view is repugnant to our institutions and should be repelled by all patriotic Americans. We do not want Marxian philosophy introduced into our social or political life. It prevails in Russia where the state is supreme and a social policy is projected disruptive of families and restrictive of the right of parents to control their own offspring. This view is expounded in Madame Kollontay's book entitled, "Society and Motherhood," as well as other publications coming from Russia. Madame Kollontay's book was printed in the Russian language in Petrograd in 1916. The Children's Bureau published a book of 206 pages under the title of "Maternity Benefit Systems in Certain Foreign Countries." It was transmitted to the Secretary of Labor by Miss Julia C. Lathrop, who was the chief of the Children's Bureau on May 22, 1919. In the bureau publication at pages 165 to 175, inclusive, devoted to a narration and discussion of maternity benefits in Russia, the concluding sentence dealing with this Russian material is as follows:

> * * * The most comprehensive study on maternity benefits and insurance which has yet appeared in any language is the volume by Mme. A. Kollontay, Obshchestvo i Materinstvo. I. Gosudarstvennoe Strachovanie Materinstva.

As I understand, this sentence is part of the text transmitted by the Chief of the Children's Bureau to the Secretary of Labor for publication. Miss Lathrop, in transmitting this material to the Secretary, states:

> * * * No such system (referring to the maternity-benefit systems) once undertaken, has ever been abandoned.

It has been contended by the bureau that Mr. Harris, of the Library of Congress, was responsible for the publication. The fact is that Doctor Harris did not write the material on Russia. A footnote at the bottom of page 165, under the head of "Russia," states:

> * * * The statements in this section are based on material furnished by J. B. Ohsol, Ph. D. * * *

Mr. Ohsol, according to my information, not long ago was vice president of the Amtorg Co., the commercial agency of Soviet Russia in the United States.

It may be said in passing that Mme. Kollontay was the first people's commissar of social welfare for Soviet Russia, and in October, 1917, she issued a decree setting up a committee on

> * * * The protection and care of motherhood as a social function of a woman and the protection of children as a duty of the government.

The decree, among other things, stated:

> This committee is charged with the immediate organization of the department of protection of mothers and children as part of the ministry, and to take over from it all the property of the former all-Russian organization as well as all funds * * *. This committee must immediately organize * * * for protection of motherhood and children of the republic.

Miss Abbott, the present Chief of the Children's Bureau, in a report submitted for the fiscal year 1922, referring to the motherhood act, says:

> * * * This act for the promotion of the welfare and hygiene of maternity became a law November 23, 1921. It is in all essentials the same as the plan for the public protection of maternity and infancy, submitted by Julia C. Lathrop, formerly Chief of the Children's Bureau, in her annual report for 1917. * * *

On July 23, 1921, Miss Lathrop appeared before the Committee on Interstate and Foreign Commerce of the House in support of the bill and in the course of her statement said:

> * * * Mme. Kollontay seems to have traveled very largely and everywhere to have gathered information on this particular subject and to have published it. Indeed, there was a request that the Children's Bureau should republish it, but after our translators had looked over the material it did not seem advisable to undertake so costly a piece of work, because we could in more brief manner present all that was necessary and from original sources. * * * We had a Russian—the book is in Russian; it has not been translated into English. Our translator examined it, and it was reported as a mass of material chiefly, I think, composed of documents. * * *

In reply to a question Miss Lathrop states that the book represented:

> * * * a résumé of the various maternity-benefit systems in European countries. * * *

It would seem that the bureau examined Mme. Kollontay's book and produced a condensed volume on the same subject containing 206 pages which was published under the title of "Maternity-Benefit Systems in Certain Foreign Countries."

Evidences are not wanting of efforts being made in the United States to introduce socialistic policies which are at variance with the spirit of our institutions and, indeed, with our form of government. The National Government, moreover, is taking over the control of the States and assuming jurisdiction over social, educational, and other matters wholly outside of its constitutional authority.

It is to be regretted that many people invite the Federal Government to enter upon all sorts of socialistic experiments, including interference with family relations and individual rights. There is a growing disposition to regard the National Government as the source of all power and the fountain of all blessings. If local or individual troubles arise it is expected that the Federal Government will wave some magic wand and dissipate the same. If there is depression in any industry the Federal Government must be called upon to drive away the clouds and bring the sunlight of prosperity. The National Treasury seems to be regarded as an inexhaustible reservoir from which may be drawn unlimited funds to meet all individual, community, and State obligations.

The fiscal relations of the Government are a sealed book to many of our people and they seem to be unaware of the fact that in order to appropriate money from the Federal Treasury there must be taxes extracted from the people to supply sufficient funds to meet such appropriations. In every part of the United States the people are complaining because of the burden of taxes to which they are subjected. It is obvious that with these increasing demands, many of which should be denied, the exactions made upon the people will be greater and, of course, the burden of taxation will become heavier.

It were well if there could be a revival of individualism and of local self-government. The States need to be revitalized. It is not sufficient to have a restatement of democracy and of the principles upon which our institutions are founded. There must be a reinstatement in the hearts and minds of the people of the ideals of democracy and of those sound, sane, and patriotic views which animated the fathers of the Republic and guided those who wrote the Declaration of Independence and gave us the Constitution of the United States. Courage and self-reliance and individual initiative, those sterling qualities which belong to a proud and progressive people, must not be lost by the American people, and they are more important to-day than ever before in the history of this Republic.

Mr. President, a few moments ago I referred to the insatiable appetites of Federal bureaus. Ex-President Coolidge

in various addresses and speeches earnestly pleaded for the maintenance of individual rights and the sovereignty of the States. He often warned against the centralizing tendencies and the growth of bureaucratic power. In his Williamsburg speech, May 15, 1926, he said:

> The Federal Government ought to resist the tendency to be loaded up with duties that the States should perform. It does not follow that, because something ought to be done, the National Government ought to do it.

In the same address he said:

> Artificial propaganda, paid agitators, selfish interests, all impinge upon members of legislative bodies to force them to represent special elements rather than the great body of their constituency.

I submit that there has been artificial propaganda back of the bill before us and pressure to force the enactment of the same. The Children's Bureau has been active in its efforts to secure the adoption of resolutions favoring measures of the character of the pending bill. It is an evil which is apparent to all, that no little part of the time of officials of the Government, and heads of bureaus, is given over to propaganda and agitation calculated to obtain support for larger appropriations and for the extension of the power and authority of Federal agencies. There should be limitations placed upon the efforts of officials in executive departments who spend much of their time in this propaganda.

I quote again from ex-President Coolidge.

> No method of procedure has ever been devised by which liberty could be divorced from local self-government. No plan of centralization has ever been adopted which did not result in bureaucracy, tyranny, inflexibility, reaction, and decline. Of all forms of government, those administered by bureaus are about the least satisfactory to an enlightened and progressive people. Being irresponsible they become autocratic, and being autocratic they resist all development. Unless bureaucracy is constantly resisted it breaks down representative government and overwhelms democracy. It is the one element in our institutions that sets up the pretense of having authority over everybody and being responsible to nobody. (CONGRESSIONAL RECORD, May 17, 1926, p. 9490.)

Evidently this distinguished American perceived the centralizing movement which was assuming dangerous proportions in the United States and warned the American people that with the growth of bureaucracy, "tyranny, inflexibility, and reaction and decline would follow." I appreciate the fact that efforts to arouse the people in behalf of the maintenance of the Constitution and of individual and States' rights and our form of government meet with ill success. Not infrequently warnings from skilled mariners that storms will soon sweep over the seas and endanger the vessel upon which happy passengers are traveling, are disregarded, but the storms come and the vessel with its precious freight sinks beneath the waves.

Speaking of the Children's Bureau, ex-President Coolidge stated in his Budget message for 1929, pages IX–X:

> The extension for two years of the provisions of the act for the promotion of the welfare and hygiene of maternity and infancy was approved, with the understanding that its administration during these two added years would be with a view to the discontinuance of Federal aid thereafter. * * * As shown by the maternity and infancy act, when once the Government engages in such an enterprise it is almost impossible to terminate its connection therewith. We should not only decidedly refuse to countenance additional Federal participation in State-aid projects but should make careful study of all of our activities with a view to curtailing them.

Mr. President, it is evident that Mr. Coolidge understood that when the maternity act was extended for a period of two years it was then to end, and that the Federal Government would discontinue its activities in the field covered by that measure. But President Coolidge understood the parasitic propensities of bureaus when he stated that the maternity and infancy act demonstrated that when once the Government engages in such an enterprise it is almost impossible to terminate its connection therewith. In my opinion, if President Coolidge were in the White House and this bill passes, he would promptly veto it.

I have in mind a statement made by my colleague [Mr. SMOOT] in speaking of the growth of bureaus and departments, at the reorganization hearings in 1924, said:

> * * * We started with the Children's Bureau. It was stated on the floor of the Senate that at no time in the history of the country would there be more than $25,000 required for that department. That was when the bill was under consideration. Ten times that will not take care of it now. (Joint hearings on S. J. Res. 282, 67th Cong., January 7–31, 1924, p. 502.)

As evidence of the increased demands of the bureau we find that in 1924 $1,583,838 were appropriated to be expended by it, and under the present bill, should it become a law, it is difficult to determine what its annual demands will be; but they certainly will exceed a million and one-half dollars. In 1915 there were 76 persons employed in the staff for the administration of the Children's Bureau at a cost of $164,640, but the annual report for October, 1916, recommended an increase of 57 persons in the staff, or a total of 133 persons, with a requested appropriation of $352,160. And in 1919 the fund available for that year was increased to $518,160. (Eighth Annual Report, September 15, 1920.)

The Ninth Annual Report, dated August 18, 1921, referred to the "widening sphere of the bureau's influence and the increasing demands upon it called for an expanding program." A total appropriation of $642,860 was requested for the fiscal year ending July 1, 1922. In addition there was the appropriation of $1,240,000 authorized under the Sheppard-Towner Act. Of course, in addition to the appropriation made by Congress, it controlled directly and indirectly over $1,240,000 by the States, assuming that all States accepted the Federal scheme provided in the maternity act.

Congressman SHREVE, of the Appropriations Committee, stated on December 13, 1922 (CONGRESSIONAL RECORD, p. 429):

> I am not sure, but there is something growing up in the Government among the heads of departments, a sort of feeling of superiority that they desire to control the situation over and above Congress.

It appeared that the amount carried by the bill for the Children's Bureau exceeded by $440,000 the estimate of the Budget. This, of course, was condemned by President Harding, who in his Budget address, June 18, 1923, stated that efforts to secure congressional appropriations in excess of the Executive recommendation "will be looked upon as sufficient reason to give consideration toward severance of employment with the Government."

The record of the Children's Bureau will demonstrate that efforts were persistent and flagrant to increase the appropriations made by Congress and to expand the authority and power of the bureau.

Mr. President, I feel justified in calling attention to another statement made by ex-President Coolidge. Speaking of the willingness of some to surrender the right of local self-government in exchange for Federal aid, he stated, in an address before the Society of the Daughters of the American Revolution, on April 16, 1928, that—

> There are always those who are willing to surrender local self-government and turn over their affairs to some national authority in exchange for a payment of money out of the Federal Treasury. Whenever they find that some abuse needs correction in their neighborhood, instead of applying a remedy themselves they seek to have a tribunal sent on from Washington to discharge their duties for them, regardless of the fact that in accepting such supervision they are bartering away their freedom. Such actions are always taken on the assumption that they are a public benefit. Somewhere Lincoln said something to the effect that tyrants always bestrode the necks of the people upon the pleas that it was for their good. He might have added that the people suffered the rule of tyranny in the hope that it would be easier than to rule themselves. We have built our institutions around the rights of the individual. We believe he will be better off if he looks after himself. We believe that the municipality, the State, and the Nation will each be better off if they look after themselves. We do not know of any other theory that harmonizes with our conception of true manhood and true womanhood.

Mr. President, this legislation implies the bartering away of the freedom of the States and the rights of individuals for Federal subsidies. I commend these patriotic words of ex-President Coolidge to the supporters of this measure.

The Republicans in their platform of 1928 declared that—

> The Federal Government should zealously protect the national and international rights of its citizens. It should be equally zealous to respect and maintain the rights of the States and Territories and to uphold the vigor and balance of our dual system of government * * * there are certain other well-defined Federal obligations, such as interstate commerce, the development of rivers and harbors, and the guarding and conservation of national resources. The effort which, however, is being continually made to have the Federal Government move into the field of State activities has never had, and never will have, the support of the Republican Party. In the majority of the cases State citizens and officers are most pressing in their desire to have the Federal Government take over these State functions. This is to be deplored for it weakens the sense of initiative and creates a feeling of dependence which is unhealthy and unfortunate for the whole body politic. There is a real need in the country to-day to revitalize fundamental principles; there is a real need of restoring the individual and local sense of responsibility and self-reliance; there is a real need for the people once more to grasp the fundamental fact that under our system of government they are expected to solve many problems themselves through their municipal and State governments, and to combat the tendency that is all too common to turn to the Federal Government as the easiest and least burdensome method of lightening their own responsibilities.

It is obvious that those who are supporting this bill run counter to the Republican platform because this bill represents "an effort which is being continually made to have the Federal Government move into the field of State activities." I commend to Senators the words—

> That this effort to have the Federal Government take over State functions * * * is to be deplored for it weakens the sense of initiative and creates a feeling of dependence which is unhealthy and unfortunate for the whole body politic.

The Democrats in their national platform adopted at Houston, declared against measures of this kind in the following words:

> We demand that the constitutional rights and powers of the States shall be preserved in their full vigor and virtue. These constitute a bulwark against centralization * * * we oppose bureaucracy and the multiplication of offices and officeholders. We demand a revival of the spirit of local self-government without which free institutions can not be preserved.

Notwithstanding these solemn declarations of both political parties, measures were promptly introduced by Democrats and Republicans to strengthen the arm of bureaucracy and to weaken the powers of the State. Among them were measures offered in the House, and the measure before us introduced by the Senator from Washington.

Mr. President, as I interpret the attitude of President Hoover, he is not in favor of permanent legislation of the character of the measure before us. Recently a conference was held in this city under the auspices of the President for the consideration of problems relating to the home and child welfare. There was a sharp conflict between those who believed that whatever was done by the Federal Government in the field of public health, either for adults or children, should be under the direction of the Public Health Service, and those who contended that the Children's Bureau should have its authority expanded and that it should administer any measures enacted by Congress dealing with child welfare and maternity and infancy matters. Among the fierce and ardent champions of the latter view were Miss Grace Abbott and Florence Kelley.

It seems obvious that legislation dealing with maternity and infancy—if the National Government has any authority to enter this field—should be under the direction of the Public Health Service organizations. The States in dealing with health and cognate matters should have a unified public-health service instead of dividing the work among various bureaus and State organizations. There should be unified control, particularly where it involves medical assistance or activities and the promotion of the health of the people. The Public Health Service of the United States has a proper function.

It has, however, in my opinion, not infrequently transcended the bounds within which it should operate and has attempted to invade functions of the States and assume responsibilities which do not belong to the Federal Government. However, the Public Health Service is well organized so as to deal with public-health questions which properly belong to it, no matter in what part of the territory of the United States they arise. This organization has medical men of standing and specialists in the various branches of medicine, public health, and sanitation. There are specialists in all fields relating to the health and welfare of mothers and infants, as well as the public health of the people generally.

If I understand the position of President Hoover, he is seeking to unify all work done by the Federal Government in the field of public health, and to place the same under the jurisdiction of the Public Health Service. In his message to Congress in December, 1929, President Hoover stated that—

> * * * the organization of preventive measures and health education in its personal application is the province of the Public Health Service.

I assume, of course, that he is dealing with the question of public health in so far as the Federal Government has authority in the matter. I am sure he did not assume that the Public Health Service was a State institution or was to interfere in any manner with the authority of the States to deal with their own health and welfare problems.

It is true that he referred to the Sheppard-Towner Act and recommended that it should be continued, through the Children's Bureau, for a "limited period of years." He stated that Congress should consider the—

> Desirability of confining the use of Federal funds by the States to the building up of such county or other local units, and that such outlay should be positively coordinated with the funds expended through the United States Public Health Service directed to other phases of the same county or other local unit organizations.

He also suggested that whatever funds were appropriated should be applied through the States, so that the—

> Public-health program of the county or local unit will be efficiently coordinated with that of the whole State.

In his message to Congress in 1930 he stated:

> * * * I urge further consideration by the Congress of the recommendations I made a year ago looking to the development through temporary Federal aid of adequate State and local services for the health of children and the further stamping out of communicable disease, particularly in the rural sections. * * *

The bill before us had been introduced several months before the President delivered his annual message in 1929, in which, as I have stated, he declared for a program that confined the use of Federal funds by the States to the "building up of county or other local units," and that such "outlay should be positively coordinated with the funds expended through the United States Public Health Service."

If I understand the position of the President, it is that the maternity bill should be limited in its duration, and that all activities of the Federal Government dealing with public health, whether relating to adults or infants and mothers—where it was within the province of the Federal Government—should be under the direction of the Public Health Service. This was, of course, in the interest of economy, to prevent duplication, to secure greater efficiency and more satisfactory results. I also interpret the President's position to be that if and when any funds are expended by the Federal Government in any State for health and cognate matters, the Public Health Service should cooperate with State organizations in such a manner as to secure positive and "certain coordination."

The President's policy, as I view it, is against permanent legislation of the character of the bill before us. I repeat that if the Federal Government is to appropriate money for the promotion of the health and welfare of mothers and infants, it should be expended by an organization such as the Public Health Service, which has trained medical and scientific men, who will cooperate with the States and coordinate the activities of the Federal Government and State governments. It is absurd and irrational to commit to the Children's Bureau the expenditure of large sums of money for the purposes just indicated when there is a Public Health Service organization operating in every State and manned by persons of skill and medical training and broad experience in all questions relating to the health of the people.

Mr. President, I invite the attention of my Republican friends to the criticism which they leveled against the Democratic administration under Mr. Wilson. They charged that there were too many Federal bureaus and agencies, that their activities overlapped and that there were manifest duplications in the work performed by them. They stated that there should be a reorganization of all of the departments and bureaus and Federal agencies, and pledged themselves if the Republicans came into power, to consolidate governmental departments, bureaus, and agencies, eliminate all waste and extravagance, reduce the number of Federal employees, and inaugurate economies that would save the Government hundreds of millions of dollars annually. Mr. President, their promises have not been fulfilled. There are more bureaus and Federal agencies in the Government to-day than ever before. There is more duplication and overlapping in the executive departments than at any time in the history of the Government. Not only have there been no important consolidations and unifications, and reductions in personnel, but as stated, executive agencies have multiplied and there are tens of thousands more employees in the Government service now than there were under Mr. Wilson's administration in April, 1917, when the United States entered the World War. Certainly no one can claim that waste and extravagance have been eliminated, or that the administration of the executive departments is more effective or economical than under Democratic administration. I believe that President Hoover is seeking to eliminate much of the work sought to be performed by the Children's Bureau, and to consolidate in the Public Health Service all activities of the Federal Government which might come under the head of public health.

I might add, Mr. President, that Mr. Wilson inherited a system which needed reforms. He inaugurated many and gave the country a most brilliant and statesmanlike administration. Mr. Hoover, with his engineering experience, I have no doubt, appreciates the fact, that the duplication of effort, and the maintenance of an enormous number of bureaus and organizations, are perhaps more undesirable and harmful in government than in private business. If corporations were to permit the waste, extravagance, and inefficiency which are found in the Federal Government more corporations would be in the hands of receivers than are found to-day.

There is a legitimate field in which the Public Health Service may operate. It must guard our borders against plagues and contagious diseases that might be introduced into the United States. There are public-health questions interstate in character of which this organization may properly take cognizance. There are scientific men in this organization engaged in research, and provision is made for the dissemination of knowledge which they acquire. Statistical information dealing with public-health questions are collated and many matters national in character justify and, indeed, require, a Federal public-health service. Congress recognized the necessity of this organization and early in the history of this Republic made provision for the same. I have before me the laws creating the Public Health Service, defining its duties and indicating the various fields in which it may enter. Recently Congress passed a law entitled "An act to provide for the coordination of the public-health activities of the Government, and for other purposes."

It is evident that Congress sought to coordinate all of the public-health activities in which the United States was or should be interested. A measure of this kind was wise and was in the interest of efficiency and economy and yet we are attacking this policy which aimed at efficiency and the consolidation of Federal agencies. It is evident that no bureau that has once breathed the breath of life will ever taste death. Those who doubt immortality should acquaint themselves with the lives of bureaus.

In my opinion the Public Health Service has not always confined itself to paths which it may constitutionally follow. It, like other bureaus, has not infrequently gone far beyond the sphere in which it should operate, and sought to take over activities which should be carried on by the States. I am aware that justification is pleaded in some instances, because States and communities have importuned this organization to invade their domain. I concede that democracy is not always efficient; that communities do not always assume the responsibilities which rightfully belong to them; and that individuals do not always measure up to the standard of duty which they should adopt. But it is better for the ultimate success of democratic institutions that the evils arising from the indifferences of individuals, communities, and States should be suffered until the people themselves correct them, as they will, than to be subjected to an extraneous authority, even though temporary advantages are derived therefrom. The path of self-government is a difficult one to travel, but the results compensate for all the sorrows and vicissitudes encountered. The imperishable riches of democracy are acquired only through patience, effort, courage, and suffering. Democracy is too often weakened by seductions and blandishments from external agencies or extraneous authority. It is difficult to resist the inclination to shirk a duty when there stands ready an obsequious power evincing a willingness, indeed a desire, to assume such responsibility.

Within the executive departments of the Government are to be found individuals eager to extend the work of their organization, to increase its power, and, of course, its personnel, even though in so doing they are transcending the limitations imposed upon them and the Federal Government. There are too many individuals in the United States not only willing to have the Federal Government exceed its constitutional authority but they urge it to enter forbidden and dangerous paths.

Mr. President, I have the report submitted by the Public Health Service for the fiscal year 1930 in which appears a discussion of many of the activities in which it has engaged. Under the head "Health conditions in the United States" it is stated that the general health conditions in the United States, except for the epidemic of influenza which appeared in 1929, are good. It then refers to various situations which arose resulting in active work upon the part of this organization. Page 3 of the report shows that the Public Health Service engaged in work which the Children's Bureau desires to undertake. This statement appears:

> Preliminary figures for the calendar year 1929 show a decrease in both the birth rate and the death rate as compared with 1928. This is a continuation of the trend which has been noted in the statistics for most civilized countries for several decades. The rates for 43 States are as follows.

Then follows a statement giving births and deaths, and so forth, which shows an increase in births and a decrease in mortality—infant mortality as well as adult mortality.

This and other reports of the Public Health Service do not support the contention made by the Senator from Washington [Mr. JONES] that the Sheppard-Towner Act per se has accomplished the results which are attributed to it. I shall not take the time to read some of these pages which reveal the extent and character of the work done and its beneficial results throughout the States and within the field which properly belongs to it. I read, however, a few sentences from page 11:

> Three additional investigations in child hygiene have been inaugurated during the year as follows: Studies of the effect on mental health of the child of various types of birth, such as prolonged labor, forceps delivery, and Caesarian section; studies of the mental hygiene of childhood to be used as a background for comparison with the many studies now available of the so-called problem children and studies of the relationship of dental caries to nutrition and health.
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> * * * In addition, a number of studies undertaken outside of the child-hygiene office, and described elsewhere in this report, have an intimate bearing on child-health problems. For example, the studies on natural elimination, on infectious disease, incidence in rural and urban areas, on scarlet fever, and the standardization of biologics relating thereto, on milk sanitation, and a number of other topics.
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> * * * A complete milk-sanitation survey has been made in 405 cities located in 22 States. The number of cities which have thus far adopted the standard milk ordinance recommended by the Public Health Service has increased to 379. These cities are located in 22 States.

Many other statements are made in this report, as well as in other reports made by the same bureau which I have here, dealing with its activities and accomplishments. They confirm all that I have said concerning the comprehensive work performed by the Public Health Service and its work in behalf of infancy and maternity. I shall not take the time of the Senate to read from these reports, except that for 1920, to which I shall call attention in a moment.

Mr. President, as I have indicated, the Public Health Service, in my opinion, is extending some of its operations beyond constitutional limits. It is undertaking work which belongs to local communities and to the States as well as to individuals; however, it were better to have one Federal organization equipped with scientific and competent persons to perform a legitimate Federal function, pass beyond the line of its authority, than to have several Federal bureaus, all ambitious and struggling for greater power and authority, enter fields not authorized by the Constitution, particularly if they are lacking in properly equipped personnel. The Public Health Service for a number of years has been carrying on extensive investigations in the field of public health and sanitation, including studies and investigations with respect to the health of infants and mothers. Some of its activities have, as I have stated, been local in character and outside of the scope of this Federal agency. I shall refer to some of its work, not because I approve of all its activities but for the purpose of showing that President Hoover's position is correct, namely, that all Federal work dealing with the health of infants, mothers, and the people generally should be under the control of one organization.

I have before me the Annual Report of the Surgeon General of the Public Health Service for the fiscal year 1920. An examination of this volume of nearly 400 pages reveals the nature and extent of its work.

Page 15 of the report refers to the investigations carried on through the scientific research division of the bureau. These investigations have included investigations of diseases of man, industrial hygiene, stream pollution, sewage disposal, child hygiene, public health organization, and other sanitary problems. In addition to the investigative work, the division has supervised the conduct of demonstrations in rural sanitation, carried on for the special purpose of securing the establishment of permanent, adequate county health organizations. It supervised and regulated the sale of viruses, serums, toxins, and analogous products in interstate traffic. It also conducted hospitals for the purpose of suppressing trachoma.

On page 16 this statement appears:

> One of the most important features of the work of the division, and one which was developed almost entirely in the past year, was an investigation in the field of child hygiene. This work was undertaken from the point of view of assisting the States in the establishment of child hygiene departments. The success attained in the establishment of such a department in Missouri, where an officer of the service served temporarily as director of the department with the assistance of personnel employed by the service, makes it obvious that this is one of the many fields in which the service can give splendid help to the State health departments.

It also refers to the importance of child hygiene, prenatal care, infant welfare, and personal hygiene prior to school age. The report indicates that in these fields the Public Health Service is actively engaged. Reference is made to the success in the study and treatment of leprosy, pellagra, malaria, and other diseases and maladies.

It would seem as if the entire field of medicine and disease was covered by the work of this organization; cooperative work with the States occurred in the study and control of malaria, as well as other diseases. Field investigations were conducted; the study of occupational diseases received most serious attention; the cause of typhoid and other fevers were investigated and reports made. Sanitary engineers cooperated with the States in conducting studies relating to intensive health administration.

Doctor Frost, one of the experts, continued in general charge of the stream-pollution studies and of the epidemiological influenza investigations. The bureau cooperated with the Indian Service in studying the health conditions existing among the Indians. The same was true with respect to the Hawaiian and Porto Rican situation.

Page 43 of the report refers to the intensive studies and investigations of the health problems of infants and children, which were carried on in many States and in the District of Columbia. The report states that in those States where the service has operated "the work has been done in cooperation with the State health authorities, or else the project had received official indorsement."

The bureau investigated in cooperation with State health departments "to determine the safety, usefulness, and comparative value of dried-milk powder in infant feeding." The results of these investigations were published and after the preliminary report was published the investigations continued "to include laboratory studies carried on in cooperation with the Harvard Medical School, comprising examinations of milk prepared in homes of different degrees of cleanliness, weekly examinations of intestinal flora of a selected number of babies from each group, careful physical examination of babies of all groups, and a comprehensive social study in connection with all groups. Studies in metabolism of 15 babies have been determined by Dr. Fritz Talbot, of the research laboratory of the Massachusetts General Hospital."

The report also refers to health work in schools in Maryland. In Delaware the bureau cooperated with the Delaware Reconstruction Commission in the study and investigation of child-hygiene problems and in the direction of the medical activities of the commission. It refers to the fact that "baby health centers" were established and were doing a limited amount of work, and that the records of the reconstruction commission have been entirely revised, a digest of the laws of the State relating to children prepared, and articles on child health prepared by the director have appeared in practically every newspaper in the State.

Thousands of school children were examined; studies were conducted in malnutrition of school children in Maryland; child hygiene investigations were conducted in Missouri in cooperation with the State board of health in a state-wide field investigation in child hygiene. As illustrating the scope of the work in respect to the health of children, this work included the organization of a division of child hygiene in the State board of health, making field investigations, consisting of a house-to-house canvass in selected districts, for obtaining data as to sanitary conditions of the homes, the family income, milk supply, the physical and mental status of expectant mothers, and the health conditions of infants and children; studying the school hygiene problems, making height and weight measurements, attempting to secure the cooperation of parents in the correction of physical defects, physical examinations of children by local physicians in order to enlist their cooperation and insure permanency of the work; establishing at local expense health centers for prenatal, infant, and preschool care; establishing the work on a permanent basis by educating communities in the importance of the problem and influencing them to employ one or more public-health nurses, school nurses, and organizing community health councils; bringing about better birth registration; educating the public by lectures, exhibits, distribution of literature, and newspaper feature articles; securing to the State Board of Health the active cooperation of the State volunteer organizations engaged in child health work.

The personnel engaged in this work was under direction of a commissioned medical officer and consisted of physicians, public-health nurses, school workers, and field investigators.

The report states that baby-health centers were established and equipped, and funds appropriated for the employment of one or more permanent community nurses. School investigations were made and thousands of children examined for physical defects and ailments. In many towns clinics were held for the study of malnutrition. Surveys

were made of delinquency, dependency, and feeble-mindedness.

I have read enough to show the comprehensive work done by the Public Health Service. Subsequent reports show that this work has been continued from year to year, and that throughout the United States the people are interested in health problems and in all questions relating to their physical and mental welfare. State and county health organizations exist and local health centers have been established. Speaking generally, I assume that the people appreciate the importance of good health and are manifesting an increasing interest in every measure that will improve their physical condition. It should be said that the physicians throughout the United States are exhibiting a fine spirit and are cooperating in a most effective way to promote the health and welfare of the people. Hospitals and health centers are being established and organizations effected supported by the public or carried on by private efforts to meet the medical needs of the people. Especial attention is being given the promotion of the health and welfare of mothers and infants. All of these activities are being supervised and carried on under the direction of medical men of skill and ability and of those trained in this important field.

In the Public Health Service are found medical men of wide experience and national reputation and persons who are studying the most involved questions of public health and their application to the welfare of men, women, and children. Every phase of life receives attention. Matters relating to the health and welfare of mothers and infants should be investigated and studied by men of this character, not by laymen and persons ignorant of medical science and the deep and far-reaching questions underlying the health of the people, and yet it is proposed to confer upon the Children's Bureau the authority to deal with some of these vital questions. It is known that this bureau does not have scientifically trained medical men and women—persons competent to deal with the vital questions relating to health and welfare of mothers and infants. It seems to me absurd if the Federal Government is to aid in the promotion of the health and welfare of mothers and infants that this work should be assigned to a bureau of nonscientific and nonmedical persons, when there exists a Federal organization, national in scope, efficiently organized, and which has been functioning for more than a hundred years and which has within its organization hundreds of medical men with national and many of them international reputations and whose lives have been spent in research work and medical studies and in dealing with health problems in every part of the United States. Why select an incompetent organization to deal with vital questions affecting the health of the people when there is at hand a competent organization, thoroughly equipped, and possessing men of the highest training, skill, and ability? It would be as foolish as if a person were to select a tallow candle to guide his footsteps in the darkness when there were available brilliant electric lights.

Mr. President, the States are alive to their social problems. They may not act as quickly as some desire, but they are competent to deal with all questions which arise—political, economic, or social. It is true that in some cases an extraneous force may administer a stimulant that will secure rather prompt results, but even in those cases the consequences are not satisfactory and relapses not infrequently occur. Social reforms and progress, to be lasting and to accomplish the best results, are not effected in a day. The American people are progressive; they possess a State pride and there is a spirit of emulation among them which results in a determination that their respective States shall not lag behind other States. If one surpasses in educational standards, immediately a spirit is aroused in other States which compels them to adopt higher standards so they may reach higher educational and scholastic levels.

Mr. President, if it is determined that the Federal Government shall make appropriations to aid in promoting the health and welfare of mothers and infants, then I submit that the Senator from Washington [Mr. JONES] could best serve the people of the United States if he devoted his great ability to securing additional appropriations for the Public Health Service to be used for that purpose. Certainly a medical man, trained in every phase of the health problem, could expend the money to a far better advantage through State cooperation than can the Children's Bureau, particularly under its present management.

Mr. President, in an able address delivered by the Senator from Connecticut on the 9th instant, he demonstrated that under the administration of the Sheppard-Towner Act no appreciable benefits resulted. He showed that those States which had refused the Federal bribe and declined to permit the Children's Bureau to interfere in their affairs, had a lower infant and maternity death rate than some States which had received a subsidy and followed the leadership of the Children's Bureau, and that there were some States which had accepted the Sheppard-Towner Act, where the mortality rate increased, though the mortality rate had decreased prior to the passage of the act. He cited the case of Illinois, which had declined to accept the maternity act, whose mortality rate went from 75 per thousand in 1922 to 61 in 1929. The figures show that Massachusetts, which was not the beneficiary of the maternity act, but was opposed to it, fared much better than most of the States accepting it. The infant death rate in that State fell from 81 per thousand to 62. I have tables before me which demonstrate that the claims made that the Sheppard-Towner Act reduced infant and maternity mortality, are unfounded.

I have here an article reprinted from the American Medical Society Bulletin of March, 1930, written by Dr. William C. Woodward, an important official of the American Medical Society. I read a few excerpts from the same:

* * * After somewhat more than seven years' operations under the Sheppard-Towner Maternity and Infancy Act, at a cost to the Federal and State Governments of over $13,000,000, there was still no evidence to show that the act had reduced the morbidity and mortality of maternity and infancy. Mortality statistics showed no acceleration in the rate of decline in the infant death rate when compared with the rate of decline for previous years, and no consistent trend in the death rate due to maternity that could be attributed to operations under the act. The death rates of infants in those States that refused to submit to the terms of the act were as favorable as the death rates in those States that surrendered. Operations under the act were discontinued June 30, 1929, but there has been no evidence of any resultant increase in morbidity and mortality among mothers and infants. No new fact or principle with respect to the causes and prevention of infant and maternal mortality was recorded as the result of the seven years' operations, observations, and experience. So far as is known, no new procedure calculated to render more effective the prevention of such mortality and the promotion of the health of mothers and infants was developed.

That individual persons here and there were benefited by operations under the act may be admitted. That they were benefited in numbers and to an extent proportionate to the amount of money expended may be confidently denied. It is unreasonable to suppose that there could have been any benefit proportionate to seven years' labors and the expenditure of $13,000,000 without some reaction appearing in morbidity and mortality statistics to show it, and those statistics show no such reaction. That the benefits would have been equally great under normal State activities, without Federal doles, is not at all unlikely. That if the several States had been left to build up their own services for maternity and infancy they would be now much further advanced and more securely established in effective State organization is not improbable. Events since the Sheppard-Towner Act expired suggest, too, that the expenditure of Federal money in the States has not increased the amount of money available for the welfare and hygiene of maternity and infancy, but that it has enabled State governments to keep their own appropriations for such purposes at a lower figure and to apply to some other State activity the State funds thus conserved. That such a conservation and transfer of State funds has been going on is suggested by the fact that immediately on the withdrawal of Federal funds, June 30, 1929, 15 States and the Territory of Hawaii appropriated amounts equal to the combined Federal and State funds of the preceding year, and other States increased their appropriations, many of them by substantial amounts, thus indicating that their available resources were greater than previous appropriations had indicated.

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A remarkable feature of current efforts to reestablish Federal supervision and control over State activities in the field of maternal and infant hygiene is the absence of evidence. Because the Sheppard-Towner Act failed to show that they are needed

after seven years of experimentation, it seems to be taken for granted that the principles of the act should be given another trial to see if they can not justify themselves. The proponents of the pending legislation seem to think it unnecessary to present any facts or figures to justify their demands. They present no evidence of any catastrophe such as might render it necessary for the Federal Government to come to the aid of the States or to the aid of some of them. They produce no evidence to show that the people of any of the States—certainly not the people of all of the States—are so callous and ignorant as to need Federal stimulation and guidance in the care they bestow on the mothers and children among them. They offer no evidence to show that the health officers of the several States are any less solicitous for the health and welfare of their people or more poorly informed with respect to such matters, than are the Federal officers whom it is proposed to place in control of the situation. No evidence is offered to show that any State is so poverty stricken as to be unable to provide the funds necessary to enable it to care for the mothers and children within its borders. There is no evidence to show that the needs of the several States with respect to the welfare and hygiene of maternity and infancy are greater than their needs with respect to the welfare and hygiene of other classes of the population. There is nothing to show that preventable morbidity and mortality among mothers and infants in the United States is higher than preventable morbidity and mortality among the same classes of other nations. Under the circumstances, no justification nor excuse appears for the resuscitation and perpetuation of the principles of the Sheppard-Towner Maternity and Infancy Act.

On the other hand, Federal supervision and control of intrastate activities of any kind, acquired by the purchase of State's rights, represents a malignant growth in our dual system of government. If it is allowed to continue and expand it may be expected to destroy the normal constitutional relations between the Federal Government and the governments of the several States. Every Federal subsidy is made up of money exacted by the Federal Government from the people of the States through taxation; directly or indirectly they pay it, no matter where the tax may fall in the first instance. Every Federal subsidy paid to a State to induce it to enact legislation and to make appropriations dictated by the Congress is in some respects similar to a bribe; the judgment of the State legislature or of State officers is influenced by an extraneous money consideration in favor of a particular legislative scheme proposed by the payer, and the payer is aggrandized in the esteem of the people at the expense of the State. Every sale by a State government to the Federal Government of a State's right to control its own internal affairs savors of a breach of trust, since the Constitution contemplates no such traffic in constitutional rights. The fact that the Supreme Court of the United States has determined that traffic of this kind does not give rise to a justiciable question is beside the point. If the Federal Government can buy from the States their right to supervise and control State activities directed toward promoting the welfare and hygiene of mothers and infants, it can buy from them other State rights. By the simple process of extending the Federal purchase of State rights the States may easily be deprived of every right coveted by an increasingly bureaucratic Federal Government. The question is, then, not merely one for the medical profession but one for the entire country.

Mr. President, the American Medical Association, through the House of Delegates, its official organization, condemned the original Sheppard-Towner Act as being a product of political expediency and not in the interest of the public welfare. Eight years later, after observing the operations of the Sheppard-Towner Act, it declared that no evidence had been produced to change the views which it had originally expressed. At the Detroit session of the association, in June, 1930, the following resolutions were adopted:

Whereas the American Medical Association is in entire sympathy with the cooperative efforts of Federal and State agencies to establish and develop official local health organizations for the conduct of those activities which are generally recognized as the proper functions of such health departments; and

Whereas the usurpation of any public health function by any lay bureau of the Federal Government, which, through allotments of Federal subsidies for special health services, seeks to duplicate and administer duties and functions already placed by law on the United States Public Health Service, tends to produce inefficiency and waste; and

Whereas the United States Public Health Service has in the past efficiently discharged its duties with respect to such matters, and now, through recent reorganization, has been provided with enlarged facilities for carrying on such work; and

Whereas an effort is now being made to revive and perpetuate the Federal subsidy system established under the defunct Sheppard-Towner Maternity and Infancy Act, which authorized the payment of State subsidies, over a fixed period of years, on an arbitrary and irrational basis of population, without reference to the ascertained sanitary and health needs of the several States or to their ability to meet their own needs; and

Whereas the payment of such subsidies was made dependent on the surrender by the legislatures of the several States, to the Federal Government, of the right to supervise and control State activities in the selected field of public health; and

Whereas this system after seven years' trial under the administration of a lay bureau effected no improvement in the field of public health in which it was operative, notwithstanding the expenditure of millions of dollars of Federal and State money; and

Whereas in the judgment of the house of delegates of the American Medical Association, any such system tends to destroy local initiative and sense of responsibility and to pay Federal funds for purposes named by the Federal Government to States not in need of Federal aid; be it

Resolved, That the house of delegates of the American Medical Association condemns as unsound in policy, wasteful and extravagant, unproductive of results, and tending to promote communism, the Federal subsidy system established by the Sheppard-Towner Maternity and Infancy Act and protests against the revival of that system in any form;

Resolved, That it is the sense of the House of Delegates that each State should be left free to formulate its own health programs, with the cooperation of the United States Public Health Service if desired by the State, free from any inducement or compulsion in the way of Federal reward or coercion;

Resolved, That any legislation involving cooperation between the Federal Government and the several States in the field of public health must, in the interest of efficiency and economy, in the judgment of the House of Delegates, be administered under the joint supervision and control of the United States Public Health Service and the State health authorities; and be it further

Resolved, That copies of these resolutions be sent immediately to the President of the United States and to every Senator and Representative in Congress.

On page 4 of the article from which I have been reading the following statement appears:

Mortality figures do not show any such regression in public health, or any such retardation of public-health progress, as to call for Federal aid, and if either of these conditions existed there would yet be lacking one circumstance necessary to justify Federal interference, namely, the inability of a State to care for its own people. Under the circumstances it is not clear why the Sheppard-Towner Maternity and Infancy Act should be revived. As has already been pointed out, the act was in operation for seven years and yielded no tangible evidence of its value. Operations under the act have been discontinued since June 30, 1929, and as yet no harmful results have followed its expiration.

In an article by Doctor Woodward, reprinted from the American Medical Association Bulletin under date of November, 1930, the following statements are found:

The need for Federal interference in purely State affairs, as proposed under the pending bills, must be predicated on one or two assumptions: First, that the individual States are financially unable properly to care for the health of their people and therefore need Federal money; or, second, that the States are too ignorant, or too indifferent, to be much concerned over the matter and therefore need Federal supervision. If the need is based on a poverty plea, no facts have been produced to establish such indigency. Moreover, the proposed legislation, on its face, presupposes that the States are financially going concerns, by conditioning the Federal allotments on appropriations made by the States.

If any evidence, indeed, is needed to demonstrate that the States are financially able to cope with the situation, it may be found in the report of the chief of the Children's Bureau, for the fiscal year ended June 30, 1929. It is there stated, on page 8, that as soon as Federal aid was withdrawn 15 States and the Territory of Hawaii immediately appropriated amounts equaling the combined Federal and State funds of the year before. Twelve States made appropriations which represented increases over the funds appropriated during the preceding year. Other States made appropriations equaling or slightly less than those made during the preceding year. These States, then, so far as finances are concerned, can take care of the situation for themselves. If the need of Federal interference is based on the ignorance of the States, the proposals are illogical because none of the pending bills becomes effective merely on its passage by Congress, but on its acceptance by the States. Acceptance or rejection, as the case may be, implies not ignorance but intelligent judgment.

To repeat, no need for Federal supervision and control of intrastate health matters has been shown nor has any evidence been adduced to show that any compensating results were obtained during the period such interference was suffered.

Mr. President, if the Senator from Washington will amend this bill to provide that $1,000,000 shall be allocated to the States to be equitably apportioned for use by them, through their State health organizations, to promote the health and welfare of mothers and infants; or if he shall so amend it that $1,000,000 shall be placed in the hands of the Public Health Service to be by it allocated to the various States to be used by them through their State health organizations

for the same purpose, then some of the opposition to this measure would cease. If the paramount desire is to promote the health and welfare of mothers and infants, then better results would be attained if either of the plans just suggested were adopted. Certainly the State organizations, if free from the intermeddling of the Federal Children's Bureau, could more effectively utilize the money for the welfare of infants and mothers, and it is obvious that if the money were distributed to the States through the medium of the Public Health Service the result would be more satisfactory than if controlled by the Children's Bureau. Personally, I do not approve of either course, but I would prefer that either be adopted than the one provided in the bill we are now considering.

But, Mr. President, the bureaucratic idea is too strong to permit this course. The Children's Bureau must be strengthened and its organization, inefficient and incompetent as it is, must be utilized to interfere with matters belonging exclusively to the States.

Mr. President, there is no reason for this proposed legislation. The States are willing to make all needful appropriations for the promotion of the welfare of infants and mothers and to conserve the health of the people.

They are competent to deal with their local problems, and they can do so far better than can the Federal Government; but, even if that were not the case, we can not afford to atrophy the States and to reduce them to mere geographical expressions. It is manifest that it is the purpose of Socialists and paternalists to rob the States of their vigor and deprive them of all sovereign power, to compound them into one general mass, to be ruled by an increasingly powerful National Government. Measures such as the one we are now considering, to some who are opposed to the destruction of the States, seem innocuous, and free from any sinister purpose; but, in my opinion, serious students of history will reach the conclusion that this measure and scores of other measures which are brought to the attention of Congress, and many of which pass, are calculated to, and in the end will, break down the morale of the States, the spirit of local self-government which should animate the people, and materially modify our form of government to the disadvantage of the people and the perpetuity of democratic institutions.

Mr. President, a motion to recommit this bill is pending and it should be carried. I respectfully insist that it was unfair to report the bill without giving its opponents an opportunity to be heard. Justice requires that this opportunity should not be denied, and only by recommitting the bill can this be accomplished.

Mr. President, before concluding, I desire to call the attention of Senators to remarks made by former Senator Bayard on the 3d day of July, 1926. He offered for the RECORD a petition for the rejection of the Phipps-Parker bill, which in effect is the Jones bill, proposing an extension of the maternity act. The petition was presented by the board of directors of the Woman Patriot Publishing Co. It is a remarkable document and challenges attention to the origin of the maternity bill and to the socialistic forces which have supported this and other measures which, in my opinion, are not consonant with the spirit of this Republic. I also invite the attention of Senators to the CONGRESSIONAL RECORD of the 9th instant, containing a petition from the same organization. It was presented by the Senator from Connecticut [Mr. BINGHAM]. This petition contains information with which persons interested in this legislation should become familiar.

I now ask, Mr. President, to have printed at the close of my remarks a reprint of an article from the American Medical Association Bulletin, May, 1926, written by Dr. William C. Woodward, executive secretary of the American Medical Association. This article contains a strong argument against the measure now under consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The article is as follows:

THE SHEPPARD-TOWNER ACT: ITS PROPOSED EXTENSION AND PROPOSED REPEAL

By William C. Woodward

The term "Sheppard-Towner Act" is the popular designation for "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921. Exactly six months after the approval of this act, the house of delegates of the American Medical Association adopted a resolution condemning it as "a type of undesirable legislation which should be discouraged." The act itself authorized appropriations to carry it into effect until June 30, 1927. If appropriations are to be made to carry it into effect after that date, it is necessary for the guidance of the Federal Budget makers and of the several State legislatures meeting in January, 1927, that legislation to that end be enacted at the present session of Congress. Bills for that purpose were introduced into the Senate and the House of Representatives, as reported in the Journal (protest the Sheppard-Towner Act, J. A. M. A. 86: 421 (February 6), 1926) at that time, authorizing appropriations for two additional years. The bill introduced into the House was passed. In the Senate, the Committee on Education and Labor has recommended the passage of the House bill, but recommended that the period of the proposed extension be reduced from two years to one and that a definite date for the discontinuance of aid under the Sheppard-Towner Act be now fixed. With those recommendations the bill now awaits action by the Senate. In the meantime, another bill (H. R. 10986, "A bill to repeal an act entitled 'An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes,' approved November 23, 1921, and amendments thereto") has been introduced in the House of Representatives. It seems worth while, therefore, to inquire into the nature of the original Sheppard-Towner Act, so as to facilitate intelligent action on the bills now pending and to promote a constructive program for future action should the life of the act be prolonged.

PURPOSE AND SCOPE OF THE SHEPPARD-TOWNER ACT

The Sheppard-Towner Act authorizes Federal appropriations to stimulate and aid the States in protecting and promoting the health of mothers and infants. It denies aid, however, to every State that will not subject its activities to the supervision and control of a Federal bureau and a Federal board and that will not appropriate from the State treasury money to match the Federal subsidy. If the State's plans for the hygiene of its mothers and infants are not pleasing to the Federal board, no Federal funds are forthcoming. If the Federal board does not like the way the State is carrying its plans into effect, the board can discontinue Federal aid. Each State must determine whether it will or will not accept the proffered subsidy and submit to Federal supervision and control. Connecticut, Illinois, Kansas, Maine, and Massachusetts have steadfastly refused to do so. The Federal Government is represented in the case primarily by the Children's Bureau, a lay bureau in the Department of Labor. The chief of that bureau, however, functions also as a member of the Board of Maternity and Infant Hygiene, her comembers being the United States Commissioner of Education and the Surgeon General of the United States Public Health Service. The administration of the act is intrusted to the Chief of the Children's Bureau, the board having authority merely to pass on the adequacy of State plans and activities.

It can be readily seen from the foregoing analysis of the Sheppard-Towner Act that it empowers the Federal Government to use money collected from the people through Federal taxation to induce or compel the several States to surrender to the Federal Government the right to supervise and control the hygiene of maternity and infancy within their respective State borders. That the Federal Government has no right to control such matters by direct Federal legislation seems to be universally conceded. The question as to whether it has the right through the devious agency of conditional Federal subsidies, as provided in the Sheppard-Towner Act, to accomplish that which it can not accomplish directly, has been presented to the United States Supreme Court for decision. The court held, however, that it could not properly pass on the question in the form then submitted, because the determination of the question submitted lay within the discretion of Congress, a coordinate branch of the Government, and was not subject to review by the court. (Commonwealth of Massachusetts *v.* Mellon and Frothingham *v.* Mellon (43 Sup. Ct. Rep. 597).) No one has yet found a way of bringing the situation before the United States Supreme Court in a form in which that court can pass on it, and the constitutionality of the act remains, therefore, undetermined.

PROPOSED EXTENSION OF THE SHEPPARD-TOWNER ACT

Some of the proponents of the Sheppard-Towner Act now contend that the act is permanent legislation. Up to the time of their recent declarations, however, it had been commonly believed that the act was temporary, limited by its own express provisions that authorized appropriations only until the fiscal year ending June 30, 1927. That view seems to be borne out by the now admitted necessity for specific legislative authority for any appropriation to continue operations under the act after the period stated, for if the act is permanent in character new legis-

lation should not be needed to enable Congress to make appropriations to carry it into effect.

In the hearings before the House Committee on Interstate and Foreign Commerce preceding the enactment by the House of Representatives of the bill to authorize appropriations for two additional years, the proponents of the legislation admitted that, if the purposes of the Sheppard-Towner Act as conceived by them are to be accomplished, an extension for two years was insufficient and that other extensions would probably be sought. They were unwilling to state any definite time by which, in their judgment, the purposes of the act would be accomplished. The House of Representatives looked complacently on the prospect of repeated appeals for extensions of the act and passed the bill providing for a 2-year extension. In the Senate the Committee on Education and Labor recommended that the bill passed by the House be enacted, but only after amendment reducing the extension of the act from two years to one. In the opinion of the committee, it seems, the work undertaken by the Federal Government under the Sheppard-Towner Act belongs in principle to the States and should be allowed to revert to them as soon as practicable. At present writing, the bill, with the committee's proposed amendment, is pending in the Senate. The bill providing for the repeal of the Sheppard-Towner Act is pending before the Committee on Interstate and Foreign Commerce of the House of Representatives.

FALLACIES OF THE SHEPPARD-TOWNER PROPAGANDA

In recent hearings before the House Committee on Interstate and Foreign Commerce, as in all other propaganda in support of the Sheppard-Towner Act, one looks in vain for facts and figures showing a reduction in maternal and infant mortality through the operation of the act. The best way to pass on the merits of the pending legislation to extend the act or to bring about its repeal seems to be, therefore, to examine the arguments commonly offered in support of the Sheppard-Towner plan.

1. In support of the Sheppard-Towner plan it is commonly urged that maternal and infant mortality in the United States is excessive, as compared with maternal and infant mortality in other countries, and therefore must be reduced. The comparisons offered by the proponents of the Sheppard-Towner plan, however, to show such excessive mortality in the United States do not justify the conclusion that such mortality is higher than in other countries; nor if it be higher, that such mortality in the United States can be reduced to foreign standards by legislative action, nor that the needful legislation could be enacted by the Federal Government more effectively than by the States.

Such figures as have been offered to show that Federal interference is necessary have almost uniformly been unsupported by citations of the sources whence they came. It is impracticable, therefore, to determine their accuracy or weight, and to determine whether they fairly present the entire situation. No evidence has been offered by Sheppard-Towner proponents to show that the statistical methods in the countries whose mortality rates they have cited are identical with the methods used in the United States. All figures offered by the proponents of the Sheppard-Towner plan are crude figures; that is, figures not distributed according to race, economic conditions, individual diseases or classes of diseases, and other conditions, with which every death is inseparably bound up and a knowledge of which is the very basis of prevention. Obviously such figures can not be analyzed and compared so as to afford a basis for rational conclusions and intelligent preventive action. But even though maternal and infant mortality were shown to be higher in the United States than in other countries, that fact alone would not justify Federal or even State action until after it had been determined that the conditions operative in such other countries to prevent excessive mortality could be duplicated in the United States. And if it were shown that such conditions could be duplicated in the United States, it would still remain to determine whether such duplication should be effected by the States or by the Federal Government.

The burden of proving that the Federal Government, rather than the States, should assume the obligation of bringing about within each of the several States conditions that would reduce maternal and infant mortality would certainly rest on the proponent. For our State governments are with practical unanimity conceded to be supreme in matters of health within their own respective borders. Such supremacy is conceded by the Sheppard-Towner Act itself, for through it the Federal Government seeks, not to force its way into the State health program, but to pay the State for the privilege of supervising and directing it. State supremacy in the field of child health was admitted by the Federal Government through the enactment of the two more or less ephemeral Federal child labor laws, through which it was attempted to regulate the health of children within the States, not by direct action, but under color of Federal taxation in one case and of the regulation of interstate commerce in the other; and in both instances the United States Supreme Court took the firm ground, not only that the protection of the health of its people was the right and duty of the State, but that the Federal Governmen was powerless to interfere even by such subterfuges as had been attempted (Hammer *v.* Dagenhart, 248 U. S. 251; Child Labor Tax case, 250 U. S. 20).

The proponent of the right of the Federal Government to interfere in the health activities in the several States on behalf of their mothers and infants because of the supposed neglect of the several States would find a difficult task before him. He would find that in practically every State, without Federal interference, there had been great reductions in infant mortality during recent years. If he carried his investigations into the period that has elapsed since the Sheppard-Towner Act was passed he would find that its passage had not increased the rate at which that reduction was going on. He would find, too, that in some States in which the Sheppard-Towner Act has been accepted infant mortality has increased. He would find that in those States that have not yielded to the terms of the Sheppard-Towner Act infant mortality has decreased quite as rapidly as in other States. He would find that the supposedly excessive maternal mortality in the United States as compared with corresponding mortality abroad may represent merely differences in statistical methods in stating such mortality and not differences in the mortality itself; and he would find that, so far as decreases in maternal mortality have occurred during recent years, States which have declined Federal assistance have records quite as good as those that have accepted it. On the whole, available evidence would hardly show that the Federal Government could accomplish any more in the field of maternal and infant hygiene than could be accomplished by the States themselves.

In the birth registration area of the United States the infant death rate per thousand live births fell from 101 in 1918 to 76 in 1921 (CONGRESSIONAL RECORD, 67, 6721, April 5, 1926). With the Sheppard-Towner Act in effect, it fell from 76 in 1921 to 72 in 1924. The maternal death rate per thousand live births fell from 9.2 in 1918 to 6.8 in 1921, and during the next three years it fell from 6.8 in 1921 to 6.6 in 1924. In other words, the infant death rate declined 25 points in the three years preceding the enactment of the Sheppard-Towner Act and only 4 points in the three years following its enactment. The maternal death rate declined 2.4 in the earlier period and only 0.2 during the later. These figures are not cited to show that the passage of the Sheppard-Towner Act retarded the decline in infant and maternal mortality rates. They do show, however, that that act did not accelerate such decline.

2. The Sheppard-Towner Act stresses artificially the importance of maternity and infant hygiene. It does not take into consideration the relative importance of the various health activities in which a State must engage. It disregards limitations on the State's resources for health work and the possibility that to appropriate money to meet the requirements of the Sheppard-Towner Act it may be necessary to curtail essential activities in other fields. The act tends, therefore, artifically to unbalance the health program. From the standpoint of public health administration it is illogical and unwise.

The Sheppard-Towner Act arbitrarily assumes that maternal and infant hygiene present the supreme problem in health administration. It allots to each State as an available subsidy an amount arbitrarily determined by Congress, based on the total population of the State, disregarding all other health needs and all limitations on the resources of the State to meet such needs. The health activities of every State, however, extend into many fields. Adequate water supplies and sewer systems must be provided. The food supply must be supervised and controlled, particularly the milk supply. The spread of communicable diseases must be prevented. Swamps must be drained to prevent malarial fever. Some States must contend with the hookworm problem; others need not. School hygiene is of vital moment everywhere. The hygiene of maternity and infancy presents but one of the State's many health problems. No State, however, under the Sheppard-Towner plan, can determine unbiased the relative importance of its various health problems and allot to each the money the State should rightly give to it on account of its inherent importance. Its judgment is warped by the proffered subsidy.

3. The distribution of money appropriated under authority of the Sheppard-Towner Act is arbitrary and irrational.

The Sheppard-Towner Act provides certain arbitrarily fixed Federal bonuses that are distributed equally to every State that submits to the act. It provides other payments computed on the basis of the relation of the total population of the State to the total population of the United States. Neither of these distributive schemes has any logical relation to the needs of the State with respect to maternal and infant hygiene. The work to be done relates to infants and their mothers. The number of births recorded annually would therefore have come nearer to affording a rational numerical basis for distribution of the fund than would any other available figure. Incidentally, the distribution of the Sheppard-Towner fund on the basis of recorded births would have been a most effective method of stimulating birth registration. Some States, however, have been blessed with climates and with racial distributions of population that have prevented any serious infant mortality problem from arising, or else such States have through their own efforts gone a long way toward solving such problems. Obviously, such States are not so much in need of subsidies as are the others. So far as figures alone afford a guide—and it is on the face of figures alone that the Sheppard-Towner fund is distributed—Oregon with an infant death rate in 1924 of only 53 certainly did not need a Federal subsidy so much as did South Carolina with an infant death rate of 102. Utah with a maternal death rate in 1924 of 4.5 clearly did not need stimulation to improve that figure so much as did Florida, with a maternal death rate of 12.1. Nor is there any reason, so far as these figures show, why Oregon and Utah should be forced by the Sheppard-Towner Act to appropriate from their own funds for the lowering of maternal and infant mortality amounts of money in the same

proportion, based on the total population, as might properly be required of South Carolina and Florida, if the Sheppard-Towner plan were workable on a logical basis.

4. The purpose of the Sheppard-Towner Act is presumably to increase State appropriations and State activities for the lowering of maternal and infant mortality. The subsidies provided by the act, however, do not necessarily accomplish that end. Such subsidies are presumed to be matched against appropriations for new or enlarged activities. But they may be matched equally well against appropriations that were regularly made before the Sheppard-Towner Act was passed. The mere reallocation of items in a State budget can produce an apparent increase in the appropriation for maternal and infant hygiene and in that way procure an increased Sheppard-Towner subsidy, without any increase whatever in the State's activity in the field of maternal and infant hygiene.

The cost of a campaign for the prevention of any communicable disease may be charged wholly against the appropriation for the prevention of communicable diseases, but as such a campaign is partly in the interest of infants and their mothers a part can be fairly charged against the appropriation for maternal and infant hygiene. In the former case, no Federal subsidy can be obtained; in the latter a subsidy will be available. The cost of supervision and control of the milk supply can be entered in the budget against the cost of food inspection; but as the milk supply has such an intimate relation to the health of infants, a part of the cost can without dishonesty be charged against infant hygiene. If the former system of charging be adopted, no subsidy will be available; if the latter, the amount charged may be matched from the Sheppard-Towner fund. A State may reduce its normal appropriation for maternal and infant hygiene and yet obtain a subsidy. If a State cuts its appropriation in half, it can rely on the Sheppard-Towner subsidy to bring the fund back to normal. There is no certainty, therefore, that Sheppard-Towner subsidies will accomplish the end they are intended to accomplish. Apparent increases in State appropriations and State activities subsequent to the passage of the Sheppard-Towner Act must be studied so as to determine the methods by which such increases were brought about before it can be known whether they represent actual increases or mere paper increases, and the extent to which the Sheppard-Towner Act is entitled to credit for them.

5. The extent to which Sheppard-Towner Act produces increases or decreases in maternal and infant mortality can not be determined by a study of mortality rates alone. It must be shown by other evidence that but for the passage of that act such increases or decreases would not have occurred.

Maternal and infant mortality rates during any given period are computed on the basis of the number of births. In this respect they differ from other death rates, which are computed on the bases less readily ascertainable. If protective measures for mothers and infants are successful, demonstrable improvements in the corresponding death rates should promptly become apparent. If any such improvement is found, inference as to whether the Sheppard-Towner Act has produced it can readily be based on the time of its occurrence, whether before or immediately after the acceptance of the Sheppard-Towner plan by the State, and on an examination of the record to determine whether the variation was one that might have been expected because of antecedent circumstances independent of the Sheppard-Towner Act. A comparison between the death rate in the community under supervision and corresponding death rates in other communities not subject to the Sheppard-Towner plan is necessary. Unfortunately, the data offered by the proponents of the Sheppard-Towner plan in support of the proposed extension of it are not of this character. They are of the most general kind, not properly correlated to Sheppard-Towner activities, too often from interested sources and not infrequently from persons who are hardly to be regarded as competent to speak on the subject.

6. Maternal and infant health work can not be separated from health work generally. If the Government maintains supervision over maternal and infant health work in the States, it must ultimately gain control over all other health activities; otherwise there may be wasteful duplication of effort and a possible working at cross purposes by the Federal and State agencies.

The board of maternity and infant hygiene has apparently found already that to limit infant hygiene to the field commonly regarded as the field of infancy is impracticable. Infancy is commonly understood to cover children in the first year of life and, at most, children in the first and second years. The board, however, has enlarged the meaning of the term "infancy," so far as operations under the Sheppard-Towner Act are concerned, to include all children below school age. With this as a precedent, and on the ground that an infant in law, is a person who has not yet attained his majority, other extensions may be logically looked for. In Delaware the Sheppard-Towner program included a campaign for a better milk supply. In Florida dental clinics were established as a part of Sheppard-Towner activities. In Colorado a gynecologist was provided for rural communities, the reason being, in part at least, to overcome "the great drawback of shyness or timidity in having the local doctor make the examination." Such applications are the logical outcome of the failure of the act to define what it means by "the welfare and hygiene of maternity and infancy." In the absence of such a definition there seems to be no reason why Sheppard-Towner activities should not extend ultimately to the control of water supplies, sewer systems and housing, and more particularly to the control of the food supply and to the prevention of communicable diseases, particularly venereal diseases. All activities in the fields named are certainly related intimately to the health of mothers and of women about to become mothers, and to the health of infants. But if the Federal Government extends its supervision and control so as to cover State health activities generally, what is the future function of the State in this field, if it has any?

7. The Sheppard-Towner Act involves a wasteful and unwise duplication of effort in Federal health activities.

The work done under the Sheppard-Towner Act is primarily medical work. The United States Government has a highly organized Public Health Service for the execution of such work, under competent medical direction. The Children's Bureau, which is charged with the execution and enforcement of the Sheppard-Towner Act, is a lay bureau. For such medical supervision as it exercises it has to employ physicians, and even then, in last analysis, the work of such physicians and of all physicians employed by the several States under the Sheppard-Towner subsidies, and all medical work whatever done under the act, is under the direction and control of the lay chief of the Children's Bureau.

8. The proponents of the Sheppard-Towner Act claim that the interest of the Federal Government in mothers and babies justifies it in subsidizing in their behalf State health activities and in taking over the supervision and control of them. If so, the interest of the Federal Government in persons of other ages obviously would justify it in providing subsidies in their behalf and in taking over the supervision and control of health work for them also.

Boys and girls, the youth of the country, and men and women of all ages are as important factors in the life of the Nation as are infants and mothers. The wealth of the Nation has already been expended to make them producing economic units in community life and to make them available to protect the Nation in case of war. To them the Federal Government must look for the care and nurture of coming generations, and even for the care and nurture of mothers and infants, on whose behalf the Sheppard-Towner Act expresses such solicitude. Obviously, the Federal Government has an interest in youth and adults quite as great as its interest in mothers and babies. If the Federal Government has the power to buy from the States the right to supervise and control health activities in behalf of mothers and infants, it has the power to buy also the right to supervise and control health work for youth and adults. But if the Federal Government can buy from the States the right to supervision and control of State health activities, vested by the Constitution in the States, there is no reason why the Federal Government should not likewise buy other constitutional rights of the States. It is to that end that the Sheppard-Towner Act seems to lead. The accomplishment of that end will be coincident with the destruction of our present system of government.

CONCLUSION

The comments here offered have been written in the hope of bringing about a clearer understanding of the purposes and probable effects of the Sheppard-Towner Act. The subject has been approached from the standpoint of public-health administration and from the standpoint of government. The physician is no less a citizen because he is a physician, and it is conceived that he is interested in the act and entitled to speak concerning it from both standpoints. If what has been said leads to the conclusion that the life of the act should not be prolonged or that the act should be now repealed, that conclusion should be made known to the Senators and Representatives who represent in Congress the readers of these comments.

Mr. DAVIS. Mr. President, as Secretary of Labor during the entire period of operation of the Sheppard-Towner Act, administered by the Children's Bureau of that department, I have an intimate knowledge of the tremendous value of maternity and infancy work as translated into the lives of the mothers and babies of our great country.

It is because of this knowledge that I rise in support of the bill introduced by the Senator from Washington [Mr. JONES], which provides for the reestablishment of the cooperation between the Federal Government and the States in promoting the welfare and hygiene of maternity and infancy which existed from the spring of 1922 to June 30, 1929, under the provisions of the Sheppard-Towner Act.

In the United States, according to the latest available figures, for every 1,000 children born 68 die in infancy. For every 10,000 births the lives of 69 mothers are sacrificed.

During the seven years the maternity and infancy act was in force the maternal mortality rate was started downward. Maternal mortality rates are available for eight foreign countries for the years 1915-1928. Only one of these shows a higher rate for 1928 than the United States. Can we, as Americans, be proud of such a record? During the period of operation of the maternity and infancy act the death

rate of mothers, in 30 States for which comparable figures are available, showed a significant downward trend from the cause most influenced by prenatal care. The lives of more than 300 mothers were saved in these 30 States in 1928, as compared with the deaths that would have occurred had 1922 rates prevailed during that year.

Infant mortality rates give the United States a somewhat better place among civilized nations. Yet even here we rank below New Zealand, Santo Domingo, Norway, Australia, Switzerland, and the Netherlands. For many years New Zealand has held the world's record for the lowest infant mortality rate. She has just broken her own record by a new low rate of 34 deaths per 1,000 live births in 1929—just half the infant death rate in the United States.

Investigations made by the Children's Bureau and studies made by other agencies have shown that babies die when wages are low, when the home is overcrowded, when the community supply of milk or water is contaminated, and when the general sanitation of the home or the community is poor. Most important of all, however, they have shown that babies die because parents do not know how to give them the scientific care needed to keep them alive or, which is perhaps more important, to rear them in health.

Under the maternity and infancy act hundreds of thousands of mothers received their first scientific instruction in child care. Countless lonely mothers and children isolated in rural districts have been reached by the maternity and infancy nurse, riding on horseback where an automobile could not take her. And many a mother, with her little brood, has traveled weary miles to attend the Government child-health conference.

Forty-five States and the Territory of Hawaii were cooperating in the maternal and infant hygiene program when the act of 1921 terminated on June 30, 1929.

The programs carried on were largely educational. They included instruction through health conferences conducted by physicians and nurses, home visits, lectures, classes in infant care and prenatal care for mothers and teachers, instruction of midwives, graduate courses for nurses and physicians, and distribution of literature.

The results of so broad an educational program can not now be fully evaluated. We do know that more than 122,000 babies born in 1929 survived infancy, who would have died if the conditions of 20 years ago had prevailed. There were 76 infant deaths for every 1,000 live births in 1921; 68 in 1929.

We know, too, that of 19 States having comparable figures for a number of years every one had a lower maternal mortality rate during the period of operation of the Sheppard-Towner Act than during the period preceding the act, the decreases ranging from 1 to 27 per cent.

An important result of Federal and State cooperation has been a great extension of State and local public resources for promoting infant and maternal health.

Organized State agencies for promoting the health of mothers and children were extended to every State but one. Not only were new State agencies created but the work of existing agencies was greatly expanded. Permanent local agencies were developed for educating parents in child and maternal health. Not infrequently a nurse who worked alone in a county was the starting point for the development of a full-time health department. Nearly 1,600 permanent child-health or well-child centers were established in 39 States. A greatly increased number of doctors and nurses have become experienced State and local administrators of child-health programs. The birth registration area has been expanded from 30 States in 1922 to 46 in 1929, thus establishing a better foundation for planning and carrying out a maternity and infancy program.

State appropriations have greatly increased, at first in order to match Federal funds, and later, when Federal funds were no longer available, in order to continue or to expand the State program. Nineteen States and Hawaii have reported appropriations by their legislatures equaling or exceeding the combined Federal and State funds available under the act. Those States are Delaware, Kentucky, Maine, Maryland, Michigan, Missouri, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Pennsylvania, Rhode Island, South Dakota, Tennessee, Vermont, Virginia, and Wisconsin. In addition, Florida reports that the full program is being continued by a special tax levy.

Although the extent to which activities have been carried on since the termination of the act is gratifying, nevertheless there has been definite and serious curtailment. Indications are that some States are finding it difficult to carry out the full program authorized by their legislatures. And undoubtedly the existing depression will make it hard for many localities to carry on the services established.

The Sheppard-Towner Act authorized an appropriation of $1,240,000 a year. About $50,000 a year was allotted to the Children's Bureau for administration and for the investigation of maternal and infant mortality. The balance was divided among the States. Each State received $5,000 outright and an additional $5,000 if the State itself appropriated an equal amount. The remaining balance was then divided among the several States on the basis of population. It was granted if matched by an equal State appropriation.

The bill before us is substantially the same as the Sheppard-Towner Act. The differences are:

First. The proposed measure does not provide the $5,000 unmatched grant to be available to each State upon acceptance as the act of 1921 does. Elimination of this item reduces the amount of the authorized appropriation by $240,000.

Second. On the other hand, the proposed measure increases to $15,000 the minimum allotments made available to each State. Under the former act a State was entitled to $5,000 unmatched and $5,000 additional if matched. This measure assures every State accepting the act which matches Federal funds in full at least $30,000 to use. Experience has shown the importance of having this amount so that after payment of the necessary overhead expenses there will be an adequate amount for the initiation of local activities.

Third. The pending bill extends the benefits of the act to Porto Rico, Alaska, and the District of Columbia in addition to Hawaii. None of the Territories was included when the maternity and infancy act was passed in 1921, but by special act of March 10, 1924, Hawaii was added.

Just as in the previous act, this bill before us intends that the plans of work should originate in the State and be carried out by the State. I want to make it clear that, in my opinion, this is a national as well as a State and local program that we are attacking. The first responsibility must rest with the State, the county, and the municipality. For this reason the rôle that the Federal Government must play is that of an intelligent and interested cooperator, ready to assist but not to control or hamper.

In the Children's Bureau the administration of the Sheppard-Towner Act was directly in charge of a maternity and infant hygiene division, the director of which was a physician who had specialized in child hygiene. I emphasize this point because opponents of the measure have at various times intimated that this work was being done by laymen.

In addition to auditing accounts and carrying out other routine administrative details, the bureau assisted the States by arranging for conferences of State directors, by field consultation, by the loan of bureau personnel for demonstration and survey purposes, and during the last two years of the act, by a study of maternal mortality made in 15 States in cooperation with the State medical associations and the State departments of health.

A Federal board of maternity and infant hygiene, composed of the Chief of the Children's Bureau, the Surgeon General of the United States Public Health Service, and the

United States Commissioner of Education, was given authority to approve or disapprove State plans. The act provided, however—just as this act does—that the plans must be approved by the Federal board if "reasonably appropriate and adequate to carry out its purposes."

Two weeks ago, on the invitation of the President of the United States, the White House conference on child health and protection brought together more than 3,000 delegates from all sections of the country. In preparation for it, experts in various fields had been at work for a year, assembling information and opinion concerning the best methods of caring for children.

In his opening address President Hoover said:

Let no one believe that these are questions which should not stir a nation; that they are below the dignity of statesmen or governments. If we could have but one generation of properly born, trained, educated, and healthy children, a thousand other problems of government would vanish.

At the same conference I called attention to the national aspects of the problem, as follows:

If there is any subject endowed with national interest it is the welfare of the Nation's mothers and children. The Nation's future existence, the intelligent use of its resources, the rôle it will play in world affairs, depend on its children.

Last year, in his annual message to Congress, the President said that the purpose of the Sheppard-Towner Act should be continued through the Children's Bureau.

This year the President reaffirmed his stand when he said:

I urge further consideration by Congress of the recommendation I made a year ago, looking to the development through temporary Federal aid of adequate State and local service for the health of children.

On May 31, 1929, as Secretary of Labor, I wrote to Senator JONES concerning the bill now before us. I quote in part from that letter:

The success of Federal cooperation has been demonstrated by the maternal and child health services which have been established, as well as by lowered infant and maternal mortality rates.

Reports made on the basis of disinterested investigations by the American Child Health Association, the Elizabeth McCormick Memorial Fund, and the Maternity Center Association show that the act has been well administered. These agencies, after field investigations by a technical staff, were of the opinion that the work should continue. In this conclusion many agencies and organizations concur. State health officers testify that it has encouraged local initiative and a sense of local responsibility, as evidenced by increased State appropriations, and the fact that demonstration child-health centers have been put on a permanent locally supported basis. They believe, however, that the promotion of the health and welfare of mothers and children should be a matter of national as well as local concern. In that view I concur.

In some States the work will go forward, although less rapidly, should the Federal Government adhere to the policy of complete withdrawal, but in a larger number the time and resources available have not been adequate to make more than a beginning in the initiation of a state-wide program, so that the health of mothers and babies is certain to suffer if such a policy is followed.

The amount proposed for the most important of all conservation programs seems to me a very small one, and to be more than warranted on the basis of experience and need. I hope that the bill may be passed at an early date, so that the projects now being supported jointly by national, State, and county funds may not be interrupted, and the trained personnel that the States have developed during the past seven years may not be lost through a lapse in the appropriation.

From my own experience in the homes of the poor, in providing for the orphaned and homeless, in administering a great Federal department, I can testify to the need for this act. I can also bear witness to the efficiency with which the Children's Bureau administered the former act, the confidence and cooperation it secured, and its ability to carry on the task which the measure before us would place upon it.

Every child in the United States has a right to be well born. Every mother in the United States has a right to be safeguarded in bearing that child. It is for us to provide means for continuing the work until the United States stands at the head of the nations of the world in safeguarding the health of mothers and babies.

Mr. FESS subsequently said: Mr. President, four very illuminating tables of figures on the subject we have been discussing have been submitted to me by the Senator from Pennsylvania, but he did not include them in his address. I should like to have them inserted in the RECORD following his address.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Trend of maternal mortality in the United States and certain foreign countries

[Figures from official sources]

Country	Deaths from causes associated with pregnancy and childbirth per 10,000 live births													
	1915	1916	1917	1918	1919	1920	1921	1922	1923	1924	1925	1926	1927	1928
Australia	43	53	56	47	47	50	47	45	51	55	56	53	59	....
Belgium	....	....	....	....	72	60	57	53	56	58	50	61	....	....
Canada	....	....	....	....	....	....	51	55	54	60	56	57	56	....
Chile	66	73	72	82	88	75	79	80	74	61	61	58	58	47
Czechoslovakia	....	....	....	....	37	40	37	....	[1] 33	[1] 31	[1] 33	[1] 34	[1] 36	....
Denmark	....	....	....	....	....	24	20	20	26	23	24	26	31	....
England and Wales	42	41	39	38	44	43	39	38	38	39	41	41	41	44
Esthonia	....	....	....	....	....	....	....	....	45	40	38	41	41	....
Finland	....	36	38	44	40	36	33	30	31	35	29	32	[1] 30	....
Greece	....	....	....	....	....	....	73	72	85	88	....	....	....	....
Hungary	....	42	40	52	29	32	29	30	28	31	29	32	30	....
Irish Free State	53	57	49	48	47	49	50	57	48	48	47	49	45	49
Italy	22	27	30	37	29	28	26	25	27	32	28	26	26	....
Japan	36	35	35	38	33	35	36	33	34	31	30	27	28	28
Lithuania	....	....	....	....	....	....	....	....	....	....	59	56	50	....
The Netherlands	....	....	....	29	33	24	23	25	23	24	26	29	29	[1] 34
New Zealand	47	59	60	52	51	65	51	51	51	50	47	42	49	49
Northern Ireland	56	50	51	47	46	69	52	47	49	45	44	56	48	52
Norway	27	28	30	30	34	26	22	25	28	29	27	32	....	....
Salvador	....	....	....	....	....	57	57	46	50	57	50	56	63	....
Scotland	61	57	59	70	62	62	64	66	64	58	62	64	64	70
Sweden	29	27	25	26	32	27	27	25	23	24	26	....	....	....
Switzerland	....	54	56	51	57	56	55	51	46	48	43	44	37	....
United States birth-registration area [2]	61	62	66	92	74	80	68	66	67	66	65	66	65	69
Uruguay	22	29	32	30	23	34	33	27	27	25	25	30	22	24

[1] Provisional.
[2] The United States birth registration area expanded from 10 States in 1915 to 44 States in 1928.

Trend of infant mortality in the United States and certain foreign countries

[Figures from official sources]

Country	Deaths under 1 year of age per 1,000 live births													
	1915	1916	1917	1918	1919	1920	1921	1922	1923	1924	1925	1926	1927	1928
Australia	68	70	56	59	60	69	66	53	61	57	53	54	54	....
Austria	218	192	186	193	156	157	154	156	141	127	119	[1] 123	[1] 124	[1] 120
Belgium	....	....	....	....	109	110	122	114	100	95	100	104	....	....
British India	202	203	206	207	224	195	198	175	176	189	174	189	167	....
Bulgaria	....	....	....	146	110	146	158	155	165	150	152	127	....	....
Canada	....	....	....	....	....	100	88	87	88	79	79	102	94	....
Chile	254	241	269	255	306	263	278	240	283	266	258	251	226	170
Colombia	....	....	109	101	101	106	65	97	121	143	122	148	....	....
Czechoslovakia	....	....	....	....	142	178	173	....	[1] 147	[1] 148	[1] 146	[1] 154	[1] 157	....
Denmark	95	100	100	74	92	90	77	85	83	84	80	84	83	....
Egypt	....	....	....	....	128	137	133	140	143	150	155	146	152	....
England and Wales	110	91	96	97	89	80	83	77	69	[1] 75	75	70	70	65
Estonia	....	....	....	....	....	....	....	105	103	100	96	102	115	....
Finland	110	110	118	115	135	97	95	99	92	107	83	86	97	....
Germany	168	148	155	154	121	131	134	130	132	109	105	102	97	[1] 89
Greece	....	....	....	....	....	....	68	82	92	98	....	....	....	....
Guatemala	130	116	115	116	112	81	76	92	79	81	99	104	89	....
Hungary	....	219	216	217	159	193	193	198	184	193	168	167	185	....
Irish Free State	85	81	84	80	84	78	73	69	66	72	68	74	71	68
Italy	147	147	139	192	129	127	129	126	128	126	119	127	120	....
Japan	160	170	173	189	170	166	168	166	163	156	142	137	142	138
Latvia	....	....	....	....	....	126	93	91	88	101	107	88	96	....
Lithuania	....	....	....	....	....	....	....	....	....	170	179	146	151	147
The Netherlands	....	....	....	103	93	83	85	77	66	61	58	61	59	[1] 52
New Zealand	50	51	48	48	45	51	48	42	44	40	40	40	39	36
Northern Ireland	107	89	97	101	95	94	87	77	76	85	86	85	78	78
Norway	68	64	64	63	62	58	54	55	50	50	50	48	51	....
Salvador	....	....	....	144	132	147	141	124	118	150	139	155	118	....
Santo Domingo	....	....	....	....	....	....	....	....	....	77	47	53	48	....
Scotland	126	97	107	100	102	92	90	101	79	98	91	83	89	86
Sweden	76	70	65	65	70	63	64	62	56	60	56	....	....	....
Switzerland	90	78	79	88	82	84	74	70	61	62	58	57	57	54
United States birth-registration area [2]	100	101	94	101	87	86	76	76	77	71	72	73	65	69
Uruguay	111	124	107	110	101	117	107	94	104	106	115	93	106	100

[1] Provisional.
[2] The United States birth-registration area expanded from 10 States in 1915 to 44 States in 1928.

Trend of maternal mortality in the United States birth-registration area, by States, 1915–1929[1]

State	Maternal mortality rates[2]														
	1915	1916	1917	1918	1919	1920	1921	1922	1923	1924	1925	1926	1927	1928	1929
Area	61	62	66	92	74	80	68	66	67	66	65	66	65	69	70
Alabama													80	94	99
Arizona												102	89	77	78
Arkansas													90	88	91
California					80	77	68	72	67	59	60	56	58	61	57
Colorado														96	86
Connecticut	56	49	51	75	62	68	53	57	57	57	49	58	55	53	54
Delaware							63	66	84	77	77	93	59	56	63
Florida										121	121	107	110	101	95
Georgia														107	93
Idaho												57	60	68	61
Illinois								63	64	62	58	65	55	57	68
Indiana			73	104	84	87	69	66	65	58	60	65	66	62	70
Iowa										60	56	60	59	48	56
Kansas			76	114	82	84	64	76	68	63	65	70	63	77	68
Kentucky			60	80	63	64	63	61	60	62	60	58	49	60	66
Louisiana													91	114	99
Maine	68	78	67	86	86	85	74	76	87	82	72	67	80	74	72
Maryland		64	68	95	84	76	67	59	60	66	58	58	58	65	55
Massachusetts	57	60	65	92	71	75	65	68	63	65	63	64	63	64	67
Michigan	67	68	74	86	77	93	69	69	70	65	64	67	68	66	66
Minnesota	52	55	56	78	67	79	57	49	60	50	53	57	44	57	43
Mississippi							95	83	88	95	98	79	87	94	89
Missouri													67	70	73
Montana								79	75	66	81	80	66	75	84
Nebraska						71	66	58	58	63	57	66	59	60	61
Nevada															63
New Hampshire	61	72	70	78	80	71	62	65	74	61	71	76	65	63	75
New Jersey							59	64	57	62	64	58	68	59	55
New Mexico															87
New York	59	54	57	80	62	69	63	60	57	59	60	57	61	59	56
North Carolina			82	108	93	100	73	80	80	77	87	88	66	78	84
North Dakota										57	62	43	51	57	55
Ohio			71	97	74	80	72	66	72	64	68	67	62	64	67
Oklahoma														71	82
Oregon					101	94	74	83	69	65	72	59	64	61	59
Pennsylvania	64	70	65	105	68	78	68	62	66	63	64	64	64	61	65
Rhode Island	66	58	63	98	(3)	(3)	71	55	63	63	52	60	64	60	79
South Carolina					112	122	98	107	97	108	(3)	(3)	(3)	109	114
Tennessee													71	89	87
Utah			59	86	84	79	73	55	50	45	52	49	75	49	49
Vermont	61	79	64	80	80	70	73	74	70	81	68	67	73	58	77
Virginia			82	107	83	86	70	72	74	65	70	80	62	75	71
Washington			74	99	86	92	78	79	67	71	60	75	66	72	62
West Virginia											63	71	62	57	58
Wisconsin			57	60	48	67	58	56	58	60	52	60	53	58	51
Wyoming								71	73	98	93	93	87	65	63
District of Columbia	70	101	86	91	86	88	101	71	101	122	87	77	86	85	70

[1] Source: U. S. Bureau of the Census. [2] Deaths from causes associated with pregnancy and childbirth per 10,000 live births. [3] Dropped from birth-registration area.

Trend of infant mortality in the United States birth-registration area, by States, 1915 to 1929[1]

State	Deaths under 1 year per 1,000 live births														
	1915	1916	1917	1918	1919	1920	1921	1922	1923	1924	1925	1926	1927	1928	1929
Area	100	101	94	101	87	86	76	76	77	71	72	73	65	69	68
Alabama													64	75	74
Arizona												121	130	142	133
Arkansas													61	67	58
California					70	74	66	71	73	67	69	63	62	62	63
Colorado														89	91
Connecticut	107	101	94	107	86	92	73	77	77	69	73	72	59	59	64
Delaware							98	100	104	95	91	93	71	78	81
Florida										82	74	75	67	67	65
Georgia														82	70
Idaho												63	50	59	55
Illinois								76	82	71	73	69	64	64	61
Indiana			86	87	79	82	71	67	71	65	68	72	59	63	64
Iowa										55	56	59	55	53	53
Kansas			77	80	70	73	63	65	63	59	62	65	55	59	58
Kentucky			87	93	82	73	62	69	72	65	71	75	61	70	71
Louisiana													77	78	74
Maine	105	108	93	101	91	102	88	86	89	81	76	80	80	73	77
Maryland		121	120	140	105	104	94	94	95	86	90	87	81	80	80
Massachusetts	101	100	98	113	88	91	76	81	78	68	73	73	65	64	62
Michigan	86	96	88	89	90	92	79	75	80	72	75	77	68	69	66
Minnesota	70	70	67	71	67	66	59	58	62	57	60	58	52	54	51
Mississippi							68	68	68	71	68	70	67	74	72
Missouri													60	66	62
Montana								70	71	67	71	77	66	61	64
Nebraska						64	59	57	57	55	58	59	51	53	52
Nevada															67
New Hampshire	110	115	110	113	93	88	87	80	93	80	76	79	69	69	68
New Jersey							74	79	72	70	69	70	61	65	61
New Mexico															140
New York	99	94	91	97	84	86	75	77	72	69	68	71	59	65	65
North Carolina			100	102	84	85	75	80	81	82	79	82	79	86	77
North Dakota										67	72	69	63	59	69
Ohio			92	94	90	83	75	72	75	67	70	76	62	66	69
Oklahoma														69	70
Oregon					63	62	51	58	57	54	51	52	48	47	48
Pennsylvania	110	114	111	129	100	97	88	88	90	79	82	82	69	72	71
Rhode Island	120	111	108	126	(3)	(3)	93	85	94	80	73	82	67	67	72
South Carolina					113	116	96	93	96	102	(3)	(3)	(3)	97	91
Tennessee													71	81	77
Utah			69	64	71	71	73	69	59	64	56	75	54	59	59
Vermont	85	93	85	93	85	96	78	73	76	70	72	72	70	65	66
Virginia			98	103	91	84	79	77	84	78	81	84	75	76	79
Washington			69	69	63	66	55	62	57	56	56	56	50	48	49
West Virginia											80	82	72	70	78
Wisconsin			78	79	80	77	72	71	70	65	67	69	59	61	60
Wyoming								79	80	64	64	76	69	68	70
District of Columbia	111	106	97	112	85	91	83	85	92	76	87	82	68	65	71

[1] Source: U. S. Bureau of the Census. [3] Dropped from birth-registration area.

Mr. BINGHAM. Mr. President, I ask unanimous consent to have some other tables inserted in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Composite mortality table, compiled from Weekly Health Index reports, issued by Division of Vital Statistics, Bureau of the Census, for 49 weeks of 1930 and 1929, showing comparative infant mortality in cities reporting, by weeks, before and after repeal of Sheppard-Towner Act (June 30, 1929), according to Weekly Health Index, and mathematical composite derived therefrom, for 49 weeks of 1930

[NOTE.—The vital statistics division of the Census Bureau issued a Weekly Health Index from telegraphic reports received from 64 to 78 cities, containing from 30,000,000 to 35,000,000 population, showing the numbers and rates below, including the combined (total) death rate for the weeks in the year previous to each Weekly Health Index, but the Census Bureau does not furnish combined infant-mortality rate. This rate is furnished only for each week. Hence, in Table II, below, the combined infant mortality rate for 49 weeks is a mathematical compilation to arrive at infant-mortality rates for the year 1930 up to now that the Census Bureau does not yet furnish. The census summary for 1930 will probably be issued next October. Meanwhile, Table II, below, furnishes the only available indication of the total infant-mortality rate for 1930 in 64 to 78 cities reporting]

TABLE I (First 26 weeks)

Week ending 1930	Cities reporting	Total		Deaths under year	Infant-mortality rate each week [1]	Corresponding week, 1929			Total death rate, combined weeks [2]		Number of weeks
		Deaths	Rate			Total deaths	Death rate	Deaths under 1 year	1930	1929	
Jan. 4	64	7,886	13.9	726	64	11,063	19.5	968			1
Jan. 11	65	7,588	13.3	721	64	11,715	20.5	1,047			2
Jan. 18	63	7,384	13.2	641	58	10,541	18.8	946			3
Jan. 25	65	7,548	13.2	747	66	10,164	17.8	971			4
Feb. 1	64	8,116	14.3	739	65	9,509	16.7	870			5
Feb. 8	63	8,075	14.3	740	67	8,923	15.8	899			6
Feb. 15	64	8,013	14.1	766	67	8,680	15.3	873			7
Feb. 22	62	7,961	14.4	795	72	8,059	14.5	803			8
Mar. 1	65	8,397	14.7	808	71	8,979	15.7	958			9
Mar. 8	64	7,711	13.8	727	67	8,147	14.6	858			10
Mar. 15	65	7,851	13.8	771	69	8,368	14.7	888			11
Mar. 22	64	7,862	13.9	713	63	8,007	14.1	770	13.9	16.5	12
Mar. 29	64	7,817	13.8	810	71	7,552	13.3	755	13.9	16.3	13
Apr. 5	63	7,985	14.3	792	73	7,665	13.7	771	13.9	16.1	14
Apr. 12	65	8,079	14.2	781	69	7,654	13.4	731	13.9	15.9	15
Apr. 19	65	7,683	13.7	674	60	7,178	12.8	718	13.9	15.7	16
Apr. 26	65	8,102	14.2	753	68	7,494	13.1	736	13.9	15.6	17
May 3	64	7,775	13.7	747	65	7,141	12.6	673	13.9	15.4	18
May 10	64	7,856	13.8	716	63	7,318	12.9	694	13.9	15.3	19
May 17	65	6,994	12.3	649	56	7,592	13.3	701	13.8	15.2	20
May 24	65	7,047	12.3	653	57	7,094	12.4	740	13.8	15.0	21
May 31	65	6,604	11.6	605	50	7,296	12.8	698	13.7	14.9	22
June 7	64	7,354	13.0	650	58	6,847	12.1	658	13.6	14.8	23
June 14	65	6,840	12.0	594	51	6,797	11.9	598	13.6	14.7	24
June 21	65	6,508	11.4	575	50	6,879	12.1	648	13.5	14.6	25
June 28	65	6,714	11.8	611	54	6,268	11.0	572	13.4	14.4	26
Total at end of 26 weeks and of Sheppard-Towner Act in 1929				18,524	[3]58.7			20,544			

TABLE II (Last 23 weeks and grand total for 49 weeks)

July 5	65	5,925	10.4	568	49	5,862	10.3	556	13.3	14.3	27
July 12	65	6,507	11.4	616	55	6,401	11.2	615	13.2	14.2	28
July 19	64	6,294	11.2	574	51	5,869	10.4	570	13.1	14.0	29
July 26	65	7,205	12.6	728	64	6,149	10.8	588	13.1	13.9	30
Aug. 2	78	7,236	10.9	647	52	6,950	10.7	705	12.6	13.5	31
Aug. 9	78	7,290	11.0	602	55	6,556	10.1	656	12.5	13.4	32
Aug. 16	78	6,621	10.0	679	53	6,826	10.5	721	12.4	13.3	33
Aug. 23	78	6,324	9.5	673	53	6,724	10.3	737	12.3	13.2	34
Aug. 30	77	6,827	10.3	625	49	6,742	10.4	719	12.3	13.1	35
Sept. 6	77	6,779	10.3	625	50	7,114	11.0	802	12.2	13.1	36
Sept. 13	78	6,451	9.7	693	55	6,516	10.0	708	12.2	13.0	37
Sept. 20	78	6,876	10.4	718	57	6,481	10.0	735	12.1	12.9	38
Sept. 27	77	6,879	10.5	762	61	7,191	11.1	769	12.1	12.9	39
Oct. 4	78	6,642	10.0	647	52	7,031	10.8	695	12.0	12.8	40
Oct. 11	77	7,242	11.0	750	61	7,171	11.1	669	12.0	12.8	41
Oct. 18	78	7,211	10.9	717	58	7,635	11.7	679	12.0	12.8	42
Oct. 25	78	7,393	11.1	726	59	7,709	11.8	733	12.0	12.7	43
Nov. 1	78	7,749	11.7	711	57	7,825	12.0	640	11.9	12.7	44
Nov. 8	78	7,783	11.7	715	57	7,590	11.7	658	11.9	12.7	45
Nov. 15	78	8,037	12.1	747	60	7,358	11.3	657	11.9	12.7	46
Nov. 22	77	7,739	11.8	696	56	7,548	11.7	678	11.9	12.6	47
Nov. 29	78	7,112	10.7	642	51	7,855	12.1	683	11.9	12.6	48
Dec. 6	78	7,873	11.9	715	57	8,341	12.8	715	11.9	12.6	49
Total of last 23 weeks, 1930 and 1929				15,666	[4]55.3			15,686			
Grand total, 49 weeks, 1930 and 1929				34,190	[5]57.2			36,230			

[1] Annual basis.
[2] Census Bureau began combined death rates at twelfth week.
[3] Average rate.
[4] Average of rates for 23 weeks.
[5] Average of rates for 49 weeks

OBSERVATIONS ON TABLE I

1. It will be noted that the cities making weekly telegraphic reports to the division of vital statistics reported 2,020 fewer infant deaths in the first 26 weeks of 1930 than in the corresponding first 26 weeks of 1929 under the Sheppard-Towner Act, notwithstanding presumably larger population in these cities, which contain over 30,000,000 population.

2. It will be noted that the average infant mortality rate (annual basis) for the first 26 weeks in these cities (58.7) is 10 points below the official total infant-mortality rate (68) for the entire registration area in 1929—the last year completely reported by the Census Bureau, on October 24, 1930—although the "urban" rate is usually higher than the "rural" rate (the last census summary of such rates, for 1928, being 69.2 "urban" and 68.3 "rural" deaths under 1 year per 1,000 live births) and the last 26 weeks of 1929 (without benefit of the Sheppard-Towner Act) reported fewer infant deaths per 1,000 live births than the first 26 weeks of 1929.

3. It will be noted that the 1930 infant deaths in cities reporting were fewer than the 1929 infant deaths for corresponding weeks (under the Sheppard-Towner Act) for 19 weeks, and greater only for 7 weeks—and that the number of infant deaths dropped remarkably in 1929 as the Sheppard-Towner Act activities came to a close.

IMPORTANT NOTES

1. Only 20 more babies died in the corresponding 23 weeks of 1929 than in the last 23 weeks of 1930, after the end of Sheppard-Townerism, whereas 2,020 more babies died in the first 26 weeks of 1929 before the end of Sheppard-Townerism than in the corresponding first 26 weeks of 1930 without it.

2. The cities reporting (63 to 65 before August and 77 to 78 since August) contain 30,000,000 to 35,000,000 population, according to the Census Bureau; and while the "urban" infant mortality rate is usually higher than the "rural" rate, show a uniform average rate of 58 since the end of Sheppard-Townerism, or 10 points below the 1928 and 1929 rates for the entire registration area (68).

3. While the above striking statistical comparisons, "before" and "after" the end of Sheppard-Townerism, are mathemati-

cally derived from but not published in the Weekly Health Index, issued by the Vital Statistics Division of the Census Bureau, although it would seem as simple for the Census Bureau to give the infant mortality for combined weeks—as it does for total mortality—as to give it for each week on an annual basis for the cities reporting, it is significant that neither the Children's Bureau, the White House Conference on Child Health and Protection, nor the advocates of the Jones bill in Congress have seen fit to supply the Senate—or the public—with any such recent facts and figures. Why?

If statistics showed a "saving" of 2,020 infants' lives in these 64 or 65 cities during 26 weeks of 1929 under Sheppard-Townerism, compared with 26 corresponding weeks of 1930 without it, such a "saving" would be "shouted from the housetops" by the Children's Bureau—and echoed by every unemployed social worker in the land, probably.

Instead the statistics show, if anything, a sacrifice of 2,020 infants' lives in these cities, containing over 30,000,000 population, in the first 6 months of 1929, under Sheppard-Townerism, compared with corresponding months of 1930 in the same cities without it.

4. The Weekly Health Index for the week ending December 6, 1930, is the latest issued by the Vital Statistics Division of the Census Bureau.

5. A glance at the 1930 and 1929 "deaths under 1 year" in each week shows little variation in the corresponding last 23 weeks of each year—a difference of only 20 infant deaths among 15,000, or less than one-seventh of 1 per cent—whereas for the first corresponding 26 weeks of 1930 and 1929 there is a difference of 2,020 infant deaths among 20,000, over 10 per cent. In short, more than 10 per cent more babies died in 26 weeks of Sheppard-Townerism in 1929 than in the 26 corresponding weeks of 1930 in the same cities without it.

Mr. COPELAND obtained the floor.

Mr. BINGHAM. Mr. President——

Mr. COPELAND. Does the Senator from Connecticut wish to speak at this time?

Mr. BINGHAM. I was about to make a few remarks, but I will defer them.

Mr. COPELAND. If the Senator will be so generous as to let me make a few remarks now, I should like to go on. If the Senator from Connecticut is very brief, of course I shall accommodate him.

Mr. BINGHAM. I should like to refer to some of the things that have just been said by the former Secretary of Labor, under whose administration the former Sheppard-Towner Act was administered, and to point out, notwithstanding his perfervid eloquence in support of the bureau which has been operating under his administration for the past seven years, that in the States where his bureau did not operate the health of mothers and children improved at a greater rate than in the States where it did operate.

Mr. JONES. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Washington?

Mr. COPELAND. I yield to the Senator.

Mr. JONES. The Senator from New York is about to speak on this subject from the medical standpoint. I think we ought to have a larger attendance of the Senate, and, with his permission, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	Kendrick	Schall
Barkley	Fletcher	King	Sheppard
Bingham	Frazier	La Follette	Shipstead
Black	George	McGill	Shortridge
Blaine	Gillett	McKellar	Simmons
Blease	Glass	McMaster	Smith
Bratton	Glenn	McNary	Smoot
Brock	Goff	Metcalf	Steiwer
Brookhart	Goldsborough	Morrow	Stephens
Broussard	Gould	Moses	Thomas, Idaho
Bulkley	Hale	Norbeck	Thomas, Okla.
Capper	Harris	Norris	Townsend
Caraway	Harrison	Nye	Trammell
Carey	Hastings	Oddie	Tydings
Connally	Hatfield	Patterson	Vandenberg
Copeland	Hawes	Phipps	Wagner
Couzens	Hayden	Pine	Watson
Cutting	Hebert	Pittman	Wheeler
Dale	Heflin	Ransdell	Williamson
Davis	Howell	Reed	
Deneen	Johnson	Robinson, Ark.	
Dill	Jones	Robinson, Ind.	

The PRESIDENT pro tempore. Eighty-five Senators have answered to their names. A quorum is present.

Mr. COPELAND. Mr. President, a wise man once said, "God could not be everywhere, so he made mothers."

During the past few days we have had Senators speaking for the medical profession, for various so-called patriotic societies, they have spoken for various theories of Government, but if I may, in my feeble way, I desire to speak for the mothers.

Complaint has been offered here because, in the first place, the bill was "referred to the wrong committee." I can not see what difference it makes to what committee this bill might have been referred. It is a measure which has been before the Congress time and again, it has been thoroughly considered by a committee, or two committees, or several committees, and this session for some reason or other it was sent to the Committee on Commerce. I can not see what difference it makes where the bill was referred. Neither can I understand the complaint which has been offered because no hearings were held on the bill. I would be the last one in the world to commend any legislative program which did not provide for ample hearings, particularly regarding a new project, particularly regarding some measure which was utterly unfamiliar to the Senate. But we have here a measure which is well understood by everybody.

The American Medical Association and other organizations time and again have been heard relative to this legislation. And I may say that there can be no complaint on the part of interested parties that there has not been a full hearing on the floor of the Senate. Sometimes we have measures which are taken up by unanimous consent, which are passed, or objected to, and put aside, but here is a bill which for days and days has been before the Senate, and those who had anything to say regarding it have had ample opportunity. I venture to say that if the American Medical Association had sent its entire staff its cause could not have been better presented than it has been presented on the floor of the Senate by the Senator from Connecticut [Mr. BINGHAM]. I do not think anybody need have any complaint regarding that phase of the situation.

Mr. VANDENBERG. Mr. President——

The PRESIDING OFFICER (Mr. DAVIS in the chair). Does the Senator from New York yield to the Senator from Michigan?

Mr. COPELAND. I yield.

Mr. VANDENBERG. Before the Senator leaves the subject of the American Medical Association I would like to ask him one question. The Senator himself is a distinguished member of the medical profession. What, in his judgment, is the reason why the profession so universally opposes this bill?

Mr. COPELAND. I am very glad the Senator asked me that question, and if he will bear with me just a moment I shall attempt to answer the question.

Before doing so I want to speak of another criticism which has been passed upon the presentation of this measure. That is the so-called gentlemen's agreement that if we passed the bill in 1927 extending the life of the maternity act for two years, never again would it be presented. I can think of nothing more absurd than for us in all solemnity to propose that a measure which has to do with human life should never again be presented to the Senate. I do not know anything about what agreement other gentlemen may have had, but I never entered into any agreement not to bring this measure up, to urge it, or to vote for it.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. COPELAND. I yield.

Mr. BARKLEY. Does the Senator think that any legislation of any importance, or of no importance, regardless of its character, ought to be a matter of private arrangement, of individual agreement, such as has been mentioned here on the floor of the Senate touching this bill?

Mr. COPELAND. Frankly, may I say in reply, I think it is unworthy of us to think that regarding any matter we should enter into a private arrangement as to what should be done with it.

Mr. BARKLEY. I agree with the Senator.

Mr. BINGHAM. Mr. President, will the Senator yield to me?

Mr. COPELAND. I yield.

Mr. BINGHAM. May I remind the Senator that the suggestion for this arrangement came from the distinguished proponents of the legislation and not from those who were fighting it, who accepted the offer because they thought it was made in good faith, and that we could end this whole matter then and there? It was not our idea to offer any such arrangement. The proponents of the legislation, the leading proponent on the floor, came and said to us, "If you will agree that this shall go forward two years instead of one year, the thing can then end." So the suggestion for such an arrangement came from the other side and not from the opponents of the legislation.

Mr. SHEPPARD. Mr. President, will the Senator from New York yield to me?

Mr. COPELAND. I yield.

Mr. SHEPPARD. My proposal was that I would not bring up the legislation at the time it expired. I did not commit myself never to bring up the legislation again.

Mr. BARKLEY. If the Senator will yield further, regardless of what may have been said by the proponents of the legislation at that time, I assume that those who were opposed to it grabbed on to that in the fond hope that they could use it as a means by which the Senate would be forever choked off from the reenactment of the legislation.

Mr. BROUSSARD. Mr. President, will the Senator from New York yield?

Mr. COPELAND. I yield.

Mr. BROUSSARD. The Senator from New York made the remark that the urging of this argument that there was a proposal made that if we agreed to permit this legislation to go through two years ago it would not be renewed, would be unworthy. I want to leave it to the Senator from New York as to which side of this contention is unworthy, those who deceived us into accepting that arrangement, with no record vote because of that fact, those who deceived us into believing that it would not be urged again, or those who accepted the promises made, which are now being thrown down?

Mr. COPELAND. I am frank to say, Mr. President, that I do not think it is a proper way to legislate. We might just as well go back to the old secret diplomacy, the conduct of our international affairs by secret diplomacy, which we have condemned in such terms. In my judgment, it is not the way for Senators to deal with any problem, for a few men to get together in a smoke-bedimmed room, at night, or at any other time, and agree that they will do thus and so. As far as I am concerned, I disapprove of that method of procedure. If others feel that that is the proper way to legislate, all right, I have no criticism to offer of individuals.

Mr. BROUSSARD. Mr. President, if the Senator from New York did enter into such an agreement, does he not feel that he would be morally obligated to keep it?

Mr. COPELAND. Yes; if I entered into any such agreement, I would feel that I was morally obligated to carry it out.

Mr. BROUSSARD. Who on this floor did not enter into it, except the Senator from Washington?

Mr. COPELAND. I do not know anything about who entered into it. I was not in any agreement, secret or otherwise. And I want to say this: That so far as I am concerned, I am not bound by any secret agreement, or any other agreement, not to urge this legislation.

Mr. BROUSSARD. May I say to the Senator from New York that it was no secret agreement? The RECORD discloses that it was made in the open here on this floor; and if he did not object to it, he is a party to it.

Mr. COPELAND. Mr. President, I can well recall the day of the particular discussion referred to. I got such a tongue-lashing from the Senator from Missouri that I shall never forget it as long as I live. I remember that very well. I recall no agreement that was made, and certainly, so far as I am concerned, I do not find myself morally or otherwise bound by the terms of any such agreement. Certainly I would not be a party to any agreement which had in it the prospect of increasing the mortality rate among the prospective mothers of the country.

Mr. BROUSSARD. It was in the RECORD. There was an open agreement reached on the floor of the Senate, which was printed in the RECORD. Did the Senator object to it?

Mr. COPELAND. There is no need of our discussing that matter at any further length. I want to say now that if there was any such agreement I was unconscious of it and I was not a party to it.

Mr. CARAWAY. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER (Mr. COUZENS in the chair). Does the Senator from New York yield to the Senator from Arkansas?

Mr. COPELAND. I yield.

Mr. CARAWAY. We enact laws and then repeal them. I presume because we voted for a law we are never to be permitted to vote for its change or repeal.

Mr. COPELAND. I suppose when we once have settled the matter that settles it for all time, and we should never consider it again, but are bound by it forever. Mr. President, this is too solemn a matter, too fundamental a thing, too important in the lives of the mothers and infants of the country for us to split hairs over why the legislation was enacted or how it was enacted or whether it should be reenacted.

The question was asked me by the Senator from Michigan about the attitude of the medical associations and why the doctors object to the legislation. I find on page 421 of the CONGRESSIONAL RECORD of December 9, 1930, a document inserted in the RECORD by the Senator from Connecticut [Mr. BINGHAM] which he said in his remarks is a communication signed by the executive secretary of the Medical Society of New Jersey, addressed to Members of Congress. In this document I find this language:

> The members of the Medical Society of New Jersey object to reenactment of the Sheppard-Towner Act—and that is what the pending measures amount to—because:
>
> (1) Such legislation constitutes Federal encroachment upon States' rights.
>
> (2) Such laws would establish a bureaucracy in Washington, where purely medical matters will be directed by medically untrained laymen
>
> (3) Seven years' experimentation with the Sheppard-Towner Act proved absolutely fruitless—save to a small group of office-holders.
>
> (4) The $7,000,000 (approximately) expended by the National Government added to a like sum from the several States was largely wasted. Neither the Nation nor the States can afford to repeat such wastefulness.
>
> (5) It is unfair to tax progressive States, that do look after the health interests of their people, to give to backward or careless States that do not show active interest in the welfare of their own citizens.
>
> (6) It is unwise, if not beyond the constitutional privileges, for the National Government to enter into the practice of medicine in the States; just as unwise and as wrong as it would be to interfere with the public schools or the police force.
>
> We trust you will use your influence in opposition to the acts above mentioned.

Mr. CARAWAY. Mr. President, may I inquire of the Senator from New York if Mr. Grundy wrote paragraph 5, which the Senator just read?

Mr. COPELAND. I was wondering about that myself as I read it. For a moment I could not imagine whether this was written by Mr. Grundy or the Senator from New Hampshire [Mr. MOSES]! However, I observe by reference to the RECORD, that it was written by the Medical Society of New Jersey.

Mr. CARAWAY. Oh, no; it is merely signed by them. I feel sure that Mr. Grundy wrote it, because that is almost his exact language.

Mr. COPELAND. At any rate, it is in the RECORD.

Mr. CARAWAY. I am impressed that whoever signed it is perfectly willing that children shall die from neglect if they do not live in a progressive State, according to their idea of what constitutes a progressive State.

Mr. COPELAND. Seriously, I do not think the Senator is correct in that assumption.

Mr. CARAWAY. It says it is a plan to tax people who live in progressive States to care for people who do not, and that means that the rights of mothers and children shall be disregarded if they do not live in progressive States, according to their idea of what constitutes a progressive State.

Mr. COPELAND. And further than that, if the Senator is correct, it would apply to people who live in the backward parts of progressive States who needed to be helped.

Mr. CARAWAY. Oh, absolutely.

Mr. COPELAND. Mr. President, I have read the statement of the Medical Society of New Jersey and it may be a fair statement of the attitude of the medical profession generally. But there is back of this action a further thought I would like to say to my friend from Kentucky and my friend from Michigan. The doctors are very fearful of what they call "State medicine." They think the trend in the United States is in the direction of having the hospitals owned and operated by the States, and having the doctors appointed as agents of the State to administer the hospitals and perhaps to give treatment in them. There is a very fundamental objection in the medical profession to that sort of thing.

Doctors are extremely individualistic. Every doctor is an authority unto himself. I have no fault to find with that attitude. There is a great difference between law and medicine, in that the law is founded upon the principles of Justinian or promulgated by parliament or revealed by Providence; but in the medical profession every man is an authority unto himself. The standards are not fixed. He dreads the time which he fears may come conferring power to the State to give directions as to the treatment which shall be accorded disease and the method by which that treatment shall be applied. There is that great fear on the part of the medical profession.

I have some fault to find with that idea. I would have no objection at any time to a proposal brought forth by the medical profession or the legal profession or by the ministers or anyone else, a constructive program, a forward-looking program; but this is not such a program. This is not constructive. It is obstructive and destructive. This is a proposal to do away with a measure which has demonstrated its value, in my opinion, and to go backward in looking after the welfare of the people.

I want to analyze, if I may, the criticism which has been made by the Medical Society of the State of New Jersey. The first objection made by the doctors is that such legislation constitutes Federal encroachment upon State rights. I fail to see that. One has but to read the original law, the act of November 23, 1921, to know exactly what was proposed in the Sheppard-Towner Act. I wish any Senator who is interested in the question, and particularly in the criticisms which have been passed upon it, might review what was proposed in the original act. They will recall that the bill which we have pending provides in section 3:

> In order to secure the benefits of the appropriation authorized in section 1 of this act a State must have accepted the provisions of the act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921, and shall not have repealed its acceptance of said act, or shall through the legislative authority thereof accept the provisions of this act.

What are the provisions of the act? No one can read the original act without having swept out of his mind entirely the criticism that the pending bill proposes an invasion of the States so far as anything done within the States is concerned.

Mr. CARAWAY. The very language of the act itself merely asks the States to accept or reject it.

Mr. COPELAND. That is true. It is the voluntary act of the States.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Kentucky?

Mr. COPELAND. Certainly.

Mr. BARKLEY. After its acceptance of the provisions of the act its application is carried out through the agency of the State authorities.

Mr. COPELAND. That is clearly pointed out, as I shall bring out in discussing the various features of the bill.

I hold in my hand a copy of the act of 1921. I find in section 4 this language, reciting what must be done in order to have the benefits of the act:

> That in any State having a child-welfare or child-hygiene division in its State agency of health the said State agency of health shall administer the provisions of this act through such divisions. If the legislature of any State has not made provision for accepting the provisions of this act, the governor of such State may in so far as he is authorized to do so by the laws of such State accept the provisions of this act and designate or create a State agency to cooperate with the Children's Bureau until six months after the adjournment of the first regular session of the legislature in such State following the passage of this act.

In other words, the act itself provides that its administration within the State must be by the child-welfare or child-hygiene division in its department of health. Nothing in the world in a medical way will be done by this nonmedical agency at Washington. That agency has nothing to do except as regards the distribution of funds and the reception of the reports. It has absolutely nothing to do with the medical application of the law; and no Federal agent, medical or lay, goes into the State to administer the act. Its administration is wholly in the hands of the medical officials of the individual States. So where is there any encroachment upon State rights or any lay application of the law?

Further, in section 7 of the original act, there is defined what the Children's Bureau shall do, as follows:

> Within 60 days after any appropriation authorized by this act has been made the Children's Bureau shall make the apportionment herein provided for and shall certify to the Secretary of the Treasury the amount estimated by the bureau to be necessary for administering the provisions of this act.

That is all they do. The Children's Bureau have had nothing whatever to do with the application of the law. They have merely to do with the apportionment of the sums of money to be used by the individual States.

In the next place—and I speak of this with some degree of hesitation—I have had a number of telegrams from friends of mine in New York who belong to various church organizations. They have protested against the passage of the bill and against the Sheppard-Towner Act largely because of their fear that the officials might have authority to enter the homes and perhaps carry something besides medical advice—some other kind of advice. But, mark you, quoting from section 8 of the original act:

> *Provided*, That the plans of the States under this act shall provide that no official or agent or representative, in carrying out the provisions of this act, shall enter any home or take charge of any child over the objection of the parents, or either of them, or the person standing in loco parentis or having custody of such child.

I want to make it very clear that no agent of the Government, either Federal or State, under this act, has any right to enter any home without the full permission of both parents or of the guardian of the child. Nobody can go into a home without such permission. I want that to be thoroughly understood. Any family in any State of the Union where this act is applied may, for any reason whatever, refuse to receive the agent of government. That is emphasized in section 9 of the old act, and is made perfectly clear in sections 7 and 8 of the bill before us, on page 4. It repeats the language which I have just read:

> That no official or agent or representative, in carrying out the provisions of this act, shall enter any home or take charge of any child over the objection of the parents, or either of them, or the person standing in loco parentis or having custody of such child.

That language is repeated again on page 5, section 8:

> No official, agent, or representative of the Children's Bureau shall, by virtue of this act, have any right to enter any home over the objection of the owner thereof, or to take charge of any child over the objection of their parents—

And so forth.

In other words, my friends who have telegraphed me with reference to this phase of the bill may have no anxiety whatever, because the law specifically says that no member of the Children's Bureau and no agent of the Government may enter a home without permission.

Under section 10 of the original act it is provided that the Children's Bureau shall certify to the Secretary of the Treasury that—

The proper agency of the State has submitted to the Children's Bureau detailed plans for carrying out the provisions of this act—

And so forth.

But under no circumstances shall any agent of the bureau actually apply any medical knowledge in the carrying out of the provisions of the measure.

Section 11 provides that certificates requisite to allotments to the States may be withheld in certain cases.

Then section 12 provides that no money apportioned under the act shall be used for erecting buildings.

That is the act. If there is in that, Mr. President, an invasion of the rights of the State, I fail to see where it is. That is the first objection made by the Medical Society of New Jersey, and I think it has been fully answered by what I have said.

The next criticism of the New Jersey Medical Society is to the effect that such a law will establish a bureaucracy in Washington where purely medical matters will be directed by medically untrained laymen. I dispute that absolutely. There is no such provision in the bill.

The Children's Bureau has the right to apportion the funds, and it is its duty to determine whether those funds are spent properly or not; but so far as any medical matter is concerned, the Children's Bureau in Washington has no more to do with it than the man in the moon; it has absolutely nothing to do with the medical administration of the act.

A third objection is that seven years' experimentation under the Sheppard-Towner Act proved absolutely fruitless save to a small group of officeholders.

Frankly, I think that is a gratuitous blow to a group of very deserving persons—that it was "fruitless in result to anybody but the officers."

The other day in a colloquy with my charming friend the Senator from Connecticut [Mr. BINGHAM] spoke about the failure of the law. He repeated the statement this afternoon, though I have forgotten his exact words, but I think he said to the junior Senator from Pennsylvania [Mr. DAVIS], who was recently Secretary of Labor, that as the result of his efforts the death rate had increased in the States where the law was applied. Am I right in my statement as I make it, may I ask the Senator from Connecticut?

Mr. BINGHAM. I said that under his administration the death rate had decreased more in States that had not taken advantage of the law than in States which had taken advantage of it during his administration.

Mr. COPELAND. That is better still. I can make reply to that statement.

Mr. BINGHAM. And there were some States where the death rate actually increased under his administration of the law.

Mr. COPELAND. Of course the logical conclusion of that argument is that if it is desired to lower the death rate nothing must be done.

Mr. BINGHAM. Is that the Senator's idea of logic?

Mr. COPELAND. The logical conclusion from what the Senator from Connecticut advances is that the less we do to lower the death rate the more likely we are to have a low death rate.

Mr. BINGHAM. That the less the Federal Government has to do with it, I will say to the Senator.

Mr. COPELAND. Very well.

Mr. CARAWAY. Mr. President, I think that doctrine is worthy of the philosophy proclaimed by an old man down in my State who said that he had most always observed that a hog that took the cholera and lingered was more likely to get well than one that took it and died immediately. I think the two suggestions are on a parity, and emanated evidently from the same logical brain.

Mr. COPELAND. Mr. President, I would be untrue to my profession and untrue to the great specialists in the public-health administration if I admitted that everything they do tends to increase the death rate.

I can recall, Mr. President, when in my own city of New York, going back only 25 years, out of every 1,000 babies born 247 died in the first year of life. The official records of the city of New York, in the period up to about 1905, show that one-fourth of the babies died in the first year of life.

Mr. BINGHAM. Mr. President, will the Senator yield for a question?

Mr. COPELAND. I yield.

Mr. BINGHAM. Has the Senator the figures as to the number of babies that died during the year before the Sheppard-Towner Act was passed? Those figures might be informative.

Mr. COPELAND. Does the Senator mean immediately before the passage of the act?

Mr. BINGHAM. Before the act began to operate.

Mr. COPELAND. Of course, it was not operating in 1905.

Mr. BINGHAM. It did not go into operation until 1921 or 1922, did it?

Mr. COPELAND. No.

Mr. BINGHAM. What were the figures for 1921 or 1922?

Mr. COPELAND. I can not give them offhand; but, of course, they show a death rate very much less than in 1905, as I am going to demonstrate. If the Senator will bear with me a moment, if I do not answer him, then he can call me to account. Twenty-five years ago, as I have said, 247 babies out of every thousand born died in the first year of life, while now in New York City the rate is only 50. I do not say that the Sheppard-Towner Act was responsible for that decrease, but the very efforts which are proposed to be applied everywhere by reason of the Sheppard-Towner Act are the efforts which resulted in the miraculous change in the death rate among the infants of New York City.

Mr. FESS. Mr. President, will the Senator yield?

Mr. COPELAND. I yield.

Mr. FESS. The Senator was present in the Chamber, was he not, when the Senator from Connecticut gave figures regarding the increase in the death rate?

Mr. COPELAND. I was.

Mr. FESS. And the Senator was here when the junior Senator from Pennsylvania [Mr. DAVIS], the former Secretary of Labor, who had the administration of the act, gave official figures showing that the death rate had decreased. How are we going to account for this disparity in the figures of the two Senators? The Senator from Pennsylvania tells me that he has the official figures. I should like to know the source of the figures of the Senator from Connecticut.

Mr. BINGHAM. May I answer that question, Mr. President?

Mr. COPELAND. I yield to the Senator.

Mr. BINGHAM. According to the statement released by the Bureau of Census on October 24, 1930, the infant-mortality rate in Kentucky per thousand live births in the 5-year period preceding the passage of the Sheppard-Towner Act was as follows: In 1917, 87; in 1918, 93; in 1919, 82; in 1920, 73; in 1921, 62. Those are the five years before the passage of the act, and the death rate dropped down to 62 from 87 without the benefit of the act. Then follow, from the Bureau of Census, the figures for Kentucky subsequent to the passage of the act, which were, in 1922, 69; in 1923, 72; in 1924, 65; in 1925, 71; in 1926, 75; in 1927, 61; in 1928, 70; and in 1929, 71, or 9 more than during the year in which the act was passed. Those figures come from the Bureau of the Census.

Mr. COPELAND. What does that prove from the standpoint of the Senator? What does that indicate to the Senator?

Mr. BINGHAM. In my opinion, it indicates that the passage of the act did not decrease the mortality rate in the State of Kentucky.

Mr. COPELAND. Granting that to be true, does the Senator contend that by reason of the operation of the act in the State of Kentucky no lives were saved?

Mr. BINGHAM. No, Mr. President; but if the act had been as advantageous as it was supposed to be, surely the decrease in the death rate which had been proceeding for

years past would have continued. As a matter of fact, the decrease did not continue.

Mr. COPELAND. Speaking purely from the mathematical standpoint that might seem to be good reasoning, but, as a matter of fact, when one considers the infant and maternity death rate there are many factors that must be taken into account. For instance, in the influenza epidemic of 1918 the highest death rate of any group was among pregnant women; they were the ones who died, and it is not hard to understand why. So there are many things that enter into statistics. There might be a very successful operation of any public-health program in normal times which would be utterly upset in the face of an epidemic. For instance, there was nothing in the application of the Sheppard-Towner Act which would control measles or scarlet fever or diphtheria. There might have been epidemic disease, localized epidemics as we call them, involving only a small part of the country, perhaps only the State of Kentucky or a part of the State which would elevate the general death rate; but when the Senator says to me that this work with prospective mothers could in any way whatever elevate the death rate or fail to lower it, he is saying something to me that I can not believe.

Mr. BARKLEY. Mr. President——

Mr. COPELAND. I yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, in the first place, I should like to say that if the Census Bureau's figures with reference to the effect of the Sheppard-Towner Act in Kentucky are as far wrong as its estimate of the number of unemployed in the United States, according to the statement it gave out, I would place no reliance whatever upon the figures cited by the Senator from Connecticut.

Mr. BINGHAM. So we come back again to the campaign of 1932.

Mr. BARKLEY. It so happens that I have here the testimony of the secretary of the State Board of Health of the State of Kentucky which had in part, in connection with the Children's Bureau here in Washington, charge of the application of the Sheppard-Towner Act from the time it was enacted in 1922 to the time it expired in 1929.

Testifying before the House Committee on Interstate and Foreign Commerce on January 24, 1929, Dr. A. T. McCormack, secretary of the State board of health—which is an official bureau created by the State of Kentucky, through which the Sheppard-Towner Act was enforced and observed—said as follows:

> In the State of Kentucky we are in this position: At the beginning of our cooperation with the Children's Bureau under the Sheppard-Towner Act our death rate among our mothers was 60. It is now 49.

That is, 49 per 1,000 of mothers giving birth to children.

> That difference has been brought about entirely by the cooperation between the Bureau of Maternal and Child Health and the State board of health and the practicing physicians of Kentucky and the people who have cooperated in support of this activity. The death rate of babies has been reduced from 87 per 1,000 to 61 per 1,000.

That is the testimony of the secretary of the State board of health, who had charge of the operation of this law in the State of Kentucky during its entire life.

Mr. BINGHAM. Yes; I read those figures for 1927. That is exactly what the Bureau of the Census reported, that the mortality rate of babies had decreased in 1927 to 61; but since then there are some other figures that bring it up to 71. As far as the maternal mortality rate is concerned, if my good friend the Senator from Kentucky were only a little more up to date and, instead of quoting from the figures for 1927 had quoted from the figures for 1929, his argument would have more effect.

It is true that in 1927 the maternal death rate fell to 49, as he said. It is so reported in the Bureau of the Census Report No. 2751; but, according to the statement subsequently issued, the maternal mortality rate in 1928 went from 49 up to 60, and in 1929 up to 66. How does the Senator from Kentucky explain that?

Mr. BARKLEY. Of course it is explained, if the Bureau of the Census is correct—and I do not accept those figures in controversy with the State board of health——

Mr. BINGHAM. But they are exactly the figures the Senator gave.

Mr. BARKLEY. The testimony given by Doctor McCormack was in 1929, not in 1927——

Mr. BINGHAM. Oh, no!

Mr. BARKLEY. And he was quoting the figures from the beginning of the act until that time. But even if it were correct that there had been a slight increase in 1929, it would be attributable to the fact that in the Mississippi Valley of Kentucky and the mountains of Kentucky, on account of the enormous floods, it was necessary even for Congress to appropriate additional sums to assist the State in looking after the health of the people; and there was an increase in the death rate among all people, due to these extraneous conditions existing.

Mr. BINGHAM. How about 1928? Was that in anticipation of the floods when the death rate went up from 49 to 60?

Mr. CARAWAY. Mr. President, will the Senator yield to me?

Mr. COPELAND. I yield to the Senator from Arkansas.

Mr. CARAWAY. Of course, it is unworthy of anyone to take the absurd position in argument that the care devoted by skilled physicians to mothers and infants endangers their health and contributes to their death. No one would accept that for a minute, and nobody seriously advances that argument; but here is what I want to say, Mr. President:

I have a wife and I have children. I would not, of course—it seems cruel even to mention it—I would not see either one of them die for all the wealth this Nation has. If I would not sacrifice one of mine in order to save money, then certainly I am a bad citizen if I would be willing for somebody else's wife or child to die in order to save money to the Public Treasury. That is the way the matter appeals to me.

Mr. COPELAND. I thank the Senator for what he has said.

Now, I should like to say one word to my friend from Connecticut.

Mr. JONES. Mr. President, will the Senator from New York permit me to submit a unanimous-consent request?

Mr. COPELAND. I yield for that purpose.

Mr. JONES. I have conferred with the Senator from Utah [Mr. KING] and also with the Senator from Connecticut [Mr. BINGHAM] and one or two others. They are all willing to enter into an agreement something like this:

That after 4 o'clock to-morrow no Senator shall speak more than once or longer than 15 minutes on the bill, nor more than once or longer than 5 minutes on any amendment that may be offered, including the motion to recommit. I submit that unanimous-consent agreement. I think the clerk has it written out.

Mr. BINGHAM. Mr. President, I did not understand that the Senator intended to ask that debate be limited both on the motion to recommit and on the bill and amendments.

Mr. JONES. I do not think I did mention that to the Senator but I thought if we entered into an agreement with reference to amendments to the bill, and so on, and it did not go into effect until 4 o'clock, we ought to have plenty of time to debate the motion to recommit. At any rate, if it goes on after that time, I should like to have the limitation apply to it.

Mr. BINGHAM. I said to the Senator from Washington that so far as I was concerned I had no objection to a limitation on debate on the motion to recommit after any hour he might set to-morrow. I hope the Senator will let it go at that, because there are two or three Senators here who are in very earnest opposition to the bill, though I am sure they would not object to a limitation of debate on the motion to recommit. Will not the Senator let it go merely with regard to that motion and not the other motion at this time?

Mr. JONES. When I spoke to the Senator I did not have in mind at all the motion to recommit. I had in mind a vote

on the bill, and so forth. He probably misunderstood me, and had in mind the other matter.

Mr. BINGHAM. That being the pending motion, that was what I thought the Senator was talking about.

Mr. JONES. I see. Would the Senator be perfectly willing, then, to enter into an agreement to vote at a fixed time on the motion to recommit?

Mr. BINGHAM. Certainly, Mr. President. I so informed the Senator—that at 3 o'clock to-morrow we might vote on the motion to recommit.

Mr. JONES. Then I ask unanimous consent that at 3 o'clock to-morrow the Senate proceed to vote without further debate on the motion to recommit.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent agreement proposed by the Senator from Washington?

Mr. DILL. Mr. President, I desire to submit a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. DILL. In effect, is not that a vote on the bill, and will it not require a quorum to enter into the agreement?

The PRESIDENT pro tempore. This is a motion to recommit. It is not a vote on final passage. Therefore a quorum call is not required.

Is there objection to the unanimous-consent agreement proposed by the Senator from Washington? The Chair hears none, and the unanimous-consent agreement is entered into.

SPEECH BY REPRESENTATIVE LUDLOW ON STABILIZATION OF INDUSTRY AND EMPLOYMENT

Mr. DILL. Mr. President, the Fraternal Order of Eagles has proposed a plan to stabilize industry and employment. A bill carrying out that plan was introduced in this body by the Senator from Wisconsin, Mr. BLAINE, and one was introduced in the House by Representative LUDLOW, of Indiana. I ask unanimous consent to have inserted in the RECORD a statement by Mr. LUDLOW on that subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

This measure is predicated on the idea that there is no reason or excuse for such cycles of depression and unemployment as the one through which we are now passing and that there ought to be enough constructive ability in Congress to set up regulatory machinery that will prevent such national misfortunes in the future. Just as the Interstate Commerce Commission stabilizes railroad activities and investments in railroad securities and as the Federal reserve system to a marvelous degree stabilizes the monetary and financial conditions in this country, it is hoped that the Federal industrial commission provided in this bill will be effective in keeping industry on an even keel and preventing the recurrent cycles of industrial depression and unemployment.

The bill I have introduced by request has been worked out with the greatest thought and care. It has back of it the 650,000 members of the Fraternal Order of Eagles and the 100,000 members of the Eagles' auxiliary. It was first proposed in substance in the Indiana State Aerie last June by Frank E. Hering, of South Bend, Ind., past grand worthy president of the order. It was unanimously approved by the State organization and when the grand aerie met at San Francisco in August it received a unanimous indorsement from the national body of the order after Mr. Hering had made a stirring address explaining the proposal to an audience of 1,000 delegates. A commission of members of the order was then created to draft a bill, and the measure I have introduced is the product of that commission. Col. Conrad H. Mann, of Kansas City, president of the Kansas City Chamber of Commerce and president of the Missouri Manufacturers' Association, is chairman of the commission. The other members are Frank E. Hering, of South Bend, Ind.; Otto P. Deluse, of Indianapolis, president of the Indianapolis Board of Trade; Ex-Congressman John M. Morin, of Pittsburgh; and United States Senator JOHN J. BLAINE, of Wisconsin.

In this bill the Fraternal Order of Eagles is seeking to bring before Congress and to the attention of the President and his advisers a vision of what may be accomplished if our statesmanship arises to the occasion and provides stabilizing machinery to carry out the principle that men have a right to work, not spasmodically but continuously, at a wage which permits them to live decently and save something for old age. The order dismisses as sheer nonsense the statement so often heard in this country of incomparable wealth and resources that "we must have business depressions." It believes that Congress and the President have the brains to work out a stabilizing plan that will diminish unemployment and finally reduce it to the minimum. There is nothing radical about the proposal, which promises to be beneficial alike to both capital and labor. It has a very significant and important aim, which is worthy of the best traditions of the great humanitarian order that offers it for the consideration of Congress. While I had no part in drafting the bill, I appreciate the honor of having been chosen to introduce in the House a measure which I believe to be wise and timely and characterized by sound common sense.

The new measure is entitled "A bill to create a Federal industrial commission to aid in the stabilization of employment in industry, agriculture, and commerce, and for other purposes."

The full text of its provisions follows:

"That a commission is created, to be known as the Federal Industrial Commission (hereinafter referred to as the commission), which shall be composed of five commissioners, who shall be appointed by the President by and with the advice and consent of the Senate. Terms of office of the commissioners first taking office after the date of the enactment of this act shall expire, as designated by the President at the time of nomination, one at the end of the first year, one at the end of the second year, one at the end of the third year, one at the end of the fourth year, and one at the end of the fifth year after such date. A successor to a commissioner shall have a term of office expiring six years from the date of the expiration of the term for which his predecessor was appointed, except that any person appointed to fill a vacancy in the commission occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. One of the commissioners shall be designated by the President as chairman of the commission and shall be the principal executive officer thereof. The commission shall select a vice chairman, who shall act as chairman in case of the absence or disability of the chairman. The commission shall function notwithstanding vacancies, and a majority of the commissioners in office shall constitute a quorum. Each member of the commission shall be a citizen of the United States and shall not actively engage in any other business, vocation, or employment than that of serving as a member of the commission. Each member of the commission shall receive a salary of $12,000 a year, together with necessary traveling and subsistence expenses, or per diem allowance in lieu thereof, within the limitations prescribed by law, while away from his official station upon official business.

"SEC. 2. The commission is authorized and directed to make surveys, studies, and investigations of all problems relating to the stabilization of employment in industry, agriculture, and commerce in the United States with a view to formulating such plans and recommending such legislation as will enable employees to obtain a saving wage and investors a reasonable dividend.

"SEC. 3. The commission—

"(1) Shall maintain its principal office in the District of Columbia.

"(2) Shall have an official seal which shall be judicially noticed.

"(3) Shall make a report to Congress at least once a year upon the administration of this act and any other matter relating to the better effectuation of any policy for the stabilization of employment in industry, agriculture, or commerce, including such recommendations for legislation as it deems necessary.

"(4) May make such regulations as are necessary to execute the functions vested in it by this act.

"(5) May appoint and fix salaries of a secretary and such experts, and, in accordance with the classification act of 1923, as amended, and subject to the provisions of the civil service laws, such other officers and employees as are necessary to execute such functions.

"(6) May make such expenditures (including expenditures for rent and personal services at the seat of Government and elsewhere, for law books, periodicals, and books of reference and for printing and binding) as are necessary to execute such functions. Expenditures by the commission shall be allowed and paid upon presentation of itemized vouchers therefor approved by the chairman of the commission.

"(7) Shall meet at the call of the chairman or a majority of its members.

"SEC. 4. (a) For the purposes of this act the commission, or any member thereof, is authorized to hold hearings, administer oaths, and examine witnesses.

"(b) The commission may cooperate with any establishment in the executive branch of the Government and with any State or Territory, or department, agency, or political subdivision thereof, or with any person.

"(c) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act."

MIDDLE OREGON OR WARM SPRINGS TRIBE OF INDIANS OF OREGON

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 2895) entitled "An act authorizing the bands or tribes of Indians known and designated as the Middle Oregon or Warm Springs Tribe of Indians of Oregon, or either of them, to submit their claims to the Court of Claims," which was, on page 4, line 20, to strike out the words "any and all proper tribal purposes" and insert "educational, health, industrial, and other purposes for the benefit of said Indians, including the purchase of lands and building of homes, and no part of said judgment shall be paid out in per capita payments to said Indians."

Mr. McNARY. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed a joint resolution (H. J. Res. 440) authorizing the payment of salaries of the officers and employees of Congress for December, 1930, on the 20th day of that month, in which it requested the concurrence of the Senate.

PAYMENT OF OFFICERS AND EMPLOYEES

The joint resolution (H. J. Res. 440) authorizing the payment of salaries of the officers and employees of Congress for December, 1930, on the 20th day of that month was read twice by its title and referred to the Committee on Appropriations.

Mr. JONES. The Committee on Appropriations has authorized me to report this joint resolution favorably and to ask for its immediate consideration. It is the usual joint resolution making payment to the officers and employees of Congress for the current month before the holiday recess.

There being no objection, the Senate proceeded to consider the joint resolution; and it was ordered to a third reading, read the third time, and passed.

WELFARE OF MOTHERS AND INFANTS

The Senate resumed the consideration of the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

Mr. REED. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Pennsylvania?

Mr. COPELAND. Just one moment. I am going to yield to the Senator; but this is a pretty unsatisfactory way for a man to attempt to make a speech on a solemn subject. Perhaps the Senator from Oregon would be content if we should go over until to-morrow.

Mr. McNARY. Is the Senator discussing the motion to recommit?

Mr. COPELAND. No, Mr. President.

Mr. McNARY. The Senator is familiar with the action recently taken by the Senate in entering into a unanimous-consent agreement to vote at 3 o'clock to-morrow. That was on the motion to recommit, of course.

Mr. COPELAND. What about the speeches to-morrow?

The PRESIDENT pro tempore. There was no limitation upon debate. The unanimous-consent agreement is that at 3 o'clock to-morrow, without further debate, a vote shall be taken upon the motion proposed by the Senator from Connecticut [Mr. BINGHAM] to recommit the bill with instructions.

Mr. McNARY. I did not understand the request of the Senator from New York. Does he desire to conclude this evening?

Mr. COPELAND. I had intended to conclude this evening; and, of course, without all the debate which has intervened I would have been through long ago; but it seems unfair to keep the Senators here. They have routine matters that they desire to present. Perhaps the Senator from Oregon would be content to let me go on to-morrow morning for a few minutes.

Mr. McNARY. I promised that we should have a morning hour, and I shall ask the Senate to adjourn to-night.

Mr. COPELAND. Then I will go ahead. I yield to the Senator from Pennsylvania.

DELAWARE RIVER BRIDGE, TRENTON, N. J.

Mr. REED. Mr. President, to-day the Senator from Vermont [Mr. DALE] reported favorably, with a slight amendment, Senate bill 5036, to extend the time for completing the construction of a bridge across the Delaware River near Trenton, N. J. It is a railway bridge bill. I ask unanimous consent that it may be considered now and passed. It is merely a routine matter.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 5036) to extend the time for completing the construction of a bridge across the Delaware River near Trenton, N. J., which was read, as follows:

Be it enacted, etc., That the time for completing the construction of the bridge authorized by act of Congress approved August 24, 1912, to be built by the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co. across the Delaware River near the city of Trenton, N. J., which has heretofore been extended by Congress to August 24, 1931, is hereby extended for a further period of three years from the last-named date.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The PRESIDENT pro tempore. The amendment of the committee will be stated.

The amendment was, on page 1, at the end of line 10, to insert a colon and the following proviso:

Provided, That it shall not be lawful to complete or commence the completion of said bridge until plans thereof shall again be submitted to and approved by the Chief of Engineers and by the Secretary of War.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE MESSAGES

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

PRESIDENT'S EMERGENCY COMMITTEE ON UNEMPLOYMENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read and ordered to lie on the table:

To the Senate:

I am in receipt of the resolution of the Senate reading as follows:

Resolved, That the President be, and is hereby, requested to transmit to the Senate, if not incompatible with the public interest, the following: The report of the President's Emergency Commission on Unemployment, Col. Arthur D. Woods, chairman.

The President's Emergency Committee has made no report on unemployment. I have received notes and verbal suggestions from Colonel Arthur Woods from time to time, and from the departments in the Government on this subject. These were confined to guidance in formulation of the recommendations which I have already laid before Congress. Such notes and discussions are necessarily passing and tentative, and they represent that confidential relation of the President with Government officers which should be preserved.

HERBERT HOOVER.

THE WHITE HOUSE, *December 16, 1930.*

WELFARE OF MOTHERS AND INFANTS

The Senate resumed the consideration of the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

Mr. BINGHAM. Mr. President, in view of the unanimous-consent agreement that we shall vote to-morrow at 3 o'clock on the motion to recommit, and in view of the statement made by the Senator from Oregon regarding a morning hour to-morrow, may I say to the Senator from New York that, in so far as I can speak for those who are in opposition to the bill, particularly for myself, we should be very glad to give the Senator from New York the entire time between 2 and 3 o'clock to-morrow, if he desires it, to speak against the motion to recommit, and then have a vote. After that there will be some further remarks about the bill itself in case the motion is defeated, but there will be no effort to deprive him of full opportunity to complete his speech, if he can do so within the hour at his disposal, and I hope he may be given the floor at 2 o'clock for that purpose.

Mr. COPELAND. Mr. President, the Senator from Kentucky [Mr. BARKLEY] and the Senator from West Virginia [Mr. HATFIELD] I know want to speak on this bill. I can see that I have been entirely too good-natured, and it is my

own fault that I find myself in this position. I would like to have a little more time on the bill, but I would not feel that I was doing right to my colleagues if I took all the hour to-morrow.

Mr. JONES. Mr. President, I suggest that no limit to debate on the bill is fixed. The proposed agreement is that at 3 o'clock we shall vote without debate on the motion to recommit. Discussion on the bill by any Senator would still be in order.

Mr. BINGHAM. Mr. President, the Senator from West Virginia tells me that he does not desire more than half an hour, and probably not more than 25 minutes. If the Senator from New York will require only half an hour, then both Senators can speak between 2 and 3 o'clock.

Mr. HARRISON. Mr. President, will the Senator from New York yield to me?

Mr. COPELAND. I yield to the Senator from Mississippi.

Mr. HARRISON. I ask unanimous consent that the senior Senator from New York [Mr. COPELAND] be recognized to-morrow at 2 o'clock, and that he may have 30 minutes in which to address himself to this matter.

The PRESIDENT pro tempore. The Senator from Mississippi asks unanimous consent that at 2 o'clock to-morrow the Senator from New York be recognized for 30 minutes. Is there objection? The Chair hears none; and the unanimous-consent agreement is entered into.

EXECUTIVE SESSION

Mr. McNARY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. The Chair lays before the Senate messages from the President of the United States this day making sundry nominations, which will be referred to the appropriate committees.

REPORTS OF COMMITTEES

Mr. JOHNSON, from the Committee on Commerce, reported favorably sundry nominations for the calendar.

Mr. STEIWER, from the Committee on the Judiciary, reported favorably the nomination of Fred S. Pulver, of New York, to be United States marshal, eastern district of New York.

Mr. McNARY (for Mr. PHIPPS), from the Committee on Post Offices and Post Roads, reported favorably sundry nominations of postmasters.

CONFIRMATION OF POSTMASTERS

Mr. HARRISON. Mr. President, I ask unanimous consent that the eight nominations of postmasters for Mississippi reported favorably to-day be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations of the eight postmasters for Mississippi are confirmed, and the President will be notified.

Mr. HEFLIN. Mr. President, I ask unanimous consent that the nominations of seven postmasters for Alabama reported favorably to-day be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed, and the President will be notified.

CONSIDERATION OF TREATIES

The PRESIDENT pro tempore. There are two treaties on the calendar. The first will be announced.

Mr. REED. Mr. President, these treaties were reported favorably by the unanimous vote of the Committee on Foreign Relations.

Mr. KING. May I ask the Senator from Pennsylvania to what they relate?

Mr. REED. One of them is a Pan-American treaty relating to the protection of trade-marks. The other is an international treaty, including European nations, modifying the existing treaty for the protection of patents. It gives an advantage to the citizens of the United States which they do not at present enjoy, in that under the present treaty—not this one but the one now in force—foreign nationals can take out patents here and hold them for 17 years without developing them, whereas American citizens in foreign countries have not the same privilege. This does not completely correct that, but it permits revocation of patents for nonuse after three years and prevents forfeiture for a period of three years.

Mr. KING. In foreign lands?

Mr. REED. In foreign lands. Of course, it works both ways, but the net advantage is all to us.

Mr. KING. There is no effort to extend copyrights and patents for 50 years, as some are seeking now to have them extended?

Mr. REED. Oh, no; nothing like that.

Mr. KING. Because it would be an infringement upon the power of the United States to control its own domestic affairs.

Mr. REED. It would be a matter which ought to be taken care of by act of Congress and not by treaty.

Mr. KING. Certainly.

Mr. REED. This does not do anything of the sort.

TREATY FOR THE PROTECTION OF INDUSTRIAL PROPERTY

The Chief Clerk proceeded to read Calendar No. 18, convention signed at The Hague on November 6, 1925, which was considered as in Committee of the Whole and is as follows:

To the Senate:

With a view to receiving the advice and consent of the Senate to the ratification of the convention, I transmit herewith a duly authenticated copy of a convention signed at The Hague on November 6, 1925, by the plenipotentiaries of the United States and of the other Governments members of the International Union for the Protection of Industrial Property modifying the International Industrial Property Convention of March 20, 1883, revised at Brussels on December 14, 1900, and at Washington on June 2, 1911. The convention was signed in one original, which is deposited with the Government of the Netherlands.

I recommend that the advice and consent of the Senate to the ratification of the convention be given subject to the understandings set forth in the three declarations made by the American plenipotentiaries, and which are quoted in the accompanying report from the Secretary of State.

CALVIN COOLIDGE.

THE WHITE HOUSE,
Washington.

The PRESIDENT:

The undersigned, the Acting Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a duly authenticated copy of a convention signed at The Hague on November 6, 1925, by the plenipotentiaries of the United States and of the other Governments members of the International Union for the Protection of Industrial Property modifying the International Convention of March 20, 1883, revised at Brussels on December 14, 1900, and at Washington on June 2, 1911.

It is suggested that it be recommended to the Senate that its advice and consent to ratification be given subject to three declarations made by the plenipotentiaries of the United States, as follows:

(1) "The Delegation of the United States understands that Article 5, eliminating requirement of mention of registration on designs or industrial models, will not affect the present law in their country. The law of the United States as to notice of patents has been explained to the Delegates, and will not be changed or affected by this provision of this Convention."

(2) "The Delegation for the United States understands that the term of the period of permissible nonuse, and the causes that may justify the nonuse of a registered mark in Article 5, are to be decided solely by the country where use is required, and according to its own law and practice."

(3) "As to Article 5 bis, the Delegation of the United States understands that the taxes referred to do not include the final fee required by its laws after an application for

patent is allowed and before the patent can be issued, and as to which a period of six months is now allowed for payment without fine or condition."

The convention has had the attention of the Secretary of Commerce who, in a letter to the undersigned dated January 20, 1927, concurring in the opinion of the undersigned that the treaty should be sent to the Senate, adds as follows:

"While the delegates for the United States to the Congress at The Hague were unable to obtain all that they desired in modifying the International Convention for the Protection of Industrial Property, as revised in Washington on June 2, 1911, they did succeed in obtaining very material modifications looking to the amelioration of the present practice of many of the foreign countries, especially with relation to the working of patents."

Respectfully submitted.

JOSEPH C. GREW,
Acting Secretary of State.

DEPARTMENT OF STATE,
Washington, February 4, 1927.

[Translation]

The President of the German Reich; the President of the Republic of Austria; His Majesty the King of the Belgians; the President of the United States of Brazil; the President of the Republic of Cuba; His Majesty the King of Denmark; the President of the Dominican Republic; His Majesty the King of Spain; the President of the Republic of Esthonia; the President of the United States of America; the President of the Republic of Finland; the President of the French Republic; His Majesty the King of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India; His Serene Highness the Governor of Hungary; His Majesty the King of Italy; His Majesty the Emperor of Japan; His Majesty the Sultan of Morocco; the President of the United Mexican States; His Majesty the King of Norway; Her Majesty the Queen of the Netherlands; the President of the Polish Republic, in the name of Poland and the Free City of Danzig; the President of the Portuguese Republic; His Majesty the King of the Serbs, Croats and Slovenes; His Majesty the King of Sweden; The Federal Council of the Swiss Confederation; the States of Syria and Grand Liban; the President of the Czechoslovak Republic; His Highness the Bey of Tunis; the President of the Turkish Republic.

Having deemed it expedient to make certain modifications and additions in the International Convention of March 20, 1883, for the creation of an International Union for the Protection of Industrial Property, revised at Brussels on December 14, 1900, and at Washington on June 2, 1911, have appointed as their plenipotentiaries, to wit:

The President of the German Reich:
- M. W. F. von Vietinghoff, Conseiller de Légation d'Allemagne à la Haye;
- M. von Specht, Geheimer Oberregierungsrat, Président de l'Office des Brevets;
- M. Klauer, Conseiller ministériel au Ministère de Justice;
- M. le Prof. Dr. Albert Osterrieth Justizrat;

The President of the Republic of Austria:
- M. le Dr. Carl Duschanek, Conseiller ministériel, Vice-Président de l'Office autrichien des Brevets;
- M. le Dr. Hans Fortwängler, Conseiller ministériel audit Office;

His Majesty the King of the Belgians:
- M. Octave Mavaut, Directeur Général de l'Industrie au Ministère de l'Industrie, du Travail et de la Prévoyance sociale;
- M. Albert Capitaine, Avocat à la Cour d'Appel de Liège, ancien Bâtonnier, Délégué de la Belgique à la Conférence de Washington;
- M. Louis André, Avocat à la Cour d'Appel de Bruxelles;
- M. Thomas Braun, Avocat à la Cour d'Appel de Bruxelles;
- M. Daniel Coppieters, Avocat à la Cour d'Appel de Bruxelles;

The President of the United States of Brazil:
- M. le Dr. Julio Augusto Barboza Carneiro, Membre du Comité Économique de la Société des Nations;
- M. le Prof. Dr. Carlos America Barbosa de Oliveira, Professeur à l'École Polytechnique, Directeur de l'École Normale des Arts et des Métiers Wenceslau Braz;

The President of the Republic of Cuba:
- M. le Dr. Raphaël Martinez Ortiz, Envoyé Extraordinare et Ministre Plénipotentiaire de Cuba à Paris;
- M. le Dr. Raphaël de la Torre, Chargé d'Affaires de Cuba à la Haye;

His Majesty the King of Denmark:
- M. le Dr. N. J. Ehrenreich Hansen, Sous-Chef de Bureau au Ministère de l'Industrie, due Commerce et de la Navigation;

The President of the Dominican Republic:
- M. C. G. de Haseth Cz., Consul de la République dominicaine à la Haye;

His Majesty the King of Spain:
- S. Exc. M. Santiago Mendez de Vigo, Envoyé Extraordinaire et Ministre Plénipoteniaire de S. M. le Roi d'Espagne à la Haye;
- M. Fernando Cabello y Lapiedra, Chef du Bureau de la Propriété Industrielle et Commerciale d'Espagne;
- M. José Garcia-Monge y de Vera, Secrétaire du Bureau de la Propriété Industrielle et Commerciale d'Espagne;

The President of the Republic of Esthonia:
- M. O. Aarmann, Ingénieur, Directeur de Bureau des Brevets;

The President of the United States of America:
- Mr. Thomas E. Robertson, United States Commissioner of Patents, Member of the Bar of the Supreme Court of U. S. A.;
- Mr. Wallace R. Lane, formerly President of the American and Chicago Patent Law Associations, Member of the Bar of the Supreme Court of U. S. A. and the Supreme Court of Illinois;
- Mr. Jo Baily Brown, Pittsburgh, Member of the Bar of the Supreme Court of U. S. A., and the Supreme Court of Pennsylvania;

The President of the Republic of Finland:
- M. Yrjö Saastamoinen, Chargé d'Affaires de Finlande à la Haye;

The President of the French Republic:
- S. Exc. M. Chassain de Marcilly, Envoyé Extraordinaire et Ministre Plénipotentiaire de France à la Haye;
- M. Marcel Plaisant, Député, Avocat à la Cour d'Appel de Paris;
- M. Charles Drouets, Directeur de la Propriété Industrielle au Ministère du Commerce;
- M. Georges Millard, Avocat à la Cour d'Appel de Paris, Vice-President du Comité technique de la Propriété Industrielle;

His Majesty the King of Great Britain and Ireland and of the British Dominions Beyond the Seas, Emperor of India:

For Great Britain and North Ireland:
- Sir Hubert Llewellyn Smith, G. C. B. Chief Economic Adviser to His Britannic Majesty's Government;
- M. Alfred James Martin. O. B. E., Assistant Comptroller of the Patent Office and Industrial Property Department of the Board of Trade;
- Sir Arthur Balfour, K. B. E., One of His Majesty's Justices of the Peace; Chairman of the Committee on Trade and Industry;

For the Dominion of Canada:
- M. Frederick Herbert Palmer, M. C., Canadian Government Trade Commissioner;

For the Commonwealth of Australia:
- M. le Lieutenant-Colonel Charles Vincent Watson, D. S. O., V. D., Commissioner of Patents and Registrar of Trade Marks and Designs;

For the Irish Free State:
- M. le Comte Gerald O'Kelly de Gallagh, Représentant de l'État Libre d'Irlande;

His Serene Highness the Governor of Hungary:
- M. Elemér de Pompéry, Président de la Cour de Brevets;

His Majesty the King of Italy:
M. Dominico Barone, Conseiller d'État;
M. Gustavo de Sanctis, Directeur de Bureau de la Propriété Industrielle;
M. l'Ingénieur Letterio Laboccetta;
M. Gino Olivetti, Député, Secrétaire Général de la Confédération de l'Industrie italienne;
M. le Prof. Mario Ghiron, Docent de droit industriel à l'Université de Rome;
His Majesty the Emperor of Japan:
M. Saichiro Sakikawa, Président du Bureau des Brevets d'Invention;
M. Nobumi Ito;
His Majesty the Sultan of Morocco:
S. Exc. M. Chassain de Marcilly, Envoyé Extraordinaire et Ministre Plénipotentiare de France à la Haye;
The President of the United Mexican States:
M. Julio Poulat, Attaché Commercial à la Légation du Mexique à Paris;
His Majesty the King of Norway:
M. Birger Gabriel Wyller, Directeur Général du Bureau de la Propriété Industrielle de Norvège;
Her Majesty the Queen of the Netherlands:
M. le Dr. J. Alingh Prins, Président du Conseil des Brevets, Directeur de l'Office de la Propriété Industrielle;
M. le Dr. H. Bijleveld, ancien Ministre, Membre de la Chambre des Députés, ancien Président du Conseil des Brevets, ancien Directeur de l'Office de la Propriété Industrielle;
M. le Dr. J. W. Dijckmeester, Membre du Conseil des Brevets;
The President of the Polish Republic:
For Poland:
S. Exc. M. le Dr. Stanislas Kozminski, Envoyé Extraordinaire et Ministre Plénipotentiaire de Pologne a la Haye;
M. le Dr. Frédéric Zoll, Professeur à l'Université de Krakow;
For the Free City of Danzig:
S. Exc. M. le Dr. Stanislas Kozminski, Envoyé Extraordinaire et Ministre Plénipotentiaire de Pologne à la Haye;
The President of the Republic of Portugal:
S. Exc. M. A. C. De Souxa Santos Bandeira, Envoyé Extraordinaire et Ministre Plénipotentiaire du Portugal à la Haye;
His Majesty the King of the Serbs, Croats and Slovenes:
M. le Dr. Yanko Choumane, Président de l'Office pour la Protection de la Propriété Industrielle auprès du Ministère du Commerce et de l'Industrie;
M. Mihailo Preditch, Secrétaire audit Office;
His Majesty the King of Sweden:
M. le Directeur-Général E. O. J. Björklund, Chef de l'Administration des Brevets et d'Enregistrement;
M. K. H. R. Hjertén, Conseiller de la Cour d'Appel de Göta;
M. A. E. Hasselrot, ancien Directeur de Bureau à ladite Administration, Conseil en matière de propriété industrielle;
The Federal Council of the Swiss Confederation:
S. Exc. M. Arthur de Pury, Envoyé Extraordinaire et Ministre Plénipotentiaire de Susse à lay Haye;
M. Walter Draft, Directeur du Bureau Fédéral de la Propriété Intellectuelle;
The President of the French Republic:
For the States of Syria and Grand Liban:
S. Exc. M. Chassain de Marcilly, Envoyé Extraordinaire et Ministre Plénipotentiaire de France à la Haye;
The President of the Czechoslovak Republic:
S. Exc. M. P. Barácek, Ingénieur, Envoyé Extraordinaire et Ministre Plénipotentiaire de Tchécoslovaquie à la Haye;
M. le Dr. Karel Hermann-Otavsky, Professeur à l'Université de Prague;
M. Bohuslav Pavlousek, Ingénieur, Vice-President de l'Office des Brevets de Prague;
His Highness the Bey of Tunis:
S. Exc. M. Chassain de Marcilly, Envoyé Extraordinaire et Ministre Plénipotentiaire de France à la Haye;
The President of the Turkish Republic:
Mehmed Essad Bey, Chargé d'Affaires de Turquie à la Haye.

Who, having communicated to each other their respective full powers, which were found to be in good and due form, have agreed upon the following articles:

The contracting countries constitute themselves into a Union for the protection of industrial property.

The scope of industrial property includes patents, utility models, industrial designs and models, trade marks, commercial names and indications of origin, or appellations of origin, as well as the repression of unfair competition.

Industrial property is to be understood in the broadest meaning and is to be applied not only to industry and commerce as such, but likewise to agricultural industries (wines, grain, tobacco leaves, fruit, cattle, etc.) and extractive (minerals, mineral waters, etc.)

The term "patents" includes the various types of industrial patents granted by the laws of the contracting countries, such as patents of importation, improvement patents, patents and certificates of addition.

ARTICLE 2

Nationals of each of the contracting countries shall, in all other countries of the Union, as regards industrial property protection, enjoy the advantages that their respective laws now grant, or may hereafter grant, to their own nationals, without any prejudice of the right specially provided by the present convention. Consequently they shall have the same protection as the latter, and the same legal remedy against any infringement of their rights, provided they observe the conditions and formalities imposed on subjects or citizens.

Nevertheless no condition as to the possession of a domicile or establishment in the country where protection is claimed can be required of those who enjoy the benefits of the Union for the enjoyment of any industrial property rights.

The provisions of the legislation of each of the contracting countries relative to judicial and administrative proceedings, and to competent authority as well as to the choice of domicile or the appointment of an authorized agent which may be required by the industrial property legislation are expressly reserved.

ARTICLE 3

Nationals of countries not forming part of the Union who are domiciled or who have real and effective industrial or commercial establishments in the territory of any of the countries of the Union, shall be assimilated to the nationals of the contracting countries.

ARTICLE 4

(a) Any person who has duly applied for a patent, the registration of a utility model, industrial design or model, or trade mark in one of the contracting countries, or his legal representative or assignee, shall enjoy, subject to the rights of third parties, for the purposes of registration in other countries, a right of priority during the periods hereinafter stated.

(b) Consequently, subsequent filing in any of the other countries of the Union before the expiration of these periods shall not be invalidated through any acts accomplished in the interval, either, particularly, by another filing, by publication of the invention, or by the working of it, by the sale of copies of the design or model, or by use of the trade mark.

(c) The above-mentioned periods of priority shall be twelve months for patents and utility models, and six months for industrial designs and models, and trade marks.

These periods shall start from the date of filing of the first application in a country of the Union; the day of filing is not counted in this period. If the last day of the period is a dies non in the country where protection is claimed, the period is extended until the next working day.

(d) Any person desiring to take advantage of the priority of a previous application must make a declaration giving

particulars as to the date of such application and the country in which it was made. Each country will determine for itself the latest date at which such declaration must be made.

The particulars referred to shall be stated in the publications issued by the competent authority, and in particular in the patents issued and the specifications relating thereto.

The contracting countries may require any person making a declaration of priority to produce a copy of the application (with the specification, drawings, etc.) previously made. The copy certified as correct by the authority receiving this demand shall not require any legal authentication, and in any circumstances can be filed at any time within the period of three months from the lodging of the last application. They may also require that the declaration shall be accompanied by a certificate by the proper authority showing the date of application, and also by a translation.

No other formalities may be required for the declaration of priority at the time of application. Each of the contracting countries shall decide for itself what consequences shall follow the omission of the formalities prescribed by the present article, but such consequence shall in no case be more serious than the loss of the right of priority. At later stages, further proof in support of the application may be required.

(e) Where an application is filed in a country for the registration of an industrial design or model by virtue of a right of priority based on the registration of a utility model, the period of priority shall not exceed that fixed for industrial designs and models.

Furthermore it is allowable to deposit in a country a utility model by virtue of rights of priority based on a patent application in another country, and vice versa.

(f) If an application for a patent contains claims for multiple priority, or if examination discloses that the application contains more than one invention, the competent authorities must at least allow the applicant to divide it, subject to the conditions of internal legislation reserving as date of each divisional application the date of the initial application and, (if there is occasion for it,) the benefits of the right of priority.

ARTICLE 4 BIS

Patents applied for in the various contracting countries by nationals of the Union shall be independent of the patents obtained for the same invention in other countries, whether such countries be or be not parties to the Union.

This stipulation must receive a strict interpretation; in particular, it shall be understood to mean that patents applied for during the period of priority are independent, both as regards the grounds for refusal and for revocation, and also as regards their normal duration.

This stipulation shall apply to all patents already existing at the time when it shall come into effect.

The same stipulation shall apply, in the case of the accession of new countries, to patents in existence, either on one side or the other, at the time of accession.

ARTICLE 5

The introduction by the patentee into the country where the patent has been granted of objects manufactured in any of the countries of the Union shall not entail forfeiture.

Nevertheless, each of the contracting countries shall have the right to take the necessary legislative measures to prevent the abuses which might result from the exercise of the exclusive rights conferred by the patent, for example failure to work.

These measures will only provide for the revocation of the patent if the granting of compulsory licenses shall not suffice to prevent such abuses.

In all cases the patent will not be subject to such measures before the expiration of at least three years from the date of its grant and if the patentee produces just excuses.

The protection of designs and industrial models cannot be liable to cancellation by reason of the introduction of objects corresponding to those protected.

Articles shall not be required to bear any indication of registration for recognition of this right.

If in a country the use of a registered trade mark is compulsory, the registration cannot be cancelled until after a reasonable period, and only then if those interested cannot justify the causes of their inaction.

ARTICLE 5 BIS

A period of grace of at least three months will be granted for the payment of taxes prescribed for the maintenance of industrial property rights, together with a surcharge if the internal legislation of a country so provides. For patents of invention the contracting countries undertake moreover either to prolong that extended period to six months at least, or to provide for the restoration of a patent which has lapsed owing to the nonpayment of fees. It is understood that these provisions are subject to the conditions prescribed by internal legislation.

ARTICLE 5 TER

In each of the contracting countries the following shall not be considered as infringing the rights of the patentee:

(1) The use on board ships of other Unionist countries of anything the subject matter of his patent in the body of the ship, in the machinery, tackle, apparatus, and other accessories when such ships enter temporarily or accidentally the waters of the country, provided that such thing is employed there exclusively for the needs of the vessel.

(2) The use of anything the subject matter of the patent in the construction of or functioning of the engines of locomotion for air or land of the other Unionist countries, or of the accessories of these engines, when these enter the country temporarily or accidentally.

ARTICLE 6

Every trade mark duly registered in the country of origin shall be admitted for registration and protected in the form originally registered in the other countries of the Union.

Nevertheless the following marks may be refused or cancelled:

1. Those which are of such a nature as to prejudice rights acquired by third parties in the country in which protection is applied for.

2. Those which have no distinctive character, or which consist exclusively of signs or indications which serve in trade to designate the kind, quality, quantity, destination, value, place of origin or date of production, or which have become customary in the current language, or in the bona fide and unquestioned usages of the trade of the country in which protection is sought.

In arriving at a decision as to the distinctiveness of the character of a mark, all the circumstances of the case must be taken into account, and, in particular, the length of time that such a mark has been in use.

3. Those which are contrary to morality or public order.

It is to be understood that a mark can not be considered as contrary to public order for the sole reason that it does not conform to some legislative requirement, concerning trade marks, except in circumstances where this requirement itself relates to public order.

The following shall be deemed the country of origin:

The country of the Union where the applicant has an actual and genuine industrial or commercial establishment, and if he has not such an establishment, the country of the Union where he has his domicile and if he has not a domicile in the Union the country of his nationality in the case where he enjoys the benefits of the Union.

In no case the renewal of the registration of a trade mark in the country of origin shall involve the obligation of renewal of the registration of the mark in other countries of the Union in which the mark has been registered.

The benefits of priority shall subsist in trade mark applications filed in the period allowed by Article 4, even when the registration in the country of origin is only completed after the expiration of such period.

The provisions of paragraph 1 do not preclude the right of requiring from an applicant a certificate, in due form, as to the registration of his mark, issued by the competent authority of the country of origin but no legal authentication of such certificate shall be required.

ARTICLE 6 BIS

The contracting countries undertake to refuse or invalidate, either administratively if their legislation so permits, or at the request of an interested party the registration of a trade mark which constitutes a reproduction or imitation liable to create confusion with a trade mark considered by the competent authority of the country of registration to be well-known there as being already a mark of a national of another contracting country and used for products of the same or similar kind.

A period of at least three years must be granted in order to claim the cancellation of these marks. The period shall start from the date of registration of the mark. No period shall be established to claim the cancellation of fraudulently-registered marks.

ARTICLE 6 TER

The contracting countries undertake to refuse or invalidate registration, and to prohibit by appropriate means the use, failing authorization from the competent authority, whether as trade mark or as components of such all Coats of Arms, flags, and other State emblems of contracting countries, official control and guarantee signs, and stamps adopted by them, and all imitation from an heraldic point of view.

The prohibition of official control and guarantee signs and stamps shall apply only in cases where marks which comprise them are intended to be used on merchandise of the same or a similar nature.

For the application of these provisions the contracting countries agree to communicate reciprocally through the intermediary of the International Bureau of Berne, the list of State emblems and official control, and guarantee signs and stamps which they desire, or will desire, to place, wholly or with certain reservations, under the protection of the present article, as well as all subsequent modifications added to the list. Each contracting country shall place the communicated list at the disposal of the publice in due course.

Each contracting country may within a period of twelve months from the receipt of the notification, and through the intermediary of the International Bureau of Berne, transmit its possible objections to any other country concerned.

For State emblems which are well known the provisions of paragraph 1 shall only be applicable to marks registered after the signature of this Convention.

For State emblems which are not well known and for official signs and stamps, these provisions shall only be applicable to marks registered more than two months after the receipt of the notification provided for in paragraph 3.

In the case of (bad faith), countries shall have the right to cancel even the marks registered before the signature of the present Convention and embodying State emblems, signs and stamps.

Nationals of each country who are authorized to make use of State emblems, and signs and stamps of their country, may use them even if there be a similarity with those of another country.

The contracting countries undertake to prohibit the unauthorized use in trade of State Coats of Arms of other contracting countries when such use would be liable to cause confusion as to the origin of the product.

The preceding provisions will not prevent the countries exercising the right to refuse or to invalidate by the application of number 3 of paragraph 2 of Article 6 marks containing without authority Coats of Arms, Flags, decorations, and other State emblems or official signs and stamps adopted by a country of the Union.

ARTICLE 7

The nature of the goods on which the trade mark is to be used can in no case, form an obstacle to the registration of the trade mark.

ARTICLE 7 BIS

The contracting countries undertake to allow the filing of, and to protect, trade-marks belonging to associations the existence of which is not contrary to the law of the country of origin, even if such associations do not possess an industrial or commercial establishment.

Nevertheless, each country shall be the sole judge of the particular conditions on which an association may be allowed to obtain protection for its marks.

ARTICLE 8

A trade name shall be protected in all the countries of the Union without the obligation of filing or registration, whether it form part or not of a trade mark.

ARTICLE 9

All goods illegally bearing a trade mark or trade name shall be seized on importation into those countries of the Union where this mark or name has a right to legal protection.

Seizure shall be effected equally in the country where the mark or name was illegally applied, or in the country to which the article bearing it has been imported.

The seizure shall take place either at the request of the proper Government department or of any other competent authority, or of any interested party or actual or legal person, in conformity with the domestic law of each country.

The authorities are not bound to effect the seizure in transit.

If the law of a country does not admit of seizure on importation, such seizure shall be replaced by prohibition of importation or seizure within such country.

If the law of any country does not admit either of seizure upon importation or of prohibition of importation or of seizure within the country, and until such time as this legislation shall be accordingly modified, these measures will be replaced by the remedies assured in such cases to nationals by the law of such country.

ARTICLE 10

The stipulations of the preceding Article shall be applicable to every production which may falsely bear as indication of origin the name of a specified locality or country when such indication shall be joined to a trade name of a fictitious character or used with the intent to defraud.

Any producer, manufacturer, or trader, engaged in the production, manufacture, or trade, of such goods and established either in the locality falsely designated as the place of origin, or in the district where the locality is situated or in the country falsely designated shall be deemed in all cases a party concerned, whether such persons be actual or legal.

ARTICLE 10 BIS

The contracting countries are bound to assure to nationals of the Union an effective protection against unfair competition.

Every act of competition contrary to honest practice in industrial or commercial matters constitutes an act of unfair competition.

The following particularly are to be forbidden:

1. All acts whatsoever of a nature to create confusion by no matter what means with the goods of a competitor.

2. False allegations, in the course of trade, of a nature to discredit the goods of a competitor.

ARTICLE 10 TER

The contracting countries undertake to assure to the nationals of other countries of the Union appropriate legal remedies to repress effectively all acts set forth in Articles 9, 10, and 10 bis.

They undertake, moreover, to provide measures to permit syndicates and associations representing the industry or the trade interested, and of which the existence is not contrary to the laws of their country, to take action in justice or before the administrative authorities in view of the repression of the acts set forth in Articles 9, 10, and 10 bis so far as the law of the country in which protection is claimed permits it to the syndicates and associations of that country.

ARTICLE 11

The contracting countries shall, in conformity with the legislation of each country, accord temporary protection to patentable inventions, to utility models, and to industrial designs or models, as well as to trade marks in respect of products which shall be exhibited at official, or officially-

recognized international exhibitions held in the territory of one of them.

This temporary protection shall not prolong the periods provided by Article 4. If, later, the right of priority is sought, the competent authority of each country may date the period from the date of the introduction of the product into the exhibition.

Each country may require, as proof of the identity of the object exhibited, and of the date of the introduction, such proofs as it may consider necessary.

ARTICLE 12

Each of the contracting countries agrees to establish a special Government (service) for industrial property, and a central office for communication to the public of patents, utility models, industrial designs or models, and trade marks.

This (service) shall publish an official periodical paper.

ARTICLE 13

The International Office, established at Berne under the name "Bureau international pour la protection de la Propriété Industrielle," is placed under the high authority of the Government of the Swiss Confederation, which is to regulate its organization and supervise its working.

The official language of the International Bureau is French.

The International Bureau centralizes information of every kind relating to the protection of industrial property and collates and publishes it. It interests itself in all matters of common utility to the Union and edits, with the help of documents supplied to it by the various administrations, a periodical paper in the French language, dealing with questions regarding the object of the Union.

The numbers of this paper, as well as the documents published by the International Office are circulated among the Administrations of the countries of the Union in the proportion of the number of contributing units as mentioned below. Such further copies as may be desired, either by the said Administrations, or by societies or private persons, will be paid for separately.

The International Bureau shall at all times hold itself at the service of members of the Union, in order to supply them with any special information they may need on questions relating to the international system of industrial property. The Director of the International Bureau will furnish an annual report on its working, which shall be communicated to all the members of the Union.

The expenses of the International Bureau will be borne by the contracting countries in common. Unless fresh sanction is given, they must not exceed the sum of 120,000 Swiss francs per annum. This sum may be increased in cases of necessity by a unanimous decision of one of the conference provided for by Article 14.

To determine the part which each country should contribute to this total of expenses the contracting countries and those which may afterwards join the Union shall be divided into six classes, each contributing in the proportion of a certain number of units, namely:

	Units
1st Class	25
2nd Class	20
3rd Class	15
4th Class	10
5th Class	5
6th Class	3

These co-efficients will be multiplied by the number of countries in each class and the sum of the result thus obtained will supply the number of units by which the total expense has to be divided.

The quotient will give the amount of the unit of expense.

Each of the contracting countries will designate, at the time of its accession, the class in which it wishes to be placed.

The Government of the Swiss Confederation is to superintend the expenses of the International Bureau to advance the necessary funds and to render an annual account which will be communicated to all the other administrations.

ARTICLE 14

The present convention shall be submitted to periodical revisions with a view to the introduction of amendments calculated to improve the system of the Union.

For this purpose, Conferences shall be held successively in one of the contracting countries between the delegates of the said countries.

The Administration of the country in which the Conference is to be held will make preparation for the transaction of that Conference, with the assistance of the International Bureau.

The Director of the International Bureau will be present at the meetings of the Conferences, and will take part in the discussions, but without the privilege of voting.

ARTICLE 15

It is agreed that the contracting countries respectively reserve to themselves the right to make separately, as between themselves, special arrangements for the protection of industrial property, in so far as such arrangements do not contravene the provisions of the present Convention.

ARTICLE 16

Countries which are not parties to the present Convention shall be allowed to accede to it upon their request.

The accession shall be notified through the diplomatic channel to the Government of the Swiss Confederation, and by the latter to all the other Governments.

It shall entail, as a matter of right, accession to all the classes, as well as admission to all the advantages stipulated in the present Convention, and shall take effect one month after the dispatch of the notification by the Government of the Swiss Confederation to the other countries of the Union, unless a subsequent date has been indicated by the acceding country.

ARTICLE 16 BIS

The contracting countries have the right of acceding to the present Convention at any time on behalf of their Colonies, Possessions, Dependencies and Protectorates, or territories administered by virtue of a mandate from the League of Nations, or any of them.

For this purpose they may either make a general declaration, including all their Colonies, Possessions, Dependencies and Protectorates, and the Territories referred to in Paragraph 1, in the accession, or may expressly name those included, or may confine themselves to indicating those which are excluded therefrom.

This declaration shall be notified in writing to the Government of the Swiss Confederation and by the latter to all the other Governments.

Under the same conditions, the contracting countries may denounce the Convention on behalf of their Colonies, Possessions, Dependencies and Protectorates, or for the Territories referred to in Paragraph 1, or of any of them.

ARTICLE 17

The execution of the reciprocal engagements contained in the present Convention is subordinated, in so far as necessary, to the observance of the formalities and rules established by the constitutional laws of those of the contracting countries who are bound to procure the application of the same, which they engage to do with as little delay as possible.

ARTICLE 17 BIS

The Convenion shall remain in force for an unlimited time, till the expiration of one year from the date of its denunciation.

This denunciation shall be addressed to the Government of the Swiss Confederation. It shall only effect the denouncing country, the Convention remaining in operation as regards the other contracting countries.

ARTICLE 18

The present Act shall be ratified and the ratifications deposited at The Hague not later than the 1st May 1928. It shall come into force between the countries which will have ratified it one month after such date.

Nevertheless, if before May 1st 1928 it should be ratified by at least six countries, it will come into force between those countries one month after the Government of the Swiss Confederation has notified them of the filing of the sixth ratification, and for the countries who should subsequently ratify, one month after the notification of each of these ratifications.

This Act shall replace, as regards relations between the countries which ratify it, The Union Convention of Paris, 1883, revised at Washington 2nd June, 1911, and its Final Protocol, which shall remain in force as regards relations with countries which have not ratified the present Act.

ARTICLE 19

The present Act shall be signed in a single copy, which shall be deposited in the archives of the Government of the Netherlands. A certified copy shall be forwarded by the latter to each of the Governments of the contracting countries.

In witness whereof the respective Plenipotentiaries have signed the present Act.

Done at The Hague, in a single copy, the sixth day of November, 1925.

For Germany:
VIETINGHOFF.
v. SPECHT.
KLAUER.
ALBERT OSTERRIETH.

For Australia:
C. V. WATSON.

For Austria:
Dr. CARL DUSCHANEK.
Dr. HANS FORTWÄNGLER.

For Belgium:
CAPITAINE.
LOUIS ANDRÉ.
THOMAS BRAUN.
D. COPPIETERS.

For the United States of Brazil:
J. A. BARBOZA CARNEIRO.
CARLOS AMERICO BARBOSA DE OLIVEIRA.

For Canada:
FREDERICK H. PALMER.

For Cuba:
R. DE LA TORRE.

For Denmark:
N. J. EHRENREICH HANSEN.

For the Free City of Danzig:
ST. KOZMINSKI.

For the Dominican Republic:
C. G. DE HASETH CZ.

For Spain:
SANTIAGO MENDEZ DE VIGO.
FERNANDO CABELLO LAPIEDRA.
JOSÉ GARCIA MONGE.

For Esthonia:
O. AARMANN.

For the United States of America:
THOMAS E. ROBERTSON.
WALLACE R. LANE.
JO BAILY BROWN.

For Finland:
YRJÖ SAASTAMOINEN.

For France:
CH. DE MARCILLY.
MARCEL PLAISANT.
CH. DROUETS.
GEORGES MAILLARD.

For Great Britain and Northern Ireland:
H. LLEWELLYN SMITH.
A. J. MARTIN.
A. BALFOUR.

For Hungary:
ELEMÉR DE POMPÉRY.

For the Free State of Ireland:
G. O'KELLY DE GALLAGH.

For Italy:
DOMENICO BARONE.
LETTERIO LABOCCETTA.
MARIO GHIRON.

For Japan:
S. SAKIKAW.
N. ITO.

For Morocco:
CH. DE MARCILLY.

For the United Mexican States:
JULIO POULAT.

For Norway:
B. WYLLER.

For The Netherlands:
J. ALINGH PRINS.
BIJLEVELD.
DIJCKMEESTER.

For Poland:
ST. KOZMINSKI.
FRÉDÉRIC ZOLL.

For Portugal:
BANDEIRA.

For the Kingdom of the Serbs, Croats and Slovenes:
DR. YANKO CHOUMANE.
MIHAILO PRÉDITCH.

For Sweden:
E. O. J. BJÖRKLUND.
H. HJERTÉN.
AXEL HASSELROT.

For the Swiss:
A. DE PURY.
W. KRAFT.

For Syria and Grand Liban:
CH. DE MARCILLY.

For Czechoslovakia:
BARÁCEK.
PROF. DR. KAREL HERMANN-OTAVSKY.
ING. BOHUSLAV PAVLOUSEK.

For Tunis:
CH. DE MARCILLY.

For Turkey:

The treaty was reported to the Senate without amendment, and the resolution of ratification was agreed to, two-thirds of the Senators present voting in the affirmative.

CONVENTION FOR TRADE-MARK AND COMMERCIAL PROTECTION

The Chief Clerk proceeded to read Calendar No. 19, general inter-American convention for trade-mark and commercial protection, signed at Washington on February 20, 1929, which was considered as in Committee of the Whole and is as follows:

To the Senate:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a general inter-American convention for trade-mark and commercial protection and a protocol on the inter-American registration of trade-marks, both signed at Washington on February 20, 1929, at the Pan American trade-mark conference. The attention of the Senate is invited to the accompanying report of the Secretary of State wherein is quoted the approval given the convention and protocol by the Department of Commerce.

HERBERT HOOVER.

THE WHITE HOUSE, *May 10, 1929.*

The PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to their transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a general inter-American convention for trade-mark and commercial protection and a protocol on the inter-American registration of trade-marks, both signed on February 20, 1929, at the Pan American trade-mark conference held in Washington February 11–20, 1929. I am advised by the Acting Secretary of Commerce, in a letter dated April 24, 1929, that

"it would be very much to the advantage of the American manufacturers, especially to those engaged in export trade, if this convention and protocol were ratified by all the members of the Pan American Union."

Respectfully submitted.

HENRY L. STIMSON.

DEPARTMENT OF STATE,
Washington, May 8, 1929.

RESOLUTION ADOPTED BY THE PAN AMERICAN TRADE MARK CONFERENCE ON FEBRUARY 19, 1929, AS CONTAINED IN THE FINAL ACT OF THE CONFERENCE

Resolved, That the following glossary be followed in the interpretation of terms contained in the General Inter-American Convention on Trade Mark and Commercial Protection, and in the Protocol on the Inter-American Registration of Trade Marks, approved by the Conference:

Nationals: Persons; partnerships; firms; corporations; associations; syndicates, unions and all other natural and juridical persons entitled to the benefit of nationality of the contracting countries.

Persons: Include not only natural persons but all juridical persons such as partnerships, firms, corporations, associations, syndicates and unions.

Marks or Trade Marks: Include manufacturing, industrial, commercial, agricultural marks, collective marks, and the marks of syndicates, unions and associations.

Collective Marks: Mean marks lawfully used by two or more owners.

Commercial Names: Include trade names, names of individuals, surnames, partnership firm and corporate names, and the names of syndicates, associations, unions and other entities recognized by the laws of the Contracting States, and which are used in manufacturing, industry, commerce and agriculture to identify or distinguish the user's trade, calling or purpose.

Ownership: As applied to trade marks means the right acquired by registration in countries where the right to a trade mark is so acquired and the right acquired by adoption and use in countries where the right to a trade mark is so acquired.

Owner or Proprietor: Means the natural or juridical person entitled to ownership as above defined.

Deposit: Means the filing of a trade mark in any Contracting Country other than the country of original registration.

Interfering Mark or Infringing Mark: Means a mark which so resembles one previously registered, deposited, or used by another person as to be likely, when applied to goods, to cause confusion or mistake or to deceive purchasers as to their commercial source or origin.

Country of Origin: Means the country of original registration of the mark and not the country of the citizenship or domicile of the registrant or depositor.

Injunction: Means a judicial order or process, operating upon the person, requiring the party to whom it is directed to do or (usually) refrain from doing some designated thing.

$: Wherever this sign is used it shall be understood to mean money which is legal currency in Cuba and which has a value equivalent to that of the dollar.

GENERAL INTER-AMERICAN CONVENTION FOR TRADE MARK AND COMMERCIAL PROTECTION

The Governments of Peru, Bolivia, Paraguay, Ecuador, Uruguay, Dominican Republic, Chile, Panama, Venezuela, Costa Rica, Cuba, Guatemala, Haiti, Colombia, Brazil, Mexico, Nicaragua, Honduras and the United States of America, represented at the Pan American Trade Mark Conference at Washington in accordance with the terms of the resolution adopted on February 15, 1928, at the Sixth International Conference of American States at Habana, and the resolution of May 2, 1928, adopted by the Governing Board of the Pan American Union at Washington,

Considering it necessary to revise the "Convention for the Protection of Commercial, Industrial, and Agricultural Trade Marks and Commercial Names," signed at Santiago, Chile, on April 28, 1923, which replaced the "Convention for the Protection of Trade Marks" signed at Buenos Aires on August 20, 1910, with a view of introducing therein the reforms which the development of law and practice have made advisable;

Animated by the desire to reconcile the different juridical systems which prevail in the several American Republics; and

Convinced of the necessity of undertaking this work in its broadest scope, with due regard for the respective national legislations,

Have resolved to negotiate the present Convention for the protection of trade marks, trade names and for the repression of unfair competition and false indications of geographical origin, and for this purpose have appointed as their respective delegates,

Peru:
Alfredo Gonzalez-Prada.
Bolivia:
Emeterio Cano de la Vega.
Paraguay:
Juan V. Ramirez.
Ecuador:
Gonzalo Zaldumbide.
Uruguay:
J. Varela Acevedo.
Dominican Republic:
Francisco de Moya.
Chile:
Oscar Blanco Viel.
Panama:
Ricardo J. Alfaro.
Juan B. Chevalier.
Venezuela:
Pedro R. Rincones.
Costa Rica:
Manuel Castro Quesada.
Fernando E. Piza.
Cuba:
Gustavo Gutierrez.
Alfredo Bufill.
Guatemala:
Adrian Recinos.
Ramiro Fernandez.
Haiti:
Raoul Lizaire.
Colombia:
Roberto Botero Escobar.
Pablo Garcia de la Parra.
Brazil:
Carlos Delgado de Carvalho.
Mexico:
Francisco Suastegui.
Nicaragua:
Vicente Vita.
Honduras:
Carlos Izaguirre V.
United States of America:
Francis White.
Thomas E. Robertson.
Edward S. Rogers.

Who, after having deposited their credentials, which were found to be in good and due form by the Conference, have agreed as follows:

CHAPTER I

EQUALITY OF CITIZENS AND ALIENS AS TO TRADE MARK AND COMMERCIAL PROTECTION

Article 1

The Contracting States bind themselves to grant to the nationals of the other Contracting States and to domiciled foreigners who own a manufacturing or commercial establishment or an agricultural development in any of the States which have ratified or adhered to the present Convention the same rights and remedies which their laws extend to their own nationals or domiciled persons with respect to trade marks, trade names, and the repression of

unfair competition and false indications of geographical origin or source.

CHAPTER II

TRADE MARK PROTECTION

Article 2

The person who desires to obtain protection for his marks in a country other than his own, in which this Convention is in force, can obtain protection either by applying directly to the proper office of the State in which he desires to obtain protection, or through the Inter-American Trade Mark Bureau referred to in the Protocol on the Inter-American Registration of Trade Marks, if this Protocol has been accepted by his country and the country in which he seeks protection.

Article 3

Every mark duly registered or legally protected in one of the Contracting States shall be admitted to registration or deposit and legally protected in the other Contracting States, upon compliance with the formal provisions of the domestic law of such States.

Registration or deposit may be refused or cancelled of marks:

1. The distinguishing elements of which infringe rights already acquired by another person in the country where registration or deposit is claimed.

2. Which lack any distinctive character or consist exclusively of words, symbols, or signs which serve in trade to designate the class, kind, quality, quantity, use, value, place of origin of the products, time of production, or which are or have become at the time registration or deposit is sought, generic or usual terms in current language or in the commercial usage of the country where registration or deposit is sought, when the owner of the marks seeks to appropriate them as a distinguishing element of his mark.

In determining the distinctive character of a mark, all the circumstances existing should be taken into account, particularly the duration of the use of the mark and if in fact it has acquired in the country where deposit, registration or protection is sought, a significance distinctive of the applicant's goods.

3. Which offend public morals or which may be contrary to public order.

4. Which tend to expose persons, institutions, briefs, national symbols or those of associations of public interest, to ridicule or contempt.

5. Which contain representations of racial types or scenes typical or characteristic of any of the Contracting States, other than that of the origin of the mark.

6. Which have as a principal distinguishing element, phrases, names or slogans which constitute the trade name or an essential or characteristic part thereof, belonging to some person engaged in any of the other Contracting States in the manufacture, trade or production of articles or merchandise of the same class as that to which the mark is applied.

Article 4

The Contracting States agree to refuse to register or to cancel the registration and to prohibit the use, without authorization by competent authority, of marks which include national and state flags and coats-of-arms, national or state seals, designs on public coins and postage stamps, official labels, certificates or guarantees, or any national or state official insignia or simulations of any of the foregoing.

Article 5

Labels, industrial designs, slogans, prints, catalogues or advertisements used to identify or to advertise goods, shall receive the same protection accorded to trade marks in countries where they are considered as such, upon complying with the requirements of the domestic trade mark law.

Article 6

The Contracting States agree to admit to registration or deposit and to protect collective marks and marks of associations, the existence of which is not contrary to the laws of the country of origin, even when such associations do not own a manufacturing, industrial, commercial or agricultural establishment.

Each country shall determine the particular conditions under which such marks may be protected.

States, Provinces or Municipalities, in their character of corporations, may own, use, register or deposit marks and shall in that sense enjoy the benefits of this Convention.

Article 7

Any owner of a mark protected in one of the Contracting States in accordance with its domestic law, who may know that some other person is using or applying to register or deposit an interfering mark in any other of the Contracting States, shall have the right to oppose such use, registration or deposit and shall have the right to employ all legal means, procedure or recourse provided in the country in which such interfering mark is being used or where its registration or deposit is being sought, and upon proof that the person who is using such mark or applying to register or deposit it, had knowledge of the existence and continuous use in any of the Contracting States of the mark on which opposition is based upon goods of the same class, the opposer may claim for himself the preferential right to use such mark in the country where the opposition is made or priority to register or deposit it in such country, upon compliance with the requirements established by the domestic legislation in such country and by this Convention.

Article 8

When the owner of a mark seeks the registration or deposit of the mark in a Contracting State other than that of origin of the mark and such registration or deposit is refused because of the previous registration or deposit of an interfering mark, he shall have the right to apply for and obtain the cancellation or annulment of the interfering mark upon proving, in accordance with the legal procedure of the country in which cancellation is sought, the stipulations in Paragraph (a) and those of either Paragraph (b) or (c) below:

(a) That he enjoyed legal protection for his mark in another of the Contracting States prior to the date of the application for the registration or deposit which he seeks to cancel; and

(b) that the claimant of the interfering mark, the cancellation of which is sought, had knowledge of the use, employment, registration or deposit in any of the Contracting States of the mark for the specific goods to which said interfering mark is applied, prior to adoption and use thereof or prior to the filing of the application or deposit of the mark which is sought to be cancelled; or

(c) that the owner of the mark who seeks cancellation based on a prior right to the ownership and use of such mark, has traded or trades with or in the country in which cancellation is sought, and that goods designated by his mark have circulated and circulate in said country from a date prior to the filing of the application for registration or deposit for the mark, the cancellation which is claimed, or prior to the adoption and use of the same.

Article 9

When the refusal of registration or deposit of a mark is based on a registration previously effected in accordance with this Convention, the owner of the refused mark shall have the right to request and obtain the cancellation of the mark previously registered or deposited, by proving, in accordance with the legal procedure of the country in which he is endeavoring to obtain registration or deposit of his mark, that the registrant of the mark which he desires to cancel, has abandoned it. The period within which a mark may be declared abandoned for lack of use shall be determined by the internal law of each country, and if there is no provision in the internal law, the period shall be two years and one day beginning from the date of registration or deposit if the mark has never been used, or one year and one day if the abandonment or lack of use took place after the mark has been used.

Article 10

The period of protection granted to marks registered, deposited or renewed under this Convention, shall be the period fixed by the laws of the State in which registration, deposit or renewal is made at the time when made.

Once the registration or deposit of a mark in any Contracting State has been effected, each such registration or deposit shall exist independently of every other and shall not be affected by changes that may occur in the registration or deposit of such mark in the other Contracting States, unless otherwise provided by domestic law.

Article 11

The transfer of the ownership of a registered or deposited mark in the country of its original registration shall be effective and shall be recognized in the other Contracting States, provided that reliable proof be furnished that such transfer has been executed and registered in accordance with the internal law of the State in which such transfer took place. Such transfer shall be recorded in accordance with the legislation of the country in which it is to be effective.

The use and exploitation of trade marks may be transferred separately for each country, and such transfer shall be recorded upon the production of reliable proof that such transfer has been executed in accordance with the internal law of the State in which such transfer took place. Such transfer shall be recorded in accordance with the legislation of the country in which it is to be effective.

Article 12

Any registration or deposit which has been effected in one of the Contracting States, or any pending application for registration or deposit, made by an agent, representative or customer of the owner of a mark in which a right has been acquired in another Contracting State through its registration, prior application or use, shall give to the original owner the right to demand its cancellation or refusal in accordance with the provisions of this Convention and to request and obtain the protection for himself, it being considered that such protection shall revert to the date of the application of the mark so denied or cancelled.

Article 13

The use of a trade mark by its owner in a form different in minor or non-substantial elements from the form in which the mark has been registered in any of the Contracting States, shall not entail forfeiture of the registration or impair the protection of the mark.

In case the form or distinctive elements of the mark are substantially changed, or the list of goods to which it is to be applied is modified or increased, the proprietor of the mark may be required to apply for a new registration, without prejudice to the protection of the original mark or in respect to the original list of goods.

The requirements of the laws of the Contracting States with respect to the legend which indicates the authority for the use of trade marks, shall be deemed fulfilled in respect to goods of foreign origin if such marks carry the words or indications legally used or required to be used in the country of origin of the goods.

CHAPTER III

PROTECTION OF COMMERCIAL NAMES

Article 14

Trade names or commercial names of persons entitled to the benefits of this Convention shall be protected in all the Contracting States. Such protection shall be enjoyed without necessity of deposit or registration, whether or not the name forms part of a trade mark.

Article 15

The names of an individual, surnames and trade names used by manufacturers, industrialists, merchants or agriculturists to denote their trade or calling, as well as the firm's name, the name or title legally adopted and used by associations, corporations, companies or manufuacturing, industrial, commercial or agricultural entities, in accordance with the provisions of the respective national laws, shall be understood to be commercial names.

Article 16

The protection which this Convention affords to commercial names shall be:

(a) to prohibit the use or adoption of a commercial name identical with or deceptively similar to one legally adopted and previously used by another engaged in the same business in any of the Contracting States; and

(b) to prohibit the use, registration or filing of a trade mark the distinguishing elements of which consist of the whole or an essential part of a commercial name legally adopted and previously used by another owner domiciled or established in any of the Contracting States, engaged in the manufacture, sale or production of products or merchandise of the same kind as those for which the trade mark is intended.

Article 17

Any manufacturer, industrialist, merchant or agriculturist domiciled or established in any of the Contracting States, may, in accordance with the law and the legal procedure of such countries, oppose the adoption, use, registration or deposit of a trade mark for products or merchandise of the same class as those sold under his commercial name, when he believes that such trade mark or the inclusion in it of the trade or commercial name or a simulation thereof may lead to error or confusion in the mind of the consumer with respect to such commercial name legally adopted and previously in use.

Article 18

Any manufacturer, industrialist, merchant or agriculturist domiciled or established in any of the Contracting States may, in accordance with the law and procedure of the country where the proceeding is brought, apply for and obtain an injunction against the use of any commercial name or the cancellation of the registration or deposit of any trade mark, when such name or mark is intended for use in the manufacture, sale or production of articles or merchandise of the same class, by proving:

(a) that the commercial name or trade mark, the enjoining or cancellation of which is desired, is identical with or deceptively similar to his commercial name already legally adopted and previously used in any of the Contracting States, in the manufacture, sale or production of articles of the same class, and

(b) that prior to the adoption and use of the commercial name, or to the adoption and use or application for registration or deposit of the trade mark, the cancellation of which is sought, or the use of which is sought to be enjoined, he used and continues to use for the manufacture, sale or production of the same products or merchandise his commercial name adopted and previously used in any of the Contracting States or in the State in which cancellation or injunction is sought.

Article 19

The protection of commercial names shall be given in accordance with the internal legislation and by the terms of this Convention, and in all cases where the internal legislation permits, by the competent governmental or administrative authorities whenever they have knowledge or reliable proof of their legal existence and use, or otherwise upon the motion of any interested party.

CHAPTER IV

REPRESSION OF UNFAIR COMPETITION

Article 20

Every act or deed contrary to commercial good faith or to the normal and honorable development of industrial or business activities shall be considered as unfair competition and, therefore, unjust and prohibited.

Article 21

The following are declared to be acts of unfair competition and unless otherwise effectively dealt with under the

domestic laws of the Contracting States shall be repressed under the provisions of this Convention:

(a) Acts calculated directly or indirectly to represent that the goods or business of a manufacturer, industrialist, merchant or agriculturist are the goods or business of another manufacturer, industrialist, merchant or agriculturist of any of the other Contracting States, whether such representation be made by the appropriation or simulation of trade marks, symbols, distinctive names, the imitation of labels, wrappers, containers, commercial names, or other means of identification;

(b) The use of false descriptions of goods, by words, symbols or other means tending to deceive the public in the country where the acts occur, with respect to the nature, quality, or utility of the goods;

(c) The use of false indications of geographical origin or source of goods, by words, symbols, or other means which tend in that respect to deceive the public in the country in which these acts occur;

(d) To sell, or offer for sale to the public an article, product or merchandise of such form or appearance that even though it does not bear directly or indirectly an indication of origin or source, gives or produces, either by pictures, ornaments, or language employed in the text, the impression of being a product, article or commodity originating, manufactured or produced in one of the other Contracting States;

(e) Any other act or deed contrary to good faith in industrial, commercial or agricultural matters which, because of its nature or purpose, may be considered analogous or similar to those above mentioned.

Article 22

The Contracting States which may not yet have enacted legislation repressing the acts of unfair competition mentioned in this chapter, shall apply to such acts the penalties contained in their legislation on trade marks or in any other statutes, and shall grant relief by way of injunction against the continuance of said acts at the request of any party injured; those causing such injury shall also be answerable in damages to the injured party.

CHAPTER V

REPRESSION OF FALSE INDICATIONS OF GEOGRAPHICAL ORIGIN OR SOURCE

Article 23

Every indication of geographical origin or source which does not actually correspond to the place in which the article, product or merchandise was fabricated, manufactured, produced or harvested, shall be considered fraudulent and illegal, and therefore prohibited.

Article 24

For the purposes of this Convention the place of geographical origin or source shall be considered as indicated when the geographical name of a definite locality, region, country or nation, either expressly and directly, or indirectly, appears on any trade mark, label, cover, packing or wrapping, of any article, product or merchandise, directly or indirectly thereon, provided that said geographical name serves as a basis for or is the dominant element of the sentences, words or expressions used.

Article 25

Geographical names indicating geographical origin or source are not susceptible of individual appropriation, and may be freely used to indicate the origin or source of the products or merchandise or his commercial domicile, by any manufacturer, industrialist, merchant or agriculturist established in the place indicated or dealing in the products there originating.

Article 26

The indication of the place of geographical origin or source, affixed to or stamped upon the product or merchandise, must correspond exactly to the place in which the product or merchandise has been fabricated, manufactured or harvested.

Article 27

Names, phrases or words, constituting in whole or in part geographical terms which through constant, general and reputable use in commerce have come to form the name or designation itself of the article, product or merchandise to which they are applied, are exempt from the provisions of the preceding articles; this exception, however, does not include regional indications of origin of industrial or agricultural products the quality and reputation of which to the consuming public depend on the place of production or origin.

Article 28

In the absence of any special remedies insuring the repression of false indications of geographical origin or source, remedies provided by the domestic sanitary laws, laws dealing with misbranding and the laws relating to trade marks or trade names, shall be applicable in the Contracting States.

CHAPTER VI

REMEDIES

Article 29

The manufacture, exportation, importation, distribution, or sale is forbidden of articles or products which directly or indirectly infringe any of the provisions of this Convention with respect to trade mark protection; protection and safeguard of commercial names; repression of unfair competition; and repression of false indications of geographical origin or source.

Article 30

Any act prohibited by this Convention will be repressed by the competent administrative or judicial authorities of the government of the state in which the offense was committed, by the legal methods and procedure existing in said country, either by official action, or at the request of interested parties, who may avail themselves of the rights and remedies afforded by the laws to secure indemnification for the damage and loss suffered; the articles, products or merchandise or their marks, which are the instrumentality of the acts of unfair competition, shall be liable to seizure or destruction, or the offending markings obliterated, as the case may be.

Article 31

Any manufacturer, industrialist, merchant or agriculturist, interested in the production, manufacture, or trade in the merchandise or articles affected by any prohibited act or deed, as well as his agents or representatives in any of the Contracting States and the consular officers of the state to which the locality or region falsely indicated as the place to which belongs the geographical origin or source, shall have sufficient legal authority to take and prosecute the necessary actions and proceedings before the administrative authorities and the courts of the Contracting States.

The same authority shall be enjoyed by official commissions or institutions and by syndicates or associations which represent the interests of industry, agriculture or commerce and which have been legally established for the defense of honest and fair trade methods.

CHAPTER VII

GENERAL PROVISIONS

Article 32

The administrative authorities and the courts shall have sole jurisdiction over administrative proceedings and administrative judgments, civil or criminal, arising in matters relating to the application of the national law.

Any differences which may arise with respect to the interpretation or application of the principles of this Convention shall be settled by the courts of justice of each State, and only in case of the denial of justice shall they be submitted to arbitration.

Article 33

Each of the Contracting States, in which it does not yet exist, hereby agrees to establish a protective service, for the suppression of unfair competition and false indication of geographic origin or source, and to publish for opposition in the official publication of the government, or in some other periodical, the trade marks solicited and granted as well as the administrative decisions made in the matter.

Article 34

The present Convention shall be subject to periodic revision with the object of introducing therein such improvements as experience may indicate, taking advantage of any international conferences held by the American States, to which each country shall send a delegation in which it is recommended that there be included experts in the subject of trade marks, in order that effective results may be achieved.

The national administration of the country in which such conferences are held shall prepare, with the assistance of the Pan American Union and the Inter-American Trade Mark Bureau, the work of the respective conference.

The Director of the Inter-American Trade Mark Bureau may attend the sessions of such conferences and may take part in the discussions, but shall have no vote.

Article 35

The provisions of this Convention shall have the force of law in those States in which international treaties possess that character, as soon as they are ratified by their constitutional organs.

The Contracting States in which the fulfillment of international agreements is dependent upon the enactment of appropriate laws, on accepting in principle this Convention, agree to request of their legislative bodies the enactment of the necessary legislation in the shortest possible period of time in accordance with their constitutional provisions.

Article 36

The Contracting States agree that, as soon as this Convention becomes effective, the Trade Mark Conventions of 1910 and 1923 shall automatically cease to have effect; but any rights which have been acquired, or which may be acquired thereunder, up to the time of the coming into effect of this Convention, shall continue to be valid until their due expiration.

Article 37

The present Convention shall be ratified by the Contracting States in conformity with their respective constitutional procedures.

The original Convention and the instruments of ratification shall be deposited with the Pan American Union which shall transmit certified copies of the former and shall communicate notice of such ratifications to the other signatory Governments, and the Convention shall enter into effect for the Contracting States in the order that they deposit their ratifications.

This Convention shall remain in force indefinitely, but it may be denounced by means of notice given one year in advance, at the expiration of which it shall cease to be in force as regards the Party denouncing the same, but shall remain in force as regards the other States. All denunciations shall be sent to the Pan American Union which will thereupon transmit notice thereof to the other Contracting States.

The American States which have not subscribed to this Convention may adhere thereto by sending the respective official instrument to the Pan American Union which, in turn, will notify the governments of the remaining Contracting States in the manner previously indicated.

In witness whereof the above named delegates have signed this Convention in English, Spanish, Portuguese and French, and thereto have affixed their respective seals.

Done in the City of Washington, on the twentieth day of February in the year one thousand nine hundred and twenty-nine.

[SEAL.]	A. González Prada.
[SEAL.]	Emeterio Cano de la Vega.
[SEAL.]	Juan Vicente Ramírez.
[SEAL.]	Gonzalo Zaldumbide.
[SEAL.]	Varela.
[SEAL.]	Francisco de Moya.
[SEAL.]	Oscar Blanco Viel.
[SEAL.]	R. J. Alfaro.
[SEAL.]	Juan B. Chevalier.
[SEAL.]	P. R. Rincones.
[SEAL.]	Manuel Castro Quesada.
[SEAL.]	F. E. Piza.
[SEAL.]	Gustavo Gutiérrez.
[SEAL.]	A. L. Bufill.
[SEAL.]	Adrián Recinos.
[SEAL.]	Ramiro Fernández.
[SEAL.]	Raoul Lizaire.
[SEAL.]	Pablo García de la Parra.
[SEAL.]	Carlos Delgado de Carvalho.
[SEAL.]	F. Suástegui.
[SEAL.]	Vicente Vita.
[SEAL.]	Carlos Izaguirre V.
[SEAL.]	Edward S. Rogers.
[SEAL.]	Thomas E. Robertson.
[SEAL.]	Francis White.

Protocol on the Inter-American Registration of Trade Marks

Whereas, The Governments of Peru, Bolivia, Paraguay, Ecuador, Uruguay, Dominican Republic, Chile, Panama, Venezuela, Costa Rica, Cuba, Guatemala, Haiti, Colombia, Brazil, Mexico, Nicaragua, Honduras and the United States of America have this day signed at Washington through their respective delegates a General Inter-American Convention for Trade Mark and Commercial Protection;

Whereas, the maintenance of an international American agency is considered desirable that manufacturers, industrialists, merchants and agriculturists may enjoy the trade mark and commercial protection which that Convention grants them, and that it may serve as a center of information, and cooperate in the fulfillment and improvement of the provisions of the Convention;

Whereas, the adoption of a general convention and a protocol may facilitate ratification among the Contracting States and adherence among the American Republics which have not taken part in the negotiations, since acceptance of the Convention does not imply acceptance of this instrument,

The above mentioned governments have agreed as follows:

Article 1

Natural or juridical persons domiciled in or those who possess a manufacturing or commercial establishment or an agricultural enterprise in any of the States that may have ratified or adhered to the present Protocol, may obtain the protection of their trade marks through the registration of such marks in the Inter-American Trade Mark Bureau.

Article 2

The owner of a mark registered or deposited in one of the Contracting States who desires to register it in any of the other Contracting States, shall file an application to this effect in the office of the country of original registration which office shall transmit it to the Inter-American Trade Mark Bureau, complying with the Regulations. A postal money order or draft on a bank of recognized standing, in the amount of $50.00, as a fee for the Inter-American Trade Mark Bureau, plus the amount of the fees required by the national law of each of the countries in which he desires to obtain protection for his mark, shall accompany such application.

Article 3

Immediately on receipt of the application for the registration of a mark, and on determining that it fulfills all the requirements, the Inter-American Trade Mark Bureau shall issue a certificate and shall transmit by registered mail copies of the same accompanied by a money order for the amount required by the respective Offices of the States in which protection is desired. In the case of adhesions or ratifications of additional States after the registration of a mark, the Inter-American Bureau shall, through the respective offices of their countries, inform the proprietors of marks registered through the Bureau, of said adhesions or ratifications, informing them of the right that they have to register their marks in the new adhering or ratifying States, in which registration shall be effected in the manner above mentioned.

Article 4

Each of the Contracting States, through its Trade Mark Office, shall immediately acknowledge to the Inter-American Bureau, the receipt of the application for registration of each mark, and shall proceed to carry through the proceedings with every possible dispatch, directing that the application be published at the expense of the applicant in the usual official papers, and at the proper time shall notify the Inter-American Bureau of the action that it may have taken in accordance with its internal legislation and the provisions of this Convention.

In case protection is granted to the mark, it shall issue a certificate of registration in which shall be indicated the legal period of registration; which certificate shall be issued with the same formalities as national certificates and shall have the same effect in so far as ownership of the mark is concerned. This certificate of registration shall be sent to the Inter-American Trade Mark Bureau, which shall transmit it to the proprietor of the mark through the proper office of the country of origin.

If, within seven months after the receipt by a Contracting State of an application for the protection of a trade mark transmitted by the Inter-American Trade Mark Bureau, the administration of such State does not communicate to the Bureau notice of refusal of protection based on the provisions of its domestic legislation or on the provisions of the General Inter-American Convention for Trade Mark and Commercial Protection such mark shall be considered as registered and the Inter-American Trade Mark Bureau shall so communicate to the applicant through the country of origin, and shall issue a special certificate which shall have the same force and legal value as a national certificate.

In case protection of a mark is refused in accordance with the provisions of the internal legislation of a State or of the General Inter-American Convention for Trade Mark and Commercial Protection, the applicant may have the same recourse which the respective laws grant to the citizens of the state refusing protection. The period within which the recourse and actions granted by national laws may be exercised shall begin four months after receipt by the Inter-American Trade Mark Bureau of the notice of refusal.

The Inter-American registration of a trade mark communicated to the Contracting States, which may already enjoy protection in such States shall replace any other registration of the same mark effected previously by any other means, without prejudice to the rights already acquired by national registration.

Article 5

In order to effect the transfer of ownership of a trade mark or the assignment of the use of the same, the same procedure as that set forth in the foregoing articles shall be followed, except that in this case there shall only be remitted to the Inter-American Bureau $10.00, to be retained by said Bureau, plus the fees fixed by the domestic legislation of each one of the countries in which it is desired to register the transfer or assignment of the mark, it being understood that the use of trade marks may be transferred separately in each country.

Article 6

If the applicant claims color as a distinctive element of his mark he shall be required to:

1. Send a statement attached to the application for registration declaring the color or the combination of colors which he claims; and

2. Attach to the application for registration copies or specimens of the marks as actually used, showing the colors claimed, which shall be attached to the notifications sent by the Inter-American Bureau. The number of copies to be sent shall be fixed by the Regulations.

Article 7

Trade marks shall be published in a bulletin edited by the Inter-American Bureau, wherein shall appear the matter contained in the application for registration and an electrotype of the mark supplied by the applicant.

Each administration of the Contracting States shall receive free of charge from the Inter-American Bureau as many copies of the above mentioned publication as it may ask for.

The publication of a mark in the bulletin of the Inter-American Bureau shall have the same effect as publication in the official journals or bulletins of the Contracting States.

Article 8

The Inter-American Bureau, on receipt of payment of a fee to be fixed by the Regulations, shall furnish to any person who may so request, copies of the entries made in the register with reference to any particular mark.

Article 9

The Inter-American Trade Mark Bureau shall keep a record of renewals which have been effected in compliance with the requirements of the domestic laws of the Contracting States, and after payment of a fee of $10.00 to the Inter-American Trade Mark Bureau and the customary fees required by the States where said renewal is effected.

Six months prior to the expiration of the period of protection, the Inter-American Bureau shall communicate this information to the administration of the country of origin and to the owner of the mark.

Article 10

The owner of a trade mark may at any time relinquish protection in one or several of the Contracting States, by means of a notice sent to the administration of the country of origin of the mark, to be communicated to the Inter-American Bureau, which in turn shall notify the countries concerned.

Article 11

An applicant for registration or deposit, transfer or renewal of a trade mark through the Inter-American Bureau, may appoint by a proper power of attorney at any time, an agent or attorney to represent him in any procedure, administrative, judicial or otherwise, arising in connection with such trade marks or application in any Contracting State.

Such agents or attorneys shall be entitled to notice of all the proceedings and to receive and present all documents that may be required by the Trade Mark Bureau of each country under the provisions of this Protocol.

Article 12

The administration in the country of origin shall notify the Inter-American Bureau of all annulments, cancellations, renunciations, transfers and all other changes in the ownership or use of the mark.

The Inter-American Bureau shall record these changes, notify the administrations of the Contracting States and publish them immediately in its bulletin.

The same procedure shall be followed when the proprietor of the mark requests a reduction in the list of products to which the trade mark is applied.

The subsequent addition of a new product to the list may not be obtained except by a new registration of the mark according to the provisions of Article 2 of this Protocol. The same procedure shall be followed in the case of the substitution of one product for another.

Article 13

The Contracting States bind themselves to send through their respective national trade mark offices, as soon as they are published, two copies of the official bulletins or publications in which judicial or administrative decisions or resolutions, laws, decrees, regulations, circulars, or any other provisions emanating from the executive, legislative or judicial authorities may appear and which refer to the protection of trade marks, the protection of commercial names, the repression of unfair competition and of false indications of origin, whether of an administrative, civil or penal nature.

Article 14

In order to comply with this Protocol, and to facilitate the inter-American registration of trade marks, the Contracting States establish as their international agency the Bureau located in Habana, Republic of Cuba, referred to as the "Inter-American Trade Mark Bureau," and confer upon its official correspondence the postal frank.

Article 15

The Inter-American Trade Mark Bureau shall perform the duties specified in this Protocol and in the Regulations appended hereto, and shall be supported in part by the fees received for handling trade marks and in part by the quotas assigned to the Contracting States. These quotas shall be paid directly and in advance to the Bureau in yearly installments and shall be determined in the following manner:

The population of each Contracting State ratifying this Protocol shall be determined by its latest official census, the number of inhabitants to be divided into units of 100,000 each, fractions above 50,000 to be considered as a full unit, and those under to be disregarded. The annual budget shall be divided by the total number of units, thereby determining the quota per unit. The contribution of each State to the Inter-American Bureau shall be determined by multiplying the quota per unit by the number of units allotted to each State.

Upon receipt of new ratifications and adhesions to this Protocol, the same procedure shall be followed with respect to such States, the quota of each to be determined by adding these additional units and thus determining the quota per unit.

It is expressly agreed that this annual contribution will continue to be paid only so long as the other revenues of the Bureau are not sufficient to cover the expenses of its maintenance. So long as this situation exists, the latest census of population will be used each year and, on the basis of official data furnished by each Contracting State, the changes in population shall be made and the quotas determined anew before fixing the contributions to be paid by those States. Once the Bureau becomes self-supporting through its own receipts, the balance remaining from the quotas shall be returned to the States in proportion to the amounts received from them.

At the end of each year the Inter-American Bureau shall prepare a statement of fees and contributions received and after making provision for its budgetary requirements for the following year and setting aside a reserve fund, shall return the balance to the Contracting States in proportion to the quotas paid by them.

The budget of the Bureau and the reserve fund to be maintained shall be submitted by the Director of the Bureau and approved by the Chief Executive of the State in which the Bureau is established. The Director of the Bureau shall also submit an annual report to all ratifying States, for their information.

Article 16

In case the Bureau should cease to exist, it shall be liquidated under the supervision of the Government of Cuba, the balance of the funds remaining to be distributed among the Contracting States in the same proportion as they contributed to its support. The buildings and other tangible property of the Bureau shall become the property of the Government of Cuba in recognition of the services of that Republic in giving effect to this Protocol; the Government of Cuba agreeing to dedicate such property to purposes essentially inter-American in character.

The Contracting States agree to accept as final any steps that may be taken for the liquidation of the Bureau.

Article 17

The provisions of this Protocol shall have the force of law in those States in which international treaties possess that character, as soon as they are ratified by their constitutional organs.

The Contracting States in which the fulfillment of international agreements is dependent upon the enactment of appropriate laws, on accepting in principle this Protocol, agree to request of their legislative bodies the enactment of the necessary legislation in the shortest possible period of time and in accordance with their constitutional provisions.

Article 18

The Contracting States agree that, as soon as this Protocol becomes effective, the Trade Mark Conventions of 1910 and 1923 shall automatically cease to have effect in so far as they relate to the organization of the Inter-American Bureau; but any rights which have been or which may be acquired in accordance with the provisions of said Conventions, up to the time of the coming into effect of this Protocol, shall continue to be valid until their due expiration.

Article 19

The present Protocol shall be ratified by the Contracting States, in accordance with their respective constitutional procedure, after they shall have ratified the "General Inter-American Convention for Trade Mark and Commercial Protection."

The original Protocol and the instruments of ratification shall be deposited with the Pan American Union, which shall transmit certified copies of the former and shall communicate notice of such ratifications to the Governments of the other signatory States and the Protocol shall become effective for the Contracting States in the order in which they deposit their ratifications.

This Protocol shall remain in force indefinitely, but it may be denounced by means of notice given one year in advance, at the expiration of which it shall cease to be in force as regards the State denouncing the same, but shall remain in force as regards the other States. All denunciations shall be sent to the Pan American Union which will thereupon transmit notice thereof to the other States.

The American States which have not signed this Protocol may adhere thereto by sending the respective official instrument to the Pan American Union, which, in turn, will thereupon notify the Governments of the remaining Contracting States in the manner previously indicated.

ANNEX

REGULATIONS

Article 1

The application to obtain protection under the Protocol of which the present Annex is a part shall be made by the owner of the mark or his legal representative to the administration of the State in which the mark has been originally registered or deposited in accordance with the provisions in force in that State, accompanied by a money order or draft payable to the Director of the Inter-American Trade Mark Bureau in the sum required by this Protocol. The application and money order shall be accompanied by an electrotype (10 x 10 centimeters) of the mark reproducing it as registered in the State of original registration.

Article 2

The National Bureau of such State having ascertained that the registration of the mark is legal and valid shall send to the Inter-American Trade Mark Bureau, as soon as possible:

A. The money order;

B. The electrotype of the mark;

C. A certificate in duplicate containing the following details:

1. The name and address of the owner of the mark;

2. The date of the application for registration in the State of original registration;

3. The date of registration of the mark in such State;

4. The order number of the registration in such State;

5. The date of expiration of the protection of the mark in such State;

6. A facsimile of the mark as used;

7. A statement of the goods on which the mark is used;

8. The date of the application to the National Bureau of the State of the original registration to obtain protection under the Convention and this Protocol.

D. When the applicant wishes to claim color as a distinctive element of his mark, thirty copies of the mark printed on paper, showing the color, and a brief description of the same.

Article 3

Within ten days after receipt from such administration of the matter required by Article 2, the Inter-American Trade Mark Bureau shall enter all information in its books and inform the National Bureau of such State of the receipt

of the application and of the number and date of the inter-American registration.

Article 4

Within thirty days after such receipt, detailed copies of the inter-American registration shall be sent to the National Bureaus of those States which have ratified the Protocol.

Article 5

The Inter-American Trade Mark Bureau shall publish a periodic bulletin wherein shall appear the data included in the certificate provided for by Section C of Article 2 of these Regulations and also all other information which may be appropriate concerning registration of such marks in the various States.

The Inter-American Trade Mark Bureau may also publish in its bulletin or separately, books, documents, information, studies, and articles concerning the protection of industrial property.

Article 6

The acceptance, opposition, or refusal of a mark by the National Bureau of any one of the Contracting States shall be transmitted within ten days following the date of its receipt by the Inter-American Trade Mark Bureau to the administration of the State of origin of the application with a view to its communication to whom it may concern.

Article 7

Changes in ownership of a mark communicated by the Bureau of the country of origin to the Inter-American Trade Mark Bureau and accompanied by the required fees shall be examined, entered in the register, and corresponding notice sent to the Bureaus of the other Contracting States in which the transfer is to take place, accompanied by the proper fees, all within the time herein fixed with respect to application.

Article 8

The Director of the Inter-American Trade Mark Bureau shall be appointed by the Executive Power of the State in which the Bureau is located, from among lawyers of experience in the subject matter and of recognized moral standing. The Director, at his discretion, may appoint or remove the officials or employees of his Bureau, giving notice thereof to the Government of Cuba; adopt and promulgate such other rules, regulations and circulars as he may deem convenient for the proper functioning of the Bureau and which are not inconsistent with this Protocol.

Article 9

The Inter-American Trade Mark Bureau may carry on any investigation on the subject of trade marks which the Government of any of the Contracting States may request, and encourage the investigation of all problems, difficulties or obstacles which may hinder the operation of the General Inter-American Convention for Trade Mark and Commercial Protection, or of this Protocol.

Article 10

The Inter-American Trade Mark Bureau shall cooperate with the Governments of the Contracting States in the preparation of material for international conferences on this subject; submit to those States such suggestions as it may consider useful, and such opinions as may be requested as to the modifications which should be introduced in the inter-American pacts or in the laws concerning these subjects and in general facilitate the execution of the purposes of this Protocol.

Article 11

The Inter-American Trade Mark Bureau shall inform the signatory Governments at least once a year as to the work which the Bureau has done or is doing.

Article 12

The Inter-American Trade Mark Bureau shall maintain as far as possible relations with similar offices and scientific and industrial institutions and organizations for the exchange of publications, information, and data relative to the progress of the law on the subject of the protection of trade marks, defense and protection of commercial names and suppression of unfair competition and false indications of origin.

Article 13

These Regulations may be modified at any time at the request of any of the Contracting States or the Director of the Bureau, provided that the modification does not violate the General Convention or the Protocol of which the Regulations form a part, and that the modification is approved by the Governing Board of the Pan American Union, after having been circulated among the Contracting States for a period of six months before submission for the approval of the Pan American Union.

In witness whereof the above named delegates have signed this Protocol in English, Spanish, Portuguese and French, and thereto have affixed their respective seals.

Done in the City of Washington on the twentieth day of February in the year one thousand nine hundred and twenty-nine.

[SEAL.]	A. GONZÁLEZ PRADA
[SEAL.]	EMETERIO CANO DE LA VEGA
[SEAL.]	JUAN VICENTE RAMÍREZ
[SEAL.]	GONZALO ZALDUMBIDE
[SEAL.]	FRANCISCO DE MOYA
[SEAL.]	R. J. ALFARO
[SEAL.]	JUAN B. CHEVALIER
[SEAL.]	P. R. RINCONES
[SEAL.]	MANUEL CASTRO QUESADA
[SEAL.]	F. E. PIZA
[SEAL.]	GUSTAVO GUTIÉRREZ
[SEAL.]	A. L. BUFILL
[SEAL.]	RAOUL LIZAIRE
[SEAL.]	PABLO GARCÍA DE LA PARRA
[SEAL.]	CARLOS DELGADO DE CARVALHO
[SEAL.]	F. SUÁSTEGUI
[SEAL.]	VICENTE VITA
[SEAL.]	CARLOS IZAGUIRRE V.
[SEAL.]	FRANCIS WHITE
[SEAL.]	THOMAS E. ROBERTSON
[SEAL.]	EDWARD S. ROGERS

The treaty was reported to the Senate without amendment, and the resolution of ratification was agreed to, two-thirds of the Senators present voting in the affirmative.

UNITED STATES TARIFF COMMISSION

The Chief Clerk proceeded to read sundry nominations to the United States Tariff Commission.

Mr. HARRISON. Mr. President, I ask that the Tariff Commission nominations go over.

Mr. McNARY. May we not come to some understanding as to a date when they may be considered? A number of Senators have spoken to me, and I think the 10th day of January will be found agreeable to nearly all the Senators.

Mr. HARRISON. I think this matter ought to be set definitely for some date after we convene following the Christmas holidays. Some Senators did not want the nominations taken up before the 8th. Anywhere along about the 8th will be satisfactory.

Mr. McNARY. Two or three Members of the Senate told me they could not be here by the 8th, and I suggested that I thought the 10th would be found agreeable to all.

Mr. HARRISON. That is thoroughly satisfactory so far as I am concerned.

The PRESIDENT pro tempore. The Senator from Oregon asks unanimous consent that the consideration of the nominations be taken up by the Senate in executive session on the 10th day of January, 1931. Is there objection?

Mr. REED. The 10th would be Saturday, Mr. President.

Mr. COUZENS. The Chair did not say "open executive session."

The PRESIDENT pro tempore. Under the rules the Senate has no closed executive sessions now unless they are specially ordered.

Mr. McNARY. It was my intention to have the nominations taken up on Friday. I suggest that the date be changed to January 9.

Mr. KING. Mr. President, would the Senator care to suggest an hour on Friday, say, 2 o'clock, or 1 o'clock?

Mr. McNARY. I think probably it would require most of the day, and that we should fix the hour at 12 o'clock.

Mr. KING. I think that would be the wisest course.

Mr. HARRISON. Mr. President, the Senator from North Carolina [Mr. SIMMONS] wanted to have the nominations taken up about the 10th. Would the 12th be satisfactory? That will be Monday.

Mr. McNARY. If the 9th or the 10th is inconvenient to the senior Senator from North Carolina, I should say that the 12th would be satisfactory.

Mr. McKELLAR. The Senator from North Carolina had to leave the Chamber a little while ago.

Mr. HARRISON. Suppose we decide on the 9th, and if that is not satisfactory to the Senator from North Carolina, we can put it over to the Monday following.

Mr. McNARY. That is satisfactory.

The PRESIDENT pro tempore. The Chair understands the unanimous-consent agreement proposed by the Senator from Oregon to be that at 12 o'clock on Friday, the 9th of January, 1931, the Senate shall proceed to the consideration of these nominations. Is there objection? The Chair hears none, and the unanimous-consent agreement is entered into.

BUREAU OF NARCOTICS

The Chief Clerk read the nomination of Harry J. Anslinger, of Pennsylvania, to be Commissioner of Narcotics.

Mr. COPELAND. Mr. President, may I ask the Senator from Oregon whether we are likely to have another executive session this week?

Mr. McNARY. I think we may have.

Mr. COPELAND. Then I ask that this nomination go over until the next executive session.

The PRESIDENT pro tempore. The nomination will go over.

DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk proceeded to read sundry nominations in the Diplomatic and Foreign Service.

Mr. REED. I ask that the nominations be confirmed en bloc, and that the President be notified.

The PRESIDENT pro tempore. The nominations are confirmed, and the President will be notified.

FEDERAL RESERVE BOARD

The Chief Clerk read the nomination of Eugene Meyer, of New York, to be a member of the Federal Reserve Board.

Mr. FLETCHER. I would like to have that go over.

The PRESIDENT pro tempore. The nomination will go over.

FEDERAL FARM LOAN BOARD

The Chief Clerk read the nomination of Floyd R. Harrison, of the District of Columbia, to be a member of the Federal Farm Loan Board.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed, and the President will be notified.

Mr. FLETCHER. I ask that that nomination go over.

The PRESIDENT pro tempore. The nomination will be passed over.

FEDERAL POWER COMMISSION

The Chief Clerk proceeded to read sundry nominations to the Federal Power Commission.

Mr. FLETCHER. I think it would be better to have those nominations go over.

Mr. COUZENS. Mr. President, the Senator from Nebraska [Mr. NORRIS] asked to have these temporarily go over for the day until we could have the evidence taken at the hearings presented to the Senate. So I will ask that all these nominations to the Power Commission go over until the printed evidence is on the desks of Senators.

The PRESIDENT pro tempore. The nominations will be passed over.

Mr. McKELLAR. Mr. President, may I ask the Senator from Michigan whether the other nominee to this board, Mr. McNinch, has been passed on by the committee?

Mr. COUZENS. That nomination has not been passed upon because we are waiting for the arrival of the Senator appointed from North Carolina.

INTERSTATE COMMERCE COMMISSION

The Chief Clerk read the nomination of Charles D. Mahaffie, of the District of Columbia, to be a member of the Interstate Commerce Commission.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed, and the President will be notified.

GENERAL LAND OFFICE

The Chief Clerk read the nomination of Mrs. Emma L. Warren to be recorder in the General Land Office.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed, and the President will be notified.

The Chief Clerk read the nomination of George W. Miller to be register of the land office at The Dalles, Oreg.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed, and the President will be notified.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. PHIPPS. I ask that the nominations of postmasters be confirmed en bloc and the President notified.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed, and the President will be notified.

IN THE MARINE CORPS

The Chief Clerk proceeded to read sundry nominations for appointments and promotions in the Marine Corps.

Mr. HALE. I ask that the nominations be confirmed and the President notified.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed, and the President will be notified.

REPORT OF PRESIDENT'S EMERGENCY COMMITTEE FOR EMPLOYMENT

Mr. LA FOLLETTE. Mr. President, as in legislative session I ask unanimous consent to present the following resolution, to have it read, and lie over under the rule.

The PRESIDENT pro tempore. As in legislative session, the resolution will be received and read.

The Chief Clerk read the resolution (S. Res. 376), as follows:

Resolved, That the Committee on Appropriations is hereby requested to call before it Col. Arthur Woods, chairman of the President's Emergency Committee for Employment, to ascertain:

(1) Any information in his possession relating to the extent of unemployment.

(2) Measures for the relief of distress caused thereby in the various cities and States of the country.

(3) His recommendations concerning the extent to which public works must be expanded if a substantial reduction in unemployment during the ensuing year is to be brought about.

Resolved further, That the Appropriations Committee is requested to call before it John Barton Payne, chairman of the American National Red Cross, to ascertain:

(1) Conditions in the drought-stricken States.

(2) Whether the American Red Cross can provide adequate relief to all needy persons in said States.

(3) Conditions in the cities and towns of the country caused by the economic depression and resultant unemployment.

Resolved further, That the Committee on Appropriations is hereby requested to call Col. J. Clauson Roop, Director of the Budget, to ascertain, among other things, the following:

(1) How much the Budget estimates for public works were reduced, if at all, between July and November, 1930.

Resolved further, That the Appropriations Committee is hereby requested to call Thomas H. MacDonald, Chief of the Bureau of Public Roads, to obtain any and all plans which may have been worked out by the bureau with the various highway commissions or departments of the several States concerning road building in the existing unemployment situation.

Resolved further, That the Appropriations Committee is hereby requested to call Maj. Gen. Lytle Brown, Chief of Army Engineers, to ascertain:

(1) What sum of money could be expended on rivers and harbors during the ensuing calendar year if all possible effort were made to accelerate the work on existing authorized projects.

Resolved further, That the Appropriations Committee is hereby requested to call James A. Wetmore, Acting Supervising Architect, to ascertain:

(1) What sum of money could be expended on public buildings during the ensuing calendar year if all possible effort were made to accelerate the work on public-building projects now authorized.

The PRESIDENT pro tempore. The resolution will lie over under the rule.

ADJOURNMENT

Mr. McNARY. As in legislative session, I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate adjourned until to-morrow, Wednesday, December 17, 1930, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate December 16 (legislative day of December 15), 1930

POSTMASTERS

ALABAMA

John L. Shotts to be postmaster at Hamilton, Ala., in place of J. L. Shotts. Incumbent's commission expired December 13, 1930.

Annie J. McArthur to be postmaster at Riderwood, Ala., in place of A. J. McArthur. Incumbent's commission expired December 13, 1930.

Walker T. Stewart to be postmaster at Sylacauga, Ala., in place of W. T. Stewart. Incumbent's commission expired December 13, 1930.

ARKANSAS

Hattie L. Moore to be postmaster at Altus, Ark., in place of H. L. Moore. Incumbent's commission expired December 10, 1930.

William V. Trautman to be postmaster at Bearden, Ark., in place of W. V. Trautman. Incumbent's commission expired December 10, 1930.

Fred E. Marble to be postmaster at Carlisle, Ark., in place of F. E. Marble. Incumbent's commission expired December 10, 1930.

Ocie E. Mathis to be postmaster at Hackett, Ark., in place of O. E. Mathis. Incumbent's commission expired December 10, 1930.

Harry L. Kelley to be postmaster at Holly Grove, Ark., in place of H. L. Kelley. Incumbent's commission expired December 10, 1930.

Wilford Flannigan to be postmaster at Monette, Ark., in place of Wilford Flannigan. Incumbent's commission expired December 10, 1930.

CALIFORNIA

Raymond P. Hawkins to be postmaster at Alleghany, Calif., in place of R. P. Hawkins. Incumbent's commission expired December 11, 1930.

John W. Drane to be postmaster at Alturas, Calif., in place of J. W. Drane. Incumbent's commission expires December 21, 1930.

Otto B. Liersch to be postmaster at Corning, Calif., in place of O. B. Liersch. Incumbent's commission expired December 11, 1930.

Cora C. Fitzwater to be postmaster at Fall River Mills, Calif., in place of C. C. Fitzwater. Incumbent's commission expired December 11, 1930.

Mary Goble to be postmaster at Hobart Mills, Calif., in place of Mary Goble. Incumbent's commission expired December 11, 1930.

George M. Heath to be postmaster at Ione, Calif., in place of G. M. Heath. Incumbent's commission expires December 21, 1930.

COLORADO

Henry R. Pilati to be postmaster at Aguilar, Colo., in place of H. R. Pilati. Incumbent's commission expires December 21, 1930.

Arthur I. Weaver to be postmaster at Creede, Colo., in place of A. I. Weaver. Incumbent's commission expired December 14, 1930.

Henry Miller to be postmaster at Manzanola, Colo., in place of Henry Miller. Incumbent's commission expired December 14, 1930.

John H. O'Connell to be postmaster at Sugar City, Colo., in place of J. H. O'Connell. Incumbent's commission expires December 21, 1930.

CONNECTICUT

Helen S. Ladd to be postmaster at Bloomfield, Conn., in place of H. S. Ladd. Incumbent's commission expired December 13, 1930.

Howard A. Middleton to be postmaster at Broad Brook, Conn., in place of H. A. Middleton. Incumbent's commission expired December 13, 1930.

Thomas C. Brown to be postmaster at Elmwood, Conn., in place of T. C. Brown. Incumbent's commission expired December 13, 1930.

W. Kenneth Avery to be postmaster at Granby, Conn., in place of W. K. Avery. Incumbent's commission expires December 17, 1930.

Abigail B. Lathrop to be postmaster at Warehouse Point, Conn., in place of A. B. Lathrop. Incumbent's commission expired December 13, 1930.

FLORIDA

Lois M. Sheffield to be postmaster at Foley, Fla. Office became presidential July 1, 1930.

William C. Bretz to be postmaster at Fort Lauderdale, Fla., in place of F. W. Jacques. Incumbent's commission expired December 18, 1929.

Rhea W. Pherigo to be postmaster at Kissimmee, Fla., in place of R. W. Pherigo. Incumbent's commission expired May 17, 1930.

GEORGIA

Louise F. Hays to be postmaster at Montezuma, Ga., in place of L. F. Hays. Incumbent's commission expires January 6, 1931.

IDAHO

George Odenius to be postmaster at Craigmont, Idaho, in place of George Odenius. Incumbent's commission expired December 10, 1930.

ILLINOIS

Guy W. Astell to be postmaster at Broadlands, Ill., in place of G. W. Astell. Incumbent's commission expired December 14, 1930.

Hazel C. Van Alstyne to be postmaster at Colfax, Ill., in place of H. W. Corpe. Incumbent's commission expired May 4, 1930.

John R. Scoggin to be postmaster at Gardner, Ill., in place of J. R. Scoggin. Incumbent's commission expired December 11, 1930.

Leslie J. Smith to be postmaster at Mount Auburn, Ill., in place of L. J. Smith. Incumbent's commission expired December 14, 1930.

Ralph H. Gard to be postmaster at New Canton, Ill., in place of R. H. Gard. Incumbent's commission expired December 11, 1930.

Daniel Reeder to be postmaster at Payson, Ill. Office became presidential July 1, 1930.

Frank Reed to be postmaster at Taylorville, Ill., in place of Frank Reed. Incumbent's commission expired December 14, 1930.

Leonard O. Bingham to be postmaster at Virginia, Ill., in place of L. O. Bingham. Incumbent's commission expired June 4, 1928.

Charles S. Hoots to be postmaster at Windsor, Ill., in place of N. L. Hyland. Incumbents commission expired June 16, 1930.

IOWA

Della Douthit to be postmaster at Braddyville, Iowa. Office became presidential July 1, 1930.

Arthur H. Ricke to be postmaster at Breda, Iowa, in place of A. H. Ricke. Incumbent's commission expired December 10, 1930.

Frank K. Hahn to be postmaster at Cedar Rapids, Iowa, in place of F. K. Hahn. Incumbent's commission expires December 16, 1930.

Harry McCall to be postmaster at Washington, Iowa, in place of Harry McCall. Incumbent's commission expires December 16, 1930.

KANSAS

Anna J. Nichols to be postmaster at Morland, Kans., in place of A. J. Nichols. Incumbent's commission expired December 14, 1930.

Ezra E. Shields to be postmaster at Wathena, Kans., in place of E. E. Shields. Incumbent's commission expired December 13, 1930.

William B. Hart to be postmaster at Westmoreland, Kans., in place of W. B. Hart. Incumbent's commission expired December 13, 1930.

KENTUCKY

Otha S. Curd to be postmaster at Greenville, Ky, in place of Lois Belcher, resigned.

Onis L. Greer to be postmaster at Owensboro, Ky., in place of M. F. Gilmour. Incumbent's commission expired January 28, 1930.

John E. Forte to be postmaster at Raceland, Ky., office became presidential July 1, 1930.

LOUISIANA

Stephen R. Jackson, jr., to be postmaster at Cheneyville, La., in place of J. B. Smith, deceased.

Ethel I. Montgomery to be postmaster at Delhi, La., in place of E. I. Montgomery. Incumbent's commission expires December 21, 1930.

Samuel E. Rankin to be postmaster at Haynesville, La., in place of S. E. Rankin. Incumbent's commission expired December 14, 1930.

Frank M. Caldwell to be postmaster at Robeline, La., in place of F. M. Caldwell. Incumbent's commission expires December 21, 1930.

William W. Addison to be postmaster at Springhill, La., in place of W. W. Addison. Incumbent's commission expired December 14, 1930.

MAINE

Ferdinand E. Stevens to be postmaster at Auburn, Me., in place of F. E. Stevens. Incumbent's commission expired December 14, 1930.

John C. Arnold to be postmaster at Augusta, Me., in place of J. C. Arnold. Incumbent's commission expired December 14, 1930.

Bert H. Young to be postmaster at Bar Harbor, Me., in place of B. H. Young. Incumbent's commission expired December 14, 1930.

Chandler M. Wilson to be postmaster at Bucksport, Me., in place of C. M. Wilson. Incumbent's commission expired December 14, 1930.

Lloyd A. Harmon to be postmaster at Clinton, Me., in place of L. A. Harmon. Incumbent's commission expired December 10, 1930.

Omar J. Lombard to be postmaster at Guilford, Me., in place of O. J. Lombard. Incumbent's commission expired December 14, 1930.

Dana C. Skillin to be postmaster at Hallowell, Me., in place of D. C. Skillin. Incumbent's commission expired December 14, 1930.

Zaidee P. Campbell to be postmaster at Jackman, Me., in place of Z. P. Campbell. Incumbent's commission expired December 14, 1930.

Albert A. Weatherbee to be postmaster at Lincoln, Me., in place of A. A. Weatherbee. Incumbent's commission expired December 14, 1930.

MARYLAND

Leslie W. Gaver to be postmaster at Middletown, Md., in place of L. W. Gaver. Incumbent's commission expires December 21, 1930.

Ernest G. Willard to be postmaster at Poolesville, Md., in place of E. G. Willard. Incumbent's commission expired June 1, 1930.

MASSACHUSETTS

James N. Young to be postmaster at Adams, Mass., in place of J. N. Young. Incumbent's commission expires December 21, 1930.

Charles J. Dacey to be postmaster at Conway, Mass., in place of C. J. Dacey. Incumbent's commission expires December 21, 1930.

Xavier A. Delisle to be postmaster at Lowell, Mass., in place of X. A. Delisle. Incumbent's commission expires December 21, 1930.

James H. Butler to be postmaster at Pittsfield, Mass., in place of J. H. Butler. Incumbent's commission expires December 21, 1930.

George A. Wilder to be postmaster at Townsend, Mass., in place of G. A. Wilder. Incumbent's commission expires December 21, 1930.

Myra G. Jordan to be postmaster at West Upton, Mass., in place of M. G. Jordan. Incumbent's commission expires December 21, 1930.

William W. Whitham to be postmaster at Clinton, Mass., in place of P. H. McIntyre. Incumbent's commission expired December 13, 1928.

MICHIGAN

Glenn H. Perkins to be postmaster at Freeport, Mich., in place of G. H. Perkins. Incumbent's commission expires December 21, 1930.

William L. Shulters to be postmaster at Hastings, Mich., in place of W. L. Shulters. Incumbent's commission expired December 11, 1930.

Fred J. Beaman to be postmaster at Jackson, Mich., in place of F. J. Beaman. Incumbent's commission expired December 11, 1930.

Emory J. Glidden to be postmaster at Lakeside, Mich., in place of E. J. Glidden. Incumbent's commission expired December 11, 1930.

Edward F. Blake to be postmaster at Middleville, Mich., in place of E. F. Blake. Incumbent's commission expired December 14, 1930.

Grace M. Miller to be postmaster at Union City, Mich., in place of G. M. Miller. Incumbent's commission expired December 11, 1930.

MINNESOTA

Jason Weatherhead to be postmaster at Ada, Minn., in place of Jason Weatherhead. Incumbent's commission expired June 16, 1930.

Otto W. Peterson to be postmaster at Audubon, Minn., in place of O. W. Peterson. Incumbent's commission expires December 17, 1930.

Gilbert J. Brenden to be postmaster at Badger, Minn., in place of G. J. Brenden. Incumbent's commission expires December 17, 1930.

Genevra E. Ristvedt to be postmaster at Hanley Falls, Minn., in place of G. E. Ristvedt. Incumbent's commission expired December 18, 1929.

Edwin W. Bergman to be postmaster at McGrath, Minn., in place of E. W. Bergman. Incumbent's commission expires December 17, 1930.

Andrew Bromstad to be postmaster at Milan, Minn., in place of Andrew Bromstad. Incumbent's commission expired March 11, 1930.

Otis T. Wentzell to be postmaster at Moorhead, Minn., in place of O. T. Wentzell. Incumbent's commission expires December 17, 1930.

John T. Orvik to be postmaster at Nielsville, Minn., in place of J. T. Orvik. Incumbent's commission expires December 17, 1930.

MISSISSIPPI

Josephine J. Dent to be postmaster at Morgan City, Miss., in place of J. J. Dent. Incumbent's commission expired February 16, 1929.

Beulah J. Smith to be postmaster at Piave, Miss., in place of B. J. Smith. Incumbent's commission expires December 16, 1930.

George W. Sledge to be postmaster at Sunflower, Miss., in place of A. M. Mitchell, deceased.

Michael J. Mulvihill, jr., to be postmaster at Vicksburg, Miss., in place of M. J. Mulvihill, jr. Incumbent's commission expired December 4, 1926.

MISSOURI

Emmet L. Gaffney to be postmaster at Craig, Mo., in place of E. L. Gaffney. Incumbent's commission expires December 17, 1930.

Joseph W. Steinmeier to be postmaster at Puxico, Mo., in place of J. W. Steinmeier. Incumbent's commission expires December 17, 1930.

Albert C. Yoder to be postmaster at Rosendale, Mo., in place of A. C. Yoder. Incumbent's commission expires December 21, 1930.

Addie Erwin to be postmaster at Thayer, Mo., in place of Addie Erwin. Incumbent's commission expires December 17, 1930.

MONTANA

Laura P. Johnson to be postmaster at Darby, Mont., in place of L. P. Johnson. Incumbent's commission expires December 22, 1930.

Harry W. Sankey to be postmaster at Jordan, Mont., in place of P. E. Winfield, resigned.

Malcolm K. Kedzie to be postmaster at Libby, Mont., in place of M. K. Kedzie. Incumbent's commission expires December 22, 1930.

Mariness W. Stockwell to be postmaster at Musselshell, Mont., in place of F. W. Handel, resigned.

Burr A. Davison to be postmaster at Roundup, Mont., in place of B. A. Davison. Incumbent's commission expired June 2, 1930.

NEBRASKA

Anna C. Ord to be postmaster at Burchard, Nebr., in place of A. C. Ord. Incumbent's commission expired December 11, 1930.

NEVADA

Frank E. Meder to be postmaster at Carson City, Nev., in place of D. E. Norton, deceased.

NEW HAMPSHIRE

Fred H. Ackerman to be postmaster at Bristol, N. H., in place of F. H. Ackerman. Incumbent's commission expires December 20, 1930.

Archie C. Howe to be postmaster at Colebrook, N. H., in place of A. C. Howe. Incumbent's commission expired December 11, 1930.

Russel B. Henchman to be postmaster at East Jaffrey, N. H., in place of R. B. Henchman. Incumbent's commission expired December 13, 1930.

Herbert E. Walbridge to be postmaster at Enfield, N. H., in place of H. E. Walbridge. Incumbent's commission expired December 14, 1930.

Frank J. Bryant to be postmaster at Lebanon, N. H., in place of F. J. Bryant. Incumbent's commission expired December 11, 1930.

Frank E. West to be postmaster at Lyme, N. H., in place of F. E. West. Incumbent's commission expired December 13, 1930.

Stephen C. Coburn to be postmaster at Milford, N. H., in place of S. C. Coburn. Incumbent's commission expired December 11, 1930.

George L. Crockett to be postmaster at Whitefield, N. H., in place of G. L. Crockett. Incumbent's commission expires December 20, 1930.

William E. Jones to be postmaster at Winchester, N. H., in place of W. E. Jones. Incumbent's commission expires December 20, 1930.

Fred P. Dearth to be postmaster at Woodsville, N. H., in place of F. P. Dearth. Incumbent's commission expired December 11, 1930.

NEW JERSEY

Lillie Conover to be postmaster at Northfield, N. J., in place of Lillie Conover. Incumbent's commission expired December 14, 1930.

NEW MEXICO

Charles H. Lutz to be postmaster at Roswell, N. Mex., in place of M. L. White, resigned.

NEW YORK

Ross K. Pierce to be postmaster at Dolgeville, N. Y., in place of R. K. Pierce. Incumbent's commission expired December 11, 1930.

Mary A. Davies to be postmaster at Holland Patent, N. Y., in place of M. A. Davies. Incumbent's commission expired December 11, 1930.

Harry C. Teich to be postmaster at Leeds, N. Y., in place of H. C. Teich. Incumbent's commission expired December 11, 1930.

Hattie M. Pepper to be postmaster at Middle Granville, N. Y., in place of E. V. Pepper, resigned.

Clifford E. Brown to be postmaster at Minoa, N. Y., in place of C. E. Brown. Incumbent's commission expired December 11, 1930.

Dennis Dillon to be postmaster at Raquette Lake, N. Y., in place of Dennis Dillon. Incumbent's commission expired February 4, 1930.

Helena Swackhamer to be postmaster at Schenevus, N. Y., in place of Helena Swackhamer. Incumbent's commission expires December 21, 1930.

Fred Tears to be postmaster at Starlake, N. Y., in place of Fred Tears. Incumbent's commission expired December 11, 1930.

NORTH CAROLINA

Jonah F. Deaton to be postmaster at Aberdeen, N. C., in place of J. F. Deaton. Incumbent's commission expired December 14, 1930.

James L. Davenport to be postmaster at Jamesville, N. C., in place of J. L. Davenport. Incumbent's commission expired March 11, 1930.

John L. Vest to be postmaster at Rosemary, N. C., in place of J. L. Vest. Incumbent's commission expired December 13, 1930.

Ernest B. Satterwhite to be postmaster at Sanatorium, N. C., in place of E. B. Satterwhite. Incumbent's commission expired December 14, 1930.

Lula M. Choate to be postmaster at Sparta, N. C., in place of L. M. Choate. Incumbent's commission expired December 13, 1930.

OHIO

Gertrude Stormont to be postmaster at Cedarville, Ohio, in place of Gertrude Stormont. Incumbent's commission expires December 17, 1930.

William H. Lambert to be postmaster at Delta, Ohio, in place of W. H. Lambert. Incumbent's commission expired December 13, 1930.

Joseph Jameson to be postmaster at Lorain, Ohio, in place of Joseph Jameson. Incumbent's commission expired December 13, 1930.

Harvey C. Wilson to be postmaster at Lyons, Ohio, in place of H. C. Wilson. Incumbent's commission expired December 13, 1930.

Mary E. Basore to be postmaster at McGuffey, Ohio. Office became presidential July 1, 1930.

Harry E. Cahill to be postmaster at Pandora, Ohio, in place of H. E. Cahill. Incumbent's commission expired December 13, 1930.

Gurth W. Repp to be postmaster at Pioneer, Ohio, in place of G. W. Repp. Incumbent's commission expires December 21, 1930.

Harry L. Mefford to be postmaster at Ripley, Ohio, in place of H. L. Mefford. Incumbent's commission expires January 28, 1931.

OREGON

Drusilla M. Crance to be postmaster at Cornelius, Oreg., in place of D. M. Crance. Incumbent's commission expired December 14, 1930.

Rodrick A. Chisholm to be postmaster at Monroe, Oreg., in place of R. A. Chisholm. Incumbent's commission expired December 14, 1930.

Ora Mahoney to be postmaster at Oakland, Oreg., in place of Ora Mahoney. Incumbent's commission expired December 14, 1930.

Grant L. Grant to be postmaster at Riddle, Oreg., in place of G. L. Grant. Incumbent's commission expired December 14, 1930.

Charles S. Heinline to be postmaster at Roseburg, Oreg., in place of C. S. Heinline. Incumbent's commission expired December 14, 1930.

Henry E. Grim to be postmaster to Scappoose, Oreg., in place of H. E. Grim. Incumbent's commission expired December 14, 1930.

Lawrence S. McConnell to be postmaster at Sherwood, Oreg., in place of L. S. McConnell. Incumbent's commission expires December 21, 1930.

George L. Edes to be postmaster at Yoncalla, Oreg., in place of G. L. Edes. Incumbent's commission expired December 14, 1930.

PENNSYLVANIA

Asa F. Hockman to be postmaster at Chalfont, Pa., in place of A. F. Hockman. Incumbent's commission expires December 16, 1930.

Paul M. Seaber to be postmaster at Lititz, Pa., in place of P. M. Seaber. Incumbent's commission expires December 17, 1930.

Isaac L. Shilling to be postmaster at Reedsville, Pa., in place of I. L. Shilling. Incumbent's commission expires December 16, 1930.

RHODE ISLAND

Jonathan Bateman to be postmaster at Manville, R. I., in place of Jonathan Bateman. Incumbent's commission expired May 29, 1930.

SOUTH CAROLINA

John S. Jennings to be postmaster at St. George, S. C., in place of W. H. Lott, removed.

TENNESSEE

Rex E. Stribling to be postmaster at Clifton, Tenn., in place of R. E. Stribling. Incumbent's commission expired December 11, 1930.

Weyman I. Dooly to be postmaster at Conasauga, Tenn. Office became presidential July 1, 1930.

Mary E. Ferguson to be postmaster at Gates, Tenn., in place of M. E. Ferguson. Incumbent's commission expired December 13, 1930.

Byrd S. Bussell to be postmaster at Greenbrier, Tenn., in place of B. S. Bussell. Incumbent's commission expires December 17, 1930.

Walter Carr to be postmaster at Moscow, Tenn., in place of Walter Carr. Incumbent's commission expired December 11, 1930.

TEXAS

Mrs. Leo W. Cox to be postmaster at Buda, Tex., in place of Mrs. L. W. Cox. Incumbent's commission expired December 11, 1930.

Will K. Davis to be postmaster at Gonzales, Tex., in place of W. K. Davis. Incumbent's commission expired December 11, 1930.

Augustus S. Hightower to be postmaster at Millsap, Tex., in place of A. S. Hightower. Incumbent's commission expired December 11, 1930.

Art E. Frieze to be postmaster at Silverton, Tex., in place of A. E. Frieze. Incumbent's commission expired December 11, 1930.

VIRGINIA

John W. Patterson to be postmaster at Greenwood, Va., in place of J. R. Fox. Incumbent's commission expired June 8, 1930.

Phillip L. Harrington to be postmaster at Independence, Va., in place of P. L. Harrington. Incumbent's commission expires December 22, 1930.

Raye Z. Litten to be postmaster at New Market, Va., in place of M. B. Wickes. Incumbent's commission expired January 13, 1930.

WEST VIRGINIA

Wilbern D. Hill to be postmaster at Danville, W. Va., in place of W. D. Hill. Incumbent's commission expired December 11, 1930.

George E. Patterson to be postmaster at Wellsburg, W. Va., in place of G. E. Patterson. Incumbent's commission expired December 11, 1930.

WISCONSIN

Laura K. Duerrwaechter to be postmaster at Germantown, Wis., in place of L. K. Duerrwaechter. Incumbent's commission expires December 22, 1930.

Earl E. Murdock to be postmaster at Gresham, Wis., in place of E. E. Murdock. Incumbent's commission expires December 22, 1930.

Albert F. Hahn to be postmaster at Humbird, Wis., in place of A. F. Hahn. Incumbent's commission expires December 22, 1930.

WYOMING

Katherine L. Tewell to be postmaster at McFadden, Wyo. Office became presidential July 1, 1930.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 16 (legislative day of December 15), 1930

AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY

J. Reuben Clark, jr., to be ambassador extraordinary and plenipotentiary to Mexico.

ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY

Hoffman Philip to be envoy extraordinary and minister plenipotentiary to Norway.

Nicholas Roosevelt to be envoy extraordinary and minister plenipotentiary to Hungary.

J. Butler Wright to be envoy extraordinary and minister plenipotentiary to Uruguay.

MINISTER RESIDENT AND CONSUL GENERAL

Charles E. Mitchell to be minister resident and consul general to Liberia.

SECRETARIES, DIPLOMATIC SERVICE

Hayward G. Hill.
Jay Walker.
George D. LaMont.
Frederick P. Latimer, jr.
Julius Wadsworth.
Guy W. Ray.
Thomas J. Maleady.
David H. Buffum.
George Alexander Armstrong.
Garret G. Ackerson, jr.
Henry P. Starrett.
Hervé J. L'Heureux.
Edward G. Trueblood.
Harold D. Finley.
William H. Hunt.
Felix Cole.
J. Kenly Bacon.
Edward P. Borden.
Homer M. Byington, jr.
Theodore S. Cleveland.
Everett F. Drumright.
F. Russell Engdahl.
Daniel Gaudin, jr.
John Hubner, 2d.
Tevis Huhn.
Alfred W. Jones.
J. Wesley Jones.
Reginald S. Kazanjian.
Nathaniel Lancaster, jr.
F. Ridgway Lineaweaver.
Cecil B. Lyon.
Leslie G. Mayer.
Walter P. McConaughy.
Joseph E. Newton.
John B. Ocheltree.
Maurice Pasquet.
Charles B. Perkins.
Arthur L. Richards.
Donald H. Robinson.
Frank A. Schuler, jr.
Allan C. Taylor.
Laurence W. Taylor.
Clare H. Timberlake.
Leo Toch.
Ralph Townsend.
Arnold Van Benschoten.
Gerald Warner.
Lee Worley.
Kenneth J. Yearns.
Charles W. Yost.
Robert English.

CONSULS GENERAL

Calvin M. Hitch.
Harold D. Clum.
Herbert S. Goold.
William C. Burdett.

CONSULS

Roy E. B. Bower.
John E. Holler.
John McArdle.
Roy W. Baker.
Ellis A. Bonnet.
Robert L. Buell.
Leo J. Callanan.
Augustus S. Chase.
Alexander P. Cruger.
Julian C. Dorr.
Frederick W. Hinke.
Julius C. Holmes.
Carlton Hurst.
Rufus H. Lane, jr.
John H. Lord.
John H. Morgan.

James E. Parks.
William L. Peck.
George Tait.
Howard C. Taylor.
William T. Turner.

VICE CONSULS OF CAREER

Hayward G. Hill.
Jay Walker.
David H. Buffum.
Thomas J. Maleady.
Guy W. Ray.
Hervé J. L'Heureux.
J. Kenly Bacon.
Edward P. Borden.
Homer M. Byington, jr.
Theodore S. Cleveland.
Everett F. Drumright.
F. Russell Engdahl.
Daniel Gaudin, jr.
John Hubner, 2d.
Tevis Huhn.
Alfred W. Jones.
J. Wesley Jones.
Reginald S. Kazanjian.
Nathaniel Lancaster, jr.
F. Ridgway Lineaweaver.
Cecil B. Lyon.
Leslie G. Mayer.
Walter P. McConaughy.
Joseph E. Newton.
John B. Ocheltree.
Maurice Pasquet.
Charles B. Perkins.
Arthur L. Richards.
Donald H. Robinson.
Frank A. Schuler, jr.
Allan C. Taylor.
Laurence W. Taylor.
Clare H. Timberlake.
Leo Toch.
Ralph Townsend.
Arnold Van Benschoten.
Gerald Warner.
Lee Worley.
Kenneth J. Yearns.
Charles W. Yost.

FOREIGN SERVICE OFFICERS

CLASS 1

Frederick T. F. Dumont.
Arthur Garrels.
Ransford S. Miller.
Mahlon Fay Perkins.
G. Howland Shaw.
Addison E. Southard.
John Campbell White.

CLASS 2

Thomas D. Bowman.
George E. Chamberlin.
Felix Cole.
John K. Davis.
Carl F. Deichman.
Cornelius Ferris.
Arthur C. Frost.
John A. Gamon.
Arminius T. Haeberle.
Lewis W. Haskell.
Calvin M. Hitch.
Philip Holland.
Hallett Johnson.
John E. Kehl.
Keith Merrill.
Ely E. Palmer.
Henry P. Starrett.
James B. Stewart.
Walter C. Thurston.
North Winship.
Will L. Lowrie.

CLASS 3

Walter A. Adams.
Joseph W. Ballantine.
Pierre de L. Boal.
George A. Bucklin.
Charles R. Cameron.
Alfred W. Donegan.
Eugene H. Dooman.
W. Roderick Dorsey.
Joseph E. Haven.
Clarence B. Hewes.
John P. Hurley.
Ernest L. Ives.
Joseph E. Jacobs.
Herschel V. Johnson.
Wilbur Keblinger.
Graham H. Kemper.
Walter A. Leonard.
George A. Makinson.
O. Gaylord Marsh.
John R. Putnam.
Emil Sauer.
Hugh H. Watson.
Samuel W. Honaker.

CLASS 4

Wainwright Abbott.
Walter F. Boyle.
Parker W. Buhrman.
Algar E. Carleton.
Dudley G. Dwyre.
Joseph Flack.
George C. Hanson.
Frederick P. Hibbard.
Jay C. Huston.
Jesse B. Jackson.
Edwin Carl Kemp.
Benjamin Muse.
Lucine Memminger.
Edward I. Nathan.
Clarence J. Spiker.
Harold H. Tittmann, jr.
Henry M. Wolcott.
Leslie A. Davis.

CLASS 5

Robert R. Bradford.
Alfred T. Burri.
James G. Carter.
Arthur B. Cooke.
John Corrigan.
Leonard G. Dawson.
James Orr Denby.
Maurice P. Dunlap.
Edward M. Groth.
Robert W. Heingartner.
Curtis C. Jordan.
Robert D. Longyear.
John H. MacVeagh.
H. Freeman Matthews.
George Orr.
Walter H. Schoellkopf.
Richard L. Sprague.
Paul C. Squire.
Marshall M. Vance.
Henry C. von Struve.
Egmont C. von Tresckow.
Henry S. Waterman.
Bartley F. Yost.
Hooker A. Doolittle.

CLASS 6

Lee R. Blohm.
Lawrence P. Briggs.
Lewis V. Boyle.
Herbert S. Bursley.
John S. Calvert.
Reginald S. Castleman.
Stillman W. Eells.
Leon H. Ellis.
Lynn W. Franklin.
Gerhard Gade.
Waldemar J. Gallman.
Raymond H. Geist.
Stuart E. Grummon.
William W. Heard.
Charles H. Heisler.
Trojan Kodding.
Andrew J. McConnico.
Thomas McEnelly.
Lester L. Schnare.
Leo D. Sturgeon.
Fletcher Warren.
Leroy Webber.
Howard F. Withey.
David C. Berger.

CLASS 7

George Atcheson, jr.
Ralph A. Boernstein.
Russell M. Brooks.
George Gregg Fuller.
Harvey T. Goodier.
Ernest E. Evans.
Leonard N. Green.
John N. Hamlin.
Joel C. Hudson.
George R. Hukill.
Marcel E. Malige.
John J. Muccio.
Quincy F. Roberts.
William A. Smale.
Harry E. Stevens.
Frederik van den Arend.

CLASS 8

Roy W. Baker.
Ellis A. Bonnet.
Robert L. Buell.
Leo J. Callanan.
Augustus S. Chase.
Alexander P. Cruger.
Julian C. Dorr.
Frederick W. Hinke.
Julius C. Holmes.
Carlton Hurst.
Rufus H. Lane, jr.
John H. Lord.
John H. Morgan.
James E. Parks.
William L. Peck.
George Tait.
Howard C. Taylor.
William T. Turner.
Roy E. B. Bower.
John E. Holler.
John McArdle.

UNCLASSIFIED

J. Kenly Bacon.
Edward P. Borden.
Homer M. Byington, jr.
Theodore S. Cleveland.
Everett F. Drumright.
F. Russell Engdahl.
Daniel Gaudin, jr.
John Hubner, 2d.
Tevis Huhn.
Alfred W. Jones.
J. Wesley Jones.
Reginald S. Kazanjian.
Nathaniel Lancaster, jr.
F. Ridgway Lineaweaver.
Cecil B. Lyon.
Leslie G. Mayer.
Walter P. McConaughy.
Joseph E. Newton.
John B. Ocheltree.
Maurice Pasquet.
Charles B. Perkins.
Arthur L. Richards.
Donald H. Robinson.
Frank A. Schuler, jr.
Allan C. Taylor.
Laurence W. Taylor.
Clare H. Timberlake.
Leo Toch.
Ralph Townsend.
Arnold Van Benschoten.
Gerald Warner.
Lee Worley.
Kenneth J. Yearns.
Charles W. Yost.
Hayward G. Hill.
Jay Walker.
Guy W. Ray.
Thomas J. Maleady.
David H. Buffum.
Hervé J. L'Heureux.

MEMBER OF THE INTERSTATE COMMERCE COMMISSION

Charles D. Mahaffie to be a member of the Interstate Commerce Commission for a term expiring December 31, 1930.

Charles D. Mahaffie to be a member of the Interstate Commerce Commission for a term expiring December 31, 1937.

RECORDER OF GENERAL LAND OFFICE

Mrs. Emma L. Warren to be recorder, General Land Office.

REGISTER OF THE LAND OFFICE

George W. Miller to be register of the land office.

APPOINTMENT AND PROMOTIONS IN THE NAVY

MARINE CORPS

Brig. Gen. Ben H. Fuller to be Major General Commandant.
Brig. Gen. Rufus H. Lane to be adjutant and inspector.
Randolph C. Berkeley to be brigadier general.
Frederick A. Ramsey to be colonel.
Walter E. Noa to be assistant quartermaster.
Thomas C. Turner to be colonel.
Raymond B. Sullivan to be colonel.
Holland M. Smith to be lieutenant colonel.
John R. Henley to be lieutenant colonel.
Ralph S. Keyser to be lieutenant colonel.
Howard W. Stone to be lieutenant colonel.
Maurice E. Shearer to be lieutenant colonel.
Peter C. Geyer to be major.
James E. Davis to be major.
Lloyd L. Leech to be major.
Raphael Griffin to be major.
Karl I. Buse to be major.
Harold S. Fassett to be major.
Arthur Kingston to be major.
Alfred C. Cottrell to be captain.
John T. Selden to be captain.
Elmer E. Hall to be captain.
Henry A. Carr to be captain.
Orrel A. Inman to be captain.
Frank S. Flack to be captain.
Henry F. Adams to be captain.
Charles W. Henkle to be captain.
Solon C. Kemon to be captain.
Harry B. Liversedge to be captain.
Merton J. Batchelder to be captain.
George E. Monson to be captain.
Arthur D. Challacombe to be captain.
William J. Mosher to be captain.
Harry W. Bacon to be captain.
Howard M. Peter to be captain.
George A. Plambeck to be captain.
Joseph F. Burke to be captain.
Marvin Scott to be captain.
James W. Flett to be captain.
William C. Hall to be captain.
Arnold C. Larsen to be captain.
Rees Skinner to be captain.
William J. Wallace to be captain.
William F. Brown to be captain.
Amor LeR. Sims to be captain.
Moses J. Gould to be captain.
Charles G. Meints to be first lieutenant.
Alexander W. Kreiser, jr., to be first lieutenant.
Thomas J. McQuade to be first lieutenant.
Fred O. Brown to be chief marine gunner.
Horace Talbot to be chief marine gunner.
Edward F. Connors to be chief quartermaster clerk.

POSTMASTERS

ALABAMA

Washington H. Carlisle, Alexander City.
Clifford T. Harris, Columbia.
Lillian R. Maugans, Eufaula.
Mary J. Anthony, Guin.
Silas E. Sanderson, Leighton.
Frank F. Crowe, Montevallo.
William R. Bailey, Newbern.

ARKANSAS

James A. Morris, jr., Dermott.
Ted M. Anderson, Evening Shade.
Jerry T. Baxter, Melbourne.
Benjamin B. Horton, Montrose.
Louis D. Bledsoe, Mountain Pine.
John H. McPherson, Paragould.
Vernon C. Paul, Parkin.
William H. Taylor, Van Buren.

Jesse C. Bogy, Wabbaseka.
William Smith, Wilmot.

CALIFORNIA

Cornelius van Kaathoven, Aptos.
Edith W. Chambles, Arvin.
Louis C. De Armond, Blairsden.
Alton W. Jeffus, Brawley.
Mildred O. Pickering, Greenfield.
John A. Liggett, Korbel.
Leonard P. Russell, Maricopa.
Marie J. Smoot, Mendota.
Vin I. Renick, Owensmouth.
Emma Kessler, San Lorenzo.
Franklin B. Holder, Santee.
James E. Pharr, Scotia.
Rosa A. Printz, Simi.
Daisy L. Plant, Spreckels.
Theodore W. Cox, Westmoreland.

GEORGIA

Mrs. Anna K. Bunn, Cedartown.
Mrs. Alexander S. Clay, Marietta.

LOUISIANA

Richard E. Bynum, Arabi.
Jay T. Boone, Boyce.
Paul T. Thibodaux, Donaldsonville.
Irma M. Perret, Edgard.
Viola H. Reed, Epps.
Mary J. Goodwine, St. Joseph.
Robert E. Loudon, Zachary.

MISSISSIPPI

J. Rivers Burks, Byhalia.
John R. Childress, Flora.
Everett T. Batten, Hattiesburg.
William J. Peel, Shaw.
Matthew T. Patton, Alcorn.
John R. Meunier, Biloxi.
Hugh A. Sasser, Bogue Chitto.
William C. Bailey, Como.
Mary A. Joyner, Houlka.
Charles C. Swetman, Perkinston.
Henry P. Patton, Sardis.
Bill J. Martin, Vosburg.

NEW JERSEY

Louis A. Streit, East Orange.
Elizabeth MacBrair, Essex Fells.
Evelyn Cubberley, Hamilton Square.
Horatio N. Denby, Laurel Springs.
Caddie F. Olt, Marlton.
Mary F. Beach, Montville.
Carl M. Ekholm, Neshanic Station.
Sanford W. Souders, Riegelsville.
August A. Kleuser, Singac.
Lester L. Jacobus, Towaco.
J. Wynne Kelley, Tuckerton.
Tunis Sweetman, Wortendyke.

NEW MEXICO

Emmet Wirt, Dulce.
Gertrude W. Boyd, New Hobbs.

HOUSE OF REPRESENTATIVES

TUESDAY, DECEMBER 16, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father, vouchsafe unto us Thy presence. Give us the secret of that life that shall lift us above anxious care, fret, and worry and make us more than conquerors. Make us strong to return good for evil and to meet harsh words with quiet speech, and change all discordant notes into a melody that folds away all fears and bids our hearts and minds forget. Bless our entire country; make this Emman-

uel's land, in which there shall be a nation of power which shall always use its might for justice and in behalf of the weak and unfortunate. We praise Thee that with the supremacy of Thy majesty and wonder there is a supremacy of tenderness, patience, and long suffering. Hear us, O Lord, in this our petition. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 14246. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes.

ADDRESS OF PRESIDENT HOOVER

Mr. GIBSON. Mr. Speaker, I ask unanimous consent to insert some brief remarks of my own in the RECORD, which will include the address of President Hoover at the opening session of the White House conference on child health and protection.

The SPEAKER. The gentleman from Vermont asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The address is as follows:

WHITE HOUSE CONFERENCE ON CHILD HEALTH AND PROTECTION

Something more than a year ago I called together a small group of representative men and women to take the initial steps in organization of this Conference on Child Health and Protection. Under the able chairmanship of Secretary Wilbur, and the executive direction of Doctor Barnard, organization was perfected and enlarged until by the fall of last year something over 1,200 of our fellow citizens were enlisted from every field of those who have given a lifetime of devotion to public measures for care of childhood. These skillful and devoted friends of children have given unsparingly and unselfishly of their time and thought in research and collection of the knowledge and experience in the problems involved. Their task has been magnificently performed, and to-day they will place before you such a wealth of material as was never before brought together.

I am satisfied that the three days of your conference here will result in producing to our country from this material a series of conclusions and judgments of unprecedented service in behalf of childhood, the benefits of which will be felt for a full generation.

I wish to express my profound appreciation to all those who have so generously contributed the time and thought and labor to this preparation, and to you for giving your time to its consideration. The reward that accrues to you is the consciousness of something done unselfishly to lighten the burdens of children, to set their feet upon surer paths to health and well-being and happiness. For many years I have hoped for such a national consideration as this. You comprise the delegates appointed by our Federal departments and by the governors of our States, the mayors of our cities, and the representatives of our great national associations, our medical and public health professions. In your hands rest the knowledge and authority outside of the home itself.

In addressing you whom I see before me here in this auditorium, I am mindful also of the unseen millions listening in their homes, who likewise are truly members of this conference, for these problems are theirs—it is their children whose welfare is involved, its helpful services are for them, and their cooperation is essential in carrying out a united and nation-wide effort in behalf of the children.

We approach all problems of childhood with affection. Theirs is the province of joy and good humor. They are the most wholesome part of the race, the sweetest, for they are fresher from the hands of God. Whimsical, ingenious, mischievous, we live a life of apprehension as to what their opinion may be of us; a life of defense against their terrifying energy; we put them to bed with a sense of relief and a lingering of devotion. We envy them the freshness of adventure and discovery of life; we mourn over the disappointments they will meet.

The fundamental purpose of this conference is to set forth an understanding of those safeguards which will assure to them health in mind and body. There are safeguards and services to childhood which can be provided by the community, the State, or the Nation—all of which are beyond the reach of the individual parent. We approach these problems in no spirit of diminishing the responsibilities and values or invading the sanctities of those primary safeguards to child life—their homes and their mothers. After we have determined every scientific fact, after we have erected every public safeguard, after we have constructed every edifice for education or training or hospitalization or play, yet all these things are but a tithe of the physical, moral, and spiritual gifts which motherhood gives and home confers. None of these things carry that affection, that devotion of soul, which is the great endowment from mothers. Our purpose here to-day is to consider and give our mite of help to strengthen her hand that her boy and girl may have a fair chance.

Our country has a vast majority of competent mothers. I am not so sure of the majority of competent fathers. But what we are concerned with here are things that are beyond her power. That is what Susie and John take on when out from under her watchful eye. She can not count the bacteria in the milk; she can not detect the typhoid which comes through the faucet, or the mumps that pass round the playground. She can not individually control the instruction of our schools or the setting up of community-wide remedy for the deficient and handicapped child. But she can insist upon officials who hold up standards of protection and service to her children—and one of your jobs is to define these standards and tell her what they are. She can be trusted to put public officials to the acid test of the infant mortality and service to children in the town—when you set some standard for her to go by.

These questions of child health and protection are a complicated problem requiring much learning and much action. And we need have great concern over this matter. Let no one believe that these are questions which should not stir a nation, that they are below the dignity of statesmen or governments. If we could have but one generation of properly born, trained, educated, and healthy children, a thousand other problems of government would vanish. We would assure ourselves of healthier minds in more vigorous bodies to direct the energies of our Nation to yet greater heights of achievement. Moreover, one good community nurse will save a dozen future policemen.

Our problem falls into three groups: First, the protection and stimulation of the normal child; second, aid to the physically defective and handicapped child; third, the problems of the delinquent child.

Statistics can well be used to give emphasis to our problem. One of your committees reports that out of 45,000,000 children—

Thirty-five million are reasonably normal.
Six million are improperly nourished.
One million have defective speech.
One million have weak or damaged hearts.
Six hundred and seventy-five thousand present behavior problems.
Four hundred and fifty thousand are mentally retarded.
Three hundred and eighty-two thousand are tubercular.
Three hundred and forty-two thousand have impaired hearing.
Eighteen thousand are totally deaf.
Three hundred thousand are crippled.
Fifty thousand are partially blind.
Fourteen thousand are wholly blind.
Two hundred thousand are delinquent.
Five hundred thousand are dependent.

And so on, to a total of at least 10,000,000 of deficients, more than 80 per cent of whom are not receiving the necessary attention, though our knowledge and experience show that these deficiencies can be prevented and remedied to a high degree. The reports you have before you are not only replete with information upon each of these groups, they are also vivid with recommendation for remedy. And if we do not perform our duty to these children we leave them dependent or we provide from them the major recruiting ground for the army of ne'er-do-wells and criminals.

But that we be not discouraged, let us bear in mind that there are 35,000,000 reasonably normal, cheerful human electrons radiating joy and mischief and hope and faith. Their faces are turned toward the light—theirs is the life of great adventure. These are the vivid, romping, everyday children, our own and our neighbors', with all their strongly marked differences—and the more differences the better. The more they charge us with their separate problems the more we know they are vitally and humanly alive.

From what we know of foreign countries, I am convinced that we have a right to assume that we have a larger proportion of happy, normal children than any other country in the world. And also, on the bright side, your reports show that we have 1,500,000 specially gifted children. There lies the future leadership of the Nation if we devote ourselves to their guidance.

In the field of deficient and handicapped children, advancing knowledge and care can transfer them more and more to the happy lot of normal children. And these children, less fortunate as they are, have a passion for their full rights which appeals to the heart of every man and woman. We must get the cause of their handicaps from the beginnings of their lives. We must extend the functions of our schools and institutions to help them as they grow. We must enlarge the services of medical inspection and clinics, expand the ministrations of the family doctor in their behalf, and very greatly increase the hospital facilities for them. We must not leave one of them uncared for.

There are also the complex problems of the delinquent child. We need to turn the methods of inquiry from the punishment of delinquency to the causes of delinquency. It is not the delinquent child that is at the bar of judgment, but society itself.

Again, there are the problems of the orphaned children. Fortunately we are making progress in this field in some of the

States through the preservation for them of the home by support of their mothers or by placing them in homes and thus reducing the institutional services.

There are vast problems of education in relation to physical and mental health. With so many of the early responsibilities of the home drained away by the rapid changes in our modern life, perhaps one of the most important problems we shall need to meet in the next few years is how to return to our children, through our schools and extra scholastic channels, that training for parenthood which once was the natural teaching of the home. With the advance of science and advancement of knowledge we have learned a thousand things that the individual, both parent and child, must know in his own self-protection. And at once the relation of our educational system to the problem envisages itself, and it goes farther. The ill-nourished child is in our country not the product of poverty; it is largely the product of ill-instructed children and ignorant parents. Our children all differ in character, in capacity, in inclination. If we would give them their full chance they must have that service in education which develops their special qualities. They must have vocational guidance.

Again, there are the problems of child labor. Industry must not rob our children of their rightful heritage. Any labor which stunts growth, either physical or mental, that limits education, that deprives children of the right of comradeship, of joy and play, is sapping the next generation.

In the last half a century we have herded 50,000,000 more human beings into towns and cities where the whole setting is new to the race. We have created highly congested areas with a thousand changes resulting in the swift transition from a rural and agrarian people to an urban, industrial nation. Perhaps the widest range of difficulties with which we are dealing in the betterment of children grows out of this crowding into cities. Problems of sanitation and public health loom in every direction. Delinquency increases with congestion. Overcrowding produces disease and contagion. The child's natural play place is taken from him. His mind is stunted by the lack of imaginative surroundings and lack of contact with the fields, streams, trees, and birds. Home life becomes more difficult. Cheerless homes produce morbid minds. Our growth of town life unendingly imposes such problems as milk and food supplies, for we have shifted these children from a diet of 10,000 years' standing.

Nor is our problem one solely of the city child. We have grave responsibilities to the rural child. Adequate expert service should be as available to him from maternity to maturity. Since science discovered the cause of communicable disease, protection from these diseases for the child of the farm is as much an obligation to them as to the child of the city. The child of the country is handicapped by lack of some cultural influences extended by the city. We must find ways and means of extending these influences to the children of rural districts. On the other hand, some of the natural advantages of the country child must somehow be given back to the city child—more space in which to play, contact with nature, and natural processes. Of these the thoughtless city cheats its children. Architectural wizardry and artistic skill are transforming our cities into wonderlands of beauty, but we must also preserve in them for our children the yet more beautiful art of living.

Even aside from congestion, the drastic changes in the modern home greatly affect the child. Contacts of parents and children are much reduced. Once the sole training school of the child, the home now shares with the public school, the great children's clubs and organizations, and a hundred other agencies the responsibility for him, both in health and discipline, from birth to maturity. Upon these outside influences does his development now very largely depend.

The problems of the child are not always the problems of the child alone. In the vision of the whole of our social fabric we have loosened new ambitious, new energies; we have produced a complexity of life for which there is no precedent. With machines ever enlarging man's power and capacity, with electricity extending over the world its magic, with the air giving us a wholly new realm, our children must be prepared to meet entirely new contacts and new forces. They must be physically strong and mentally placed to stand up under the increasing pressure of life. Their problem is not alone one of physical health, but of mental, emotional, spiritual health.

These are a part of the problems that I charge you to answer. This task that you have come here to perform has never been done before. These problems are not easily answered; they reach the very root of our national life. We need to meet them squarely and to accuse ourselves as frankly as possible, to see all the implications that trail in our wake, and to place the blame where it lies and set resolutely to attack it. From your explorations into the mental and moral endowment and opportunities of children will develop new methods to inspire their creative work and play, to substitute love and self-discipline for the rigors of rule, to guide their recreations into wholesome channels, to steer them past the reefs of temptation, to develop their characters, and to bring them to adult age in tune with life, strong in moral fiber, and prepared to play more happily their part in the productive tasks of human society.

There has not been before the summation of knowledge and experience such as lies before this conference. There has been no period when it could be undertaken with so much experience and background. The Nation looks to you to derive from it positive, definite, guiding judgments. But greater than the facts and the judgments, more fundamental than all, we need the vision and inspired understanding to interpret these facts and put them into practice. I know that this group has the vision and the understanding, and you are the picked representatives of the people who are thus endowed. It will rest with you to light the fires of that inspiration in the general public conscience, and from conscience lead it into action.

The many activities which you are assembled here to represent touch a thousand points in the lives of children. The interest which they obtain in the minds and hearts of our country is a turning to the original impulse which inspired the foundation of our Nation, the impulse to secure freedom and betterment of each coming generation. The passion of the American fathers and mothers is to lift children to higher opportunities than they have themselves enjoyed. It burns like a flame in us as a people. Kindled in our country by its first pioneers, who came here to better the opportunities for their children rather than themselves, passed on from one generation to the next, it has never dimmed nor died. Indeed human progress marches only when children excel their parents. In democracy our progress is the sum of progress of the individuals—that they each individually achieve to the full capacity of their abilities and character. Their varied personalities and abilities must be brought fully to bloom; they must not be mentally regimented to a single mold or the qualities of many will be stifled; the door of opportunity must be opened to each of them.

May you who are meeting here find in your deliberations new fuel with which to light this flame of progress so that this occasion may be marked with a fresh luster that will set us anew on the road through the crowding complexities of modern life.

THE SPIRIT OF THE CONSTITUTION

Mr. RAMSEYER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address which I delivered last fall upon the Spirit of the Constitution.

The SPEAKER. Is there objection?

There was no objection.

Mr. RAMSEYER. Mr. Speaker, under leave to extend my remarks I submit for printing in the CONGRESSIONAL RECORD an address which I delivered before the Elizabeth Ross Chapter, Daughters of the American Revolution, Ottumwa, Iowa, on September 20, 1930, as follows:

Members of the Daughters of the American Revolution: You are descendants of the men who contributed to the victorious outcome of the Revolutionary War, which made possible the establishment of our Government under the Constitution.

I never have been a believer that heredity had much to do with the success of the individual. On the other hand, I am a firm believer in the doctrine that in the making of history race blood counts. Some races have always been slaves or underlings. Other races have been alternately slave and free. A few races have always been free. To this latter group our own Anglo-Saxon race belongs.

Two thousand years ago the Anglo-Saxon race inhabited the forests of northern Europe now known as Germany. They were freemen, resisting the aggressions of Imperial Rome. They elected their chiefs. The headship of the tribe was not hereditary. The position of woman elsewhere in the world at that time was practically that of a slave. Among our barbarous ancestors women were free, the equals of their husbands and brothers, and had a voice and vote in the tribal councils and in determining the questions of peace and war. When the nineteenth amendment enfranchised women in this country we merely restored them to the same position they held among our ancient ancestors.

The Anglo-Saxon loved personal freedom. In all his history he has never been overcome by a foreign foe nor submitted to tyranny from his own numbers, either in Europe or America.

The history of the English people is a constant reassertion of this race characteristic—love of personal freedom. When King John, with his soldiery undertook to exercise despotic power, the people rose in arms and forced the unwilling King to sign the Magna Charta; later, under similar circumstances, they demanded and obtained from another king the petition of rights, and still later the Bill of Rights—the three great landmarks of the English constitution.

This race characteristic—love of personal freedom—asserted itself most nobly in that portion of the race which settled in America. The people who built homes in this country came seeking liberty and a greater freedom. In the course of time there came a King to the English throne who knew not Joseph, who knew not that the American colonists were of the same flesh and blood as the people over whom he ruled, who did not seem to realize until it was too late that he was dealing with the representatives of a race which had never been overcome by a foreign foe nor submitted to tyranny from its own number. The Revolutionary War came, the armies of the right and freedom triumphed over the armies of George III and oppression; our forefathers founded on this continent a constitutional Republic based on the principles announced in the Declaration of Independence and the Constitution of the United States; and political freedom was assured to our people for all time to come.

Our Government was established by and for the people. Under our form of government all powers of government are in the peo-

ple. These governmental powers emanate from the people and not from a central authority. Our whole governmental machinery—whether local, State, or national—is so organized to make it easy for the majority to have its way and to rule. There is no grievance which the people have, or may have, that can not be remedied in an orderly way by the majority in the manner in which the people themselves have provided in their governmental machinery.

Life is a struggle. That is true of every phase of life. Economically, we must either struggle for the goods of subsistence or we must struggle to retain those goods which Dame Fortune has cast into our laps by inheritance, by our individual efforts, or occasionally by a stroke of lucky circumstances. We must also struggle for the attainment of the higher things of life—the ethical and the spiritual. The old song correctly teaches us that we can not be carried to the skies on flowery beds of ease, but that we must fight to win the prize and sail through bloody seas.

What is true of individual existence is also true of national existence, which is constantly imperiled by forces both from within and from without. When Cornwallis surrendered to Washington at Yorktown in 1781, chaos, not order, reigned in the thirteen original Colonies. Two years later a treaty was signed recognizing the independence of the colonies. After six more years the fathers established on this continent a constitutional Republic—a new experiment in government. I say the fathers established this new experiment in government, but the task of national existence remained incomplete. The struggle then began to preserve and defend the Government thus established. That struggle has since continued with varying degrees of intensity and is still going on at this very hour.

The nation never did exist, does not exist now, and never will exist free from forces, both within and without, threatening its life. The life of a nation depends upon its life-preserving powers to resist destruction from within and upon its organized forces and powers to repel invasion from without. That has always been true, is true to-day, and will continue true as long as life is life and humans are human.

Some 30 years ago I called on a veteran of the Civil War who was aged and infirm and near his journey's end. He was a personal friend of mine. He conversed with me for an hour or more about affairs of state in which he had taken an active and prominent part. He closed that conversation with the observation that things had changed, that the outlook for the rising generation was not as good as it had been for the generation just before it, and that the system of capitalism was getting such a grip on the people of this country as to rob them of their liberties and their opportunities. That observation naturally made a deep impression upon me, but I answered nothing, being a mere youth in the presence of a sage. I left him never to see him again. I have thought many times since and still think that it is impossible for a people that resisted the British yoke of despotism, that unloaded from its shoulders the awful burden of chattel slavery, that created in myth such a character as William Tell, that produced such heroes for freedom as Arminius and Cromwell and Washington and Lincoln, to ever allow themselves to be enslaved by any power or system.

The problems that have confronted our Government and our people in the past have been many, complex, and trying. The problems have been political, moral, social, and economic. Each problem was faced with frankness, courage, intelligence, and toleration, and solutions were always found.

The World War was the greatest and most destructive upheaval, both in lives and property, in the history of mankind. During the last decade we have experienced the greatest industrial revolution of modern times. The problems confronting the country during and since that war have been the greatest and most complex since the foundation of our Government. By way of illustration permit me to call to your attention one of the present-day problems.

In 1918 it took one man a whole day to make 40 electric light bulbs. Soon thereafter there came a machine that made 73,000 bulbs in 24 hours and each machine destroyed the jobs of 992 men. In the boot and shoe industry 100 machines take the place of 25,000 men. According to a recent report from a coal mine in southern Illinois, with a new machine used in the mine to load coal 250 miners do the work formerly done by 1,100 miners. The harvesting combine which can be operated by a man and two boys does away with the reaping and shocking of grain, and at the same time displaces a whole threshing crew. Instances of changes in industry of this kind could be multiplied many times over.

To maintain a prosperous agriculture and profitable jobs for millions of men and women under these new conditions is the paramount problem that challenges the intelligence of the country. A solution must be found if our moral and economic system is to survive.

Already American industry can produce in 8 months all that it can dispose of in 12. We have surpluses of food, of clothing, of fuel, and of material for housing. Yet in the midst of plenty we have people able and willing and anxious to work who suffer for want of food, of clothing, of fuel, and of housing.

This is not a new problem. It is merely emphasized whenever we encounter an industrial depression. The problem may become more acute and distressing with every new invention. New industries do not create jobs as fast as new machines in old industries destroy jobs.

A great industrialist of this country recently stated that unemployment is "the greatest economic blot of our capitalistic system." We can not neglect the human factor in our industrial system and maintain a healthy social organization.

Mr. Hoover, in 1921, then Secretary of Commerce, in his report as chairman of the President's conference on unemployment, said: "What our people wish is the opportunity to earn their daily bread, and surely in a country with its warehouses bursting with surpluses of food, of clothing, with its mines capable of indefinite production of fuel, with sufficient housing for comfort and health, we possess the intelligence to find a solution. Without it our whole system is open to serious charges of failure."

The problem is before us. We know the problem exists. Recognition of the existence of a problem is the first step toward its solution. Certainly "we possess the intelligence to find solution." If the thoughtful and right minded in industry, labor, and agriculture will earnestly address themselves to this great social and economic problem with a spirit of cooperation, a solution can and will be found.

The Constitutional Convention in session at Philadelphia struggled for months before a majority could agree on a constitution to be submitted to the people of the respective States for ratification. That agreement was reached September 17, 1787. Washington presided over this convention. The Constitution agreed upon was satisfactory in its entirety to only a few delegates. Compromises were necessary in order to have submitted to the people any constitution. The convention was composed of 55 delegates. Of those present when the Constitution was agreed upon, 39 approved by affixing their signatures.

Franklin, then 80 years of age, was a member of this convention. Historians claim that it was Franklin's good humor, his unfailing wisdom, his common sense, exercised at the right moment during the proceedings of the convention that made the Constitution possible.

Here is a story that is related on Franklin during the closing day of that convention: When some of the members hesitated to sign the Constitution because the document did not in every particular meet their views, he told of a French lady whom he had known in Paris who once said to her sister, "It is very strange that I always find everybody wrong but myself," and said he had learned in his long life that he frequently found himself mistaken in things about which he was most sure, that he had come to believe that after all the will of the majority was nearly always right.

A maxim of equity jurisprudence is, "For every wrong there is a remedy." Holy Writ admonishes, "Come now and let us reason together." With love of freedom, our race has withstood conquest from without and wrong from within. The example of the fathers enjoins us to respect and to abide by the will of the majority.

To love freedom, to reason together, to find remedy for wrong, to defend against all enemies, foreign and domestic, to respect and abide by the will of the majority—that is the spirit of the Constitution. That was the spirit of the framers of the Constitution. That has been the spirit of our people who have solved the problems of government as they arose and surmounted obstacles in the course of their national existence. That is the spirit with which we should approach and solve the problems before us. May that spirit which has been the salvation of our country in the past be with us now and in the future.

AGRICULTURAL APPROPRIATION BILL

Mr. DICKINSON, by direction of the Committee on Appropriations, reported the bill (H. R. 15256) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1932, and for other purposes, which was read a first and second time, and, with the accompanying papers, ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. BUCHANAN. Mr. Speaker, I reserve all points of order.

The SPEAKER. The gentleman from Texas reserves all points of order.

FISCAL RELATIONS OF THE DISTRICT OF COLUMBIA TO THE NATION

Mr. BECK. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. BECK. Mr. Speaker, there is a society in Washington called the Association of Oldest Inhabitants, a very unique one, of which the present president is Mr. Theodore W. Noyes, the editor of the Evening Star, and favorably known as such to all of us. On the night of December 8 they held their sixty-fifth annual dinner. They were good enough to invite me to be present, and while ordinarily I confess that public dinners have come to be a burden in the flesh, yet on this occasion I felt well repaid in listening to the annual address of Mr. Noyes to the association.

The address dealt with the relations, fiscal and otherwise, of the District of Columbia to the rest of the Nation. It was so full of valuable statistics, which would take many

of us a great many hours to dig out, and then perhaps not arranged so comprehensively, and it contains so many suggestive thoughts as to the true attitude of Congress toward the District of Columbia, that I asked Mr. Noyes whether he would not give me permission to apply to the House to print his speech in the CONGRESSIONAL RECORD. Therefore, Mr. Speaker, I ask unanimous consent to revise and extend my remarks by including therein the speech of Mr. Noyes referred to.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. RANKIN. Mr. Speaker, reserving the right to object, I have no objection whatever to the gentleman from Pennsylvania [Mr. BECK] extending his own remarks in the RECORD, but I do not think the speech of Mr. Noyes ought to go into the RECORD, and I object.

Mr. STAFFORD. Mr. Speaker, in view of the objection of the gentleman from Mississippi, may I inquire whether he would have any objection to have the speech delivered by Mr. Noyes printed as a House document?

Mr. RANKIN. Of course, I would object to that.

Mr. STAFFORD. There are many of us interested in this subject.

Mr. RANKIN. O Mr. Speaker, I object to it, and there is no use in this argument.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. Without objection, it is so ordered.

Mr. STAFFORD. Mr. Speaker, Members of the House are interested in the fiscal policy of the Government of the United States toward the District of Columbia. Only last night I was reading a statement furnished to me by the League of Women Voters of my State concerning a proposed constitutional amendment, which gave me informative information on that subject. I would like to have the benefit of the information contained in the address of Mr. Noyes, whether it is printed in the RECORD or as a document, and I think other Members would like to have it at hand so that they could use information which is of an historical nature in determining our fiscal policy.

Mr. BECK. May I say one further word, if my time be not exhausted? I do hope that my ever-courteous friend from Mississippi [Mr. RANKIN], if only as a personal favor to me, will withdraw that objection. There is nothing controversial in a partisan sense in this speech of Mr. Noyes.

Mr. RANKIN. Mr. Speaker, no man in this House has a higher regard for the gentleman from Pennsylvania than I, but I know something of the Noyes propaganda, and, the lecture of the gentleman from Wisconsin [Mr. STAFFORD] to the contrary notwithstanding I do not think it ought to go into the RECORD, and I shall object to it going into the RECORD. Most assuredly I would object to its being published as a House document.

The SPEAKER. Objection is heard.

EMERGENCY CONSTRUCTION—CONFERENCE REPORT

Mr. WOOD. Mr. Speaker, I submit a conference report upon the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment, for printing under the rule.

Mr. CHINDBLOM. Mr. Speaker, may I ask the gentleman from Indiana whether this conference report will be considered first in the House or in the Senate?

Mr. WOOD. No. It will first be considered in the Senate.

SALARIES OF OFFICERS AND EMPLOYEES OF CONGRESS

Mr. WOOD. Mr. Speaker, I ask unanimous consent for the immediate consideration of a joint resolution (H. J. Res. 440) authorizing the payment of salaries of the officers and employees of Congress for December, 1930, on the 20th day of that month.

The SPEAKER. The gentleman from Indiana asks unanimous consent for the present consideration of a joint resolution which the Clerk will report.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. GARNER. Reserving the right to object, Mr. Speaker, I wish to propound a parliamentary inquiry. The resolution provides for the payment of the salaries of officers of the House and Senate. Is the Speaker an officer of the House?

The SPEAKER. The Chair is inclined to think he is. [Laughter and applause.]

Is there objection to the request of the gentleman from Indiana?

There was no objection.

The Clerk read the joint resolution, as follows:

House Joint Resolution 440

Joint resolution authorizing the payment of salaries of the officers and employees of Congress for December, 1930, on the 20th day of that month

Resolved, etc., That the Secretary of the Senate and the Clerk of the House of Representatives are authorized and directed to pay to the officers and employees of the Senate and House of Representatives, including the Capitol police, the office of legislative council, and employees paid on vouchers under authority of resolutions, their respective salaries for the month of December, 1930, on the 20th day of that month.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

AGRICULTURAL DEPARTMENT APPROPRIATION BILL

Mr. DICKINSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 15256) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1932, and for other purposes; and pending that motion, I ask unanimous consent that we may proceed to-day with general debate, the time to be equally divided and controlled by the gentleman from Texas [Mr. BUCHANAN] and myself.

The SPEAKER. The gentleman from Iowa moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Agricultural appropriation bill; and pending that motion, asks unanimous consent that the time for general debate be equally divided and controlled by the gentleman from Texas [Mr. BUCHANAN] and himself. Is there objection?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 15256) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1932, and for other purposes, with Mr. TREADWAY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the agricultural appropriation bill (H. R. 15256), which the Clerk will report.

The Clerk read the title of the bill.

Mr. DICKINSON. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. DICKINSON. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. MCFADDEN].

Mr. STAFFORD. Will the gentleman from Pennsylvania [Mr. MCFADDEN] yield for an inquiry?

Mr. McFADDEN. I yield.

Mr. STAFFORD. May I direct an inquiry to the chairman of the subcommittee as to when the gentleman proposes to explain the provisions of the bill?

Mr. DICKINSON. Before we finish general debate, and just before the reading of the bill.

Mr. STAFFORD. Will that be to-day or on Thursday?

Mr. DICKINSON. It will be on Thursday.

Mr. McFADDEN. Mr. Chairman and ladies and gentlemen of the committee, this country is in the midst of a serious

business, economic, and financial depression. Several times during the last session of Congress I took occasion to direct the attention of the House and of the country to the possible serious involvement of our Federal reserve system in not only international finance but in international politics.

I am now taking the time of the House to further direct the attention of this House to international finance, and I hope that the few remarks that I may make will be heard somewhat in the other end of the Capitol, because of the fact that before the Senate at this time are matters which tend to further involve the Federal reserve system in internationalism, particularly as regards such financial activities.

The seriousness of this situation is perfectly apparent. You Members heard several of the things that I said during the closing days of the last session of Congress about the involvement of the Federal reserve system, or possible involvement of it, in the organization of the Bank for International Settlements. Those people who attempted to answer my remarks in regard to this attempted to minimize the importance of the operation of the Bank for International Settlements. Subsequent events, however, have confirmed everything that I said last spring as regards the magnitude of this important financial institution. We are now beginning to get the facts pertaining to the important part which this institution is to play with regard to international financial and political operations. I need only cite in this connection the recent visit to the Capitol and to the White House, to the Treasury, the Federal Reserve Board, and to the Department of State of the head of the Bank for International Settlements, Mr. Gates W. McGarrah.

I also call attention to a speech which that gentleman made in the city of New York only 10 days ago, in which he pointed out the important part which this institution is to play in the future in regard to world finances. He said it was the purpose to mobilize, and the reports indicate that mobilization of the world's gold is beginning. They propose to deal with international operations. He also told us in this New York speech of the important part which the Bank for International Settlements played in upholding the plan of the Finance Minister in Germany, Mr. Bruening, in the last session of the Reich. I want to point out to you just prior to that an important step that was taken by the same international banking group; that is, they financed and sold in this country $300,000,000, or a part of it, of the commercial reparation loan. You gentlemen, I am sure, will remember my criticism of that and my attack upon the legality and the unwisdom of the sale of these securities in this market as a possible involvement of our people in international affairs to an extent that they did not realize.

This morning I simply want to point out the facts that those bonds have declined from a value of 91¾ to a low of 68. The market on Saturday was 70, representing a loss to American investors in these particular securities of over $20,000,000. The particular reference which I make to this financing is that it was a private undertaking. The syndicate was headed by Lee, Higginson & Co., which is really the back door of J. P. Morgan & Co., who financed an additional loan of $125,000,000. This is a new loan that was given Germany subsequently to the sale of the $100,000,000 commercialized reparations loan—that was not even advertised locally in this country, but taken by nearly the same group of banks that handled the first loan—but this time instead of the J. P. Morgan firm heading the syndicate it was headed by Lee, Higginson & Co. This makes a total of apparently $225,000,000 given to Germany since the Young plan was adopted, and we do not know now how much more was granted by the Bank for International Settlements.

That last loan of $125,000,000 was made for the purpose of aiding Mr. Bruening in organizing the Reich, in order to put through his financial plan for the stabilization of Germany. Imagine, if you please, any financial house in Europe coming into this body and granting loans and bringing pressure to bear on the organization of the House of Representatives. Yet that is almost exactly what the Bank for International Settlements has done, and our banking houses here have been placing this tremendous financial power in the hands of the Bruening financial leader of the Reichstag.

In connection with what I have to say further this morning, I want to point out to you the serious additional step that is about to be taken.

Mr. STAFFORD. Will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. STAFFORD. Do I understand the gentleman is criticizing American banking institutions for loaning money to the accredited representative of the German Government?

Mr. McFADDEN. No; I am not suggesting that. I am suggesting that American financiers, who are international financiers——

Mr. STAFFORD. And properly so.

Mr. McFADDEN. Are using American money to help organize the Reichstag's financial operations.

Mr. STAFFORD. That was a governmental function—loaning money to the recognized representatives of the German Government. What is wrong with that?

Mr. McFADDEN. I am speaking of the possible involvement of our Federal reserve system in internationalism. I would like to point out further to the gentleman, and to the Members of the House, that that which I am referring to here is a possible further involvement in this situation. There is pending before the Senate at this time, having been reported favorably by the Senate Banking and Currency Committee, the nomination to be a member of the Federal Reserve Board, and its governor, the name of Mr. Eugene Meyer, jr. This appointment should not be confirmed by the United States Senate, and I want to make that just as positive as it is possible for me to make it. If you want to turn the Federal reserve system over to international financiers, place Mr. Meyer in that particular post at this time.

A careful analysis discloses the fact that Mr. Meyer has been very closely connected during his whole financial career with banking houses of international reputation. He has a very close connection with J. P. Morgan & Co., and as the head of the War Finance Corporation and in carrying on its activities, those close relationships were actively disclosed. He is a Wall Street man. I want to point out just what has happened in order to make that nomination and appointment possible. Gov. Roy Young, from Minnesota, was the governor of the Federal Reserve Board. His resignation was secured by appointing him as governor of the Federal reserve bank in Boston, and, because of that clause in the Federal reserve act which prohibits two members serving on the Federal Reserve Board from one Federal reserve district, Mr. Edmund Platt, the vice governor of the Federal Reserve Board, with eight years yet to go, was likewise removed by giving him a position with the Marine Midland Bank in New York. I understand that a new position of vice president was created, and two operations had to be performed in order to create a vacancy which would permit of the appointment of Mr. Meyer.

The Senate of the United States should not confirm his appointment without going into the details as to why these changes were made and why the appointment of Mr. Meyer was made necessary.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. DICKINSON. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. McFADDEN. He is recognized as an international financier; he is a Wall Street banker and closely affiliated with these international banking groups.

I want to point out in connection with that that at the present time we have a particularly pertinent and interesting situation as regards the mobilization of the world's gold. Over 60 per cent of the world's gold is now in France and in the United States, controlled by the Bank of France and the Federal reserve system. I want you to understand that situation because of what I am going to say to you next. I

want to point out the close relationship which exists between this proposed member of the Federal reserve system and the French at this time.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. McFADDEN. Yes.

Mr. O'CONNOR of New York. I have seen many contradictory statements as to where the gold reserve is throughout the world. The last figures I saw were that there was about $4,000,000,000 here and about $2,000,000,000 in France, but that there was about $4,000,000,000 or $5,000,000,000 distributed throughout the rest of the world. What are the gentleman's figures with respect to the gold reserve?

Mr. McFADDEN. Between 60 and 62 per cent is deposited in the United States and in France.

Mr. O'CONNOR of New York. What are the figures in dollars?

Mr. McFADDEN. Well, the total world's gold is something like $10,000,000,000, and 62 per cent would be something over $6,000,000,000.

Mr. O'CONNOR of New York. In both the United States and France, the gentleman means?

Mr. McFADDEN. Yes. The gold in the United States is principally under the control of the Federal reserve system and the gold in France is largely under the control of the Bank of France, and that has an important bearing on this whole situation.

I want to point out that Mr. Meyer is a brother-in-law of Mr. George Blumenthal, a member of the firm of J. P. Morgan & Co., who, I understand, represents the Rothschild interests, and that he is liaison officer between the French Government and J. P. Morgan & Co. That has a very important bearing on this particular situation.

I want to make it perfectly plain that in placing Mr. Meyer at the head of the Federal reserve system you are turning it over completely to this international financial group. I do not believe that the people of the United States want this thing to happen. This is an unpleasant duty for me to perform. But, ladies and gentlemen of the House, I am interested in our country and its institutions, as is every man, woman, and child in the United States.

The Federal reserve system controls the credit system not only of the United States to-day but is the dominating factor in finance throughout the whole world.

I could not let this opportunity pass without at least directing this to the attention of this House, and, I hope, the attention of the Senate, before they take this additional step.

There is no question that the Federal reserve system is playing with international financial operations through the Bank for International Settlements. Otherwise, why would Mr. McGarrah be here reporting to the President of the United States, the Treasury Department, the governor of the Federal Reserve Board, and the State Department? Why would he be making statements with regard to the operations of the Bank for International Settlements?

I am simply throwing out these thoughts to you to show how extensively we are becoming involved and how our financial system is becoming involved in the affairs of international finance.

At the opening of my remarks I pointed to the fact that we are in the midst of a terrific business and financial depression in the United States, and it is just at such times that deals of this character are put over.

Gentlemen, I do not want to be too pessimistic with regard to our financial situation, but the fact remains that this year practically 1,100 banks will have failed in the United States. It is a serious financial crisis, and I am hoping that before this session is over the committee over which I preside as chairman may have an opportunity to look into the causes of the failures of these particular banks.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. DICKINSON. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. McFADDEN. I may say to you that the analysis I have already made of the causes of the failure of some of these banks indicates clearly that these failures are not due entirely to agricultural depression in the country districts. An examination of the portfolios of these banks will disclose that in many instances the impairment in the capital of these banks is caused by the investments in their portfolios.

You are going to find that these large, big-city financial institutions—that in the past few years have been floating and financing these various consolidated enterprises that we have been in a mad rush to put together, where practically every business throughout the country that has gained any standing or any basis of earnings has been merged or mobilized and financed in New York and elsewhere—have been emitting securities, after pulling out the cream of the values in securities, and unloading the remaining worthless securities not only on the banks but on innocent investors throughout the country; and in mentioning this I put at the top of the list the international banks who are financing these domestic operations and the large amount of foreign securities as a whole, many of which have depreciated in this country over 50 per cent. The failed banks are full of these worthless securities, and they have been sold to the banks and to the innocent investors in this country by banking houses of the type which I have just mentioned.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. O'CONNOR of New York. Does not the gentleman also think that one of the underlying causes for the condition of some of the banks is that they have left the strictly banking business and have gone into the financing business with their side companies called finance, and so forth, companies?

Mr. McFADDEN. The gentleman is quite correct. That is one of the serious phases of this question. Banks have not been content to do a legitimate banking business, but they have organized affiliated companies under State laws that have permitted them to do those things which are prohibited directly under the law. There is no doubt but that the matter which the gentleman has referred to is responsible for a lot of things that have been going on and for a large part of the losses that have been sustained; in fact, they are responsible for a lot of the speculation which occurred last year, where affiliates of some of these large houses were the violators.

They have been the sources from which hundreds of millions of dollars' worth of these fancy securities have been unloaded on the innocent public. This resulted in the wide speculation of last year; in fact, the very thing that caused the crash of last October was the fact that early in the summer these reorganization and financing houses that had all of these reorganizations and financial operations in process became aware of the fact that pressure was on from the Federal Reserve to reduce credit lines and that an economic depression was imminent, and they all tried to get rid of their securities at one and the same time. What happened? It was just like the meeting of two locomotives. The excess amount of the issues of these new securities to which I have referred and the tightening of the credit of the financial system brought them together exactly as two locomotives come together, and there was nothing to prevent a crash.

Mr. BLACK. Will the gentleman yield?

Mr. McFADDEN. Yes.

Mr. BLACK. Does the gentleman's committee intend to do anything about all this?

Mr. McFADDEN. So far as the chairman is concerned, I will say the committee is going to take up very actively a study of this particular phase of the financial troubles that confront this country. [Applause.]

Mr. BUCHANAN. Mr. Chairman, I yield 20 minutes to my colleague the gentleman from Texas [Mr. GARNER]. [Applause.]

Mr. GARNER. Mr. Chairman, I ask unanimous consent to extend my remarks by inserting therein an extract from

the report of the Secretary of the Treasury, an editorial of the Saturday Evening Post, my reply to the same, and a statement given out by the Secretary of the Treasury.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. GARNER. Mr. Chairman, ladies, and gentlemen, you have just listened to what is, in my opinion, one of the most remarkable statements delivered in the House of Representatives in the last decade. I undertake to say that the statement of the gentleman from Pennsylvania [Mr. McFADDEN], chairman of the House Committee on Banking and Currency, is an astounding one, and which will undoubtedly be replied to by some gentleman supporting the administration. Undoubtedly you [addressing the Republican side] can not permit that statement to stand in the RECORD unchallenged by the administration, because it is charged that there is a political effort to make money through international banking. You can not permit to remain unchallenged that statement made by the chairman of the Committee on Banking and Currency, a Republican from the State of Pennsylvania, a man who was opposed at the last election by the Secretary of the Treasury.

In that connection I have taken the floor to point out the attitude of the Secretary of the Treasury, who, for the first time in the history of the Republic, so far as I know, has inserted in his annual report on the state of the finances of the Treasury a political document given out to influence the election on November 4 last, in which he announced his reply directly to a statement I made. This is the first time in the history of the country, so far as I know, that a Cabinet officer has taken up a statement made by a Member of Congress, naming him personally in his annual report.

More particularly am I concerned about the accuracy of that statement. For eight or nine years I have sought to impress on the House and the country—and I know some of the membership of this House believe—that the Treasury Department, in order to sustain its position in legislation, has not hesitated to mislead the Congress and the country by statistics of conditions existing in its department.

On September 29, 1930, I happened to be in the city of Washington, and reports had just been made by the various campaign committees as to the amount of campaign funds contributed up to that time for the purpose of electing partisan Members of Congress. The Republican campaign committee reported $250,000, as I recall it, while the Democrats reported about $18,000. I analyzed that report and issued the following statement which I have permission to put into the RECORD, and which probably is the basis of Secretary Mellon's criticism:

That there is a close bond of sympathy between corporations that have been granted tax refunds and the Republican national organization is indicated in the recently published list of contributors to the Republican campaign fund. It may be a mere coincidence, but I attach considerable significance to the fact that each of the 17 individuals contributing $10,000 to the Republican campaign funds has been a beneficiary of the extremely liberal policy of the United States Treasury with respect to tax refunds, credits, and abatements.

A cursory survey of the reports on tax refunds for the past four years reveals that each of these contributors has received either personal refunds or is an officer, director, or otherwise interested in companies or corporations receiving such refunds or credits. Weeks of investigation would be necessary to ascertain with any degree of accuracy the extent to which they may have participated in tax refunds or all the various corporations with which they are connected that have been the beneficiaries of refunds, credits, or abatements.

It is apparent from a hasty survey that the total refunded individuals or corporations with which the contributors in the $10,000 and $5,000 classifications are connected is greatly in excess of $100,000,000.

Another significant fact in this connection is that after Claudius Huston faded from the picture and Senator FESS was selected Republican national chairman, Robert H. Lucas resigned his position as Commissioner of the Bureau of Internal Revenue and on August 7 assumed the duties of chief executive director of the Republican national organization. It was the bureau over which Mr. Lucas presided that handled these refunds, credits, and abatements which in recent years have averaged more than $100,000,000 annually.

Seventeen individuals have contributed $10,000 each to aid the Republicans in their effort to retain control of the House and Senate. Only two States are represented in that list of contributors—Ohio and New York. And only three cities—New York, Cleveland, and Canton. Practically the same is true of the 13 contributors in the $5,000 classification. All are residents of New York, Cleveland, or Canton, with one exception—Theodore Gary, prominent Missouri financier. Every dollar listed in the campaign contributions as published came from New York or Ohio with the exception of the $5,000 contribution from Missouri. And with few exceptions the donors have been beneficiaries of tax refunds, credits, or abatements secured through the Treasury Department.

During the last session of Congress when the fact was revealed that through failure of the Treasury Department to contest tax-refund claims of the United States Steel Corporation the Government had sustained a loss of at least $9,000,000, and possibly $26,000,000, I introduced a resolution authorizing an investigation of the Treasury Department in connection with these tax refunds. No action was taken by the committee to which this resolution was referred.

What proportion of these claims for tax refunds would not have been collectible if the Treasury Department had adopted a policy of opposing the granting of such claims without a decision of the courts is, of course, merely a matter for conjecture. However, the decision handed down by the United States Court of Claims on April 7 in the Packard Motor Car Co. case shows conclusively that the loss sustained by the Government as a result of failure to secure a court decision in the United States Steel case was at least $9,000,000. To what extent these contributors to the Republican campaign fund have been the beneficiaries of this hesitancy on the part of the Treasury Department to secure court decisions on all major cases could not be ascertained without a thorough investigation.

A very incomplete investigation covering tax refunds received by companies or corporations in which the 17 contributors to the Republican campaign fund are interested reveals the following:

Harry F. Guggenheim, New York, director Utah Copper Co., refunded $102,911 in 1928; director Braden Copper Mine Co., refunded $107,644 in 1929.

Jeremiah Milbank, New York, director Chase National Bank, which was refunded $41,239 in 1928; director Metropolitan Life Insurance Co., $32,012 in 1929 and $771,848 in 1930; son of Joseph Milbank, whose estate was granted refund of $46,344 in 1929.

John N. Willys, Cleveland, president Willys-Overland Co., which, with its subsidiaries, was granted refunds aggregating $677,567 in 1930.

George A. Martin, Cleveland, president and director Sherwin-Williams Co., which received refund of $419,262 in 1929.

H. M. Hanna, Cleveland, estate of father, Leonard C. Hanna, refunded $55,202 in 1929; Leonard C. Hanna, jr., granted refund of $27,993 in 1927.

Cyrus S. Eaton, Cleveland, director Sherwin-Williams Co., which received refund of $419,262 in 1929.

W. R. Timken, New York, vice president and director Timken Roller Bearing Co., refunded $34,198 in 1929; director Timken-Detroit Axle Co., refunded $249,297 in 1929; granted personal refund of $86,536 in 1927.

O. P. and M. J. Van Sweringen, Cleveland, prominent railroad magnates. At least one railroad with which they are connected, the Erie, was refunded $266,921 in 1929 and $93,371 and $86,443 in 1930.

H. M. Timken, Canton, president Timken Roller Bearing Co., which was granted refund of $34,198 in 1929.

John D. Rockefeller and John D. Rockefeller, jr., New York, former granted personal refund of $157,227 in 1929 and $356,378 in 1930. The Standard Oil Co., with which the name of Rockefeller is generally linked, was awarded $339,498 in 1929; Standard Oil Co. of Indiana, $5,062,893 in 1927; Standard Oil Co. of Kentucky, $2,629,313.

Herbert N. Straus, New York, vice president and treasurer R. H. Macy & Co. (Inc.), which was granted refund of $508,065 in 1927; partner in private bank of R. H. Macy & Co., which was refunded $62,671 the same year.

William Nelson Cromwell, New York attorney, director American Water Works & Electric Co., which was granted refunds of $55,440 in 1927 and $94,598 in 1929; director Manati Sugar Co., refunded $72,614 in 1927.

J. R. Nutt, Cleveland, director F. E. Meyers & Bros. Co., granted refund of $83,669 in 1928.

Harrison Williams, New York, director American Gas & Electric Co., which was granted refund of $131,540 in 1927.

Ernst & Ernst, Cleveland. This is a firm of tax specialists handling numerous refund cases for large corporations. In a report filed April 27, 1925, by L. H. Parker with the Senate committee investigating the Bureau of Internal Revenue, and which was made part of the record, the following statement appears:

> We call your attention to the fact that Ernst & Ernst have handled cases involving many millions in taxes before the bureau, and if the above charges are proved it will be very reasonable to conclude that large sums have been lost to the Government through sharp practices in cases where such practices could not well be discovered.

In the list of $5,000 contributors we find the following:

Harvey Firestone, Canton, president and director of the Firestone Rubber Co., which was granted refunds, credits, and abatements aggregating $2,960,000.

William Ziegler, New York, chairman of the executive committee and director of the American Maize Products Co., which was granted refund of $92,311 in 1930.

Charles Hayden, New York, member of executive committee and director of American Locomotive Co., which was granted refunds and credits aggregating $1,876,000; director, Braden Copper Mine Co., refunded $107,644 in 1929; vice-president, Utah Copper Co., refunded $102,911 in 1928.

George F. Baker and George F. Baker, jr., New York; latter is director in the United States Steel Corporation, which has received refunds totaling $96,384,000; trustee, Mutual Life Insurance Co., which was refunded $813,059 in 1929; director, Atlas Portland Cement Co., refunded $191,856 in 1928.

Sidney Z. Mitchell, New York, chairman of board American Gas & Electric Co., which was refunded $131,540 in 1927; also director of Alabama Power Co., of Muscle Shoals fame.

Walter A. Aldridge, New York, member advisory committee, Bankers Trust Co., which was awarded a refund of $26,036 in 1927.

Walter C. Teagle, New York, president and director Standard Oil Co., whose huge refunds have been referred to previously.

On October 28, as I recall, I gave out another statement concerning a refund of $246,917.85 of taxes collected in 1918 to the Aluminum Co. of America. The recent report of the Treasury Department on another refund to the Aluminum Co. of America of $246,917.85 on 1918 taxes should impress upon the American public the necessity that exists for calling a halt in this lavish refunding of taxes except upon a court decision covering each specific case.

The records of the Joint Committee of Internal Revenue Taxation discloses that the Aluminum Co. of America, in which the Mellons are interested, was also granted in 1928 a refund of $1,287,426. Reference to the CONGRESSIONAL RECORD of 1926 shows this company previously had been allowed $1,501,277. The total refunds to this company of which we have knowledge amounts to the huge sum of $3,035,620.

In the past 11 years tax refunds, credits, and abatements, principally to large corporations of this type, have totaled nearly $3,000,000,000, and numerous refunds have been made without court decisions covering many of the issues involved.

I consider investigation of these tax refunds one of the most important duties of the next Congress. I made an effort during the recent session to secure such an investigation and introduced a resolution to that effect, but it was promptly smothered by the Republican majority.

It is inconceivable that we should continue to grant these huge refunds except upon court decisions covering in full the various issues involved. With a decrease of $146,236,000 in collections of corporation and individual income taxes during the first nine months of this year, and a decrease of more than $60,000,000 in customs receipts, it is obvious that the burden of these refunds will become increasingly heavy upon the taxpayers.

I believe the great mass of American taxpayers, upon whom the burden of these refunds must fall, are entitled to demand of Congress and the Treasury Department that these matters be submitted to the courts for adjudication. It is apparent that a halt must be called, a thorough investigation made and rules established upon a sound basis by the courts.

This brought blood. This last statement was recognized by the Secretary of the Treasury himself, and on the morning of the 31st of October he gave out a statement, and in the report of the Secretary of the Treasury for the year ending June 30, 1930, on page 380, we find Exhibit 52, "Statement of Secretary of the Treasury Mellon relative to tax refunds (press release October 31, 1930)."

EXHIBIT 52

STATEMENT OF SECRETARY OF THE TREASURY MELLON RELATIVE TO TAX REFUNDS (PRESS RELEASE OCTOBER 31, 1930)

The statement of Congressman GARNER on the subject of tax refunds in this morning's press has been called to my attention. While the facts have repeatedly been set forth it is important that it should be clearly understood why refunds are made and by what methods they are determined.

The system prescribed by Congress for the collection of Federal revenues is based upon the proposition that the needs of the Government demand the immediate payment of taxes. Any dispute over the amount to be paid can not be permitted to postpone payment. Any controversy can be considered and fairly determined thereafter.

Accordingly, under our system of income taxes, each taxpayer prepares his own return and pays whatever tax he estimates to be due. Thereafter, the Bureau of Internal Revenue audits his return and examines the various elements involved. If the return is found to be correct, the matter is closed. If the taxpayer has underestimated his tax, an additional tax is assessed. If he has overestimated his tax, he is entitled to the refund of the amount overpaid. If the taxpayer is dissatisfied with the determination of the bureau, he is entitled to a full hearing, or, at his option, he may have recourse to the Board of Tax Appeals or to the courts.

Full precautions have been taken to see that the interests of the Government are protected. A system has been set up which provides adequate checks and review in all cases. Let me briefly state the various steps that are taken before any money is paid to a taxpayer by way of tax refund:

First. There is a field examination and audit made by civil-service employees under the supervision and direction of a Treasury agent, who himself is in the classified civil service.

Second. The facts as reported by the agent in the field are submitted to and carefully reviewed by the audit review division of the Bureau of Internal Revenue in Washington, with the assistance of the valuation division of the bureau, composed of technical experts, all of whom are in the classified civil service.

Third. If the refund involved is less than $10,000, they report their recommendation to the Commissioner of Internal Revenue for approval or disapproval.

Fourth. If the amount is over $10,000, the proposed refund, together with all data, is forwarded to the office of the General Counsel of the Bureau of Internal Revenue. There a complete review is made of each and every item, with the assistance, if necessary, of the technical staff of the Bureau of Internal Revenue.

Fifth. All refunds in excess of $75,000 are submitted in advance of payment and passed upon by the Congressional Joint Committee on Internal Revenue Taxation, consisting of Senator SMOOT, of Utah; Senator WATSON, of Indiana; Senator REED, of Pennsylvania; Senator HARRISON, of Mississippi; Congressman HAWLEY, of Oregon; Congressman TREADWAY, of Massachusetts;

Congressman BACHARACH, of New Jersey; Congressman GARNER, of Texas; and Congressman COLLIER, of Mississippi.

The suggestion that under any system such as this refunds for political or any other improper purpose are possible is simply preposterous.

By far the largest amount of refunds is due to court decisions, or other causes, over which the Treasury has no control. Furthermore, the largest refunds in recent years have almost without exception been attributable to the years of the war. At that time the Government was under the necessity of collecting more than $4,000,000,000 annually. The statute was new and complicated and understood by few. There was no time to determine controversies, and in the emergency taxpayers generally paid large amounts into the Public Treasury, the legality of which was in dispute. There was always, however, the assurance that ultimately these payments would be analyzed, that correct interpretations would be applied, that justice would be done, and excessive payments refunded.

To say that refunds should be made only by virtue of the decision of a court is to delegate to the courts the entire administration of the income tax law. It is evident that what would apply to refunds would be equally applicable to additional assessments. In effect all questions involving disagreement would have to be referred to the courts. This would result in such interminable delay as to break down the administration of our income-tax system, and would place an intolerable burden upon our already overworked Federal courts. The suggestion can not be intended seriously.

It is significant to note that the bureau has collected far more in additional taxes than it has paid out in refunds. During the past 14 years the total amount of additional assessments resulting from office audits and field investigations has been $5,345,202,277, while the amount paid out in refunds during the same period has been 1,254,317,890. During that period the total internal-revenue receipts have been $44,032,371,357, so that the amount refunded by the bureau has been only approximately 2.8 per cent of the amount collected.

Secretary Mellon names the members of the Joint Committee on Internal Revenue Taxation in this document, a remarkable one, and says that they pass on these refunds in advance of payment. Mr. Mellon says:

Fifth. All refunds in excess of $75,000 are submitted in advance of payment and passed upon by the Congressional Joint Committee on Internal Revenue Taxation, consisting of Senator SMOOT, of Utah; Senator WATSON, of Indiana; Senator REED, of Pennsylvania; Senator HARRISON, of Mississippi; Congressman HAWLEY, of Oregon; Congressman TREADWAY, of Massachusetts; Congressman BACHARACH, of New Jersey; Congressman GARNER, of Texas; and Congressman COLLIER, of Mississippi.

In my statement I called attention to the refund to the Aluminum Co. of America, stating that it was but a small part of the total refund they had received, and that the abatements and credits to the Aluminum Co. of America while Mr. Mellon had been Secretary of the Treasury, his own company, amounted to more than $3,000,000. He undertakes to convey the idea that this joint committee had passed on the same. Gentlemen you will recall that there have been only three cases that the joint committee has passed on and brought to the floor of this House, or has ever given any consideration to, two of them for the United States Steel Corporation, and the other the California and Hawaiian Sugar Co. case. Outside of that, the joint committee has never been called together to consider these refunds. I had no more knowledge of that particular refund than any gentleman here, and I had no more to do with determining the advisability of that refund than any of you Members or any citizen of the United States.

Mr. RAMSEYER. Mr. Chairman, will the gentleman yield?

Mr. GARNER. Yes.

Mr. RAMSEYER. Is it a fact that every refund of $75,000 or more is sent up to this joint committee and that this joint committee has an opportunity to pass upon each refund over $75,000?

Mr. GARNER. Yes. And the gentleman understands that there is a Member of the House [Mr. HAWLEY] who is chairman of that committee, and I was one who insisted that the House control that committee and its chairmanship. The gentleman will recall that I made that fight, and held the matter up for three months, and it is the first time in the history of the Congress—in 25 years to my certain knowledge—when the House of Representatives has secured the chairmanship of a joint committee, and that was the result of my effort, and I am proud of it. But I say this: That under the domination of the Republican organization in this House that chairman has not functioned as I thought he would and as I think he ought to function. He never called the joint committee together to consider these matters, except the three cases heretofore referred to.

Mr. HAWLEY. But the refunds are sent up before they are allowed.

Mr. GARNER. They certainly are. As a matter of law they are compelled to come there.

Mr. RAMSEYER. And there is an expert named Parker who does go over all of these refunds of $75,000 or more.

Mr. GARNER. That is correct.

Mr. RAMSEYER. And does he not report to the individual members of that joint committee?

Mr. GARNER. No.

Mr. RAMSEYER. But they are available to the members of that committee.

Mr. GARNER. Oh, yes, they are available to everybody here.

A MEMBER. Oh, no.

Mr. GARNER. Oh, yes. There is not a man in this body who can not walk into that joint committee and see what there is there.

Mr. RAMSEYER. It is the duty of the members of the joint committee to watch those refunds of over $75,000.

Mr. GARNER. It is the duty of the joint committee to do just what the gentleman says it is, but we never know anything about it until Chairman HAWLEY, through his organization, calls it to our attention.

I want to call attention to one other fact to show how misleading this statement by Mr. Mellon is. In order to mislead the American people, Secretary Mellon inserted statistics that, while true on their face, are as misleading as any that he ever issued. He winds up this statement, this "Exhibit 52," in the following language:

It is significant to note that the bureau has collected far more in additional taxes than it has paid out in refunds. During the past 14 years the total amount of additional assessments resulting from office audits and field investigations has been $5,345,202,277, while the amount paid out in refunds during the same period has been $1,254,317,890. During that period the total internal-revenue receipts have been $44,032,371,357, so that the amount refunded by the bureau has been only approximately 2.8 per cent of the amount collected.

Had it not been called to my attention I probably never would have seen that, because I can not possibly go through and read all of the reports made by Cabinet officers, and I doubt whether any Member here does, though it is advisable to do so.

But my attention was called to the following editorial, which appeared in the Saturday Evening Post of December 6:

POLITICS AND TAXATION

We doubt if any light is shed upon a complicated subject by the attacks which a few politicians make upon the Treasury Department almost every time that taxes are refunded to large corporations. During the past 14 years revenue receipts have been $44,032,371,357 and refunds $1,254,317,890, or 2.8 per cent of the amount collected. Additional assessments have been $5,345,202,277, or more than four times the refunds. This does not look as if taxpayers had been unduly favored, and the figures carry on their face ample evidence that Uncle Sam has been getting about all that is coming to him.

We do not mean to say that every final adjustment of a dispute between Treasury and taxpayer is the last word in the fine perfection of justice. But it is preposterous to suppose that the Government can take, year after year, in one single form of tax, largely from the wealthier corporations and individuals, an average of more than $3,000,000,000 a year without making many overcharges as well as undercharges. This must be so, in view of the necessarily arbitrary methods which the Government is compelled to employ so that nothing shall interfere with the immediate payment of taxes. To insure a measure of rough, ultimate justice an elaborate a system of checks has been set up as well can be conceived. There are various boards of review to be passed and no refund of more than $75,000 can be made to a taxpayer until it has been submitted to a joint and bipartisan committee of Senators and Representatives.

It is true that the Secretary of the Treasury is a rich man and he is identified with a few corporations to which large refunds have been made. But to gather political capital out of this fact is a sorry business. Thousands of other corporations have received refunds, many of them larger. It is no crime for a Secretary of

the Treasury to have amassed wealth or become associated with successful enterprises before he assumed office. We do not see how it is possible to have a man in this position, with any previous experience of value, unless some of the business concerns with which he has been affiliated render tax returns to the Government. A pauper might make an excellent Secretary of the Treasury from the viewpoint of a communist, but we do not know anyone else who feels that way.

The collection of such vast sums in taxes is an intricate and difficult task. It is a job for experts, subject to review by Congress and by the courts. If there have been any sinister injustices, it is amazing that they have not been brought to light. But merely to keep implying that these refunds indicate such a condition without adducing any facts to prove what is imputed is, to say the least, a pretty small way of helping to improve our taxation system.

The Saturday Evening Post is one of the greatest journals in the world, and one which probably has as large circulation as any in America. It is one of the most conscientious and conservative among the great American publications. I do not believe its editorial was inspired by the Secretary of the Treasury, but I do believe it was misled by the misleading press release issued by the Secretary and which was included in the annual report of the Secretary as Exhibit 52.

The Saturday Evening Post appears to have accepted this press release and report of the Secretary without question, and the impression the editorial would give is that the efforts that have been made to bring light to bear upon these refunds are of a political nature. In order that this publication may ascertain the facts, I propose to furnish it the reports and statistics which I will insert in the RECORD.

In order to get the accurate facts from the Treasury Department, and that is what I always try to do, I wrote a letter to Mr. Mellon yesterday asking for certain facts. In this instance I asked Mr. Parker, of the Joint Committee on Internal Revenue Taxation, and his staff, to get this information for me, and I am going to put it in the RECORD.

CONGRESS OF THE UNITED STATES,
JOINT COMMITTEE ON INTERNAL REVENUE TAXATION,
Washington, December 15, 1930.

Hon. JOHN N. GARNER,
Joint Committee on Internal Revenue Taxation,
Washington, D. C.

MY DEAR CONGRESSMAN: Your office has asked certain questions which will be answered in order, the facts having been obtained from the reports of the Commissioner of Internal Revenue, unless otherwise noted.

Question 1. What are the total receipts of internal revenue for the past 14 years? These receipts are as follows:

Total internal-revenue receipts

1917	$809,393,640
1918	3,698,955,821
1919	3,850,180,079
1920	5,407,580,252
1921	4,595,357,062
1922	3,197,451,083
1923	2,621,745,228
1924	2,796,179,257
1925	2,584,140,268
1926	2,835,999,892
1927	2,865,683,130
1928	2,790,535,537
1929	2,989,054,375
1930	3,040,145,733
Total, 14 years	44,032,371,357

Question 2. What are the total receipts from income, excess-profits, and estate taxes for the same period? These receipts are as follows:

Total income, excess-profits, and estate tax receipts

1917	$393,458,918
1918	2,899,777,746
1919	2,682,813,886
1920	4,060,571,567
1921	3,382,180,934
1922	2,226,337,311
1923	1,817,794,742
1924	1,944,726,079
1925	1,870,608,944
1926	2,093,320,516
1927	2,320,292,296
1928	2,234,660,337
1929	2,393,171,570
1930	2,475,023,855
Total 14 years	32,794,833,701

Question 3. What are the totals of refunds, credits, and abatements for the same period? These figures are as follows:

Refunds, credits, and abatements of internal-revenue taxes

	Cash refunds	Credits and abatements	Total
1917	$887,128	(1)	
1918	2,088,565	(1)	
1919	8,654,171	(1)	
1920	15,639,952	(1)	
1921	28,856,358	(1)	
1922	48,134,128	$134,237,470	$182,371,598
1923	123,902,821	306,583,882	430,576,703
1924	137,006,226	355,628,776	492,635,002
1925	151,885,416	226,155,509	378,040,925
1926	174,120,178	339,237,701	513,357,879
1927	103,688,698	262,202,604	366,151,282
1928	142,303,567	199,194,252	341,887,819
1929	190,164,359	228,775,275	418,939,634
1930	126,836,333	190,937,207	326,773,540
Total	[2] 1,254,317,890	[2] 2,252,042,676	[3] 3,450,434,392

[1] Not available. [2] 14 years. [3] 9 years.

Question 4. What are the totals of additional assessments and collections? These figures are as follows:

Additional assessments and collections of internal-revenue taxes

	Additional ordinary assessments and collections	Jeopardy assessments	Total additional assessments and collections
1917	$16,597,255		$16,597,255
1918	29,984,655		29,984,655
1919	123,275,768		123,275,768
1920	466,889,359		466,889,359
1921	416,483,708		416,483,708
1922	266,978,873		266,978,873
1923	602,691,477	$132,825,381	735,216,858
1924	577,710,044	161,515,217	739,225,261
1925	312,667,876	144,646,531	457,314,407
1926	404,537,468	148,867,165	553,404,633
1927	383,965,351	32,704,156	416,669,507
1928	368,505,764	45,685,726	414,251,490
1929	354,990,050	50,865,426	405,855,476
1930	266,930,800	36,124,227	303,055,027
Total	4,592,268,448	752,433,829	5,345,202,277

Question 5. What per cent of the income, excess-profits, and estate tax receipts are the refunds, credits, and abatements of each year? These figures follow.

Ratio between refunds, credits, and abatements and income, excess-profits, and estate tax receipts

	Refunds only	Total of refunds, credits, and abatements
	Per cent	*Per cent*
1917[1]	0.2	
1918[1]	.1	
1919[1]	.3	
1920[1]	.4	
1921[1]	.8	
1922	2.2	8.2
1923	6.8	23.7
1924	7.0	25.3
1925	8.1	20.2

[1] Credits and abatements not available for these years.

Ratio between refunds, credits, and abatements and income, excess-profits, and estate tax receipts

	Refunds only	Total of refunds, credits, and abatements
	Per cent	*Per cent*
1926	6.3	24.5
1927	4.5	15.8
1928	6.4	15.3
1929	7.9	17.5
1930	5.1	13.2
Average for period	{ [1] 3.8 / [2] 6.2 }	[2] 17.7

[1] 14 years. [2] 9 years.

Question 6. Give summary figures of the above questions for both the 14-year period, July 1, 1916, to June 30, 1930, and for the 9-year period, July 1, 1921, to June 30, 1930, with pertinent percentages. These figures and percentages are as follows:

Summary 14-year period, fiscal years 1917 to 1930, inclusive

Total internal-revenue receipts	$44,032,371,357
Total income, excess-profits, and estate tax receipts	32,794,833,701
Total cash refunds	1,254,317,890
Total credits and abatements (last 9 years)	2,252,042,676
Total refunds, credits, and abatements	3,506,360,566
Total ordinary additional assessments	4,592,268,448
Total jeopardy assessments	752,933,829
Total all additional assessments	5,345,202,277
Per cent refunds to total internal-revenue receipts	2.8
Per cent refunds, credits, and abatements to total internal-revenue receipts	8
Per cent refunds to income, excess-profits, and estate tax receipts	3.8
Per cent refunds, credits, and abatements to income, excess-profits, and estate tax receipts	10.7
Per cent ordinary additional assessments to total internal-revenue receipts	10.4
Per cent all additional assessments to total internal-revenue receipts	12.1
Per cent ordinary additional assessments to income, excess-profits tax, and estate tax receipts	14.0
Per cent all additional assessments to income, excess-profits, and estate tax receipts	16.3
Per cent refunds, credits, and abatements to all additional assessments	65.6

Summary, 9-year period, fiscal years 1922 to 1930, inclusive

Total internal-revenue receipts	$25,670,934,503
Total income, excess-profits, and estate tax receipts	19,376,030,650
Total cash refunds	1,198,391,716
Total credits and abatements	2,252,042,676
Total refunds, credits, and abatements	3,450,434,392
Total ordinary additional assessments	3,539,037,703
Total jeopardy assessments	752,933,829
Total all additional assessments	4,291,971,532
Per cent refunds to total internal-revenue receipts	4.7
Per cent refunds, credits, and abatements to total internal-revenue receipts	13.4
Per cent refunds to income, excess-profits, and estate tax receipts	6.2
Per cent refunds, credits, and abatements to income, excess-profits, and estate tax receipts	17.7
Per cent ordinary additional assessments to total internal-revenue receipts	13.8
Per cent all additional assessments to total internal-revenue receipts	16.7
Per cent ordinary additional assessments to income, excess-profits, and estate tax receipts	18.3
Per cent all additional assessments to income, excess-profits, and estate tax receipts	22.1
Per cent refunds, credits, and abatements to all additional assessments	80.4

Question 7. What percentage of the additional taxes assessed in the various fiscal years were in relation to the excess-profits tax years?

This office does not have definite figures on this subject, but partial information shows the following approximate results:

Per cent of additional assessments relating to excess-profits tax, years 1917–1921

Year of assessment:	
1925	96
1926	90
1927	59
1928	36
1929	35
1930	25

Question 8. What percentage of the refunds, credits, and abatements allowed in the various fiscal years were in relation to the excess-profits tax years?

This office does not have definite figures on this subject, but from the overassessments submitted to the joint committee we have the following percentages which, it is believed, are fairly representative:

Per cent of refunds relating to excess-profits tax years

Year of allowance:	
1928 (calendar year)	83
1929 (calendar year)	71

Trusting the above will give you the information desired.

Very respectfully,

L. H. PARKER, *Chief of Staff.*

Let us see how closely Mr. Mellon's figure of $1,254,317,890 approaches the approximate amount. First, let me call attention to the fact that Mr. Mellon says that $44,032,371,357 is the amount collected. He includes all taxes collected. But no refunds are made, you know, of such taxes as were levied on theater, baseball, and amusement tickets, and on candy and chewing gum and many other taxes levied and collected during these 14 years, amounting to more than $11,000,000,000. But Mr. Mellon puts them in to reduce the percentage of refunds. Mr. Parker, however, has analyzed them, and his analysis is illuminating.

I submitted a questionnaire to Mr. Parker. Question No. 3 is, "What is the total of refunds, credits, and abatements of the same period?" 1917–1930, inclusive. The figures are as follows; that is, for the 14 years: Mr. Mellon says $1,254,317,890 refunds. Mr. Parker's figures are: "Cash refunds, $1,254,317,890," just the same as Mr. Mellon gives. Mr. Parker also gives "credits and abatements," which are virtually the same as refunds, "$2,252,042,676." Mr. Mellon did not mention these. "Total, $3,450,434,392," compared with Mr. Mellon's total of $1,254,000,000.

Do you think Mr. Mellon was giving the country fair and complete information upon which to base its judgment of the policy of his department in making these large refunds?

Now, that is not the only misleading statement. Let me call your attention to the forty-four billion, which is the total of all taxes collected, while the refunds, credits, and abatements are almost exclusively of income, excess-profits, and estate taxes. The total income, excess-profits, and estate taxes for the 14 years is $32,794,833,701. The Secretary of the Treasury uses $44,032,371,357 in order to reduce his percentage to 2.8. Was that fair? The Secretary of the Treasury takes the total receipts for internal revenue for 14 years instead of taking the receipts of income, excess-profits, and estate taxes for the purpose of making percentages.

But that is not the worst part of it. He gives the percentages in this statement as 2.08 and indicates that is what has been refunded in the past 14 years. Let me call to your attention the fifth question:

What per cent of the income, excess-profits, and estate tax receipts are the refunds, credits, and abatements each year?

What per cent of the income, excess-profits, and estate tax receipts are refunded, because that is practically all that is refunded? You do not refund any of these other consumption and excise taxes. Now, instead of it being 2.08, as Mr. Mellon conveyed to the country, let us see what it is.

The ratio between refunds and the income, excess-profits, and estate tax receipts, 1917, refunds only, 0.2 of 1 per cent; 1918, 0.1 of 1 per cent; 1919, 0.3 of 1 per cent; 1920, 0.4 of 1 per cent; 1921, 0.8 of 1 per cent; 1922—here is where Uncle Andy comes in; this is the first year he functioned—1922, 2.2 per cent; 1923—Uncle Andy was getting active; he was just learning the game—1923, 6.8 per cent; 1924, 7 per cent; 1925, 8.1 per cent; 1926, 8.3 per cent; 1927, 4.5 per cent.

Why such a fall in that refund in 1927? Why did it fall nearly 50 per cent in that year? Congress passed a law and told the Treasury Department that every one of these refunds the department made should be reported to Congress, each refund over $75,000 should be reported to this joint committee, and immediately, as the result of that law, the refunds declined 50 per cent in one year.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BUCHANAN. Mr. Chairman, I yield 10 additional minutes to the gentleman from Texas.

Mr. GARNER. I just want the House to understand this situation, and especially my Republican brethren, as to how much dependence can be placed upon statements of the Treasury Department, based upon any statistics that it gives.

Mr. GOLDER. Will the gentleman yield?

Mr. GARNER. I yield.

Mr. GOLDER. Is there anything to indicate that any of the refunds which were made were improperly or illegally made?

Mr. GARNER. I think there is, sir.

Mr. GOLDER. Will the gentleman produce it?

Mr. GARNER. Produce it? Give me the opportunity to investigate the Treasury Department and I will do it.

Mr. GOLDER. The gentleman apparently has that power.

Mr. GARNER. No; I have not. If you will give me that power with your vote, I will attend to the job very quickly. I desire, in this connection, to call attention to a statement I issued last May, in which I discussed the policy of the Treasury with respect to granting refunds without court decisions.

Failure of the Treasury Department to contest in the courts the tax-refund claims of the United States Steel Corporation has resulted in a direct loss to the Government of at least $9,000,000, and possibly $26,000,000.

This loss is made evident by the recent decision of the United States Court of Claims in the case of the Packard Motor Car Co. against the United States, in which were involved the same issues upon which part of the recent refund of $33,000,000 to the United States Steel Corporation on 1918 taxes was based.

Application of the same principles to the $26,000,000 refund to the United States Steel Corporation on 1917 taxes would have saved the Government $17,000,000, and in my opinion the Treasury Department has been guilty of gross negligence in its failure to bring these controverted matters into the courts.

One of the points at issue in the case of the United States Steel Corporation was the elimination of intercompany profits from the 1918 inventory. This point was conceded in favor of the Steel Corporation by the Treasury Department and the majority members of the Joint Committee on Internal Revenue Taxation. On April 7 the United States Court of Claims handed down a unanimous decision on this point in the Packard Motor Co. case, showing clearly and indisputably that the rule used by the department was wrong. If the rule laid down by the Court of Claims had been followed in the Steel case, we would have saved $6,000,000 in principal and $3,000,000 in interest. If the same rule applies to the $26,000,000 refund of 1917 taxes to this corporation, and I am convinced it does, we would have saved $17,000,000 principal alone by taking the case into court.

Last March I called the attention of the House to the $33,000,000 refund of 1918 taxes, and my contention was that there were enough controverted matters which had not been adjudicated by the courts or the Board of Tax Appeals to demand that the Treasury Department go into the courts and permit them to adjudicate what we owed, if anything, to the United States Steel Corporation. As a minority member of the Joint Committee on Internal Revenue Taxation I have consistently opposed the granting of these enormous refunds without a decision of the courts.

The gross negligence of the Treasury Department in granting these enormous refunds to the United States Steel Corporation without a court decision has resulted in the loss of $9,000,000 in this one case alone, and it is impossible at this time to compute how much more has been lost through the application of this erroneous principle in other cases. And not only was the joint committee warned by the minority members that the case should be taken to the courts, but it was also warned by its own technical staff that the rule used on this specific question was not the correct rule, and the decision of the Court of Claims demonstrates the solid basis for these warnings.

On March 4, L. H. Parker, chief of staff of the joint committee, stated in a report on the proposed refund of $33,000,000 to the Steel Corporation:

> It is true that the bureau is following a recent ruling of its legal department in the treatment of intercompany profits, but it is also true that the present policy is a reversal of the policy followed up to 1924, and it is believed that the present policy is open to serious question.
>
> Under this rule the Government loses about $17,000,000 tax in 1917 and $6,000,000 in 1918 by the consolidated returns. For its present procedure the bureau relies primarily on S. M. 1530 and secondarily on L. O. 1108. Both of these decisions were published in 1924 and represent a reversal of the first policy without any court decisions requiring such change.
>
> Law opinion 1108 was written by Mr. Alexander Gregg, formerly Solicitor of the Bureau of Internal Revenue, before the time he became solicitor. Mr. Gregg, however, put a memorandum in the file condemning the very memorandum he wrote as being unsound and fallacious.

Upon this opinion, which was not concurred in by its author, these refunds have been granted, and the consolidated companies, such as the United States Steel Corporation, have been the beneficiaries. It should be remembered that by this opinion only the consolidated companies benefit; that it does not affect the ordinary corporation in any way.

In the revenue act of 1928, through the efforts of the minority, the consolidated returns provision was stricken from the act in the House, but was restored by the Senate. The pernicious effect of this provision is exemplified in this one case, especially when administered by executives who appear to function solely for the purpose of protecting the interests of these corporations rather than the interests of the Government.

We spend days in the House debating items of only a few thousand dollars. We devote months to the consideration of whether we shall appropriate $9,000,000 or $12,000,000 for the District of Columbia government, and yet we hand to the United States Steel Corporation $26,000,000 with only an ineffectual protest from the minority and without a court decision upon which to base such refunds.

Several weeks ago I introduced a resolution authorizing an investigation of the Treasury Department in connection with these tax refunds, and that resolution has never been reported by the committee to which it was referred. I believe that in view of this decision of the Court of Claims, the resolution should be acted upon and Congress informed as to the reason and motives of the Treasury Department in granting these refunds without a court decision.

The $33,000,000 refund to the United States Steel Corporation was approved by the majority members of the Joint Committee on Internal Revenue Taxation, in March. Since that time refunds aggregating $5,845,052.75 have been approved by the Treasury Department, and it is interesting to note that of this amount, $3,435,948 represents refunds to Pennsylvania corporations.

I believe that the great mass of American taxpayers, upon whom the burden of these enormous refunds must fall, are entitled to demand of Congress and the Treasury Department that these matters be submitted to the courts for adjudication. The fallacy of the rule applied by the Treasury Department has been made evident by the decision of the Court of Claims, and it is obvious that a halt must be called, a thorough investigation made, and rules established upon a sound basis by the courts.

Mr. BLANTON. Will the gentleman yield?

Mr. GARNER. I yield.

Mr. BLANTON. The gentleman spoke of his answer to Secretary Mellon bringing blood. His present speech is bringing blood, because here in the Committee of the Whole House on the state of the Union, he has in his audience the distinguished Speaker of the House, the chairman of the Ways and Means Committee, he has had the floor leader, Mr. TILSON, until a moment ago, when he was called out, and he has even Doctor CROWTHER of New York, the political sage of the Republican Party. They are all highly interested.

Mr. GARNER. I am very proud of that. As I have stated, Secretary Mellon says that the total refunds amount to 2.8 per cent, but you will notice that under the Democratic régime they never reached higher than 0.4 of 1 per cent.

I just read you the refunds only. Secretary Mellon says they are only 2.8 per cent of the total receipts. He is right about that, but he did not tell you about the credits and abatements, which are the same thing. There is no difference between sending you a check and giving you credit for

what you owe, and that is what they have done in these credits and abatements. They have given credit for $2,250,000,000, in round numbers, on taxes owed the Government, and these were virtually refunds, in round numbers, of $2,250,000,000.

Let us see how that comes about. This is Mr. Parker's report. The ratio between total of refunds, credits, and abatements, and income, excess-profits, and estate-tax receipts commencing with Secretary Mellon's régime in 1922, 8.2 per cent. You see, he has only given 2.10 per cent for refunds, but credits and abatements bring the total up to 8.2 per cent.

In 1923, according to Mr. Parker's report, refunds amounted to 6.8 per cent, but the additions for credits and abatements bring it to 23.7 per cent. In 1924 refunds amounted to 7 per cent, but adding credits and abatements brings the total to 25.3 per cent. In 1925 refunds amounted to 8.1 per cent, but adding credits and abatements makes it 20.2 per cent. In 1926 the refunds were 8.3 per cent, but with credits and abatements added a total of 24.5 per cent was reached.

In 1927, when Congress began to look into these refunds to ascertain what the Treasury was doing, you will remember Secretary Mellon opposed it, and we had to get some patriots from the Republican side to overcome TILSON and LONGWORTH in order to secure legislation which would permit us to look into it.

And when we looked into it and passed that law in 1926 what did we find? In 1927 he came down to 4.5 per cent in refunds, and with abatements and credits it dropped to 15.3 per cent, a reduction of something like 9 per cent under the year before. Finally we get down to 1930. We got interested last year and had a little discussion about it. In 1930 the Treasury refunded 5.1 per cent, and with credits and abatements it was 13.2 per cent, the smallest amount that Mr. Mellon has refunded in any year since 1923.

Now, gentlemen, I call your attention to this in order that you may appreciate the report of the Secretary of the Treasury if you have occasion to look it over, and I have given you these figures so you may know the true situation.

No one knows and we can not tell yet about these additional assessments. I have written the Secretary a letter for the purpose of trying to get information as to how much of these extra assessments have been collected. They have been made, but there is no report anywhere showing amount collected. I challenge you to find a report showing collections or those they have been unable to collect, or what their status is. The Secretary makes no such report. I have written a letter asking him some questions along that line, and if I get an answer I am going to give it to the House of Representatives.

The Treasury has given in refunds, credits, and abatements over $3,000,000,000, and yet the Secretary undertakes to tell the country that the Treasury has refunded only 2.8 per cent, when as a matter of fact it is three times that amount or nearer four times that amount.

Mr. STAFFORD. Will the gentleman yield?

Mr. GARNER. I yield.

Mr. STAFFORD. Has the gentleman any figures to show for what years of taxes levied those refunds were made?

Mr. GARNER. Yes; that information is here.

Mr. STAFFORD. That gives the years in which the refunds were made, but I am seeking information as to the tax years for which those refunds were made.

Mr. GARNER. Yes; the years refunds were made.

Mr. STAFFORD. Whether they were made on the income taxes for years during the war, when we had 80 per cent in excess-profits taxes, or whether the refunds to which the gentleman refers are refunds of taxes for those years.

Mr. GARNER. Question 5 is, "What are the totals of refunds, credits, and abatements for the same period?" That means the 14-year period. I could give you that information. The cash refunds for 1917 amounted to $887,000.

Mr. STAFFORD. That is the amount of the refunds for those years, but I am seeking information as to whether the refunds in later years were based on the returns of taxes made in prior years.

Mr. GARNER. Well, they may have been. I do not contend that they are not scattered over the period from 1917 down to the present time. Of course, they are scattered over that period. You did not suppose they were going to dismiss all the cases for 1917 or 1919 and let them go, did you? But it has taken a Republican administration in many of these cases nearly 10 years to determine tax liability, as revealed in the United States Steel Corporation case.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BUCHANAN. Mr. Chairman, I yield 30 minutes to my colleague the gentleman from Texas [Mr. JONES].

ECONOMIC DISCRIMINATION

Mr. JONES of Texas. Mr. Chairman and gentlemen of the committee, I believe everyone will agree that equality in the application of its laws is the greatest fundamental of a democratic government; that in making and applying the laws of the country, equal opportunity and equal treatment should be given to every citizen.

FREIGHT RATES ARE VITAL TO EVERY BUSINESS

For some two or three years I have been calling attention to the fact that when farm implements, iron and steel, and most manufactured commodities are shipped abroad, reduced freight rates are allowed to the point of export, whereas on most farm commodities, especially cotton, and on wheat, except in certain instances, little if any export rate reductions are allowed. In other words, when manufactured commodities are shipped abroad a reduction of from 20 per cent to 40 per cent is allowed in the freight rates. This is unfair to both cotton and wheat.

DISCRIMINATIONS

There are three phases to the agricultural problem as I see it. In the first place, there is discrimination in our freight-rate system, in the second place there is discrimination in our tariff system, and the third thing that has handicapped agriculture has been its inadequate marketing system.

The marketing act undertakes to treat only one of these phases; in other words, to cure a triple disease with a remedy that applies to but one phase of the disease.

I have no criticism to make and no desire to discuss the actions of the Farm Board to-day, except incidentally, but if they were able to function perfectly, if they were able to operate without making a single mistake, we would still be face to face with a freight-rate discrimination that would absolutely prevent agriculture being placed on a parity with industry.

INDUSTRY IS FAVORED

I am now going to read you a statement that has been very encouraging to me in this fight. It is from the Interstate Commerce Commission, or rather, from one of the members of the Interstate Commerce Commission. When I was speaking here last spring, the gentleman from Iowa, Mr. RAMSEYER, asked if it were really true that industry is given these freight-rate reductions. I ask him to listen to this.

In the grain-rate hearing, which you all remember, decided July 1, of this year, Commissioner Lewis, in concurring with the majority opinion, uses this language:

> Our carriers have extended—and we have not interfered—to manufacturers of iron and steel articles, automobiles, and farm machinery, rates 25 per cent lower on exports than on domestic shipment. If the same principle were here applied to wheat and its products it would have a vast beneficial result. I have favored, and still favor, export rates on wheat and its products 10 or 15 per cent lower than domestic rates, but would require as a part of the tariff that such rates be made subject to minimum weight 10 per cent higher in the case of grain and 50 per cent higher in the case of flour than apply on domestic movements; also provide that the rate include not more than one free transit. Under such an export-rate structure our grain producers would have lower transportation costs with which to meet competition of other nations in foreign markets.

As industry has these reduced export rates, why should not the same reductions be given wheat and cotton as a simple matter of justice?

About a year ago some reductions were allowed on wheat from the terminal centers but not from the production centers. On industrial articles the reductions are allowed from the production centers. Why should not these reduced freight rates be allowed from the production centers of wheat and cotton? That would be fair and just.

No export freight reductions have ever been allowed on cotton.

I want to read some further excerpts from the statement of Commissioner Lewis. I wish every Member of the House would read the entire statement of Mr. Lewis:

> Taking all the above transportation facts into consideration and entirely leaving out economic considerations, it seems to me that export rates 15 per cent lower than domestic rates are justified and conservative. They are less than the carriers have extended to certain manufacturers.
>
> The advantage of export rates is acknowledged by carriers and manufacturing industries which have built up large outlets for our products in foreign lands.

Commissioner Lewis in concluding his concurrence in the opinion says:

> I am authorized to say that Commissioner Tate concurs in that part of the foregoing which expresses the opinion that there should be a lower export rate because of different transportation conditions.

My friends, it seems to me that a simple consideration for a moment will convince anyone of the tremendous advantage which industry has in this export-rate reduction. In order to realize that fully you only have to consider for a moment the advantage a city which has water-transportation facilities, a city located on a navigable stream, has in that it gets certain railway-rate reductions as well as water shipments.

That causes cities to be built up and gives them a tremendous advantage over other cities that have not those facilities. In other words, a city that has water transportation will expand and grow much more rapidly than one that does not have this advantage.

Here is a Farm Board trying to adjust the difference between industry and agriculture in such a way as to place them on an equality with each other. Admit that they are able to form a perfect marketing system, yet with this freight-rate discrimination how is agriculture to survive?

Mr. ARNOLD. Will the gentleman yield?

Mr. JONES of Texas. I yield.

Mr. ARNOLD. Under existing law, has not the Interstate Commerce Commission authority to grant preferential rates to agricultural commodities for export purposes?

Mr. JONES of Texas. They have that authority, and I have written the Interstate Commerce Commission and also the Farm Board about this matter. Here is where the difficulty lies. The Interstate Commerce Commission says that they grant these reductions only upon the filing of voluntary reductions of the railway company or upon application, and no one authorized to speak for agriculture had made the application. I asked the Farm Board to make the application but they have not yet done so. I shall put the correspondence which I had with the Farm Board upon that particular subject into the RECORD. Let us assume a case which is sometimes true if I am correctly informed. At least it may be true. The same ownership, or at least partial ownership and control, may exist in reference to the iron and steel interests and the railroads.

If a voluntary application is filed and no contest is made, the commission automatically grants the reduction. Here is an iron and steel concern that makes the application. It is very easy after that application is filed for them to say to the railway company or to themselves, as part owners of the railway company, "Let us make no fight on that." Automatically the commission, having great work piled upon it, grants the application, there being no contest. If there is a contest, then it must be set down for hearing.

Mr. ARNOLD. It would seem to me that the most beneficial service the Farm Board could perform at this time would be to take this matter up with the Interstate Commerce Commission and see to it that preferential rates of this kind are worked out.

Mr. JONES of Texas. I agree with the gentleman. I think it would be of vastly more benefit than any other activities they might engage in, and I so state in my correspondence with Chairman Legge, which I expect to place in the RECORD. Let me call your attention to some of these great differences. I am going to read now facts and figures presented to me upon the certificate of the secretary of the Interstate Commerce Commission.

RATE REDUCTIONS

We will take farm implements shipped from Moline, Ill., to Galveston, Tex., for instance. If they are intended for use in Texas the freight rate is $1.37 per hundred, but if that farm machinery is to be shipped abroad the rate is 87 cents per hundred. On farm machinery shipped from Chicago to New Orleans the domestic rate is 73 cents per hundred, and if it is shipped to the same point, intended for use abroad by a foreigner, the rate is 41½ cents per hundred.

From Waterloo, Iowa, to New Orleans, the domestic rate is 80 cents per hundred and the export rate 65 cents. From Waterloo, Iowa, to Savannah, Georgia, the domestic rate is $1.03 and the export rate 69 cents per hundred. From Chicago to Galveston, Tex., the domestic rate is $1.05 per hundred on farm implements, and the export rate 47 cents a hundred. In other words, if the International Harvester Co. is shipping its farm machinery abroad, to be used by a competitor of the American farmer, the rate is about one-half of what it is if the same machinery is shipped to the Texas farmer, to be used there in the production of his commodities, which compete with the foreign farmer. That is an unfair discrimination. Naturally the freight rate is made a part of the price. I say that one of two courses of procedure should be adopted. Either those export-rate reductions should be allowed on wheat and cotton and the other major farm commodities, or they should be taken away from industry, so that the whole rate structure might be lowered. [Applause.]

Mr. O'CONNELL. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. O'CONNELL. Will the gentleman be good enough to give us the authority for these quotations?

Mr. JONES of Texas. I am quoting from information furnished me by the secretary of the Interstate Commerce Commission. I called on the Interstate Commerce Commission, and I have these figures from the secretary of the commission, Mr. George B. McGinty.

Mr. O'CONNELL. That is sufficiently high authority.

Mr. JONES of Texas. I call attention to another thing in this connection. I gave you the rate from Chicago to Galveston on farm machinery. This is the machinery which the farmer must use when he competes in the world market on wheat and in the world market on cotton.

The ocean freight rates from Galveston to England were 60 cents per hundred, so that the manufacturing concern can ship its farm machinery from Chicago through Galveston to England for only a few cents per hundred more than they can unload it for in Galveston for domestic use. The total rate for the shipment to the Texas farmer is $1.05 per hundred, and that company can ship that same machinery through Galveston to England, including the ocean freight rates, for $1.07 per hundred.

Mr. COX. In other words, it is a subsidy given to these shippers by an American commission, for service rendered by transportation companies.

Mr. JONES of Texas. How else can it be labeled? We heard the cry last year, "We can not afford to give a bonus or a subsidy to agriculture; we can not afford to give an export bounty or an export debenture," but all the years we have been granting a subsidy to these industrial products in the form of these freight-rate reductions.

Mr. ARNOLD. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. ARNOLD. At whose solicitation were these preferential rates made in the interest of industrial products?

Mr. JONES of Texas. Practically all of them, I assume, were made by concerns which put out those products. The

Interstate Commerce Commission advises me that they make no reduction in rates or changes in rates except on voluntary filing of reduced schedules by the railway companies, or on application. If there is no contest, the new rate automatically goes into effect without investigation. If it is contested, the matter is set down for hearing. I take it that in many of these instances the railways acted voluntarily and they went into effect automatically, and in others after hearings the commission was convinced that the request should be granted.

Mr. McDUFFIE. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. McDUFFIE. Has anyone, any organization representing agriculture, made any such application for a reduction in the export rates on agricultural products?

Mr. JONES of Texas. From time to time applications have been made, but for the most part they are of a local nature and in many instances involve local fights. A rather general fight was made in the Western Grain Rates case. I may add that some rates have been reduced, especially on wheat. But for the most part the substantial reductions were from the terminal centers.

They reduced the export rates from my section from 33 to 29½ cents per hundred. This was of value, but was not anything like the reductions given certain industrial products heretofore. This is 20 cents per bushel, or more than one-third the present price of wheat in that section. I appreciate this small reduction since the fight began, but if we were allowed the same ratio of rate reduction that industry has had it would add several cents to the price of our wheat.

I have written some of the farm organizations, but as yet they have not, so far as I know, filed any application of a general nature. I think it peculiarly is the business of the Farm Board. The Farm Board has been created, and it is given the duty and obligation of looking after the interests of agriculture, and I think no finer thing could be done by the Farm Board than to see that wheat and cotton, when it goes into export, is given these reduced rates. [Applause.]

Mr. ARNOLD. Will the gentleman yield?

Mr. JONES of Texas. I yield.

Mr. ARNOLD. Evidently Chairman Legge saw to it that the commodities of the concern with which he was formerly connected received this preferential rate and yet he has neglected to make the same application for agriculture.

Mr. JONES of Texas. That concern has the same freight-rate reductions on export that are allowed all other manufacturers of farm machinery. I know he has been nagged and dogged from every side, but I think he is overlooking a great opportunity to render a real service to agriculture.

On iron and steel articles I am going to quote some further figures given me by the Secretary of the Interstate Commerce Commission. When iron and steel articles are shipped from Chicago to San Francisco the domestic rate is $1 per 100 pounds; the export rate is 40 cents per 100 pounds. On iron and steel articles shipped from Chicago, Ill., to New York the domestic rate is 56½ cents per 100 pounds; the export rate is 34 cents per 100 pounds. On iron and steel products from Pittsburgh to New York the domestic rate is 34½ cents per 100 pounds; the export rate is 25 cents per 100 pounds.

I want to know what peculiar charm there is about the products of iron and steel which entitles them to this export premium, which is what it amounts to, that the products of the farm are not entitled to.

On iron and steel from Chicago to Baltimore, the domestic rate is 53½ cents per 100 pounds; the export rate is 31 cents per 100 pounds. On fertilizer shipped from St. Louis to Galveston the domestic rate is 36 cents per 100 pounds, and the export rate is 23 cents per 100 pounds.

On cement shipped from Chicago to Galveston the domestic rate is 52 cents per 100 pounds, and the export rate is 23½ cents per 100 pounds.

Some of these figures were furnished me some months ago. There may have been some slight changes, but they are substantially correct.

I just want to read something about the United States Steel Co. which for 30 years has enjoyed these reductions. Here are some figures that were given me by the Federal Trade Commission:

UNITED STATES STEEL CORPORATION

The present capital stock, common, $711,623,000; preferred, $360,000,000; total, $1,071,000,000, in round numbers, quoting from the annual report for the fiscal year December 31, 1928.

For 30 years this company has paid dividends on its preferred stock, and has earned an average of more than 12 per cent annually on its common stock. Yet, during all that time the United States Steel Co. has enjoyed these export premiums, or export rate reductions.

I do not say they are wrong. The rate structure of our country is a tremendously intricate one. Some of its defenders claim that this enables the wheels of industry to run continuously and dispose of their surplus. I would not undertake to say whether it is right or wrong to encourage the exportation of American-made commodities by giving them a reduction in freight rates, but I do say that if we are going to give it to the United States Steel Co. and other companies which engage in the manufacture of the finished article, we should give similar reductions to the farmer who lives under the same flag. [Applause.]

Mr. GOLDER. Will the gentleman yield?

Mr. JONES of Texas. I yield.

Mr. GOLDER. It occurs to me from what the gentleman has stated that any individual grower of wheat or cotton could make the application?

Mr. JONES of Texas. Oh, any individual grower of wheat or cotton could file an application, but, suppose he did? He has to come to Washington, and he would be fought by all the railway companies and others. It is a tremendously expensive proposition to carry through a case before the Interstate Commerce Commission, sometimes taking two or three years. It is a costly proposition. He has that right, but frequently we have rights that we are not in a position to exercise, and that is the reason that as soon as the Farm Board got into operation I wrote a letter to the board and suggested to them that I thought the Farm Board could do no better thing for agriculture than to file these applications all along the line.

Mr. GOLDER. I am in sympathy with the gentleman.

Mr. JONES of Texas. I think freight rates have been too high. I think, as Commissioner Lewis suggests, the thing could be so adjusted that it might be better for the railways. I think the railway companies have been short-sighted in upholding some of their rates. They have allowed a great deal of the traffic to go to the truck and to the bus simply because they blindly insisted on keeping their rates up. The rates can be raised to a point where they are prohibitive. I know of a great many commodities that were not shipped out of my State, and I am sure it is true of all States, because they could not afford to pay the railroad rates. I believe that if the railroad company officials had seen this danger of competition coming, and had gotten their rates down to a proper basis, they would have been in a better position to compete with these other forms of transportation.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. JONES of Texas. I yield.

Mr. JOHNSON of Oklahoma. I am very much interested in the gentleman's able argument, especially with reference to the unreasonably high railroad rates. In that connection I desire to state that complaints have come to me, the rate on watermelons from Rush Springs, Okla., one of the greatest melon centers of the entire country, to the Kansas City market is so excessive as to be prohibitive. I am advised that the freight on a car of watermelons from this and other points in Oklahoma to Kansas City is often more than the price of the melons.

Mr. JONES of Texas. Does not the gentleman think that if the rates were a little more reasonable his melon farmers might ship their watermelons with profit?

Mr. JOHNSON of Oklahoma. Yes; that is the point I was endeavoring to make.

Mr. JONES of Texas. I want to call attention to another thing, another discrimination. I suppose it is just as natural for a man to look after his own interests as it is for the sparks to fly upward. I want to call attention to another way that some of these concerns get an advantage. You know we have a big concern in Cincinnati, Ohio, that makes soap, known as the Procter & Gamble Co. In the making of that soap they use a good deal of coconut oil. I am not criticizing the soap makers. They probably filed their application and got what they wanted, but I want to show you that not only have some of these concerns an advantage on the outbound rates but also on the inbound rates. Coconut oil competes with dairy products and cottonseed oil. Cottonseed oil is used in the making of soap and in the making of other commodities. Coconut oil is used as a substitute for dairy products sometimes.

Let us see what the freight rate is on cottonseed oil from Galveston, Tex., to Cincinnati, Ohio, and what it is on coconut oil coming in from the Philippines or from the Orient at other places. The domestic freight rate in cents per hundred on cottonseed oil shipped from Galveston, Tex., to Chicago is 55 cents per 100; on coconut oil, imported, it is 35 cents per 100. In other words, a soap concern can ship its coconut oil from Galveston, Tex., to Chicago at 35 cents per 100, while the farmer who ships his cottonseed oil must pay 55 cents per 100. That is not right, and besides that it is wrong. Let us see what the rate is from Galveston, Tex., to Cincinnati, Ohio, where a big soap concern is located. On cottonseed oil the domestic rate is 61½ cents per 100; on coconut oil the rate between the same points is 30 cents per 100, less than one-half. Who would undertake to justify that?

We have had a lot of efforts made by some people supposed to look after the farming interests. I have no criticism to make of the Federal Farm Board. They have had to work under hard conditions and under adverse circumstances. I appreciate that fact. But I do think that if the Farm Board would get down to brass tacks and tackle some of these problems and help to remove these discriminations that agriculture could go a long way toward taking care of itself. [Applause.]

Any man in business will tell you that the few cents difference at which one concern can produce or distribute its goods over the cost to another concern will enable it to put its competitor out of business.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SANDLIN. Mr. Chairman, I yield the gentleman 15 additional minutes.

Mr. JONES of Texas. Now, let us see what the ocean rate is. The ocean rate on coconut oil from the Philippines to Gulf ports is 42 cents a hundred, and from the Philippines to Pacific ports the rate is 31 cents per hundred. If cottonseed oil is shipped from Galveston, Tex., to Cincinnati, Ohio, the freight rate is 61½ cents per hundred, and for coconut oil, shipped all the way from the Orient, over those thousands and thousands of miles, and shipped over the same line of railway, the total cost is only 76 cents per hundred, so that there is not much difference in the freight rate on coconut oil all the way from the Orient and cottonseed oil when shipped from Galveston.

I have taken more time than I intended, and I am not going into another phase, but I want to call attention to the fact that that is one basis of discrimination that can not be cured by a marketing system.

OTHER HANDICAPS

Another discrimination is the unfair conditions which prevail in reference to our tariff. Everyone knows that a farmer who produces surplus crops can not be on a basis of equality with industry under our tariff system, if he must sell those commodities in the world market and buy his supplies in a highly protected market.

That is the reason some of us have advocated the debenture or export premium as a means of readjusting this phase of the discrimination. It is not an ideal method. As an independent proposition I would not favor it. But this or some better method should be written into any tariff system as a vital and necessary part of the system in order to complete the circle and deal fairly with all citizens alike.

Mr. Chairman, I ask the privilege of inserting in the RECORD some of the tables I have secured. I also ask to insert in the RECORD a letter which I addressed to Hon. Alexander Legge, chairman of the Federal Farm Board, in October, 1929, Chairman Legge's reply thereto, and two more letters which I wrote to Mr. Legge in connection with these various propositions.

We have had a great deal of discussion during the last few years about the farm problem. Many people have expressed sympathy with the farmer in his troubles. I do not believe he will ever be able to compete on a proper basis with his foreign competitors so long as these two discriminations are woven into the fabric of our economic system.

In other words, we have written into our economic system a discrimination that has been carried over a number of years and one that is absolutely fatal. I believe everybody in America is interested in a proper balance and in properly dealing with the various citizens. Whatever may be one's theories of government, he must admit that the greatest fundamental in a free government is equality. This was written into our Declaration of Independence. This was written into every great document that was formed and fashioned at the beginning of the American Republic.

For many years the farmer has labored under these handicaps. He has bent his back and planted cotton and plowed it and grown it. He has gone out into the field and cultivated and grown his wheat. He lives in the far-away stretches of our country. Organized effort is difficult, and his handicaps are many.

I asked the Interstate Commerce Commission if any export rate reductions were allowed on cotton and the reply was no. When a man grows a bale of cotton, cultivating his crop in the hot June and July sun and picks it under a blazing September sky and carries it to market in a free country, he has the right to sell that in the open market without having a handicap or preference given some one else in the country and which is denied to his community.

I would like to see the Farm Board follow up the statements I have read here from the grain-rate decision which show that these discriminations exist. If the Farm Board will see that these two discriminations are corrected I am willing to assert that you will see a different story in reference to agriculture in the future.

This will help us to maintain a balanced system of affairs in this great American country. I think the Farm Board should take this matter up.

Mr. COX. Will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. COX. The gentleman is making a very interesting and informative statement, one that should excite the interest of this legislative body and the entire country.

Mr. JONES of Texas. I thank the gentleman.

Mr. COX. I understand the gentleman, in effect, makes the contention that this preferential treatment given under Government sanction, which gives the foreign producer an advantage in competing with the domestic producer, if wiped out, would amount to a great benefit and help to the agriculture of this country generally.

Mr. JONES of Texas. That is correct, and I thank the gentleman for his contribution.

Farm machinery and farming implements are being shipped to Germany and to England and to France, and even to Russia, with an export premium written into the rate structure. You have all read about the great development now going on with respect to machine and government farming in Russia. The competition of the future will be keen and sharp. The reduced rates on farm machinery is encouraging the shipping of machinery to that land, whose production, in turn, is having a tendency to put out of business the American farmer, who has not the same export freight-rate reductions on the products of his toil. This is unfair, it is un-American, and it is unjust. [Applause.]

The statements above referred to are as follows:

OCTOBER 29, 1929.

Hon. ALEXANDER LEGGE,
Chairman Federal Farm Board, Washington, D. C.

DEAR MR. LEGGE: I desire to call your attention to House Joint Resolution 96, which I have introduced in the House and which authorizes the granting of the same freight-rate reductions on surplus wheat and cotton intended for export that are now granted certain industrial articles, and authorizing and directing the Interstate Commerce Commission to make the same or similar reductions.

When iron and steel are shipped from Pittsburgh to New York for domestic use the rate is 34½ cents per hundred; when intended for shipment abroad the rate between the same points is 30 cents per hundred.

On fertilizer shipped from St. Louis to Galveston the domestic rate is 36 cents per hundred; when intended for export the rate is reduced to 23 cents per hundred.

On farm implements shipped from Chicago, Ill., to New Orleans for domestic use the rate is 73 cents per hundred; when intended for shipment to Europe the rate to New Orleans is reduced to 41½ cents per hundred.

Similar reductions are allowed on automobiles intended for export.

I think the Farm Board could do no finer thing than to join in a request to the Interstate Commerce Commission that the freight rates on wheat and cotton, when shipped from the production centers of those commodities to points of exportation, be reduced in similar proportion to the reductions now allowed on the commodities above named. Don't you think this would be fair?

After our fight of last winter the commission temporarily reduced some of the rates on wheat intended for export, but those reductions in addition to being temporary were mainly from the terminal centers rather than from the production centers. For example, the rate on wheat shipped from the Panhandle of Texas to Gulf ports was reduced from 33 cents to 29½ cents per hundred. While this was of some benefit, it was temporary and was not in any way comparable to the permanent reductions allowed on the industrial commodities named above and others which might be named. No reductions at all were allowed on cotton, and yet cotton is the greatest export commodity in America.

I want to ask the Farm Board to join in a request to the commission to correct these inequalities, either by reducing the export freight rates on cotton and wheat or by doing away with all of the reductions on industrial export commodities, so that the entire rate structure may be brought down.

I appreciate the difficulties of the Farm Board and am making this request in the utmost good faith and for the purpose of rendering any possible aid in correcting these manifest inequalities. This would mean a saving of millions of dollars to the wheat and cotton growers of America and would mean much to the distressed producers of those commodities.

Sincerely yours,

MARVIN JONES.

Hon. CARL WILLIAMS.
Hon. SAMUEL MCKELVIE.

NOVEMBER 1, 1929.

Hon. MARVIN JONES,
House of Representatives.

DEAR MR. JONES: Replying to your letter of October 29, it seems to me that the whole rate structure of the country needs revising, but I realize that doing so is a tremendous task and many complications are involved.

I was forcefully reminded of this a few days ago at a meeting with the railroad presidents trying to work out an extension of time for shipment of grain from the Gulf ports; that is, grain that had accumulated there under the special rate which expired September 30. I believe that if we could have held the situation to the classification of the southwestern district, we might have secured some relief, but the holders of grain at Kansas City, Omaha, and points farther north, came into the picture with claims for an adjustment if anything was done for the holders of grain at these ports. Perhaps some of these people had pretty good backing for their claims since they were prevented from shipping grain during the time the special rate was in effect by reason of the embargoes in various congested areas. Then the millers got into the game with a demand that any relief granted to the wheat shippers must also be extended to flour, otherwise their foreign competitors would be given an advantage over them in having moved their grain to the seaboard at a lower rate than the corresponding rate on flour from domestic mills. The railroads west of Chicago then came into the situation, as they also had a time limit on their part of the haul, involving wheat shipped to the Atlantic ports. The natural result of this complicated situation was that the railroads turned us down cold and declined to reopen the subject.

I merely mention this to indicate some of the complications, and I apprehend that for all of the items covered in your resolution, or which you might fit in, the eastern lines, where the density of production is greatest, could make special export rates without actually handling the business at a loss, while the same would not be true of some of the so-called granger roads.

This board will be glad to go along with any program which looks to a simplification and straightening out of these various complications, although I am satisfied that it is, after all, a matter for the Interstate Commerce Commission, and they are not anxious to have any other board or bureau mixing in it.

Very truly yours,

ALEX. LEGGE,
Chairman Federal Farm Board.

NOVEMBER 4, 1929.

Hon. ALEXANDER LEGGE,
Chairman Federal Farm Board,
Washington, D. C.

DEAR MR. LEGGE: I am in receipt of your letter of November 1, in reference to export railway freight rates on wheat and cotton, and I want to thank you for your consideration of the questions involved.

My reason for taking the matter up with you as chairman of the Farm Board was because of some previous correspondence which I had had with the Interstate Commerce Commission and also some conferences which I had had with some of the members of the commission in reference to this question.

The purport of this correspondence, as I understood it, was to the effect that reductions are brought about in two ways:

First. By railway companies voluntarily submitting a schedule of such rates. In this event the new rates go into effect automatically unless some one protests against them on the ground that their rights would be prejudiced. This seems to be the way in which most of the reductions referred to in my letter were made.

Second. Reductions may also be made upon the application of parties or organizations interested in securing such reductions. When this course is pursued it is necessary for the commission to give notice and have formal hearings of witnesses, both for and against such application. Manifestly there is little chance of the railways making additional voluntary schedules, especially as to cotton, and I may add the voluntary reductions recently made as to wheat were of a temporary nature and were from the terminal points rather than from the production centers. At least, such reductions from production centers were negligible.

For this reason it seemed to me that the only chance to secure material reductions on these commodities is for some one who is interested to file formal application and ask for a hearing.

You state that it is a matter for the Interstate Commerce Commission and that they are probably not anxious to have any other board or bureau mixing in it. This is probably true in regard to the actual making of the rates, but one of the commissioners stated to me that the commission itself does not initiate rates. That only in one of the two ways mentioned above are schedules of rates changed. This being true, it is entirely proper for any one or any organization which is interested in the matter to make application for such changes, and the commission itself would naturally pass upon the merits of the controversy.

I naturally thought, and still think, that the Farm Board could be of assistance either by filing such application or by suggesting to the farm organizations handling the commodities in question that such application for reduction might be made by them.

I appreciate your assurance that the board will go along with any program which looks to simplification and straightening out of these various complications.

Sincerely yours,

MARVIN JONES.

NOVEMBER 9, 1929.

Hon. ALEXANDER LEGGE,
Chairman Federal Farm Board,
Washington, D. C.

DEAR MR. LEGGE: In replying to your letter of November 1 I inadvertently overlooked one matter. You state that you apprehend that for items covered in my resolution "the eastern lines where the density of production is greatest could make special export rates without actually handling the business at a loss, while the same would not be true of the so-called granger roads."

At first blush this sounds rather plausible, but, as a matter of fact, some of the reductions on iron and steel and other manufactured products are greater when traveling over the western roads than over the eastern; for instance, iron and steel shipped from Chicago to San Francisco for domestic use take a rate of $1 per hundred; for export takes a rate of only 40 cents per hundred. On automobiles shipped from Detroit, Mich., to San Francisco the export rate is less than one-half the domestic rate; when farm implements are shipped from Chicago to San Francisco the export rate is $1, and the domestic rate is $1.93. I have already given you some of the reductions when shipped to the Gulf ports.

I may further add that some of the western and southern roads seem as prosperous as the average eastern road, and the demand for the privilege of new construction seems to be even greater in the South and West.

The records show that during the years 1927–28, 21.4 per cent of the new railway construction in the United States was in the congressional district which I represent in northwest Texas, the new construction being 380.4 miles.

These figures would not indicate any dearth of business on the part of the southern or western railroads. Those who are informed advise me that the smaller amount of traffic is largely made up in the longer haul.

* * * * * * *

I have been a member of the Agriculture Committee for nearly 10 years, and represent a district whose interests are primarily agricultural. I appreciate the complicated nature of the freight-

rate structure, but these inequalities are so glaring that in my judgment they constitute one of the most important phases of the farm problem.

Sincerely yours,

MARVIN JONES.

UNITED STATES STEEL DIVIDENDS

UNITED STATES STEEL CORPORATION,
May 21, 1929.

I. ORIGINAL CAPITAL STOCK WHEN INCORPORATED

"The authorized capital stock consists of $550,000,000 7 per cent cumulative preferred and $550,000,000 common stock. Par value, $100 per share. Listed, July 1, 1901: $508,486,300 preferred and $506,473,000 common stock." (Moody Corporation Securities 1901, vol. 2, p. 712.)

II. PRESENT CAPITAL STOCK

"Common, $711,623,500; preferred, $360,281,100; total, $1,071,904,600."

Quoted from twenty-seventh annual report for the fiscal year December 31, 1928, as given in Commercial and Financial Chronicle, March 23, 1929, volume 128, page 1934.

III. *Total dividends paid for each year since organization*

(Quoted from Poor's Industrials, 1928, p. 1286)

Year	Preferred dividends	Balance for common	Earned on common
			Per cent
1901 [1]	$26,752,894	$34,642,309	9.08
1902	35,720,177	54,586,347	10.74
1903	30,404,173	25,012,479	4.92
1904	25,219,677	5,047,852	.99
1905	25,219,677	43,365,815	8.53
1906	25,219,677	72,908,910	14.34
1907	25,219,677	79,345,887	15.61
1908	25,219,677	20,509,037	4.05
1909	25,219,677	53,854,018	10.59
1910	25,219,677	62,187,508	12.23
1911	25,219,677	30,080,620	5.92
1912	25,219,677	29,020,732	5.71
1913	25,219,677	55,907,309	11.02
1914	25,219,677	[2] 1,722,909	----------
1915	25,219,677	50,614,155	9.95
1916	25,219,677	246,312,054	48.46
1917	25,219,677	198,999,888	39.15
1918	25,219,677	112,312,700	22.09
1919	25,219,677	51,574,906	10.14
1920	25,219,677	84,474,551	16.62
1921	25,219,677	11,397,340	2.24
1922	25,219,677	14,433,778	2.83
1923	25,219,677	83,487,387	16.42
1924	25,219,677	59,847,515	11.73
1925	25,219,677	65,382,977	12.86
1926	25,219,677	91,447,728	17.99
1927	25,219,677	62,677,159	8.80

[1] 9 months only. [2] Debit.

Dividends for 1928

Preferred, 7 per cent	$25,219,677.00
Common, 7 per cent	49,813,645.00
Surplus net income	39,140,452.74

Quoted from the twenty-seventh annual report for the fiscal year December 31, 1928, in Commercial and Financial Chronicle, March 23, 1929, volume 128, page 1935.

LOUIS R. DEROUEN.

Mr. SIMMONS. Mr. Chairman, I yield 20 minutes to the gentleman from Washington [Mr. SUMMERS].

Mr. SUMMERS of Washington. Mr. Chairman, there is nothing more interesting, in my opinion, that comes before the Congress than the appropriation bill for agriculture, especially if Members are willing to look into the hearings conducted by our committee.

I open here promiscuously to the turpentine industry, which at first thought might not seem to hold any particular interest, except to a limited number of people in the Southern States, but we were told by one of the chemists of the Department of Agriculture that there is something new and something very important just around the corner for the turpentine industry.

We all know of nonshatter glass; but perhaps we have not appreciated the very close relationship of our southern yellow pine and the production of turpentine to the production of nonshatter glass.

We are told that 50,000 barrels of southern turpentine is shipped abroad annually and there made into synthetic camphor, much of which returns to the United States and is used in the manufacture of celluloid, which in turn is used in the manufacture of nonshatter glass by inserting a thin layer of the celluloid between two layers of glass, and then compressing the whole and making what is known as nonshatter glass, which is used extensively for windshields in automobiles. It is believed by scientists that it will be used in store fronts and in many other ways in a short time. Growing out of this comes the necessity for a laboratory for the study of these products of the southern pine.

NATIONAL FORESTS

I want to say a word in regard to the national forests of this country. We are often asked why our national forests are not self-supporting and when will they become self-supporting? As a matter of fact the national forests can be made self-supporting in 1931 if we want to sacrifice the forests. But it is not the purpose of the Forestry Bureau, nor of the Congress of the United States, to have the national forests utilized to an extent that they will become self-supporting.

As a matter of fact they are the great storehouse of timber and lumber for the future welfare of the entire Nation.

We only need to turn back a century to find that this country was forested with the most desirable hard timber imaginable; we find that only a few years ago the State of New York was the center of the timber industry in the United States. Ten years later the center moved to Pennsylvania. A little later on it was in the Great Lakes region and then in the South, and now the center of the great resources of timber and lumber are to be found in the Pacific Northwest and in the South.

No it is not intended to make our forests at this time self-supporting. The problem is to handle our forests in such a way that our Nation may have proper, suitable timber for industrial purposes in all time to come.

Mr. BRIGGS. Will the gentleman yield?

Mr. SUMMERS of Washington. I yield.

Mr. BRIGGS. Was there any statement before the Agricultural subcommittee, in its hearings, as to whether any new process had been perfected whereby southern pine could be brought into a high grade desirable wood pulp, as is now made from other wood, which would thereby make the United States less dependent upon foreign importation of wood pulp than exists to-day?

Mr. SUMMERS of Washington. I am glad to say that many studies are being made in the utilization of what is now waste timber for the production of wood pulp. There is a laboratory at Madison, Wis., for which this bill carries a large appropriation, where work is being done and at other places in the United States; at one place in Minnesota our committee two years ago found that a great timber concern had expended something like twelve million dollars in experimental work before they ever secured a dollar in return, in the utilization of second-growth timber that was previously supposed to be worthless.

Timber pulp is being developed in every part of the United States at a quicker rate than ever before.

Mr. BRIGGS. There has been quite a marked improvement in the progress made to convert waste southern pine into certain kinds of paper like wrapping paper and other kinds of good paper; but they have a great difficulty in producing, in any substantial quantity, an acceptable newsprint paper. I understood that a process has been perfected whereby they take southern pine and other near hardwoods and convert them into acceptable newsprint paper, such as is made from the fir and spruce of the northern regions.

Mr. SUMMERS of Washington. There is no question that in the past they have been destroying forests instead of utilizing them. We have only scratched the surface in the utilization of timber. I believe we are on the verge of the utilization of wood of all character as never before.

Mr. GREEN. That is particularly the case in the second-growth pine.

Mr. SUMMERS of Washington. Second-growth pine and quaking asp and a good many other woods of the South and the North are now being used.

Mr. BRIGGS. Of course, anyone who goes through these great timber regions and sees mills in operation, with great fires constantly burning in furnaces of flame, where

great sections of trees are converted into ashes, marvels at the waste that goes on in the destruction of millions of feet of this wonderful timber.

Mr. SUMMERS of Washington. They are perpetual fires to the god of waste.

Mr. BRIGGS. And one wonders why science and the Government have not perfected some process to convert it into something useful and thereby utilize such waste to a greater extent than has been accomplished up to this time. That is one reason why I am particularly interested in the gentleman's committee addressing itself to that phase of the question and wondering whether there had been any recent developments disclosed in the hearings.

Mr. SUMMERS of Washington. The agricultural subcommittee and Congress have been rather generous in their appropriations for research purposes in the Department of Agriculture during the past few years, and greater progress is being made along these lines of utilizing timber waste and farm product waste than ever before, and I am predicting that there are still greater things just around the corner, scarcely dreamed of at this time.

Mr. MICHENER. What provision does this bill make for prevention of forest fires?

Mr. SUMMERS of Washington. This bill carries large sums for that purpose.

Mr. MICHENER. Does it carry as large as last year's bill?

Mr. SUMMERS of Washington. Yes; more.

Mr. MICHENER. Does it carry as much as was asked for by the proper services?

Mr. SUMMERS of Washington. It carries all that is recommended by the Budget in every respect except one or two small items, and they did not concern fire prevention. There are 31 forestry increases in the bill over last year. It is true that they are not large increases, but they are well distributed and it is believed will be helpful to the Forest Service.

Mr. MICHENER. I asked the question because I heard it suggested on the floor that some reduction had been made in the fire-prevention appropriation. It seems to me that if there is one thing above all others that we should look to in connection with our timber, it is fire prevention and reforestation.

Mr. SUMMERS of Washington. Both of which I hope to discuss briefly if I have the opportunity. The fire protection fund remains the same as last year, and the fire-prevention cooperation fund is increased $75,000 over last year.

Mr. MICHENER. I thank the gentleman.

Mr. SUMMERS of Washington. I quite agree that there is nothing more important than the matter of fire prevention in our forests, because it takes from 50 to 100 years to grow a tree, and we are not building for this generation, for to-day, but we must look to the future. I think we fail to realize the magnitude and importance of our national forests. Do you know that our national forests cover an area equal to that of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, and North Carolina and South Carolina? We make an appropriation that would be a small appropriation for the operation of one of those States for all activities in our national forests, and then think that we are appropriating lavishly. I insist that there are so many different angles, so many different problems that must be met by the Forest Service, that we must appropriate rather generously, if we would guard these great stores of the future for future generations.

Mr. GREEN. Mr. Chairman, will the gentleman yield?

Mr. SUMMERS of Washington. Yes.

Mr. GREEN. The gentleman spoke recently of a $30,000 item for a naval stores field laboratory. The people who are conversant with the naval stores and the timber industry in our section of the country know that that is fully justified. We hope that in the course of time the committee can go even a little further by allowing some small appropriation for pine-tar research, and so forth.

Mr. SUMMERS of Washington. The forest survey provided for under general legislation enacted two or three years ago is a very important problem. It not only determines the quantity of timber of different varieties in the national forests but the insect pests and the amount of destruction that is resulting therefrom, forest fires, and the destruction therefrom, how rapidly we are reforesting, in fact many problems are answered. We will get much additional information from this forest survey. This bill carries a special appropriation for extending that work into the southern forests. I now want to discuss this subject in detail.

FOREST SURVEY OF THE UNITED STATES

It seems to me quite clear that neither the Federal Government nor the States can frame and follow an adequate forest policy until the facts to be secured by the forest survey are available. We do not know how much forest land the Federal Government should own, how much the States should acquire, nor what demand for his products the private-forest landowner may expect. We do not know how much timber there is left, how fast it is being depleted by cutting and fire and other agencies, what the annual growth is, nor what the Nation's needs for wood are or are likely to be. There are many millions of acres of cutover land and burned forest land. We do not know how much of this land is restocking naturally, and how much should be planted. Millions of acres are already tax-delinquent. Until we know the real dimensions of our forest problem, until we have a correct picture of our forest situation, we can not possibly act most effectively.

There are countless ways in which the facts will be useful. As one of many examples, in considering a petition for the development of harbor facilities at Crescent City, Calif., the War Department called on the Forest Service for data on the extent of public and private timber resources tributary to the port. Only very inadequate information was available. The forest survey will provide such data.

ECONOMIC USES OF LAND

Our forest problem is not alone one of balancing the supply and demand for forest products—of meeting our wood needs. There is the huge problem of land use involving one-fourth of the Nation's land area—470,000,000 acres of land now or once forested, and not now otherwise used. This is only slightly less area than is in farm crops. If the economics of the situation will allow us to keep all that acreage busy growing tree crops, it will pay taxes, support communities, furnish freight. If any large part of it is idle, it is a burden on the public pocketbook.

It may surprise you to know that our forest-land acreage—one-fourth of the total land area of the country—is increasing all the time. The net decrease in acreage of harvested crops in five years, 1919–1924, was over 13,000,000 acres. Much of this land is in the forest regions, and probably half of it has already reverted to forest growth by natural means. Forestry is being hailed as the solution of the submarginal farm-land problem. Farmers are urged to plant trees on their low-quality acreage. New York is embarked on a program of purchasing 1,000,000 acres of submarginal farm land to be planted to forest trees. Languishing agriculture in the southern Appalachians hopes to find a profitable substitute in forest growing. Whether there is a real solution here, or whether perhaps there may be an attempt to convert too much land to forest, can be answered only by a study of the probable future wood needs of the United States, as provided for by the Forest Survey.

RELATIVE STANDS OF SAW TIMBER, BY STATES

There is great lack of balance both between our remaining standing timber and our areas of forest land and in the geographical relation of supply and demand. The great bulk of the remaining timber is in the South and far West, while almost half of our lumber consumption is in the northeast quarter of the country.

According to the best available estimates, fully half our remaining saw timber is in the three Pacific Coast States.

There is a vast acreage of forest land well distributed economically throughout the Nation. But it does not have the forests on it, and much of it is badly devastated. It is the job of the Forest Survey to find out just what the conditions

are on this land, whether any new growth is coming in, and what it may be expected to do in meeting future wood needs and in furnishing a basis for stabilized forest industry.

MARCH OF DEPLETION

In all major forest regions except the South and far West there is acute local exhaustion of timber supplies. It has been a steady march of peak production and leadership, followed by decline, from New England and the Middle Atlantic States to the Lake States, thence to the South, and now on the Pacific coast. Abandoned towns and railroads, bankrupt counties, a host of economic and industrial ills have followed forest depletion. Both the resulting timber supply and land use problems which resulted demand a thorough stock taking.

Even on the Pacific coast local exhaustion or near exhaustion of timber resources is gravely threatening the life of some forest-industry communities and the solvency of some counties. The Grays Harbor region in Washington, for example, includes a group of cities with a total population of over 50,000, almost wholly dependent on the forest industry. The region is nearing the end of its supply of virgin timber and is actively concerned over its future.

WHERE THE LUMBER COMES FROM AND WHERE IT GOES

There are important reasons why one part of the Nation needs to concern itself with the forest situation in another part. Kansas can not grow its own timber, so it has a vital interest in the continued forest productivity of the distant regions whence come its lumber. So has Nebraska, and Iowa, and all these other States that depend on forests hundreds or even thousands of miles away. Iowa gets 88 per cent of its lumber from far-distant regions, Nebraska 91 per cent, Indiana 64 per cent, New York 69 per cent, Rhode Island 51 per cent from Oregon and Washington alone, and many other striking examples might be cited.

THE SHIFTING LUMBER SUPPLY

There are some astonishing changes in the source of lumber supply within four years, 1924–1928. It is very striking how quickly dependence can shift, and always to a supply farther away. Among especially striking examples are Kansas, which in 1924 was getting 30 per cent of its lumber from Oregon and Washington, while in 1928 it got 50 per cent from that region, and its southern supply dropped from 58 to 34 per cent; Maryland, from Oregon and Washington, increased from 2 per cent to 26 per cent; Massachusetts, 8 per cent to 22 per cent; Missouri, from 11 per cent to 17 per cent; and Oklahoma, on edge of southern pine belt, increased from 4 per cent to 22 per cent.

LUMBER AND FREIGHT

The extent to which forest products create freight traffic and help to carry the burden of freight rates is not generally realized. Take the Central Railroad of Georgia, for example. It serves what is generally regarded as an agricultural territory, yet forest products make up 20 per cent of its traffic, while agricultural commodities account for only 13 per cent—from statement of President Clift at Georgia Commercial Forestry Congress, 1930. The Pere Marquette Railway, through the heart of the Michigan farm belt, nevertheless gets two-thirds as much revenue from hauling forest products as from farm crops. The great Baltimore & Ohio system gets 80 per cent as much freight revenue from forest products as from agricultural products. The Northern Pacific gets 23 per cent of its freight revenue from forest products.

It is important to know how long this tonnage will last and what may be needed to bring about its permanency.

INDUSTRIAL IMPORTANCE

If we count the families of those directly employed in forest and woodworking industries and those employed in furnishing supplies and services dependent on these industries, there are at least 10,000,000 persons vitally concerned as to their livelihood. As a major contribution toward stabilization of the forest industry, the forest survey should have a long-time effect on unemployment.

LUMBER USED IN MANUFACTURE, 1928

Wood is woven and interwoven into our industrial fabric. Sixty industries, each using over 18,000,000 feet of lumber annually as a raw material, represent hundreds of communities dependent on their pay rolls, hundreds of trainloads of freight, local and Federal taxes, a huge purchasing power to help support still other industries and communities. Some of these wood-working or wood-using industries are running short of a wood supply. For example, the Fisher Body Co. is taking steps to secure a permanent supply. The forest survey will explore this field thoroughly.

FARM WOODLANDS

As a class the farmer is the biggest timberland owner in the country, owning one-third of our forest land. The forest survey should throw much light on the extent to which farm woodlands can contribute to the country's wood requirements and likewise to what extent forestry can find a profitable outlet for the products of the submarginal farm land. This bears directly on the so-called farm problem.

EXISTING PROJECTS AND COOPERATION

The need for the nation-wide forest survey is perhaps as well indicated by the constant cropping up of local projects of a similar character as by any other factor. Economic studies aimed at urgent local needs and involving land use are under way or developing in a number of the States. None of these is designed to secure all the data needed by the forest survey, but there is an admirable opportunity to combine with them and through joint effort secure the facts needed for both the national and local picture. To secure the best use of the results of the forest survey it must bring the picture down to sufficiently small local units to insure local, focussed interest. Through cooperation with projects such as these, the result will be securing more data than by the nation-wide survey alone, and reducing the cost of the Federal project.

Because of the many urgent economic problems whose solution depends in large measure on having the facts the forest survey will produce, and because the forest situation is changing radically each year by cutting, fire, insects, and disease, it is highly important to complete its survey promptly. From a comprehensive forest survey we shall inevitably learn more of the value of watersheds and of erosion that must follow their denudation.

I am deeply indebted to Mr. Granger, in charge of the survey, for assistance in this presentation.

The maximum annual appropriation authorized for the survey by the McSweeney-McNary Act, $250,000 per year, is none too much for satisfactory progress.

Mr. GLOVER. The gentleman has been speaking about utilizing timber waste for the purpose of making paper. Has the Agricultural Department made any experiments, or is it making any, with reference to using the by-products of one agricultural product, that is, rice straw, in the making of paper? In one place in my district within a radius of 30 miles there are at least 100,000 tons of this rice straw, a very fine product, yearly going to waste. Has the department experimented with making use of that in paper?

Mr. SUMMERS of Washington. I am glad to tell the gentleman that the committee has inserted in this bill an item for a farm products waste laboratory in connection with the State college at Ames, Iowa, which will cover the utilization of all cereal straws. We have, of course, unlimited quantities of wheat straw in eastern Washington, in my district. There has been some experimental work done there, and they find that they can make several different qualities of paper very readily. The utilization of cornstalks, of course, for that purpose the gentleman already knows about. Over in Illinois a year or so ago I saw them baling straw in the farmers' fields and shipping it to Terre Haute, Ind., there to be manufactured into wrapping paper, corrugated board boxes, and things of that kind.

We have been utilizing not to exceed 50 per cent of what we grow on our farms, and the balance of it we have been destroying. It is not too much to predict that in a quarter of a century what is now being destroyed in timber and farm

products will be the equal of that which we are now utilizing. That may be too optimistic. I doubt if it is.

The study of cut-over lands is a big problem in the Great Lakes States and in the Southern States, and is coming to be a great problem out in our country, and we need a national agency to determine whether we shall plant trees or whether we shall permit natural reforestation, or whether we shall try to clear the stumps and make dairy farms of the cut-over land. You will see it is a small appropriation for the Forest Service, which is trying to work out all of these problems for us.

A great question that confronts the white pine and sugar pine of the Northwest is blister rust which came to this country from Europe with some plants that were imported some years ago. It has traveled through the East and has been destructive. It went into Canada and came into the Pacific Northwest by way of British Columbia, and it is now attacking the biggest and best white-pine timber stand remaining in the United States in northern Idaho and in northeastern Washington. Some 3,000,000 acres of choice white pine, it is predicted, will be thoroughly infested within the next 10 years, and will be utterly destroyed within 25 years if this is not controlled. It is a fungus, and the host plant is the wild gooseberry and wild currant. It will not pass from one pine tree to another. It comes from the currant or gooseberry by way of the spore borne on the wind to the white pine and there goes through a regeneration process and it goes back to the currant or gooseberry and from there, again, to the white pine; so it becomes a problem of exterminating the host plant, which is the wild gooseberry and wild currant. There is a considerable appropriation made for this purpose. Private industries and the States are cooperating, but I do not believe that we have realized the magnitude of the problem and the importance of protecting the remaining white pine and sugar pine, and I believe this amount should be increased. [Applause.]

Mr. SIMMONS. Mr. Chairman, I yield 25 minutes to the gentleman from Tennessee [Mr. REECE].

ORIGINAL PURPOSE

Mr. REECE. Mr. Chairman and ladies and gentlemen, most Members of the House will remember that the Muscle Shoals project came into existence because of the necessity for nitrate plants for manufacture of explosives and other products useful for munitions of war in an essential program of national preparedness. Incidental to preparedness for war was the purpose in the minds of Congress to set up peace-time operation for the manufacture of fertilizer and ingredients of fertilizer and other products in order to maintain them in an up-to-date condition for immediate operation as war machines if a national emergency arose and at the same time, to give great benefits to agriculture in time of peace.

Mr. BEEDY. Will the gentleman yield?

Mr. REECE. I yield.

Mr. BEEDY. Does the gentleman propose to discuss the Muscle Shoals proposition?

Mr. REECE. I do.

Mr. BEEDY. Mr. Chairman, I think in view of the importance of the subject which the gentleman is discussing, it should not be discussed before empty benches, and I make a point of no quorum.

The CHAIRMAN. The gentleman makes a point of order that there is no quorum present. The Chair will count. [After counting.] Ninety-four Members are present, not a quorum.

Mr. WOODRUFF. Mr. Chairman, I move that the committee do now rise, and on that I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. WOODRUFF and Mr. SIMMONS.

The committee divided; and the tellers announced that there were—ayes 2, noes 125.

So the motion was rejected.

The CHAIRMAN. A quorum is present, and the Chair recognizes the gentleman from Tennessee [Mr. REECE] for 25 minutes.

Mr. REECE. At the close of the war the United States had invested in nitrate plants, in a large steam-power plant, and in partial construction of a power plant in excess of $85,000,000. In order to set up a complete project for national safety and for peace-time operation in behalf of agriculture, Congress authorized completion of the Wilson Dam and a water-power plant at an additional expenditure of $45,000,000, making the total investment to date more than $130,000,000.

FAILURE OF CONGRESS TO ENACT LEASE CONTRACTS

During the last nine years Congress has wrangled over the question of the manner of peace-time operation of these publicly owned plants, complete in every detail for large-scale operations both for the production of products essential in time of war and important to agriculture in time of peace. Several attempts have been made by Congress to negotiate and agree upon the terms of contracts with private companies, but without success.

The House is familiar with these many unsuccessful attempts, all having in view the guaranty to produce fertilizer in quantity and to safeguard national defense. But it should be borne in mind that the failure of Congress to enact a lease contract with private companies has not been due to any lack of satisfactory lessees of financial responsibility but to the inability of the Congress itself to agree upon and negotiate a legislative contract. The Military Affairs Committee of the House has devoted a great amount of time in an effort to arrive at a satisfactory solution of the problem in the best interest of the Nation in peace as well as in war.

FAILURE TO ENACT GOVERNMENT OPERATION BILLS

In 1928, in its anxiety to dispose of the question, Congress approved a Government operation bill, which was vetoed by President Coolidge. Although such an act had once met with veto and failed to dispose of the question, the Senate during the last session adopted a similar act for Government operation.

VIEW OF HOUSE MILITARY COMMITTEE

The House, upon the recommendation of the Military Committee, substituted an act to authorize the President to make contracts for private operation in a manner that would safeguard national defense and guarantee the production of fertilizer in large quantities for sale to the farmer at 8 per cent profit. The Military Committee of the House has consistently adhered to the original purpose that these plants are dedicated to national defense and to agriculture and must be operated in peace time for the production of fertilizer and of incidental products essential to keep the plants in an up-to-date condition for national defense. The House, with the exception of the Government operation bill vetoed by President Coolidge, has adhered to the same view.

TWO VIEWS NOW IN CONFERENCE

The Senate bill and the House substitute of last session are now in conference. The conferees representing the House have attended a number of meetings with the conferees from the Senate and have made an earnest and sincere effort to bring about some compromise agreement that would harmonize the opposing views and put the project into operation.

PURPOSE OF SENATE BILL

There are certain fundamental differences, both of purpose and of method, between the Senate and the House bills. The Senate bill proposes to create a Government corporation whose primary function would be to engage in a power-distribution system on behalf of the Federal Government in competition with private citizens with authority without reference to Congress to construct transmission lines from a revolving fund created from the sale of power.

The Senate bill provides only for experimentation in the production of fertilizer and for none of the incidental electrochemical products essential to national defense or necessary to keep the plants in an up-to-date condition for the production of national-defense products in the emergency of war. Not only are fertilizer and national-defense products

not contemplated in the Senate bill, but the setting up of a power-distribution system by the Government corporation that would use all the power under long-time contracts with adjacent cities, would prevent any power from ever being available for production of fertilizer or national-defense products. The nitrate plants would stand idle and rust while the farmer begs for relief and the national defense needs facilities that could be converted into machines of war in case of emergency.

PURPOSES OF HOUSE BILL

The House bill proposes to create a board whose primary function would be to lease and, thereby, to operate the properties in cooperation with private citizens and States without additional expense to the Government. It would require not only experimentation in new forms of fertilizers, but the production of fertilizer in commercial quantities for sale to the farmer at not exceeding 8 per cent profit and other chemical and electrochemical products useful in national defense and to keep the plants ready for use by the Government in national emergency. It would allow the sale only of surplus power not needed in the successful operation of the nitrate plants, and in the sale of such surplus power preference is given to States, counties, and municipalities under strict regulatory authority.

ESSENTIAL POINTS AND RESULTS OF BOTH BILLS

I believe and feel that it is the belief of a majority of the Members of the House that adoption of the Senate plan would be an abandonment of the pledge made to the farmer and would result in continued idleness of the nitrate plants, created at tremendous public cost and sorely needed in the production of nitrates, while the power plants would be operated almost solely for generating and distributing power to the public, who are already supplied with ample power through franchises under State regulatory authorities elected by the same people who elect Members of the Senate and the House. Not only the original purpose but the need is for the operation of these properties, as provided in the House bill, in behalf of agriculture and of national defense and not in behalf of a Federal power-distribution system.

The position of the Senate and House bills are in conflict on three essential points—national defense, service to agriculture, and use and disposition of power. The point of view of the House bill is that the nitrate plant should not be permitted to continue to stand idle and rust while scientists and professors engage in laboratory studies and research, but let the research go hand in hand with production. The art of nitrogen fixation during the period that Congress has wrangled over Muscle Shoals has advanced beyond the point of experimentation.

In the United States plants have been built increasing the capacity for fixation of nitrogen for commercial use from scarcely nothing in 1918 to that of more than double the capacity of those at Muscle Shoals, much of which is now going into the fertilizer trade. The idea of the House bill is that the operation of the Muscle Shoals plants in the production of nitrogen, ammonia, phosphoric acid, electrochemicals, ferro-alloys, and other products vitally essential to national defense and important in agriculture, would preserve and maintain the plants in modern up-to-date condition ready to turn out explosives in time of war, and would keep faith with the promise made to agriculture, and that any other plan or program should be subordinated to these two essential purposes.

Against this position of the House, the Senate bill stands unyieldingly for a Federal-owned and Federal-operated power-distribution system with authority in a self-sustaining Government corporation to build transmission lines from public funds secured from the sale of power without the approval of Congress. It makes only a gesture toward any activity that would directly benefit agriculture and practically abandons the plants so far as their function for national defense is concerned. In so doing, the Senate bill proposes to have the Federal Government, through the powerful arm of a self-sustaining Government corporation over which neither the executive nor the legislative department has control, to embark upon an experiment so foreign to the institutions under which we have flourished and prospered in this country. There are instances in this country where States and municipalities own and operate their power-distribution systems.

But, so far as I know, there is no instance under the Constitution of the United States of America, except that proposed in the Senate bill, where the Federal Government, in violation of the sovereignty of the States and the constitutional rights of her citizens, has taken funds from the United States Treasury in the name of agriculture and of national defense and, therewith, has built up a Federal power-distribution business in competition with private citizens, where there is no demand and no apparent need for it. All practical disposition of Muscle Shoals along the lines for which the investments there were made is being blocked by the dreamers of a Federal superpower system until such a dangerous experiment is foisted upon the South and the Nation through Muscle Shoals as an entering wedge. The idea is un-American and unsound and ultimately would lead our country to grief.

The Republican Members of the House conferees believe now, as they did in the former session of Congress, that the House bill would make the best disposition of the Muscle Shoals properties, both for the best interest of the Government and for fertilizer manufacture as well as for the best interest of the South and the Nation as a whole.

HOUSE COMPROMISE PROPOSAL

But in view of the fact that the conferees appointed by the Senate are unbending in their opposition to the House bill and because the Republican Members of the House conferees do not want to be placed longer in the alleged attitude of preventing all legislation on Muscle Shoals at this session, we with great reluctance decided to agree to a compromise upon the following basis, to wit:

First. That the Government through a permanent board, instead of a corporation, operate the dam and all power-generating facilities.

Second. That the Government lease the nitrate plants, making liberal provision for the manufacture of fertilizer, fertilizer ingredients, and kindred chemical and electrochemical products useful in national defense, with provision in the lease contract or contracts for ample power at such price and terms as will encourage quantity production of cheap fertilizer under strict provisions for the benefit of agriculture.

Third. That the Government would sell surplus power at the switchboard, giving preferential rights in purchase of same to States, counties, and municipalities.

Fourth. That the Government build Cove Creek Storage Dam in and across Clinch River in the State of Tennessee.

When these proposals were submitted to the conference committee by the House conferees as a basis of compromise the Senate conferees suggested that the House conferees prepare a new compromise bill embodying these principles. This was done by combining the Senate and the House bills into a new bill that would accomplish these purposes in a practical way, as the proposed bill itself to be placed in the record will show.

In such an endeavor to adjust the differences upon the four principles as above set out, the House conferees have offered to meet the Senate more than halfway. In these proposals we have said, "We will concede Government operation of the power plants provided the President is authorized to contract to supply power to a lessee of the nitrate plants upon terms that would enable him to engage in quantity production of fertilizer and of other products known to be necessary, useful, and beneficial for national defense." We have gone farther and offered to accept the Senate provisions for sale and distribution of surplus power giving preferences to political divisions and subdivisions and the provisions of the Senate bill restricting and limiting use of surplus power, if sold to a power company for redistribution, except that the price to the consumer would be regulated by the State authorities instead of the Federal Power Commis-

sion, but at all times subject to recall when needed by any State, county, or municipality, or for use by the lessee in the production of fertilizer.

In this compromise bill the House has said to the Senate conferees, "We accept the principle of Government operation of the power plants for sale of power at the switchboard. We concede preferences for municipalities and other political subdivisions in the sale of surplus power not used for fertilizer manufacture. We accept your provision for the payment to Alabama and Tennesse of certain percentages from the receipts of power sold. We accept your provision that research and experimentation be carried on by the Government as an aid to agriculture, but we would have it done in cooperation with the lessee in quantity production of fertilizer."

The House conferees have asked that the Senate leave out the authority to construct transmission lines and have practically conceded everything else included in the Senate provision except the position of the House for private operation of the nitrate plants for the purposes for which they were built. The House does not seek to foreclose the opportunity for the Congress in the future if the necessity should arise to construct transmission lines in order to find a market for surplus power or to prevent its going to waste.

The House conferees suggested that the Senate conferees continue to work with them in modifying and refining the proposed bill until it embodied the suggested principles in a satisfactory manner, if it did not already do so, or in revamping the Senate bill, in order to put this vast project to work without further delay in the interest of agriculture, relief to unemployment, and general business depression.

The House conferees feel that if such a compromise proposal should be submitted to the Senate and the House at this time that it would undoubtedly meet with favor and with immediate enactment. As this proposed compromise goes more than halfway upon the principle of Government operation and provides a practical solution to the problem, we feel that no serious objection can be raised by anyone who really wishes the matter to be disposed of and to be removed from the game of political football.

SENATE COMPROMISE PROPOSAL

Much to our regret the Senate conferees have not appeared to give serious consideration to the proposed compromise bill on the part of the House embodying these four principles. Every effort to have the House compromise considered has been brushed aside, and instead the author of the Senate bill appropriately presented an amendment to his own bill which seemed to me to offer no real basis for a compromise. He left his own bill unchanged, only appending thereto a proviso that the President be given authority to lease the nitrate plants under such restrictions and conditions as make it impossible for him to do so. Therefore, it was only a gesture and meaningless. He readily acknowledged that the amendment which he proposed would not effect a lease nor make possible the operation of the nitrate plants by a lessee. So it is hardly worth while to discuss the merits of this compromise amendment when the author himself acknowledges that the plants could not be leased or operated under it. It makes no requirement as to quantity of fertilizer to be produced by lessee, no limitation as to profit, and no provision as to incidental products or as to terms for power whereby it would be possible for a lessee to operate. The reason for all such laxity in this amendment is that it is known there would be no lessee under it. Evidently the amendment was offered on the theory that the power generated at Muscle Shoals should be withheld from use in agriculture and national defense in order to have it available with which to build up this experiment of the Federal Government in the power-distribution business. It would appear that the object is to block any other disposition of the matter until the House might be caused to acquiesce in such an experiment as that contemplated in the Senate bill.

The Senate conferees, in their proposed amendment, would have the Government corporation stand aside only in its operation of the nitrate plants for 6 or 12 months, while the President would fruitlessly endeavor to find a lessee under impossible provisions. Then the Government corporation would immediately step in and engage in the doubtful experiment of Federal Government operating the nitrate plants as well as a power-distribution system in competition with its own citizens and its own sovereign States.

VALUE TO FARMERS OF HOUSE PROPOSAL

In contrast with the Senate amendment, the value of the House leasing provision to the farmer can hardly be appreciated until one glances at a few figures showing fertilizer consumption in this country. Of the 7,914,688 tons of fertilizer used annually in all the States, 5,510,938 tons are used in the Southern States. The fertilizer provision in the House compromise bill would start with the production of 10,000 tons of fixed nitrogen annually, this being the nitrogen content of 240,000 tons of ordinary 4–8–4 commercial fertilizer. The production of fixed nitrogen would increase annually until the maximum of the plants is reached within 12 years. The maximum production of the plants is now estimated to be approximately 40,000 tons of fixed nitrogen annually. This would be the equivalent of the nitrogen content of about 1,000,000 tons of ordinary 4–8–4 commercial fertilizer. This would sell at the plants at about half the price at which the same high-grade fertilizer is now selling to the farmers. This would effect an enormous saving to the farmer.

Then, as he learned to use concentrated fertilizer, he would make still greater savings both in freight paid and in acreage cultivated. It is estimated that the saving to the farmers of the country would in a few years amount to hundreds of millions of dollars annually. Yet the farmer is being deprived of this benefit while the project is delayed by those who would use it to force the Government into the doubtful experiment of a Federal superpower system.

FUTURE LEFT OPEN BY HOUSE PLAN

Unless the Senate is willing to meet the House halfway and by declining to recognize the views of the House forces Government operation, it will be an abandonment of the original purpose of Muscle Shoals for a Federal power-distribution system in a territory where no demand has been made for such a departure from the original object. On the other hand, if the plan of the House for private lease should result in failure to secure a lessee, or if a lessee should make an honest effort and fail, the opportunity is not foreclosed for the Congress to accept the position of the Senate and engage in outright Government operation both of the nitrate plants and distribution of power as a last resort. Such unsound legislation should be only a last resort. We are still hopeful that the Senate conferees will yet engage in a discussion of a real compromise.

VALUE TO SOUTH OF HOUSE COMPROMISE

Under the terms of the compromise House bill as submitted to the conference committee, a number of very important accomplishments for the South in particular are made a certainty. Among them are these:

First. The Federal Government guarantees the construction of the Cove Creek Dam, which fact assures flood control, navigation, and the power and industrial development of the Tennessee Valley, both below and above the Cove Creek Dam.

Second. It guarantees the production of cheap concentrated fertilizer in quantity for the benefit of agriculture in the South and the Nation.

Third. It guarantees the development of a vast electrochemical industry in the Tennessee Valley.

Fourth. It encourages the development of other tremendous power resources of the Tennessee River Valley both by State and by private enterprise.

This would mean an early investment of hundreds of millions of dollars and the locating of innumerable industries throughout the Tennessee Valley with an annual expenditure in the States of Tennessee and Alabama of many millions of dollars.

DANGER TO SOUTH OF SENATE PLAN

The fundamental question at issue for the South is, Shall we let this wonderful opportunity for the development of our section be sacrificed for the sake of experimenting with the untried theory of putting the Federal Government into the power-distribution business in conflict with the States and with all private investments of American citizens within our borders? I believe that we of Tennessee and of the South will be of one mind when we understand the question and realize that there is a probability of our losing all these benefits for the South by chasing the phantom of Federal operation without providing for the actual development of our potential resources. [Applause.]

Mr. Chairman, I ask unanimous consent to extend my remarks by printing a copy of the proposed compromise bill.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The bill referred to follows:

HOUSE COMPROMISE BILL AS OFFERED

For Senate Joint Resolution 49

Joint resolution to provide for the national defense by the creation of a board for the operation and leasing of the Government properties at and near Muscle Shoals in the State of Alabama, and for other purposes

Resolved, etc., That for the purpose of maintaining and operating the properties now owned by the United States in the vicinity of Muscle Shoals, Ala., primarily for the manufacture of nitrates or other products useful for fertilizer bases, fertilizers, and national defense, the President of the United States (hereinafter referred to as the President) be, and is hereby, authorized and empowered to appoint, by and with the advice and consent of the Senate, five eminent citizens of the United States, one of whom shall be identified with agriculture, for the purpose of administering the provisions of this act, and these five shall constitute the Muscle Shoals board (hereinafter designated as the board), and this act may be cited as the "Muscle Shoals act of 1930."

SEC. 2. The members of said board shall, upon receiving notification of their appointment, take an oath faithfully to perform the duties imposed by the provisions of this act, and upon the filing of said oath with the President commissions shall be issued to them; and thereupon the President shall set a time and place for their meeting, when the board shall organize and shall proceed to carry out the provisions of this act.

(b) The terms of office of the members first taking office after the approval of this act shall expire as designated by the President at the time of nomination, one at the end of the first year, one at the end of the second year, one at the end of the third year, one at the end of the fourth year, and one at the end of the fifth year, after the date of approval of this act. A successor to a member of the board shall be appointed in the same manner as the original members and shall have a term of office expiring five years from the date of the expiration of the term for which his predecessor was appointed.

(c) Any member appointed to fill a vacancy in the board occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

(d) Vacancies in the board, so long as there shall be three members in office, shall not impair the powers of the board to execute the functions of the board, and three of the members in office shall constitute a quorum for the transaction of the business of the board.

(e) Each of the members of the board shall be a citizen of the United States and shall receive compensation at the rate of $50 per day for each day that he shall be actually engaged in the performance of the duties vested in the board, to be paid as current expenses on part of the board, not to exceed one hundred days in any year after the first year: *Provided, however*, That any member of the board who may be elected by the board as an officer may serve as many days as his duties require. Members of the board shall be reimbursed for actual expenses (including traveling and subsistence expenses) incurred by them while in the performance of the duties vested in the board by this act.

(f) No member of the board shall have any financial interest in any public utility corporation engaged in the business of distributing and selling power to the public nor in any corporation engaged in the manufacture, selling, or distribution of fixed nitrogen, or any ingredients thereof, nor shall any member have any interest in any business that may be adversely affected to the success of the Muscle Shoals project as a producer of concentrated fertilizers.

(g) All members of the board shall be persons that profess a belief in the feasibility and wisdom, having in view also the national defense and the improvement of navigation, flood control, and water-power resources, of producing fixed nitrogen, other fertilizer bases, fertilizer, and other useful products under this act of such kinds in quantity and at such prices as to induce the reasonable expectation that the farmers will buy and use said products, and that by reason thereof the cause of agriculture and the welfare of the Nation will be materially benefited.

SEC. 3. Except as otherwise specifically provided in this act, the board—

(a) May make contracts, but only as herein authorized.

(b) May purchase or lease and hold such personal property as it deems necessary or convenient in the transaction of its business, and may dispose of any such personal property held by it.

(c) The President and/or the board hereby is authorized to employ such officers, executives, attorneys, agents, consultants, and secretarial, and clerical help as he and/or they may deem necessary and desirable to assist in the execution of the powers herein conferred, to fix their compensation, define generally their duties, require appropriate bonds of such of them as may be designated by the President and/or the board and fix the penalties thereof, and dismiss at pleasure any such officer, employee, attorney, or agent, and provide a system of organization to fix responsibility and promote efficiency, and the President is authorized to detail to the board from the executive departments such personnel as he may deem advisable.

(d) Shall have all such powers as may be necessary or appropriate for the exercise of the powers herein specifically conferred upon the board, including the right to exercise the power of eminent domain.

FUNCTION OF BOARD

SEC. 4. The board is hereby authorized, when and as directed by the President, to take physical possession of the entire Government properties known as the Muscle Shoals development, including Dam No. 2 (known also as Wilson Dam), and its electrical generating units, Waco Quarry, nitrate plant No. 2, nitrate plant No. 1, except that portion of the reservation west of Spring Creek, steam power generating plants, and all structures, plants, buildings, machinery, tools and equipment, franchises, rights, powers, and privileges, including authority to exercise the right of eminent domain, for the construction, maintenance, use, and operation thereof, as well as all lands, tenements, casements, servitudes, rights of way, riparian rights and the appliances, fixtures, and appurtenances thereunto belonging, trackage, transmission lines, telephone and telegraph lines, supplies, and accessories, and to execute the three major purposes of this act, namely:

(a) To negotiate, execute, and supervise the performance of lease contract or contracts for the operation of the nitrate plants for quantity production of fertilizer, fertilizer bases, and other chemical and electrochemical products useful for national defense with priority rights on part of lessee or lessees to all power needed for such operations;

(b) To improve, maintain, and operate all power-generating facilities at Muscle Shoals and to sell at the switchboard the power thus generated;

(c) To construct Cove Creek Dam in and across Clinch River in the State of Tennessee by and for the United States Government in aid of navigation, flood control, the operations at Muscle Shoals, and of national defense and other public benefits;

All under the provisions and limitations as hereinafter set out.

LEASE AUTHORIZATION—PRINCIPLES AND LIMITATIONS

SEC. 5. The board, in preparation for negotiating the lease or leases of nitrate plants as herein provided, is hereby directed to appoint appraisers to appraise the United States properties constituting the Muscle Shoals development, except the dams and power-generating facilities, separating the same into such parts as the board may direct, and the value of each and all, as determined by such appraisers, shall represent the present fair value of United States properties involved under the proposed lease or leases, and shall, after approval by the board, be final for all the purposes of this act: *Provided*, That if two or more leases shall be under consideration the board may direct a rearrangement of the parts and a consequent reappraisal thereof.

The board shall give notice, for a reasonable time and in such manner as to them shall seem most likely to insure the widest circulation, that they are ready to entertain proposals for the leasing of the above-appraised Muscle Shoals properties and the board shall furnish to any person on demand full information as to the description and the appraised value of said properties or any part thereof.

When the board shall have negotiated a lease or leases for such Muscle Shoals properties, they shall require an adequate performance bond, effective for such period of time as the board may determine, and shall then execute the said lease or leases by signing their names thereto, and the lessee or lessees shall affix their signatures thereto, and thereupon the draft of such lease or leases shall be submitted to the President, who shall consider the same, and who in not less than 30 days nor more than 60 days after he shall receive the same may approve of the same in writing; and if the President shall so approve they shall forthwith become effective and binding upon the Government of the United States and upon the lessee or lessees. But if the President withholds his approval thereof the board shall have the right to reopen negotiations, and if another draft of such lease or leases be agreed upon and executed, then the same shall be submitted to the President and the like proceedings be had with reference thereto.

SEC. 6. The board, subject to the approval of the President as herein provided, is hereby authorized and empowered to enter into a contract or contracts on behalf of the United States for the demise and letting for a tenure or tenures, not in any case to exceed 50 years, of all or any of the properties of the United States generally known and designated as the "Muscle Shoals

development," except the dams and power-generating facilities, and to include in such lease contract or contracts provision for supplying the lessee or lessees with all the electric energy which the lessee or lessees may require within the amount specified in the contract or contracts, when and as needed, for the quantity production of fertilizer bases, fertilizers, and other chemical and electrochemical products therein authorized, at a price and with methods of payment to be agreed upon and stipulated in such contract or contracts but at such price and terms as may offer proper incentives for quantity production of fertilizer for the benefit of agriculture, such contract or contracts to be based on the principles and limitations hereinafter set forth:

NITROGEN FERTILIZER BASES AND FERTILIZERS

(a) The use of the United States properties adapted to the fixation of nitrogen in the manufacture of fertilizer bases or fertilizers in time of peace for sale for use in agriculture, and of explosives or other products useful in war or the essential ingredients thereof in time of war: *Provided*, That any and all contracts for the demise and letting of any such properties for the production of fertilizer bases or fertilizers shall contain a stipulation that there must be manufactured annually at least a prescribed amount of nitrogenous plant food of a kind and quality and in a form available as plant food and capable of being applied directly to the soil in connection with the growth of crops: *And provided further*, That any and all such contracts shall contain a stipulation requiring the lessee or lessees to produce, within three years and six months from the date such lease or leases shall become effective, such fertilizer bases or fertilizers containing not less than 10,000 tons of fixed nitrogen, and shall require periodic increases in quantity of such fertilizer bases or fertilizers from time to time as the market demands may reasonably require, and such lease or leases shall provide that such increases shall, within 12 years after such lease or leases become effective, reach the maximum production capacity of such plant or plants as the board may find to be economically adapted or susceptible of being made economically adapted to the fixation of nitrogen, if the reasonable demands of the market shall justify the same, except when the nitrogen produced is required for national defense, or when the market demands for same are satisfied by the maintenance in storage and unsold of such fertilizer bases or fertilizers containing at least 2,500 tons of fixed nitrogen, but whenever said stock in storage shall fall below the quantity containing 2,500 tons of fixed nitrogen, the production of such nitrogen, and the manufacture of such fertilizer bases or fertilizers shall thereupon be resumed.

(b) The sale of such fertilizer bases or fertilizers shall be at a price to include the cost of production and not exceeding 8 per cent profit on the turnover produced, and the costs shall include whatever may be paid to the Government for the use of that part of Government property employed by the lessee or lessees in manufacturing such fertilizer bases or fertilizers and also not exceeding 8 per cent on any capital invested by the lessee or lessees in improvements to existing plants or in additional plants employed for such manufacturing purposes, and shall include reasonable actual carrying charges (exclusive of 8 per cent profit thereon) on the stocks of such fertilizer bases or fertilizers as are held in storage and unsold for a year or more as the market demands as above provided shall be satisfied: *And provided further*, That there shall not be included as a part of the cost of producing such fertilizer bases or fertilizers and royalty for the use by such lessee or lessees of any patent, patent right, or patented process belonging to the lessee or lessees, or in which the lessee or lessees have any interest, or belonging to any subsidiary or allied corporation, or belonging to or controlled by any officer or agent of the lessee or of the lessees or of any such allied or subsidiary corporation, and if the lessee or lessees should buy any patent, patent right, or patented process with the hope and expectation of thereby reducing the cost of manufacturing such fertilizer bases or fertilizers and/or of processing the same for agricultural purposes as aforesaid, then such sum of money as shall be so paid by the lessee or lessees shall be considered and treated in the accounting of the costs of such fertilizer bases or fertilizers as investment in the nature of plant account, and not as current expenses, and such costs shall be written off on the expiration of any junior patent or license so acquired. For the annual determination of the cost of such fertilizer bases and fertilizers there shall be appointed by the board a production engineer, and by the lessee or lessees another production engineer and by these a firm of certified public accountants and these three shall proceed to ascertain and compute the cost of producing such fertilizer bases and fertilizers; and in the event of any disagreement the two said engineers shall select a third production engineer who shall hear and consider the contentions and decide the issues, and such decisions shall be binding upon all parties for the year for which the determination shall have been made. A copy of such audit and decision shall be filed each year with the board and by it preserved. The expenses incident to this provision shall be paid by the lessee or lessees, respectively, and shall be charged as an item in the cost of producing such fertilizer bases and fertilizers. If such annual cost determination discloses that any purchasers have paid a price for fertilizer bases or fertilizers in excess of that allowable under this act, then the lessee or lessees affected shall refund such excess to the respective purchasers.

(c) Such sale of fertilizer bases or fertilizers shall regard the widest practicable distribution, consistent with demand, and preference shall be given in such sales first to farmers and cooperative organizations of farmers, second to States and Territories or State and Territorial agencies engaged in processing and mixing fertilizers for resale to farmers, and, these demands being supplied, such sale may then be made to fertilizer manufacturers, mixers, or merchants.

(d) The board is authorized to cooperate with the lessee or lessees in arranging with farmers and farm organizations for large scale practical use of the new forms of fertilizers and, further, to cooperate with national, State, district, or county experimental stations or demonstration farms, for the use of new forms of fertilizer or fertilizer practices so as to obtain information as to the value, effect, and best methods of use of same, but the board is hereby authorized to pay expenses incurred under the provisions of this subsection from funds derived from rentals and sale of power, the same being considered as part of general operating expenses of board and not chargeable to cost of fertilizer.

(f) The lessee or lessees shall be required to carry on reasonably continuous laboratory research to determine whether by means of electric-furnace methods and industrial chemistry, or otherwise, there may be produced on a commercial scale fertilizer compounds of higher grade and at lower prices than farmers and other users of commercial fertilizers have in the past been able to obtain, and to determine whether in a broad way the application of electricity and industrial chemistry may accomplish for the agricultural industry of the Nation what these forces and sciences have accomplished in an economic way for other industries.

(g) The board is authorized to cooperate with the lessee or lessees in carrying on the research and experimentation provided for in the foregoing subsection, and such reasonable part of the cost of same as shall be determined by the board may be included in the cost of fertilizer or fertilizer bases, and the remainder of the cost of same may be paid from funds derived from rentals and sale of power; but any important discoveries or new processes that may be thus developed shall, in the interest of agriculture, be made available to the board and to the industry and are not patentable: *Provided, however*, That the board of the United States Government may withhold from the public or the industry in general any discovery which it deems proper in behalf of national defense.

USE OF ELECTRIC ENERGY BY LESSEE

(h) The development of electrochemical, and/or ferro-alloy, and/or other chemical and electrochemical products useful for national defense.

(i) The use of the primary and secondary electric energy produced by the power-generating facilities at Muscle Shoals enlarged and constructed in the production of fertilizer bases and/or fertilizers, and/or chemicals, and/or ferro-alloys, and/or other electrochemical products useful for national defense: *Provided*, That no contract shall be made by the board with any person, firm, organization, or corporation other than lessee or lessees for the sale of any surplus electric energy except on condition that it may be recalled upon reasonable notice when needed by the lessee or lessees for production of fertilizer bases and/or fertilizers, and/or chemicals, and/or ferro-alloys, and/or other products essential for explosives or ingredients of explosives or other munitions of war, nor shall any contract be made for the sale of any such surplus electric energy for use by the purchaser in the fixation of nitrogen or manufacture of fertilizer bases or fertilizers, when such person, firm, or corporation is a member of any group, or a party to any contract or to any agreement express or implied, or to any understanding, arrangement, or device of any kind whatsoever, which shall have as its purpose or effect the fixing and maintaining of noncompetitive prices for nitrogen and/or nitrogen products.

PRODUCTION AND SALE OF ELECTRIC ENERGY

SEC. 7. The board is hereby empowered and directed to complete, maintain, and operate the power-generating properties and facilities at Muscle Shoals, to deliver the electric energy to the switchboard, and there to sell it under the limitations and provisions herein specified.

(a) Upon the requisition of the Secretary of War the board shall allot and deliver without charge to the War Department so much electric energy as shall be necessary in the judgment of said department for use in operation of all locks, lifts, or other facilities in aid of navigation.

(b) The board shall make available and deliver so much electric energy when needed to the lessee or lessees of the nitrate plants as the leasing contract or contracts may require.

(c) And the board shall market upon a competitive basis all surplus electric energy over and above that contracted to lessee or lessees, observing the preferences and limitations herein provided.

SEC. 8. The board is hereby empowered and authorized to sell at the switchboard the surplus electric energy not used in the operations by the lessee or lessees as herein provided and for operation of locks and other Government works, generated at said steam plant and said dam to States, counties, municipalities, corporations, partnerships, or individuals, according to the policies hereinafter set forth, and to carry out said authority the board is authorized to enter into contracts for such sale for a term not exceeding 10 years for private companies and individuals, and 30 years for States, counties, municipalities, or other public or cooperative organizations, and in the sale of such current by the board it shall give preference to States, counties, or municipalities purchasing said current for distribution to citizens and customers; that all contracts made with private companies or individuals for the sale of power, which power is to be resold for a profit, shall contain a provision authorizing the board to cancel said contract upon two years' notice in writing, if the

board needs said power to supply the demands of States, counties, or municipalities.

SEC. 9. It is hereby declared to be the policy of the Government to allocate the surplus power generated at Muscle Shoals equitably among the States, counties, and municipalities within transmission distance of Muscle Shoals.

SEC. 10. If any State, county, municipality, or other public or cooperative organization or citizens or farmers, not organized or doing business for profit, but for the purpose of supplying electricity to its own citizens or members, or any two or more of such municipalities or organizations, shall construct or agree to construct a transmission line to Muscle Shoals, the board is hereby authorized and directed to contract with such State, county, municipality, or other organization, or two or more of them, for the sale of electricity for a term not exceeding 30 years, and in any such case the board shall give to such State, county, municipality, or other organization ample time to fully comply with any local law now in existence or hereafter enacted providing for the necessary legal authority for such State, county, municipality, or other organization to contract with the board for such power: *Provided*, That all contracts entered into between the corporation and any municipality or other political subdivision shall provide that the electric power shall be sold and distributed to the ultimate consumer without discrimination as between consumers of the same class, and such contract shall be void if a discriminatory rate, rebate, or other special concession is made or given to any consumer or user by the municipality or other political subdivision: *And provided further*, That any surplus power not so sold as above provided to States, counties, municipalities, or other said organizations, before the board shall sell the same to any person or corporation engaged in the distribution and resale of electricity for profit, it shall require said person or corporation to agree that any resale of such electric power by said person or corporation shall be sold to the ultimate consumer of such electric power at a price that shall not exceed an amount fixed as reasonable, just, and fair by the regulatory authorities where sold; and in case of any such sale if an amount is charged the ultimate consumer which is in excess of the price so deemed to be just, reasonable, and fair by such regulatory authorities, the contract for such sale between the board and such distributor of electricity shall be declared null and void and the same shall be canceled by the President and/or board.

SEC. 11. Five per cent of the gross proceeds received by the board for the sale of power generated at Dam No. 2, or from the steam plant located in that vicinity, or from any other steam plant hereafter constructed in the State of Alabama, shall be paid to the State of Alabama. Upon the completion of said Cove Creek Dam the board shall ascertain how much excess power is thereby generated at Dam No. 2, and from the gross proceeds of the sale of such excess power 2½ per cent shall be paid to the State of Alabama and 2½ per cent to the State of Tennessee. In ascertaining the gross proceeds from the sale of such power upon which a percentage is paid to the States of Alabama and Tennessee, the board shall not take into consideration the proceeds of any power sold to the Government of the United States, or any department of the Government of the United States, used in the operation of any locks on the Tennessee River, or for any experimental purpose, or for the manufacture of fertilizer or any of the ingredients thereof or other chemical and electrochemical products useful for national defense, or for any other governmental purpose. The net proceeds derived by the board from the sale of power and from rental charges to lessee or lessees, after deducting the cost of operation, maintenance, depreciation, and an amount deemed by the board as necessary to withhold as operating capital, shall be paid into the Treasury of the United States at the end of each calendar year.

SEC. 12. The President and/or board is hereby empowered to complete Dam No. 2 at Muscle Shoals, Ala., in the vicinity of Muscle Shoals, by installing in Dam No. 2 the additional power units according to the plans and specifications of said dam, when and as the steady supply of water from upriver storage dams will justify.

COVE CREEK DAM

SEC. 13. The President and/or board is hereby authorized, with appropriations herein authorized by the Congress, to construct, either by contract to the lowest responsible bidder, after due advertisement, or directly, a dam in and across Clinch River in the State of Tennessee, which has by long usage become known and designated as the Cove Creek Storage Dam, according to the latest and most approved designs of the Chief of Engineers of the United States Army, in order that the waters of the said Clinch River may be impounded and stored above said dam for the purpose of aiding navigation and flood control and of increasing and regulating the flow of the Clinch River and the Tennessee River below, so that the maximum amount of primary power may be developed at Dam No. 2 and at any and all other dams below the said Cove Creek Dam.

SEC. 14. (a) In order to enable and empower the President and/or board to carry out the authority hereby conferred, in the most economical and efficient manner, he is hereby authorized and empowered in the exercise of the powers of national defense in aid of navigation, and in the control of the flood waters of the Tennessee and Mississippi Rivers, constituting channels of interstate commerce, to exercise the right of eminent domain and to condemn all lands, easements, right of way, and other area necessary in order to obtain a site for said Cove Creek Storage Dam, and the flowage rights for the reservoir of water above said dam and to negotiate and conclude contracts with States, counties, municipalities, and all States' agencies and with railroads, railroad corporations, common carriers, and all public-utility commissions, and any other person, firm, or corporation, for the relocation of railroad tracks, highways, highway bridges, mills, ferries, electric-light plants, and any and all other properties, enterprises, and projects whose removal may be necessary in order to carry out the provisions of this act.

SEC. 15. When said Cove Creek Dam and navigation facilities shall have been completed, the said Cove Creek Dam shall be subject, as in case of a Government-owned dam, to the terms and conditions of the Federal water power act, approved June 10, 1920, as amended: *Provided*, That the State of Tennessee, its counties and municipalities, have preferences as licensee or licensees of said dam as provided in such Federal water power act: *And provided further*, That the State of Tennessee shall have the right to recapture the interests of the licensee or licensees in said dam and appurtenant structures, including hydroelectric generating equipment, but exclusive of any barge lift or navigation appliances, by paying the licensee or licensees therefor an amount equal to the net investment, as defined in said Federal water power act of 1920, as amended, made by said licensee or licensees in said dam and appurtenant structures: *Provided*, That in the event the State of Tennessee shall exercise the right hereby conferred, the said State of Tennessee and its agents shall hold and operate the same in the interest of the development of the maximum primary power at Dam No. 2 at Muscle Shoals and of navigation, and subject to the provisions of the Federal water power act of 1920, as amended, to the same extent as if the same were held and operated by the United States or a licensee thereof.

(b) The cost of said dam to the United States shall be reimbursed and amortized by collection of charges or royalties as provided under the terms of the Federal water power act, as amended, for benefits to all hydroelectric power projects now existing or to be constructed on the Tennessee or Clinch Rivers downstream from the Cove Creek Dam: *Provided*, That the amount of said royalty shall be in proportion to the advantages accruing to such downstream hydroelectric projects from the construction and operation of said Cove Creek Dam and shall be determined by the Federal Power Commission.

SEC. 16. The Government of the United States hereby reserves the right, in case of war or national emergency declared by Congress, to take possession of all or any part of the property described or referred to in this act for the purpose of manufacturing explosives or for other war purposes, but if this right is exercised by the Government it shall pay the reasonable and fair damages that may be suffered by any party whose property or whose contract for lease of properties and for the purchase of electric power for the production of fixed nitrogen or fertilizer ingredients or other products authorized herein are hereby violated, after the amount of the damages have been fixed by the United States Court of Claims in proceedings instituted and conducted for that purpose under rules prescribed by the court.

SEC. 17. All general penal statutes relating to the larceny, embezzlement, conversion, or to the improper handling, retention, use, or disposal of public moneys or property of the United States, shall apply to the moneys and properties of the United States intrusted to the board.

SEC. 18. No lease shall be made to any person or firm except to American citizens nor to any corporation unless the majority stock of same be owned and controlled by American citizens, and any lease shall provide that if at any time the majority stock of the lessee or the lessee corporation shall cease to be under the ownership and control of American citizens, then all rights under such lease shall immediately cease, and the United States by order of the President shall have the right of reentry and recapture without any compensation whatever to the lessee on any account whatsoever.

MAINTENANCE FOR NATIONAL DEFENSE

SEC. 19. The lessee or lessees shall be required to maintain in United States nitrate plants Nos. 1 and 2, located at Sheffield, Ala., and Muscle Shoals, Ala., respectively, the buildings and equipment therein installed for the production of nitric acid by the oxidation of ammonia and for the production of ammonium nitrate from ammonia and nitric acid, said buildings and equipment to be maintained in such condition that they will be at all times ready for immediate operation in the event of a national emergency; and further such lease or leases shall provide that the board or the Secretary of War, or their representatives or representative, shall at all times have access to the operations of the plants, laboratories, and the records thereof, in order that they may be kept fully informed as to the status of the fixation of nitrogen and the manufacture of nitrogenous products in their bearing on national defense and agriculture, but such information shall be confidential to the board and shall not be made public except as provided in subsection (g) of section 6.

SETTLEMENT OF DISAGREEMENTS

SEC. 20. (a) In the event that the board, with the approval of the President, shall execute lease contracts with two or more lessees, there shall be included in each of said leases identical provisions binding each such lessee to cooperate with the other lessee or lessees in setting up a joint board of control, or authorizing such lessees to organize a holding corporation, the voting stock of which shall be exclusively owned by such lessees, with power and authority to decide upon and to control the allocation among themselves of the electric energy and all other matters in connection therewith.

(b) In any or all lease contracts there shall be incorporated identical provisions for the adjustment of all kinds of disagreements, either among the several lessees or between the several lessees or any one of them and the United States, and any adjustment made thereunder shall be subject to review in any United States district court as then constituted, subject to the law then applicable to change of venue, except that the right of temporary recapture by the President in the event of war shall be summary and not subject to the provisions of this section nor to any process of any court.

(c) A fair rental for the use of the properties leased is to be paid by the lessee or lessees at such times and in such amounts as the board shall determine to be fair and reasonable: *Provided*, That the amount of rental and the time of payment thereof for nitrate plant No. 1 and/or nitrate plant No. 2 as long as either or both may be employed by the lessee or lessees for the fixation of nitrogen for agricultural purposes shall be such as to offer incentives to the operation and continued operation of said plants for the production of nitrogen for use in agriculture.

SEC. 21. In the event that the properties embraced in any lease shall be recaptured by the United States or any lessee shall apply to the board for a change in any stipulation of any lease on the ground that compliance with any such stipulation has become impracticable because of changed economic conditions and/or the development of the new scientific and industrial process or processes, the board, after public notice and full hearing, may negotiate and execute new leases on such properties recaptured or may change the stipulation of any existing lease, subject to the approval of the President within not less than 30 days and not more than 60 days after the draft of such lease or the recommendations of the board as to such change in the stipulations of existing leases shall have been submitted to him: *Provided*, That in negotiating such lease or leases or in making such change in an existing lease the board shall consider the principles herein enumerated and shall be bound by the limitations herein set forth, but shall have no authority to alter the requirements as to quantity and quality production of fertilizer bases or fertilizers.

SEC. 22. The board shall maintain its principal office in the immediate vicinity of Muscle Shoals, Ala., and shall be held to be an inhabitant and resident of the northern judicial district of Alabama within the meaning of the laws of the United States relating to venue of civil suits.

SEC. 23. The board shall at all times maintain complete and accurate books of accounts.

SEC. 24. The board shall file with the President, which he shall transmit to the Congress in December of each year, a financial statement and a complete report as to the business of the board covering the preceding fiscal year. This report shall include the total number of employees and the names, salaries, and duties of those receiving compensation at the rate of more than $2,500 a year, as well as other costs in operation of the power plants, maintenance, repairs, and upkeep, and the gross and net returns earned from the sale of power.

SEC. 25. The board shall require a careful and scrutinizing audit and accounting by the general accounting office during each governmental fiscal year of its operations under this act, and said audit shall be open to inspection to the public at all times and copies thereof shall be filed in the principal office of the Muscle Shoals Board at Muscle Shoals in the State of Alabama. Once during each fiscal year the President of the United States shall have power, and it shall be his duty, upon the written request of at least three members of the board, to appoint a firm of certified public accountants of his own choice and selection which shall have free and open access to all books, accounts, plants, warehouses, offices, and all other places, and records, belonging to or under the control of or used by the board in connection with the business authorized by this act, and the expenses of such audit so directed by the President shall be paid by the board and charged as part of the operating expenses of the board.

SEC. 26. If, in the opinion of the President, after the operations under the lease contract or contracts herein provided are fully developed, the interest of the United States can be better served thereby, he is hereby authorized to dissolve the Muscle Shoals Board as herein constituted and, in lieu thereof, to constitute the Secretary of War, the Secretary of Agriculture, and the Secretary of Commerce as a board for the purpose of permanently administering the provisions of this act and of performing all duties charged to the board by the provisions of this act. Such successor or successors would continue to be designated as the Muscle Shoals Board or, simply, the board in the language and meaning of this act.

SEC. 27. All appropriations necessary for carrying out the provisions of this act are hereby authorized.

SEC. 28. The several provisions of this act are hereby declared to be separable, and in the event that any provision of this act shall be held to be invalid it shall not invalidate the remainder of the act; and in such event the President, as he deems best for all parties concerned, may revise the terms of such lease or leases as may be affected by the holdings of invalidity. The provisions of this act shall be held to be legally incorporated into the provisions of any lease or leases that may be executed pursuant to the provisions thereof.

SEC. 29. That all acts or parts of acts in conflict herewith are hereby repealed.

SEC. 30. That this act shall take effect immediately.

SEC. 31. If by December 1, 1931, the board, with the approval of the President, shall have been unable to negotiate and execute a lease or leases he shall notify Congress and make whatever recommendation he may deem proper.

Amend the title so as to read: "Joint resolution to provide for the national defense by the creation of a board for the operation and leasing of the Government properties at and near Muscle Shoals in the State of Alabama, and for other purposes."

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. SIMMONS. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. CRISP. Will the gentleman yield?

Mr. REECE. I will.

Mr. CRISP. I understood that the House conferees were going to make an offer of compromise which would provide for the private leasing of the nitrate plants, with the provision that if a lessee could not be obtained then the Government was to operate the nitrate plants. Was that included in your offer of compromise?

Mr. REECE. It was not.

Mr. STOBBS. Will the gentleman yield?

Mr. REECE. Yes.

Mr. STOBBS. Under your new proposal, is not the Government still in the business of selling power directly in competition with private power-selling companies?

Mr. REECE. The gentleman means under the proposed compromise?

Mr. STOBBS. Yes.

Mr. REECE. It would be sold at the switchboard and the Government would not go into the power-distribution business.

Mr. STOBBS. But it would still be in competition with private companies, even if sold at the switchboard.

Mr. REECE. Not in competition as to distribution.

Mr. GARRETT. Will the gentleman yield?

Mr. REECE. Yes.

Mr. GARRETT. Is not the Government now disposing of that power at the switchboard to the Alabama Power Co.?

Mr. REECE. It is disposing of it under a temporary arrangement. I believe they have no authority to make more than a 30 days' contract.

Mr. GARRETT. Does the gentleman recall the price which the Government is receiving for that power and the price which the Alabama Power Co. is receiving?

Mr. REECE. I do not recall the exact price at which it is disposing of that part which is being used at this time, but it is, of course, much less than they would be able to sell it for had they authority to dispose of it under long-time contracts.

Mr. GARRETT. The gentleman proposes to sell this power at the switchboard under this offer of compromise and provision is made that preference shall be given to political subdivisions of States, counties, municipalities, and so forth. How are they to get this power when you confine your sale at the switchboard and with no transmission lines in the States, counties, and municipalities except those owned by the Alabama Power Co.?

Mr. REECE. The operation of the nitrate plants would have first call on the power produced, and if the operations are as successful in the production of quantity fertilizer as is anticipated, a large percentage of the power would be used for that purpose, and then the States, counties, and municipalities would have the right to erect transmission lines leading from the switchboard, purchase power directly, and distribute it to their citizens in case they desire to do so.

Mr. GARRETT. But they are foreclosed from doing so——

Mr. REECE. Oh, no.

Mr. GARRETT. While the Senate proposes that these municipalities may erect these lines.

Mr. REECE. They have absolute authority under our proposal to construct lines and have all the priority rights in obtaining electric energy which they would have under the Senate bill.

Mr. GARRETT. What does it cost per mile to construct transmission lines? Does not the gentleman know that it costs about $20,000 or $25,000 a mile to build transmission lines?

Mr. REECE. It is a very expensive operation. But it would not cost the municipalities any more than it would the United States Government if they should ever need or want them and if there is enough surplus power to justify them.

Mr. GARRETT. Does not the gentleman realize and does not the gentleman know as a practical proposition that unless there is more fertilizer produced there than is provided for either in the Senate bill or in your proposed compromise bill that you will have thousands and multiplied thousands of kilowatt-hours of horsepower to sell there, and nobody to sell it to except the Alabama Power Co.?

Mr. CHINDBLOM. At what time of the year?

Mr. GARRETT. At all times of the year, because when you build the Cove Creek Dam you will have it forever.

Mr. REECE. I do not think so, because the largest part of this power would be used in the operation of the nitrate plants and the rest of it would be made available to the States, counties, and municipalities.

Mr. ALMON. Will the gentleman yield?

Mr. REECE. Yes.

Mr. ALMON. I am indeed pleased to know, from the gentleman from Tennessee, that some progress at least has been made looking to an agreement between the conferees of the Senate and the House on the Muscle Shoals bills passed at the last session.

I sincerely hope that the conferees will proceed in a spirit of compromise and agree upon a report. The country is expecting and demanding a settlement of the Muscle Shoals question at this session of the Congress, after more than 10 years of delay.

There is nothing that could be done at this session that would do more to restore confidence in the business world than a bill that would result in the operation of this wonderful plant at Muscle Shoals.

It should be done in the interest of national defense and agriculture. It would give employment to thousands of men who are now without employment and are in dire distress. It will save the farmers of this country many millions of dollars each year which is now being sent to the foreign nitrate trusts.

Let me insist that the House conferees continue their best efforts to secure an agreement with the Senate conferees. This is the time of all times that this question should be settled. [Applause.]

Mr. SIMMONS. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. GRAHAM].

Mr. GRAHAM. Mr. Chairman, ladies, and gentlemen, my few remarks are intended to be informative only and relate to a subject that was referred to in the message of the President, the part of that message which peculiarly belongs to the Judiciary Committee of the House. In his message the President said:

> I do not favor repeal of the Sherman Act.

Then, further on, after reciting commodities that are now produced wastefully and not controlled properly, he adds:

> I therefore suggest that an inquiry be directed especially to the effect of the workings of the antitrust law in the particular field to determine if these evils can be remedied without sacrifice of the fundamental purposes of the law.

In other words, there are questions which, by reason of interpretation and by reason of the growth and development of business interests, are interfered with and producing very serious results.

I have prepared a resolution which I am going to offer in due course providing that the House Committee on the Judiciary, or any duly appointed subcommittee thereof, is hereby authorized to conduct an inquiry into the power of the Congress of the United States to establish an administrative tribunal with authority to render advisory opinions as to whether or not submitted commercial contracts and agreements affecting interstate commerce are or are not violative of the antitrust law, and the advisability of the adoption of such a policy; and for the purpose of this resolution the committee or any subcommittee is authorized to hold hearings and receive testimony, to sit at such times as may be necessary, whether or not the House be in session, and that at the conclusion of such hearings the committee shall report its findings to the House of Representatives, together with such recommendations for legislation as it may deem necessary to propose.

I wish to state to the House that the purpose of this resolution I may explain briefly as follows:

The purpose of the proposal in any form is to draw the attention of the Congress and that of the country to the consideration of legislation to aid in the administration of the antitrust acts by providing a means through which the business world may be officially advised as to whether or not proposed commercial agreements are held by official authority to threaten a violation of the antitrust acts.

First. A bill or resolution is submitted solely for the purpose of raising these questions and determining a consideration of the power of Congress and the wisdom of the policy, and not as a formal suggestion on the shape such measure should take.

Second. It is not proposed to change the substantive law of the antitrust acts, but to provide a means of aiding in their administration for the benefit of honest business and as a contribution to the prevention of violations of the law without recourse to tedious and expensive litigation by the Government or private individuals.

Third. By presenting the proposal in a legislative form what lies in the mind of the country may be reduced from vague discussions and suggestions to a definite examination of the character of the congressional authority involved and the practicability of the suggestions outlined. If Congress has the power to do a thing suggested, the question of whether or not a new administrative tribunal should be established or whether the experiment should be made through the Trade Commission is a question of policy for discussion.

Fourth. The question of whether proposals submitted should be confined to contracts and agreements or also to combinations affecting interstate commerce, is a question for discussion.

Fifth. It should, furthermore, be noted that no suggestion is made involving the existing authority of commissions dealing with special subjects such as the Interstate Commerce Commission, the Federal Reserve Board, and so forth.

Sixth. The question of whether or not the primary purpose of the agreement or contract is to conserve a natural resource of the United States, is a special and serious question to be presented as a part of any submitted proposal.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. BURTNESS. I hope the gentleman may have a few minutes more because I would like to ask one or two questions.

Mr. SIMMONS. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. BURTNESS. Will the gentleman yield?

Mr. GRAHAM. I yield.

Mr. BURTNESS. I would like to ask the gentleman whether there is under present law, or at least under present practice, a situation wherein business men are meeting with representatives of the Federal Trade Commission or others where similar questions to those referred to in the gentleman's remarks are being considered, and substantial agreements made as to what may be done or what may not be done by business and yet not violate the provisions of the antitrust laws.

Mr. GRAHAM. I think there are such conferences being held, but without authority of law and without any binding efficacy to the decision which the board may make.

Mr. BURTNESS. I also know that in some quarters there is a good deal of criticism arising because of these conferences and the criticism is directed to the point that it is claimed they give an opportunity to business that is organized to unite and agree upon prices throughout the country, so that prices are maintained at an unduly high figure in

many cases, with the result that even in times such as we have had during the last month, when prices generally have been dropping, instead of prices being reduced to conform to general price levels, they have been increased in the case of commodities concerning which such conferences have been had with the Federal Trade Commission. Does the gentleman know whether there is any justification for criticism of this sort?

Mr. GRAHAM. I would say to the gentleman that this is merely a suggestion and a statement made by me in advance so that the Members of the House when the resolution comes up may have an appreciation of what it is.

Mr. BURTNESS. Would the gentleman's resolution be broad enough so that the committee could investigate all features of this general question?

Mr. GRAHAM. Yes. It is aimed especially, for instance, at bituminous coal and its overproduction, and oil, whether with the existing oil wells in the country we have overproduction and whether anything can be wrought out of this situation that will prove beneficial to the commercial world, and at the same time prevent loss of wages, loss of employment, and loss to the owners of property.

Mr. SIMMONS. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Chairman, I thank the gentleman from Texas for giving way to me, for I am leaving the city to-night on official business.

I am introducing a bill providing for an employment-insurance scheme to which I want to invite the attention of the House.

I want to make it clear that my bill is by no means perfect in its details, but is sufficient for the purpose of giving the matter thought and study and commencing legislative action. This matter can be delayed no longer. It requires a great deal of work in the preparation of all the necessary details for the creation of the machinery necessary to take care of an unemployment-insurance system in a country as large as ours.

Naturally, I have been a great deal worried on the question of Federal jurisdiction. I have heard many arguments against the constitutionality of a Federal unemployment law and so many arguments against the power of the Federal Government to undertake the administration of an unemployment law and unemployment insurance. This is no time for constitutional arguments. The crisis demands thought and study to the problem, quick action, and a permanent solution. I believe that my bill in its general purposes is entirely constitutional.

I provide for a Federal welfare tax. No one can question the power of the Federal Government to tax individuals. Surely no one can question the power of the Government in distributing funds whether for farm relief, flood relief, railroad relief, aviation and shipping relief, Russian relief, Armenian relief, and many other distributions of funds that the United States Government is actually engaged in. Surely the payment of funds for unemployment relief can not at this late day be questioned.

I provide for the payment of a tax of 5 cents a week for all employees to be matched by 10 cents a week by the employer of each employee. My bill covers everyone in the United States, including Government employees, Army, and Navy. We have learned that general unemployment is reflected to conditions generally and the peace of mind of everyone in the country. Therefore equity requires that employees having permanent employment should pay into the employment fund. Naturally, they are entitled to the benefit if they at any time become unemployed.

The bill provides for as simple machinery of administration as is possible. The benefits for unemployment will be fixed in accordance with the cost of living. The basis of the benefits will be, of course, the amount necessary for the unemployed to live and support his family for the term of unemployment. By taking in all classes of employees it enables the care of seasonal and agricultural workers under special rules and conditions to be provided for by the employment commission. To date there have been many proposals to provide an unemployment-insurance fund. No matter what system we have money is needed. My bill provides the necessary funds. The 5 cents a week will not be burdensome to persons employed and the 10 cents a week to be paid by the employers for each employee surely will not be too great. The tax on sound pictures and mechanical reproduction of music will provide for the necessary extra fund to take care of musicians and professional people who are being displaced by reason of mechanical music and entertainment.

I want to state here that I have looked up the experience of the German system as well as that of the English system, and there they excepted so many of the industries that are permanently employed that when they met with a crisis that is the time they went broke. In my bill I take them all in and I give the fund a year's life before payment would be made.

Then I provide for a tax of one-half of 1 per cent on certain pictures and mechanical reproduction of music to take care of musicians who are losing a part-time employment by reason of the mechanical reproduction of music.

I suppose my bill will be criticized and I will be called a radical. I can stand the abuse, and I welcome criticism of my bill. It is the duty of every person in this country to give thought and to do something about this unemployment. The immediate relief and charitable work for the present are the easiest tasks of the problem, but neither can last forever. In one year my bill will provide a sufficient starting fund, and thereafter the tax will take care of the rest, allowing the creation of a sufficiently large reserve fund to take care of periods of depression. My bill may be misunderstood because I call the payments a tax instead of an insurance contribution. It was necessary to fix it as a tax in order to circumvent the constitutional limitation of the National Government.

The proposition of a Federal fund to be used for matching appropriations by States providing for unemployment insurance at first blush seems feasible. The trouble with that is many States will refuse to enact unemployment insurance, and will, in fact, advertise to employers the fact that they have no unemployment insurance. In normal times manufacturers will rush to these States the same as the mills have gone to States where there is no child labor law. In times of depression all the workers will rush to the States where unemployed are cared for. That is the reason that a Federal law and national fund are necessary.

I want constructive criticism and I need moral support.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. O'CONNOR of New York. The gentleman says there can be no question that the Federal Government can tax an individual. I would like to know under what provision of the Constitution the gentleman finds that power?

Mr. LAGUARDIA. If the gentleman will read the decisions on the question he will find out.

Mr. BANKHEAD. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BANKHEAD. To what committee of Congress will the gentleman's bill be referred? I imagine if it is a tax it would go to the Committee on Ways and Means. If not a tax, to the Interstate Commerce Committee.

Mr. LAGUARDIA. We will take it in the Judiciary Committee or let it go to the Committee on Ways and Means.

Mr. BANKHEAD. If it is a tax it would go legitimately to the Committee on Ways and Means.

Mr. LAGUARDIA. I know it is a novel proposition, and that there are many difficulties, but we should give study to this great problem. While my bill may seem extreme it will only be a short time before we will be compelled to adopt some measure of this kind. Constitutional limitation must necessarily be construed in the light of the age in which we are living. I think that is fundamental.

Mr. MICHENER. I would like to ask the gentleman if this is the same proposition as advocated by Gilman, of Detroit?

Mr. LAGUARDIA. I have not seen that.

Mr. SANDLIN. Mr. Chairman, I yield 10 minutes to myself.

In order to ascertain what is in the bill before the House, one would have to read the bill, study the report, and read the hearings to get the full information he desired. No one in explaining the bill from the floor could very well go into details in the limited time allotted.

I wish at this time to say that the present chairman of the subcommittee will not be with us next year, as he has been elected to a seat in the Senate. I refer to the gentleman from Iowa [Mr. DICKINSON]. It has indeed been a great pleasure to work with him. He is able and he is fair to all sections of the country. In propositions coming before our committee, and in suggestions to make appropriations for different sections of the country, he has adopted a broad course and has been very fair and we regret that we are to lose him.

That which is most on my mind, Mr. Chairman, is the question which was under discussion before the House yesterday. The resolution which was introduced for the relief of the drought-stricken districts. It was not a resolution that was written in haste. It is one to which much thought was given. The President of the United States asked the governors of the States in the drought-stricken districts to appoint representatives to study conditions existing in different districts and the resolution providing for $60,000,000 and including food was the result of this study. This should not be a partisan question. It should be nonpolitical. I have no desire at any time to criticize unless I can do so in a constructive way. I really believe that if the membership of this body understood the real conditions that exist in the drought-stricken districts they would give more serious consideration to the resolution. I do not believe the resolution as amended and reported to this body will meet the situation.

I do not believe the amount is large enough, and I believe that it is essential in that resolution to provide that relief should be given to those in distress and should provide for food for people. I can not understand why this body should be willing to furnish hay for a mule and not food for human beings. It is said we have no precedent for it. We may have no precedent to feed the starving citizens of the United States, but we certainly have a precedent to feed the starving millions of Europe. This question will not down; it is too serious, and if necessary we should establish a precedent to provide for the distressed in our own country.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. SANDLIN. Yes.

Mr. MICHENER. On the question of human food, and feeding those in distress, does the gentleman think that we should pass a bill providing that the farmer should be given this relief, and that the same relief be not given to the families in the cities who have no food, who have no home, who have no credit, and who are penniless?

Mr. SANDLIN. I have great respect for the gentleman from Michigan, and would be perfectly willing even to break a precedent of this body to furnish the starving millions in the cities of this country to-day. It is a somewhat different proposition. This is likened to a dole. It can not be likened to a dole. A dole is given in those countries where people are out of employment, not to put them to work, but because they are out of employment and can not secure work. The measure under discussion is for the purpose of putting people to work, giving them some food so that they will be able to work.

Mr. MICHENER. But the gentleman is not answering my question. There is no question but that you are keeping these farmers so that they will be able to go to work, but does the gentleman think it is a proper thing for the Congress to pass legislation providing food for farmers who have homes in which to live, and who ordinarily have something to eat, when it is generally known at this time that there are thousands of people in cities who have no homes, with nothing to eat, and still must go to work in the spring just the same as the farmer?

Why treat the farmer so that he may be able to go to work and not treat the other fellow the same way? He will also have to go to work in the spring.

Mr. SANDLIN. I have told the gentleman that I have no objection to so treating the other fellow, and I am not offering any now.

Mr. MICHENER. I have great respect for the gentleman's legislative ability, but does the gentleman think that we should draw a bill and provide for all of the needy people in the country to-day, that they be provided food and possibly clothing for the winter out of the Federal Treasury, to the exclusion of what has always been done by the local community?

Mr. SANDLIN. I am willing to support any proposition of that kind. I believe Members of the House should give serious consideration to this. I know of local communities where the people have gone to the very length, and they have been feeding people in distress since the 1st of September. I know that there are millions of people on farms right now in the United States who do not know whether they can remain on those farms next year or not, because the merchant and the banker who have been furnishing them and did furnish them last year to make a crop have not been repaid, because no crops were made. In many sections of the country there was no feedstuff made at all and not enough cotton made in my section to pay the fertilizer bill. There are millions of people who to-day do not know whether they will be able to remain on their farms next year, because the local merchant is absolutely not able to furnish them with food and the local banks are not able to furnish the money.

You say to those men, "You have a mule or a horse and land, and we will give you some hay for that mule and we will buy you some cottonseed so you can plant a crop." He will reply, "I can not plow that mule when I am not able to do it because I have to have some food for myself and family." One of the highest privileges in my State—and I presume the law is the same in nearly all States—is protection afforded and the privilege which rests in favor of the furnisher of supplies. There is but one other privilege higher that I can think of—and that is the landlord's privilege. Surely there will be no trouble if the Secretary of Agriculture has this money to distribute to say to the owner of a plantation who is not able to furnish his tenants, "We will not furnish any hay for your mule or food for your tenants unless you waive your lien"; and the man will be glad to do it.

I know it is a fact—and there is no doubt of it—that if they are not provided for they absolutely can not stay on the farms of this country, and they will add to the great unemployment situation in your cities and towns.

Mr. STAFFORD. Will the gentleman yield?

Mr. SANDLIN. I yield.

Mr. STAFFORD. In view of the statement made by the gentleman that there are many communities in his State that are unable to provide for the destitution locally, I am interested to know whether the State, through any instrumentality, the governor or the State legislature, is making any attempt to solve the local State situation which the gentleman describes as so very direful?

Mr. SANDLIN. My State is issuing bonds to the amount of $68,000,000 to put people to work on the roads and building bridges.

Mr. STAFFORD. That is for road work.

Mr. SANDLIN. But that gives employment.

Mr. STAFFORD. Well, has there been any special legislation? Has the governor of the State called the legislature in special session to provide ways and means for facing the local distress situation?

Mr. SANDLIN. No. In Louisiana, as the gentleman understands, our parishes are the same as the counties in the gentleman's State, and the local authorities in the parishes have organized the people there, and we have contributed freely to the Red Cross and have helped in many other ways. The people there have been feeding the distressed since the 1st of September with the hope that by the

1st of January the Congress of the United States would, through some legislation, offer some help to those people.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. SANDLIN. I yield myself five additional minutes, Mr. Chairman.

Mr. STAFFORD. Has your State reached its bonded limit or its taxable power so that it can not raise funds to come to the relief of the stricken people of his State?

Mr. SANDLIN. I do not know how it is in the gentleman's section, but under the tax laws of our State the people are heavily burdened. The system of taxation may not be the correct one, but it exists, and the local taxation on all property is high. Sometimes with the special school tax and road tax it amounts to 50 mills.

Mr. STAFFORD. But there is no State income tax in the gentleman's State to reach persons who are able to pay to relieve the destitution of the gentleman's State?

Mr. SANDLIN. I appreciate the interruption of the gentleman from Wisconsin, but I do not want to be diverted from my remarks. The local people, not only in my section but I am sure it extends to all the drought-stricken sections of this country, are doing everything possible. I do not know how it is in the gentleman's section, but conditions are bad in our section. They were bad in the farming section before the drought. Of course, the drought has made it much worse.

Mr. BURTNESS. Will the gentleman yield?

Mr. SANDLIN. I yield.

Mr. BURTNESS. Where conditions are generally bad all over the United States, does it make any material difference to the people of the gentleman's State or my State whether the distress relief or the poor relief or whatever we choose to call it is contributed by the people locally and taken care of in that way or contributed by the Federal Government as such? Does it not largely become a question as to what pocket the money is taken out of?

Mr. SANDLIN. I believe that the local people ought to give full cooperation in these matters, but in a country where the laws are such that many millionaires are made and wealth is accumulated into the hands of comparatively few people, in times like this they should be willing to contribute a small part of that to take care of the distressed conditions.

Mr. BURTNESS. I agree with the gentleman on that score; but if the money is raised for that purpose by Federal taxation, does the gentleman not believe that the general consumers will be paying, to some extent at least, if not entirely, the cost of it in higher prices on the commodities which they buy?

Mr. SANDLIN. That may be; but my point is that we do not have so many consumers. That is what I am talking about. There are many of them who are not financially able to consume.

With reference to the dole, let me say this is not a dole. If a man has a piece of land or can get it and is able to work it, and he has got his stock, in an ordinary year he can pay his supply bill, and you are not asked to give that man food any more than you are asked to give him feed for his mule or to give him seed to plant. The Government will be in the same position as the merchant ordinarily is. The Government will have a mortgage on the labor of that man and his family and what he grows.

Gentlemen, it may not be easy for those who are able to live in comfortable circumstances to appreciate fully the situation—and I do not mean to be extravagant in my remarks or try to be sensational, and I believe my service in the House has shown that I am not of that disposition; but I deeply realize the conditions that exist in a great part of this country to-day. I know conditions are serious. Millions are dissatisfied. It is not a good thing for a Government to have her people in distress, and to have a large percentage of them mad at the Government.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SANDLIN. I yield myself five additional minutes.

Mr. RAMSEYER. Will the gentleman yield?

Mr. SANDLIN. I yield.

Mr. RAMSEYER. The gentleman is anxious to get this drought bill through the House, and I think most of the gentleman on both sides of the aisle desire to get it passed. The gentleman joined with others yesterday to defeat the drought relief bill. What objections did the gentleman have? I will follow that by another question, to see whether we can not work out some way to expedite the passage of this bill. Why did the gentleman join with the minority on yesterday and vote against the passage of the drought relief bill?

Mr. SANDLIN. I do not know whether the gentleman has been in the Chamber all of the time, but I stated my objections to the bill which was under consideration yesterday in its present form, because I thought it ought to include food, and the amount was not large enough.

Mr. RAMSEYER. Of course, that is going to be considered again. I do not know when it will be considered, but the gentleman is familiar with the rules of the House, and the other gentlemen on the minority side should be familiar with the rules. If this bill had passed as it was it would have gone to the Senate and it would have come back and it would have been sent to conference, and before the conferees were appointed you would have had a right to move to instruct the conferees to concur in the Senate provision for food and for an additional appropriation, and we would have got that thing before the House, and it probably would have been considered to-day or to-morrow. At present the bill is in the hands of the Committee on Agriculture, and they are fighting out the veracity of statements in speeches made in the House and of statements of certain officials of the Government. The gentleman has assisted in delaying the very thing he is trying to accomplish.

Mr. SANDLIN. I will say to the gentleman from Iowa that, of course, the way in which he explains it the bill would have gone through very nicely, but often I have seen bills go to conference—and some are there now—which did not come out as easily as the gentleman suggests this bill would have come out.

Mr. RAMSEYER. There would have been no disposition on the part of anybody to hold up this bill. The Senate undoubtedly would have insisted on its bill and the drought bill would have been back here to-day some time.

Mr. SANDLIN. I am not going to be put in the position by the gentleman from Iowa of being opposed to any farm-relief measure, but I want one that will meet the situation.

Mr. RAMSEYER. I did not make that assertion that the gentleman is opposed to drought relief, but I am simply trying to show the gentleman that the strategy which was adopted to accomplish what he is after was not the best, that is all.

Mr. SANDLIN. I do not think what we voted on yesterday would have been satisfactory at all.

Mr. RAMSEYER. The gentleman does not know when he is going to get another opportunity to pass on the drought-relief measure.

Mr. SANDLIN. Well, we are going to keep on trying.

Mr. RAMSEYER. But when the bill would have been sent to conference he would have had an opportunity to have a roll call and put the Members on record on inserting food and increase the appropriation.

Mr. HASTINGS. Why were we not permitted to consider this bill under the general rules of the House when unanimous consent was asked by the minority leader this morning to have it considered under the general rules of the House?

Mr. RAMSEYER. Oh, well, the bill is still in the Agricultural Committee, and the gentleman knows that we do not consider bills by unanimous consent which are not yet on the calendar.

Mr. HASTINGS. It was in the House.

Mr. SANDLIN. I want to say in conclusion that, as I said in the beginning, I do not think this ought to be considered in a partisan way. I do not feel that way about it. I think that if the Members of this House fully realized the serious

situation existing in the drought-stricken sections of the country they would give adequate relief. I think the local people are doing all they can. The Red Cross, with help of local communities, is feeding the people now, and I do not believe that by putting the word "food" into this bill would mean a dole, because under the law the Government would have a mortgage on the labor and crop created. I do not believe it can be compared to a dole. I think an adequate appropriation would go a long ways toward relieving the situation on the farms and the crowded conditions in the towns and cities where there are many now out of work. I hope that the gentleman from Iowa and others, when this matter does come before the House again, will assist in getting a bill enacted which will bring the relief that is so badly needed. [Applause.]

Mr. RAMSEYER. I was assisting yesterday.

Mr. SANDLIN. But the resolution presented yesterday would not do.

The CHAIRMAN. The time of the gentleman from Louisiana has again expired.

Mr. SANDLIN. Mr. Chairman, I yield 30 minutes to the gentleman from Texas [Mr. PATMAN].

ADJUSTED-COMPENSATION CERTIFICATES

Mr. PATMAN. I want to talk to you this afternoon about the payment of the adjusted-compensation certificates in cash. In every nook and corner of America there are veterans of the World War who are holders of what are commonly known as adjusted-compensation certificates. There are 3,478,956 of these certificates in every section of the United States. They are for amounts from $51 to $1,585 each—of the average value of $1,010.

THE WORD "BONUS" SHOULD NOT BE USED

A name is often applied to those certificates that I do not agree with. That name is soldiers' bonus. It is not a soldier-bonus certificate, and I do not see why anybody wants to call it a soldiers' bonus. It does not represent a bonus. It represents the difference between what the soldier actually received for his services and what the Congress admitted after the war was honestly due for his services. So those certificates were issued for services rendered, not by reason of patriotism, and no one should ever have referred to them as a soldiers' bonus.

I recall that when the first legislation was proposed there was some mention of granting a bonus. A large number of States did grant a bonus and, of course, having been called a bonus in the different States, when this legislation came up in the Congress they continued to refer to it as a bonus.

OTHERS RECEIVED ADJUSTED PAY IN CASH

I want to remind you ladies and gentlemen that when the war was over not only did the veterans of the World War receive adjusted pay but that the railroad owners of America came in and said, "We should have received a larger amount for our services than we did receive during the World War," and Congress adjusted the pay of the railroads and paid more than $1,000,000,000 in adjusted pay. Seven thousand war contractors came to the doors of Congress and said, "You have stopped this war; our contemplated and actual profits have vanished; you have destroyed our business, and we want adjusted pay, the difference between what we would have received had this war continued and what we are going to receive," and Congress adjusted the pay of the war contractors by passing a bill in this body, after deliberating only 20 minutes, which paid to the war contractors of this Nation the enormous sum of almost $3,000,000,000. The fifth Victory loan was floated and the people all over the United States were persuaded to buy Victory bonds for the purpose of paying the railroads and the war contractors their adjusted compensation. Why do you not call that a bonus? If you are going to call the same principle that was invoked for the soldiers a bonus, there is no reason why you should not have called the fifth Victory loan a bonus, because it was for the purpose of raising money to pay adjusted compensation to the railroads and to the war contractors.

EDITORIAL IN NATIONAL TRIBUNE

I hold in my hand a copy of the National Tribune that will be issued this week. It has a cartoon on the front page which says "Sowing prosperity," and it shows a character pictured as Uncle Sam holding the horn of plenty, marked "Veterans' Bonus," and circulating money all over the United States.

There is also a very interesting editorial written by Mr. Rice Means, president of the National Tribune, and I ask unanimous consent, Mr. Chairman, that this may be included in my remarks.

Mr. CROWTHER. Mr. Chairman, I have no objection to the gentleman extending his own remarks, but I must object to the inclusion of the editorial by Mr. Means.

Mr. PATMAN. It is a very interesting editorial about the veterans, including the veterans in the gentleman's district. They are very much interested in this proposal and it is a very persuasive argument. It is very reasonable and logical, and I hope the gentleman will not object. It is not political; it is nonpartisan.

Mr. CROWTHER. I will withdraw my objection, but I do not think it is a good plan to keep shoving editorials into the CONGRESSIONAL RECORD.

The CHAIRMAN (Mr. SMITH of Idaho). Is there objection to the request of the gentleman from Texas?

There was no objection.

[National Tribune, Washington, D. C., Thursday, December 18, 1930]

SOWING PROSPERITY

Under normal conditions the National Tribune would not advocate that the Government cash the adjusted-service certificates held by World War veterans at this time. Conditions in this country are not normal, however, and for that reason we believe it would be a wise move on the part of the Government, in the interest of restoring prosperity, to pay off these certificates at once.

Nearly 3,500,000 certificates have been issued to veterans in all parts of the country. They range in value from about $51 to $1,585, with an average value of $1,010. The maximum amounts that would be paid to veterans according to States are published on page 5 of this issue of the National Tribune.

It is estimated that about three and a half billion dollars would be needed to pay this debt in full. Nearly 2,000,000 veterans have already borrowed on their certificates at 6 per cent interest, however, so this amount would be measurably decreased. The Treasury has on hand about $750,000,000 for the purpose of paying off these certificates when they mature, so that it would not be necessary for the Government to borrow any vast sum.

Quite naturally, Andrew W. Mellon, Secretary of the Treasury, is opposed to cashing these certificates at this time. He was opposed to the "bonus" in the first place and fought it with all of the influence he could bring to bear. He even told Congress there would be a deficit in the Treasury of some $600,000,000. The law was enacted and the Treasury showed a surplus of $300,000,000, a mistake of about $1,000,000,000 on Mr. Millon's part.

Because of his attitude in the past one is bound to receive Mr. Mellon's views toward cashing bonus certificates with caution. He says it would not constitute a real benefit to the veterans; that it would be only a temporary aid in alleviating the present business depression; and that the Treasury can not borrow the necessary funds without serious interference with the public-debt operations.

We doubt very much if Mr. Mellon considers the fact that thousands of veterans are without work, many of them not only because of the present depression, but also because of disabilities for which they receive little or no financial aid from the Government. Many of these men have gone into debt that they might provide food, shelter, and clothing for themselves and their families. The National Tribune has received letters from veterans who are unable to send their children to school because they can not clothe them properly. A thousand or $500 at this time would be a godsend to these men and would aid materially in tiding them over the present hard times.

It is the understanding of the National Tribune, gained from reading the various statements issued by high Government officials, that the present business depression is only temporary and that better days are just around the corner. If that is the case, the money represented by the adjusted-service certificates would prove highly beneficial in getting business back on a sound basis until normal times return.

We do not believe that the money paid to veterans would be spent foolishly. Here and there, of course, some man would squander his, but by and large the average veteran of the country has too many responsibilities to permit him making whoopee. Most of the money would go to pay honest debts which have accumulated and to purchase necessities. The small merchant who has been carrying a veteran and his family would find his bill paid. Fuel dealers and clothing merchants would get their share and thousands of homes, now in despair, would be made happy.

As for financing the proposed plan, we can only point to the statement made by President Hoover in his annual message to Congress that the banks of the country to-day are literally overflowing with money. Bank deposits at this time are 5 per cent greater than they were in 1928, one of this country's most prosperous years. Under present conditions the banks have no outlet for their money and they would welcome an opportunity to purchase gilt-edged Government securities, even though the rate of interest be very low.

The only people who might be hit should the certificates be paid in cash now, so far as the National Tribune can see, would be the families of veterans. These certificates are really life insurance policies, and if they are cashed now instead of 15 years from now the families would not receive the benefits should the veterans die in the meantime.

The National Tribune realizes, however, that the Government intends to care for the widows and dependents of deceased World War veterans so they will not suffer in years to come, regardless of what action is taken on the adjusted-service certificates now.

As an aid to restoring prosperity and tiding over veterans who are in want, the National Tribune advocates that these certificates be paid at once.

MISLEADING EDITORIALS IN SCRIPPS-HOWARD PAPERS

Mr. PATMAN. I read from a Pittsburgh, Pa., paper—I do not know the name of the paper—it is just marked "Pittsburgh," but it is a Scripps-Howard paper. This is an editorial headed "For the Veterans," and it goes ahead to make an argument against the payment of the veterans' adjusted compensation certificates, and then it states:

The fact that advocates of this measure have not been able to answer any of the sweeping criticisms of it made by Secretary Mellon probably indicates that it has no chance in Congress.

Well, if the writer of this editorial had been reading the CONGRESSIONAL RECORD and had been reading the answers to the criticisms of Secretary Mellon and others before his statement was issued, he would not make that statement. He says further:

Admitting that the plight of some young and able-bodied veterans is now bad temporarily, their plight will be worse when they have lost their youth and possibly their health.

Possibly it will, but the question is, If we permit the soldiers' compensation certificates to remain in their present form, according to their present contract, will they have a certificate of value when they are broken in health and when they have their youth no longer?

You must recall that when Congress passed this soldiers' adjusted compensation bill it confessed to the soldier a debt that Congress said was due to that soldier for services rendered, but said to that soldier, "I am not going to pay you one penny in cash, but after two years, if you desire to borrow on your own certificate and borrow some of your own money, then Uncle Sam has plenty of money to let you have under those circumstances and will give you just a small bit each year, just let you have it in dribs, and whereas Uncle Sam is paying you 4 per cent for the money that is involuntarily withheld, Uncle Sam is going to charge you 6 per cent compounded annually for your own money."

Therefore if you take the average certificate of $1,000, more than 2,000,000 of them have borrowed out of a total of three and a half million, and they are borrowing on them each year and just getting little dribs, twenty or twenty-four dollars a year, never getting at any one time a sufficient amount to be of substantial benefit to themselves or to their families. If they continue this, as they have in the past and as they are going to do, will they have that money when they no longer have their youth and when they are broken in health? No; they will have a policy that has been dissipated—unduly consumed—by reason of the difference in interest rates that the veteran has been compelled to pay to his own Government for his own money. On a $1,000 certificate the veteran will have $46 in 1945 after paying all interest. The Government gets more in interest than the veteran gets in principal. Therefore that argument falls.

NO LOSS TO VETERANS IF PAID NOW

I want you to listen to this statement in the same editorial:

Do the veterans who have been led to support this proposal realize that cashing in now would mean a loss to them of upward of one and three-quarter billion dollars?

This statement is a false statement. No one has proposed that the veterans lose one and three-quarter billion dollars. There is no proposal pending before Congress that indicates or suggests that the soldiers will be asked to lose this much money. So why try to mislead the country?

I understand this editorial appeared in every Scripps-Howard paper in America, putting out this misleading and false statement. There is no truth in it. A while back, when the Hearst papers came out for the proposal and presented sound and unanswerable arguments in favor of paying the soldiers' adjusted-compensation certificates in cash, I was told then that the very fact that the Hearst papers all over the United States were advocating it was sufficient evidence that the Scripps-Howard newspapers would oppose it. Surely they would not oppose it for that reason, and certainly they should make an investigation for the purpose of correctly and truthfully quoting the facts rather than try to mislead the people by false statements, which they would have known were false if they had made sufficient investigation.

Then the editorial says:

Mr. Mellon has shown good technical and Federal financial reasons why the proposal would hurt business by choking the bond market and public-debt operations.

Mr. SIMMONS. Will the gentleman yield?

Mr. PATMAN. As soon as I comment on this statement I will yield to the gentleman.

Mr. SIMMONS. I want to ask a question about the other matter.

Mr. PATMAN. All right; I will be pleased to yield to the gentleman from Nebraska.

Mr. SIMMONS. Do I understand it is the gentleman's proposal to pay the present cash value of the policies?

Mr. PATMAN. Yes.

Mr. SIMMONS. Computed under ordinary rates or the face value?

Mr. PATMAN. The face value as due in 1945.

Mr. SIMMONS. In other words, they are to become due now?

Mr. PATMAN. That is correct.

Mr. FITZGERALD. Will the gentleman yield for another question?

Mr. PATMAN. Yes; I will yield to the gentleman from Ohio [Mr. FITZGERALD].

DO NOT FAVOR GIVING VETERANS CASHABLE BONDS FOR CERTIFICATES

Mr. FITZGERALD. At this point I would like to ask the gentleman from Texas if he has given any consideration to the proposition of Senator VANDENBERG to the Secretary of the Treasury that bonds be substituted for these certificates bearing some rate of interest, say 3 per cent, which would enable the veterans to immediately realize upon the security and the Government not have to meet the obligation itself for a great many years?

Mr. PATMAN. I have considered that proposal and I did it for the reason that if we could consistently support it I wanted to come out for it, because Senator VANDENBERG is a Republican and the Republican Party would probably get behind it. I wanted to help the Republican Party and put it over.

After giving it thorough consideration I could not yield, I could not submit to the proposal.

I remember years ago in 1920 and 1919 when the fifth Victory loan bonds were floated. The farmer, the wage earner, and everybody were told to go ahead, that they were worth 100 per cent on the dollar, and they paid $10 or $20 or $25 on a $100 bond and borrowed the rest of the money at the bank. Deflation set in and the banks were told to get rid of them as collateral, and they went down to almost $75, and the holders lost $25 out of $100. I fear if you gave these veterans a bond you would put them at the mercy of Wall Street and the international bankers of the country, and the veterans' bonds will be forced down to almost nothing until they are concentrated into the hands of the select few in Wall Street. The speculators would be benefited and the veteran robbed.

Mr. ABERNETHY. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. ABERNETHY. If we get that out of the administration we would be so much better off, because it would take care of a great deal of the present unemployment.

Mr. PATMAN. I feel that the administration will finally take up the proposition. I am sure it will, if prosperity for the entire Nation is really desired. I have no pride of authorship in the bill that I propose. I would gladly support a bill that any Member on this [Republican] side would advocate, if assured that the administration will help get through Congress such a bill to pay these certificates in cash now.

Mr. SIMMONS. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. SIMMONS. My recollection is that at the time the so-called bonus bill was passed they arrived at the basis of the certificate by allowing $1 a day for services on this side and $1.25 a day for services overseas. The certificates were to run for 20 years, payable in 1945. Assuming that the basis of the bonus was $1 a day, would the Government be justified in paying both the bonus and the interest for 15 years at this time?

Mr. PATMAN. I am glad the gentleman asked the question in the way he did, because it brings an important proposition to the point. Congress in fixing the rate of $1 a day and $1.25 made a mistake on the interest. Instead of letting the interest commence back in 1918 when it was due, it fixed the interest to begin in 1925 and run until 1945, thereby causing the veterans to lose seven years' interest.

Mr. MURPHY. Mr. Chairman, will the gentleman yield? I want him to have a gallery here. There is not a quorum, and I think there ought to be to hear what the gentleman is saying.

Mr. PATMAN. I appreciate the compliment the gentleman is paying me, but I do not ask for a quorum.

Mr. MURPHY. The gentleman ought to be heard. He is bringing something to light. He is saying something that has blood in it and the House ought to hear it. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] Fifty-six Members present, not a quorum.

Mr. SIMMONS. Mr. Chairman, I move that the committee do now rise and on that I ask for tellers.

The CHAIRMAN. The gentleman from Nebraska moves that the committee do now rise and asks for tellers.

Tellers were ordered; and the Chair appointed Mr. MURPHY and Mr. SIMMONS as tellers.

The committee divided, and tellers reported that there were 3 ayes and 67 noes.

So the motion was rejected.

The CHAIRMAN. The tellers report 3 ayes and 67 noes, not a quorum.

So the committee refused to rise.

The CHAIRMAN. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 5]

Andresen	Dempsey	Lanham	Sabath
Bacharach	Douglas, Mass.	Lehlbach	Schafer, Wis.
Beers	Doutrich	Loofbourow	Sirovich
Bell	Doyle	McCormick, Ill.	Somers, N. Y.
Blackburn	Eaton, Colo.	McLeod	Spearing
Bland	Erk	Mead	Stalker
Blanton	Estep	Menges	Stevenson
Bloom	Fenn	Merritt	Stone
Boylan	Fort	Michaelson	Sullivan, N. Y.
Brigham	Freeman	Milligan	Sullivan, Penn.
Britten	Gasque	Montague	Sumners, Tex
Browne	Greenwood	Mooney	Swanson
Browning	Guyer	Moore, Va.	Tarver
Brunner	Hadley	O'Connor, La.	Thatcher
Carley	Hall, Ind.	O'Connor, Okla.	Thompson
Carter, Wyo.	Haugen	Owen	Tucker
Cartwright	Hoffman	Peavey	Underhill
Celler	Huddleston	Pou	Underwood
Chase	Hudspeth	Pratt, Ruth	Wainwright
Chiperfield	Hull, William E.	Pritchard	Walker
Clark, Md.	Igoe	Purnell	Whitehead
Clarke, N. Y.	James, N. C.	Quin	Wigglesworth
Connery	Kahn	Ramey, Henry T.	Williams
Cooper, Ohio	Kelly	Reece	Wolfenden
Crail	Kennedy	Reid, Ill.	Wurzbach
Cross	Lambertson	Romjue	Zihlman

The committee rose; and the Speaker having resumed the chair, Mr. TREADWAY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15256, the agricultural appropriation bill; and finding itself without a quorum, he caused the roll to be called, whereupon 327 Members answered to their names, a quorum, and he handed in a list of the absentees for printing in the Journal.

The committee resumed its session.

The CHAIRMAN. The gentleman from Texas has 13 minutes remaining.

WHY THE PRESENCE OF ALL MEMBERS WAS DESIRED

Mr. PATMAN. Mr. Chairman and members of the committee, a word for the benefit of those who were not present when the point of order of no quorum was made, in the course of my remarks on paying the adjusted-compensation certificates of the veterans in cash. The object of the point of order, so I was informed, was to get more Members here to hear the discussion between Members on both sides. I want the Members to understand that I did not make that point. I would not be so presumptuous as to say that you should come here to hear me speak. A gentleman who was anxious to see this legislation given consideration made the point of order, the gentleman from Ohio [Mr. MURPHY], and I take it not as a compliment to me but as a compliment to the cause. Mr. MURPHY is one of the original Members of the House who advocated the payment to the veterans in cash. He has always contended that if Congress is going to confess a debt that is due these veterans, that debt should be paid, like all other Government obligations are paid, in cash, and his fight, back in 1920, antedates any fight I have made on the floor of the House by nine years. The compliment, I say, is not to me but to the cause that I represent in which he is intensely interested, and I am glad that he is.

MEMBERS SHOULD FORCE CONSIDERATION

Before many of you gentlemen came I made the statement that I am not advocating the Patman bill which I introduced to pay the veterans' certificates, because I have no pride of authorship in the measure. But I do want to see the legislation passed. It makes no difference to me whose name is attached to it. I have placed with the Journal Clerk a motion to compel the Ways and Means Committee of the House to report out the bill providing for the payment within 15 days.

That motion is absolutely without force unless 217 other Members of the House join me in signing the petition in support of the motion. If you are interested, it makes no difference whatever in what form of payment, but if you are interested in the legislation even being considered you should sign the petition. You know we can not get consideration unless we do force the committee to grant a hearing on the bill. I introduced the bill on May 28, 1929, and I have for many months tried to get a hearing before the committee. They have not refused a hearing, but they have refused to give me an answer, which is equal to refusal of a hearing. When I came back here only a short time ago I went to Mr. HAWLEY, the chairman of the committee, and I told him that the bill had been before his committee for nearly 18 months; that all we wanted was a hearing. Mr. HAWLEY was very courteous and kind to me. We talked about it for some 30 or 40 minutes or longer, but he never did give me an answer. I expected an answer two weeks ago and have received none, and since I have received none, there is but one recourse that I can take, and that is to resort to a petition, and if you Members of the House are in favor of the legislation being considered, regardless of its form, I think you should sign the petition and force the committee to report the bill within 15 days, which will give us a hearing on the subject before the Committee on Ways and Means.

Mr. McCORMACK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. Yes.

Mr. McCORMACK of Massachusetts. Will the gentleman state how many Members have already signed his petition?

Mr. PATMAN. Something more than 70, but we need 142 more. If 142 other Members of the House will sign the petition, the committee will get busy and they will give us a hearing—not on my bill. Discard my bill, throw it out of the window, if you want to, but give us a hearing on the subject; let it be on the Hawley bill, the Tilson bill, or the Snell bill, or even the Longworth bill, if they will introduce bills. It makes no difference to me. Let us have a consideration of the subject that the people of the Nation are vitally interested in at this time.

Mr. McCORMACK of Massachusetts. As one who has signed the petition, the thought comes to my mind, why does not the gentleman put the names of the Members who signed it in the RECORD.

Mr. PATMAN. I doubt the wisdom of doing it, even if permissible. However, we can give it consideration.

WHY VETERANS SHOULD RECEIVE FACE VALUE NOW

Before the point of no quorum was made the gentleman from Nebraska [Mr. SIMMONS] asked me a question which goes to the very heart of the question. He said the veterans had confessed to them a debt of $1 a day for home service and $1.25 a day for service overseas, but instead of giving them money in cash they were given a certificate due in 20 years, which includes interest at 4 per cent, and if you pay the certificate in full value now, 15 years before maturity, how can you defend yourself for increasing the amount to that large extent.

The answer to that goes to the very heart of the question, and I believe it can be answered in favor of the proposal which I have presented.

When John Doe served 400 days over here, he had confessed to him a debt of $400. The Government said "I will withhold that money, but I will give you a certificate dated in 1925, due in 1945, for $1,000." That includes interest at 4 per cent and a small gift from the Government amounting to about $35 in 1925, although claimed to be one-fourth of the veteran's adjusted credit.

If you pay that man $1,000 now, when that certificate is only five or six years old, is that not increasing the amount unduly? I say no, for the reason that Congress made a mistake in causing interest to commence in 1925. If Congress is going to confess the debt, it was due back in 1918, halfway between the beginning and end of the emergency period. Let the interest commence then. What rate of interest should be charged? The Government is compelling the veteran to pay 6 per cent, compounded annually, on his own money. Would it be unjust for the veteran to ask the Government to do the same thing for him?

So you confess to John Doe that debt of $400 back in 1918 and give him 6 per cent interest, compounded annually from that date up to this year, and he will have due on that certificate $825 or 82½ per cent of his $1,000 certificate.

Considering the fact that he has been borrowing this money in small amounts, never getting a sufficient amount at any one time to be of substantial benefit to himself or his family; considering the fact that he has only been geeting 4 per cent, and he has been compelled to pay 6 per cent, compounded annually, for his own money; and considering the fact that there was deducted from his credit the $60 which Congress had given to him as an outright gift when he was discharged from the Army, with which to buy a suit of clothes, I say, considering those facts, that man should have the full amount at this time.

Mr. HUDSON. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. HUDSON. The gentleman does not want to imply that that 6 per cent goes to the Government, does he? That goes to the veterans and not to the Government.

Mr. PATMAN. I know where that money goes.

Mr. HUDSON. Is that not true?

Mr. PATMAN. But let me tell you to which veterans it does go.

Mr. HUDSON. The needy veteran must pay to his well-to-do buddy 6 per cent for the loan?

Mr. PATMAN. Yes, sir. Only a very few of the veterans were able to keep up their war-risk insurance after the war. They were compelled to drop it. All of them are keeping this other insurance in the form of adjusted-compensation certificates because they have to keep it.

When a veteran borrows and he pays 6 per cent, it is loaned to him out of that war-risk insurance fund. Those that were able to keep the war-risk insurance are getting the benefit of it.

Mr. HUDSON. Will the gentleman yield further?

Mr. PATMAN. I yield.

Mr. HUDSON. My point is that if the veterans could borrow upon that, they could have been able to borrow without any interest.

Mr. PATMAN. Absolutly; yes, sir.

Mr. HUDSON. And my bill provides for that.

Mr. PATMAN. Yes, sir.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. JOHNSON of South Dakota. I am fearful that in this discussion there might be something creep in which might make the veteran of the United States not realize that their Government insurance, their converted insurance, is the best and the cheapest insurance that is written anywhere in the world. That is true, is it not?

Mr. PATMAN. Absolutely true, and one of the reasons is because all of these veterans who are down and out and are forced to borrow money on their compensation certificates are paying tribute to those who are able to keep that war-risk insurance. Although the holders of war-risk insurance policies are not asking and have never asked that this be done and are in no way responsible for it.

Mr. JOHNSON of South Dakota. I trust the gentleman will agree with me that that interest should be reduced to 4 per cent, and if the gentleman will join with me on the Veterans' Committee, it can be reduced.

Mr. PATMAN. It ought to be cut out entirely.

Mr. HUDSON. But it will not be wiped out.

Mr. PATMAN. Now, when I was discussing the proposal just before the point of no quorum was made, I was giving the reasons of Secretary Mellon. He said this proposal would hurt business by choking the bond market and the public-debt operations.

PAYMENT NOW WILL NOT HURT BOND MARKET

Let us see if it will hurt the bond market. A week before this statement was made Mr. Mellon, in submitting his report to Congress, asked Congress to give him authority to float $8,000,000,000 worth of bonds. For what purpose? For the purpose of retiring the public debt that was paying an interest rate much in excess of what money can be obtained for now. One week before Mr. Mellon wanted authority to sell $8,000,000,000 worth, but when we say we want you to use a little better than $2,000,000,000 of that money for the purpose of retiring another war debt that is honestly due to the veterans and has been publicly confessed, Mr. Mellon says that proposal would hurt business.

I think you will find that when Mr. MURPHY, of Ohio, and others were making the fight to pay these veterans in 1924, Mr. Mellon made the same statement then that if you passed the adjusted compensation law it would hurt business, and, therefore, you should not do that.

PUBLIC DEBT NOW OVERPAID

Furthermore, he says it will affect the public-debt operations. You know the Congress passed a law back in 1919, setting forth the policy that the Members of Congress believed should be pursued in the payment of our national debt. The Congress believed that the war was fought for posterity and not for the present generation, and that the people of future generations should bear a part of the burden of winning the World War. The Congress said to Mr. Mellon, "You should pay $300,000,000 a year on that debt as a sinking fund." That is all he was to do. Every year when the veterans' legislation would come up Mr. Mellon would say, "If you pass it, it will cause a deficit"; but somehow or in some way at the end of the fiscal year we would find that the Treasury had a surplus of nearly $700,000,000.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BUCHANAN. I yield to the gentleman from Texas [Mr. PATMAN] five additional minutes.

Mr. PATMAN. As a result we find at the end of 10 years that Mr. Mellon has overpaid the public debt $7,000,000,000. That is more than Congress expected to be paid, and we can now divert the payments from the public debt to this debt, which is another war debt, and when we have paid this debt we will still be over $4,000,000,000 in excess of the policy which was settled upon with reference to the payment of the public debt.

Mr. JOHNSON of South Dakota. Will the gentleman yield further?

Mr. PATMAN. Yes.

Mr. JOHNSON of South Dakota. One thing that puzzles me about the gentleman's proposition is that he advocates the payment of these adjusted-service certificates at face value at the present time. That would be about $1.85 for those who are living to-day, but a man who served in France and was killed there would only get $1.25. Would the gentleman be in favor of bringing the payment up for the dependents?

Mr. PATMAN. There is no use of weighing one inequality against another. That is no argument. If there is any inequality existing let us correct it. The men who were killed or injured in battle should have first consideration.

Mr. JOHNSON of South Dakota. I was not making an argument, but I was asking for the gentleman's solution.

Mr. PATMAN. As I say, if there is any inequality existing let us correct it. Of course, the gentleman is digressing from the subject under consideration.

Mr. RANKIN. If the gentleman will permit, if the gentleman from South Dakota wants to help in this fight, let him sign the petition so as to bring this bill to the floor, and when that is done he can then offer his amendments. We do not want to quibble about technicalities. All we are after now is to do justice to these veterans.

Mr. JOHNSON of South Dakota. It happens that away back in the days when the gentleman from Mississippi was taking no part in these deliberations in the House, I drafted the three caucus calls which made it possible for this adjusted-service pay to be brought up. I led every one of the fights through all of the caucuses, and I have been rather interested in seeing that this money which ought to go to these widows and children was not diverted if the widows and children do not desire it to be diverted. I would rather take care of these men in some other way than to take it from the widows and children for whom it was intended. [Applause.]

Mr. RANKIN. But the gentleman from South Dakota [Mr. JOHNSON] left the widows and orphans out of the bill which was passed under suspension of the rules last session.

Mr. PATMAN. I would suggest that these gentlemen get their own time for the purpose of discussing these matters. My idea is to let the veterans have it now, if they want it, and get some substantial benefit from it, as was intended by the committee which reported this bill. Surely Congress will pass at this session a bill granting to widows and orphans of World War veterans the same pension as now given to those of the Spanish-American War.

Mr. JOHNSON of South Dakota. If the gentleman will join with me this winter we will reduce that interest rate.

Mr. PATMAN. That is an admission that there is something wrong about the law. If there is something wrong about the law and we are considering changing the law, let us consider such changes as will bring about complete justice to them. [Applause.]

Mr. JOHNSON of South Dakota. Let me suggest to the gentleman that this adjusted-compensation matter is before the Committee on Ways and Means, while the insurance matter is before the committee of which both of us are members and that committee has nothing to do with the matter of adjusted compensation. However, as I have suggested before, if the gentleman will join with me, we will get some action on the other matter.

MR. MELLON'S ESTIMATES SHOULD NOT BE CONSIDERED

Mr. PATMAN. I do not think we should follow Mr. Mellon on his estimates. He has always fought the veterans, and no reliance can be placed upon the estimates he has given out over a period of years. I doubt if there is even a Member on the Republican side who will get up now and say that he believes Mr. Mellon has made a correct estimate during the time he has submitted estimates to Congress. You can not do it and nobody can do it. When he makes an incorrect statement, a false statement, and a misleading statement for the purpose of killing deserving and worthy legislation, are you going to follow his dictates in this matter?

VETERAN ORGANIZATIONS AND OTHERS INDORSE PROPOSAL

This proposition has been indorsed by the Veterans of Foreign Wars, Disabled American Veterans, Air Service Mechanics of America, Naval Fleet Reserves—and listen to this—the rank and file of the American Legion, United Veterans' Aid Association, hundreds of thousands of wage earners, farmers, manufacturers, wholesalers, retailers, and other business men who are not veterans but who want a prosperous Nation. The proposal is right and will win in this short session if given consideration.

OVERDOSE OF "MELLONISM"

Our Nation is now suffering from an overdose of Mellonism. Predatory wealth will remain in control of our Government as long as Andrew W. Mellon is Secretary of the Treasury. He is the worst enemy of the wage earners, farmers, and veterans of all wars in America. He accumulated more money during the World War than any other war profiteer.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. BUCHANAN. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. PATMAN. He accumulated more money during the World War than any other war profiteer, and is now enjoying an income of $100,000 a day, or $30,000,000 a year. He favored paying adjusted compensation to war contractors and railroads to the amounts of three and one-half billion dollars, but always opposed paying the veterans a penny, and in the past 10 years has made false statements about the conditions of the Treasury in order to defeat veteran legislation. Now he expresses great solicitude for the veterans' welfare and opposes the cash payment of the certificates because, he says, it will be against their interests. He always places property rights above human rights.

FALSE STATEMENTS AND STATISTICS

False statements from the Treasury and statistics from the President do not constitute a very nourishing diet for hungry people. The President has administered to the people optimistic statements and volumes of statistics in the past year and now he is angry because they remain hungry and jobless.

PROSPERITY WILL BE RESTORED

If the veterans are paid an honest debt, one long past due and one which has been publicly confessed—the adjusted-compensation certificates—prosperity will be restored to our Nation immediately.

TEXAS VOTERS TOLD IN 1928 MELLON WOULD NOT BE SECRETARY OF THE TREASURY

I hold in my hand a statement which was issued by the Nonpartisan Hoover League of Texas, 318 Slaughter Building, Dallas, Tex. In the campaign two years ago—1928—the argument was made that Mr. Mellon would run the administration if Mr. Hoover were elected, because Mr. Mellon was responsible for his nomination. They answered that in the printed document which I hold in my hand, and listen to what they said:

But if Hoover is elected, A. W. Mellon will not hold this or any other position in his Cabinet.

So the people of Texas were promised that, if they would vote for Mr. Hoover, Mr. Mellon would not hold the position of Secretary of the Treasury or any other position in his Cabinet.

PER CAPITA CIRCULATION OF MONEY TOO LOW

I now want to appeal to you folks earnestly and sincerely. This is not a partisan fight. You disagree with Mr. Mellon as much as I do. We are working for the welfare of our country. We know that what is wrong with our country to-day is not overproduction but underconsumption, a lack of purchasing power; the per capita circulation of money is too low. The per capita circulation of money has been reduced from $50 down to $35 in the past few years, and you can not have prosperity unless you have plenty of purchasing power and a large per capita circulating medium; and we all know that by the passage of this bill to pay an honest debt, that has been publicly confessed—not a bonus, not patriotism, but a debt—we know that if we pass this bill to pay this debt we will have prosperity immediately.

IF OTHERS CAN BE PAID IN CASH, WHY NOT PAY VETERANS?

I appeal to you, my friends, in all sincerity if we can pay the war contractors $3,000,000,000 adjusted pay, and pay it in cash; if we can pay the railroads $1,600,000,000, and pay it in cash; if we can turn to England and if we can turn to France and give them billions and multiplied billions of dollars as an outright gift, that they used to pay their own soldiers not only adjusted pay but bonuses, running up into hundreds and thousands of dollars each, paid with our money, we should pay this honest debt which we have confessed to our own veterans and bring prosperity to our Nation and promote the general welfare. [Applause.]

Mr. BUCHANAN. Mr. Chairman, I yield 10 minutes to my colleague the gentleman from Oklahoma [Mr. HASTINGS].

Mr. HASTINGS. Mr. Chairman, the joint resolution (H. J. Res. 411) for the relief of the farmers in the drought and/or storm stricken areas in the United States is the most important of the relief measures Congress will be asked to consider. It goes to the heart of the situation. Everyone recognizes the distressed condition of the farmers not only because of the drought and damage through floods but because of economic conditions which do not place him upon a parity with the industrialists of the East. Political considerations should have no place in the consideration of the measure.

There are only three questions in controversy:

First. The real friends of the farming class insist that $60,000,000 is necessary for relief under the resolution, while those who only want to make a gesture of friendship are making an effort to reduce it by 50 per cent, or to $30,000,000. All the advices I have urge the larger sum, and the bill as originally drafted by the Department of Agriculture recommended $60,000,000.

Second. The companion Senate resolution (S. J. Res. 211), as it passed the Senate, authorizes loans or advancements in the sum of $60,000,000 to be made to the farmers "for the purchase of food, feed, seed of suitable crops, fertilizers, feed for livestock, and/or fuel and oil for tractors used for crop production." The House resolution (H. J. Res. 411) reduces the amount to $30,000,000 and omits "food" but authorizes the purchase of "seed, feed, and fertilizers, fuel and oil for crop production." Bear in mind that this resolution provides—

> Such advances, loans, or sales shall be made upon such terms and conditions and subject to such regulations as the Secretary of Agriculture shall prescribe—

And it further provides that—

> A first lien on all crops growing or to be planted and grown during the year 1931 shall, in the discretion of the Secretary of Agriculture, be deemed sufficient security for such loan, advance, or sale.

The farmers in some localities are in such dire distress as to need advances or loans to purchase food for their families while they are making their crops, as well as feed, seed, and fertilizers.

The usual custom throughout farming sections, and particularly in the South, where cotton is a staple crop, is for the farmer to mortgage his crop, oftentimes in advance of its planting, to secure financial assistance from banks or supply stores with which to secure funds to purchase not only seed, fertilizers, and feed for his livestock but food for his family while the crop is being grown and until it is marketed.

This resolution does not provide a dole, but contemplates repayment. It recognizes that in many cases farmers may not have security acceptable to the banks, and it approves the taking of a first crop lien by the Secretary of Agriculture, but omits food from the terms of the resolution, which would deprive thousands of farmers from taking advantage of the provisions of the resolution, because if he mortgages his crops to the Government for seed, feed, and fertilizers he has nothing left to give as security to the local banker or supply stores for food for his family. The banker or supply merchant will not take a second lien subject to a first lien to the Government. No bank examiner will approve such security for a loan. Food for the family is far more important and in most localities costs more than seed, feed, and fertilizers.

It is folly to state that such cases will be relieved through the Red Cross or other charitable organizations. It only shows that those making such an argument do not understand how farmers are financed. The drought was unquestionably severe and widespread. It followed a depression of several years. It left the farmers with little or no money, food, feed, or credit to make their 1931 crops.

There are two classes of thought in this House. One wants to authorize an adequate amount and include food so as to enable farmers out of loans from the Government to purchase those things necessary to assist them in making their crops. The other class would reduce the amount and take the very heart out of the resolution by eliminating the word "food." The Red Cross and other charitable organizations will look after the sick, widows and orphans, and other special cases of extreme destitution; but it can not, of course, provide food with which to nourish the families of farmers over a period of several months while the crops are being cultivated. If this larger amount be authorized and made available, no more need be loaned by the agents of the department than necessary.

Practically every farmer must have assistance during the crop season. That is universal down South. The farmers give a crop mortgage to secure a loan from a bank or to some supply house that carries them through the crop season. The biggest item is for food for themselves and their families. It is not a dole. Examine the resolution and you will find that it provides a first-mortgage lien to be taken by the Government. Then let us look at it in a practical sort of way.

If a farmer gives the Government a first crop lien to secure a loan and it does not include money to purchase food but only seed and fertilizer, he has no security to give the local banker or supply store for his food.

If a bank were to take a note secured by a second crop mortgage subject to a first mortgage given to the Government, how many bank examiners would pass that sort of a note in the bank?

Mr. SLOAN. Will the gentleman yield?

Mr. HASTINGS. I yield.

Mr. SLOAN. What steps have been taken by the gentleman's State, or any State interested in the matter, in calling the legislature for the purpose of taking a preliminary step to meet the situation for the people within their own State?

Mr. HASTINGS. Oh, the gentleman from Nebraska wants to divert attention—our legislature will not meet until January, two weeks off. Let me say to the gentleman from Nebraska that we have elected a splendid progressive and aggressive governor, we have elected a progressive and sympathetic legislature in our State, and I have no sort of doubt but that my State will be as progressive as the gentleman's

State of Nebraska or any other State in the Union in caring for the distress in my State.

Now, let me discuss this a little further. This is not a subject for the Red Cross. The Red Cross will take care of the extreme cases of destitution, it will take care of the widows, it will take care of the sick, but you would not expect the Red Cross to take care of able-bodied men during the course of a number of months. You would not expect the Red Cross to take care of farmers while they are making a crop. That is what this legislation is for. I have no sort of doubt that the splendid men and women in my State and in every other State will generously contribute through the Red Cross for the purpose of taking care of the widows, the sick, and special cases of extreme destitution, but we are considering legislation to aid an entirely different class.

These people are not asking for a dole, but we are asking for a loan to them from the Federal Government. They must give a first mortgage on their crops as security, and under this bill it is to be repaid.

The statistics two years ago showed that there were 197,000 farmers in Oklahoma and that 115,000 were tenant farmers. I have no doubt but that since that time the number of tenant farmers has increased. Many of these farmers do not have a bankable security. A loan on their crop to purchase seed would amount to practically nothing, because the farmer has already sowed his wheat—we do not sow any spring wheat in my State—and his wheat was sowed last fall.

It takes but little money to buy seed corn. Remember that the principal thing for which the farmers of my country need help is food for themselves and family while they are making the next crop. If you take a first crop lien from them and exclude food and you only loan them money to purchase seed and fertilizer—and in the State of Oklahoma we use commercial fertilizer in a negligible quantity—you will not help the farmers very much.

For these reasons I want to impress upon you the absolute necessity for the inclusion of food in the bill. Otherwise the farmers of my section and of the South would not be greatly benefited by this legislation.

The third question is the parliamentary one. The public should know that a motion to suspend the rules of the House and pass a bill means that there are only 20 minutes allowed for debate on each side and that no amendment is in order. A special rule cutting off amendments and limiting debate has the same effect and is for the same purpose.

I voted against the motion to suspend the rules and pass the resolution on yesterday, and will vote against any special rule, because I want the resolution amended so as to increase the amount from $30,000,000 to $60,000,000, and I want to include food as well as seed, feed, and fertilizers in the resolution.

I was born and reared since the Civil War, but I do not hesitate to say that the farmers of the country, generally speaking, are experiencing the worst depression I have ever known. Farms are being sold for taxes, thousands of mortgages have been foreclosed, and alien landlords have thousands of farms which are being cultivated by tenants. The number of unemployed continues, unfortunately, to increase. Farm products are sold for less than the cost of production.

This is not due to overproduction this year, because the drought has cut the corn crop approximately 80,000,000 bushels, yet the price of corn is under the market price of a year ago.

The question under daily discussion in Congress, on the streets, in the press, and in fact every place is, what can be done to relieve the present depressed financial situation.

First. The passage of the pending resolution will afford a measure of relief.

Second. The bill which we have passed appropriating $110,000,000 for road construction, roads and trails in forests and national parks, for rivers and harbors, and other public works will in some measure aid the unemployment situation. The Bureau of Public Roads should insist that the several State highway commissions expend some of the money in every county of the respective States to assist the unemployed.

Third. Work should be expedited upon the public buildings appropriated for. Some of the buildings have been authorized for many months and perhaps years. The Supervising Architect should be able to standardize plans and specifications, particularly in the smaller cities of from 10,000 to 20,000 population, so as to allow work to be begun in those places at an early date. The same is true of the new buildings, roads, and other physical improvements provided for in the Interior Department appropriation bill recently passed.

Fourth. I favor the payment of the adjusted-service compensation certificates issued to the ex-service men either in cash or negotiable 3 per cent bonds, which should sell around par. Surely these ex-service men will never need the money more than they do now. It would result in money being placed in circulation in every community. It is an acknowledgment of the debt we owe them. Why not pay them when the money is most needed rather than compel them to borrow money on the certificates in amounts too small to effectively assist them? In addition to this I favor the payment in a lump sum of the insurance now being paid in monthly installments.

Fifth. I would appropriate a sufficient amount for the relief of the destitute to be distributed through recognized agencies, such as the Red Cross, and for the destitute Indians through the field force of the Indian Bureau. A small amount is carried in the Interior Department bill for the relief of destitute Indians and made immediately available.

Sixth. The land banks, upon a proper showing, should extend the time for the payment of loans, both as to principal and interest, for a reasonable length of time. These loans can be collected if the farmers are given a chance and the collections not forced.

Seventh. I would reduce the tariff on the manufactured necessities which the consuming public must buy, so as to place the farmers, the laboring class, and the consuming public generally, upon a parity with the industrialists of the East. Either reduce the tariff or enact the debenture provision, passed by the Senate as an amendment to the tariff bill, which would increase the export price, and therefore the domestic price of all staple farm products. The trouble now is measurably due to special-privilege legislation in favor of the industrial classes at the expense of the agricultural classes. Their purchasing power is gone. This reacts upon business generally. The farmers can not continue to sell their products at ruinous prices, below the cost of production, and pay higher prices, because of this special-privilege legislation, for the things they must buy, and then remain prosperous. When the farm industry collapses, as it has, it affects every person, corporation, business, and bank throughout the Nation.

Eighth. The remaining amount of the revolving fund of $500,000,000 should be appropriated and made available to the Federal Farm Board for the use of the board, and the board should be directed to stimulate the market of nonperishable farm products so as to keep them above the cost of production, by the purchase through stabilization corporations, created and recognized by the board, of a sufficient quantity of the staple farm products and temporarily withhold them in warehouses from the market. All staple nonperishable farm products are worth the cost of production plus a reasonable profit, if orderly marketed. The success of this measure will depend upon its sympathetic administration.

Ninth. To meet the increased cost which this program would necessitate I would amend the income tax laws so as to graduate the income tax in those brackets where the income is in excess of $100,000. The figures for the current year are not available, but it was authoritatively stated there were 14,000 millionaires in the United States in 1928 and that 406 paid taxes on incomes of more than $1,000,000 each. The present rate is not graduated above $100,000.

Why? If it is sound in principle to increase the rate on incomes up to $100,000, why not continue to increase the rate so as to take a larger share of the excessive incomes above that amount? Sufficient funds can be secured from this source alone to care for the relief program I have outlined.

Tenth. Let me remind the country that in our foreign debt settlements we remitted $10,705,618,006.90 and we should not hesitate to legislate as liberally for our own people who are in deep distress.

Finally, let me say that the farmers pay a disproportionate part of ad valorem taxes on their lands. These taxes should be equitably adjusted and certainly materially reduced. However, that is a State question and one I trust my State will earnestly, intelligently, and courageously meet and equitably adjust. There can be no return to permanent prosperity so long as the farmers pay excessive ad valorem taxes, which in many cases are more than the amount they produce from their lands. Nor can we expect general prosperity to return to the country until the purchasing power of the farmers is restored through amendments to our legislation, which will insure them the cost of production, plus a reasonable profit for their farm products, and, second, a revision of the tariff so that the value of their farm products will have a greater exchange value for the manufactured articles which they must necessarily purchase for themselves and their families.

The farming industry is discouraged and lies prostrate; some heroic means must be used to revive it. In the meantime we should extend it adequate and sympathetic relief to tide the farmers over another crop season. I am going to do that if an opportunity is afforded. [Applause.]

Mr. BUCHANAN. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. BLACK].

Mr. BLACK. Mr. Chairman, since the war Europe has been turned into a vast governmental experimental laboratory and naturally has aroused a great curiosity on the part of thinking men as to the relative values of various forms of ruling. Some writers, carried away by the violent strides, whether for good or for evil, of some of the new systems, have in mind to perform some major operations on the American body politic.

Undoubtedly there are many minor ills attendant on our political system, and instead of being smug about the health of our democracy we should take advantage of various diagnoses being made, trying to cure our ailments without the drastic remedies suggested by various radicals.

I prefer to predicate my judgment of democracy on the realities of America rather than on the many theories advanced and exploded in the European laboratory. The American democracy should be judged by its aggregate results. It is bad policy for us to consider only our assets and it is equally erroneous for our critics to damn our Government on a basis of our total liabilities. Our critics observe us through a glass darkly. For instance, they insist that democracy has failed and cite unemployment conditions. It is true that unemployment has become first-page news, but that is only an indication of its rarity under the American system. They also call our attention to crime waves, forgetting that organized crime is financed by prohibition violations. Of course democracy failed in prohibition, because it overreached itself. It went beyond the real purview of temporal government. It essayed divinity and reached for the moon, and all it obtained was moonshine.

Our critics overlook the fact that any human government must draw its mentality and character from its humanity, and there has been devised no selective method by which only the superior mentalities shall prevail. The faults of democracy are human faults, and those who aspire to something better than democracy must find a way of creating a new race of men.

Over a century and a half this democratic Government of ours has so well met the ordeal of mighty external and internal problems that through its history it has attracted thinking men from all over the world, who lived under all sorts of governments. They have come to a vast and kaleidoscopic area of, for, and by whose heterogeneous peoples its democracy has been a generally satisfactory medium of political control. So engaging to the world has been our democracy that recently we had to bar by drastic immigration restrictions a mighty host, all willing to testify to its soundness and appeal by uprooting home ties to accept its blessings. Thus we have the testimony of the civilized world as to the workability and the security of the oldest democracy.

We have seen no mad rush from our democratic shores to accept the rule of dictatorships in Italy, Poland, Jugoslavia, Hungary, Turkey, Spain, or Russia. Break down our immigration restriction laws and it would be safe to wager that the immigration from these dictatorships would far exceed the immigration from the Old World democracies of England, France, Germany, Czechoslovakia, the Irish Free State, and Austria and Scandinavian countries.

There is no better test of a governmental system than its approval or disapproval by the common sense of mankind, and there have been attempts by the peoples of the world to approach the American system of democracy; the nations of the world even modeling on our form the existent international government, the League of Nations with the World Court.

However, I agree that it is well not to be too easy-going about our democracy. In essence it offers an ideal system. In application, involving the human equation like all other ideal theories, it may diverge in values far from its potential worth. Moreover, its power is lessened by mass propaganda attack on its human instruments and by a calculated skepticism about its adaptability to gigantic and rushing economic structural changes.

The Congress in this country being the truly democratic feature of our Government furnishes to us a first-hand test of democracy. That other parliaments have fallen is far from conclusive proof that democracy in the present-day world is not workable. That our Congress is bitterly attacked is no proof that it is not workable. Per contra, it may be proof that it works too well in the interest of the entire governmental background. That Congress has many minor faults, all susceptible to curatives, I would not deny. The extreme radical with the flare for riding on the pendulum on a nonstop passage all the way from the moated castle to government by the gutter has a superior cynicism toward Congress, because it does not work out a mathematical equality of wealth and opportunity. The big business executive, impatient of restraint and rather complacent toward his own Napoleonic reincarnation, resents the orderly and deliberate processes of a political Congress which does not share his exaggerated faith in his own benevolence or superhuman leadership. From these sources comes largely the criticism of the Congress. These two armies approach on the Congress from opposite poles, and no one has the slightest doubt that should there be a referendum in this country as between the Mussolini dictatorship, the Russian Soviet, and our constitutional form of government that the result would almost be unanimous for the present status.

DELAY ON RELIEF DUE TO WRANGLE

We in Congress are responsible to some large extent for the criticism directed against democracy. We must also realize that within the congressional limitations there are cures for our own ills. I rather welcome the attacks on democracy, for they will only serve to stimulate democracy to draw the best out of itself. A familiar criticism of Congress is that we discuss affairs too much. There is not a corporation in business which does not have discussion before executive action. True, it is not the extremely broad discussion of all the stockholders, but a discussion by the democratic representatives, the directors. Undoubtedly the wise business men who participate in these discussions behind closed doors make many exaggerated statements and propose wild remedies that were they subject to a review by a press gallery or a visitor's gallery, as we are in Congress, would break down the faith of stockholders in some of their leaders.

However, the result is arrived at by the sense of the meeting after the friction of minds, and the result may be prudent and wise while the expressed doubts might at times be ludicrous. So, too, with the Congress. More colorful discussions have news value, and often reflect on the mentality of Congress; but the result of the debate, the final legislative enactment, may make for the safety and happiness of the people, as indeed our survival as a leading nation seems to bear out.

The individual Members of Congress, having an eye to their own future, do their best to reflect the attitude of their voting backgrounds, and in a broad land like this, with a greatly varied human make-up, there is a clash of opinions. These are reflected in the debates, and the debates seem outrageous at times, but not generally the laws. In most cases the laws represent compromises for the general good and by a reasonable people are accepted as such.

Congress has also been censured for slowness in its approach to problems. There is a great deal of justice in this censure, but that is no fault of democracy but rather of its existing agents. We have become too devoted to an old routine, for it is easy and because of a recent do-nothing political philosophy. It was all right for the purposes of a rest from the emotional excitement of the war. This congressional flabbiness instead of arousing congressional popularity is working just the other way, for the Government, like any other institution, must advance with the time or be submerged. A democratic government can advance, and having at its disposal the intelligence of the background of the government can draw forth a new political notion, making government acceptable to economic or social advances.

Congress wastes too much time on the annual appropriation bills, which excepting for the amounts contain year after year practically the same matter. This comes from the much too great power of the Committee on Appropriations in the lower House. These appropriation bills are of a huge bulk and their reading consumes a great deal of time in the House. Rules could be changed so that debates would be limited to those sections of the bill to which amendments are to be offered, notice being filed by any Member that he wishes to move with respect to such sections. This change in the rules, which is possible, would give time to Congress adequately to deal with major problems of the Nation, that now must wait on the pleasure of the Appropriations Committee handling the routine work.

The time thus consumed by devotion to routine often relieves the leaders of the Congress, infatuated with reactionary political thought, because by the mechanics they are able to forestall progressive measures; but all this can be remedied by a response on the part of the public to true democracy and a realization by the representatives that they must move or their system may perish.

We have allowed a few men to control the action of Congress, but in the last election the public repudiated this control and in the next Congress we should see democracy returning to its own.

There have been times in the history of this democracy when government was far from the people. Now with the direct primaries, a universal press, and national broadcasting, there is a greater tendency toward government by the governed. Broadcasting has almost made the whole country come within the limits of democracy, defined by Aristotle as the range of the orator's voice. We know from the recent elections, when the voices of the leaders of various political thoughts entered practically every home of the land, that a reaction based on information and discussion came as an ideally democratic prompting. In time, broadcasting facilities will be such that the interested public will be constantly informed as to the diversity of views contained in our representative make-up.

The newest theory of government that makes its appeal to the more strident critics of democracy is the dictatorship in which the question always remains, Who will be the dictator and by what system of eugenics we are to breed a superman group of dictators? Moreover, who is to name the first dictator and where is he to get that broad, prudent vision on which his executive actions are to be based? That some dictators in European countries have saved the day is an accident, and all of them go through some form of democratic election to justify their authority. What heritage of chaos any one of them will leave, we can not foretell, but each one of them is attempting to perfect a form of democratic state that they believe will permit them to rule from their graves.

A frequent criticism of democracy is that a party controls the government, and the more insistent critics of our party system would have us accept the 1-party system of Russia. The nearest approach we have to the Russian party system in this country is the Ku-Klux Klan, which preaches the political ascendancy and the economic enrichment of a certain group, while the true goal of government is best set forth in the preamble to the Constitution as the general welfare. Others find fault with our democracy because it has not solved the problem presented by the machine age. No other form of government has solved it. However, it does not seem so embarrasing a problem as some of those which have been attacked successfully in the past by the Congress of the United States.

Congress has waited too long on this situation; but with unemployment reaching the point of governmental irritation, democracy, like nature itself, will find its cure.

The Russian Government is making human welfare subservient to the activity of the heavy industries. American big-business men, professing an antipathy to Congress and a fondness for an administrative dictator whom they could name, also would grind out profits through machinery at the expense of human welfare; but in the long run the machinery owners, whether an individual or political party, will be controlled by the consumers of the machine products through democratic representation in government.

Democracy requires eternal vigilance, and we should welcome the criticism of right-minded and intelligent men. It will inspire Democracy here to a new vigor and will serve as a tonic to our congressional system, which I honestly believe requires it. Democracy has not failed as yet. At times we have not been true Democrats, as in war we were probably not true Christians, but that did not make the doctrine of the golden rule any less a perfect theory of human relationship. [Applause.]

Mr. DICKINSON. Mr. Chairman, I yield five minutes to the gentleman from Iowa [Mr. RAMSEYER].

Mr. RAMSEYER. Mr. Chairman, I had not intended to take up any time of this committee to-day, but during the course of the afternoon several gentlemen of the minority spoke earnestly and with apparent sincerity in favor of expediting drought-relief legislation for the farmers. Yesterday we had such a bill before the House, providing relief for drought-stricken farm regions. It was called up under suspension of the rules. The rule to suspend is of ancient origin, and is frequently used in this House. In fact, since the war nearly all of the relief legislation for the World War veterans passed this House under suspension of the rules. Many bills that are clearly understood are called up under suspension of the rules in order to save time and to expedite legislation.

There are some who voted against the drought relief bill yesterday who apparently did not understand the force of their vote and the damage they did to their cause. Let me explain to you the parliamentary situation and how some of you yesterday voted against the farmers unwittingly. There were three groups of gentlemen who voted "no" yesterday. One group was against any relief for the drought-stricken farmers. They are sincere. They are entitled to their views. They voted "no." Another group of gentlemen voted against the bill for drought relief in order to present a bold front of Democratic Party solidarity before the country. For the time being at least this group was more interested in party solidarity than in relief for the farmers. The third group, and I have every reason to believe a sincere group, and I don't know how many belong to that group, consisted of those who felt the bill did not go far enough, and who thought that by voting for the bill as it was presented they

would not have an opportunity to vote for amendments such as they desired to go in the bill.

The only difference between those Republicans who voted for the bill and this third group, composed chiefly of Democrats, who voted against the bill was over the inclusion of food and a larger appropriation in the Haugen bill as it was before the House yesterday. If those of the Democratic minority who were sincerely in favor of drought-relief legislation had joined with the Republican majority and voted this bill through by a two-thirds vote, they would have gotten a vote on the very proposition they had in mind, namely, the inclusion of food and an increased appropriation, before the bill had gone to conference. Under the rules of the House, between the time a bill is ordered to conference and the time the Speaker appoints conferees it is in order to move to instruct the conferees. That instruction could have embodied the inclusion of food and an increased appropriation, and if those in favor of food and an increased appropriation had been in the majority, the conferees, of course, would have brought back the conference report including food and the increased appropriation.

If two-thirds had voted for the bill yesterday, the bill would probably have been sent to conference to-day or to-morrow and the drought relief bill would have been law in a few days. There is no question about that, but with the three groups voting against it yesterday—first, those honestly opposed to all kinds of farm drought relief; second, those who for partisan reasons wanted to impress the country with their own importance at the expense of the drought-stricken farmers; and third, those who are sincerely in favor of a more liberal bill—we find ourselves in the situation we are in to-day, with drought-relief legislation in a jam.

Mr. BLANTON. Will the gentleman yield?

Mr. RAMSEYER. Otherwise we would have had this bill at this minute well under way to final passage. As it is now, I do not know when a drought relief bill will be considered. I am sorry that many of my Democratic friends who favor drought-relief legislation did not understand the parliamentary situation and how they could have gotten a vote on the very proposition they desired if they had first voted for the passage of the Haugen drought relief bill.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. RAMSEYER. My time is up. I regret that I can not yield to my friend from Texas.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture for the fiscal year ending June 30, 1932, namely:

Mr. DICKINSON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TREADWAY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15256, the agricultural appropriation bill, and had come to no resolution thereon.

THE GRAPE INDUSTRY AND PROHIBITION

Mr. LEA. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the grape industry in prohibition.

The SPEAKER. Is there objection?

There was no objection.

Mr. LEA. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following radio speech delivered by myself in Washington, D. C., December 2, 1930:

The women's organization for the national prohibition reform is shortly to hold a conference in Washington. On the eve of that conference I am asked to speak upon the grape industry and prohibition. This organization, however, is not responsible for the views I express. They desire a statement of the grape situation in reference to prohibition as one phase of that larger question in which they are interested.

The grape industry was one most directly affected by prohibition. Prohibition revolutionized the industry and inflicted many losses upon the grower. However, I readily recognize that the economic interests of the grape grower or of any other class can not be the determinative factor affecting an important national policy like Federal prohibition. The experience of the industry under prohibition is, however, interesting and important, as illustrating one phase of prohibition.

Over 90 per cent of the grapes now produced in the United States are grown in California. Therefore this seems like a California subject.

The vineyards of California are sufficient in area to make one vast vineyard, 5 miles in width, extending from the city of Washington to the city of New York. They include every variety of grape grown on the American continent. Their products are used for every purpose for which grapes have been used since Noah.

The investment in the industry is about $300,000,000. The annual production of grapes is about 2,300,000 tons. It would take a solid train of refrigerator cars 1,200 miles long, to carry one crop of California grapes.

The industry for many decades supplied the market with grapes for three principal purposes—for table or fresh use, for raisins, and for wine.

Vineyards suggests hills and valleys, covered with long rows of green, spreading vines, arbors, vine-covered cottages, and the sunny skies so necessary for the perfection of their fruit.

There many thousands of laborers seek their livelihood. Twenty thousand homes are interspersed among them. Children play about those homes and attend the neighboring schools. These families are part of the social and church life of the community. Their welfare or misfortune is inseparably bound up with our State.

Under the first year of prohibition the market was destroyed. The old market at the winery had been destroyed and new uses and new methods of distribution had not been developed.

A limited number of growers uprooted their vineyards, but in general the growers retained their vines. Their reluctance to uproot the vines can be appreciated when you realize that it takes four years to raise the vines to a productive state, and ordinarily the investment in the vines is much greater than in the lands on which they grow.

Under the second year of the eighteenth amendment there was a wild scramble for grapes. Prices jumped from three to five times what they had been in the old days. The annual movement of carloads to the East by the thousands began. The distributors in the East added costs and profits until the consumers' prices were sky high.

While juice grapes went so high, table and raisin grapes were crowded into the market as substitutes at cheaper prices. A general practice then developed, particularly by bootleggers, of using most any kind of a grape for flavor and color, but depending upon the addition of water and sugar, or alcohol from other sources, for securing the alcoholic content. In this way, large quantities of liquor could be made by the use of small quantities of grapes.

The general result was that, after two years of high prices, the market was again demoralized and has continued so more or less up to this year.

In the last year all branches of the grape industry of California have been organized for the orderly, lawful marketing of their products, to develop new uses for their products and to stabilize the market by a centralized control of distribution.

Among other things, the practice of making grape concentrates has been instituted. You have lately read much about grape concentrates. Concentrates are secured by crushing the grapes, eliminating their waste material as well as a large portion of their water content by evaporation through being subjected to heat. This process creates no alcohol whatever. It is not a wine-making operation. The concentrate is just as innocent of alcohol as the original grape.

This process is a great economy to the grape grower. It reduces his packing, shipping, and refrigeration costs. To ship grapes under refrigeration and place them on the market in the East costs about $900 a carload. The equivalent amount of grapes in concentrates can be placed on the eastern market for $300, or just one-third of the expense of delivering the whole grapes.

The fresh grape, especially the juice grape, has a high percentage of juice and is very delicate for shipment. It is highly perishable. It must be sold immediately or its value is lost. In the form of a concentrate, it is in the market for the whole year, instead of the few weeks it is obtainable in a fresh form. The concentrate decreases the grower's expense and broadens his market.

The shipment of the fresh grape in excessive quantities congested the market and created an ideal condition for the bootlegger.

The farmer's crop was at their mercy. This condition also tended to bring the grower's business into disrepute.

The grape growers have no hope of a successful business based on an unlawful market. One important object of the organized and centralized control is to keep the business clean of the bootlegging trade.

These large shipments of grapes have been going to the eastern markets for nine years. During six or more of these years, the industry was harassed by uncertainties as to its rights and the varied administrative policies of the prohibition law. Practically every year in the height of the marketing season some local pro-

hibition officials threatened the sellers or purchasers of grapes with prosecutions.

In 1929 there was an urgent demand from the men in the grape industry for the Federal Government to give a clearly defined statement of their rights so they could do business on a stabilized and secure basis. Mr. Doran, Prohibition Commissioner, finally gave a clear, succinct statement of the rights of the grape growers and owners. That statement controlling prohibition administration, gave the grape growers protection and security within their lawful rights. It gave them no protection or security for any criminal participation in violation of the law. It served a just purpose.

Thousands of tons of raisins are produced each year and sent into the markets of the world. Last year about 80,000 carloads of California grapes were shipped East—about 25,000 cars of juice grapes and 55,000 cars of table grapes. All these grapes, as well as the raisins, are capable of being made into alcoholic liquor. They are all susceptible of lawful as well as unlawful uses.

How does prohibition apply to this situation?

The inhibition of the eighteenth amendment is against the manufacture of intoxicating liquors and does not prohibit alcoholic liquors not intoxicating in fact. A liquor may contain alcohol, yet if it is not of that degree that constitutes an intoxicating liquor it is not in violation of the eighteenth amendment.

The Volstead Act, however, is more drastic than the eighteenth amendment. It prohibits the beverage use of liquors containing more than one-half of 1 per cent of alcohol. Manifestly liquor of that degree of alcohol is not intoxicating.

Section 29 of the Volstead Act, however, excepts "nonintoxicating fruit juices" from its penalties. So the special exemption of section 29 of the Volstead Act as to fruit juices is only the general exemption of the eighteenth amendment as to all liquors. The manufacture referred to in section 29, however, is exclusively for home use by the home owner, his family, and guests. Any transportation or sale of such fruit juices, if they contain more than one-half of 1 per cent of alcohol, would be unlawful.

Therefore, grapes and grape concentrates can be lawfully sold and used in the home for the manufacture of nonintoxicating fruit juices. The process of manufacture is entirely within the control of the home owner. He can make them into nonintoxicating fruit juices without any necessity of violating the law. If the purchaser violates the law the seller is not a party to his offense unless shown to have shared its criminal purpose.

We need have little concern about nonintoxicating liquors made in the home. A more practical question is, What if any remedy can be applied as to the manufacture of intoxicating liquors in the home? Will prohibition be carried one step farther and outlaw the materials out of which the liquors are made?

There are two possible remedies; one to prohibit the materials, and the other to permit the indiscriminate invasion of homes to discover evidence of law violations. The present prohibition law discards both of these methods as impracticable. Either of these remedies would fail and discredit law enforcement.

Every fruit is a potential source of liquor supply in proportion to the quantity of its sugar content. Corn, rye, and corn sugar, as well as many products of the orchard, truck patch, field and garden, are materials for the manufacture of alcoholic liquor. Therefore, it is apparent that it is the unlawful use of these products and not their existence that must be eliminated in order to enforce the law.

The general invasion of the homes of the people with armed forces to discover evidence of home violations would be a form of Prussianism that is not worth considering as a prospective remedy. So long as we have prohibition we are going to have at least some violations in the home. That is, unfortunately, one of the inherent weaknesses, among others, that are inseparably connected with the policy of prohibition.

We have had prohibition for 10 years. It is perfectly apparent that it has not been a solution of the liquor problem. The world has had a sex problem ever since the Garden of Eden. It has had a liquor problem ever since Noah. It will have each of these problems a thousand years from now.

The question of prohibition is not whether one is for or against booze, or for or against intemperance; it is not a question where all the good people are on one side and all the bad on the other.

The evils of intemperance are great. The vast majority of the people of this country, wet and dry alike, are interested in its future welfare. No considerable class of people want their children or their neighbor's intemperate. It is a question of the best method of handling the problem; a question as to whether or not prohibition is compatible with the genius and welfare of the American people, whether it best promotes their comfort, happiness, contentment, and loyalty to the country.

The women of this organization believe that Federal prohibition is an injury to the Nation. So believing, they do what to them is a patriotic duty—they urge the repeal of the eighteenth amendment.

ADJUSTED-COMPENSATION CERTIFICATES

Mr. STRONG of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks by printing in the RECORD a resolution by the largest American Legion Post in my district, on the proposition of paying the compensation certificates.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

Mr. BLANTON. Reserving the right to object, I would like to ask the gentleman from Kansas if he has signed the petition of my colleague, Mr. PATMAN, to bring this legislation onto the floor?

Mr. STRONG of Kansas. I have not, and if I obey the mandate of this resolution I will not do it.

Mr. BLANTON. That is just one post. I presume most of the posts in Kansas are, like most of the other posts in the United States, in favor of this bill.

Mr. STRONG of Kansas. I do not know anything about that. This is the only resolution I have received, and it is from Salina, Kansas, the largest post in my district.

Mr. BLANTON. I am receiving many of them every day just the other way.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. STRONG. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following resolution by the largest American Legion post in my district:

LESLIE KREPS POST, No. 62,
Salina, Kans.

Resolution

Whereas the Congress of the United States, in session duly assembled, saw fit to enact a law creating the adjusted-service certificates as accumulative bonus to veterans of the World War; and

Whereas they, exercising economic foresight, saw fit to make said law effective January 21, 1925, and certificates liquidable January 21, 1945: Be it

Resolved, By this body, Leslie Kreps Post, No. 62, the American Legion, Salina, Kans., in regular meeting duly assembled, that any movement intended to defeat the purpose of said law be discouraged and that taxpayers, if approached in the circulation of petitions demanding immediate liquidation of certificates, be requested to consider seriously the economic folly of such action, the future welfare of the beneficiaries of the law, and the additional tax load accruing through the premature liquidation of certificates; be it further

Resolved, That a copy of this resolution go forward to the Hon. JAMES G. STRONG, Representative fifth congressional district of Kansas, Hon. ARTHUR CAPPER, and Hon. GEORGE C. MCGILL, Senators from Kansas, the Kansas department of the American Legion at Topeka, Kans., and to the Salina Journal, Salina, Kans.

Therefore Leslie Kreps Post No. 62, the American Legion, in regular meeting duly assembled, herewith goes on record as opposed to legislation tampering with the original intent of the above law.

Dated this 5th day of December, 1930.

REX W. MOODY,
Post Commander.
PAUL KUHN,
Post Adjutant

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL

Mr. WOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 14246) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes, with Senate amendments, disagree to the Senate amendments, and ask for a conference, and to appoint conferees.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. GARNER. Reserving the right to object, is that entirely agreeable to the conferees on this side?

Mr. WOOD. Yes. I consulted with the gentleman from Tennessee [Mr. BYRNS], and he said it was entirely agreeable to that side.

Mr. GARNER. The gentleman from Tennessee [Mr. BYRNS] is a member of the subcommittee, is he not?

Mr. WOOD. Yes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. WOOD, HARDY, WELSH of Pennsylvania, BYRNS, and ARNOLD.

ORDER OF BUSINESS

Mr. GARNER. Mr. Speaker, may I have just a moment to query the gentleman from Connecticut [Mr. TILSON], the majority leader? I do not want to be a nuisance, but I would like to ask the gentleman what are the prospects for the consideration of the farm drought relief bill?

Mr. TILSON. As I understand, the Committee on Agriculture is now considering the Senate bill, which was sent to the House a few days ago and which on yesterday the House attempted to pass with an amendment; but, having failed to do it, the committee has now taken up the Senate bill and is conducting hearings or will conduct hearings on it.

Mr. GARNER. What are the prospects of that committee reporting the bill, if the gentleman knows?

Mr. TILSON. I do not know. I am awaiting a report from the committee. The members of the committee will probably speak to me about it before they are ready to bring it on to the floor. They have not done so as yet, however.

Mr. GARNER. Has the gentleman from Connecticut any idea about the recess adjournment?

Mr. TILSON. No. There is nothing at all definite in regard to it.

Mr. GARNER. As far as this side of the House is concerned, and I think I speak advisedly after conferences with my colleagues, there will be no recess adjournment outside of the adjournment over Christmas, or probably New Years, until that piece of legislation is sent to the White House. [Applause.]

Mr. TILSON. The gentleman's threat has no terrors for those of us on this side. We are ready to remain here just as long as the gentleman from Texas, to perform our duties.

Mr. GARNER. I just wanted to give that warning, so that you can function if you want to, or you can filibuster against this legislation as long as you please.

Mr. TILSON. There is no disposition to filibuster or to obstruct the progress of the legislation, as the gentleman from Texas did on yesterday.

ADJUSTED-SERVICE CERTIFICATES

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the RECORD a letter from the Secretary of the Treasury on the adjusted-service certificates.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The letter is as follows:

THE SECRETARY OF THE TREASURY,
Washington, December 12, 1930.

Hon. HAMILTON FISH, Jr.,
House of Representatives, Washington, D. C.

MY DEAR MR. FISH: I have your letter of December 10 in which you suggest that the Government of the United States should pay, either in cash or negotiable Government bonds bearing 3 per cent interest, one-fourth of the face value of the adjusted-service certificates without deductions for loans already made. You ask my judgment as to the wisdom of this proposal. It seems to me that it differs in degree but not in principle from that suggested by Senator VANDENBERG to which you refer.

Senator VANDENBERG suggested that we pay off the entire face value of the adjusted-service certificates at the present time, whereas you suggest that we pay one-fourth. The payment to-day of the face value of an obligation which matures 14 years from now is something very different from the payment of the obligation at maturity. As I pointed out in my letter to Senator VANDENBERG, his proposal would involve the payment of $1,640,000,000 more, or almost double the amount provided for in the adjusted service compensation act. Your proposal would involve the payment of some $410,000,000 more.

It is a mistake to assume that the reserve fund of approximately $750,000,000 is available for distribution along the lines suggested. This amount constitutes the reserve which has been set up to date for the ultimate retirement of all of the certificates. Not more than 25 per cent of it, therefore, is immediately available for the purpose of discharging 25 per cent of the obligations. The balance would, therefore, have to be provided either through increased taxes or by borrowing. Assuming that all of the veterans avail themselves of the privilege afforded them, and, of course, they would, in view of the fact that they would be receiving a substantial amount in excess of that originally contemplated, the Government would pay out some $850,000,000.

I inclose herewith a copy of my letter to Senator VANDENBERG of December 4, as well as a copy of the one I am writing him to-day, in which I have stated at some length my views on this question.

Sincerely yours, A. W. MELLON,
Secretary of the Treasury.

Mr. FISH. The Secretary of the Treasury avoids any discussion of the urgent needs of the veterans who are unemployed and the important question of whether $600,000,000 placed in their hands at the present time would not help business in this period of depression and retrenchment.

I can see no reason why the $750,000,000 set aside as reserve for the adjusted-service certificates could not well be used immediately to pay 25 per cent of the face value of the adjusted-service certificates. It appears to me, according to Mr. Mellon's statement, that the Government is using the reserve to make money on interest at the expense of the veterans, who will probably never need financial assistance more than they do in this emergency.

However, taking Mr. Mellon's figures as accurate, there is now in the Treasury $187,500,000 available to pay 25 per cent of the face value of the service certificates, and if 66⅔ per cent of the veterans—which I consider a high percentage—would apply for cash under the provisions of H. R. 15062, introduced by me, it would require a total of $567,000,000, or a bond issue of $379,500,000 in addition to the $187,500,000 declared to be available by the Secretary.

I am not convinced by the views expressed by the Secretary, and shall from now on exert every influence within my power for the immediate consideration and passage of H. R. 15062 before Congress adjourns on March 4. There is a serious emergency and the veterans are entitled to the payment of 25 per cent of the face value of the service certificates, not as an act of charity but as a simple act of justice, having held these certificates for 25 per cent of the maturity period.

(NOTE.—A copy of H. R. 15062 and Mr. FISH's letter to Mr. Mellon can be found on page 663 of the CONGRESSIONAL RECORD of December 12, 1930.)

RESIGNATION OF ONE OF CONFEREES ON THE BILL H. R. 8159

The SPEAKER laid before the House the following communication:

DECEMBER 18, 1930.

Hon. NICHOLAS LONGWORTH,
The Speaker House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: I hereby submit my resignation as one of the conferees on the bill (H. R. 8159) to authorize appropriations for construction at the United States Military Academy, West Point, N. Y., Fort Lewis, Wash., and Camp Benning, Ga.

Respectfully submitted.

JOHN C. SPEAKS.

The SPEAKER. Without objection the resignation is accepted, and the Chair will appoint to fill the vacancy, the gentleman from Michigan, Mr. JAMES, and the Clerk will inform the Senate of the appointment.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CLARKE of New York, for two days, on account of meeting of board of directors of Dairyman's League.

To Mr. WAINWRIGHT, for to-day and to-morrow, on account of important business.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 4400. An act to legalize a pier constructed in Chesapeake Bay at Annapolis Roads, Md., and to legalize an intake pipe in Warren Cove, at Plymouth, Mass.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 17 minutes p. m.) the House adjourned until to-morrow, Wednesday, December 17, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, December 17, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To authorize the construction of certain naval vessels (H. R. 14688).

COMMITTEE ON THE JUDICIARY

(10.30 a. m.)

To create a Federal industrial commission to aid the stabilization of employment in industry, agriculture, and commerce (H. R. 13587).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

712. A letter from the past adjutant general of the Grand Army of the Republic, transmitting the journal of the proceedings of the Sixty-fourth National Encampment of the Grand Army of the Republic, held at Cincinnati, Ohio, August, 1930 (H. Doc. No. 577); to the Committee on Military Affairs and ordered to be printed, with illustrations.

713. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Lewis River, Wash., covering navigation, flood control, power development, and irrigation (H. Doc. No. 680); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

714. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of Atkins Bay, Me.; to the Committee on Rivers and Harbors.

715. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Miami River, Ohio, covering navigation, flood control, power development, and irrigation (H. Doc. No. 681); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

716. A letter from the Secretary of War, transmitting report from the Chief of Engineers on the Des Moines River, Iowa, covering navigation, flood control, power development, and irrigation (H. Doc. No. 682); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

717. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of Michigan City Harbor, Ind. (H. Doc. No. 683); to the Committee on Rivers and Harbors and ordered to be printed.

718. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Hoosic River, N. Y., Vt., and Mass., covering navigation, flood control, power development, and irrigation (H. Doc. No. 684); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

719. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of Contentnea Creek, N. C.; to the Committee on Rivers and Harbors.

720. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Batten Kill, N. Y., and Vt., covering navigation, flood control, power development, and irrigation (H. Doc. No. 685); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

721. A letter from the Secretary of War, transmitting report from the Chief of Engineers on Meramec River, Mo., covering navigation, flood control, power development, and irrigation (H. Doc. No. 686); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

722. A communication from the President of the United States, transmitting supplemental estimate of appropriation pertaining to the legislative establishment, United States Senate, for the fiscal year 1931 in the sum of $10,000 (H. Doc. No. 687); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. DICKINSON: Committee on Appropriations. H. R. 15256. A bill making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1932, and for other purposes; without amendment (Rept. No. 2103). Referred to the Committee of the Whole House on the state of the Union.

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 13160. A bill authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Rosenberg Library, in the city of Galveston, Tex., the silver service presented to the United States for the cruiser *Galveston;* without amendment (Rept. No. 2105). Referred to the House Calendar.

Mr. KELLY: Committee on the Post Office and Post Roads. S. 3273. An act to authorize the Postmaster General to issue additional receipts or certificates of mailing to senders of any class of mail matter and to fix the fees chargeable therefor; with amendment (Rept. No. 2106). Referred to the Committee of the Whole House on the state of the Union.

Mr. KELLY: Committee on the Post Office and Post Roads. H. J. Res. 357. A joint resolution classifying certain official mail matter; without amendment (Rept. No. 2107). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. RANSLEY: Committee on Military Affairs. H. R. 13150. A bill for the relief of Frank W. Trutt; with amendment (Rept. No. 2108). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 2879) granting a pension to Emma B. Parker; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12897) granting a pension to Esther Simpson Bingham; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 13805) for the relief of Rolla Arthur Cain; Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 13843) for the relief of Thomas E. Read; Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 13910) granting a pension to Wiley M. Gott; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DICKINSON: A bill (H. R. 15256) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1932, and for other purposes; committed to the Committee of the Whole House on the state of the Union.

By Mr. O'CONNELL: A bill (H. R. 15257) to amend the revenue act of 1928 in regard to unemployment relief trusts, and for other purposes; to the Committee on Ways and Means.

By Mr. CARTER of Wyoming: A bill (H. R. 15258) to permit the development of certain valuable mineral resources in certain lands of the United States; to the Committee on the Public Lands.

Also a bill (H. R. 15259) authorizing an additional per capita payment to the Shoshone and Arapahoe Indians; to the Committee on Indian Affairs.

Also, a bill (H. R. 15260) to provide for the application of net revenues from the operation of the Shoshone power plant, Wyoming; to the Committee on Irrigation and Reclamation.

By Mr. EDWARDS: A bill (H. R. 15261) to authorize the issuance of a special series of stamps commemorative of the two hundredth anniversary of the settlement of the Salzburger Colony at Ebenezer, in Effingham County, Ga.; to the Committee on the Post Office and Post Roads.

By Mr. HALE: A bill (H. R. 15262) to authorize the erection of a Veterans' Bureau hospital in the State of New Hampshire and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. McKEOWN: A bill (H. R. 15263) to relieve restricted Indians of the Five Civilized Tribes whose nontaxable lands are required for State, county, or municipal improvements; to the Committee on Indian Affairs.

By Mr. BUTLER: A bill (H. R. 15264) to provide for the improvement of the Columbia and Snake Rivers; to the Committee on Rivers and Harbors.

By Mr. ESTEP: A bill (H. R. 15265) providing an annual salary for certain criers and bailiffs of United States district courts; to the Committee on the Judiciary.

By Mr. LaGUARDIA: A bill (H. R. 15266) defining combinations and conspiracies in trade and labor disputes and prohibiting the issuance of injunctions therein; to the Committee on the Judiciary.

By Mr. LEAVITT: A bill (H. R. 15267) to amend an act entitled "An act to authorize the cancellation, under certain conditions, of patents in fee simple to Indians for allotments held in trust by the United States"; to the Committee on Indian Affairs.

By Mr. HOWARD: A bill (H. R. 15268) to amend the act entitled "An act to amend an act entitled 'An act to provide for the disposal of the unallotted lands on the Omaha Indian Reservation, in the State of Nebraska,'" approved January 7, 1925; to the Committee on Indian Affairs.

By Mr. LaGUARDIA: A bill (H. R. 15269) to provide for an employment commission, the creation and maintenance of an unemployment insurance fund, and raising necessary revenue therefor; to the Committee on Ways and Means.

By Mr. LANKFORD of Georgia: A bill (H. R. 15270) authorizing and directing the Secretary of Agriculture to establish and maintain in the naval-stores section of the United States a pine-forest products laboratory, and for other purposes; to the Committee on Agriculture.

By Mrs. OWEN: A bill (H. R. 15271) extending to May 24, 1931, the provisions of the act of May 24, 1928, entitled "An act making eligible for retirement under certain conditions officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability in line of duty while in the service of the United States during the World War"; to the Committee on World War Veterans' Legislation.

By Mr. CLANCY: A bill (H. R. 15272) to provide for the immediate payment to veterans of the face value of their adjusted-service certificates; to the Committee on Ways and Means.

By Mr. DRANE: A bill (H. R. 15273) providing for the deepening of channel and harbor of port of St. Petersburg, Fla., as provided in Senate Document No. 229, Seventieth Congress, and Public No. 520, Seventy-first Congress; to the Committee on Rivers and Harbors.

By Mr. LEAVITT: A bill (H. R. 15274) to authorize an appropriation for the installation of an electric fish screen on the Sun River irrigation project, Montana; to the Committee on Irrigation and Reclamation.

By Mr. SINCLAIR (by request): A bill (H. R. 15275) withdrawing War Department aid from compulsory military training in schools and colleges; to the Committee on Military Affairs.

By Mr. McDUFFIE: A bill (H. R. 15276) authorizing the States of Alabama and Mississippi, through their respective highway departments, to construct, maintain, and operate a free highway bridge across the Escatawpa River at or near Wilmer, Ala., and Latonia, Miss., connecting Mobile County, Ala., and George County, Miss.; to the Committee on Interstate and Foreign Commerce.

By Mr. WOOD: Joint resolution (H. J. Res. 440) authorizing the payment of the salaries of the officers and employees of Congress for December, 1930, on the 20th day of that month; to the Committee on Appropriations.

By Mr. DEMPSEY: Joint resolution (H. J. Res. 441) amending section 1 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 3, 1930, relating to the Monongahela River, Pa.; to the Committee on Rivers and Harbors.

By Mrs. OWEN: Joint resolution (H. J. Res. 442) authorizing the Director of the Census to prepare and transmit to the several States lists of persons shown by the census of 1930 to be illiterate; to the Committee on the Census.

By Mr. HAWLEY: Joint resolution (H. J. Res. 443) authorizing corporations in computing net income to take as deductions from gross income amounts contributed for unemployment-relief purposes; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALDRICH: A bill (H. R. 15277) for the relief of Antonio Gasbarro; to the Committee on Claims.

By Mr. BACON: A bill (H. R. 15278) for the relief of Frank Fournier; to the Committee on Naval Affairs.

By Mr. CABLE: A bill (H. R. 15279) granting a pension to George W. Boyd; to the Committee on Pensions.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 15280) granting an increase of pension to Elizabeth Saladin; to the Committee on Invalid Pensions.

By Mr. CARTER of Wyoming: A bill (H. R. 15281) relating to the induction of Richard J. Jackson, who applied and was accepted for induction and assigned to an educational institution for special and technical training under the act approved August 31, 1918; to the Committee on Military Affairs.

By Mr. CRADDOCK: A bill (H. R. 15282) granting a pension to Julia Lyon; to the Committee on Invalid Pensions.

By Mr. CONNOLLY: A bill (H. R. 15283) granting an increase of pension to Joseph Gasiorowski; to the Committee on Invalid Pensions.

By Mr. DAVENPORT: A bill (H. R. 15284) granting a pension to Belle F. Osgood Kern; to the Committee on Pensions.

By Mr. DRANE: A bill (H. R. 15285) granting a pension to Mary Jackson; to the Committee on Invalid Pensions.

By Mr. ELLIS: A bill (H. R. 15286) for the relief of Morris H. Berger; to the Committee on the Civil Service.

By Mr. FULMER: A bill (H. R. 15287) for the relief of Fletcher Hammond; to the Committee on Military Affairs.

By Mr. GUYER: A bill (H. R. 15288) granting a pension to Jacob Lee Glenn; to the Committee on Invalid Pensions.

By Mr. HARTLEY: A bill (H. R. 15289) for the relief of Joseph Anthony Cordick; to the Committee on Naval Affairs.

Also, a bill (H. R. 15290) for the relief of William Benjamin Smith; to the Committee on Naval Affairs.

Also, a bill (H. R. 15291) for the relief of John Murphy; to the Committee on Naval Affairs.

Also, a bill (H. R. 15292) for the relief of George Hunter Shaw; to the Committee on Naval Affairs.

Also, a bill (H. R. 15293) for the relief of George J. Kennedy; to the Committee on Military Affairs.

Also, a bill (H. R. 15294) for the relief of Edward M. Brodie; to the Committee on Military Affairs.

Also, a bill (H. R. 15295) for the relief of Smith De Lamatter, otherwise known as John Ryan; to the committee on Military Affairs.

Also, a bill (H. R. 15296) for the relief of Patrick Coughlan; to the Committee on Military Affairs.

Also, a bill (H. R. 15297) for the relief of Frank Gaybrant, otherwise known as Frank Corticelli; to the Committee on Military Affairs.

By Mr. HAWLEY: A bill (H. R. 15298) granting an increase of pension to Willmetta J. Miller; to the Committee on Invalid Pensions.

By Mr. HOGG of West Virginia: A bill (H. R. 15299) granting an increase of pension to Josephine Pancake; to the Committee on Invalid Pensions.

By Mr. IRWIN: A bill (H. R. 15300) granting a pension to Lizzie Johnson; to the committee on Invalid Pensions.

By Mr. JOHNSON of Illinois: A bill (H. R. 15301) granting an increase of pension to Catherine Durling; to the Committee on Invalid Pensions.

By Mr. KORELL: A bill (H. R. 15302) granting an increase of pension to Serena E. Robinson; to the Committee on Invalid Pensions.

By Mr. LAMBERTSON: A bill (H. R. 15303) granting an increase of pension to Mary J. McKee; to the Committee on Invalid Pensions.

By Mrs. LANGLEY: A bill (H. R. 15304) for the relief of James W. Whitt; to the Committee on Military Affairs.

Also, a bill (H. R. 15305) granting a pension to William R. Hunter; to the Committee on Pensions.

By Mr. McCLINTOCK of Ohio: A bill (H. R. 15306) granting a pension to Susan Van Pelt; to the Committee on Invalid Pensions.

By Mr. McCORMACK of Massachusetts: A bill (H. R. 15307) for the relief of John P. Hurley; to the Committee on Naval Affairs.

Also, a bill (H. R. 15308) for the relief of Ralph M. George; to the Committee on Naval Affairs.

Also, a bill (H. R. 15309) to extend the benefits of the employees' compensation act of September 7, 1916, to Albert D. Drury; to the Committee on Claims.

By Mr. McLEOD: A bill (H. R. 15310) granting an increase of pension to Gustav F. Breiter; to the Committee on Pensions.

By Mr. MONTAGUE: A bill (H. R. 15311) granting an increase of pension to Cornelia A. Nickels; to the Committee on Invalid Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 15312) granting an increase of pension to Anna Beckert; to the Committee on Invalid Pensions.

By Mr. MOORE of Virginia: A bill (H. R. 15313) for the relief of W. B. Doak; to the Committee on Claims.

By Mr. MOUSER: A bill (H. R. 15314) granting an increase of pension to Ora M. White; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 15315) granting an increase of pension to Malinda Gillaspie; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15316) granting an increase of pension to Henrietta Hardsock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15317) granting a pension to Louisa Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15318) for the relief of Edna M. Gilson; to the Committee on Claims.

By Mr. NELSON of Wisconsin: A bill (H. R. 15319) granting an increase of pension to Elizabeth Saxer; to the Committee on Invalid Pensions.

By Mrs. OWEN: A bill (H. R. 15320) for the relief of Walter W. Johnston; to the Committee on Claims.

By Mr. PATTERSON: A bill (H. R. 15321) granting a pension to Sarah Smith Lindley; to the Committee on Invalid Pensions.

By Mr. RAMSPECK: A bill (H. R. 15322) authorizing and directing the Secretary of War to appoint Master Sergt. Elmer Edward Wilson a warrant officer in the Regular Army to the Committee on Military Affairs.

By Mr. RAYBURN: A bill (H. R. 15323) granting a pension to Guy H. Stedham; to the Committee on Pensions.

By Mr. REED of New York: A bill (H. R. 15324) granting a pension to Richard B. Sparling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15325) granting an increase of pension to Susan E. Luckey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15326) granting an increase of pension to Samantha V. Lowe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15327) granting an increase of pension to Ellen Foster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15328) granting an increase of pension to Magdalen Cadro; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15329) granting an increase of pension to Alice Ferrin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15330) granting an increase of pension to Harriet N. Furman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15331) granting an increase of pension to Lois F. McKee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15332) granting an increase of pension to Sadie A. Coburn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15333) granting an increase of pension to Addie J. Wheeler; to the Committee on Invalid Pensions.

Also, A bill (H. R. 15334) granting an increase of pension to Helen Vreeland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15335) granting an increase of pension to Almina Perry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15336) granting an increase of pension to Pluma A. Wilber; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 15337) granting an increase of pension to Hubert W. Wilson; to the Committee on Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 15338) granting an increase of pension to Agnes S. Craig; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 15339) granting an increase of pension to Jasper O. Craig; to the Committee on Pensions.

Also, a bill (H. R. 15340) granting a pension to Hannah E. Koontz; to the Committee on Invalid Pensions.

By Mr. WELCH of California: A bill (H. R. 15341) for the relief of W. A. Belard; to the Committee on Naval Affairs.

Also, a bill (H. R. 15342) for the relief of C. A. Betz; to the Committee on Claims.

Also, a bill (H. R. 15343) for the relief of Frank Bolt; to the Committee on Naval Affairs.

Also, a bill (H. R. 15344) for the relief of Carver A. Thomas; to the Committee on Military Affairs.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 15345) for the relief of Joseph E. Myers; to the Committee on Military Affairs.

Also, a bill (H. R. 15346) granting an increase of pension to Beatrice J. Rose; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15347) granting an increase of pension to Louisa Bunten; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15348) granting an increase of pension to Jeanett Gabbert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15349) granting an increase of pension to Ruth Electa Hinton; to the Committee on Invalid Pensions.

By Mr. WURZBACH: A bill (H. R. 15350) granting an increase of pension to Mary V. Kellam; to the Committee on Pensions.

Also, a bill (H. R. 15351) granting an increase of pension to Joe Edna Mims; to the Committee on Pensions.

Also, a bill (H. R. 15352) for the relief of J. W. Harrison; to the Committee on Military Affairs.

By Mr. ZIHLMAN: A bill (H. R. 15353) for the relief of Mrs. John Jacob Milstead; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7935. By Mr. BACON: Petition of 404 residents of Long Island, urging enactment of antivivisection bill for District of Columbia; to the Committee on the District of Columbia.

7936. By Mr. BRUNNER: Resolution of the Board of Commissioners of Pilots of the State of New York, urging an early appropriation by Congress of the necessary funds to permit of the acquirement by construction or otherwise of additional vessels of a suitable type to enable the captain of the port to meet the demands for a more efficient patrol

and supervision of the waters of New York Harbor, etc.; to the Committee on Interstate and Foreign Commerce.

7937. By Mr. FRENCH: Petition of the Woman's Temperance Union, of Sandpoint, Idaho, urging a law for the Federal supervision of motion pictures; to the Committee on the Judiciary.

7938. By Mr. HALE: Petition of Anthony Zebuik, of Manchester, N. H., and 48 additional veterans of the World War, citizens of the first congressional district of New Hampshire, urging support of House bill 3493, providing for the payment to veterans of their adjusted-service certificates; to the Committee on World War Veterans' Legislation.

7939. By Mr. GLOVER: Petition of citizens of Cleveland County, Ark., urging unemployment relief action by Congress; to the Committee on the Judiciary.

7940. By Mr. JOHNSON of Nebraska: Petition of Western Association of State Engineers, indorsing the report of the committee on flood control and steam regulation; to the Committee on Flood Control.

7941. By Mr. JOHNSON of Texas: Petition of R. L. Wheelock, J. L. Collins, H. R. Stroube, G. C. Hudson, A. G. Elliott, and W. C. Stroube, of Corsicana, Tex., favoring a tariff on oil; to the Committee on Ways and Means.

7942. By Mr. PATMAN: Petition of Leroy Lucier, of Long Beach, Calif., and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7943. Also, petition of Elvin F. Taylor, of Long Beach, Calif., and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7944. Also, petition of Roland H. Saissena, of San Jose, Calif., and 49 other citizens and veterans of San Jose, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7945. Also, petition of S. P. Weiser, of Santa Paula, Calif., and 49 other citizens and veterans of California, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7946. Also, petition of A. L. Peterson, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of adjusted-service certificates; to the Committee on Ways and Means.

7947. Also, petition of William E. Cort, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7948. Also, petition of S. G. Stelom, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7949. Also, petition of A. Sriegel, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7950. Also, petition of H. E. Purkins, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7951. Also, petition of A. L. McCall, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7952. Also, petition of C. B. Stovall, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7953. Also, petition of J. T. Peterman, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7954. Also, petition of Benjamin A. Moore, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7955. Also, petition of H. L. Bertramsen, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7956. Also, petition of Tom Johnson, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7957. Also, petition of Margaret Payne, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates to the Committee on Ways and Means.

7958. Also, petition of R. R. Shirley, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7959. Also, petition of C. H. Dickison, of Los Angeles, and 55 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7960. Also, petition of Phyllis Alston, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7961. Also, petition of Mrs. I. Best, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates, to the Committee on Ways and Means.

7962. Also, petition of Mrs. B. Johnson, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7963. Also, petition of Guyndola Wood, of Los Angeles, and 50 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7964. Also, petition of Sadie Michael, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7965. Also, petition of Emma L. Wagner, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7966. Also, petition of Lena Sonntag, of Burbank, Calif., and 49 other citizens and veterans of Burbank, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7967. Also, petition of Mrs. L. P. Baker, of San Bernardino, Calif., and 49 other citizens and veterans of San Bernardino, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7968. Also, petition of Mrs. V. V. Wilkerson, of Los Angeles, Calif., and 51 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7969. Also, petition of Mrs. I. M. Krieghbaum, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7970. Also, petition of A. H. Bristol, of Los Angeles, Calif., and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7971. Also, petition of John H. Nuttman, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7972. Also, petition of Frank E. McLaughlin, of Los Angeles, Calif., and 40 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7973. Also, petition of Mrs. V. L. Shelton, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7974. Also, petition of Mrs. K. Francis, of Los Angeles, Calif, and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7975. Also, petition of Walter A. Jackson, of Los Angeles, and 56 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7976. Also, petition of Mrs. J. B. Johnson, of Los Angeles, Calif., and 50 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7977. Also, petition of Harry P. Brochelle, of Los Angeles, Calif., and 52 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7978. Also, petition of Alma V. Hiersemann, of Los Angeles, Calif., and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7979. Also, petition of A. B. Stansbury, of Los Angeles, Calif., and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7980. Also, petition of J. Silverberg, of Los Angeles, Calif., and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7981. Also, petition of Gene Laswell, of Los Angeles, Calif., and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7982. Also, petition of Ida E. Carter, of Los Angeles, Calif., and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7983. Also, petition of R. N. Townley, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7984. Also, petition of Vintoriano Canoy, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7985. Also, petition of Andrew E. Donaldson, of Los Angeles, Calif., and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7986. Also, petition of Jack Bishop, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7987. Also, petition of Harvey E. Davis, of Los Angeles, Calif., and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7988. Also, petition of Rose Veinholt, of Los Angeles, Calif., and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7989. Also, petition of T. J. Maynard, of Los Angeles, Calif., and 49 other citizens of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7990. Also, petition of Jessie T. Hart, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7991. Also, petition of F. L. Wasson, of Los Angeles, Calif., and 50 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7992. Also, petition of Edith Sproule, of Los Angeles, Calif., and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7993. Also, petition of Madeline Worthington, of Los Angeles, Calif., and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7994. Also, petition of C. Brengel, of Los Angeles, Calif., and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7995. Also, petition of Mrs. M. J. Stockton, of Los Angeles, Calif., and 51 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7996. Also, petition of Augustin Lopez, of Los Angeles, and 53 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7997. Also, petition of Maxine Berry, of Los Angeles, Calif., and 51 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7998. Also petition of Mrs. E. C. York, of Los Angeles, Calif., and 51 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7999. Also, petition of Celia Nett, of Los Angeles, Calif., and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8000. Also, petition of R. J. Salter, of Los Angeles, Calif., and 51 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8001. Also, petition of Carl M. Ellien, of Los Angeles, Calif., and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8002. Also, petition of Mrs. A. Greenbaum, of Los Angeles, Calif., and 51 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8003. Also, petition of Sylvan Orenstein, of Los Angeles, Calif., and 51 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8004. Also, petition of Eva M. Garrison, of Los Angeles, Calif., and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8005. Also, petition of S. V. Alvalstrom, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8006. Also, petition of Mrs. J. P. Johnston, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8007. Also, petition of Maria Jensen, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8008. Also, petition of Mrs. John Skepky, of Whittier, Calif., and 49 other citizens and veterans of Whittier, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8009. Also, petition of J. W. Linptin, of Oxnard, Calif., and 49 other citizens and veterans of Oxnard, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8010. Also, petition of V. V. Woodruff, of Ventura, Calif., and 49 other citizens and veterans of Ventura, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8011. Also, petition of Henrietta Darcy Pedy, of Beverly Hills, Calif., and 49 other citizens and veterans of Beverly Hills, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8012. Also, petition of James Bolar, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8013. Also, petition of H. B. Burges, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8014. Also, petition of Ernest Davis, of Los Angeles, and 49 other citizens and veterans of California, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8015. Also, petition of Joseph Bauer, jr., of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8016. Also, petition of Stanley Grubb, of Los Angeles, and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8017. Also, petition of Julia Eddius, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8018. Also, petition of Benjamin B. Schler, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8019. Also, petition of Louise Franzen, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8020. Also, petition of Arthur J. Bonden, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8021. Also, petition of Robert R. Schmitt, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8022. Also, petition of Mrs. V. L. McClees, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8023. Also, petition of Mrs. U. S. Walton, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8024. Also, petition of Henry Nelson, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8025. Also, petition of Edrie Imhoff, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8026. Also, petition of Leona B. Pool, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8027. Also, petition of Chester Janelyn, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8028. Also, petition of Mrs. W. N. Sattley, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8029. Also, petition of Mrs. Paul Chamberlain, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8030. Also, petition of Bertha Diamond, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8031. Also, petition of John B. Carroll, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8032. Also, petition of Charles Robison, of Los Angeles, and 53 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8033. Also, petition of R. R. Sidabotham, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8034. Also, petition of Mrs. P. H. Hutcheson, of Whittier, Calif., and 49 other citizens and veterans of Whittier, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8035. Also, petition of Violet L. Stambaugh, of Walnut Park, Calif., and 49 other citizens and veterans of Walnut Park, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8036. Also, petition of T. Mori, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8037. Also, petition of Alma Lidbetter, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8038. Also, petition of Myrtle Bell, Van Nuys, Calif., and 51 other citizens and veterans of Van Nuys, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8039. Also, petition of Paul P. Myers, of Alhambra, Calif., and 51 other citizens and veterans of Alhambra, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8040. Also, petition of Mary C. Jordan, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8041. Also, petition of J. B. Byler, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8042. Also, petition of John Scheilde, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8043. Also, petition of Katherine E. Fellows, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8044. Also, petition of Julia Morris, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8045. Also, petition of Rose E. Johnson, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8046. Also, petition of W. F. Morris, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8047. Also, petition of Mrs. Francis Alcomback, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8048. Also, petition of L. Reid, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8049. Also, petition of F. W. Batrum, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8050. Also, petition of Orud S. Frost, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8051. Also, petition of William J. Harding, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8052. Also, petition of Henry M. Phifer, of San Bernardino, Calif., and 49 other citizens and veterans of San Bernardino, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8053. Also, petition of Saul Morris, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8054. Also, petition of E. E. Barton, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8055. Also, petition of D. W. Fuller, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8056. Also, petition of H. V. Leiman, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8057. Also, petition of Ada May Summers, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8058. Also, petition of Beatrice Alexander, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8059. Also, petition of Emma A. Downey, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8060. Also, petition of J. A. Harrison, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8061. Also, petition of James E. Brown, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8062. Also, petition of Fern A. Bascom, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8063. Also, petition of Lida Milner, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8064. Also, petition of Carroll Nagely, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8065. Also, petition of John De Hart, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8066. Also, petition of F. E. Glora, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8067. Also, petition of Mrs. L. A. Henney, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8068. Also, petition of Lida Hannam, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8069. Also, petition of J. Rubensohn, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8070. Also, petition of Andrew Perto, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8071. Also, petition of S. Carballo, of Van Nuys, Calif., and 49 other citizens and veterans of Van Nuys, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8072. Also, petition of Edward F. Wilding, of Van Nuys, Calif., and 49 other citizens and veterans of Van Nuys, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8073. Also, petition of J. S. Vanardsdel, San Fernando, Calif., and 49 other citizens and veterans of San Fernando, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8074. Also, petition of Josephine M. Pattee, of Los Angeles, and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8075. Also, petition of Nellie E. Pierce, of Los Angeles, and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8076. Also, petition of Sylvia E. Cochrane, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8077. Also, petition of Ralph L. Henderson, of Los Angeles, and 53 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8078. Also, petition of Ruth D. Kay, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8079. Also, petition of E. J. Shockley, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8080. Also, petition of Oma Lee Conover, of Santa Barbara, Calif., and 49 other citizens and veterans of Santa Barbara, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8081. Also, petition of Mrs. N. J. Lewis, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8082. Also, petition of Belle Peebles, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8083. Also, petition of L. Lee Grosso, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8084. Also, petition of Mrs. J. G. Yeulter, of Inglewood, Calif., and 49 other citizens and veterans of Inglewood, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8085. Also, petition of Mrs. F. R. Sinclair, jr., of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8086. Also, petition of Bert Lang, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8087. Also, petition of Mrs. G. A. Gerard, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8088. Also, petition of Mrs. Carl Merrill, of Inglewood, Calif., and 49 other citizens and veterans of Inglewood, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8089. Also, petition of George T. Renaker, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8090. Also, petition of N. M. Porter, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8091. Also, petition of J. R. Sellers, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8092. Also, petition of K. Van Zugle, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8093. Also, petition of T. H. Bellin, of Los Angeles, and 55 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8094. Also, petition of E. A. Laverick, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adusted-service certificates; to the Committee on Ways and Means.

8095. Also, petition of Mrs. F. J. Gardiner, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8096. Also, petition of James E. Brown, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8097. Also, petition of Joe Montgomery, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8098. Also, petition of Helen Aher, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8099. Also, petition of A. Nemetlis, of Los Angeles, and 50 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8100. Also, petition of Norman Baker, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8101. Also, petition of Bessie Andacht, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted service certificate; to the Committee on Ways and Means.

8102. Also, petition of Gertrude Hamilton, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8103. Also, petition of William Hinton, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8104. Also, petition of Robert C. Quigley, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8105. Also, petition of Mrs. V. L. Murray, of Whittier, Calif., and 51 other citizens and veterans of Whittier, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8106. Also, petition of R. H. Croft, of San Fernando, Calif., and 51 other citizens and veterans of San Fernando, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8107. Also, petition of George L. Dumont, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8108. Also, petition of Earl Chadwick, of Van Nuys, Calif., and 51 other citizens and veterans of Van Nuys, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8109. Also, petition of John Loudermilk, of Barberton, and 261 other citizens and veterans of Ohio, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8110. Also, petition of F. L. Swartz, of Pittsburgh, and 74 other citizens and veterans of Pennsylvania, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8111. Also, petition of S. Jacobs, of Togus, Me., and 325 other citizens and veterans of Maine, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8112. Also, petition of Joseph Sanders, of Pittsburgh, and 91 other citizens and veterans of Pennsylvania, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8113. Also, petition of J. R. Fries, of Pittsburgh, Pa., and 63 other citizens and veterans of Pennsylvania and Ohio, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8114. Also, petition of William J. Kelly, of Brighton, and 144 other citizens and veterans of Massachusetts, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8115. Also, petition of B. F. Miller, of Cowen, and 42 other citizens and veterans of West Virginia, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8116. Also, petition of Charles E. Reinold, of Medford, and 24 other citizens and veterans of Medford Mass., urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8117. Also, petition of John J. Hohenstott, of Pittsburgh, Pa., and 100 other citizens and veterans of National Military Home in Maine, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8118. Also, petition of Mrs. C. J. Huffman and 85 other citizens and veterans of East Palestine, Ohio, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8119. Also, petition of E. J. Steinman and 33 other citizens and veterans of Great Falls, Mont., urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8120. Also, petition of John J. O'Connor, of Maine, and 199 other citizens and veterans of National Home, Me., urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8121. Also, petition of Bertie Rector, of Washington, D. C., and 49 other citizens and veterans of Washington, D. C., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8122. Also, petition of James Lee Bose, of Washington, D. C., and 49 other citizens and veterans of Washington, D. C., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates to the Committee on Ways and Means.

8123. Also, petition of A. W. Smith, of Washington, D. C., and 49 other citizens and veterans of Washington, D. C., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8124. Also, petition of Callie Moore, of Pasadena, Calif., and 51 other citizens and veterans of Pasadena, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8125. Also, petition of Mrs. I. Winchester, of Pasadena, Calif., and 49 other citizens and veterans of California, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8126. Also, petition of Almina N. Mundy, of Pasadena, Calif., and 49 other citizens and veterans of Pasadena, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8127. Also, petition of Lilly Emaum, of Pasadena, Calif., and 49 other citizens and veterans of Pasadena, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8128. Also, petition of Charles E. Baylor, of Inglewood, Calif., and 49 other citizens and veterans of Inglewood, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8129. Also, petition of Mrs. W. H. French, of Hollywood, Calif., and 49 other citizens and veterans of Hollywood, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8130. Also, petition of Mrs. M. Lowry, of Hollywood, Calif., and 49 other citizens and veterans of Hollywood, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8131. Also, petition of A. Gara, of Hollywood, Calif., and 57 other citizens and veterans of Hollywood, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8132. Also, petition of August Essig, of Hollywood, Calif., and 49 other citizens and veterans of Hollywood, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8133. Also, petition of W. A. Norton, of Hollywood, Calif., and 49 other citizens and veterans of Hollywood, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8134. Also, petition of Mrs. D. Rosenblueth, of Hollywood, Calif., and 49 other citizens and veterans of Hollywood, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8135. Also, petition of J. S. Allen, of Hollywood, Calif., and 49 other citizens and veterans of Hollywood, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8136. Also, petition of Edwin S. Swee, of Hollywood, Calif., and 56 other citizens and veterans of Hollywood, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8137. Also, petition of C. C. Rogers, of Alhambra, Calif., and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the committee on Ways and Means.

8138. Also, petition of G. H. Tiernan, of Alhambra, Calif., and 49 other citizens and veterans of Alhambra, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8139. Also, petition of E. C. Mengel and 49 other citizens and veterans of Laguina Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8140. Also, petition of Everett L. Taylor, of Venice, Calif., and 49 other citizens and veterans of Venice, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8141. Also, petition of Morton E. High, of Santa Monica, Calif., and 49 other citizens and veterans of Santa Monica, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8142. Also, petition of Nora J. Sargent, of Ocean Park, Calif., and 49 other citizens and veterans of Ocean Park, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8143. Also, petition of Dan Bulloch, of Inglewood, Calif., and 49 other citizens and veterans of Inglewood, Calif., presented through the United Veterans' Aid Association urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8144. Also, petition of Annabelle Kepley, of Venice, Calif., and 51 other citizens and veterans of Venice, Calif., presented through the United Veterans' Aid Association urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8145. Also, petition of F. H. Martin, of Venice, Calif., and 49 other citizens and veterans of Venice, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8146. Also, petition of Jack Crotley, of Santa Paula, Calif., and 49 other citizens and veterans of Santa Paula, Calif., presented through the United Veterans' Aid Association urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8147. Also, petition of Mrs. J. B. Brown, of Venice, Calif., and 51 other citizens and veterans of Venice, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8148. Also, petition of May Rose, of Venice, Calif., and 51 other citizens and veterans of Venice, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8149. Also, petition of Ethel Tabor, of Venice, Calif., and 51 other citizens and veterans of Venice, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8150. Also, petition of Mrs. F. W. Bolle and 49 other citizens and veterans of San Pedro, Calif., presented through the United Veterans' Aid Association, urging immediate pay-

ment of the adjusted-service certificates; to the Committee on Ways and Means.

8151. Also, petition of Mrs. Myrtle Sturgen and 49 other citizens and veterans of San Pedro, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8152. Also, petition of Mrs. D. G. Zinn and 49 other citizens and veterans of San Pedro, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8153. Also, petition of Mrs. P. E. Gonzalez and 49 other citizens and veterans of San Pedro, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8154. Also, petition of S. W. Adkins and 51 other citizens and veterans of San Pedro, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8155. Also, petition of P. Di Bono and 51 other citizens and veterans of San Pedro, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8156. Also, petition of John Hayes and 49 other citizens and veterans of San Pedro, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8157. Also, petition of Charles V. Anderson and 49 other citizens and veterans of San Pedro, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8158. Also, petition of R. M. Antiado and 49 other citizens and veterans of San Pedro, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8159. Also, petition of T. S. Chapman and 49 other citizens and veterans of San Diego, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8160. Also, petition of Julian Sales and 49 other citizens and veterans of San Pedro, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8161. Also, petition of Mary Nicarro and 49 other citizens and veterans of San Pedro, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8162. Also, petition of Mrs. Ella M. Wilson and 51 other citizens and veterans of San Pedro, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8163. Also, petition of Mrs. L. Richman and 51 other citizens and veterans of San Pedro, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8164. Also, petition of Mrs. L. Hunter and 51 other citizens and veterans of San Pedro, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8165. Also, petition of Mrs. W. F. Rogers and 49 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8166. Also, petition of Mrs. Ellen La Bar and 49 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8167. Also, petition of A. B. Quackenbush and 50 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8168. Also, petition of J. T. Montgomery and 49 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8169. Also, petition of Frank A. Kehil and 49 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8170. Also, petition of Mrs. Myrtle Daub and 49 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8171. Also, petition of Richard W. Puffer and 49 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates, to the Committee on Ways and Means.

8172. Also, petition of Mrs. B. L. Briffing and 51 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates, to the Committee on Ways and Means.

8173. Also, petition of F. H. Moody and 51 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates, to the Committee on Ways and Means.

8174. Also, petition of Mrs. J. J. Sisson and 49 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates, to the Committee on Ways and Means.

8175. Also, petition of Mrs. L. B. White and 49 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8176. Also, petition of Joseph C. Rotella and 49 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8177. Also, petition of Mrs. Etta M. Balch and 49 other citizens and veterans of Glendale, Calif, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8178. Also, petition of Mrs. Frank G. Eck and 49 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8179. Also, petition of Mrs. L. F. Koeppe and 49 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8180. Also, petition of Mr. Fred K. Snowden and 49 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate pay-

ment of the adjusted-service certificates; to the Committee on Ways and Means.

8181. Also, petition of Elizabeth B. Henderson and 49 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8182. Also, petition of Fred A. Ramsey and 49 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8183. Also, petition of A. J. Brown and 49 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8184. Also, petition of E. W. Francis and 49 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8185. Also, petition of William Joseph Weilis and 51 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8186. Also, petition of Mrs. A. M. Wickham and 51 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8187. Also, petition of C. A. Blackburn and 51 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8188. Also, petition of Mrs. Sue B. Fergerson and 51 other citizens and veterans of Glendale, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8189. Also, petition of P. H. Raymond and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8190. Also, petition of B. B. Brown and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8191. Also, petition of Harold D. Matthews and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8192. Also, petition of Mabel Spratt and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8193. Also, petition of H. I. Spratt and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8194. Also, petition of Nils A. Nisbeth and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8195. Also, petition of Fay Johnson and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8196. Also, petition of F. Mike Kutsikas and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8197. Also, petition of Mrs. George C. Jones and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8198. Also, petition of Harry Selland and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8199. Also, petition of J. C. Jackson and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8200. Also, petition of George Savard and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8201. Also, petition of Elmer J. Doran and 50 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8202. Also, petition of J. F. Snyder and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8203. Also, petition of Jesse B. Farmer and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8204. Also, petition of Ellis Johnson and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8205. Also, petition of William M. Galbraith and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8206. Also, petition of Mrs. Matlock and 53 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8207. Also, petition of Alice Jurgenson and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8208. Also, petition of D. L. Tucker, of Long Beach, Calif., and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8209. Also, petition of Mrs. J. R. Pillou, of Long Beach, Calif., and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8210. Also, petition of Fred Hastings, of Long Beach, Calif., and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Associa-

tion, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8211. Also, petition of Marjorie M. Martin, of Long Beach, Calif., and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8212. Also, petition of Mrs. Delbert Carr, of Long Beach, Calif., and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8213. Also, petition of Mrs. E. G. Conkling, of Long Beach, Calif., and 51 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8214. Also, petition of Charles J. Weir, of Long Beach, Calif., and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8215. Also, petition of Madge D. Carl, of Long Beach, Calif., and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8216. Also, petition of William P. Sparks, of Long Beach, Calif., and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8217. Also, petition of H. S. Davis, of Long Beach, Calif., and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8218. Also, petition of J. P. Smeltzer, of Long Beach, Calif., and 49 other citizens and veterans of Long Beach, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8219. Also, petition of Coral E. Smyth, of Los Angeles, Calif., and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8220. Also, petition of H. L. Benett, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8221. Also, petition of Emma N. Hoppie, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8222. Also, petition of Francis B. Crowl, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8223. Also, petition of Mrs. J. I. Reynolds, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8224. Also, petition of Ezra H. Haislig, of Montebello, Calif., and 51 other citizens and veterans of Montebello, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8225. Also, petition of Jacob Bernstein, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8226. Also, petition of Soloman Mather, of Los Angeles, and 51 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8227. Also, petition of Tom O'Connell, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8228. Also, petition of Charles Jass, of Los Angeles, and 49 other citizens and veterans of Los Angeles, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8229. Also, petition of Louise Lopke, of Whittier, Calif., and 49 other citizens and veterans of Whittier, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8230. Also, petition of M. Doyen and 47 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8231. Also, petition of Manuel N. Norte and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8232. Also, petition of Orville O. Ward and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8233. Also, petition of Vasky E. Thompson and 49 other citizens and veterans of Burbank, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8234. Also, petition of W. J. Denniston and 49 other citizens and veterans of Burbank, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8235. Also, petition of Mrs. H. Latimer and 49 other citizens and veterans of Burbank, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8236. Also, petition of Mrs. Walter Long and 47 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8237. Also, petition of Mrs. Todd Wright and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8238. Also, petition of Miss Mable F. McCarthy and 47 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8239. Also, petition of Miss Clara W. Mason and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8240. Also, petition of F. B. Reynard and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment

of the adjusted-service certificates; to the Committee on Ways and Means.

8241. Also, petition of G. Merryfield and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8242. Also, petition of F. H. Nash and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8243. Also, petition of Roy Winten and 47 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8244. Also, petition of R. Campbell and 47 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8245. Also, petition of R. F. Southard and 47 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8246. Also, petition of Fred F. Kelley and 47 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8247. Also, petition of Mrs. Harry Johnson and 47 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8248. Also, petition of Bert Berier and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8249. Also, petition of J. W. Stafford and 47 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8250. Also, petition of J. Felix and 47 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8251. Also, petition of Clara M. Blancett and 47 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8252. Also, petition of E. B. Peteisa and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8253. Also, petition of Andrew Fleming and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8254. Also, petition of M. M. Leeke and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8255. Also, petition of Mary Boudin and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8256. Also, petition of Joseph I. Griffiths and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8257. Also, petition of H. O. Walthams and 49 other citizens and veterans of Sawtelle, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8258. Also, petition of Mrs. Albert H. Haden and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8259. Also, petition of R. E. Doran and 49 other citizens and veterans of Los Angeles, Calif, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8260. Also, petition of Hazel N. Simpson and 49 other citizens and veterans of Los Angeles, Calif, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8261. Also, petition of Dan Coppoly and 47 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8262. Also, petition of Mrs. J. C. Spieser and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8263. Also, petition of P. A. Sparks and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8264. Also, petition of Robert S. Wood and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8265. Also, petition of H. P. Smith and 47 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8266. Also, petition of F. Brooks and 47 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8267. Also, petition of J. R. Ergman and 47 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8268. Also, petition of Mrs. Janie Miller and 47 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8269. Also, petition of Mrs. W. O. Hougers and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8270. Also, petition of Mrs. E. Dohrmann and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate pay-

ment of the adjusted-service certificates; to the Committee on Ways and Means.

8271. Also, petition of Claire E. Hall and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8272. Also, petition of Leslie L. Atkinson and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8273. Also, petition of Laron Elkins and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8274. Also, petition of Mrs. R. C. Ketter and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8275. Also, petition of Mrs. A. Van Echton and 51 other citizens and veterans of Burbank, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8276. Also, petition of Mrs. S. I. Urquhart and 49 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8277. By Mr. VINCENT: Petitions of residents of the eighth district of Michigan, urging the adoption of House bill 9986, for Federal control of the motion-picture industry; to the Committee on Interstate and Foreign Commerce.

8278. By Mr. WALKER: Petition signed by L. N. Griffee and nine other citizens of Richmond, Ky., in favor of House bill 12549, the Vestal copyright bill, without amendments; to the Committee on Patents.

8279. By Mr. ZIHLMAN: Petitions of residents of Washington, D. C., in support of House bill 7884, a bill to prohibit experiments on living dogs in the District of Columbia; to the Committee on the District of Columbia.

SENATE

WEDNESDAY, DECEMBER 17, 1930

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Eternal and ever blessed God, who hast made the world without and hast planted Thine own image within our hearts, inspire and guide with Thy spirit these Thy servants, the few among the many, endowed with high positions, with command and influence, with gifts and resources of power, to the end that they may be found faithful stewards of Thy bounty. Lead them ever by integrity and wisdom to such conceptions and decisions as shall meet the exactions of the days that press upon us and tend to the furtherance of the welfare of Thy people and the spread of Thine own kingdom. Through Jesus Christ our Lord. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Monday, December 15, when, on request of Mr. Fess and by unanimous consent, the further reading was dispensed with and the Journal was approved.

SENATOR FROM NORTH CAROLINA

Mr. SIMMONS. Mr. President, I present and send to the desk the credentials of the Senator appointed by the Governor of the State of North Carolina to succeed my late colleague, Senator Overman. The Senator designate is present, and I ask that the oath may be administered to him.

The PRESIDENT pro tempore. The credentials will be read.

The credentials were read, as follows:

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT.

To all to whom these presents shall come, greeting:

Know ye that we, reposing special trust and confidence in his integrity and knowledge, do by these presents appoint CAMERON MORRISON United States Senator to succeed Lee S. Overman, deceased, for a term expiring next general election, November 3, 1932, and do hereby confer upon him all the rights, privileges, and powers useful and necessary to the just and proper discharge of the duties of his appointment.

In witness whereof his excellency, O. MAX GARDNER, our governor and commander in chief, hath signed with his hand these presents and caused our great seal to be affixed hereto.

Done at our city of Raleigh this 13th day of December, A. D. 1930, and in the one hundred fifty-fifth year of our American independence.

O. MAX GARDNER, *Governor.*

By the governor.
[SEAL.]

J. A. HARTNESS,
Secretary of State.

The PRESIDENT pro tempore. The credentials will be placed on file. The Senator designate will present himself at the desk and take the oath of office.

Mr. MORRISON, escorted by Mr. SIMMONS, advanced to the Vice President's desk; and the oath prescribed by law having been administered to him by the President pro tempore, he took his seat in the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that Mr. JAMES of Michigan was appointed a manager on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8159) to authorize appropriation for construction at the United States Military Academy, West Point, N. Y.; Fort Lewis, Wash.; Fort Benning, Ga., and for other purposes, in the place of Mr. SPEAKS, resigned.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 14246) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WOOD, Mr. HARDY, Mr. WELSH of Pennsylvania, Mr. BYRNS, and Mr. ARNOLD were appointed managers on the part of the House at the conference.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the President pro tempore:

S. 4400. An act to legalize a pier constructed in Chesapeake Bay at Annapolis Roads, Md., and to legalize an intake pipe in Warren Cove, at Plymouth, Mass.; and

H. J. Res. 440. Joint resolution authorizing the payment of salaries of the officers and employees of Congress for December, 1930, on the 20th day of that month.

APPROPRIATIONS FOR TREASURY AND POST OFFICE DEPARTMENTS

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 14246) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. PHIPPS. I move that the Senate insist on its amendments, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. PHIPPS, Mr. SMOOT, Mr. MOSES, Mr. HARRIS, and Mr. GLASS conferees on the part of the Senate.

PETITIONS

The PRESIDENT pro tempore laid before the Senate a telegram signed by Mrs. Walter S. Robertson, corresponding secretary of the Shakespeare Followers, Dallas, Tex., in-

dorsing present activities leading to world peace, which was referred to the Committee on Foreign Relations.

Mr. JONES presented petitions of sundry citizens of Tacoma and Olympia, Wash., praying for the passage of legislation exempting dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

GIFT OF MOULTRIE MEMORIAL

Mr. BLEASE. Mr. President, I have a short article from yesterday's Columbia (S. C.) State, which I ask to have read.

There being no objection, the legislative clerk read as follows:

[From the Columbia State, Columbia, S. C., December 13, 1930]

MOULTRIE MEMORIAL HANGS IN CAPITOL

WASHINGTON, December 12.—Senator COLE. L. BLEASE to-day presented to the Senate Military Affairs Committee a handsomely framed collection of letters and other correspondence between Lord Montague and Gen. William Moultrie. The gift was from the Moultrie Memorial Association of South Carolina through J. C. Dillingham, president.

In engraved letters on the frame of the picture are the following words:

"Manifesting a high degree of patriotic zeal and loyal devotion of Gen. William Moultrie to the cause of American independence—1781."

It will be hung in the rooms of the committee at the Capitol, just at the entrance to the Chamber of the Senate.

PENSIONS AND INCREASE OF PENSIONS

Mr. ROBINSON of Indiana, from the Committee on Pensions, to which was referred the bill (H. R. 13518) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported it with amendments and submitted a report (No. 1191) thereon.

ENROLLED BILL PRESENTED

Mr. GILLETT, from the Committee on Enrolled Bills, reported that on to-day that committee presented to the President of the United States the enrolled bill (S. 4400) to legalize a pier constructed in Chesapeake Bay at Annapolis Roads, Md., and to legalize an intake pipe in Warren Cove, at Plymouth, Mass.

REPORT OF POSTAL NOMINATION

Mr. PHIPPS, as in executive session, from the Committee on Post Offices and Post Roads, reported favorably sundry post-office nominations.

The PRESIDENT pro tempore. The reports will be placed on the Executive Calendar.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. MOSES:

A bill (S. 5393) granting an increase of pension to Lizzie Berry; to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 5394) granting a pension to Sarah Lancaster (with accompanying papers); and

A bill (S. 5395) granting a pension to Mollie A. Bellomy (with accompanying papers); to the Committee on Pensions.

By Mr. GLENN:

A bill (S. 5396) for the relief of Wilbur Rogers; to the Committee on Military Affairs.

By Mr. GOLDSBOROUGH:

A bill (S. 5397) to correct the military record of Alexander M. Proctor; to the Committee on Military Affairs.

By Mr. NYE:

A bill (S. 5398) to extend the time for repayment of certain loans to farmers for seed, feed, or fertilizer, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. SWANSON:

A bill (S. 5399) to confer citizenship upon certain members of the Byrd antarctic expedition; to the Committee on Immigration.

By Mr. METCALF:

A bill (S. 5400) for the relief of Maurice M. Keleher (with an accompanying paper); to the Committee on Naval Affairs.

By Mr. CAPPER:

A bill (S. 5401) for the relief of George A. Banta (with accompanying papers); to the Committee on Finance.

A bill (S. 5402) granting a pension to Mary Jane Simms (with accompanying papers); to the Committee on Pensions.

By Mr. WATSON:

A bill (S. 5403) for the relief of Edward Ellis; to the Committee on Claims.

By Mr. PATTERSON:

A bill (S. 5404) granting a pension to Mollie T. Graham (with accompanying papers); and

A bill (S. 5405) granting a pension to Francis Marion Loughead (with accompanying papers); to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 5406) granting a pension to Margaret E. Fisher (with accompanying papers); to the Committee on Pensions.

A bill (S. 5407) to enable coordinated Federal effort to meet emergencies caused by forest-destroying insects and diseases; to the Committee on Agriculture and Forestry.

By Mr. BARKLEY:

A bill (S. 5408) for the relief of Kate M. Hayes; to the Committee on Claims.

By Mr. RANSDELL:

A bill (S. 5409) for the relief of Robert G. Lynn; to the Committee on Claims.

By Mr. FLETCHER:

A bill (S. 5410) to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. HOWELL:

A bill (S. 5411) to regulate the practices of professional engineering and land surveying; creating a registration board for professional engineers and land surveyors of the District of Columbia; defining its powers and duties; also imposing certain duties thereon in connection with public work; and providing penalties; to the Committee on the District of Columbia.

By Mr. SCHALL:

A bill (S. 5412) to amend section 33 of the Judicial Code, as amended, with respect to the removal of actions against receivers of the courts of the United States; to the Committee on the Judiciary.

By Mr. TYDINGS:

A bill (S. 5413) granting a pension to Minnie T. Harris (with accompanying papers); and

A bill (S. 5414) granting a pension to George W. McElroy; to the Committee on Pensions.

By Mr. BRATTON:

A joint resolution (S. J. Res. 222) relating to the authority of the Secretary of the Interior to enter into a contract with the Rio Grande project; to the Committee on Irrigation and Reclamation.

By Mr. TYDINGS:

A joint resolution (S. J. Res. 223) extending the time for the closing of Center Market in the city of Washington; to the Committee on the District of Columbia.

AMENDMENT TO STATE, JUSTICE, ETC., APPROPRIATION BILL

Mr. SMOOT submitted an amendment intended to be proposed by him to the State, Justice, Commerce, and Labor appropriation bill for the fiscal year 1932, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

At the proper place in the bill insert the following:

"BUREAU OF MINES

"Fuel research at Salt Lake City: For inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and use of mineral fuels, and for investigation of mineral fuels belonging to or for the use of the United States, with a

view to their most efficient utilization, and for investigation of related fuel problems, such investigations to be conducted at the mining experiment station at Salt Lake City, Utah, $5,000."

INVESTIGATION OF MINERAL RESOURCES

Mr. THOMAS of Oklahoma submitted the following resolution (S. Res. 377), which was referred to the Committee on Agriculture and Forestry:

Resolved, That the Secretary of Agriculture be hereby requested to investigate, through the agency of the Bureau of Agricultural Economics the mineral resources of the country as related to farm lands, both as to the extent and as to the value of such resources as a farm asset, and to report such findings to the Senate and to recommend any legislation which may be deemed practicable and desirable to encourage cooperation among farmers with a view to the more efficient use of such resources as assets.

EDITORIAL ENTITLED "A SOUTH CAROLINA SENATOR SPEAKS"

Mr. ASHURST. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Charleston (S. C.) News and Courier entitled "A South Carolina Senator Speaks."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Charleston, S. C., News and Courier of Tuesday, December 9, 1930]

A SOUTH CAROLINA SENATOR SPEAKS

In the United States Senate last Wednesday a strikingly able and illuminating speech was delivered on the bill for the regulation of interstate transportation by automobiles. The Senator clearly, forcibly, convincingly explained the nature of the automobile as a vehicle, the tremendous advantages that it has brought to the people, the common people, the independence of movement with which it has armed them, how it has made the individual his own master in travel and in hauling his goods and those of his neighbors. He warned the Senators against the danger of depriving the people of the benefits which the invention of the internal-combustion engine has conferred upon them, pleaded that legislation containing the peril of limiting the new liberty be postponed, and that the States be trusted in the exercise of their sovereignties to impose necessary restrictions upon these vehicles, so different in their nature from railroad trains. He pointed out that the whole people are threatened with the danger of losing the immense values that the invention has brought them, insisting and urging with great clearness and power that popular rights of utmost importance are at stake, and that the public interest can not suffer by deferring legislation that might impair them. It was an admirable exposition of the subject, a speech for the defense of the rights not only of South Carolina but of all the States.

The Senator was ELLISON D. SMITH. Not in a long time has a Senator of South Carolina rendered so great a service to the American people as was his contribution to this debate.

MODERNIZATION OF BATTLESHIPS

Mr. JONES. Mr. President, I move that the Senate proceed to the consideration of the conference report on the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment.

However, it has been suggested to me just at this moment that there has been a sort of understanding that we should take up the motion of the Senator from Utah [Mr. KING] to reconsider the vote by which the bill (S. 4750) to authorize alterations and repairs to certain naval vessels was passed. If that will not take very much time, I am willing to withhold my motion to consider the conference report until that may have been disposed of; but the conference report relates to an emergency matter, upon which action should be taken promptly. If we do not dispose of it to-day, We shall have to call it up for action at a later time, so that from every standpoint expedition should be had in connection with it.

Mr. SWANSON. Mr. President, I gave notice yesterday and thought it was generally understood that it would be in order for me to call up the battleship authorization measure this morning. I wish to say in this connection that the bill merely provides an authorization to modernize battleships; that it is in pursuance of a policy we have had for the past 10 or 15 years and in pursuance of the naval treaty entered into at London. Unless the authorization is made appropriations can not be made immediately. The authorization must be granted and an appropriation must be made or else our Navy will be greatly inferior to that of Great Britain. The measure is recommended by the Navy Department. If this work is not to be done now in our navy yards, hundreds of men will be thrown out of work. I do not know how many thousands of people will be employed in modernizing the battleships, and that work should be completed by February or March. If the authorization and the appropriation measures are not passed, all these people will be thrown out of employment.

Mr. JONES. What does the Senator think about the possibility of extensive debate on the measure?

Mr. SWANSON. I do not think there will be extensive debate.

Mr. JONES. Very well; I will withdraw temporarily my motion to proceed to the consideration of the conference report and give an opportunity to act on the bill to modernize battleships.

Mr. SWANSON obtained the floor.

Mr. HEFLIN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from Alabama?

Mr. HEFLIN. No, Mr. President; I wish to speak in my own time.

The PRESIDENT pro tempore. The Senator from Virginia has the floor.

Mr. SWANSON. Mr. President, the pending question is a motion entered by the Senator from Utah [Mr. KING] to reconsider the action of the Senate in passing Senate bill 4750, relating to the modernization of battleships. I want Senators to have an opportunity for all the debate that is necessary upon the matter. Of course, a motion can be made, if the debate takes too long, to lay upon the table the motion to reconsider, but I do not want to do that unless the debate becomes too protracted. I have never made such a motion and will not do so now unless the debate is too prolonged, because I want the matter disposed of in the proper way. I therefore renew my motion to proceed to the consideration of the motion of the Senator from Utah to reconsider.

Mr. BROOKHART. Mr. President, I desire to say that there is going to be considerable debate on the question. Several of us are opposed to the bill, and we think with good reason. We do not want the measure to pass here on any momentary consideration, as it was passed the other day.

Mr. SWANSON. We can proceed with the debate and see what it develops.

Mr. BROOKHART. I think the Senator ought to permit the matter to remain on the calendar and come up in its regular order.

Mr. NORRIS. Mr. President, may I interrupt the Senator? I think the Senator from Iowa is laboring under a misapprehension as to what the motion is, if I understand him. The Senator is not opposed to the present motion, which is to reconsider. If the passage of the bill is reconsidered, then is the time for the Senator to debate the question.

Mr. BROOKHART. That is true.

Mr. SWANSON. I have no purpose to make a motion to lay on the table the motion to reconsider until there has been a fair debate. I renew my motion that we proceed to the consideration of the motion of the Senator from Utah to reconsider the vote by which the bill was passed.

The PRESIDENT pro tempore. The question is on agreeing to the motion submitted by the Senator from Virginia.

Mr. HEFLIN. Mr. President, I want to acquaint the Senate with the parliamentary situation which now confronts us. If a motion is made to lay upon the table the motion of the Senator from Utah [Mr. KING] to reconsider, then all debate is ended. I, for one, am in favor of the appropriation of $60,000,000 in order that we may feed people who are starving in the drought-stricken areas of the country. Action on the battleship measure can wait a while. There are hundreds of thousands, and even millions, of people in distress. Their distress is not brought about by any fault of their own. Those people live out in the rural districts and are uninfluential men and women in the common walks of life who have not the great power to come to the Senate to put over measures which are in their behalf and for their benefit. The Senate ought to pause for a moment to con-

sider the people back in the States who are in distress. Cold weather is now upon us. The House has held up the drought relief appropriation bill.

The PRESIDENT pro tempore. The Chair will settle the matter. All debate is out of order, and a point of order will lie against the motion, so that it may not be renewed until 2 o'clock.

Mr. HEFLIN. Very well; I make the point of order against the motion.

The PRESIDENT pro tempore. The point of order is sustained.

Mr. JONES. Mr. President, I renew my motion that the Senate proceed to the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment.

Mr. SWANSON. In order that there may be no misunderstanding, I give notice that to-morrow, after the routine morning business, I shall renew my motion to proceed to the consideration of the motion of the Senator from Utah [Mr. KING] to reconsider the action of the Senate with reference to the battleship modernization measure.

The PRESIDENT pro tempore. It will then be in order. The question is on the motion of the Senator from Washington.

INFORMATION FROM EMERGENCY COMMITTEE ON UNEMPLOYMENT

Mr. CARAWAY. Mr. President, noticing that the Senator from Indiana [Mr. WATSON] is present, I should like to have him explain something. Yesterday the President refused to transmit to Congress the report of his emergency relief committee headed by Colonel Woods. I read from the President's message:

> The President's emergency committee has made no report on unemployment. I have received notes and verbal suggestions from Col. Arthur Woods from time to time, and from the departments in the Government, on this subject. These were confined to guidance in formulation of the recommendations which I have already laid before Congress. Such notes and discussions are necessarily passing and tentative, and they represent the confidential relation of the President with the Government officers, which should be preserved.

Mr. President, day before yesterday, when the leader of the majority, the distinguished Senator from Indiana [Mr. WATSON] was referring to a telephonic message from Colonel Woods and telling the Senate what the Woods commission had ascertained and what it recommended, he was evidently not cooperating with the President of the United States, who said that information was confidential. I hope the Senator from Indiana will tell us how it was that he broke the confidence that existed between the administration and Colonel Woods and made public this information?

The President this morning assures the country and Congress that all communications as to information possessed by Colonel Woods touching the relief the Government should extend to the unemployed were confidential and must not be revealed. I am merely inquiring how it was that that confidential information was transmitted to the Senator from Indiana and by him given to the Senate?

Mr. WATSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Indiana?

Mr. CARAWAY. I yield to the Senator.

Mr. WATSON. The Senator from Arkansas asked me a question. All I know about the matter is that I called Colonel Woods on my own initiative and talked to him about it.

Mr. CARAWAY. I hope the Senator realizes now that was a breach of confidence?

Mr. WATSON. I do not.

Mr. CARAWAY. The President has stated that the information Colonel Woods had was confidential.

Mr. WATSON. My understanding is that Colonel Woods, from time to time, made certain reports to the President from here and there and yonder——

Mr. CARAWAY. Principally yonder.

Mr. WATSON. And I presume they were not reports that could be very well sent up here. The Senator from Wisconsin [Mr. LA FOLLETTE] offered a resolution requesting the Committee on Appropriations to call before it Colonel Woods and also Judge Payne and Mr. MacDonald. I hope that that resolution will be adopted to-day by unanimous consent. Then those gentlemen can come here and tell what they know.

Mr. CARAWAY. The President states that—

> These were confined to guidance in formulation of the recommendations which I have already laid before Congress. Such notes and discussions are necessarily passing and tentative, and they represent that confidential relation of the President with the Government officers which should be preserved.

Mr. President, of course, the harm is now already done, but I was just anxious, as the Senator from Indiana was lecturing on cooperation, that there may be in the future some cooperation between the President and his leader here in the Senate.

Mr. BARKLEY and Mr. WATSON addressed the Chair.

The PRESIDENT pro tempore. To whom does the Senator from Arkansas yield?

Mr. CARAWAY. I am very glad to yield first to the Senator from Kentucky.

Mr. BARKLEY. Perhaps Colonel Woods did not confide in the Senator from Indiana any confidential information, and therefore any important information.

Mr. CARAWAY. But if he had any information—and I doubt if he had—it was confidential. I presume the Senator from Indiana will pass this off as he did the other day when we were appealing to him to help people who are starving, and he said he would refer it to the colored barber down here in the barber shop.

Mr. WATSON. I said nothing of the kind; but that is neither here nor there. I do not want to engage in a personal altercation with the Senator from Arkansas. I personally called on Colonel Woods on my own responsibility; I had two conferences with him. That is all there is to it. I did not ask the President anything about it; I asked Colonel Woods. Now, if the Senator wants to know what the President meant by his message he must talk to the President about it.

Mr. CARAWAY. I do not think I would get any information if I should do so.

APPROPRIATIONS FOR EMERGENCY CONSTRUCTION—CONFERENCE REPORT

The PRESIDENT pro tempore. This debate is wholly out of order. The question recurs on the motion submitted by the Senator from Washington [Mr. JONES].

Mr. McKELLAR. Will the Presiding Officer state what that motion is?

The PRESIDENT pro tempore. The pending question is the motion of the Senator from Washington to proceed to the consideration of the conference report on House bill 14804.

The motion was agreed to; and the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931.

Mr. LA FOLLETTE and other Senators addressed the Chair.

The PRESIDENT pro tempore. The Senator from Washington [Mr. JONES] retains the floor. To whom does he yield?

Mr. JONES. I yield to the Senator from Wisconsin.

INFORMATION AS TO UNEMPLOYMENT

Mr. LA FOLLETTE. I ask unanimous consent for the immediate consideration of Senate Resolution 376, which provides for the calling of Colonel Woods, Judge Payne, and certain others before the Appropriations Committee.

The PRESIDENT pro tempore. Is there objection?

Mr. JONES. I have not seen that resolution, but I understand from the Republican leader of the Senate that it is unobjectionable.

Mr. WATSON. I trust that unanimous consent may be granted to proceed to the consideration of the resolution.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wisconsin for the immediate consideration of the resolution?

Mr. BRATTON. Mr. President, let me ask the Senator from Wisconsin to state what is the general nature of the resolution.

Mr. LA FOLLETTE. The objective of the resolution is to request the Appropriations Committee to hear Colonel Woods, John Barton Payne, Colonel Roop, Thomas H. MacDonald, Major General Brown, and James A. Wetmore.

Mr. BRATTON. I am familiar with the resolution. I assume that what the Senator desires is that the committee may have hearings in order that the Senate may have the information in official form?

Mr. LA FOLLETTE. I assume, of course, that the information will be made available to the Senate, if the Senate requests that this be done, because, obviously, it is the intent of the resolution that this information should be made available for the Senate.

Mr. BRATTON. That is my understanding and I hope the resolution will be promptly adopted.

The PRESIDENT pro tempore. Is there objection to the consideration of the resolution at this time?

There being no objection, the resolution (S. Res. 376) submitted by Mr. LA FOLLETTE on December 16 was considered and agreed to, as follows:

Resolved, That the Committee on Appropriations is hereby requested to call before it Col. Arthur Woods, chairman of the President's Emergency Committee for Employment, to ascertain:

(1) Any information in his possession relating to the extent of unemployment.

(2) Measures for the relief of distress caused thereby in the various cities and States of the country.

(3) His recommendations concerning the extent to which public works must be expanded if a substantial reduction in unemployment during the ensuing year is to be brought about.

Resolved further, That the Appropriations Committee is requested to call before it John Barton Payne, chairman of the American National Red Cross, to ascertain:

(1) Conditions in the drought-stricken States.

(2) Whether the American Red Cross can provide adequate relief to all needy persons in said States.

(3) Conditions in the cities and towns of the country caused by the economic depression and resultant unemployment.

Resolved further, That the Committee on Appropriations is hereby requested to call Col. J. Clauson Roop, Director of the Budget, to ascertain among other things the following:

(1) How much the Budget estimates for public works were reduced, if at all, between July and November, 1930.

Resolved further, That the Appropriations Committee is hereby requested to call Thomas H. MacDonald, Chief of the Bureau of Public Roads, to obtain any and all plans which may have been worked out by the bureau with the various highway commissions or departments of the several States concerning road building in the existing unemployment situation.

Resolved further, That the Appropriations Committee is hereby requested to call Maj. Gen. Lytle Brown, Chief of Army Engineers, to ascertain:

(1) What sum of money could be expended on rivers and harbors during the ensuing calendar year if all possible effort were made to accelerate the work on existing authorized projects.

Resolved further, That the Appropriations Committee is hereby requested to call James A. Wetmore, Acting Supervising Architect, to ascertain:

(1) What sum of money could be expended on public buildings during the ensuing calendar year if all possible effort were made to accelerate the work on public-building projects now authorized.

APPROPRIATIONS FOR EMERGENCY CONSTRUCTION—CONFERENCE REPORT

The Senate proceeded to consider the report of the committee of conference on the dissenting votes of the two Houses on the amendments of the Senate to the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

Mr. JONES. Mr. President, I think I should explain the situation. It will take only a few minutes.

Mr. President, the conferees have had a regular conference and have submitted a report substantially the same as the tentative conference report, except that the four amendments which the Senate insisted should go back, and which I agreed I would bring back if the conferees could not reach an agreement, are reported in disagreement.

As to the appropriation of $80,000,000 for road construction, which was discussed very considerably the other day and which was thrown into conference by amendments adopted by the Senate, I have a letter from the Bureau of Public Roads regarding those particular amendments from which I quote, as follows:

> With respect to amendments Nos. 6 and 7, it is suggested that the original language which is stricken out by amendment No. 6 is preferable to the language substituted or inserted by amendment No. 7. As originally worded, provision was made for an advance of funds which the States could use to match their regular apportionments of Federal aid. Under this procedure the States would receive a 100 per cent payment on projects constructed under this act. This payment would be made up of the Federal pro rata to be charged to their regular Federal-aid apportionment, the balance being an advance under the terms of this bill. Amendment No. 7—
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> Which is a part of the same provision—
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> apparently makes no provision for advancing Federal funds to supply funds required of the States, but would provide an additional $80,000,000 which under the Federal highway act would have to be matched with State funds. This would not relieve the present situation, in which many States find themselves unable to promptly take up their Federal-aid funds because of a temporary shortage of State funds with which to match the Federal funds.

That is the opinion of the Bureau of Public Roads. So, by reason of that opinion, we receded from amendments numbered 6 and 7, and reinserted the language of the House bill.

That, in brief, is the conference report. If the conference report shall be adopted, then the question will come on the four additional amendments. I expect to make a motion separately to recede from them, and then it will be for the Senate to act, but I think first it should formally adopt the conference report.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

Mr. JONES. Now, Mr. President, as to amendments numbered 11 and 12, I think we should act upon them together, because they involve exactly the same principle. They relate to the States of Alabama and Georgia. The States of Alabama and Georgia, of course, can take advantage of the provisions relating to the $80,000,000.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

Mr. JONES. Certainly.

Mr. NORRIS. In order to get information, let me inquire if the bill has been printed with the amendments numbered so that we can secure a copy of it?

Mr. JONES. It has been printed with the amendments numbered.

As I was about to say, under the $80,000,000 appropriation the apportionments that may be due under the language of the bill to the States of Alabama and Georgia can be advanced by the National Government, so that they may get immediate benefit from this act. In other words, they are put on the same basis as all the other States in the Union. If we go further and match the remainder of the amounts of money which we appropriated for them some time ago, on the condition that they should be matched by the States, we give them really a different treatment from that accorded the other States, and give them additional benefits.

We could not get the House conferees to agree to these amendments. As I understand the rule, we are not permitted really to disclose what took place in conference; but the Senate conferees, I will say, had the idea that the amendments would simply provide an additional amount for those States to aid in the unemployment situation, and while we recognized that to adopt the amendments would be in one sense a discrimination against the other States, yet we felt that under the emergency we would be justified

in doing it. However, we could not get the House conferees to agree to those two amendments.

Now, the question before the Senate is as to whether or not it will delay this bill further on account of that particular situation, which really involves the question whether we will accord different treatment to Georgia and Alabama than that which we accord to the other States. As I have said, without the amendments they are given their proportionate part of the $80,000,000 as a loan on the same condition as the proportionate part due to the other States is advanced; and the amendments would provide what might be termed an additional loan to the States of Georgia and Alabama under the conditions which I have set out.

Mr. HOWELL. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Nebraska?

Mr. JONES. I yield.

Mr. HOWELL. Are not several other States in the same situation in which Georgia and Alabama find themselves, and if they were included, as Georgia and Alabama are included, would they not correspondingly be benefited?

Mr. JONES. It may be that there are other States in exactly the situation as are Alabama and Georgia. As I understand, however, all those other States that received appropriations from the Federal Government for flood damage on condition that it would be matched have matched that appropriation in full, at least——

Mr. BARKLEY. Mr. President——

Mr. JONES. Just a moment. At least no other State has come in and set up a different condition of things from that. So we have gone on the theory that the only two States which have come in and pointed out that they have not been able to match the amount of money thus appropriated are the only two States in that category.

Mr. BARKLEY. Mr. President——

Mr. JONES. I yield.

Mr. BARKLEY. Since this bill passed I received a letter from the chairman of the State Highway Commission of Kentucky—I received it yesterday—setting out the fact that out of the million nine hundred and some odd thousand dollars which have been appropriated for the reconstruction of highways in Kentucky as the result of the floods in 1927 and 1928, there is still remaining $1,200,000 of that fund which the State is not able to match. Therefore, unless there is some provision that would cover the State of Kentucky, it will be unable to use that $1,200,000.

In addition to that, I am informed that the State has exhausted its ordinary sources of State revenues for road purposes to match an additional $1,300,000 that has been allocated to the State of Kentucky out of ordinary appropriations for Federal highways. If this situation had been called to the attention of the committee before the bill passed either the Senate or the House it might have been included; but now, as I understand the parliamentary situation, the bill having passed both House and Senate, there is no opportunity for an amendment to include Kentucky.

Mr. JONES. The Senator is correct.

Mr. BARKLEY. How can that situation be remedied? We are on exactly the same basis as Georgia and Alabama, but we did not have that information until it was too late to insert an amendment to cover the State.

Mr. JONES. Of course, that would have to be dealt with in the future by such legislation as Congress might deem it wise to pass.

Mr. BARKLEY. Would the Senator be willing to waive any parliamentary technical points that might be raised against an amendment to the appropriation bill carrying the regular appropriation for highways so as to take in Kentucky under the same arrangement with Alabama and Georgia? Otherwise this whole appropriation will be of no benefit whatever to my State. It will not employ a single man in addition for the purpose of building highways.

Mr. JONES. But the State of Kentucky can get an advance of the proportionate part to which it is entitled of this $80,000,000.

Mr. BARKLEY. Yes; it can get an advance.

Mr. JONES. And it can get the same benefit that the other States get. It is put on the same basis.

Mr. BARKLEY. But the special arrangement in this bill for Georgia and Alabama does not contemplate an advance on that score. They are to be able to use the unallotted amount of this appropriation without being required to match it. They do not have to repay it.

Mr. JONES. Yes; as I understand the language proposed, they really do intend to have that matched and then repay it all again after five years. They intend to do that. That is what they contemplate by their amendments.

Mr. SMOOT. Absolutely.

Mr. BARKLEY. What is the Senator's reaction to the suggestion that in view of this emergency provision, the mileage limit of $15,000 as the contribution of the Federal Government toward the building of these Federal and State highways ought to be raised to a larger amount?

Mr. JONES. That, of course, is a legislative proposition.

Mr. BARKLEY. Yes; I realize that.

Mr. JONES. I have not given it any consideration, so I should not want to express an opinion.

Mr. BARKLEY. These are circumstances that I have no doubt exist in other States which will handicap them in using this additional fund unless there is some liberalization of the requirement of the law.

Mr. JONES. But they will get the same treatment as other States.

Mr. President, I think the Senate should recede. I do not remember whether I made the motion or not.

The PRESIDENT pro tempore. The Chair understands the Senator from Washington to move that the Senate recede from amendment numbered 11.

Mr. SMOOT. Amendments numbered 11 and 12. I will put the two together, because they are on the same basis.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Washington.

Mr. BLACK. Mr. President, if the conferees have passed upon these amendments upon the theory that they present a discrimination against any other State, or an unfair advantage to Alabama and Georgia, it shows that they have passed upon them without a knowledge of the real underlying policy.

Mr. JONES. That is not the sole ground of objection on the part of the House conferees.

Mr. BLACK. That may not be the sole ground of objection on their part. As the Senator said, he has not revealed all that occurred; but he gives that as an argument. Of course, there may be other arguments on the part of the House conferees.

I discovered very speedily, before I had been here very long, that the House conferees can usually find plenty of objections to any Senate amendment which would deviate a hair's breadth from their course. It is not a discrimination, and I will explain it to the Senate so that they can see it. It is a question of benefit to the Federal Government.

The first bill of this kind that was passed was passed for the State of Vermont. They had a very severe flood during the administration of President Coolidge. This body and the other body very promptly passed a bill, which was signed by the President, providing that on account of the fact that the Federal-aid highways in Vermont had been injured by floods, and it was difficult for them to restore those roads, an unusual contingency was presented, and one which called for action on the part of the Federal Government. Therefore at that time they passed a bill which provided that, in addition to the regular money allocated from Federal funds, Vermont should have another appropriation to restore these roads which should be matched by the State of Vermont.

Later, that was followed with several other enactments. At a later period the States of Alabama and Georgia and Kentucky and several others suffered from very severe floods. Bills were passed in accordance with the precedent which had been established in regard to the State of Vermont, providing that these roads should be restored by the payment of Federal funds, which funds were to be matched by the State.

It was to the interest of the Federal Government to restore these roads. They are Federal-aid highways. One of them, in Alabama, extends from the northern to the southern boundary. A few days ago I had a complaint about the fact that a part of the main Federal-aid highway extending through the State was almost impassable. The State of Alabama, by reason of a condition which exists there, has not been able to match the funds which have already been appropriated by this body, by the other body, and the bill signed by the President. So the money has already been appropriated, recognizing that it is to the advantage of the Government to spend this money to restore these Federal-aid highways injured by floods. The result is that this money has already been appropriated. It is for the benefit of the Federal Government, as for others, to have these roads restored.

Mr. JONES. Mr. President, does not the Senator think that there ought to be in the RECORD, in connection with his remarks, the statement that this was on the condition that the money should be matched by the State?

Mr. BLACK. I thought that was in the RECORD, Mr. President. If it was not, I will add it. There was originally a provision in the bill that it should be matched by the State.

While personally I favor an appropriation by the Government which shall not be matched by the States under the conditions under which I voted for the Senator's amendment, I have not proposed in this amendment that the State of Alabama shall be treated differently from the others. I simply propose that pending the time when the State can match this money, as provided with reference to the other money, this money which has already been appropriated shall be released and the highways which were injured by the floods shall be restored; and this body has already gone on record in a number of instances that it is the duty of the Government to do that very thing.

What injury is that, for instance, to the State of Indiana, from which I understand some of the members of the conference committee hail? What injury can Indiana suffer by reason of the fact that this advancement, this appropriation which has already been voted and which is lying up, ready to be spent on Federal roads necessary to-day for two reasons—to improve the highways and to give employment—is allowed to be spent now in putting men to work in the South, where they can work in the wintertime, and later be matched by the State as provided in the original bill?

It is another instance of the stubbornness which has existed in this Capitol for a long time against permitting the deviation of a hair's breadth, the dotting of an "i," or the crossing of a "t" from anything which the administration proposes or which the House conferees think we should adopt. There is no injury to anybody. There is no discrimination against any State.

Mr. NORRIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Nebraska?

Mr. BLACK. I yield to the Senator.

Mr. NORRIS. I should like to ask the Senator with reference to the language of amendment numbered 11, which I do not quite understand. It provides that this money shall be released—

Without the requirement that the State match said expenditure except in the manner provided herein.

What provision is there "herein" for the matching?

Mr. JONES. Mr. President, may I suggest to the Senator that that matter was considered in conference, and if we should finally agree in substance to this amendment the amendment will be changed so as to conform to the statement I made a while ago—that it will be dealt with just the same as the $80,000,000. I do not think the language of the amendment makes that clear at all.

Mr. NORRIS. At least I could not understand it.

Mr. JONES. I will say that that will be made clear in case we should adopt the amendment.

Mr. BLACK. It was intended, I may state to both Senators, to refer to the method of matching as provided in this bill, which is that in afteryears, as provided with reference to the $80,000,000, it shall be matched by the State. But here is the concrete situation: One million six hundred and sixty thousand dollars was voted to restore Federal highways injured by floods. It has already been voted. The appropriation was made a year ago. It was made on condition that the State should match it; but the Government was interested by reason of the fact that it desired its Federal-aid highways restored. The State is unable to match that money at the present time.

Mr. NORRIS. Mr. President, I wish to inquire of the Senator—and I do so entirely for information, because I want to understand the amendment, and I do not quite understand it now—if this amendment stays in, will the ultimate result be that the State of Alabama will have to match the particular amount of money that is released?

Mr. BLACK. That is correct.

Mr. NORRIS. Then am I right in the conclusion that the only difference brought about by this amendment is that Alabama has additional time in which to match it? Is that the effect of it?

Mr. BLACK. That is all. That is the sole and single effect of this amendment.

Mr. NORRIS. It is not a provision, then, that will utilize Federal funds in the State of Alabama that ultimately will not be matched by appropriations by the State of Alabama?

Mr. BLACK. It is not; and I would not ask that for Alabama alone, because that would be a discrimination and unfair as to the other States.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. BLACK. I yield to the Senator.

Mr. ROBINSON of Arkansas. Is this the language that has relationship to the colloquy between the Senator from Alabama and the Senator from Nebraska?—

Provided, That the sums so advanced shall be reimbursed to the Federal Government over a period of five years, commencing with the fiscal year 1933, by making deductions from regular apportionments made from further authorizations for carrying out the provisions of such act as amended and supplemented.

Mr. BLACK. That is correct.

Mr. ROBINSON of Arkansas. I can not see how anyone who wishes to use the Federal-aid system as a means of facilitating highway construction can have reasonable objection to this amendment. It seems to me that it simply makes payable a fund appropriated for another purpose for the purposes of road construction, and gives the States the privilege of reimbursement for it, which is in a measure equivalent to matching the fund.

Of course, it makes that additional fund available for the use of the State of Alabama; but if the State can use it in working out the present unemployment problem, what can be the objection to it? What objection has been urged against it?

Mr. BLACK. I will state to the Senator that I can not imagine any possible objection that could be urged, except that it is a departure from the bill as passed by the House. It changes the language of the bill as passed by the House. This was an extraordinary situation. If the State of California, for instance, or the State of Indiana, or the State of New York, or any other State, had suffered from floods, and it was to our interest to get the roads rebuilt, certainly I would not stand on this floor and object to their having the privilege of spending that money now, at a time when it should be spent and at a time when it is necessary and at a time when the State is ready to spend it, purely on the ground that it would permit a little more to be spent in Alabama than somewhere else in proportion to the allotment.

Mr. GLASS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Virginia?

Mr. BLACK. I yield to the Senator.

Mr. GLASS. I understand from the chairman of the committee that the objection urged upon the conferees was that Alabama, along with other States, had been given the opportunity to utilize this fund, and all of the other States

except Alabama and Georgia had matched the Federal appropriations, instituted and completed the work, and these two States had not.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Alabama yield to the Senator from Kentucky?

Mr. BLACK. I yield.

Mr. BARKLEY. Did I understand the Senator from Virginia to state that the information came to the conferees that all the other States involved in a similar way had matched the Federal appropriation?

Mr. GLASS. That I understood; yes.

Mr. BARKLEY. Did that information come from the Treasury or from the Public Roads Bureau? Was it information which could be regarded as reliable?

Mr. GLASS. I do not know that it was definite information from them. The objection raised was to the effect that this was an effort to have us do something for these particular States which we had not been asked to do for any other of the States for which the flood money had originally been appropriated. In other words, these two States had not availed themselves of their opportunity to match the Federal fund to repair the damaged roads under the provisions of the law enacted. That was my information.

Mr. BARKLEY. I was wondering whether that information came officially from any of the departments, or whether it was given by members of the conference committee on the part of the House simply as a rumor. As a matter of fact, it turns out that Alabama and Georgia are not the only States.

Mr. JONES. Mr. President, I stated a while ago that there was no suggestion brought by anybody that any other State was in the condition of Georgia and Alabama. I do not think we got any official communication from the Treasury Department. But this matter has been pending for some little time, and we just assumed that as no requests had come in from other States, none of the others were in the condition in which Georgia and Alabama find themselves. But the Senator from Kentucky has suggested that Kentucky is in a similar situation.

Mr. BARKLEY. The committee is not to be blamed for that situation. It is just one of those matters which did not come to us until after the bill had been passed, in time to enable us to offer amendments on the floor of the Senate.

Mr. JONES. The Senators from these States had not been advised of it. Let me suggest this to the Senator from Alabama for what it is worth; the Senator can give it such attention in his address as he cares to.

As indicating how the House committee really feels about the matter, and that they have no serious antagonism to the States being given more time to meet this item, I find in the Agricultural appropriation bill a provision, on the last two pages of the bill, extending the time, providing that the unexpended balance of the appropriations for these purposes—that is, to meet these amounts—shall be continued until June 30, 1932. That relates to Alabama and Georgia. I also call attention to the fact that apparently South Carolina is in the same position, because they mention South Carolina as one of the States.

Mr. BLACK. South Carolina has just voted a bond issue.

Mr. JONES. They do not mention Kentucky, however.

Mr. ROBINSON of Arkansas. Mr. President, if the Senator will yield to me, the difference between the provision in the House agricultural appropriation bill and the Senate amendment in the conference report now under consideration, then, is that the Committee on Agriculture of the House proposes to extend the time until 1932, whereas this amendment gives five years?

Mr. JONES. No; not exactly that. The provision of the House bill does not pretend to incorporate in it the provisions relating to this $80,000,000.

Mr. ROBINSON of Arkansas. I know that, but I mean with respect to the item relating specifically to the State of Alabama.

Mr. JONES. That is what I have in mind. The House provision simply extends the time for a year for this matching to take place.

Mr. ROBINSON of Arkansas. The Senate provision, if it is retained, would give five years.

Mr. JONES. The State would match the money given by the United States Government, and then after 1933 Alabama would be given five years, and the money would be taken out of the apportionment to the State. It would not come out of the treasury of Alabama at all, but its apportionment under the regular highway act would be diminished proportionately over the 5-year period.

Mr. ROBINSON of Arkansas. That is what I was attempting to say.

Mr. JONES. The Senator stated it correctly.

Mr. BLACK. Mr. President, there has been a lot of talk in the papers and elsewhere about wanting to put people to work. I am going to explain what the real difference is. It is said that this great program will put people to work, and that the desire is to put people to work. If this money is appropriated it will put people to work immediately building $1,200,000 worth of roads. If it is not authorized to be expended, the authorities will not be able to put people to work immediately building $1,200,000 worth of roads.

Mr. BARKLEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Kentucky?

Mr. BLACK. I yield.

Mr. BARKLEY. I do not know how accurate my information may be, but I have been informed from two or three sources that there is something like $169,000,000 of Federal-aid appropriations backed up in the Treasury or in the Department of Agriculture which has not been accepted or matched by the various States; in other words, that the States, taking the country as a whole, have been unable to use a total of about $169,000,000 or $170,000,000 which we have heretofore over a period of years appropriated.

If that be true, I am wondering how much real good the appropriation of $80,000,000 would do toward the employment of men in building highways if there is already backed up in the Treasury $165,000,000 or $170,000,000 the States have been unable to use.

Mr. SMOOT. Mr. President, I am quite sure the Senator's information, or the report made to him, is incorrect. I can state positively that there is not that much money which has not been made use of.

Mr. BARKLEY. My information is that that was a statement made by the Secretary of Agriculture before one of the committees.

Mr. SMOOT. I think the statement is wrong.

Mr. BARKLEY. There is evidently a considerable amount. That may not be the right figure.

Mr. WAGNER. Mr. President, if I may volunteer, the information I got was that there was over $40,000,000 which has been appropriated and is waiting for the States to match the sums allotted. That is still undisposed of.

Mr. GEORGE. What was the amount?

Mr. WAGNER. I understood it to be about $40,000,000.

Mr. GEORGE. Mr. President, let me make a brief statement. The $80,000,000 appropriated in this bill will enable the States to utilize not only the $80,000,000 but any sum not exceeding $80,000,000 now appropriated under the Federal aid bill.

Mr. SMOOT. Mr. President, I have no doubt that the $40,000,00 spoken of by the Senator from New York is available, and that the States are going to take advantage of it. It is only a question of time. Some of the States had to advertise for the purpose, and just as soon as the bonds are authorized to match the Government appropriation all of that $40,000,000 will be used.

Mr. GEORGE. Mr. President, I presume that is true, but the $80,000,000, if made immediately available, will enable the States to ask for any appropriation standing to their credit. In any event, the $40,000,000 will be added to the $80,000,000 if this conference report is agreed to. That is the point I was trying to make.

Mr. SMOOT. All I wanted to call the Senate's attention to was that the $40,000,000 now spoken of is more than likely going to be made available to the States; and if it is not, it will be on account of inaction on the part of the States.

Mr. BLACK. Mr. President, I desire in a very brief form, so that Senators can get the exact issue, to try to state it so that it will be clear.

This appropriation does not affect the $80,000,000; it does not reduce it, it does not increase it, it does not touch it. The appropriation was made a year ago. The sole effect is this, that instead of Alabama being compelled to match it next year, or next month, when it spends the money, the time for matching it will be postponed as provided in the bill.

Mr. SMOOT. Not as provided in this bill. It is the postponement of appropriations that have already been authorized. In other words, the Senator desires now, not only for Alabama to avail themselves of the provision in the bill, but he wants Alabama also to be treated differently from the way any other State is treated, by having the time extended as it has not been for other States.

Mr. BLACK. I call the Senator's attention to the fact that while his language is technically correct, the plain import of it is misleading, of course not purposely, to this extent: Alabama does not claim that it is surrendering its right to a part of the $80,000,000. This has nothing to do with the $80,000,000. This amendment covers an appropriation which was made a year ago on account of extraordinary circumstances. At that time the committee unanimously thought that, in accordance with what had been done for Vermont, in accordance with what had been done for other States, it was right that this action should be taken, and the Senate unanimously passed it, and it unanimously passed the House, so that the policy is settled. The real issue is this: Is there a real desire to spend the money now in order to give employment now, or is there a desire to withhold the spending of the money until, later, it can be matched by the States? Eventually it will be reimbursed under either condition. It has already been appropriated. If the real object of this administration and the real object of the leaders of this administration is to put people to work, they will not oppose this amendment in the conference of the two Houses. Of course, if the object is to have sounding brass and a tinkling cymbal, and to have it loudly announced and published to the world that they are going to remove all depression and give everybody employment without spending any money, then they ought to decline to agree to it.

Mr. SMOOT. Mr. President, there is this about it: Under the pending conference report bill Alabama will receive her proportion, just the same as any other State will.

Mr. BLACK. Which nobody denies.

Mr. SMOOT. Under the provisions of the bill, that money need not be matched. That money Alabama could go right on and get.

Mr. BLACK. That is correct.

Mr. SMOOT. And not only this year, but next year and the year following, before there will be a dollar asked from Alabama under the provisions of this bill. It applies exactly the same to others.

Mr. BLACK. Nobody has questioned that at all.

Mr. SMOOT. I thought there was some idea that Alabama, in this particular appropriation, was being treated differently from the way other States were being treated. She is not.

Mr. BLACK. Of course she is not.

Mr. SMOOT. She gets the same proportion of money the State of Florida will get out of this appropriation for road building, or any other State of the Union will get.

Mr. BLACK. Just let me make that clear. I will make it clear so that the Senator will see that nobody has asserted or insinuated or suggested that.

The $80,000,000 is to be allocated among the States, Alabama included. That is clear. It is to be advanced to the States. That is clear. But an appropriation was made about a year ago for an extraordinary situation, which can not be released now unless it is matched. The State of Alabama can not match it now. The Government will be out no money, not one dime, if this amendment is accepted; but if it is accepted men will be put to work on roads immediately. The projects are ready, the plans are drawn, they are ready to do everything and proceed with the work and put people to work in a State where such work can be done in the wintertime.

Mr. SHORTRIDGE. Mr. President, will the Senator yield to me?

Mr. BLACK. I yield.

Mr. SHORTRIDGE. I think I understand the purpose and the meaning and the effect of the proposed amendment. As I now understand, it is merely to give Alabama time in which to match the appropriation?

Mr. BLACK. The Senator has clearly stated it.

Mr. SHORTRIDGE. To match the amount devoted to Alabama. Am I right?

Mr. BLACK. Under a law enacted last year.

Mr. SHORTRIDGE. Yes. And the Senator advises us that Alabama will ultimately, in the way suggested, match the Federal appropriation.

Mr. BLACK. The bill so provides.

Mr. SHORTRIDGE. All, therefore, the Senator is seeking is that Alabama be relieved from immediately matching the Federal appropriation?

Mr. BLACK. That is correct.

Mr. SMOOT. Not the appropriation in the conference report bill, but appropriations which have already been made.

Mr. HOWELL. Mr. President, will the Senator yield to me?

Mr. BLACK. I yield.

Mr. HOWELL. As I understand it, $40,000,000 have not been matched by the States; not for the particular reason that is advanced in the case of Alabama but for cogent reasons, undoubtedly, the States have not been able to match this $40,000,000. In those States people might be put to work immediately if we could include this $40,000,000.

Mr. BLACK. They are included in the $80,000,000. That is the regular appropriation. They are included in that. That takes care of that $40,000,000.

Mr. HOWELL. I am talking about the $40,000,000 which have not been matched.

Mr. BLACK. That is provided for in this bill. The object and purpose of this bill is that this $40,000,000 may be put to work now, and the States will get it, whether the Alabama appropriation is made less or larger, is taken from or added to. It has not the slightest connection with it. It can not affect Nebraska injuriously. It is impossible for Nebraska to lose a dime. It is impossible for any State to lose a dime.

Mr. HOWELL. When, may I ask, are the States to match the $40,000,000?

Mr. BLACK. As provided in this amendment.

Mr. HOWELL. But when is that? I am talking about the $40,000,000.

Mr. BLACK. It deals with the advancing of money to those States which can not match what is already in the Treasury.

Mr. JONES. The $80,000,000.

Mr. BLACK. That is correct.

Mr. JONES. It does not deal with the $40,000,000 at all.

Mr. HOWELL. Ought we not in fairness to include the additional $40,000,000?

Mr. BLACK. In the first place, if anybody had wanted that done they would, of course, have offered an amendment providing for it. I voted for the amendment offered by the Senator from Wisconsin [Mr. BLAINE], which I thought was right and still think was right, providing that in this emergency the money should be paid to the States for expenditure without being matched at all. That amendment was rejected. We have now authorized an appropriation of $80,000,000 to be advanced to those States which are not able to match it to-day. Of course, those which are not able to

match it are those which have the $40,000,000 lying in the Treasury at this time.

Mr. BARKLEY. Mr. President, if the Senator will permit me——

Mr. BLACK. I yield.

Mr. BARKLEY. That $40,000,000 has already been appropriated. It is not in this bill. It is an appropriation now lying in the Treasury. In order to match that $40,000,000, if that is the correct amount, they will have to take $40,000,000 of the $80,000,000 when appropriated here to match the $40,000,000 already to their credit.

Mr. SMOOT. The $40,000,000 includes Alabama and Georgia funds and also includes money not drawn by some States that no doubt will draw it. That is the amount which is authorized and has been matched and, more than likely, outside of Alabama and Georgia, will all be drawn.

Mr. BARKLEY. In order to match that $40,000,000 those States will have to take $40,000,000 of this $80,000,000 to match it?

Mr. SMOOT. Oh, no; this $40,000,000 lies there to their credit until July 1, and any time between now and July 1 they can get it by matching it, because it is there appropriated by the Federal Government to be matched by those States.

Mr. BARKLEY. But it has to be matched, and it has to be matched out of this $80,000,000.

Mr. SMOOT. No; it is already available there for the States to match.

Mr. BARKLEY. What are they going to do with the money we are going to advance to them to match Federal funds?

Mr. SMOOT. Under this bill the allocation will be made and they do not have to pay it back for three years.

Mr. BARKLEY. What money is it they are going to match with this $80,000,000?

Mr. SMOOT. The $80,000,000 that we are appropriating now?

Mr. BARKLEY. Yes.

Mr. SMOOT. The money that will come to the States after three years hence.

Mr. BARKLEY. But after we make the appropriation of $80,000,000 which is to be advanced to the States, which is to match something already available on the part of the Federal Treasury, are we going to take $40,000,000 of this $80,000,000 and match the other $40,000,000 in the Treasury?

Mr. SMOOT. Oh, no.

Mr. BARKLEY. Either the Senator is very much muddled about the situation or I am.

Mr. SMOOT. No one knows until July 1 what the amount will be.

Mr. HEFLIN. Mr. President, let me ask the Senator from Utah a question. What is his understanding as to the time when Alabama will get her share of the money provided in the bill?

Mr. SMOOT. Alabama has a perfect right up to July 1 to match the money that has already been appropriated at the last session of Congress, just as any other State has that right. All of that appropriation has been made available, with the exception of $40,000,000, and up to July 1 of this year any other State can take advantage of that allocation.

Mr. HEFLIN. Suppose it fails to do so by the 1st of July?

Mr. SMOOT. Then the law lapses as far as the unexpended amount of money is concerned which has not been taken advantage of by the States.

Mr. HEFLIN. The Senator is aware, perhaps, that 39 counties out of 67 in Alabama are listed as in the drought-stricken area, and that there are 28 others out of the 67 which are suffering greatly on account of the drought. Practically all of the counties in the State, all but 10 or 12, are suffering severely. Our State is hard hit at this particular time. Why not have an extension at this time and give us additional time to match the funds provided?

Mr. SMOOT. All of the States have that right for three years to receive the allocation of the amount appropriated without matching it at all, but at the end of three years, and in the fourth year when the appropriation is made for this purpose, they, of course, pay the amount they have already drawn.

Mr. BLACK. Mr. President, I apologize to the Senate for occupying so much time. The $40,000,000 has nothing to do with the matter directly or indirectly. It has no possible bearing on the question. It neither raises nor reduces the $80,000,000. The sole question is, shall this money be paid now without matching and let it be matched later, or shall we force the matching? The result of the two possibilities is this: If we force Alabama to match it, it can not be done now, and therefore the money can not be spent now; but if Alabama is not forced to match it, I have authority to state that if it is made available now the projects are ready, the plans are drawn, and the authorities are ready to start the restoration of this particular highway.

The sole issue is, Shall we match the fund now or shall we have the delay? The answer to that question depends on this situation: If we want to give people work now, we will certainly not put any strings around the appropriation which has been already made. If, on the contrary, it is thought wiser to put them to work 6 or 12 months from now, when starvation is more general, if possible, than it is to-day, then we should vote against the amendment.

Mr. FLETCHER. Mr. President, may I suggest to the Senator that Alabama gets a certain portion of the sum, and I was wondering if they could not use the proportion coming to Alabama under the $80,000,000?

Mr. GEORGE. Mr. President, that is the reason why we proposed the amendments. We will not get enough out of the $80,000,000 to make this special appropriation available. I shall be very glad to explain that.

Mr. GLASS. Mr. President, before the Senator proceeds further will he permit me to make a brief statement?

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Virginia?

Mr. GEORGE. Certainly.

Mr. GLASS. If the Senator from Georgia will bear with me just a moment, as a conferee on this particular bill and hearing the matter discussed in conference and hearing it discussed here on the floor, I am beginning to wonder if I exactly understand what it is all about. My understanding in conference was that the Congress made a special appropriation for the special purpose of relieving certain States which had been afflicted by damaging floods, and that certain of these States availed themselves of the offer to match the Federal fund and reconstruct the damaged roads. Certain others of the afflicted States have not matched the Federal fund, and it is now proposed to divert from this lump-sum appropriation, as I understand it, a sufficient amount to the applying States to correct their omission to match the Federal appropriation. Is not that it?

Mr. GEORGE. No; that is not it at all. If the conferees acted upon that assumption, they acted on a mistaken state of fact.

Mr. GLASS. I did, on the theory that this was an additional opportunity to the delinquent States to match Federal funds out of the lump sum of $80,000,000.

Mr. GEORGE. No; this will not affect that fund by a single penny. If the conferees proceeded on that theory, they proceeded on a mistaken theory.

Mr. GLASS. I did so.

Mr. SMOOT. I will say to the Senator that I did not.

Mr. GEORGE. Mr. President, if the Senate will bear with me a moment I think it can be easily understood.

The Senate will recall that the Senator from Montana [Mr. WALSH] objected to certain language appearing in line 23 and going down to line 25 of the bill when we had it before the Senate. That language was eliminated in the Senate, but with the understanding that if the elimination of that language interfered with the use of the $80,000,000 appropriated to the several States, that is, if it placed any limitation upon the use by the States of the $80,000,000, when and if advanced by the Government to the States, that language would be restored in conference.

The Senator in charge of the conference report has already submitted his report upon amendments Nos. 6 and

7 and the original language has been restored, so that the $80,000,000 is to be prorated among the several States precisely as the appropriation for aid to the highway system is made under the general law. In fact the $80,000,000 is but an advance. Every penny of it is to be repaid by the States. It is to be repaid beginning with 1933 over a period of five years. Twenty per cent of it in each of the five years is to be repaid by deducting that amount from the appropriation made under the usual highway bill to the several States.

Georgia faces this peculiar situation and Alabama is in this peculiar situation—and I invite the attention of the Senator from Kentucky [Mr. BARKLEY] because the questions he propounded indicate that he does not understand the exact situation. Georgia has standing to her credit of the general highway fund an amount of money which she has not been able to match. Very well. The State will be able to take its part of the $80,000,000, under the language which has now been restored by the conferees, and which should have been restored, and say to the Federal Government, "We are now ready to match the money standing to our credit under the general highway law." If Georgia's pro rata part of the $80,000,000 were sufficient to enable the State to match the amount standing to her credit under the general highway law and the special appropriation, this amendment would not have been presented. I hope Senators understand the situation.

The case of Kentucky, as I understand it, is that while Kentucky has not been able to match this special appropriation made for the purpose of repairing bridges and portions of the highway destroyed by flood, nevertheless when Kentucky gets her pro rata part of the $80,000,000 she will be able to match all funds standing to her credit in the Bureau of Public Roads, including the unexpended balance of the special appropriation. But whether I am correct in that or not, of course, it was not my duty, nor did I have the information with regard to Kentucky or any other State when I offered the amendment, to include them.

Mr. BARKLEY. Mr. President, will the Senator yield there?

Mr. GEORGE. If the Senator will allow me to make a full explanation, then I will yield.

Mr. President, the retention of amendment No. 11 and amendment No. 12 relating to the States of Alabama and Georgia will not increase the $80,000,000 appropriation; it will not toll the $80,000,000; it will not affect it one whit. I hope that has been made clear.

Mr. GLASS. Mr. President, on that point, it seems to me, from the Senator's own statement, that my statement made a while ago is accurate. In other words, from the Senator's statement, Georgia, instead of matching the Federal appropriation out of its own revenues, proposes to borrow from its proportion of the $80,000,000 a sum with which to match the Federal appropriation.

Mr. GEORGE. That is the purpose of the amendment.

Mr. GLASS. That is what I said.

Mr. GEORGE. That is the whole purpose of the amendment. The State will not borrow the amount from the $80,000,000 but——

Mr. GLASS. It is diverted from the $80,000,000.

Mr. GEORGE. No; it will not be diverted, if the Senator will pardon me.

Mr. BLACK. It is already provided by another appropriation.

Mr. GEORGE. Yes.

Mr. WAGNER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from New York?

Mr. GEORGE. I yield.

Mr. WAGNER. I merely want to ask a question for information. Without the authorization provided for in this amendment, the fund which the State of Georgia would draw from this $80,000,000 could not be used to match an appropriation already made and waiting matching by the State of Georgia?

Mr. GEORGE. What does the Senator now refer to—the general road fund or this special appropriation? That is where the confusion arises, and I want to have that made clear. Does the Senator have reference to the fund available to the several States under the general Federal-aid fund?

Mr. WAGNER. There is a sum which the State of Georgia will receive under this emergency act allocated to it out of the $80,000,000?

Mr. GEORGE. Exactly. Georgia will get its pro rata proportion.

Mr. WAGNER. That is, Federal money appropriated for State aid?

Mr. GEORGE. Yes.

Mr. WAGNER. As I understand, the Senator proposes to use that sum, Federal money, allocated to the State of Georgia, for the purpose of matching an appropriation now lying in the Treasury waiting to be matched by the State of Georgia?

Mr. GEORGE. A similar amount—that is the purpose of this bill.

Mr. WAGNER. I say that without an authorization such as the amendment proposes Federal money so allocated could not be used for that purpose. Is not that a fact? In other words, it would require some special authorization in order to permit the State of Georgia to use the Federal money for the purpose of matching an appropriation heretofore made?

Mr. GEORGE. No; the State of Georgia has to obtain the money.

Mr. WAGNER. Exactly. It has to borrow in this case.

Mr. GEORGE. That is the whole purpose of this bill, namely, to advance to the States $80,000,000.

Mr. WAGNER. To borrow it from the Federal Government.

Mr. GEORGE. Yes; in a sense to borrow it from the Federal Government. New York is borrowing it from the Federal Government, as is every other State borrowing its pro rata part from the Federal Government.

Mr. WAGNER. My purpose in asking the question is to bring out the situation clearly.

Mr. GEORGE. Every State is borrowing its part from the Federal Government.

Mr. BLAINE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. GEORGE. I yield.

Mr. BLAINE. It seems to me that there is some confusion over the terms which have been used. The States do not borrow the $80,000,000, as I understand. The $80,000,000 as provided by the bill, as it now stands with the Senate amendment, is advanced to the States to be expended upon the Federal highway projects, and that $80,000,000 is reimbursable by the States within five years from the date fixed in the bill.

As I understand, the special appropriation made to the State of Georgia for the reconstruction of Federal-aid highways was necessitated by reason of floods, and the State of Georgia had to match that appropriation 50-50.

Mr. GEORGE. That is correct.

Mr. BLAINE. Under this bill, with amendment No. 12, as I understand the language of the bill, the State of Georgia will not be required to match the flood aid—I call it "floor aid"—or money advanced for the construction of highways destroyed by flood; the State of Georgia will not be required to match that half million dollars; but the State of Georgia will be required to reimburse the Federal Government within the same 5-year period that the State of Georgia will reimburse the Federal Government for its pro rata share of the $80,000,000.

Mr. GEORGE. That is exactly it.

Mr. BLAINE. In other words, what the amendment does is to take from the Treasury of the United States presently, so far as the State of Georgia is concerned, $506,067.50 and to withhold from the State of Georgia during the 5-year period beginning in 1933 that much of its pro rata share of the Federal aid. So, as a matter of fact, the Federal Government will within the 5-year period be a beneficiary. If the two amendments proposed by the Senators from the

State of Alabama and the State of Georgia shall be adopted, the Federal Government will presently part with the money that it has appropriated for the reconstruction of roads destroyed by floods, but the two States will reimburse the Federal Government for that amount. I may be mistaken in my interpretation, but that, in my opinion, will be the result.

Mr. GEORGE. Mr. President, I repeat that the two amendments, Nos. 11 and 12, do not increase nor diminish the $80,000,000 appropriation carried in this bill. The $506,000 provided in amendment No. 11 for the State of Georgia will not toll that $80,000,000 appropriation. The $80,000,000 will be prorated to the several States just as if these amendments had not been incorporated in the bill and just as it will be prorated if these amendments are stricken out of the bill. But if the amendment remains in the bill the State of Georgia will have the opportunity of using $506,000 already appropriated to it in a bill passed more than a year ago, which money is now standing awaiting the meeting of conditions by the State which the State is not able to meet. That $506,000, however, will not be deducted from the $80,000,000; the $506,000 has already been appropriated by a law passed by the Congress of the United States. The passage of the pending bill will not affect the law except in the one particular of releasing that appropriation without the necessity on the part of the State of Georgia of presently meeting the conditions upon which it was originally made.

The only reason for offering the amendment is this: The State of Georgia will have available to it out of the $80,000,000 appropriated its pro rata part of that sum, but its pro rata part of the $80,000,000 will be sufficient only to enable it to carry on its work under the general Federal highway act, to meet the funds appropriated to it under that act. It will not be able to match the special appropriation already made of $506,000.

The particular appropriation of $506,000 was made to the State because—that is to say, it was the chief reason—an interstate highway was destroyed by flood. Georgia's pro rata part of replacing that interstate highway amounts, let us say, to a million dollars. That appropriation was made to enable Georgia to replace that particular highway originally built by the State, aided by Federal funds; but Georgia has not been able to meet that particular special appropriation, as Alabama has not been able to meet a similar appropriation, for this reason: The State has now a deficit of some $5,000,000. The governor has already announced his purpose to call an extra session of the legislature for the purpose of reforming the taxing system of the State; but no moneys can be raised in the State under a new tax law until the end of 1931. So the $506,000 will remain unused in the Treasury unless this amendment shall be retained in the bill.

In all kindness I want to say to the conferees that the two who have spoken have not understood the purpose of the amendment, and do not now understand the purpose of this amendment.

If Kentucky is in a similar situation, Kentucky should have offered a similar amendment. Let me make that suggestion. I do not think Kentucky is in the same shape, because I believe that on examination it will be found that the pro rata part of the $80,000,000 which Kentucky will receive will be sufficient to enable Kentucky to match not only her general road fund—that is, the amount appropriated under the general highway act—but the amount appropriated under any similar special legislation, such as was enacted in the case of Alabama and Georgia.

Mr. BARKLEY. Mr. President——

Mr. GEORGE. I yield to the Senator from Kentucky.

Mr. BARKLEY. With reference to Kentucky, as I said a while ago, the exact information as to the situation in that State was not available until this bill had passed both Houses. So in a parliamentary way it was impossible to offer an amendment. The situation is this: Out of $1,900,000 which was appropriated specially two years ago for the benefit of Kentucky on account of floods there is still left $1,200,000 which the State has not matched. In addition to that—that of the general appropriations for roads and the allocations to Kentucky—there is another $1,300,000 which is unmatched, making altogether two and a half million dollars of Federal funds available for Kentucky if that State is able to match the amount. Out of this $80,000,000, as I understand, only about one million and a half, or a little more than that, will be allocated to Kentucky; so it is obvious that unless Kentucky has something more than $1,000,000 already available to match one of these funds or to go toward matching one of these funds it would not be able to match both of them out of the allocation.

Mr. GEORGE. That is, if Kentucky has no other funds which she can use for that purpose?

Mr. BARKLEY. Yes.

Mr. GEORGE. That is true; but I apprehend the Senator will not vote against the amendments which the Senators from Alabama and Georgia succeeded in getting into the bill.

Mr. BARKLEY. No; I would not vote against the amendments; I am in favor of the amendments.

Mr. GEORGE. I join in the request that Kentucky be now allowed to insert a similar amendment if the parliamentary situation permits. I think as a matter of justice it should be done.

Mr. BRATTON. Mr. President, will the Senator yield for a question?

Mr. GEORGE. I yield to the Senator from New Mexico.

Mr. BRATTON. Did the original act require the State of Georgia to match the fund appropriated from the Federal Treasury?

Mr. GEORGE. To the extent of $506,000; yes.

Mr. BRATTON. Would this amendment relieve the State of that obligation?

Mr. GEORGE. No; this amendment would allow its release to the State without presently matching it, but it would be required to match it during the 5-year period beginning in 1933.

Mr. BRATTON. If it be true, Mr. President, that the amendment takes no additional money out of the Treasury and does not relieve the State of the obligation to match the appropriation at a later date, what objection can there be to this amendment?

Mr. GEORGE. I do not know of any, except that the conferees probably misunderstood the whole purpose of it. The House conferees may have insisted that there be nothing written in the bill except what the House was pleased to send over to this body. In the last analysis that is a proper statement.

Mr. BRATTON. If this amendment merely permits the use of the money now to accelerate the reconstruction of those roads destroyed by flood and defers the date at which the State must match it, I am unable to see any valid objection whatever to the amendment.

Mr. GEORGE. I do not think there can be any valid objection to the amendment if it is properly understood. The matter stands in this way, and this is the whole of it.

If this amendment is stricken out, the State of Georgia will not be able to use the $506,000 already appropriated to it—not in this bill but in a law that was passed and approved a year ago—perhaps until 1932, maybe until 1933. Of course, the appropriation could be kept alive, and we will try to see to it that it is kept alive, so far as that goes. Ultimately the State will be able to use it.

If this amendment is retained, the State will be able now to use that special appropriation, but it will be required to repay every cent of it in 1933, 1934, 1935, 1936, and 1937—that is, during five years. It will be required to repay it out of the general road fund.

Mr. BLAINE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. GEORGE. I yield to the Senator.

Mr. BLAINE. If these two amendments are retained in the bill, as a matter of fact, at the end of five years after the beginning of the fiscal year 1933 the Government will have saved in the general highway Federal-aid fund a little over $2,000,000 because of these two amendments—one the

amendment carrying $1,660,000 and the other the amendment carrying $506,000. In round numbers, at the end of about eight years, the Federal Government will have saved a little over $2,000,000. The two States will have that amount to be expended during the emergency. That is the financial result.

Mr. GEORGE. That is, its appropriations will be nearly $2,000,000 less on the joint accounts of the States of Georgia and Alabama than otherwise they would have been.

Mr. President, I am perfectly willing to answer any questions. I am sorry there has been so much confusion. I want to repeat that the conferees who have spoken here, the Senator from Utah [Mr. SMOOT] and I think I may say the Senator from Virginia [Mr. GLASS], seem not to apprehend clearly the whole purpose and whole effect of these amendments.

These amendments do not affect the $80,000,000 appropriation. Under the language of the bill, the $80,000,000 is in effect an advance to the States—all of the States. Those States that do not need to use it will not use it, because if States already have ample funds in their treasuries with which to match existing appropriations they would not have to avail themselves of it. But those States that are compelled to use it if they do any highway construction within the next year will, of course, be able to utilize their portion of the $80,000,000 as an advance with which they can commence work presently, and also as an advance on the basis of which they can ask the Federal Government to release to them any road appropriations already authorized for them.

The $500,000 in the case of Georgia, and the balance of the $1,600,000 in the case of Alabama, do not depend upon this bill so far as the appropriation goes. They depend upon their separate acts, already passed, already approved, a part of the law of the land. This bill merely enables the Treasury to release these special funds to the States of Alabama and Georgia without requiring them presently to match those particular funds, as they are now required to do under the terms of the special acts under which the appropriations were made. Georgia will get no ultimate advantage, however, because she must repay every penny of that fund beginning in 1933; and Alabama will get no advantage because Alabama will have to repay every penny of that fund beginning in 1933.

I therefore think, Mr. President, that these amendments ought to be adhered to and the conferees ought to be instructed not to recede from them.

Mr. BARKLEY. Mr. President, may I engage the attention of the Senator from Washington [Mr. JONES]? I desire to ask the Senator from Washington if he would be willing to waive the parliamentary objection which precludes the offering of an amendment at this time to include Kentucky in the same terms as the amendments with reference to Georgia and Alabama.

I will say to the Senator that, as I have already stated, the information upon which I make this request came here after the bill had passed both Houses, so that it was impossible to offer an amendment. It can be done now only by unanimous consent. I am wondering, in view of that, if the Senator from Washington would be willing to waive the parliamentary situation so as to permit the offering of such an amendment.

Mr. JONES. Mr. President, I appreciate the situation the Senator is in; and, if I were at liberty to act on my own personal inclination, I would do it. As the Senator in charge of this bill, however, I do not feel that I should consent to a new amendment going into this measure at this stage of the legislation, so I feel that I should have to object.

Mr. BARKLEY. I am sorry the Senator feels that way about it.

Mr. HEBERT. Mr. President, in the course of a speech delivered here on the 15th instant by the senior Senator from Wisconsin [Mr. LA FOLLETTE] he read a telegram purporting to outline the situation in Rhode Island regarding unemployment. That telegram is printed in the RECORD of December 15, on page 705.

It happened that I was called out of the Chamber just at that moment, and my attention was not drawn to the telegram until late that evening. It occurred to me as I read it that the conditions as outlined in it were somewhat overdrawn. In order to reassure myself I took occasion to telegraph to some of the charitable organizations in Providence, and I have this morning a telegram which I am going to read to the Senate and ask to have inserted in the RECORD.

The telegram to which I have reference, and which was read by the Senator from Wisconsin, was addressed to President William Green, of the American Federation of Labor, by William J. Fallon, secretary of the Providence Central Federated Union. For the information of the Senate I shall read it:

PROVIDENCE, R. I., *December 10, 1930.*

President WILLIAM GREEN,
American Federation of Labor, Washington, D. C.:

Replying your telegram of December 9, unemployed in this city too great to give a clear estimate. Providence labor greatly handicapped by out-of-town help being brought in on contract work. Hunger, fuel, and lack of employment working great hardship on countless numbers; charitable organizations taxed to limit; breadline groups of men in all walks of life. Number of unemployed increasing daily as per report at meeting of Central Federated Union held on this date. Manufacturers' agreement with President Hoover's plan being violated to a great extent. Only the fact that winter is mild is the greatest help to our people. Christmas buying very lax. Requests for assistance at every meeting; for example, will report 97 per cent of musicians unemployed.

WILLIAM J. FALLON,
Secretary Providence Central Federated Union.

I addressed a communication to Mr. Florrimon M. Howe, of Providence, who is president of one of our large banking institutions, and who was in charge of raising the usual community fund in Providence a few weeks ago, knowing that he would be in close touch with conditions there and would know whether or not the telegram sent by Mr. Fallon really contained a true statement of the facts. Mr. Howe telegraphs me as follows:

PROVIDENCE, R. I., *December 16, 1930.*

Hon. FELIX HEBERT,
United States Senate:

Replying telegram. At meeting just concluded, at which following were represented, municipal director of public aid, Family Welfare Society, Church House, Salvation Army, Community Fund, St. Vincent De Paul, following resolutions passed: "We reaffirm former statements and policies of long standing that the city and voluntary agencies are prepared to meet the needs for relief in the present emergency. By relief we mean the furnishing of food, fuel, clothing, and shelter to families and individuals found to be in actual needs. This committee believes that the existing private charitable agencies of the city of Providence and the department of public aid are able to take care of the actual distress in Providence, and it believes that the proposal that the Federal Government appropriate money for relief is unwise and unnecessary at the present time." I feel local charities can and will care for any distress. Salvation Army and Church House supplying substantially greater amount of meals. Have no reliable figures regarding unemployment. Have been reduction in wages in isolated cases, but feel employers endeavoring to retain all labor best they can. Christmas buying satisfactory.

F. M. HOWE.

Mr. President, I have other telegrams, which I shall not take the time to read but which I wish to summarize.

Henry F. Burt, secretary of the Providence community fund, says:

Nobody is going hungry or cold in Providence if we know about it. Some cases are not brought to our attention promptly, and there may be suffering on that account, but certainly when they are discovered their needs are taken care of. I think the picture of conditions here as given in the telegram of Fallon to Green is overdrawn. As far as I've been able to study the situation, our organizations have taken care of all cases brought to their attention.

It is true that charity organizations have been overtaxed, but not anywhere near as much as in other parts of the country, according to reports from the Russell Sage Foundation. I do not think there is any need in Providence for the Federal Government to take care of our people who are hungry. We are perfectly able to take care of the situation. The community fund and the director of public aid have given assurance to the relief agencies that they will back them up to the fullest extent.

Edward P. Reidy, director of public aid of Providence, says that the local situation has not got beyond the capacity of local agencies, and he sees no need of Federal aid in supplying relief.

Robert E. Shepard, president of Shepard Stores, says that retail business for November is only off 12 per cent from a year ago, with one less business day this year, making the actual decrease only 9 per cent. He expects better business in December. From other sources comes the information that the total of Christmas club checks distributed by Providence banks is substantially higher this year than a year ago.

Col. Joseph Samuels, president of the Outlet Co., says that business at present is very good.

I am informed, too, that Providence pay-roll withdrawals from banks in November, 1930, were $9,270,000, as compared with a total of $9,714,400 in the preceding month of October and $11,212,000 in the month of November, 1929.

Mr. President, from my own knowledge of conditions in Providence and in other cities and towns in the State of Rhode Island, I feel assured that no one there will suffer because of existing conditions in the industrial field. Ours is an industrial State, and any amount of depression is felt there ordinarily perhaps as quickly as anywhere else in the country. At the same time there is a better condition in the cotton industry than we have had for some months back; in other words, the cotton industry is looking up to some extent in New England and in Rhode Island, so that there is some additional employment in that field. That is true also to some extent in other industries. At any rate, I know the people of Rhode Island, know their generosity; I know that there will be no suffering and no hunger there that will go unattended. We have recently raised in Providence a community fund of approximately a million dollars to take care of just such exigencies. I feel I can promise on behalf of the people of Rhode Island the fullest measure of cooperation in the care of those in want as well as in the efforts that are making for the amelioration of existing conditions.

Mr. GOFF. Mr. President, at this time I shall take a few moments to discuss a question similar to that which the Senator from Rhode Island has just addressed his remarks.

On December 15, as appears on pages 706 to 709 of the RECORD of that day, there was a general discussion of certain telegrams read by the senior Senator from Wisconsin [Mr. LA FOLLETTE]. He read a telegram sent by Frank Healey, secretary of the Ohio Valley Trades and Labor Association, to William Green, president of the American Federation of Labor, Washington, D. C., as follows:

> Approximate number of unemployed in the city of Wheeling, 7,500. Various lodges and churches are doing wonderful work to aid the poor. No doubt there will be a great deal of suffering if conditions don't improve before the new year. We are not able to estimate the number of people who are suffering from hunger and the lack of clothing, but we presume there are many. This information will include all workers.

I forthwith sent a telegram signed by Senator HATFIELD and myself to the Hon. Thomas Y. Beckett, mayor of the city of Wheeling, W. Va., reading as follows:

> DECEMBER 15, 1930.
>
> Hon. THOMAS BECKETT,
> *Mayor City of Wheeling, Wheeling, W. Va.:*
>
> Senator LA FOLLETTE read in Senate to-day telegram from Mr. Healey to William Green, stating approximate unemployed in your city 7,500; that lodges and churches were doing wonderful work to meet the ensuing depression and suffering; and that it was not possible to estimate the number now suffering from hunger and lack of clothing, but the presumption is there are a great many. Will you kindly answer, collect, exactly what the situation is and especially whether your municipality is able to cope with the suffering ensuing from the present depression?
>
> HATFIELD AND GOFF.

I am just in receipt of this answering telegram from the mayor of the city of Wheeling:

> WHEELING, W. VA., *December 16, 1930.*
>
> GUY D. GOFF:
>
> Survey shows approximately 3,000 unemployed in Ohio County. Conditions have been greatly exaggerated to you. We now have a charity and employment drive on for $250,000, and the citizens of Ohio County will certainly take care of their own obligations.
>
> T. Y. BECKETT, *Mayor.*

I desire to add that I am assured from many other sources of unquestioned reliability that the unemployment situation in the city of Wheeling, as well as in other cities and towns in my State, is being met conformable to the outline contained in the telegram of the mayor of the city of Wheeling. It is merely confirmatory of the contention which I advanced in the argument on Monday, December 15, that until the local communities are shown to be unable to meet the pressing depression of the moment, the Federal Government is not called upon or justified in interceding and appropriating relief funds to meet a local charitable condition in any city, town, or village in any State of this Federal Government. It will be noted, Mr. President, that the mayor of the city of Wheeling says that the unemployment in Ohio County, which also includes the city of Wheeling and embraces a much larger territory, is about 3,000, and not 7,500, as reported in the telegram of Mr. Healey and as read and submitted by the Senator from Wisconsin. West Virginia will take care of those who are unemployed and will protect the interests of those who are idle, unemployed, and in need of food, clothing, and shelter.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington [Mr. JONES].

Mr. McKELLAR. Does the Senator from Washington want a vote now?

Mr. JONES. I do.

Mr. McKELLAR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	Kendrick	Schall
Barkley	Fletcher	King	Sheppard
Bingham	Frazier	La Follette	Shipstead
Black	George	McGill	Shortridge
Blaine	Gillett	McKellar	Simmons
Blease	Glass	McMaster	Smith
Borah	Glenn	McNary	Smoot
Bratton	Goff	Metcalf	Steiwer
Brock	Goldsborough	Morrison	Swanson
Brookhart	Gould	Morrow	Thomas, Idaho
Broussard	Hale	Moses	Thomas, Okla.
Bulkley	Harris	Norbeck	Townsend
Capper	Harrison	Norris	Trammell
Caraway	Hastings	Nye	Tydings
Carey	Hatfield	Oddie	Vandenberg
Connally	Hawes	Patterson	Wagner
Copeland	Hayden	Phipps	Walcott
Couzens	Hebert	Pine	Walsh, Mass.
Cutting	Heflin	Pittman	Waterman
Dale	Howell	Ransdell	Watson
Davis	Johnson	Reed	Wheeler
Deneen	Jones	Robinson, Ark.	Williamson
Dill	Kean	Robinson, Ind.	

The PRESIDENT pro tempore. The Chair wishes to announce the absence of his colleague the junior Senator from New Hampshire [Mr. KEYES] on account of a death in his family, and will ask that this announcement may stand for the day.

Ninety-one Senators having answered to their names, a quorum is present.

PROPOSED HOLIDAY RECESS

Mr. WATSON. Mr. President, I would like to make a brief statement about the question of the adjournment for the holiday recess.

Some three or four days ago Representative TILSON, the majority floor leader of the House, came over to see me about a resolution providing for the holiday recess. At that time we had reason to believe that the relief legislation would have been passed by Saturday and out of the way, and, of course, we assumed that neither Senators nor Representatives wanted to go or would go home for the holiday recess until after the passage of that legislation. So it was tentatively arranged that there should be an adjournment on Saturday.

Since that time there has been a change in the situation. The drought relief bill is not only in the House but was in the Committee on Agriculture and was voted out just a few moments ago by a vote of 16 to 1, I was informed, in favor of the appropriation of $30,000,000. I notice that Senators smile when I say "16 to 1."

Just when they are going to pass it in the House I could not ascertain. The probabilities are it will not be passed

over there before to-morrow. When it comes here I do not know what the position of the chairman of the Committee on Agriculture and Forestry [Mr. McNARY] will be with reference to it, but at all events it is quite certain that we can not adjourn on Saturday.

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the morning hour is concluded; but in line with rulings by the Chair the Senate will continue its discussion of the conference report.

Mr. JONES. No, Mr. President; I ask that the unfinished business may be laid before the Senate.

The PRESIDENT pro tempore. Under the unbroken line of rulings by the present occupant of the chair, by Vice President Dawes, and others, the unfinished business does not lose any of its rights, the conference report being a privileged matter.

Mr. JONES. I understand; but the Senator from New York [Mr. COPELAND] expected to make an address on the unfinished business.

The PRESIDENT pro tempore. The Chair intends to deal with that question immediately.

Mr. JONES. I thought it was proper to have that legislation before the Senate when he addresses himself to it.

The PRESIDENT pro tempore. Does the Senator from Washington desire to lay aside the conference report?

Mr. JONES. Yes; because we have agreed to vote at 3 o'clock on the motion to recommit the unfinished business, and as soon as that is disposed of I shall again call up the conference report.

The PRESIDENT pro tempore. The Senator from Indiana still has the floor.

Mr. HEFLIN. Mr. President, will the Senator from Indiana yield for a question?

The PRESIDENT pro tempore. Does the Senator from Indiana yield to the Senator from Alabama?

Mr. WATSON. Certainly.

Mr. HEFLIN. So far as I am concerned I want to suggest to the Senator that I think we ought to remain in session until the Senate and the House pass the $60,000,000 bill and the President signs the measure, before we take a recess for the Christmas holidays.

The PRESIDENT pro tempore. Under the unanimous-consent agreement entered into yesterday the Senator from New York [Mr. COPELAND] is entitled to the floor. The Chair intends to recognize him immediately. The Chair does so, however, with the distinct understanding that the right of recognition is inherent in the Chair and can not be set aside even by a unanimous-consent agreement of the Senate. This also is in line with many rulings made by the Chair. The Senator from New York is recognized. Does he yield to the Senator from Indiana?

Mr. COPELAND. I yield to the Senator from Indiana.

Mr. WATSON. Mr. President, it is evident that this particular bill will not have been disposed of by Saturday evening and therefore that we can not adjourn at that time. The House leaders have informed me that they want to adjourn, if at all, on Tuesday, and at all events not before that day. Therefore I want to impress upon every Senator and lay it on his heart to shape his course so as to stay here until this legislation shall have been passed and signed by the President and becomes a law. It is the Executive policy, it is the legislative policy, the country demands it, the people want it, and it is our business to attend to that legislation.

Mr. McNARY. Mr. President, I have heard with significant interest the statement made by our able leader. It may be that we shall have to provide for an adjournment on Tuesday; but in the opinion of the chairman of the Committee on Agriculture and Forestry we still can adjourn on Saturday. I propose, if the bill passes the House to-day or to-morrow, to call the conferees together and stay in conference until the bill is disposed of. It is my opinion that we shall be able to bring the bill back here in time to permit us to adjourn before Saturday, if need be.

Mr. WATSON subsequently said: Mr. President, I stated a moment ago what had just been reported to me from the House of Representatives, that the Committee on Agriculture had reported out the drought measure by a vote of 16 to 1. I merely obtained that information and then came in here to make a statement about the Christmas holiday recess. Subsequently I learned that a vote had been taken in the committee on the question of the substitution of $60,000,000 for $30,000,000, and that the Democratic members of the committee and, I am informed, one Republican member, voted for that proposed amendment. That failed, and then the only question was whether or not the joint resolution should be reported as amended, and that was the vote then taken, as I understand, which resulted 16 to 1.

Of course, I had not any desire to say that that was the only vote taken in the committee; I did not know anything about it; and I inadvertently stated the committee action, although that might be considered an unusual thing. At all events, the joint resolution was reported out of the committee.

To repeat, I certainly had no desire to say that that was the only vote taken in the committee, much less to give the impression to the Senate that the joint resolution had been reported out by a vote of 16 to 1 without any further consideration or without any amendment having been voted on. I feel it proper and right, in the interest of fairness and of harmony, to make that statement.

Mr. ROBINSON of Arkansas. I was not in the Chamber when the Senator from Indiana [Mr. WATSON] made the statement to which he has just referred, but I was advised by persons who heard it that the impression growing out of the statement was that the House committee had disclosed an attitude of 16 to 1 in hostility to the position taken by the Senate with respect to certain features of the proposed drought-relief legislation.

I do not know how appropriate it is in the Senate to go into the details of what happens in a House committee; we all know the rules relating to such matters; and I certainly do not wish to transgress them; but I do not wish the impression to go to the country that the attitude of the members of the committee at the other end of the Capitol was that of 16 to 1 in favor of reducing by one-half the amount which the Senate unanimously voted.

As usually happens, the committee took a vote on substituting the amount in the Senate joint resolution for the amount in the House measure. The House pursued the singular course of apparently ignoring the measure already passed by the Senate on the subject. Those in charge of the proceedings in the House undertook to secure consideration by a suspension of the rules of a measure carrying only $30,000,000, and that effort failed. Then the announcement was made that nothing further would be done in the early future. When the committee met this morning the vote came first on substituting the amount in the Senate joint resolution for the amount carried in the House measure. That failed by a narrow vote; every Democrat in the committee and one or more Republicans——

Mr. WATSON. One Republican.

Mr. ROBINSON of Arkansas. Voting, as stated by the Senator from Indiana, to make the substitution. That motion having failed, the question, of course, recurred on reporting the House measure; and no doubt members of the committee felt that it was necessary to report a joint resolution in order to assure any action upon the subject.

My purpose in taking the floor is to give emphasis to the fact that any statement that the vote of the House committee reflected the attitude of 16 to 1 on the part of the committee having jurisdiction there with respect to the subject matter which is indirectly in controversy between the two Houses creates a wrong impression. The vote was actually close, and if a vote could be taken in the House of Representatives on the proposition, the difficulties which have arisen in the enactment of this emergency legislation could be quickly solved.

We all realize the necessity for speedy action; we ought not to permit differences that arise here or at the other end of the Capitol or between the two Houses to be protracted when suffering is occurring, or to interfere with the opera-

tion of the legislative machinery of the Nation. But there is an orderly process and that ought to be pursued.

The Senate first passed a measure on the subject. It would have been respectful had the body at the other end of the Capitol seen fit to give consideration to that measure. Failing to do that—refusing to do that, as I take it—we are now confronted with a threatened impasse between the two Houses. I do not want that to occur if it can be averted, and I do not desire the impression that has been made to continue that a vote of 16 to 1 reflects the attitude of the members of the House committee on the differences of which I have been speaking in respect to this legislation.

Mr. BARKLEY. Mr. President, did the House committee report——

The PRESIDING OFFICER (Mr. FESS in the chair). The Senator from New York has the floor. Does he yield to the Senator from Kentucky?

Mr. COPELAND. I am very anxious to proceed at the earliest moment and to conclude. I am speaking under a unanimous-consent agreement limiting my time.

Mr. ROBINSON of Arkansas. I thank the Senator for yielding to me. I should like to answer the question of the Senator from Kentucky, and then I will not trespass further.

Mr. BARKLEY. Did the House committee report out the Senate joint resolution as amended, or did it report out its own joint resolution?

Mr. ROBINSON of Arkansas. As I understand, the House gave no consideration to the Senate joint resolution. I inquire of the Senator from Indiana is not that correct?

Mr. WATSON. That is my understanding.

Mr. ROBINSON of Arkansas. It refused to consider the Senate joint resolution, although it had already passed this body and gone over there several days ago. It took up a House joint resolution, and it became necessary to move to amend the House joint resolution by inserting $60,000,000 in place of $30,000,000. That motion failed by a small vote, every Democrat on the committee and one Republican voting for it, as stated by the Senator from Indiana.

Mr. BARKLEY. Then if the House should act upon the joint resolution reported out by its committee and should pass it, the House would be acting on one measure, and the Senate, having already acted on another, there could be no conference between the two Houses on that subject until both Houses had acted on the same measure.

Mr. ROBINSON of Arkansas. Until the Senate shall act on the House joint resolution. In other words, the House ignores the action of the Senate completely.

The PRESIDENT pro tempore. By unanimous consent the pending question, the conference report, will be temporarily laid aside and the Chair lays before the Senate the unfinished business, which is Senate bill 255.

WELFARE OF MOTHERS AND INFANTS

The Senate resumed the consideration of the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

The PRESIDENT pro tempore. The Senator from New York [Mr. COPELAND] is recognized for 30 minutes.

Mr. COPELAND. Mr. President, we have before us the maternity bill. The statement has been made, particularly by the Senator from Connecticut [Mr. BINGHAM] that the measure has been of no importance to the country. I find on page 420 of the RECORD for December 9 that the Senator from Connecticut, when speaking about Massachusetts, used this language:

> Its neighboring State, New York, whose Senator just spoke to us about the advantages of this legislation, adopted the act of 1923, when its infant death rate was 72. In 1929, after having enjoyed the advantages of the act for six years, it was 61, a fall of 11 points in seven years, as compared with a fall of 19 points in the same length of time in the neighboring State of Massachusetts, which did not enjoy the benefits of the act. If New York had only followed the example of Massachusetts and not adopted the act they might have had their infant mortality rate fall as it fell in Massachusetts.

Of course—and I say it in all respect to a layman—anyone who has any familiarity whatever with mortality statistics and with health matters realizes the absurdity of this statement. There are many incidental things which affect statistics relating to the incidence of disease and the death rate. I spoke yesterday about the effect of the influenza epidemic on the maternity death rate in the city of New York. It was a very significant thing that the mortality rate was higher among pregnant women than among any other class of our population. Anything which affects the general welfare of the community is sure to have its effect upon the maternity and infant death rate.

We are facing now an economic situation which I view with great apprehension. There can be no question that the nourishment and the proper feeding of the people are matters which have much to do with health and resistance to disease. We are facing an economic situation now which has in it the probability of an increase in undernourishment. If the people have not the money with which to buy food, if they have not the money with which to buy fuel to heat their homes, we have created a combination of circumstances which will do much to increase the prevalence of disease and, I am sorry to say, to increase the death rate. I have no doubt, I can have no doubt, and I think any other student of the subject must realize that we will have an increase in tuberculosis by reason of the economic condition facing the country. There is no other disease which thrives so well in the face of economic distress as does tuberculosis. If we have an increase in the prevalence of that disease and of the undernourishment associated with that disease we are bound to have an effect upon the mortality of pregnant women and also of newborn infants.

I was quite distressed to have one of the Senators say that infant mortality is not lowered by such a measure as the one which we have before us. Of course, that is the statement of a layman. It is a statement which can not be and never will be indorsed by any informed physician. The opposition of physicians to this measure is not founded at all upon the belief that such public-health measures have nothing to do with the welfare of the people. Their position, as I stated previously, is based principally upon the objection of the medical profession to anything in the way of State medicine and not at all upon the effect which such measures have upon the death rate.

I recited yesterday at some length the objections which were raised by the Medical Society of the State of New Jersey, and gave the reasons why, in my opinion, the first three of the six objections of this organization were hardly sustained by the facts. I find that the fourth reason advanced by the Medical Society of New Jersey is that—

> The $7,000,000 (approximately) expended by the National Government added to a like sum from the several States was largely wasted. Neither the Nation nor the States can afford to repeat such wastefulness.

Of course, if there was any waste of those funds it was because of waste on the part of the several States and not on the part of the Federal Government. I say this, because not a dollar of the money for medical purposes was expended by the Federal Government or by the Children's Bureau. That money was turned over to the States and administered wholly on the medical side by the health authorities of the various States. Therefore I am quite confident that there is no foundation for the fourth criticism of the Medical Society of New Jersey.

The fifth objection raised by the Medical Society of New Jersey is that—

> It is unfair to tax progressive States that do look after the health interests of their people to give to backward or careless States that do not show active interest in the welfare of their own citizens.

Disease is no respecter of geographical boundaries. If we have a given condition of health in one State, it is sure to be reflected in other States. If by reason of the failure of the so-called backward States—and that is not my own language—or if any State fails to administer its health laws properly, it is bound to result in such ill health and such failure of physical and mental development on the part of infants that when they move into other States those other States, no matter how "progressive," using the term in

quotation marks, they are sure to be affected adversely by this failure of other States to do their duty as regards this particular matter.

The sixth objection raised by the Medical Society of New Jersey is:

It is unwise, if not beyond the constitutional privileges, for the National Government to enter into the practice of medicine in the States, just as unwise and as wrong as it would be to interfere with the public schools or the police force.

I am frank to say I would object seriously to any interference with the public schools or the police force in my State. But it is perfectly absurd to say that the Federal Government is going into the practice of medicine in the States, because the bill does not contemplate by any stretch of the imagination that the Federal Government is to have anything to do with the care of the individual citizens in the States.

These are my own views regarding what I think is the mistaken idea of the officials of the Medical Society of New Jersey. But I want to make sure that the Senate is fully advised regarding the attitude of physicians generally and also to state that the majority of outstanding members of the profession, so far as I know, are heartily in favor of the legislation.

I have here, found in the hearings before the Committee on Interstate and Foreign Commerce of the House of Representatives on January 24–25, 1925, letters presented from various prominent physicians. For instance, here is a letter from Dr. Charles H. Mayo. I think undoubtedly the Mayo brothers are more widely known—and I say that in all deference to other physicians—perhaps more highly respected than any other men in American medicine. It is very interesting to me to find under date of January 30 this letter from Dr. Charles H. Mayo:

Federal aid to States for maternal and child hygiene activities is justifiable and advisable in reducing excessive mortality rate among mothers and infants.

And so Doctor Mayo says:

I am heartily in favor of Newton bill, especially if appropriation is used for educational activities under advice and cooperation of physicians, especially State health officer.

That is exactly what is proposed by this bill. I have letters here from other eminent physicians—from Rudolph Holmes, Doctor Rockwood, and others—and I ask unanimous consent, Mr. President, that, at the close of my remarks, the pages which I have indicated may be included in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. COPELAND. Likewise I wish to include in the RECORD a statement of Grace Abbott, Chief of the Children's Bureau, having charge of the nonmedical administration of the act, and of Mrs. Elizabeth McKenna, of New York City.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. COPELAND. I wish to quote very briefly a few words from Miss Abbott's report. There was recently held in Washington the child's welfare conference. It was my pleasure to attend that conference and to hear many of the discussions. I find a statement here that—

The committee on prenatal and maternal care, of which Dr. Fred L. Adair, of the medical faculty of the University of Chicago, is chairman, stated that prenatal care is of the very greatest value for the prevention of many maternal and fetal diseases and deaths.

Further quoting from that section of the report of the child's welfare conference:

Until the public at large is educated to the necessity for adequate maternal care, and demands that the maternal and fetal mortality that now exists in this country be reduced, little real progress can come.

So I think I may say for the outstanding members of the medical profession that there is indorsement for this measure. I am sure that the objections which have been raised to its enactment are not well founded from the standpoint of the medical profession.

Mr. President, it is my great privilege, by reason of the opportunity given me by certain newspapers and the radio, to talk on health to many citizens of this country. Because of this opportunity to address myself to a large audience, many responses in the way of letters have come to me. The other day I had one from a cultured woman, I judge from her letter, living in upper Canada. Apparently she is the wife of a mining engineer. She was living 80 miles by horseback from the nearest doctor. She was about to have her first baby, and, of course, had many questions she wanted to ask regarding her condition and what might be done to help her in her troubles.

Mr. President, there are many people living in our country, not, perhaps, 80 miles by horseback from the nearest doctor, but remote from the attention which women should be able to receive in this critical and trying time when they deserve certainly the greatest care that can be given. I want to impress upon the Senate that accidents at delivery are responsible many times for the crippling of infants. We have in our population about 6,000 cripples for every million of the population—just think of that, 6,000 cripples—and most of those cripples are in that condition by reason of hasty obstetrics or the failure of proper care at delivery.

Mr. President, I have it not in my heart, regardless of any philosophy of government, to deny to prospective mothers of America such care as they deserve to have and are entitled to have in this critical time of their lives. I would not for a moment stand here and defend any philosophy of government that would interfere with the happiness of these women and their welfare.

When a woman walks down into the valley of the shadow of death, as every woman does under these trying circumstances, it is a dreadful thing, indeed, to think that she has not had everything that medical science and nursing ability may give her to prepare her for the ordeal, to take her through it safely, and to save the precious little life which she has been carrying through the months.

Mr. President, I wonder how many of the Senators have read this touching little book, Beside the Bonnie Brier Bush, by Ian Maclaren, or Dr. John Watson, as he was in real life—a touching story. It goes straight to the heart—this chapter, Through the Flood, where Doctor MacLure has charge of Annie Mitchell. She was in the pains of childbirth, and I can quite imagine that there were conditions, by reason of the failure of proper care beforehand that threatened her very life:

He was a dull man, Tammas, who could not read the meaning of a sign, and labored under a perpetual disability of speech; but love was eyes to him that day, and a mouth.

"Is't as bad as yir lookin', doctor? tell's the truth; wull Annie no come through?" and Tammas looked MacLure straight in the face, who never flinched his duty or said smooth things.

"A' wud gie onything tae say Annie has a chance, but a' daurna; a' doot yir gaein' tae lose her, Tammas."

I ask, Mr. President, that this chapter may be included at this point in my remarks, because if time permitted I had intended to read it. I wanted the author to picture in his inimitable style the human suffering of our sister and for you to observe the beautiful treatment of the subject by this human writer.

The PRESIDING OFFICER (Mr. FESS in the chair). Without objection, the chapter referred to by the Senator from New York will be printed in the RECORD.

The matter referred to is as follows:

THROUGH THE FLOOD

Doctor MacLure did not lead a solemn procession from the sick bed to the dining room and give his opinion from the hearthrug with an air of wisdom bordering on the supernatural, because neither the Drumtochty houses nor his manners were on that large scale. He was accustomed to deliver himself in the yard, and to conclude his directions with one foot in the stirrup; but when he left the room where the life of Annie Mitchell was ebbing slowly away, our doctor said not one word, and at the sight of his face her husband's heart was troubled.

He was a dull man, Tammas, who could not read the meaning of a sign, and labored under a perpetual disability of speech; but love was eyes to him that day, and a mouth.

"Is't as bad as yir lookin', Doctor? Tell's the truth; wull Annie no come through?" And Tammas looked MacLure straight in the face, who never flinched his duty or said smooth things.

"A' wud gie onything tae say Annie hes a chance, but a' daurna; a' doot yir gaein' tae lose her, Tammas."

MacLure was in the saddle, and as he gave his judgment he laid his hand on Tammas's shoulder with one of the rare caresses that pass between men.

"It's a sair business, but ye'ill play the man and no vex Annie; she 'ill dae her best, a'll warrant."

"An' a'll dae mine," and Tammas gave MacLure's hand a grip that would have crushed the bones of a weakling. Drumtochty felt in such moments the brotherliness of this rough-looking man and loved him.

Tammas hid his face in Jess's mane, who looked round with sorrow in her beautiful eyes, for she had seen many tragedies, and in this silent sympathy the stricken man drank his cup, drop by drop.

"A' wesna prepared for this, for a' aye thocht she wud live the langest. * * * She's younger than me by 10 years, and never wes ill. * * * We've been mairit twal year laist Martinmas, but its juist like a year the day. * * * A' wes never worthy o' her, the bonniest, snoddest (neatest), kindliest lass in the Glen. * * * A' never cud mak oot hoo she ever lookit at me, 'at hesna hed ae word tae say aboot her till it's ower late. * * * She didna cuist up tae me that a' wesna worthy o' her, no her, but aye she said, 'Yir ma ain gudeman, and nane cud be kinder tae me.' * * * An' a' wes minded tae be kind, but a' see noo mony little trokes a' micht hae dune for her, and noo the time is bye. * * * Naebody kens hoo patient she wes wi' me, and aye made the best o' me, an' never pit me tae shame afore the fouk. * * * An' we never hed ae cross word, no ane in twal year. * * * We were mair nor man and wife, we were sweethearts a' the time. * * * Oh, ma bonnie lass, what 'ill the bairnies an' me dae withoot ye, Annie?"

The winter night was falling fast, the snow lay deep upon the ground, and the merciless north wind moaned through the close as Tammas wrestled with his sorrow dry-eyed, for tears were denied Drumtochty men. Neither the doctor nor Jess moved hand or foot, but their hearts were with their fellow creature, and at length the doctor made a sign to Marget Howe, who had come out in search of Tammas, and now stood by his side.

"Dinna mourn tae the brakin' o' yir hert, Tammas," she said, "as if Annie an' you hed never luved. Neither death nor time can pairt them that luve! there's naethin' in a' the warld sae strong as luve. If Annie gaes frae the sicht o' yir een she 'ill come the nearer tae yir hert. She wants tae see ye, and tae hear ye say that ye 'ill never forget her nicht nor day till ye meet in the land where there's nae pairtin'. Oh, a' ken what a'm sayin', for it's five year noo sin George gied awa, an' he's mair wi' me noo than when he wes in Edinboro' and I wes in Drumtochty."

"Thank ye kindly, Marget; thae are gude words and true, an' ye hev the richt tae say them; but a' canna dae without seein' Annie comin' tae meet me in the gloamin', an' gaein' in an' oot the hoose, an' hearin' her ca' me by ma name, an' a'll no can tell her that a' luve her when there's nae Annie in the hoose.

"Can naethin' be dune, doctor? Ye savit Flora Cammil, and young Burnbrae, an' yon shepherd's wife Dunleith wy, an' we were a sae prood o' ye, an' pleased tae think that ye hed keepit deith frae anither hame. Can ye no think o' somethin' tae help Annie, and gie her back tae her man and bairnies?" and Tammas searched the doctor's face in the cold, weird light.

"There's nae poorer in heaven or airth like luve," Marget said to me afterwards; "it maks the weak strong and the dumb tae speak. Oor herts were as water afore Tammas's words, an' a' saw the doctor shake in his saddle. A' never kent till that meenut hoo he hed a share in a'body's grief, an' carried the heaviest wecht o' a' the Glen. A' peetied him wi' Tammas lookin' at him sae wistfully, as if he hed the keys o' life an' deith in his hands. But he wes honest, and wudna hold oot a false houp tae deceive a sore hert or win escape for himsel'."

"Ye needna plead wi' me, Tammas, to dae the best a' can for yir wife. Man, a' kent her lang afore ye ever luved her; a' brocht her intae the warld, and a' saw her through the fever when she wes a bit lassikie; a' closed her mither's een, and it wes me hed tae tell her she wes an orphan, an' nae man wes better pleased when she got a gude husband, an' a' helpit her wi' her fower bairns. A've naither wife nor bairns o' ma own, an' a coont a' the fouk o' the Glen ma family. Div ye think a' wudna save Annie if I cud? If there wes a man in Muirtown 'at cud dae mair for her, a'd have him this verra nicht, but a' the doctors in Perthshire are helpless for this tribble.

"Tammas, ma puir fallow, if it could avail, a' tell ye a' wud lay doon this auld worn-oot ruckle o' a body o' mine juist tae see ye baith sittin' at the fireside, an' the bairns roond ye, couthy an' canty again; but it's no tae be, Tammas, it's no tae be."

"When a' lookit at the doctor's face," Marget said, "a thocht him the winsomest man a' ever saw. He was transfigured that nicht, for a'm judging there's nae transfiguration like luve."

"It's God wull an' maun be borne, but it's a sair wull for me, an' a'm no ungratefu' tae you, doctor, for a' ye've dune and what ye said the nicht," and Tammas went back to sit with Annie for the last time.

Jess picked her way through the deep snow to the main road, with a skill that came of long experience, and the doctor held converse with her according to his wont.

"Eh, Jess wumman, yon was the hardest wark a' hae tae face, and a' wud raither hae ta'en ma chance o' anither row in a Glen Urtach drift than tell Tammas Mitchell his wife wes deein'.

"A' said she cudna be cured, and it wes true, for there's juist ae man in the land fit for't, and they micht as weel try tae get the mune oot o' heaven. Sae a' said naethin' tae vex Tammas's hert, for it's heavy eneuch withoot regrets.

"But it's hard, Jess, that money wull buy life after a', an' if Annie wes a duchess her man wudna lose her; but bein' only a puir cottar's wife, she maun dee afore the week's oot.

"Gin we hed him the morn there's little doot she wud be saved, for he hesna lost mair than five per cent o' his cases, and they 'ill be puir toon's craturs, no strappin' women like Annie.

"It's oot o' the question, Jess, sae hurry up, lass, for we've hed a heavy day. But it wud be the grandest thing that was ever dune in the Glen in oor time if it could be managed by hook or crook.

"We 'ill gang and see Drumsheugh, Jess; he's anither man sin' Geordie Hoo's deith, and he wes aye kinder than fouk kent"; and the doctor passed at a gallop through the village, whose lights shone across the white frost-bound road.

"Come in by, doctor; a' heard ye on the road; ye 'ill hae been at Tammas Mitchell's; hoo's the gudewife? a doot she's sober."

"Annie's deein', Drumsheugh, an' Tammas is like tae brak his hert."

"That's no lichtsome, doctor, no lichtsome ava, for a' dinna ken ony man in Drumtochty sae bund up in his wife as Tammas, and there's no a bonnier wumman o' her age crosses oor kirk door than Annie, nor a cleverer at her wark. Man, ye 'ill need tae pit yir brains in steep. Is she clean beyond ye?"

"Beyond me and every ither in the land but ane, and it wud cost a hundred guineas tae bring him tae Drumtochty."

"Certes, he's no blate; it's a fell chairge for a short day's work; but hundred or no hundred we 'ill hae him, an' no let Annie gang, and her no half her years."

"Are ye meanin' it, Drumsheugh?" and MacLure turned white below the tan.

"William MacLure," said Drumsheugh, in one of the few confidences that ever broke the Drumtochty reserve, "a'm a lonely man, wi' naebody o' ma ain blude tae care for me livin' or tae lift me intae ma coffin when a'm deid.

"A' fecht awa at Muirtown market for an extra pund on a beast, or a shillin' on the quarter o' barley, an' what's the gude o't? Burnbrae gaes aff tae get a goon for his wife or a buke for his college laddie, an' Lachlan Campbell 'ill no leave the place noo withoot a ribbon for Flora.

"Ilka man in the Kildrummie train has some bit fairin' in his pooch for the fouk at hame that he's bocht wi' the siller he won.

"But there's naebody tae be lookin' oot for me, an' comin' doon the road tae meet me, and daffin' (joking) wi' me aboot their fairin', or feeling ma pockets. Ou ay, a've seen it a' at ither hooses, though they tried tae hide it frae me for fear a' wud lauch at them. Me lauch, wi' ma cauld, empty hame!

"Yir the only man kens, Weelum, that I ainee luved the noblest wumman in the glen or onywhere, an' a' luve her still, but wi' anither luve noo.

"She hed given her heart tae anither, or a've thocht a' micht hae won her, though nae man be worthy o' sic a gift. Ma hert turned tae bitterness, but that passed awa beside the brier bush whar George Hoo lay yon sad simmer time. Some day a'll tell ye ma story, Weelum, for you an' me are auld freends, and will be till we dee."

MacLure felt beneath the table for Drumsheugh's hand, but neither man looked at the other.

"Weel, a' we can dae noo, Weelum, gin we haena mickle brichtness in oor ain hames, is tae keep the licht frae gaein' oot in anither hoose. Write the telegram, man, and Sandy 'ill send it aff frae Kildrummie this verra nicht, and ye 'ill hae yir man the morn."

"Yir the man a' coonted ye, Drumsheugh, but ye 'ill grant me ae favour. Ye 'ill let me pay the half, bit by bit—a' ken yir wullin' tae dae't a'—but a' haena mony pleesures, an' a' wud like tae hae ma ain share in savin' Annie's life."

Next morning a figure received Sir George on the Kildrummie platform, whom that famous surgeon took for a gillie, but who introduced himself as "MacLure of Drumtochty." It seemed as if the East had come to meet the West when these two stood together, the one in traveling furs, handsome and distinguished, with his strong, cultured face and carriage of authority, a characteristic type of his profession; and the other more marvelously dressed than ever, for Drumsheugh's topcoat had been forced upon him for the occasion, his face and neck one redness with the bitter cold; rough and ungainly, yet not without some signs of power in his eye and voice, the most heroic type of his noble profession. MacLure compassed the precious arrival with observances till he was securely seated in Drumsheugh's dogcart—a vehicle that lent itself to history—with two full-sized plaids added to his equipment—Drumsheugh and Hillocks had both been requisitioned—and MacLure wrapped another plaid round a leather case, which was placed below the seat with such reverence as might be given to the queen's regalia. Peter attended their departure full of interest, and as soon as they were in the fir woods MacLure explained that it would be an eventful journey.

"It's a' richt in here, for the wind disna get at the snaw, but the drifts are deep in the Glen, and th'ill be some engineerin' afore we get tae oor destination."

Four times they left the road and took their way over fields, twice they forced a passage through a slap in a dyke, thrice they used gaps in the paling which MacLure had made on his downward journey.

"A' seleckit the road this mornin', an' a' ken the depth tae an inch; we 'ill get through this steadin' here tae the main road, but oor worst job 'ill be crossin' the Tochty.

"Ye see the bridge has been shakin' wi' this winter's flood, and we daurna venture on it, sae we hev tae ford, and the snaw's been melting up Urtach way. There's nae doot the water's gey big, and it's threatenin' tae rise, but we 'ill win through wi' a warstle.

"It micht be safer tae lift the instruments oot o' reach o' the water; wud ye mind haddin' them on yir knee till we're ower, an' keep firm in yir seat in case we come on a stane in the bed o' the river."

By this time they had come to the edge, and it was not a cheering sight. The Tochty had spread out over the meadows, and while they waited they could see it cover another two inches on the trunk of a tree. There are summer floods, when the water is brown and flecked with foam, but this was a winter flood, which is black and sullen, and runs in the center with a strong, fierce, silent current. Upon the opposite side Hillocks stood to give directions by word and hand, as the ford was on his land, and none knew the Tochty better in all its ways.

They passed through the shallow water without mishap, save when the wheel struck a hidden stone or fell suddenly into a rut; but when they neared the body of the river MacLure halted to give Jess a minute's breathing.

"It 'ill tak ye a' yir time, lass, an' a' wud raither be on yir back; but ye never failed me yet, and a wumman's life is hangin' on the crossin'."

With the first plunge into the bed of the stream the water rose to the axles, and then it crept up to the shafts, so that the surgeon could feel it lapping in about his feet, while the dogcart began to quiver, and it seemed as if it were to be carried away. Sir George was as brave as most men, but he had never forded a Highland river in flood, and the mass of black water racing past beneath, before, behind him, affected his imagination and shook his nerves. He rose from his seat and ordered MacLure to turn back, declaring that he would be condemned utterly and eternally if he allowed himself to be drowned for any person.

"Sit doon," thundered MacLure; "condemned ye will be suner or later gin ye shirk yir duty, but through the water ye gang the day."

Both men spoke much more strongly and shortly, but this is what they intended to say, and it was MacLure that prevailed.

Jess trailed her feet along the ground with cunning art and held her shoulder against the stream; MacLure leant forward in his seat, a rein in each hand, and his eyes fixed on Hillocks, who was now standing up to the waist in the water, shouting directions and cheering on horse and driver.

"Haud tae the richt, doctor; there's a hole yonder. Keep oot o't for ony sake. That's it; yir daein' fine. Steady, man, steady. Yir at the deepest; sit heavy in yir seats. Up the channel noo, and ye 'll be oot o' the swirl. Weel dune, Jess, weel dune, auld mare! Mak straicht for me, doctor, an' a'll gie ye the road oot. Ma word, ye've dune yir best, baith o' ye this mornin'," cried Hillocks, splashing up to the dogcart, now in the shallows.

"Sall, it wes titch an' go for a meenut in the middle; a Hielan' ford is a kittle (hazardous) road in the snaw time, but ye're safe noo.

"Gude luck tae ye up at Westerton, sir; nane but a richt-hearted man wud hae riskit the Tochty in flood. Ye're boond tae succeed aifter sic a graund beginnin'," for it had spread already that a famous surgeon had come to do his best for Annie, Tammas Mitchell's wife.

Two hours later MacLure came out from Annie's room and laid hold of Tammas, a heap of speechless misery by the kitchen fire, and carried him off to the barn and spread some corn on the threshing floor and thrust a flail into his hands.

"Noo we've tae begin, an' we 'ill no be dune for an' oor, and ye've tae lay on withoot stoppin' till a' come for ye, an' a'll shut the door tae haud in the noise, an' keep yir dog beside ye, for there maunna be a cheep aboot the hoose for Annie's sake."

"A'll dae onything ye want me, but if—if——"

"A'll come for ye, Tammas, gin there be danger; but what are ye feared for wi' the Queen's ain surgeon here?"

Fifty minutes did the flail rise and fall, save twice, when Tammas crept to the door and listened, the dog lifting his head and whining.

It seemed 12 hours instead of 1 when the door swung back, and MacLure filled the doorway, preceded by a great burst of light, for the sun had arisen on the snow.

His face was as tidings of great joy, and Elspeth told me that there was nothing like it to be seen that afternoon for glory, save the sun itself in the heavens.

"A' never saw the marrow o't, Tammas, an' a'll never see the like again; it's a' ower, man, withoot a hitch frae beginnin' tae end, and she's fa'in' asleep as fine as ye like."

"Dis he think Annie * * * 'ill live?"

"Of coorse he dis, and be aboot the hoose inside a month; that's the gude o' bein' a clean-bluided, weel-livin'——"

"Preserve ye, man, what's wrang wi' ye? It's a mercy a' keppit ye, or we wud hev hed anither job for Sir George.

"Ye're a' richt noo; sit doon on the strae. A'll come back in a whilie, an' ye 'ill see Annie juist for a meenut, but ye maunna say a word."

Marget took him in and let him kneel by Annie's bedside.

He said nothing then or afterwards, for speech came only once in his lifetime to Tammas, but Annie whispered, "Ma ain dear man."

When the doctor placed the precious bag beside Sir George in our solitary first next morning, he laid a cheque beside it and was about to leave.

"No, no," said the great man. "Mrs. Macfadyen and I were on the gossip last night, and I know the whole story about you and your friend.

"You have some right to call me a coward, but I'll never let you count me a mean, miserly rascal," and the cheque with Drumsheugh's painful writing fell in 50 pieces on the floor.

As the train began to move a voice from the first called so that all in the station heard.

"Give's another shake of your hand, MacLure; I'm proud to have met you; you are an honour to our profession. Mind the antiseptic dressings."

It was market day, but only Jamie Soutar and Hillocks had ventured down.

"Did ye hear yon, Hillocks? Hoo dae ye feel? A'll no deny a'm lifted."

Halfway to the junction Hillocks had recovered, and began to grasp the situation.

"Tell's what he said. A' wud like to hae it exact for Drumsheugh."

"Thae's the eedentical words, an' they're true; there's no a man in Drumtochty disna ken that, except ane."

"An' wha's that, Jamie?"

"Lt's Weelum MacLure himsel. Man, a've often girned that he sud fecht awa for us a', and maybe dee before he kent that he hed githered mair luve than ony man in the Glen.

"'A'm prood tae hae met ye', says Sir George, an' him the greatest doctor in the land. 'Yir an honour tae oor profession.'

"Hillocks, a' wudna hae missed it for 20 notes," said James Soutar, cynic-in-ordinary to the parish of Drumtochty.

Mr. COPELAND. Mr. President, I do not want it to come to pass that this shall be the time of which the Master spoke. I have read in the twenty-third chapter of St. Luke the story of Jesus on his way to Calvary, and of the great crowds which followed after Him. Many mothers were in the multitude, and He turned to them, saying:

> Daughters of Jerusalem, weep not for me, but weep for yourselves, and for your children.
>
> For, behold, the days are coming, in which they shall say, Blessed are the barren, and the wombs that never bare, and the paps which never gave suck.

Mr. President, I do not want this to be the time when it shall be a blessed thing for our women to be barren. On the contrary, I want to feel, and I want every mother in America, every woman in America, every prospective mother to know that the Government of the United States is interested in the welfare of the women of America. I fear sometimes we are more interested in material things than we are in human things.

As I conceive it, the purpose of government is not only to protect property—it is that, of course—but it is also to protect human beings. If the purpose of government is to serve humanity, here is a bill which should be enacted. We should send out to the women of America a message of cheer. We should assure every prospective mother in America that her welfare is of the keenest interest to her Government.

So, Mr. President, I hope that when we come to vote upon recommitting this bill we will vote down the motion overwhelmingly, and when it comes to its passage, that we shall enact it into law, because in my judgment it is a bill which will make for the welfare of the mothers of our country.

Senators, if you have gone into the room and have seen the white-faced, white-lipped little mother, hollow-eyed, suffering, almost at the entrance to the valley of death, and if you felt that there were things that might have been done to relieve her of her misery and to make easier this great ordeal, I am sure by a vote for this bill you will have proved you are worthy of the high trust imposed upon you. I beg of Senators not to give regard to some doubtful philosophy of government, but to think of the human side and to respect the humane instincts of your heart. Let us do what we can do to relieve the misery of every prospective mother in America.

(The extracts ordered printed at the conclusion of Mr. COPELAND's remarks are as follows:)

ROCHESTER, MINN., *January 30, 1929.*

Hon. WALTER H. NEWTON,
House of Representatives:

Federal aid to States for maternal and child-hygiene activities is justifiable and advisable to reduce the excessive mortality rate among mothers and infants. I am heartily in favor of Newton bill, especially if appropriation is used for educational activities under advice and cooperation of physicians, especially State health officer.

CHARLES H. MAYO.

STATEMENT OF RUDOLPH WIESER HOLMES

(Fellow of American Medical Association; specialist in obstetrics and gynecology, associate clinical professor in obstetrics and gynecology, Rush Medical College, Chicago; chief department of obstetrics, Augustana Hospital; obstetrician, Passavant Memorial Hospital; member Illinois State Medical Society, Chicago Medical Society, Chicago Gynecological Society; fellow of American College of Surgeons, Institute of Medicine, Chicago; American Gynecological Society)

JANUARY 13, 1929.

The following statement is submitted by Dr. Rudolph W. Holmes, of Chicago. Illness prevented Doctor Holmes from appearing before the committee to state his support of the bill:

I would state these few facts, which you may use if you so desire:

First. The medical profession has felt that the Sheppard-Towner Act was for the purpose of the Federal Government going into the practice of medicine—the entering wedge of State medicine. The profession does not know the real purpose of the Sheppard-Towner law, neither the purpose of the proposed Newton bill.

Second. I have followed the effects of the maternity and infancy act and feel very strongly that its essential purpose and result has been a highly profitable educational campaign; it has brought to the attention of women, especially of rural and small communities, the knowledge what prenatal care will do in safeguarding their lives and the lives of their infants. At the same time this knowledge has been brought to the rural physicians and midwives. As both physicians and prospective mothers have been educated as to the vital necessity of adequate prenatal care, and have seen to it that this care has been meted out to the prospective mothers, the advance in rural obstetrics, especially in the South, has been of startling value. I firmly believe that the Sheppard-Towner Act has effected such progress in rural obstetrics that at the present moment the gains are surely 25 years ahead of where they would have been without this act. I firmly believe that the Newton bill should become the law so that the Children's Bureau may continue the good work.

I would point out that such aid can not show results in a year—the full benefit will accrue as the years pass. Inspired by the Sheppard-Towner Act, improved obstetrics has been brought to the poor woman in the backwoods and the mountain sections; each year the gain in the lowered mortality and morbidity rate will show marked improvement.

No one has seriously objected to appropriations for the eradication of the boll weevil, corn borer, hog cholera, etc.; why should there be objection to the saving of maternal and infant life when such life is worth at least $10,000 per capita to the Nation?

Truly yours,

R. W. HOLMES.

STATEMENT OF DR. H. L. ROCKWOOD

(Fellow of American Medical Association, specialist in internal medicine)

DEPARTMENT OF PUBLIC HEALTH AND WELFARE,
Cleveland, Ohio, January 9, 1929.

Hon. WILLIAM H. NEWTON,
House of Representatives, Washington, D. C.

DEAR MR. NEWTON: Referring to House bill 14070 which you have introduced to promote the welfare and hygiene of mothers and children and aid in the reduction of infant and maternal mortality, I beg to advise that I am in entire sympathy with the purposes of this bill and believe that our Federal Government can well take notice of the needs in the promotion of health and welfare of children in such State and Territorial agencies as are not at the present time able to render these needed services in public health.

Surely our Federal Government should be as much concerned in these matters as in those activities which call for appropriations for the reduction of diseases in such matters as the animal and plant industries or in forest conservation, etc.

Yours very truly,

H. L. ROCKWOOD, M. D.,
Commissioner of Health.

STATEMENT OF DR. C. S. BACON

(Fellow of American Medical Association, specialist in obstetrics and gynecology; member of Chicago Gynecological Society, Illinois Medical Society, Chicago Medical Society (president, 1905–6), Physicians' Club; corresponding member Society of Physicians, Vienna, Austria; American College of Surgeons, Chicago Pathological Society; professor of obstetrics, Chicago Policlinic since 1895; head of department of obstetrics and gynecology, University of Illinois Medical School since 1903; attending obstetrician to Henrotin, Policlinic, University, Evangelical, Deaconess, Grant, and Chicago Lying-in Hospitals; chief of staff Salvation Army Hospital; author Obstetrical Nursing, 1915; also numerous papers on gynecological and obstetrical subjects)

JANUARY 10, 1929.

Hon. WALTER H. NEWTON,
Member of Congress, Washington, D. C.

DEAR SIR: I have watched with considerable care and much interest the operation of the Sheppard-Towner bill, and have become convinced that it has done much good in most of the States in improving prenatal care and decreasing maternal mortality in childbed. Consequently it seems to me regrettable that the act was not renewed. I understand that the bill introduced by you (H. R. 14070) has for its purpose the extension of the work begun under the Sheppard-Towner Act. This purpose is certainly good, and the provisions of the bill seem to be wise. Hence I am glad to indorse it and I hope it will become a law.

Very truly yours,

C. S. BACON,
Professor Emeritus of Obstetrics, University of Illinois.

STATEMENT OF DR. ROBERT L. DE NORMANDIE

(Instructor in obstetrics in the Medical School of Harvard University; fellow of American Medical Association; specialist in gynecology and obstetrics)

BOSTON, *January 8, 1929.*

Hon. WALTER H. NEWTON,
House Office Building, Washington, D. C.

MY DEAR MR. NEWTON: Ever since the Children's Bureau was formed I have followed with interest and with much profit its work. When it became clear that the Sheppard-Towner Act was to stop, it was with great pleasure that I found you had introduced a bill into Congress for a child-welfare extension service.

The educational work that is coming from the Sheppard-Towner Act can not as yet be wholly evaluated, and to have this splendid work cease functioning now seems to be a great mistake. Your bill makes it possible to continue the educational work that is just begun.

I am very glad to see that in your bill you have kept the administration of the work with the Children's Bureau, for it was this bureau that had the vision and enthusiasm to initiate and to carry out this work when another department of the Government said it was not interested.

I do hope that Congress will act favorably upon your bill.

Sincerely yours,

ROBERT L. DE NORMANDIE.

STATEMENT OF DR. RICHARD OLDING BEARD

(Associate professor of physiology and physical chemistry, University of Minnesota; member of American Roentgen Ray Society; Hennepin County Public Health Association—officers, William F. Kunze, president; Dr. F. Denton White, vice president; Dr. Henry Wireman Cook, vice president; Mrs. Willis Endsley, secretary; Charles H. Briggs, treasurer; Dr. Richard Olding Beard, executive secretary)

MINNEAPOLIS, MINN., *January 4, 1929.*

Hon. WALTER H. NEWTON,
House Office Building, Washington, D. C.

MY DEAR SIR: The work done through the agency of the Children's Bureau under the Sheppard-Towner Act has laid a broad foundation in many States of the Union for the saving of mothers who to the number of some 17,000 are annually sacrificed in maternity, of stillborn babies who, to the number of some 100,000—and most of them needlessly—die before birth, and of infants who in approximately the same number are born alive, but from similar causes succumb within the first year of life. This work most urgently needs to be carried on to its full fruition under the improved mechanism of the Newton bill recently introduced by you in the Congress.

The Newton bill, should it be enacted, promises to be even superior to the excellent Sheppard-Towner Act in the following respects:

(1) It provides for the more flexible use of the funds to be devoted to its beneficent purposes.

(2) Without conditioning State participation upon State appropriation it gives opportunity to the several States to share in the support of this service.

(3) It extends its benefits to their directed use not only by State health commissions, but through them by county, municipal, and voluntary health institutions which are competently engaged in promoting the salvage of maternal and infant life, and even by individuals who are devoting approved efforts and personal means to the same ends.

(4) It calls for the appointment of a larger body of representative and expert persons for the direction of the service.

There are no more valuable assets than this bill is designed to save to the Nation. To the lofty sentiment of all mankind the mother and the child appeal. Of the economy of life-saving at its best there is no denial. To the value of human health the American people are more keenly alive than at any previous period of its history. In the protection and improvement of young life it finds the fullest promise of its own future.

No lover of his kind but will merge political considerations and personal interests in support of this bill.

Very respectfully yours,

RICHARD OLDING BEARD,
Executive Secretary.

UNIVERSITY OF MINNESOTA,
Minneapolis, January 19, 1929.

Hon. WALTER H. NEWTON,
House of Representatives, Washington, D. C.

MY DEAR MR. NEWTON: I have previously written to you at times regarding legislation relative to maternity and infancy. I have for many years past been considerably interested in developing a program which would insure better care for mothers.

While I am not in entire sympathy with plans of Federal subsidy and Federal control of State and local activities, the plan seems to be carried out with reference to many forms of activities other than health. As long as this seems to be definitely established by other precedents, I do not feel any serious compunction in applying the same sort of policy to health activities.

I think excellent work has been done by the Children's Bureau in educating the laity to the importance of proper maternal care. It would take many years to determine the results of such an educational program. I am fully aware that this has met with antagonism from medical men and medical organizations. I fail to see how the carrying out of this program has been detrimental to the best interests of the medical profession. The source of this antagonism is, I believe, due more to a fear of possible interference with private practitioners and the dread of the possibility of the establishment of so-called State medicine.

I believe we all regard the carrying on of health activities as essentially local affairs, but so long as the Federal board continues its past policy of noninterference in ways and means, and limits its action to an educational program and stimulation of local activities by financial and other methods of support, I am very glad indeed to approve of their plan.

Trusting that this letter will explain to you my position relative to your bill which has been introduced into Congress, I am

Very sincerely yours,

FRED L. ADAIR, M. D.

STATEMENT OF DR. WOODARD COLBY, OF ST. PAUL

(Assistant professor of pediatrics at the University of Minnesota Medical College and affiliated with the following organizations: Northwest Pediatrics Society, Minnesota Medical Association, Medical Forum (Twin Cities); chairman of the child welfare committee of the Wilder Amhurst Charities of St. Paul)

ST. PAUL, MINN., *November 9, 1927.*

Miss MARGARET WELLS,
President Minnesota League of Women Voters,
Minneapolis, Minn.

DEAR MISS WELLS: With considerable evidence in your possession in the form of previous letters from mothers who have benefited by one or several of the services offered by the division of child hygiene, you already know what the maternal phase of the Sheppard-Towner program has accomplished in Minnesota. I regret that since my own experience in the work has been definitely that of a pediatrist, I shall be unable to add anything to your knowledge from an obstetrical point of view.

However, having conducted during the last five years more than 50 clinics for infants and young children I do feel distinctly conscious of the fundamental factors in the pediatrics program of the infancy-maternity work. First, I think the majority of mothers in Minnesota honestly want to do everything in their power to bring healthy babies into the world and help them develop into strong children and to do it in such a way as to maintain the necessary health and strength in themselves which the fulfillment of motherhood requires.

Second, I think certain sections of Minnesota, particularly northern Minnesota, have very great need of health education of this type, and that there is no section of the State which does not have some need of it. That this need of public-health measure is not fully realized is shown by the fact that the giving of toxin-antitoxin as a prophylaxis against diphtheria, which is a well-established practice in cities, is just being adopted in the country. Proper infant care, proper infant feeding, prophylactic procedures in the control of contagious diseases of childhood, period physical examinations, systematic routine, and balanced diet for your children are still only partly carried out.

That some progress has been made is shown by the fact that the clinics are larger and more in demand and that the parents return year after year to have their children examined. This demonstrates that the work of the division of child hygiene and the department of public health is showing the way but it is only begun.

Health promotion in a sense is advertising which, to the medical profession, is still ethically taboo. For this reason and until the time comes when this prejudice is outgrown a central agency such as child hygiene and the department of public health must show the way and promote the health standards of this country.

Sincerely yours,

WOODARD COLBY.

THE CHILDREN'S HOSPITAL,
St. Paul, Minn., November 8, 1927.

Miss MARGUERITE M. WELLS,
President Minnesota League of Women Voters,
Minneapolis, Minn.

MY DEAR MISS WELLS: I postponed answering your letter of October 12 in order to make some further inquiries among the physicians as to how they felt about the department of child hygiene created in association with the State board of health under the Sheppard-Towner Act.

I have been working in close cooperation with this bureau for several years and I have never had any doubt as to its great value in promoting education among the masses of the people, and especially among the mothers, resulting in immense benefits to the health of the children.

I think that the department of child hygiene is extremely popular with the people. There has been some misunderstanding on the part of a few physicians who have had the old attitude that before anything much could be done for a child it had to first get good and sick. Prevention is a comparatively new idea, and, of course, the great future of medicine will be preventive medicine. Even the country doctor is gradually finding out that an educated people is better than an ignorant one, and that intelligent people bring their children regularly to the physician for examination, which the ignorant do not do.

I believe it would be a calamity to have this act repealed, inasmuch as we have no Cabinet officer representing public health, and the nearest thing to it is the Children's Bureau in the Department of Labor. From this bureau disseminates uniform information regarding the health and care of children, which is distributed widely by means of the department of child hygiene in the different States. The department of child hygiene is, therefore, doing a great service which would not be carried on uniformly, except in a few States, if it were abolished.

You may register me as decidedly in favor of the continuation of the Sheppard-Towner Act.

Very sincerely yours,

DR. WALTER R. RAMSEY.

STATEMENT OF DR. GEORGE GELLHORN

(Fellow of American Medical Association, specialist in obstetrics and gynecology, professor of gynecology and obstetrics, and director of department, St. Louis University Medical School; gynecologist in chief, St. Mary's and Missouri Pacific Hospitals; gynecologist, Bernard Free Skin and Cancer Hospital; gynecologist and obstetrician, St. Luke's and City Hospitals; consulting gynecologist and obstetrician, Jewish Hospital; medical director, Municipal Prenatal Clinics and St. Louis Obstetric Dispensary; member of American Gynecological Society, American Gynecological Club (president, 1918), St. Louis Medical Society, etc.)

ST. LOUIS UNIVERSITY SCHOOL OF MEDICINE,
St. Louis, Mo., January 12, 1929.

Hon. WALTER H. NEWTON,
House Office Building, Washington, D. C.

MY DEAR MR. NEWTON: For the past six years I have watched with interest the work that has been accomplished in Missouri as the result of State and Federal cooperation under the Sheppard-Towner Act. The State health department, through its division of child hygiene, has done valiant service by holding child-health conferences in rural and inaccessible districts, and by advising and helping mothers who asked for instruction and aid both before and after childbirth. I am attaching a sheet that carries a few figures which show some of the things accomplished. I am convinced that this work has appreciably lessened the infant death rate in Missouri.

It is important that this excellent attempt at reducing useless sacrifices of life should go on without interruption. It was, therefore, with great pleasure that I learned of the bill you are sponsoring which will provide for a child-welfare extension service in the Children's Bureau to promote the welfare and hygiene of mothers and children and aid in the reduction of infant and maternal mortality.

With best wishes for the early enactment into law of your splendid measure, I am,

Yours sincerely,

GEORGE GELLHORN,
Professor of Gynecology and Obstetrics.

STATEMENT OF DR. SAMUEL M'CLINTOCK HAMILL

(Fellow of American Medical Association, specialist in pediatrics; member of American Pediatric Society, Philadelphia Pediatric Society, Philadelphia Neurological Society, Pathological Society of Philadelphia, Medical Society of State of Pennsylvania (first chairman section of pediatrics), College of Physicians of Philadelphia; member of General Medical Board and chairman of National Child Welfare Committee of Council National Defense; director child welfare for State of Pennsylvania, 1917–18; delegate Cannes Medical Conference of Red Cross Society, 1919; president and director of Philadelphia Child Health Society; member American Association for Study and Prevention of Infant Mortality (president 1915–16); member executive committee American Child Health Association since 1923; professor diseases of children, Philadelphia Polyclinic and College for Graduates in Medicine, 1901–1919; postgraduate department of medicine, University of Pennsylvania, 1919–20; visiting pediatrician, Presbyterian Hospital, formerly St. Christopher's Hospital for Children and Philadelphia Polyclinic)

PHILADELPHIA, *January 14, 1929.*

Hon. WALTER H. NEWTON,
House of Representatives, Washington, D. C.

MY DEAR SIR: I have read with a great deal of interest a copy of the excellent and comprehensive bill introduced by you to provide a child-welfare extension service and known as the Newton bill.

I have followed the administration of the Sheppard-Towner Act very closely during the years it has been effective and thoroughly convinced myself of its value in the saving in life and the upbuilding in health of mothers and children. However, evidence

much more valuable than that which I can give—namely, the unanimous support of the health officers of the country throughout its entire history—is available to you. I have never quite comprehended the animus of the opposition to the Sheppard-Towner Act. The assumption that the States are capable of meeting the maternity and child-health needs of the country is not well founded. I know of no State in the entire country in which there is a sufficiently large appropriation to meet the health needs, and all the health officers have a tremendous struggle from year to year to secure the paltry sums granted them.

We have thought so many years in the terms of ill health that the great American public has not yet become educated to the point of realizing that most of the ills we are subject to are preventable. The tremendous cost to the Nation of sickness, not alone to the individual family but through its handicapping influence to every art and industry, does not seem to be understood. Most of these handicaps have their beginnings in infancy and childhood. We appropriate vast sums of money for the education of our children, but health, which is fundamental to all else in life, is given very little consideration.

A few years ago Doctor Tigert, Chief of the Bureau of Education, issued the statement that 50 per cent of the children in the first grades of our schools were repeaters. Each repetition costs the country $80. As a very large percentage of these repetitions were due to ill health, and as there were 4,000,000 children in the first grades of our schools, you can readily compute the cost to the country of these handicapping influences.

The thing that is most needed in the health field to-day is the work which has been made possible by the Sheppard-Towner Act and which should be continued under the conditions defined in the Newton bill. Aside from the bill's direct value it has an educational influence that is highly important.

If there is any service I can render in furthering the progress of this bill, I should be very pleased to have you call upon me. With the backing of every health officer of the country and of every thinking pediatrician, I should think you would have sufficient evidence to convince the most skeptical.

With sincere appreciation of your effort in behalf of the mothers and children of the Nation, I am,

Very truly yours,

S. McC. HAMILL.

PHILADELPHIA, *January 17, 1929.*

Hon. WALTER H. NEWTON,
Interstate and Foreign Commerce Committee,
House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN NEWTON: May I take the liberty of writing you my assurance of support of your bill (H. R. 14070) to provide a child welfare extension service.

The deaths among mothers and babies have been materially reduced through the operation of the Sheppard-Towner Act; and I pray that Congress will approve your bill, that the citizens of this great State may thereby continue to enjoy increasing protection of the health of its women and children.

I feel sure that all thoughtful physicians in Pennsylvania will wish your measure success.

Very sincerely yours,

HOWARD CHILDS CARPENTER, M. D.

ST. LOUIS, MO., *January 19, 1929.*

Hon. WALTER H. NEWTON,
House Office Building, Washington, D. C.

DEAR SIR: In spite of the leadership in public-health matters taken by the United States, it ranks very low among the nations of the world in the matter of maternity care. A dozen European countries have a percentage death rate lower than that in the United States. The reason for this is twofold: (1) The unusual extent of territory to be covered in the care of the expectant mother. (2) The absence of a proper system for supplying medical service in the outlying districts of this country.

The Sheppard-Towner bill was an important step in the right direction, since it assisted those States that needed help in carrying out the necessary maternal welfare work. The Newton bill will prevent a return of this country to the lamentable conditions prevailing previous to 1921. The Newton bill is superior in that it supplies aid where it is most needed. It is a proper function of the Federal Government to give equally to every mother in this country equal opportunities for a safe delivery of her child and safe care of her newborn infant.

I sincerely trust that the Newton bill will be passed by the present session of Congress.

Very sincerely yours,

FRED J. TAUSSIG.

PHILADELPHIA, PA., *January 22, 1929.*

Hon. WALTER H. NEWTON,
Interstate and Foreign Commerce Committee,
House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN NEWTON: I wish to record my hearty support of your bill (H. R. 14070) providing for continuance of the work so ably begun under the Sheppard-Towner Act. The State of Pennsylvania has benefited greatly by Federal funds appropriated under this act. The infant mortality rate has been materially lowered, the maternal mortality rate has been somewhat reduced, and I feel that a great impetus has been given to educational work in maternity and infancy hygiene. Such valuable work should by all means go on.

With sincere good wishes for the success of so vital a measure, I am,

Sincerely yours,

RALPH M. TYSON, M. D.

PHILADELPHIA, PA., *January 22, 1929.*

Hon. WALTER H. NEWTON,
Interstate and Foreign Commerce Committee,
House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN NEWTON: I wish to record my hearty support of your bill (H. R. 14070) providing for continuance of the work so ably begun under the Sheppard-Towner Act. Where this act has been operative maternal and infant mortality show a decline that can be directly traced to the influence of this measure. Educationally it has proved of enormous value and from both angles therefore should be continued. It would be a most distressing calamity at this stage if your meritorious bill should fail of passage.

Sincerely yours,

EDWARD L. BAUER, M. D.,
Professor of Children's Diseases,
Jefferson Medical College, Philadelphia, Pa.

STATEMENT OF DR. W. P. JACKSON

(Fellow of American Medical Association, specialist in internal medicine)

[Excerpt from a letter dated January 12, 1929, from Dr. W. P. Jackson, of the Jefferson Hospital, Roanoke, Va.]

In answer to some questions that I put to the State department of health, they state that their nurses, supported partially from the Sheppard-Towner fund last year, held as a part of their duty 300 health conferences, instructed 1,600 mothers in prenatal care, and over 1,400 girls in the care of infants and children, and they made approximately 118,576 home visits for instructive health education. There were, I think, approximately 50 nurses in this work. No one can estimate how many future lives were saved by such a program nor can we estimate the financial saving of such a program, even after considering from Doctor Dublin's calculation that every person thus saved and reared to the age of 18 years, if the peak of his earning capacity through life is only $2,500 a year. This, of course, is the record of only one State. Such magnificent work I feel can not be too strongly indorsed and I feel it a great privilege to write you a note indorsing the bill. I certainly hope it will be passed. I wish there was something more I could do to help foster such a great campaign. The improvement of child health and child welfare seems to me to offer one of the greatest opportunities of the day.

CHICAGO, *January 10, 1929.*

Hon. WALTER H. NEWTON,
Member of Congress, Washington, D. C.

DEAR SIR: I have watched with considerable care and much interest the operation of the Sheppard-Towner bill and have become convinced that it has done much good in most of the States in improving prenatal care and decreasing maternal mortality in childbed. Consequently it seems to me regrettable that the act was not renewed. I understand that the bill introduced by you (H. R. 14070) has for its purpose the extension of the work begun under the Sheppard-Towner Act. This purpose is certainly good and the provisions of the bill seem to be wise. Hence, I am glad to indorse it and I hope it will become a law.

Very truly yours,

C. S. BACON, M. D.,
Professor Emeritus of Obstetrics, University of Illinois.

STATEMENT OF DR. WILLIAM B. M'ILWAINE

(Specialist in pediatrics; diseases of children; 434 West Washington Street)

PETERSBURG, VA., *January 11, 1929.*

Hon. WALTER H. NEWTON,
House Office Building, Washington, D. C.

DEAR SIR: I am very much interested in the passage of the Newton bill at this short session of Congress.

Virginia has derived much benefit from the Sheppard-Towner fund, and I believe that the present Newton bill will be of even a greater help to the State and the mothers and infants it will take care of.

I am sure all the doctors in this community join me in hoping that this bill will not be put off but acted on at this time.

Very truly yours,

WM. B. MCILWAINE, M. D.

PROVIDENCE, R. I., *January 10, 1929.*

Hon. WALTER H. NEWTON,
House of Representatives, Washington, D. C.

DEAR SIR: I am writing to you at this time to indicate my interest and approval of the infancy and maternity bill, H. R. 14070, in which you have shown much concern.

As a member of the executive committee of the Conference of State and Provincial Health Authorities of North America, I have considered rather carefully your bill, and, with a few changes

suggested by this committee, it meets with my hearty approval. Our committee very greatly appreciates your interest in this matter, and the members of the same anticipate your success in securing the passage of this bill during the present session of Congress.

Respectfully,

B. M. RICHARDS, M. D.,
Commissioner of Public Health.

DEPARTMENT OF PUBLIC HEALTH AND WELFARE,
Cleveland, January 9, 1929.

Hon. WALTER H. NEWTON,
House of Representatives, Washington, D. C.

DEAR MR. NEWTON: Referring to House bill 14070, which you have introduced to promote the welfare and hygiene of mothers and children and aid in the reduction of infant and maternal mortality, I beg to advise that I am in entire sympathy with the purposes of this bill, and believe that our Federal Government can well take notice of the needs in the promotion of health and welfare of children in such State and Territorial agencies as are not at the present time able to render these needed services in public health.

Surely our Federal Government should be as much concerned in these matters as in those activities which call for appropriation for the reduction of diseases in such matters as the animal and plant industries or in forest conservation, etc.

Yours very truly,

H. L. ROCKWOOD, M. D.,
Commissioner of Health.

CHARLESTON, W. VA., *November 20, 1928.*

Hon. WALTER H. NEWTON,
House of Representatives, Washington, D. C.

DEAR SIR: Will you please advise, at your earliest convenience, the progress that has been made on H. R. 14070, introduced by you May 26, creating a child welfare extension service in the Children's Bureau.

This department is materially interested in the passage of this bill, since the financial participation provided by the Sheppard-Towner Act will expire June 30, 1928. Under its provisions this department had approximately $25,000 to be disbursed through counties and communities for the promotion of public health, and I fear it will be a difficult matter to induce the incoming legislature to take care of this item from State revenues only.

I feel absolutely sure that the West Virginia delegation in Congress will aid you in every manner possible in securing the passage of the measure.

Very truly yours,

W. T. HENHAW,
State Health Commissioner.

STATE DEPARTMENT OF HEALTH,
Des Moines, Iowa, January 11, 1929.

Hon. WALTER H. NEWTON,
House of Representatives, Washington, D. C.

DEAR SIR: I want to heartily indorse the new maternity and infancy bill introduced by you in Congress last year, but as modified at the conference of the State health officers and the League of Women Voters at a meeting held in Chicago in October, 1928.

As you know, the modification makes definite provision as to the agency through which the Federal-aid funds are to be spent in the State. I trust that with such modification the bill will be passed.

Very sincerely yours,

HENRY ALBERT, M. D.,
Commissioner.

PHOENIX, ARIZ., *January 14, 1929.*

Mr. NEWTON,
House of Representatives:

We indorse any legislation which will provide Federal funds to those States otherwise unable to continue their present infancy and maternity programs. Arizona must have Federal aid to continue its present program.

F. T. FAHLEN, M. D.,
State Superintendent of Public Health.

WASHINGTON, D. C., *December 17, 1930.*

MY DEAR SENATOR COPELAND: Much has been made of the opposition to the American Medical Association to the Children's Bureau administering the maternity and infancy act.

May I call your attention to the fact that the pediatric section of the American Medical Association—composed as you know of men and women physicians who are specialists on the diseases of children—have always supported the Children's Bureau.

A motion to approve the Sheppard-Towner Act was carried unanimously by the section on diseases of children of the American Medical Association in St. Louis, May, 1922. The following reference to it, taken from the minutes of the meeting, was printed in the American Medical Association Journal for June 10, 1922, page 1509:

"Dr. H. F. Helmholz, Rochester, Minn., submitted a resolution that the section declare its approval of the principles encouraging public education in the hygiene of maternity and infancy embodied in the Sheppard-Towner Act.

"Dr. H. F. Helmholz, Rochester, Minn., moved the adoption of this resolution. Seconded, carried unanimously."

I quote, also, a resolution adopted at the January meeting of the Chicago Pediatric Society in 1923, showing how Chicago physicians, who knew the situation, felt about having the Sheppard-Towner Act adopted in their State:

"Whereas the statistics of infancy and maternity in Illinois show that more than 10,000 babies and more than 1,000 mothers die every year, more than half of whom could be saved by proper care;

"And whereas the methods proposed by the State department of health for administering the Sheppard-Towner law in education and welfare work for mothers and babies will undoubtedly reduce this mortality: Therefore be it

"*Resolved*, That the Chicago Pediatric Society express its approval of the Sheppard-Towner law and urge the State legislature to make a sufficient appropriation to adequately carry out its provisions."

The Senator from Connecticut has made a great deal of the fact that his State refused to accept the benefits of the Sheppard-Towner Act. Here is what Professor Winslow, of Yale, had to say about it in a speech given at the health congress in Atlantic City, May 18, 1926:

"* * * New England, in particular, seems to have adopted very much the attitude characteristic of South Carolina 65 years ago in regard to State rights. For myself, however, though I come from Connecticut, I still feel that the Government at Washington is my Government quite as much as that at Hartford. I can not regard it as an alien tyranny against which my personal liberties require defense. In any case, I am quite certain as a public-health worker that * * * the Sheppard-Towner bill has been among the most beneficient pieces of legislation ever enacted in the history of the Union, and I rejoice that even those States which, like my own, have nobly waved aside the tainted gold of Washington, have at least been inspired by the Sheppard-Towner bill to carry out its admirable program with their own funds on the exact lines contemplated by the bill. * * *"

I join with hundreds of thousands of other mothers who, from their personal experience, are aware of the benefits of the maternity and infancy act in the hope that the Congress of the United States will reenact its provisions in the present measure introduced by Senator JONES.

Thanking you for your efforts on behalf of the mothers and children of this country, I am

Sincerely yours,

ELIZABETH MCKENNA,
New York City.

P. S.—I am inclosing a copy of the speech made by Miss Grace Abbott, Chief of the Children's Bureau, before the American Academy of Political and Social Science, and reprinted from the Annals, Philadelphia, September, 1930.

STATEMENT OF MISS ABBOTT

The section on medical service of the White House conference on child health and protection which met in Washington, November 19–22, 1930, the membership of which included many of the leading pediatricians and obstetricians of the country, has brought together a significant body of information and expert opinion concerning the need for extension of maternal and infant hygiene services. For example, Dr. Kenneth D. Blackfan, of the medical school of Harvard University, chairman of the committee on growth and development of this section, reported as follows:

"What we are just beginning to appreciate is the value and importance in the prevention of disease of building up and maintaining the general health of the child. Here again our efforts to establish sound health habits and to foster adequate nutrition and opportunities of growth are doubly rewarded: They form the bulwark against disease and at the same time constitute an end in themselves."

The committee on prenatal and maternal care, of which Dr. Fred L. Adair, of the medical faculty of the University of Chicago, is chairman, stated that prenatal care is of the very greatest value for the prevention of many maternal and fetal diseases and deaths. Adequate prenatal care, the committee states, is part of a necessary program, and it is only a link in the chain of events associated with maternity, the full value of which can only be realized by proper subsequent care during confinement and puerperium. The committee regarded educational problems relating to maternity and infancy as of great importance and listed the personnel engaged in educational schemes of this type as including doctors, nurses, midwives, the laity, and social workers. "Until the public at large is educated to the necessity for adequate maternal care," the committee stated, "and demands that the high maternal and fetal mortality that now exists in this country be reduced, little real progress can come." With reference to the midwife, the committee reported that she can not be eliminated in some sections, and that every effort should be made to improve her efficiency as rapidly as possible. Instruction of midwives in certain sections was an important activity carried on under the Sheppard-Towner Act, and was a type of work practically unknown theretofore in most of the United States.

With reference to the Sheppard-Towner Act, Doctor Adair's committee made the following statement:

"The Children's Bureau has given valuable service in the direction of the administration of the Federal maternity and infancy

act and in other demonstrations, in addition to the publication of many bulletins of educational and practical value dealing with maternal and infant and child welfare. There should be an increase rather than a curtailment of these activities and adequate appropriation and personnel should be provided.

"The practical results of the maternity and infancy act of 1921 are impossible to evaluate, but it is significant that all but three of the State bureaus of child hygiene cooperated fully in carrying out the demonstrations. Most of them are continuing maternal and child-welfare work. Through the continued cooperation of the State bureaus of child hygiene much valuable work may be done and information secured."

The committee on dependency and neglect of section 4, dealing with handicapped children, called attention to maternal mortality as a cause of child dependency and recommended legislation comparable in scope and purpose to the Sheppard-Towner Act, with the Children's Bureau in the same administrative relationship as before.

A similar recommendation was made by the committee on national, State, and local organizations for the handicapped.

The drought and the industrial depression are putting back to an extent impossible to assess the child-health movement. Many children are suffering from an inadequate supply of milk and other foods, and the general insecurity means great nervous strain and physical losses. Private medical and dental care will be curtailed so that an expansion of public-health service is greatly needed. These results will be cumulative for a period of years following business recovery, for families will be burdened with debt, and children will be suffering from the effects of deprivation which, to a growing child, can never be fully recompensed. The reasons which, in 1927, made continuation of Federal aid seem desirable are reenforced to-day by the compelling necessities of the present emergency.

GRACE ABBOTT, *Chief.*

Mr. HATFIELD. Mr. President, I ask to have inserted in the RECORD some telegrams from my State; and I ask to have read by the clerk a telegram from the commissioner of health of West Virginia.

Th PRESIDING OFFICER. Without objection, the telegram will be read.

The Chief Clerk read as follows:

CHARLESTON, W. VA., *December 9, 1930.*

Hon. H. D. HATFIELD,
United States Senate, Washington, D. C.:

Re tel. this date, I am unreservedly in favor of the reestablishment of Sheppard-Towner Act or a substitute that will cooperate with the States in the promotion of the health and welfare of infants and expectant mothers. The discontinuance of Federal financial participation in the health department of West Virginia has most seriously crippled our program. Without the renewal of this appropriation we can do no more than mark time for the next biennium in the furtherance of the purposes for which our department was created and for which you are more largely responsible than any other individual. Will write you more fully to-morrow.

W. T. HENSHAW.

The PRESIDING OFFICER. The other telegrams will be printed in the RECORD, as requested by the Senator from West Virginia.

The telegrams are as follows:

WHEELING, W. VA., *December 10, 1930.*

Senator H. D. HATFIELD,
United States Senate, Washington, D. C.:

West Virginia Federation Women's Clubs unanimously indorse Sheppard-Towner bill as now before Senate. Desire it resumed under same management.

Mrs. J. G. HEARNE, *President.*

WHEELING, W. VA., *December 10, 1930.*

Senator H. D. HATFIELD,
United States Senate Office:

I ask your support for the maternity and infancy bill.

EDNA ENGSTROM.

MOUNDSVILLE, W. VA., *December 10, 1930.*

Senator H. D. HATFIELD,
Care Senate:

Interested in Jones infancy and maternity bill. Appreciate your support.

Mrs. C. E. CARRIGAN.

WHEELING, W. VA., *December 10, 1930.*

Senator HATFIELD,
United States Senate Office:

Counting on your support for infancy maternity bill to-day.

Mrs. RUSSELL H. ROSENBERG,
President Child's Study Club.

WHEELING, W. VA., *December 10, 1930.*

Senator HENRY D. HATFIELD,
Senate Office Building:

I am hoping for your hearty support of the infant maternity bill.

ANNE M. CUMMINS.

WHEELING, W. VA., *December 10, 1930.*

Senator H. D. HATFIELD,
United States Senate Building:

We strongly urge your support in the infancy maternity bill.

HARRY HEFFRIN,
President Elmgrove Parkview Teachers' Association.

ELM GROVE, W. VA., *December 10, 1930.*

HENRY D. HATFIELD,
Senate Office Building:

We emphatically urge indorsement and support of infancy maternity bill.

FLORENCE CRITTENDEN HOME,
ELIZABETH RUNGER, *Superintendent.*

WHEELING, W. VA., *December 10, 1930.*

Senator HENRY D. HATFIELD:

Ohio County Council of Parents and Teachers begs your support of infancy maternity bill.

Mrs. JOHN W. GILMORE.

WHEELING, W. VA., *December 10, 1930.*

Senator H. D. HATFIELD,
United States Senate Office:

We, Ohio County League of Women votes, strongly urge your support and indorsement of the infancy and maternity bill.

Mrs. H. B. COPELAND, *President.*

ELM GROVE, W. VA., *December 10, 1930.*

Senator HENRY D. HATFIELD,
Senate Office Building:

We strongly urge your support of infancy maternity bill.

WOMEN'S CLUB OF ELMGROVE,
Mrs. GLIA MITCHELL, *President.*

WHEELING, W. VA., *December 10, 1930.*

Hon. H. D. HATFIELD,
United States Senate Office Building:

Confidently depending on your support of infancy maternity bill.

HENRIETTA ARBENZ ROMINE.

WHEELING, W. VA., *December 10, 1930.*

Hon. H. D. HATFIELD,
United States Senate:

We call upon your every effort behalf passage maternity infancy.

WEST VIRGINIA LEAGUE WOMEN VOTERS,
Mrs. EARL M. GIESEY, *Secretary.*

WHEELING, W. VA., *December 10, 1930.*

Senator H. D. HATFIELD,
Senate:

Expect you to vote for maternity infancy bill.

HARRIETT B. JONES, M. D.

MOUNDSVILLE, W. VA., *December 10, 1930.*

Senator H. D. HATFIELD,
Care of Senate:

We are hoping for your support of the Jones infancy and maternity bill.

LEAGUE OF WOMEN VOTERS OF GLENDALE,
Mrs. RUSSELL ROBERTS, *President.*

Mr. HATFIELD. I have a letter from the same source that I should like to have printed in the RECORD. I ask unanimous consent to have that done.

The PRESIDING OFFICER. Without objection, the letter will be printed in the RECORD.

The letter is as follows:

CHARLESTON, *December 10, 1930.*

Hon. H. D. HATFIELD,
United States Senate, Washington, D. C.

DEAR SENATOR HATFIELD: Your telegram of yesterday was received just after the office had closed for the day, and I was unable to comply with your request for a letter to be in your possession this morning. I did, however, wire my unqualified approval of the reestablishment of the Sheppard-Towner appropriation, to be used for the same purposes for which the act was originally passed.

The administration of this specific fund was exceedingly broad and constructive. It is true that the greater portion of the service employed by it was for the definite purpose of preventing the high mortality rate of children and mothers at maternity. In our own State it accomplished as much, if not more, than was expected. The infant and maternity mortality rate was markedly reduced in those communities where the appropriation was expended on a cooperative basis. During the entire period in which the appropriation was employed there was not a single complaint or protest from a member of the medical profession or a layman in West Virginia against the methods employed in rendering the service.

The discontinuance of the appropriation has seriously crippled the administration of public health in West Virginia. As you are aware, the legislature has not provided sufficient appropriations

for competent health service as a state-wide proposition. The more limited the appropriation the more restricted the health service and vice versa.

As you know, it has been the policy of the incumbent to have a decentralized organization rather than a large central staff; in other words, to assist financially the various communities in the State to establish and maintain full-time local health organizations, the only organizations, by the way, that meet the approval of competent sanitarians.

We have a medical practice act, of which you are the author, that is broad and comprehensive and that serves as a basis for giving the people the best of health service, if they so desire, but the end result depends entirely on the amount of money that is available to carry out the purposes of the law.

If I can be of any personal service in securing the appropriation by appearing in Washington, I will be only too glad to do so.

I want to add in conclusion my appreciation of your continued interest in public-health matters, an interest, by the way, that has never flagged since you have become interested in upbuilding the manhood of the State.

Sincerely yours,

W. T. HENSHAW,
State Health Commissioner.

Mr. HATFIELD. Mr. President, I have listened with a great deal of interest to the discourse of some of my learned colleagues on the floor of this body in their discussion of the merits and demerits of Senate bill 255, a bill that carries with it the title, "For the promotion of the health and welfare of mothers and infants, and for other purposes."

Mr. President, history records that the central governments of many nations interest themselves, through their executive and legislative bodies, in internal affairs which affect the health and intelligence of the people.

It was a distinguished physician by the name of Harvey who in the far-distant mystical period of the past discovered the circulation, and presented to his colleagues his conclusions; and as a reward he was promptly and summarily dealt with by his professional associates. It was no less a character than the King of England who came to the rescue of Doctor Harvey in support of his theory which gave to the world the knowledge that the blood vessels that course the human body are charged with the responsibility of carrying the most highly nutritious fluid that is essential to life.

It was the great Edward Jenner who made the first observation, and demonstrated the merits of his conclusion, that immunization was possible in the prevention of some forms of infectious and contagious diseases, but not until he had the support of the central government of which he was a citizen.

Farther on in the progress of medical science we find the great Pasteur unfolding to the amazement of chemical science other great discoveries of immunization for the welfare of humanity.

Mr. President, I can do no better than to quote this great benefactor to the human race. At the inauguration of the Pasteur Institute he closed his oration with the following words:

> Two opposing laws seem to me now in contest. The one, a law of blood and death, opening out each day new modes of destruction, forces nations to be always ready for the battle. The other, a law of peace, work, and health, whose only aim is to deliver man from the calamities which beset him. The one seeks violent conquests, the other the relief of mankind. The one places a single life above all victories, the other sacrifices hundreds of thousands of lives to the ambition of a single individual. The law of which we are the instruments strives even through the carnage to cure the wounds due to the law of war. Treatment by our antiseptic methods may preserve the lives of thousands of soldiers. Which of these two laws will prevail, God only knows. But of this we may be sure, that science, in obeying the law of humanity, will always labor to enlarge the frontiers of life.

So it is the aim of this legislation not only to save life but to add to its desirability and happiness.

Those who oppose this legislation seem to have in mind limiting the support of the Federal Government to problems specifically enumerated in the Constitution. They at the same time disclaim the duty of the Government to extend support in a cooperative way in the absence of specific reference to such problems that possibly belong more specifically to a lesser unit of government. These intermediate problems are just as serious and, in many instances, more meritorious than the direct ones.

It is difficult for me to understand how any opposition could be offered by the Congress in the way of cooperation which has for its purpose the welfare and protection of the most sacred, the most important asset that any nation possesses—that is the expectant mother, whose new-born child in many instances is largely, and sometimes solely, dependent upon the care and protection afforded by the local, State, or National Government. If the young life is properly cared for, who knows what specific benefit the child may bring to humanity in later life because of the thoughtfulness of the Government whoe lawmakers were sensitive to the duty and responsibilities that were theirs by the enactment of legislation for those who could not care for themselves?

In our evolutionary development of science it has been only a period of 75 years since Dr. Joseph Lister, of England, because of his father's intense interest in optical science, developed microscopical lenses by means of which he found many diseases, bacterial in nature, which wreck the human body. It was left to our own distinguished scientist, Dr. Oliver Wendell Holmes, to make the observation and discovery that the expectant mother is liable to the ravages of an almost hopeless disease when once contracted. Doctor Credé—because, no doubt, of the suggestions of Pasteur, Lister, and Holmes—discovered that the new-born child was liable to a disease which destroyed its eyes, and that the awful results were preventable if immediate preventive treatment at the time of birth was resorted to.

The discoveries of Credé and Holmes concerning the ravages of these two outstanding diseases have excited the sympathy of the citizenship of our land and caused legislative bodies of our States, through proper legislation, to provide funds with which to combat the possibilities of these complications to mothers and children. These diseases are communicable. They are carried from one individual to another in every land and every clime, just like cholera and other maladies of a serious nature that formerly frequented the various States of the Nation, necessitating quarantine restrictions, and not unlike the disease which is fought and stamped out in the animal kingdom, such as the foot-and-mouth disease. We all know with what promptness our Congress responds to the elimination of these outbreaks.

Mr. President, to me there can be no line of demarcation that we can justifiably recognize in the way of appropriation, service, and cooperation in the way of Federal legislation when it comes to stamping out contagious or preventable diseases to which the people are heir and from which many are dying yearly and others are maimed for life.

No possible harm or injury can come to the individual, the community, or the State by receiving assistance from the Federal Government in support of so worthy a cause—assistance in the way of furnishing money, expert advice, and pamphlets in order that the uninformed may be prepared to ward off the possibilities of contracting these dangerous diseases, which mean the loss of vision and entail human misery and also a great economic sacrifice.

That prenatal care and education of the laity and even of the medical profession in regard to the prevention of blindness are necessary and successful, is shown by a comparison of figures for the blind for 1910 and for 1920. In 1910 there were enumerated 57,272 cases of blindness. Ten years later there were 52,617, or a decrease of the number in 10 years of 4,655. This decrease was the result of a concerted effort made by the States and the National Government to prevent blindness in infancy by instruction as to the proper method of prevention.

It is estimated that ophthalmia neonatorum causes 20 per cent of the blindness in the United States. In Great Britain this disease is responsible for 50 per cent of blindness in infancy.

Mr. President, the economic side of the case may appeal to some. It is estimated that $400 a year is necessary to educate each of the 10,000 children blinded by acute eye infection in infancy, or a total of $4,000,000 must be spent yearly from Government funds, either State or National,

for this purpose. It is much more expensive to educate a blind child than a child blessed with vision. It is not economy to deny appropriations for the prevention of blindness, since a much larger sum must be spent later to educate sightless children.

While $400 a year is necessary to educate a blind child, only $67 a year is necessary to educate a child with vision. This latter figure is for education in the city elementary schools. There is certainly a big difference between $400 and $67 a year. If there are any who oppose this bill from an economic viewpoint, let them look at the great expense to the State in the education of blind children, whose blindness, in a high percentage of cases, could be prevented at birth were the necessary care and instruction available; and to make them available, to substitute for scant provision adequate treatment, is the intention of this measure.

How it can be successfully or convincingly contended that a mere appropriation of a stipulated sum of money by Congress would be responsible for the increased mortality from these diseases which the appropriation is used to prevent, is beyond my comprehension, and surely, Mr. President, is not seriously contended by any Senator who opposes this legislation.

When we view the child-hygiene division of the Children's Bureau here in Washington, directed under the Department of Labor, and find men and women therein with certificates of efficiency granted to them from the best colleges, both scientific and professional, in this and other countries, we can not but feel assured that the work is carried on with a high standard, based on thorough training and superior intellectual attainments.

Any fluctuation or upward trend of the diseases in any of the States that have qualified for the benefits of the Sheppard-Towner law could not be charged justifiably in any way to Federal meddling with the orderly procedure of the administration of the health law in any State in the Union. The fact is there is no meddling, but simply a friendly cooperation upon the part of the Federal Government, whose duty it is to see that the legislature has accepted cooperation by the enactment of the proper State law. There is no justification for anyone to resent the manifested interest of a thoughtful body of lawmakers in their efforts in behalf of the welfare and protection of the underprivileged class of our citizenship. To me it is without justification upon their part.

A million-dollar appropriation yearly for a worthy cause dedicated to humanity is a mere bagatelle in the way of a contribution by the Federal Government to the relief of our dependent citizenship. I shall have something to say in the near future dealing with the legislation looking toward the relief of the more than 400,000 crippled children who are to be found in the United States at the present time, with additional numbers being added in each succeeding year. A limited effort is being made by those who are charitably inclined for the purpose of rehabilitating and reclaiming those who are hopeless cripples. This effort is limited, it is true, for the want of proper support and financial backing, but when the situation is properly called to the attention of the citizens of our Nation, it will, I am sure, have hearty response from their representatives in the Congress of the United States in a cooperative way, for the extension of relief and rehabilitation of every child found under the flag, and it is this subject, Mr. President, which I shall call to the attention of this body in the near future, and which is entitled to the same consideration and care as the question that is before us at the present time.

The revival of this legislation by its proponents is timely, justifiable, and meritorious, and it is with much pleasure that I speak a word in support of it and offer my vote for its adoption.

Mr. VANDENBERG. Mr. President, before the Senator takes his seat, may I ask his opinion upon this question? He is one of the distinguished members of the medical profession himself. Is it his judgment that there is any necessity, from a professional standpoint or otherwise, for the transfer of this work from the Department of Labor to the Department of Public Health?

Mr. HATFIELD. Mr. President, I think the record shows that in the administration of the funds for the work covered by this bill, when such funds were available, the Department of Labor demonstrated its efficiency and its ability, and when we check up the wonderful organization, composed of graduates from the outstanding institutions of this and other countries, we can not help concluding that the organization made available through and by the Department of Labor is quite capable of taking care of any fund which has for its purpose the relief of the unfortunate sick in the respective States of this Union who are unable to take care of themselves.

Mr. COPELAND. Mr. President, is there not a further reply, too, to the question of the Senator from Michigan? There is a misunderstanding about the purpose of the bill. If it were proposed to apply medically the operation of the Federal Government, if this were a proposal to have somebody in the Federal Government administer medical matters, I am sure the Senator from West Virginia would join with me in contending that that would be a proper function to turn over to the Public Health Service.

Mr. HATFIELD. Whole-heartedly.

Mr. COPELAND. But this is not such a proposition.

Mr. HATFIELD. Not at all.

Mr. COPELAND. This is a proposition to have the medical side applied and administered in the States by medical men appointed by the States for that purpose. Therefore there is no reason in the world that I can see for the transfer of the business side of this work from the Children's Bureau, where it has been well done, to the Public Health Service, where, of course, it would be well done, but where it would interfere with the public-health activities of the Public Health Service.

Mr. HATFIELD. I thoroughly agree with the Senator from New York. This fund is intended by the Congress of the United States as a cooperative fund, humanitarian in its application, cooperative with the health departments of the State governments, for the purpose of caring for the mother who is unable to care for herself, and when it is placed in the hands of the Chief of the Department of Labor, who is not a technical man, generally speaking, but who is a humanitarian, we will have less difficulty from a technical point of view in its administration and the distribution of the appropriation than we would have were the funds placed in the hands of a department more technical.

Mr. BINGHAM. Mr. President, it is of course extremely difficult for a layman to oppose the views of the two Members of this body who have devoted their lives to healing the sick and caring for the sick. The Senator from New York, with his distinguished medical record, and the Senator from West Virginia, with his, have both told us of the importance of this legislation.

However, there is one thing which has not yet been explained to the satisfaction of those of us who are trying to do what we think is best for the country and for the citizens of it, present and future, and that is, why the great medical association of the United States, the American Medical Association, at its annual convention, the delegates being present and having considered this matter for many years, passed the resolution which was referred to some time previously in the debate, in which they stated that—

> The law is the product of political expediency, not in the interest of the public welfare; that it is an imported socialistic scheme unsuited to our form of government; that it unjustly and inequitably taxes the people in some States for the benefit of the people of other States, for purposes which are lawful charges only for the people of the said other States; and does not become operative in the various States until the States themselves have passed enabling legislation: Therefore be it
>
> *Resolved*, That it is a type of undesirable legislation which should be discouraged.

That resolution was referred to on January 5, 1927, in the Senate, as appears from the CONGRESSIONAL RECORD.

Mr. HATFIELD. Mr. President, will the Senator yield?

Mr. BINGHAM. In just a moment. There has been no satisfactory explanation as to why the great medical organizations of some of our leading States, leading in the sense that they have made great advances in medicine—States like

Massachusetts, Connecticut, and New Jersey—have passed resolutions against the passage of this legislation.

Furthermore, Mr. President, there has been no adequate explanation at all as to why when two great organizations, the American Medical Association and the Sentinels of the Republic, asked for a hearing on this measure, they were given to understand that they might be heard if hearings were held and that surely no committee would deny them hearings, but they were not given an opportunity to be heard or to call attention to the latest statistics in regard to the actual working out of this bill.

Therefore I have made the motion that the bill be referred back to the committee, with instructions to the committee to hold hearings and give these organizations which have been seeking for more than a year and a half opportunity to be heard, that opportunity which they request.

Now I yield to the Senator.

Mr. HATFIELD. Mr. President, I would like to ask the Senator if he knows why the American Medical Association objects to this kind and class of legislation.

Mr. BINGHAM. I am asking the doctors in this body why the great medical association to which they belong objects.

Mr. HATFIELD. I have asked a representative of the American Medical Association, as I have asked representatives of the State medical associations, why they object, and up to the present hour I have not had an answer. I am a member of the American Medical Association, as I am a member of my State association, but I do not know why they object, and I can not for the life of me understand why any doctor would object to this class of legislation.

Mr. BINGHAM. Mr. President, I suppose the reasons for their objection are stated in the preamble of the resolution which they adopted through their house of delegates. Possibly also they are influenced by the fact that the working out of the original law has not been advantageous and has actually not resulted in a continual decline in the death rate in maternity cases and cases of infants as might have been expected. The point was more stressed before the law was enacted and since the law was enacted.

The PRESIDENT pro tempore. The hour of 3 o'clock having arrived, under the unanimous-consent agreement entered into yesterday the Senate will proceed to vote without further debate upon the motion proposed by the Senator from Connecticut [Mr. BINGHAM].

Mr. JONES. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	Kean	Robinson, Ark.
Barkley	Fletcher	Kendrick	Robinson, Ind.
Bingham	Frazier	King	Schall
Black	George	La Follette	Sheppard
Blaine	Gillett	McGill	Shipstead
Blease	Glass	McKellar	Shortridge
Borah	Glenn	McMaster	Simmons
Bratton	Goff	McNary	Smith
Brock	Goldsborough	Metcalf	Steiwer
Brookhart	Gould	Morrison	Thomas, Idaho
Broussard	Hale	Morrow	Thomas, Okla.
Bulkley	Harris	Moses	Townsend
Capper	Harrison	Norbeck	Trammell
Caraway	Hastings	Norris	Tydings
Connally	Hatfield	Nye	Vandenberg
Copeland	Hawes	Oddie	Wagner
Couzens	Hayden	Patterson	Walcott
Cutting	Hebert	Phipps	Walsh, Mass.
Dale	Heflin	Pine	Waterman
Davis	Howell	Pittman	Watson
Deneen	Johnson	Ransdell	Wheeler
Dill	Jones	Reed	Williamson

The PRESIDENT pro tempore. Eighty-eight Senators having answered to their names, a quorum is present. The question is upon agreeing to the motion proposed by the Senator from Connecticut [Mr. BINGHAM] to recommit the bill with instructions by reason of failure of the committee to hold hearings.

Mr. JONES. Upon that I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. BINGHAM (when his name was called). I have a general pair with the junior Senator from Virginia [Mr. GLASS]. Having been informed that he, if present, would vote as I intend to vote, I am at liberty to vote. I vote "yea."

Mr. BULKLEY (when his name was called). I am paired with the junior Senator from Wyoming [Mr. CAREY]. I transfer that pair to the senior Senator from Virginia [Mr. SWANSON] and vote "nay."

Mr. WHEELER (when the name of Mr. WALSH of Montana was called). My colleague the senior Senator from Montana [Mr. WALSH] is necessarily absent from the Senate. I wish to announce the special pair of my colleague with the Senator from Vermont [Mr. GREENE]. If present, the Senator from Vermont would vote "yea," and my colleague would vote "nay."

The roll call was concluded.

Mr. FESS. I wish to announce that the Senator from New Hampshire [Mr. KEYES] has a general pair with the Senator from Iowa [Mr. STECK].

The result was announced—yeas 14, nays 74, as follows:

YEAS—14

Bingham	Glass	Moses	Walsh, Mass.
Borah	Hawes	Phipps	Waterman
Broussard	King	Reed	
Gillett	Metcalf	Tydings	

NAYS—74

Ashurst	Fess	Kean	Schall
Barkley	Fletcher	Kendrick	Sheppard
Black	Frazier	La Follette	Shipstead
Blaine	George	McGill	Shortridge
Blease	Glenn	McKellar	Simmons
Bratton	Goff	McMaster	Smith
Brock	Goldsborough	McNary	Steiwer
Brookhart	Gould	Morrison	Thomas, Idaho
Bulkley	Hale	Morrow	Thomas, Okla.
Capper	Harris	Norbeck	Townsend
Caraway	Harrison	Norris	Trammell
Connally	Hastings	Nye	Vandenberg
Copeland	Hatfield	Oddie	Wagner
Couzens	Hayden	Patterson	Walcott
Cutting	Hebert	Pine	Watson
Dale	Heflin	Pittman	Wheeler
Davis	Howell	Ransdell	Williamson
Deneen	Johnson	Robinson, Ark.	
Dill	Jones	Robinson, Ind.	

NOT VOTING—8

Carey	Keyes	Steck	Swanson
Greene	Smoot	Stephens	Walsh, Mont.

So Mr. BINGHAM's motion to recommit was rejected.

ONE HUNDREDTH ANNIVERSARY OF DEATH OF SIMON BOLIVAR

Mr. BINGHAM. Mr. President, yesterday I invited attention to the fact that to-day is the one hundredth anniversary of the death of Gen. Simon Bolivar.

Five nations, constituting the northern half of Spanish South America, owe their independence to the life, imagination, courage, and ability of Simon Bolivar. To-day all through those countries the one hundredth anniversary of his death is being observed by memorial services in the churches everywhere, as it was observed this morning in St. Matthews Church in this city.

It is always difficult for the people of one race and national heritage to pay proper sympathetic tribute to the hero of a people of different racial and national heritage. If one sees, however, how we in the United States regard George Washington, as the father of our country, a man who through the difficult years of the American Revolution, by his courage, patience, perseverance, skill, and statesmanship succeeded in bringing the thirteen Colonies from a state of turmoil and dependence to a state of independence and successful nationhood, he can the more readily realize the attitude of these five South American countries toward Bolivar, who did for them what Washington did for us.

Bolivar was born two years after the Battle of Yorktown, in the year 1783, when the treaty of Paris was signed and England recognized our independence. He was born in Venezuela, of distinguished parentage. Like Washington, his family was one of the "first families" in the colonies; like Washington, his people were of the landed aristocracy, of wealth and distinction and education. Like Washington, he lost his father early in life; in fact, both his father

and his mother died before he was 7 years old. He inherited great estates. On the lands of his family were very important silver mines. Among the possessions of the family at that time were over 1,000 African slaves. His guardian undertook to give him the best possible education. One of the distinguished citizens of Venezuela was appointed as his tutor.

As soon as he reached an age when it would be proper for him to travel he went to Madrid, and there, in the capital of the mother country, spent several years in study. When his studies were completed he made a tour of Europe. Then, shortly before his nineteenth birthday, he returned to his native land and there married a beautiful lady, who was destined to live less than a year after their marriage.

At the age of 19 he found himself a distracted widower, of great property, belonging to a class which was looked down upon by the people of the homeland because they were not born on the soil of Spain. Coming of pure Spanish ancestry and of distinguished parentage, still he had the "misfortune" to be what is known as a creole, because he was born on South American soil. During his schooling in Spain this fact had been "rubbed into" him; he was looked down upon as "a little colonist" by the boys in the capital city of the home country.

However, distracted with his sorrow, he sought alleviation in travel and went back to Europe and for a time devoted himself to the pleasures of various European capitals. One day an opportunity was afforded him to come in contact with Gen. Francisco de Miranda, whom many have called "the father of South American independence," because it was he who first dreamed the dream of an independent continent. He had been driven out of his native land by the monarchists, had taken up his abode in London, and there established a little coterie of creoles whom he was trying to infect with love of their native land and a desire to make it independent.

Coming in contact then with Miranda, Bolivar conceived the idea of devoting his life to securing freedom, liberty, and independence for his native land and the colonies adjacent thereto. Returning to Venezuela in 1809, he came by way of the United States, where he had an opportunity to observe the progress that was being made here, the first country to adopt on a large scale a representative form of government—government by the people. He had seen in France the later years of the French Revolution; he had seen the rise of Napoleon; he saw the progress the United States had been making; and he went home filled with the idea that something must be done to secure the independence and liberty of Venezuela.

The Napoleonic machinations in Spain made possible the successful beginnings of the movement for South American independence. So long as Spain was busy with affairs at home the various committees of independence that sprang up here and there in South America operated successfully. Bolivar was a member of the first independence committee in Venezuela, and was given a commission of colonel in the army of independence. They seized Caracas; they declared their independence, but had not yet actually thrown off all allegiance to the mother country, which was at that time torn in war between the adherents of Napoleon and his opponents.

Then nature, which seemed destined to throw in Bolivar's path every possible obstacle to discourage him from all activities except the following of personal pleasures, presented another handicap. A gigantic earthquake, which came at a moment when nearly all the leading people in Caracas were attending services in the great churches of that city, destroyed those churches. The heavy roofs fell in; thousands of people were killed; and the royalists and monarchists announced to the populace that the cataclysm was the punishment inflicted upon them for having endeavored to set up a government independent of Spain. The royalists obtained control of the country, and Bolivar had to leave. He went over to a neighboring colony, later to become the Republic of Colombia. There he helped those who were interested in securing their independence in arriving at a successful consummation. Taking his life in his hands, contrary to the orders of his immediate superiors, Bolivar one night slipped across from Cartagena—that magnificent fortress built at the expense of some $50,000,000 by that great despot Philip II of Spain—to a small fort near the mouth of the Magdalena River, captured the loyalist forces there, embarked up the river, captured other points, and began a campaign for the independence of Colombia.

Securing the permission of his allies and the invitation of the Venezuelans he undertook a magnificent march across the northern Andes into Venezuela, and in 51 days succeeded in fighting his way to Caracas, the capital of Venezuela. He was welcomed and acclaimed by the populace with the title El Liberador, "The Liberator"—by which name he has always since then been known.

Events in Europe, however, were too much for the little colonies which had temporarily secured their independence, due to the fact that Spain was too busy at home to attempt to interfere with what was going on in the colonies. As soon as possible a great fleet was organized, manned by veterans of the Napoleonic wars, and Spain set to work to recover the revolting colonies. The efforts of these veterans were successful. Backed by well-drilled troops, quantities of arms and ammunition, and abundant funds, the royalists dispersed the little army of patriots in northern South America, and Bolivar had to flee for his life.

He found refuge on the banks of the Orinoco at a place on the river then known as Angostura, since then rechristened the City of Bolivar or Ciudad Bolivar. There, living in comparative security but great poverty in a small thatched hut on the banks of this mighty stream, he gathered about him a little band of patriots, ragged, hungry, without funds, without a sufficient quantity of arms and ammunition. Then he began a stupendous effort to try to win for northern South America independence of the loyalists and monarchists so that his countrymen might have freedom and liberty as had the citizens of the United States. In the meantime the forces of the royalists overran the rest of northern South America and the few scattered bands of patriots seemed destined to disappear beneath the all-powerful armies of Spain.

Nothing daunted, however, Bolivar conceived in 1818 a remarkable undertaking which was supposed to be absolutely impossible of achievement. It was nothing short of an attempt to march across the great plains, overflowed by the swollen rivers during the winter rains, and through the passes of the Andes Mountains, choked with snow, to penetrate Colombia from the rear. Spain had well defended the seacoast at Cartagena and other points. It had been shown that the patriots could make no headway by coming up from the Caribbean Sea. There were too many forts; the Spanish army was located in too advantageous a position. No one supposed that it would be possible for an entry to be made into Colombia through the back door, so to speak, at a time of the year when the great lagoons that are to be found on the plains of eastern Colombia and western Venezuela overflow their banks, morasses are turned into large lakes, rivers overflow their banks, fords are lost sight of, and rivers that normally flow beneath a bank 6 or 8 feet high cover those banks until they are 8 or 10 feet below the surface and the floods stretch for miles in every direction. No one thought it was possible for a little army to march through such difficulties across those plains under the conditions of winter rains and then undertake to climb the Colombian Andes and go through a pass supposed to be so difficult that the Spaniards had not even undertaken to defend it. This march of Bolivar and his little army, with a "legion" from Ireland and one from England, veterans of the Napoleonic wars, friends of liberty and independence, has been likened to the marches of Hannibal and Napoleon through the Alps.

Anyone who has gone through the Alps and seen the short distance that lies between the fertile plains of southern France and the fertile plains of northern Italy must realize that this comparison does not do justice to Bolivar's feat. The distance, instead of being a few score of miles, was several hundred miles. One end of the journey instead of being

amid fertile fields, numerous villages, and any amount of food and supplies, was in the plains where hamlets are scores of miles apart, where there are no supplies to be found. In the jungles of the Tropics insect life seems to be the only form of animal life that prevails.

By this march, and following the Battle of Boyaca, the Republic of Colombia achieved its independence. Using eastern Colombia as a base, and again going back to the plains, where the Battle of Carabobo occurred in northern Venezuela in 1821, Venezuela was permanently freed from the yoke of the royalists.

One might suppose this would have been enough for a man who had faced so many difficulties and carried out such stupendous undertakings in the face of tremendous obstacles; but Bolivar's vision took in the distant countries in the center of South America where the Spanish rule still prevailed, and where the royalists had succeeded in putting down all attempts of those seeking liberty and independence to set up independent governments.

It is as though Washington had had the task not only of marching up and down the Atlantic seaboard from Massachusetts to the Carolinas but of extending his march from Georgia to southern California. The region covered by Bolivar's undertakings is as broad as that of the United States from Savannah to San Diego and as narrow as the United States from the Canadian border north of the Great Lakes to the mouth of the Rio Grande at the southern tip of Texas. It was these great distances, separated as they were by many of the highest peaks of the Andes, and by these great plains, with their impassable rivers and their devastating floods, that made this undertaking so worthy of note.

Undaunted by these difficulties, Bolivar undertook to go south; and after a long march through the valleys of the Andes, at the Battle of Pichincha, in Ecuador, another colony was freed, and eventually became an independent state. At Guayaquil he met that other great South American hero of the wars of independence who had been instrumental in freeing his native land of Argentina, the Republic of Chile, and part of Peru from the yoke of Spain. San Martin and Bolivar had a conference at Guayaquil, at which they decided that it would be best for Bolivar himself to undertake, with his victorious armies, the freedom of the very heart of the Spanish Empire, the seat of the viceroy at Lima, the principal colony of Peru. This he achieved partly through a brilliant cavalry battle at the heights of Junin, far above the clouds, at an elevation of about 12,000 feet—a campaign that was finally settled on the battlefield of Ayacucho, which has sometimes been referred to as the Yorktown of South America. Later he marched still farther south into what was known as Upper Peru and there founded the Republic which was to take its name from him—the Republic of Bolivia.

At that time he was easily the greatest man in the entire continent of South America. His enthusiastic followers offered him the crown. He might have become the emperor of South America; but he turned his back on any such project, declaring that what he had done was to fight for a government by the people, and, like Washington, refused to continue in office any longer than was absolutely necessary. He lived to see these five countries establish their independence, which has never since been questioned; and 100 years ago to-day he died, at the early age of 47.

Mr. President, Bolivar is one of the most romantic figures in all recorded history. His trials and tribulations, his disappointments and defeats, would have been sufficient to have discouraged any ordinary mortal. His career reminds us of the heroic figures of classical antiquity, demigods who were repeatedly crushed by cruel fate, only to rise again like Phœnix from the flames and soar triumphantly over all obstacles. Bolivar's life was an epic of the first magnitude. The manner in which he continued for years to fight for the independence of his native land fills some of the most enthralling pages in history. To do justice to his life needs the pen of a Homer, a Vergil, a Dante, or a Milton. He fought against incredible odds. His followers were repeatedly reduced to a handful of ragged, poverty-stricken patriots. His great spirit infused in them not only willingness but positive eagerness to suffer and die for the cause of liberty and independence. Not the least of his many powers was his ability to select successful generals and inspire them with unconquerable enthusiasm.

When we consider the limitations of his age, we are able to recognize that his foresight and vision were as superior to those of ordinary men as are the eyes of eagles and condors superior to those of horses and cattle. In courage no one was his superior. Frequently his life hung by a thread, but cowardice never influenced him. His tremendous march across the great plains of Venezuela and through most difficult passes of the Andes at a season of the year when plains were covered with swollen rivers, morasses hidden beneath gigantic lagoons, mountain paths obliterated by snow and hail, was a military undertaking equal in daring and comparable in difficulty with the most famous marches of Hannibal and Napoleon through the Alps.

It is extremely difficult for those who live in temperate climes, whose duties have never led them to penetrate tropical jungles and climb precipitous mountains, to realize the stupendous human handicaps which confronted Bolivar in his campaign in northern South America. The presence of hordes of poisonous insects, the absence of good food, the presence of torrential downpours of tropical rains, the absence of any opportunity to procure supplies from jungles where the vegetable world reigns supreme and the animal world is represented chiefly by insects, these were a few of the obstacles which Bolivar had to overcome.

Bolivar was in the last analysis responsible for the independence of five Republics—Venezuela, Colombia, Ecuador, Peru, and Bolivia. On this one hundredth anniversary of his death it gives me great satisfaction, here in this city on the Potomac, so intimately connected with the life of our own George Washington, to honor the memory of him who did for the northern nations of South America what George Washington did for the thirteen Colonies on the Atlantic seaboard. Both were giants in their day. Their achievements required not only courage and daring, but patience, self-denial, and determination. Both will go down through history gaining in stature and in the measure of world admiration as the victories which they were able to win, in the face of incomparable obstacles, are more widely known and appreciated.

Mr. President, as part of the tribute to the memory of that great hero, and for the benefit of our fellow citizens, I ask that there may be printed as a Senate document a bibliography of the Liberator, Simon Bolivar, which has been compiled in the library of the Pan American Union, in order that all those desirous of pursuing their studies in the story of his life may have an opportunity to do so.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. BINGHAM. As a further mark of honor to the great hero of five neighboring Republics, I ask that the words of the ex-President of the United States in this morning's paper may be read at the desk.

The PRESIDENT pro tempore. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

[From the Washington Post of December 17, 1930]

Calvin Coolidge says: "On December 17 Colombia, Venezuela, Peru, and Bolivia will commemorate the one hundredth anniversary of the death of Simon Bolivar. Nearly 20,000,000 people in those four countries honor him for changing the course of their history.

"In a few years his military skill and leadership drove Spain from a territory two-thirds the area of the United States which she had held from the days of Columbus. He ranks as one of the great and true patriots.

"Born in Venezuela, trained in Europe, he returned home to dedicate himself and his great possessions to the freedom of his countrymen. Having seen revolution in France and free government in the United States, he adapted them to his own country with the result that his efforts in the north, and those of San Martin in the south, finally made all Spanish South America independent.

"To the action of a soldier he added the vision of a statesman. He founded governments. Recognizing the unity of interests of

the Western Hemisphere, he called the First Pan American Conference at Panama in 1825. His public service and unselfish character entitle him to be named as one of the great figures of the New World."

Mr. JONES. Mr. President, before asking to lay aside the unfinished business, I desire to say that I have conferred with several of the Senators who are especially interested in the opposition to that bill. They are all agreeable to fixing a time limit on debate—not fixing a time to vote, but a time limit on debate. So I ask unanimous consent that after 3 o'clock to-morrow no Senator shall speak more than once or longer than 15 minutes on the bill, nor more than once or longer than five minutes on any amendment.

The PRESIDENT pro tempore. Is there objection?

Mr. HEFLIN. Mr. President, I have no objection to that unless we can get a better arrangement.

Mr. JONES. I think that is the best arrangement we can get.

Mr. HEFLIN. It seems to me, in the face of the vote we had a moment ago against recommitting this bill, that the Senate is ready now to pass it. I have no objection to that arrangement, however.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent agreement proposed by the Senator from Washington? The Chair hears none, and the unanimous-consent agreement is entered into.

Mr. JONES. Now, Mr. President, I ask unanimous consent that the unfinished business may be temporarily laid aside and that we proceed with the consideration of the conference report.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

APPROPRIATIONS FOR EMERGENCY CONSTRUCTION—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment.

The PRESIDENT pro tempore. The question is on agreeing to the motion proposed by the Senator from Washington [Mr. JONES], namely, to recede from Senate amendments Nos. 11 and 12.

Mr. McKELLAR. Mr. President, I ask unanimous consent to insert in the RECORD two telegrams, one from Jackson, Tenn., and one from Knoxville, Tenn., in reference to the unemployment situation.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The telegrams are as follows:

JACKSON, TENN., *December 17, 1930.*

Senator KENNETH MCKELLAR,
Washington, D. C.:

We are aiding city charity in taking care of unemployed and needy, and need 50 Army cots and blankets. We have requested the commanding general of Fourth Corps Area through Governor Horton and direct to let us have these from the equipment held by the Jackson Company of National Guard. We can not get any action. Can you help us? Thanks.

LEE WARE,
Commander American Legion.

KNOXVILLE, TENN., *December 17, 1930.*

Senator K. MCKELLAR:

Most heartily approve plan to relieve unemployment as outlined by Senator LA FOLLETTE to Mayor Trent and urge prompt action by Federal Government. City is helping, but problem too great, and employment on national and State projects appears only possible means of meeting situation.

A. L. CHAVANNES,
Secretary Manager Community Chest.

TAXES PAID BY NEW YORK STOCK EXCHANGE AND THE MEMBERS THEREOF

Mr. HEFLIN. Mr. President, I ask unanimous consent for the present consideration of the resolution which I send to the desk.

The PRESIDENT pro tempore. The resolution will be read for the information of the Senate.

The resolution (S. Res. 366) was read, as follows:

Resolved, That the Secretary of the Treasury is hereby requested to transmit to the Senate the information showing the amount of taxes paid to the Government by the New York Stock Exchange or by members thereof in connection with exchange transactions for the years 1919, 1920, and each succeeding year up to and including the year 1930.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. SMOOT. I ask the Senator to let it go over.

The PRESIDENT pro tempore. The resolution is over under the rule now.

Mr. HEFLIN. Mr. President, this is a very important resolution. The exchange pays money to the Government. Every time there is a transaction over there there is some sort of a tax, and I want to know just what that tax was for 1919, 1920, and for each succeeding year up to and including 1930. That will show to the Senate just how these transactions have gone up, have multiplied by leaps and bounds, up to the present.

I understand from outside authority that the amount has more than doubled in the last year, and this information would give the Senate an idea of what sort of business is going on over in New York. This is information which we ought to have, and the Secretary of the Treasury has it.

Mr. SMOOT. Mr. President, I spoke to officials of the department this morning in relation to the matter, and they said there was some of the information which it would be impossible to give, but that they would let me know by to-morrow morning just what could be obtained.

Mr. HEFLIN. I will let it go over until to-morrow, when I will bring it up again.

The PRESIDENT pro tempore. The resolution goes over under the rule.

APPROPRIATIONS FOR EMERGENCY CONSTRUCTION—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment.

Mr. HARRIS. Mr. President, I do not think it necessary to take the time of the Senate to make a speech in regard to the motion. The junior Senator from Alabama [Mr. BLACK] and my colleague [Mr. GEORGE] have covered the matter so well that I feel there is no necessity for further statements. I hope their statements are convincing to all Senators, and I sincerely hope the motion of the Senator from Washington [Mr. JONES] will not be adopted.

Mr. JONES. Mr. President, I shall not discuss the motion further, except to say this, that my friend the junior Senator from Alabama suggests that we should not deny the States this money with which they could employ those who are out of work. If this were an ordinary situation I would feel that the Senate should hold out on this amendment. But this legislation is intended to meet an emergency situation, and the bill provides for the expenditure of $116,000,000 to relieve unemployment. Every Senator can appreciate the result the longer the enactment of the law is delayed, so I hope the motion to recede will be adopted.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Washington [Mr. JONES].

Mr. JONES. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. BULKLEY (when his name was called). I have a pair with the junior Senator from Wyoming [Mr. CAREY]. I transfer that pair to the junior Senator from Texas [Mr. CONNALLY] and vote "nay."

Mr. ROBINSON of Indiana (when his name was called). On this question I have a pair with the junior Senator from

Mississippi [Mr. STEPHENS]. In his absence I withhold my vote. If permitted to vote, I should vote "yea." I understand the Senator from Mississippi would vote "nay."

Mr. WHEELER (when the name of Mr. WALSH of Montana was called). My colleague [Mr. WALSH] is necessarily absent. If he were present, he would vote "nay."

The roll call was concluded.

Mr. FESS. I desire to announce the following general pairs:

The Senator from Vermont [Mr. GREENE] with the Senator from Montana [Mr. WALSH];

The Senator from New Hampshire [Mr. KEYES] with the Senator from Iowa [Mr. STECK]; and

The Senator from Colorado [Mr. WATERMAN] with the Senator from Virginia [Mr. SWANSON].

The result was announced—yeas 39, nays 42, as follows:

YEAS—39

Bingham	Gould	McMaster	Reed
Capper	Hale	McNary	Schall
Davis	Hastings	Metcalf	Smoot
Deneen	Hatfield	Morrow	Stelwer
Fess	Hawes	Moses	Thomas, Idaho
Gillett	Hebert	Norbeck	Townsend
Glass	Howell	Oddie	Vandenberg
Glenn	Jones	Patterson	Walcott
Goff	Kean	Phipps	Watson
Goldsborough	King	Pine	

NAYS—42

Ashurst	Copeland	Kendrick	Shipstead
Barkley	Couzens	La Follette	Simmons
Black	Cutting	McGill	Smith
Blaine	Dill	McKellar	Trammell
Blease	Fletcher	Morrison	Tydings
Bratton	Frazier	Norris	Wagner
Brock	George	Nye	Walsh, Mass.
Brookhart	Harris	Pittman	Wheeler
Broussard	Harrison	Ransdell	Williamson
Bulkley	Hayden	Robinson, Ark.	
Caraway	Heflin	Sheppard	

NOT VOTING—15

Borah	Greene	Shortridge	Thomas, Okla.
Carey	Johnson	Steck	Walsh, Mont.
Connally	Keyes	Stephens	Waterman
Dale	Robinson, Ind.	Swanson	

So the Senate refused to recede from its amendments numbered 11 and 12.

Mr. JONES. Mr. President, the next amendment is No. 13, dealing with the authority of the President to make transfers of the appropriation from one purpose named in the bill to another if he deems it advisable. I suppose every Senator has his mind made up in reference to the matter. It would not be considered proper under ordinary circumstances to put a provision like this in such a bill. I understand, however, that it is the intention to expend this money or practically all of it at the earliest possible opportunity, possibly during the next three or four months, the months in which it is more necessary to make expenditures than any other time. It is possible that conditions might be confronted which would make it highly important to transfer some of the funds from the item for which they are appropriated to another where the relief which would be brought about would be much greater. It is a question, of course, whether we want to give the President that authority in this emergency.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Washington yield to the Senator from Nebraska?

Mr. JONES. I yield.

Mr. NORRIS. Does the Senator propose to make the same motion in reference to this amendment?

Mr. JONES. Yes; I propose to move to recede from the Senate amendment.

Mr. NORRIS. Is this one of the amendments offered by the Senator from Michigan [Mr. COUZENS], who is absent at the moment?

Mr. JONES. No.

Mr. ROBINSON of Arkansas. No; this is an amendment offered by myself. It is an amendment relating to the interchangeability of the funds.

Mr. JONES. Yes. I think that is all I care to say about it. I am satisfied that every Senator knows the object and purpose of the amendment and has his mind made up as to what, in his judgment, would be wise to do. I move that the Senate recede from its amendment No. 13.

Mr. LA FOLLETTE. Mr. President, as bearing on this amendment I desire to have read at the desk an editorial appearing in this morning's New York American. I ask unanimous consent that that may be done.

The PRESIDING OFFICER. Without objection, the clerk will read the editorial, as requested.

The Chief Clerk read the editorial, as follows:

[From the New York American, Wednesday, December 17, 1930]

SENATE COURAGEOUS

Public congratulation is due the Senate for the stand it has taken upon the emergency appropriation requested by President Hoover to expedite the building of authorized public works.

The conferees of the two Houses have made a grave blunder in not sustaining the correct and constitutional stand of the Senate upon this emergency measure.

In regard to this appropriation, which is intended to relieve unemployment, the Senate is acting correctly and the Senate is acting constitutionally.

Certainly the Senate acted correctly when it passed promptly the $110,000,000 appropriation voted by the House for this purpose.

The Senate refused to quibble about the amount carried in the House bill. It agreed to leave for future consideration whatever increases should be authorized.

Certainly the Senate acted constitutionally when it refused to allow Mr. Hoover to distribute this huge sum as he sees fit.

By insisting that Congress shall say not only how much money shall be appropriated to expedite public works but what public works are to be expedited, the Senate is discharging its share of the authority and responsibility given by the Constitution to Congress to fix the sum as well as define the purpose of every appropriaion of public money.

Never in time of peace has the Congress delegated to the President the extraordinary power which Mr. Hoover undemocratically requested and the Senate has patriotically refused to give him.

Never, except in war, should such a request be granted by the Congress or even made by the President.

The Senate should reject the report of the conferees.

The Senate should insist that Congress discharge its full responsibility as the appropriating body.

If Mr. Hoover chooses to hold up this emergency appropriation for the relief of the unemployed in the hope of obtaining greater personal advantage by means of a plan more satisfactory to his vanity, then it will be Mr. Hoover and not the Senate "that is playing politics with human misery."

Mr. JONES. Mr. President, in my judgment the President of the United States is absolutely patriotic and sincere in submitting his request in this way. It is simply to further his desire to aid humanity that these appropriations should be brought about. While, of course, there may be some question as to the authority of Congress, and so on, it is all right for us to discharge our duty and what we conceive to be our duty, but in doing that we do not want to question, in my judgment, as I do not think we are justified in questioning, the motives, the sincerity, and the patriotism of the President of the United States.

Mr. McKELLAR. Mr. President, before we vote I want to read two or three matters. The first of these is an act of Congress of February 25, 1919, reading as follows:

[Public, No. 274, Sixty-fifth Congress—H. R. 13708]

An act providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, German-Austria, Hungary, Bulgaria, and Turkey, as may be determined upon by the President as necessary

Be it enacted, etc., That for the participation by the Government of the United States in the furnishing of foodstuffs and other urgent supplies, and for the transportation, distribution, and administration thereof to such populations in Europe, and countries contiguous thereto, outside of Germany, German-Austria, Hungary, Bulgaria, and Turkey: *Provided, however*, That Armenians, Syrians, Greeks, and other Christian and Jewish populations of Asia Minor, now or formerly subjects of Turkey, may be included within the populations to receive relief under this act, as may be determined upon by the President from time to time as necessary, and for each and every purpose connected therewith, in the discretion of the President, there is appropriated, out of any money in the Treasury not otherwise appropriated, $100,000,000, which may be used as a revolving fund until June 30, 1919, and which shall be audited in the same manner as other expenditures of the Government: *Provided*, That expenditures hereunder shall be reimbursed so far as possible by the Governments or subdivisions thereof or the peoples to whom relief is furnished: *Provided further*, That a report of the receipts, expenditures, and an itemized statement of such receipts and expenditures made under this appropriation shall be submitted to Congress not later than the first day of the next regular session: *And provided further*, That

so far as said fund shall be expended for the purchase of wheat to be donated preference shall be given to grain grown in the United States.

Approved February 25, 1919.

I now want to read the only report that has ever been made as to the expenditure of that $100,000,000. It reads as follows:

[H. Doc. 449, 66th Cong., 2d sess.]

RECEIPTS AND EXPENDITURES UNDER THE ACT APPROVED FEBRUARY 25, 1919

Message from the President of the United States, transmitting preliminary report covering the approximate receipts and expenditures made under the act of Congress approved February 25, 1919, appropriating $100,000,000 for relief in Europe

To the Senate and House of Representatives:

As required by the act of Congress, approved February 25, 1919, I transmit herewith a preliminary report on the receipts and expenditures made under appropriation of that act.

WOODROW WILSON.

THE WHITE HOUSE, *December 2, 1919.*

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115 BROADWAY, NEW YORK CITY,
November 24, 1919.

His Excellency the PRESIDENT OF THE UNITED STATES,
The White House, Washington, D. C.

DEAR MR. PRESIDENT: I hand you herewith preliminary report covering the approximate receipts and expenditures made under the act of Congress approved February 25, 1919, appropriating $100,000,000 for relief in Europe, to be transmitted to Congress as required by that act.

Owing to reasons stated in the report, it will be necessary to make an additional and final report when all the adjustments in outstanding credits and liabilities connected with the relief operations have been made.

Yours faithfully,

HERBERT HOOVER.

PRELIMINARY REPORT OF RECEIPTS AND EXPENDITURES UNDER THE ACT OF CONGRESS APPROVED FEBRUARY 25, 1919

I herewith submit the following preliminary report on receipts and expenditures from the funds provided under the act of Congress approved February 25, 1919, entitled "An act for the relief of such populations in Europe and countries contiguous thereto, outside of Germany, German-Austria, Hungary, Bulgaria, and Turkey, as may be determined upon by the President as necessary."

In explanation of the report there is attached hereto:

(1) A table showing the preliminary estimate of expenditures from this appropriation and the countries to which the supplies purchased were sent.

(2) A table showing tonnage of each commodity furnished each country on its general food and relief program from the appropriation.

(3) A table showing tonnage of each commodity furnished each country for children's relief from the appropriation. All the values are given in round figures and are tentative for reasons given hereafter, and may vary up to 5 or 10 per cent on the completion of the final statement.

The expenditures on food shipments in Table 1 are roughly divided in the following proportions:

	Per cent
F. o. b. cost of food and other relief commodities at American ports	77.37
Trans-Atlantic freight on above	20.67
Demurrage	1.10
Handling and transshipment in Europe	.85

About 88 per cent of the relief supplies furnished were sold under contract to the various governments in the relief areas. For all such sales these governments gave their special treasury notes in a form approved by the United States Treasury, bearing 5 per cent interest, due June 30, 1921, to June 30, 1924. It was impossible to obtain reimbursement in cash because the currency in the countries to which these supplies were sent was impossible to convert into foreign exchange, except in comparatively insignificant amounts. I give herewith approximate list of the notes of each government, which we expect to turn over to the United States Treasury.

1. Poland	$57,000,000
2. Czechoslovakia	6,750,000
3. Armenia	10,000,000
4. Russia	5,000,000
5. Estonia	2,300,000
6. Latvia	3,000,000
7. Lithuania	700,000
8. Finland	4,000,000
Total	88,750,000

The remaining 12 per cent of the supplies were donated in assistance to private organizations set up in each country under direction of the American Relief Administration for the purpose of furnishing food on a charitable basis to undernourished children. For such supplies it was, of course, impossible to obtain reimbursement. This service has contributed greatly to stabilizing the situation in those countries, aside from the physical benefits to more than 3,000,000 undernourished children, to whom the war threatened serious and permanent injury. Certainly this service is one for which the name of America will always be held in deepest gratitude.

In addition to the children's relief, the American Relief Administration paid approximately $550,000 for freight and expenditures on old clothing contributed by the American Red Cross and the Commission for Relief in Belgium, which was transported to the liberated countries and distributed without charge. The character of this clothing is so varied and uncertain that it has been found most unwise to attempt any sale on a commercial basis, and as it goes to the poorest classes it is a proper subject for charity.

The American Relief Administration also expended $530,000 on freight in transporting from France to Poland, Czechoslovakia, and Estonia United States Army bacon which the Governments of these States were able to purchase on credit from the liquidation board in France. This is covered by the treasury notes of those countries.

It should also be noted that a question remains unsettled with the United States Shipping Board regarding the freight charges. The President and the board have approved the policy of fixing these on a cost basis, but as yet no reduction has been made in the tentative rates of freight which were originally fixed at considerably above this cost.

The relief supplies purchased by the American Relief Administration were all of American origin, and none of the appropriation therefore was expended outside of the United States, except to some extent for local freight and handling charges in Europe.

I regret exceedingly that it is impossible to submit at the present time an item statement of the receipts and expenditures. Although the commodities required for relief shipments were all purchased prior to July 1, 1919, marine workers' strikes in the port of New York delayed the sailing of the last relief vessels until August 25. It was therefore necessary to continue our accounting staff in Europe until these vessels had been unloaded 30 days later. The transfer of the accounting forces and records from various countries to the London office for credit required further time, and thence from London to the United States there was also serious delay by the strikes in England, and finally the unloading of the records was long delayed in New York by the longshoremen's strike. Combination of the European and American accounts is now in process and will be audited before presentation. These delays, together with the complicated nature of the accounts, make it impossible to present an item statement of receipts and expenditures for some little time. At that time the final and complete report will be filed. The totals will not, I believe, vary materially from those given in this report.

Respectfully submitted.

HERBERT HOOVER.

This report is dated November 24, 1919, but there has never been furnished to the Congress any final report as required by the act of Congress in these words, which I have already read:

That a report of the receipts, expenditures, and an itemized statement of such receipts and expenditures made under this appropriation shall be submitted to Congress not later than the first day of the next regular session.

Mr. STEIWER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Oregon?

Mr. MCKELLAR. I will yield in just a moment. I want to put this report in just as it is.

I now ask unanimous consent, Mr. President, to print in the RECORD the tables furnished by Mr. Hoover. The first table is called by him a "preliminary estimate of expenditures of American Relief Administration out of $100,000,000 fund," and it shows how he expected to expend it.

Table 2 is entitled "Congressional fund for relief—Preliminary summaries of deliveries to various governments paid for from the above fund."

Table 3 is entitled "Congressional fund for relief—Preliminary summary of total children's relief deliveries."

I ask that the three tables may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The tables are as follows:

TABLE 1.—*Preliminary estimate of expenditures of American Relief Administration out of $100,000,000 fund*

Name of country to which shipped	Amount
Poland	$56,900,000
Czechoslovakia	6,700,000
Armenia	10,000,000

TABLE 1.—*Preliminary estimate of expenditures of American Relief Administration out of $100,000,000 fund*—Continued

Name of country to which shipped	Amount
Estonia	$2,300,000
Latvia	2,900,000
Lithuania	700,000
Finland	3,900,000
Russia	4,600,000
	88,000,000
Children's relief:	
Poland	5,300,000
Czechoslovakia	2,900,000
Serbia	900,000
Rumania	500,000
Finland	500,000
Children's relief—Continued.	
Estonia	$600,000
Latvia	350,000
Lithuania	300,000
Russia	100,000
Various countries:	
Freight in transporting old clothing by Red Cross	300,000
Freight and expense in transporting old clothing contributed by Commission for Relief in Belgium	250,000
	12,000,000
Grand total	100,000,000

TABLE 2.—*Congressional fund for relief—Preliminary summaries of deliveries to various governments paid for from the above fund*

[Metric tons]

	Wheat flour	Cereal flour	Wheat	Rye, barley, and maize	Rice	Beans and peas	Pork	Lard	Lard substitutes	Milk	Cocoa	Sugar	Soap	Cloth	Cotton	Miscellaneous	Total tonnage
Poland	130,500	8,346	6,168	68,649	7,606	9,420	12,445	7,600	5,106	2,606	48	1		562	5,775	1,553	266,385
Latvia	10,516	500			233	564	325	20	426	500							13,084
Lithuania	2,566				84	185	278		147	97							3,357
Estonia	14,694	956		3,808	92		2,539	10	177	127		55				14	22,472
Northwest Russia	16,422	2,626				380	1,846		421	1,056							22,751
Finland	4,054	3,867		15,353						940		120					24,334
Czechoslovakia	18,195	11,302		10,699	928	152	3,463										44,709
Armenia	28,169	8,377			1,022	2,662				3,466	187	813				693	45,389
South Russia	394															450	844
Total	225,510	35,974	6,168	98,479	9,965	13,363	20,896	7,630	6,277	8,792	235	989		562	5,775	2,710	443,325

TABLE 3.—*Congressional fund for relief—Preliminary summary of total children's relief deliveries*

[Metric tons]

	Wheat flour	Cereal flour	Rice	Beans and peas	Pork	Lard	Lard substitutes	Milk	Cocoa	Sugar	Miscellaneous	Total tons
Poland	858		2,130	1,320	765			2,549	766	801	[1] 180 [2] 1,816 [3] 20	11,205
Lithuania	351		83	78		12	16	374	75	176	[3] 20	1,185
Esthonia	207		113	116	20		3	384	80	178	[3] 20	1,121
Latvia	488		109	131	35	6	2	329	49	95	[2] 8 [3] 20	1,272
Northwest Russia (liberated territory)	389		40	84	20			241	20	53	[3] 20	867
Finland	500	200	200	105	83	22		1,087	40	205		2,562
Czechoslovakia	700		302	243	366	26	54	1,867	421		[2] 111 [3] 130 [2] 10	4,235
Mahrisch Ostrau			17	17	8			60	10			112
Greater Serbia			231	257	30			1,736	240	157	[3] 60	2,711
Rumania	250		170	130	60	10		185	221	406		1,432
In storage:												
Danzig			347	1,577				373			46	2,343
Libau							27					27
Rotterdam								5,223	213	1,039	[3] 223	6,698
Helsingfors			500	500								1,000
Total	3,803	200	4,242	4,623	1,387	76	102	14,408	2,135	3,110	2,684	36,770

[1] Soap. [2] Clothing. [3] Cod-liver oil.

Mr. McKELLAR. I call attention to the fact that 12,445 metric tons of pork were sent to Poland. Now, I yield to my friend from Oregon.

Mr. STEIWER. The Senator from Tennessee in reading from the act of February 25, 1919, quoted the proviso, which is as follows:

That a report of the receipts, expenditures, and an itemized statement of such receipts and expenditures made under this appropriation shall be submitted to Congress not later than the first day of the next regular session.

Mr. McKELLAR. Yes, sir.

Mr. STEIWER. I merely want to ask the Senator if he does not construe that language as meaning that the duty was imposed upon the President of the United States to furnish that report?

Mr. McKELLAR. Primarily it was; but the President imposed it upon Mr. Hoover, and Mr. Hoover comes with a preliminary report on the 24th day of November, 1919.

Mr. STEIWER. May I ask the Senator further——

Mr. McKELLAR. Just one moment. I want to answer the first question of the Senator from Oregon. Mr. Hoover comes and submits a preliminary report on November 24, 1919, just before the Congress meets, and at the close of it he says:

These delays—

Strikes in one country and strikes in another country, inability to get his accounting office in London to act in conjunction with his accounting office in New York, and delays of various kinds, to which he refers—

These delays, together with the complicated nature of the accounts, make it impossible to present an item statement of receipts and expenditures for some little time. At that time the final and complete report will be filed.

There Mr. Hoover not only admits that he has not filed a report, but promises within some little time to file a report, which report has never been filed.

Mr. STEIWER. Mr. President, will the Senator now yield?

Mr. McKELLAR. Yes; I yield.

Mr. STEIWER. I simply want to ask the Senator if he feels that the fact that the President delegated this authority to some one else would relieve the President, under the law, of his duty to submit the report?

Mr. McKELLAR. Technically, probably not; but actually it does relieve him, because here is Mr. Hoover promising to make the report; and everybody knows that it was Mr. Hoover to whom the $100,000,000 was turned over for the purpose of distribution in Europe.

Mr. STEIWER. Does the Senator take the position, as a general principle, when the President is required by statute to perform a duty and intrusts the duty to an agent that the President is thus relieved from his statutory responsibility to Congress?

Mr. McKELLAR. Perhaps not. If the Senator is speaking in criticism of a former President of the United States, that is another matter.

Mr. STEIWER. No.

Mr. McKELLAR. But what we are dealing with now is the turning over to Mr. Hoover of $110,000,000 or $116,000,000 to do with virtually as he pleased, when the law required him to make a report, and he said he was going to file it, but never did file it.

Mr. STEIWER. Will the Senator yield for one more question?

Mr. McKELLAR. Of course.

Mr. STEIWER. Does the Senator feel that the President of the United States may turn a responsibility over to an agent and then when that agent has reported in November, 1919, that the President may remain in office until March 4, 1921, without making any effort to carry out the mandate of Congress in the matter of making the report which is required by law?

Mr. McKELLAR. It is very unfortunate he did so, but evidently he did so, and it has been the subject of debate in the Congress before. If the Senator will indulge me just a few moments, I am not going to make a speech about it myself so much as I am going to quote what Republican Senators said about it at the time.

Mr. STEIWER. Before the Senator quotes that language, may I say just one more word?

Mr. McKELLAR. Certainly.

Mr. STEIWER. Simply that I want to absolve myself of the charge of criticizing President Wilson in connection with this matter, as the Senator suggested a moment ago. I had no such idea in my mind. I wanted to develop the thought that was in the mind of the Senator from Tennessee in order to find out if he was at this time ungraciously criticizing President Wilson's conduct with respect to this matter.

Mr. McKELLAR. No; I do not think anyone will gather from any remarks that I am making that I am undertaking to criticize President Wilson.

Now I will read, not what I said about it, though I had views about it at the time, as the RECORD will show, but I am going to quote what one of the finest men who ever served in this body had to say when the bill appropriating $100,000,000 was under consideration. I regard, and I think the people of the country regard, the senior Senator from Idaho [Mr. BORAH] as one of the ablest and one of the best men who ever served in this body, as one of the most careful with his facts and one of the ablest in presenting facts. For the present I am going to content myself with reading excerpts from one or two wonderful speeches made by the Senator from Idaho. There is no man in this body who has been here long enough to know the Senator from Idaho who does not know that he is not only a man of great ability but a man of the greatest honesty and sincerity of purpose and of courage in the statement of his views. I quote from a speech made by the Senator from Idaho on January 18, 1919, when the original appropriation bill of $100,000,000 was before the Senate. Said Mr. BORAH:

I recognize in Mr. Hoover a man of great ability. It is not my purpose by anything which I shall say to challenge his personal integrity, but his viewpoint of things is such that it makes it impossible for me to turn over a hundred million dollars to him to expend in Europe. For the last four weeks I have been making a pretty thorough study of the relationship of the Food Administration to the vast concerns of this country which control and dominate the food supply of this country, and I say here on this floor, and I challenge successful contradiction, that three of the vast monopolies which control food in this country have, with relation to their commodities, directed and controlled the Food Administration since its organization. I do not mean by that to say, sir, that Mr. Hoover himself has received any personal or individual benefit by reason of that. I simply mean to say that his viewpoint is such that he permits those people to, in effect, fix their own prices and to arrange their own affairs to such an extent that it is a case of an individual dealing with himself in the transactions.

I have been utterly amazed at the facts which show how these combines have influenced and controlled the situation.

It is well known, sir, that the meat packers of this country have been one of the great, powerful units in this matter of furnishing food. Now, sir, at a time when the people of this country are hungry, when our own people are suffering, when, according to the Associated Press dispatches a few days ago, hundreds of thousands of children in New York and Chicago and other great cities are not only kept out of school for want of clothes but are actually dying for want of food; when mothers are committing suicide because they can not respond to the lips that are begging for food, it is a fact, demonstrated over the signature of the meat packers themselves, that their profits under Mr. Hoover amounted to all the way from 20 to 40 per cent for the last two years. Shall I be called upon, under my oath as a Senator here, to turn over a hundred million dollars to feed the poor of Europe, when I am notified that out of that $100,000,000 those that control the food products of this country will ask, and probably receive, from 25 to 40 per cent profit on their investments?

I am sorry the junior Senator from Oregon is not present to hear this language.

They say, "This is to be turned over to the President." Now, let us be honest and eliminate the President. We know that it is absolutely impossible for the President to know anything about the details of this expenditure. With the stupendous burdens resting upon his shoulders which are now there, with the difficulties which confront him, with the fearful task which is his, do we suppose for a moment that he will be familiar with a single detail in regard to this matter?

It is unfair to the situation and unjust to us to say that the President is responsible. He is not responsible. He will know nothing about it from the beginning to the end. We are responsible. We are the only ones who have the fearful power of drawing this money out of the pockets of the people. If I had the time, sir, I would undertake to show you that the facts are here which make you and me accomplices to the transaction which, if we vote this appropriation, will enable these vast concerns to get a very large portion of the taxes which we are voting.

That is on page 1663 of the RECORD.

I turn to page 1864 of January 22, and again to the words of the Senator from Idaho [Mr. BORAH]:

Mr. President, I want to say again, as I said the other day, that as for Mr. Hoover individually I have no discussion whatever. I do not care anything about him. What I am objecting to, sir, is the system, the manner in which he distributes his funds and carries on his business—the interested parties whom he permits to realize unconscionable profits.

I want to ask Senators here who are supporting this bill, Do you want the same man that administered the Food Administration here in this country to administer this fund in Europe in the same way and upon the same principles? Do you understand, sir, that these same men, or some of them, and this same policy and this same system have been transplanted to Europe, and are now going to feed the Europeans upon the same theory, upon the same line of conduct, that they have administered the Food Administration in this country?

And again, Mr. President, on page 1865:

Mr. President, the men who manipulated that embargo are working for the Food Administration at a dollar a year and working for the packers at $10,000 a year; and yet you ask me to take $100,000,000 from the pockets of the taxpayers of this country and administer it by the same infamous machinery. Does the President of the United States know these facts? I do not know. I know them, and it is my conscience that must be satisfied, not that of the President, in the vote I shall cast on this bill.

And again:

Do you know who gave Mr. Priebe authority to issue that order?

That is, the embargo.

The Congress of the United States, by one of those glittering generalities, crystalized into a statute under which a man can do anything in the world that he desires to do, and Mr. Hoover desired to do this. Now we are asked to give another unlimited, undefined grant of power—a power to do as his unbridled discretion suggests; a power under which he can permit fortunes to be made again out of the taxpayers of the United States.

And I want to say that we are here to give him again unbridled power over another $116,000,000.

Mr. HASTINGS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Delaware?

Mr. McKELLAR. Surely.

Mr. HASTINGS. Does the Senator feel that there is any danger of the packers having any influence in this particular instance?

Mr. McKELLAR. I state the facts. The Senator can draw his own conclusions.

Mr. HASTINGS. But I understood that the Senator was basing his argument upon an argument made by the Senator from Idaho.

Mr. McKELLAR. I am reading the argument of the Senator from Idaho.

Mr. HASTINGS. The Senator from Idaho made his objection upon the basis that certain influences were at work at that time. I am asking the Senator whether he thinks any such influence is at work at this time.

Mr. McKELLAR. I hope not, but I do not know. Does the Senator know?

Mr. HASTINGS. Why, of course I know, and everybody else knows, that there is not.

Mr. McKELLAR. Let us see.

I now quote from Mr. Knox, asking a question of the Senator from Idaho:

Mr. KNOX. Mr. President, I attach so much importance to the judgment of the Senator from Idaho that I want to be perfectly clear about it, if he is willing to make himself a little more clear. The impression that I received from his statement was that it had been prearranged that this $100,000,000 appropriation should be asked for in order to relieve the packers.

Mr. DALE. Mr. President——

Mr. McKELLAR. I yield to the Senator from Vermont. I know the nature of the interruption, and I yield.

DEATH OF SENATOR FRANK L. GREENE

Mr. DALE. Mr. President, with profound grief beyond expression I announce the death of my colleague, Hon. FRANK L. GREENE.

I send to the desk resolutions, for which I ask immediate consideration.

The PRESIDENT pro tempore. The resolutions will be read.

The resolutions (S. Res. 378) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Hon. FRANK L. GREENE, late a Senator from the State of Vermont.

Resolved, That a committee of 20 Senators be appointed by the President pro tempore to take order for superintending the funeral of the deceased Senator.

Resolved, That the Secretary communicate these resolutions to the House of Representatives, and transmit a copy thereof to the family of the deceased.

Under the second resolution the President pro tempore appointed the Senator from Vermont [Mr. DALE], the senior Senator from Massachusetts [Mr. GILLETT], the junior Senator from Massachusetts [Mr. WALSH], the Senator from South Carolina [Mr. BLEASE], the Senator from Pennsylvania [Mr. REED], the Senator from South Dakota [Mr. McMASTER], the Senator from West Virginia [Mr. HATFIELD], the Senator from Missouri [Mr. PATTERSON], the Senator from Florida [Mr. FLETCHER], the Senator from Texas [Mr. SHEPPARD], the Senator from Alabama [Mr. BLACK], the Senator from Tennessee [Mr. BROCK], the Senator from Georgia [Mr. HARRIS], the Senator from Illinois [Mr. DENEEN], the Senator from Ohio [Mr. FESS], the Senator from Arkansas [Mr. CARAWAY], the Senator from Wyoming [Mr. KENDRICK], the Senator from California [Mr. SHORTRIDGE], the Senator from Utah [Mr. KING], and the Senator from Maine [Mr. GOULD].

Mr. DALE. Mr. President, as a further mark of respect to the memory of the deceased Senator, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 4 o'clock and 38 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 18, 1930, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

WEDNESDAY, DECEMBER 17, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed Lord, our Heavenly Father, we rejoice in that tenderness, in that personal sympathy, and in that love which spring from Thy compassion. We draw near to Thee with renewed hopefulness; stir in us that manliness, that sturdy courage, and that faith that shall make us superior to circumstances. We pray for the extension of knowledge throughout our land and for the establishment of all our people not alone in outward strength but in the strength of God. May all Thy promises which respect the realm of the world be fulfilled and the glory of the Lord rest upon mankind. O let the pure light out of the heavens shine everywhere and all impure light return from whence it came. Clothe us with patience, gentleness, and forbearance. We pray in the name of Christ our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 440. Joint resolution authorizing the payment of salaries of the officers and employees of Congress for December, 1930, on the 20th day of that month.

The message also announced that the Senate had agreed to the amendment of the House to the bill (S. 2895) entitled "An act authorizing the bands or tribes of Indians known and designated as the Middle Oregon or Warm Springs Tribe of Indians of Oregon, or either of them, to submit their claims to the Court of Claims."

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 5036. An act to extend the time for completing the construction of a bridge across the Delaware River near Trenton, N. J.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 14246) entitled "An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PHIPPS, Mr. SMOOT, Mr. MOSES, Mr. HARRIS, and Mr. GLASS to be the conferees on the part of the Senate.

SIMON BOLIVAR

Mr. TEMPLE. Mr. Speaker, I ask unanimous consent to proceed for three minutes.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. TEMPLE. Mr. Speaker and Members of the House of Representatives, this day is the one hundredth anniversary of the death of Simon Bolivar, the South American Liberator, founder of the Republics of Venezuela, Colombia, Ecuador, Peru, and Bolivia. His life and his sacrifices for the cause of liberty are being commemorated to-day with appropriate ceremonies in the five Republics that cherish the memory of his achievements, and it is fitting that we should pause for a little while in our work to join with them in honoring this great man whose qualities were such as to win not only the admiration but the esteem of foreign nations, as well as the gratitude of his own people.

The five Republics that he founded gratefully proclaim that it was his military genius that won their independence

and his wise statesmanship that established the institutions that have made the continued existence of these Republics possible.

Bolivar came into the world at a period when it was ripe for changes. He was born in 1783 when the thirteen British Colonies of North America had won their independence but had not yet passed through the critical period that welded them together in one nation. The French political philosophers had made plain the principles that were soon to overthrow old institutions in Europe and establish new ones, and by the time Bolivar had grown to manhood the wars of the revolutionary and Napoleonic era were at their height. Nowhere did the abuses of the old system cry out more pitifully for change than in Bolivar's native country.

Born in Venezuela, he was sent to Spain at 16 years of age to complete his education. He was an admirer of Napoleon for his early work in restoring orderly institutions after the long period of anarchy in France, which followed the Reign of Terror, but with Napoleon's coronation that admiration changed to bitter disappointment.

In 1808 the Spanish King renounced his rights to Napoleon and Napoleon placed his own brother Jerome on the throne of Spain. This led immediately to revolt in the Spanish Peninsula. When the Spanish authorities in Venezuela accepted Jerome as King the revolt in the capital city, Caracas, Bolivar's native place, was equally prompt. At first the revolt took the form of loyalty to Ferdinand, the legitimate King of Spain, but in two years more, on April 19, 1810, after much confusion and temporary failure, plans discussed in secret by leading men who met at the home of Bolivar, were successful and self-government was established in Venezuela, though not yet on the basis of separation from Spain and independence. It was not until July 5, 1811, that a congress of all the Provinces of Venezuela met at Caracas and published a declaration of independence. The adjoining territory of New Grenada soon followed the example of Venezuela.

Within a year the capital city and many other towns were almost destroyed by an earthquake, which was at once proclaimed as a judgment of God to punish the rebellious subjects of Spain. In both the Republics which had proclaimed their independence the effect of the earthquake was political and military disaster. In New Grenada Francisco Miranda's troops, frightened by what they believed to be a visitation of the wrath of God, deserted in large numbers to the Spanish forces, and Miranda was compelled to capitulate. Bolivar, defeated in Venezuela, went to New Grenada and entered the service of that Republic.

We can not here follow the complicated story of the ensuing 18 years, the battles and campaigns, the victories and the defeats, the death of trusted fellow workers, and the jealousy and sometimes the treachery of ambitious rivals, which added to the difficulties of the long struggle. Nor can we dwell on his tragic disappointment and his death. It is enough here to say that in spite of criticism and controversy Bolivar is now recognized as the founder of five Republics and is worthy of comparison with the great men of any nation.

One of his biographers quotes from a letter addressed to Bolivar by Daniel Webster and Joseph Story, in the name of the Bunker Hill Monument Association, as follows:

> When we read of the enormous sacrifice of personal fortune, the calmness in difficult situations, the exercise without misuse of a power greater than imperial power, the repeated refusal of dictatorship, the simplicity of your republican habits, and the submission to the constitution and law which has so gloriously distinguished the career of your excellency, we believe that we see the image of our venerated Washington. At the same time that we admire and respect his virtues, we feel moved by the greatest sympathy to pay equal homage to the hero and liberator of the South.

ORDER OF BUSINESS

Mr. GARNER. Mr. Speaker, I want to make a request, if I may. To-day is Calendar Wednesday and the Committee on the Post Office and Post Roads is on call, as I understand it. In the past two sessions of Congress I am sure the gentleman from Connecticut will agree that this side has been as generous in suspending Calendar Wednesday, for the purpose of considering emergency legislation, as it could possibly be. I want to ask unanimous consent that we suspend the business of Calendar Wednesday to-day and take up farm relief, the House bill having been reported from the Committee on Agriculture.

The SPEAKER. The gentleman from Texas asks unanimous consent that Calendar Wednesday business to-day be dispensed with for the purpose of considering the agricultural bill. Is there objection?

Mr. RAMSEYER. Mr. Speaker, reserving the right to object, is the gentleman for or against the agricultural drought relief bill?

Mr. GARNER. Well, I do not think that needs to be answered by the gentleman from Texas, because he has already stated that he is very enthusiastically in favor of this legislation.

Mr. RAMSEYER. I am glad to hear that, but the vote did not indicate it the other day.

Mr. GARNER. If the gentleman from Iowa and others are as earnestly in favor of this legislation as they profess to be, they would surely be willing to set aside to-day and consider this piece of legislation.

Mr. RAMSEYER. I am not questioning the motives of the gentleman from Texas. Of course, he can question my motives if he desires to do so. We had a chance to pass that legislation the other day. The Committee on Agriculture is now considering that legislation, and there is no one in the House of Representatives who is more in favor of aiding the farmers and agriculture than is the chairman of the Agricultural Committee [Mr. HAUGEN]. He stands always for the best interests of the people of the United States, and he is for the passage of any legislation that will aid agriculture. As far as I am concerned, I am perfectly willing to leave it to his judgment as to how and when that bill should be brought before the House.

Mr. TILSON. Mr. Speaker, the Committee on Agriculture, of which the distinguished gentleman from Iowa [Mr. HAUGEN] is chairman, is considering this bill at this very moment; at least it was a few minutes ago. To proceed to make a gesture here of asking unanimous consent to proceed with the consideration of this bill before the gentleman from Iowa or any of his committee come on the floor is, to my mind, not very courteous, to say the least.

Mr. GARNER. I would like to have from the gentleman the same generosity which I have been giving him for two sessions, in order that we may cooperate on this legislation.

Mr. TILSON. Even cooperation should not override the usual courtesy of this House. When a great committee is considering a bill we should not, without even having it reported to the House, proceed to consider the bill which is being considered in committee. I think it discourteous.

Mr. GARNER. They have already reported the bill to the House, and it is on the calendar.

Mr. TILSON. Not the Senate bill.

Mr. GARNER. The House bill.

Mr. TILSON. It would be discourteous to the Senate to proceed to consider the House bill while a Senate bill on the same subject is pending before a House committee.

Mr. GARNER. The gentleman is particularly anxious to consider the courtesies due the other body.

Mr. TILSON. There is a comity between the two Houses which should be observed, and the gentleman realizes that it would not be according to the usual parliamentary practice for us to take up and consider the House bill which is now on the calendar instead of the Senate bill, which is now pending before the Committee on Agriculture.

Mr. GARNER. Mr. Speaker, I make the unanimous-consent request.

The SPEAKER. Objection is heard.

Mr. BANKHEAD. Who objected, Mr. Speaker?

Mr. SPROUL of Illinois. Mr. Speaker, I object.

Mr. GARNER. Let me appeal to my friend from Illinois. We have, of course, what is known as a constitutional amendment to get around; but let me appeal to my good friend to let some of these Members who have to take the responsibility in the next election make the objection and not inject himself into the matter.

Mr. CHINDBLOM. Is that an issue now?

Mr. HOOPER. Mr. Speaker, I object.

Mr. TILSON. I am sure the gentleman realizes that there are 50 Members on this side ready to object to any such discourtesy.

Mr. GARNER. I would not put such a delightful gentleman as the gentleman from Illinois [Mr. SPROUL] in the attitude of making this objection.

Mr. TILSON. I have no doubt that 50 of the Members who are now present would be ready to object under the circumstances.

Mr. SPROUL of Illinois. I think the world of my friend, the gentleman from Texas [Mr. GARNER], and I dislike to object, but I objected before. I do not think it courteous to the Committee on Agriculture to bring the matter up at this time, when, as our leader has said, none of them is present on the floor. This is one of the reasons I objected. We did have a chance to pass the bill and give the farmers the relief they are asking for, and our Democratic friends saw fit to defeat the measure when we had it up a day or two ago.

Mr. GARNER. If the objection of my friend from Illinois is that the members of the Committee on Agriculture are not on the floor of the House, I will make a point of no quorum and have the roll called, and we will have them here. If that is the only reason the gentleman has, we will get them in the Hall.

Mr. SPROUL of Illinois. Even then I would object unless the Committee on Agriculture wanted to bring up the bill.

Mr. HASTINGS. The gentleman still insists on considering this measure under suspension of the rules and is unwilling to let the House express itself on the subject under the general rules of the House.

Mr. SPROUL of Illinois. The gentleman did not say that he objected to bringing it up under suspension of the rules.

Mr. HASTINGS. That is what we object to.

CALENDAR WEDNESDAY

The SPEAKER. This is Calendar Wednesday. The Clerk will call the committees.

Mr. SANDERS of New York (when the Committee on the Post Office and Post Roads was called). Mr. Speaker——

Mr. PATTERSON. Mr. Speaker, this being important legislation, I think all the Members of the House should be present, and I make the point of no quorum.

Mr. TILSON. The gentleman is evidently not in a hurry to consider drought-relief legislation.

Mr. PATTERSON. Yes; I am.

Mr. TILSON. The gentleman is not speeding up such consideration by a move of this sort.

Mr. PATTERSON. If it will delay consideration of agricultural relief, I will withdraw the point of no quorum, Mr. Speaker.

ISSUING OF ADDITIONAL MAILING RECEIPTS

Mr. SANDERS of New York. Mr. Speaker, I call up the bill (S. 3273) to authorize the Postmaster General to issue additional receipts or certificates of mailing to senders of any class of mail matter and to fix the fees chargeable therefor, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. The gentleman from New York asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

Mr. BLANTON. Mr. Speaker, I object.

The SPEAKER. This bill is on the Union Calendar.

Accordingly the House automatically resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 3273, with Mr. RAMSEYER in the chair.

The Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of the act of February 14, 1929 (39 U. S. C., p. 260), authorizing the Postmaster General to furnish receipts showing the mailing of ordinary mail of any class and to prescribe the fee for such receipts, is hereby extended to include additional receipts or certificates of mailing covering registered, insured, and collect-on-delivery mail.

With the following committee amendments:

Page 1, line 4, strike out "page" and insert "sec.," and strike out in line 7 "is" and insert "are."

Mr. SANDERS of New York. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts, Mr. LUCE.

Mr. LUCE. Mr. Chairman, I ask unanimous consent to speak for 10 minutes out of order.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed for 10 minutes out of order.

Mr. BLANTON. Mr. Chairman, following the gentleman from Massachusetts, I want to speak for 10 minutes out of order, and I shall not object.

Mr. BANKHEAD. Mr. Chairman, reserving the right to object, what is the attitude of the leader with reference to expedition in disposing of these bills?

Mr. TILSON. I do not think this will delay the bill long enough to interfere with the other matter in which the gentleman is so intensely interested.

Mr. BANKHEAD. Does the gentleman from Connecticut know how many bills the Committee on the Post Office and Post Roads has?

Mr. TILSON. Four bills, I am informed; but they will all have to be finished to-day unless some other provision is made for their consideration.

Mr. BANKHEAD. I hate to object, but it seems to me the gentleman from Connecticut ought to be somewhat consistent.

Mr. TILSON. I do not think it will kill any time if the time indicated is allowed the two gentlemen.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HOOPER. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Michigan rise?

Mr. HOOPER. Mr. Chairman, I realize the importance of the matter that is going to be discussed by the gentleman from Massachusetts and I make the point of order of no quorum.

Mr. TILSON. I hope the gentleman will not do that now. There is a fair attendance of the House now and perhaps as many as there would be shortly after the roll is called, and the Members are coming in quite rapidly. I wish the gentleman would withdraw his point of no quorum for the present.

Mr. HOOPER. I withdraw the point of no quorum, Mr. Chairman.

Mr. LUCE. Mr. Chairman, yesterday the chairman of the Committee on Banking and Currency [Mr. MCFADDEN] took the floor to discuss certain questions of finance. I wish to say that the propositions he advanced have not been considered by the Committee on Banking and Currency, of which I am a member.

Other Members have taken no public position thereon. The chairman spoke for himself and not for the committee. There are certain features of his remarks that ought not to go without an expression of opinion here by at least one other member of that committee.

In the first place, the chairman undertook to advise the Senate as to its course on the nomination of Eugene Meyer to the Federal Reserve Board. The Speaker of the House last spring in ruling upon a point of order as to the parliamentary situation in such a contingency decided that this must be left to the judgment and conscience of each Member of the House. It is, however, still the parliamentary law, laid down in Jefferson's Manual, that Members of one body shall not concern themselves as to the proceedings of the other body.

But inasmuch as Eugene Meyer has been attacked on this floor answer should be made on this floor.

Eugene Meyer was chairman of the War Finance Corporation. I differed with his judgment as to whether it should be continued. His view prevailed. He performed his duties well on that occasion and he did the country an inestimable service. [Applause.]

Since the war he has occupied high positions of trust under this Government, performing his duties faithfully, honestly, and intelligently. The President of the United States could, in my judgment, have found no man better qualified to meet the present exigency. I do not advise the Senate, but I do say it was unfortunate that on the floor of this House there should have been reference to the matter requiring this answer.

Secondly, the chairman of the Committee on Banking and Currency put himself in an unfortunate position in counseling Congress in this particular emergency. It was announced through the press some weeks ago that he had become the president of an investment trust. The word "trust" implies a responsibility to all those concerned with its operation.

I would ask the House whether it was fair to his own investors to give that speech yesterday right in the middle of the worst crash the market has known in many months.

I also question the propriety of the chairman of the Committee on Banking and Currency engaging conspicuously in financial operations while he is chairman of that committee, using the prestige of that position to the advantage of private interests, using its prestige to secure investors, using its prestige to sell ownership in stocks—is that the right thing for a Member of this body, chairman of a committee having in charge legislation relating to banks, with the gravest concern as to all matters of finance, a man whose word is constantly spread abroad as a counselor in respect to these things—is it right and proper under such circumstances for him to take the floor for the purpose of making such remarks as he delivered yesterday?

I would further emphasize the time he chose for making the speech. For some days it has been known that the market was in a perilous condition. Yesterday stocks fell so that millions and millions of value disappeared. Right in the midst of this boiling market the chairman takes the floor and adds further to the anxiety, the alarm, the distress of the millions of our people who have invested their savings in securities, who have intrusted to banks what provision they have made against the needs of illness and old age. Was it a happy time to pour fuel on the flames?

Next, I would question the propriety of ever using the opportunities of public position so that confidence in public institutions may be shaken. That speech was full of insinuation against public officials, against the Federal reserve system, against the President of the United States. It was full of insinuation against the integrity and honesty of great financial leaders in this country, of the great banks of the country. It disturbed still more the confidence of the people in those to whom they look to save them in this hour of crisis. I ask if it was a wise and prudent thing to invite the people to doubt the integrity of the Federal reserve system? That speech was full of insinuation that those who lead the Federal reserve system have acted for some personal or financial gain.

It intimated that those who have conducted the system have been conducting it with impropriety, almost with dishonesty. Was that the right attitude to take toward this system in which both political parties in this country have taken so much pride, of which they contest credit for the authorship, and to which they desire to give support in every possible manner? Was it a wise and judicious thing to attack that system under the peculiar circumstances of the moment? Was it a wise thing to attack the banks of the country, when they are failing on every hand, when alike in the cities and in every village having a bank there is apprehension and fear on the part of the depositors? Was it a wise thing for him, well known to be chairman of the Committee on Banking and Currency, to permit the public to infer that other members of the committee and the Congress itself doubt the integrity, honesty, decency of the financial men who run the banks of the country?

I would ask further whether repetition of the arguments we have heard advanced from time to time about international finance was justified in such a crisis as this? Everybody knows that we are already involved in the finances of the world. Everybody knows that these huge payments of debts have to be met somehow. Everybody knows that in this respect the welfare of our own Treasury, the welfare of the land as a whole, depends on the integrity, the good faith, the wisdom of the people who are engaged in handling these international relations. Is it a wise thing to impugn their honesty, impugn their uprightness, to impugn their consciences and give the public to understand by insinuation after insinuation that they are doing the wrong things for the sake of their own selfish gain or for the gain of private interests?

I can not believe, Mr. Chairman, that such statements as this are prudent at this time:

> There is no question that the Federal reserve system is playing with international financial operations through the Bank for International Settlements.

Playing! My God, in a time of crisis like this to charge the most responsible agency in the United States with playing with the international situation.

Sir, I renounce those utterances, I denounce those utterances! I say they are not the beliefs of the committee; I say they are not the beliefs of the House. They were uncalled for; they were untimely; and they were wrong. [Applause.]

Mr. SANDERS of New York. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. BLANTON rose.

The CHAIRMAN. For what purpose does the gentleman from Texas rise?

Mr. BLANTON. I ask for recognition in control of the time against the bill, or, if the gentleman from New York will yield me 10 minutes, I do not care to do that.

Mr. SANDERS of New York. I shall be glad to yield 10 minutes to the gentleman.

Mr. STAFFORD. Mr. Chairman, I ask for recognition in opposition to the bill.

The CHAIRMAN. Is any member of the committee opposed to the bill? If not, when the time comes the Chair will recognize some one in opposition to the bill.

The gentleman from New York has yielded 10 minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY. Mr. Chairman, this bill is one of those on the program of the House Committee to endeavor to raise additional revenues through optional services. This measure will extend the present law so that a mailer may secure a certificate of mailing for additional classes which now are not covered under the law. Up to July 1, 1929, it was possible to get a receipt of mailing for a parcel-post package. By the act which went into effect July 1, 1929, that was extended to include all other classes of ordinary mail matter. There is authority under the law for receipts of mailing for ordinary classes of mail matter, but that does not include insured mail, registered mail, and collect-on-delivery mail. The Post Office Department has recommended that this privilege, this additional service, which is optional, be extended to those classes of mail. The House committee formally reported a House bill to carry it out. We now have the Senate bill before us. Surely no one can object to this measure if he desires at all to add to postal revenues through charges which are paid only by those mail users who desire to avail themselves of additional service. If there are any questions, I shall be glad to answer them.

Mr. STAFFORD. The gentleman refers to this bill as one to increase the revenues of the department. Do I understand that they charge a cent for this service?

Mr. KELLY. One cent is the charge.

Mr. STAFFORD. Does the gentleman think, from his close acquaintance with postal administration, that 1 cent will compensate the Government for the issuance of a certificate when we are paying men high salaries to perform this work?

Mr. KELLY. The gentleman understands the system by which these certificates are issued. Large mail users come in and ask for a receipt of mailing for a large number of letters, parcel-post packages, and so forth. Those are all put on a single sheet, sometimes 20 to a sheet. That means the payment of 20 cents by the simple operation of signing. So

that it is a profitable service. The excess of the income over expenses amounts to a considerable sum, and this will add to that.

Mr. STAFFORD. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. STAFFORD. Will the gentleman give the committee the total revenue that has resulted from the fee charged for the issuance of these certificates?

Mr. KELLY. This is practically a new service. The increase over last year shows 25 per cent. The income is $86,000. This will probably bring it up to over $100,000 within the next year.

Mr. HASTINGS. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. HASTINGS. Does the gentleman not think it is a rather dangerous thing to turn over to the Postmaster General the question of fixing fees that should be charged? Congress fixes the fees and Congress fixes the postage rates by legislation on everything else. It may be necessary to increase the fees, but I think we are embarking on a rather dangerous sea to give the Postmaster General blanket authority to fix fees. As far as I am concerned, I do not favor that kind of legislation. I think it is too much authority to give to the Postmaster General.

Mr. KELLY. I have maintained the same stand in the committee on these measures with the exception of this one. This service is now in force at 1 cent, and the Post Office Department proposes to continue it.

Mr. HASTINGS. Why do we not in this bill fix the increase which the Postmaster General may charge?

Mr. KELLY. The Postmaster General proposes to fix 1 cent, which is now in force under present law.

Mr. HASTINGS. Why do we not amend this bill to make it 1 cent?

Mr. KELLY. This is a Senate bill and an amendment may mean that it must be taken up again. The fact is that the 1-cent fee will be charged just as has been charged in the past. I have that assurance from the Post Office Department.

Mr. HOCH. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. HOCH. I would like to make an observation about the drafting of this bill. I do not refer to the merits of the bill, but this bill proposes to amend a very short act, namely, the act of February 14, 1929, by adding certain classes of mail matter. The committee proposes that the provisions of the act are hereby extended to increase, and so forth. I think that is a very unhappy way of legislating and a very undesirable method of legislating. Why did the committee not simply amend this act by inserting certain words? To take an act that is already upon the statute books and say that the provisions of a certain act are extended to include so and so is very unsatisfactory for those who are looking up the law to find what the law is. While I do not think in this connection it is important enough to insist upon an amendment, certainly it would have been just as simple and it would have taken less words to reenact the old act by inserting those words than to do it in this way.

Mr. KELLY. The gentleman is right, but this is a Senate bill. It comes before us as a Senate bill and will accomplish the purpose, however awkwardly it may be drafted.

Mr. HOCH. The gentleman offers that as an explanation of why it is improperly drafted?

Mr. KELLY. Yes. That is one answer.

Mr. BLANTON. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. BLANTON. I doubt whether the bill is improperly drafted. Does it not accomplish the purpose sought?

Mr. KELLY. It accomplishes exactly that purpose.

Mr. BLANTON. Do we not all understand it?

Mr. KELLY. I think so.

Mr. BLANTON. Then, is it not properly drafted?

Mr. STAFFORD. Well, I question whether it is properly drafted, and I will take occasion in my time to point out that fact.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. CHINDBLOM. I understood the gentleman to say that the committee is anxious to have the bill passed in its present form, to avoid further action in the Senate. Is that the situation?

Mr. KELLY. This is a Senate bill, and, of course, the best way to deal with it, if it will accomplish its proper purpose, is to leave it as it stands.

Mr. CHINDBLOM. The bill still has to be returned to the Senate on account of a slight amendment.

Mr. KELLY. Well, it is merely a typographical amendment. I do not believe it would be sent back on that account.

Mr. CHINDBLOM. I am sure the bill could not be enrolled without having the Senate agree to even a typographical amendment.

Mr. KELLY. That may be true. My friend will admit this, at least, that this bill will extend to these other services the receipt privilege. That is all we are trying to do.

Mr. CHINDBLOM. I have some doubt about the original policy of allowing the Postmaster General to fix the fees in any case.

Mr. KELLY. That has already been done. The 1-cent fee has been fixed.

Mr. CHINDBLOM. But if that is not a good policy, we are extending that policy still farther by legislation of this kind.

Mr. KELLY. In the committee we have been very meticulous about that proposition, and it was only on account of the legislative situation here that we did agree to this Senate bill.

Mr. CHINDBLOM. Of course, what I have said has no reference to the present administration of the Post Office Department. I am speaking of the general policy of giving administrative officers the right to fix fees for Government services, especially in the Post Office Department.

Mr. KELLY. I agree in general with the gentleman from Illinois.

Mr. BLANTON. We will not extend it far enough to let the Postmaster General increase the postage on first-class mail to 2½ cents an ounce, as he proposes.

Mr. KELLY. No. We will not accept that recommendation, I am quite sure.

Mr. SANDERS of New York. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to speak for 10 minutes out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BLANTON. Mr. Chairman, the gentleman from Illinois [Mr. SPROUL] is one of the most delightful gentlemen of this House. He is my personal friend. He is a most welcome visitor, from time to time, at Mineral Wells, a watering place in my district. We think a great deal of him down in west Texas. The gentleman does not mean to have the country misconstrue what he says on the floor, but, going into the RECORD and going out to the country all over the United States, it might be misconstrued.

Just a moment ago when his colleague, the gentleman from Illinois [Mr. CHINDBLOM] asked the gentleman from Pennsylvania [Mr. KELLY] if the quickest way to pass the Senate bill was not to pass the bill and send it back to the Senate with as few amendments as possible, of course, the gentleman from Pennsylvania had to acquiesce in that.

Mr. CHINDBLOM. The gentleman misunderstood me.

Mr. BLANTON. That method would have disposed of the drought relief bill which came from the Senate. If we had passed that bill appropriating $60,000,000, which it seems the Department of Agriculture thought, at the time it prepared the Senate bill, must be appropriated in order to meet the requirements of the country, that bill now would be at the White House for the President's signature, and would not be tied up in the Committee on Agriculture, and the farmers who need the relief would have it at once.

Mr. SPROUL of Illinois. Will the gentleman yield?

Mr. BLANTON. In a moment I will. Please allow me first to say what I want to say and then I will yield.

Legislation that is passed under suspension of the rules, which requires a two-thirds vote of the House, is supposed to be only legislation concerning which practically the entire membership of the House is in accord, and yet every time a desire comes to the steering committee to place a gag on the House and pass a piece of legislation over the House, concerning which a great many of the Members are not in accord, they bring it in under suspension of the rules. That is what was attempted in this case. An attempt was made to "gag" the Members of the House, and make us pass a bill that does not suit us.

We know—and the people of the country ought to know—that when a bill is brought before the House in the orderly way, under the rules of the House, the House can amend it in any way it desires, and make it read just like a majority of the House wants it to read. And there must be at least two hours of debate on it, and Members are permitted to discuss it pro and con, and to reach a proper decision. A majority of the Members may increase or lower at will the appropriation provided for in the bill. It is thus made to express the will of a majority of the House. We are the legislators for the people, and the legislation which we pass should be ours, and should express our will, and we should not be "gagged" and forced to do something against our will.

We know—and the people of the country ought to know—that when a motion is made to pass a bill under suspension of the rules only 20 minutes' debate to the side is permitted. Not a line in the bill can be changed. Not an "i" can be dotted. Not a "t" can be crossed. It must be voted up or down, just exactly in the form it is presented, for no amendments of any kind are allowed. We are compelled to take it or leave it. Notwithstanding the fact that the 120,000,000 people of the United States have 435 Representatives sent here by them to Congress to legislate for them, and to vote their sentiments, all are impotent except the few Members who, acting for the Chief Executive, have prepared a measure to meet his demands, and, under the recognition of the Speaker, move to suspend the rules and pass it, just exactly as the President wants it passed.

As a general proposition, not a Member on this floor would approve of such a method. Expediency causes it to be done from time to time.

There are three distinct branches of this Government—the executive, to enforce laws; the legislative, to pass laws; and the courts, to construe and uphold laws. Our Constitution does not authorize the Chief Executive to legislate. It does not empower him to compel Congress to function in his way and to blindly pass measures in his language and terms. Framing and passing legislation is a duty and obligation resting upon our shoulders. We can not delegate our discretion, judgment, and responsibility.

If the motion to suspend the rules had been to pass the Senate bill appropriating $60,000,000 to relieve the drought-stricken farmers of the United States, I do not think there would have been a vote against it. It was passed unanimously by the Senate. The House would have passed it practically by a unanimous vote. It has been contended by the distinguished Republican Senator who introduced and passed it in the Senate that the bill was drawn and sent him by the Department of Agriculture as the one meeting the needs and necessities of the people of the country. If the steering committee and the chairman of the House Committee on Agriculture had arranged to move to suspend the rules and pass this Senate bill it would have been passed promptly and would have gone to the White House last Monday night, and would be a law at this time, if the President had given it the prompt and favorable action it deserves and the situation demands.

But it was not the Senate bill the House was asked to pass. It was not the Senate bill that was brought up under suspension. We Representatives were not given an opportunity to vote for or against the Senate bill. But it was attempted to bring the Senate bill before this House, under the guise of a Senate bill, but with all after the enacting clause stricken out and the President's proposal inserted in lieu thereof. Everything after the enacting clause was stricken out, and the House proposal was inserted as an amendment, and we had to accept and swallow that like a bunch of open-mouthed mocking birds in a nest, without even the right to consider it. The demand was made for us to swallow it. I was glad to see there were enough Members on the floor of this House who would not agree to be puppets and rubber stamps for any administration's floor leader or anyone else conducting the management of this House.

Mr. TILSON. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. TILSON. The gentleman is sufficiently acquainted with the rules of this House to know that if he has the votes the bill could never be sent to conference without the House having an opportunity to vote to change the bill in accordance with what the gentleman claims should be done.

Mr. BLANTON. I do not have time to yield for a speech. The eminent floor leader can get the floor any time he desires. We all grant him the floor for as much time as he wants, and without asking a question.

There was an opportunity for this House to take up under the rules of the House in an orderly way the Senate bill, which the Senate had passed, and which the distinguished Senator from Oregon said came to him from the Department of Agriculture with its approval.

And we who are familiar with the terrible conditions existing in the numerous drought-stricken areas of the United States know that it will require at least the $60,000,000 provided for in the Senate bill to grant the relief that is absolutely necessary, if these afflicted farmers and their wives and little starving children are to survive.

We could have taken up the Senate bill in an orderly way and passed that bill and sent it to the White House and it could have been a law to-day. And the needed relief would have been granted. But it is now intimated that those who prevented the administration from putting a gag on this House killed the bill. However, the country knows that this bill is not killed but is the livest bill before this Congress, and that it is the administration of this country that is preventing the consideration of that bill. Right now the gentleman from Connecticut knows that he can have that bill brought in within a few minutes if he wanted to do so.

Mr. SPROUL of Illinois. Will the gentleman yield now?

Mr. BLANTON. And the gentleman from Illinois knows that it was not the Democratic side of this House which kept that Senate bill from being passed.

Mr. SPROUL of Illinois. It was, because there was only 1 vote on your side of the House for the suspension of the rules.

Mr. BLANTON. We Democrats, aided by 16 Republicans who stopped this "gag," were voting on a question of principle. It was a question of not permitting the gentleman's party to gag this House and hog-tie it so it could not move and so we could not have any discussion of this matter.

Mr. SPROUL of Illinois. Is the gentleman in favor of giving the industrial workers of the United States the same deal he has given the farmers?

Mr. BLANTON. Certainly I am. I voted for the $110,000,000 bill, and I will vote for every bill that the gentleman wants to bring in here to relieve distress in Illinois.

Mr. SPROUL of Illinois. Eighty million dollars of that goes to build roads, and they can build a mile of road with about 15 men and 2 or 3 machines.

Mr. BLANTON. I called attention to that, but whose fault is it? It is the gentleman's President in the White House, who failed to send his estimates here for the very relief the gentleman is speaking of now. There has been no estimate here from the White House or the Budget asking us to appropriate for the industrial situation of which the gentleman speaks. We have voted for everything the President has sent here on that subject.

Mr. SPROUL of Illinois. The President wants $25,000,000, and you want to give $60,000,000.

Mr. BLANTON. Yes; because the President does not know the extent of the relief which should be afforded at this time.

Mr. SPROUL of Illinois. He does know. He knows that the Red Cross is taking care of those who are hungry and who need clothing and fuel.

Mr. BLANTON. I am not talking about the Red Cross. We are the Representatives of the American people, and they are looking to us; they are not looking to charity through the Red Cross; they are looking to their Government of the United States.

I want to say this: That while the President's prosperity preaching was going on over this country a great many people were induced to buy stocks. Some of the most stable stocks were sold for $250 a share at the peak, and the people in my district, believing the promises of prosperity and the promises of enforcing the prohibition laws, voted for a Republican President, and the Republicans carried my district in the 1928 election. [Applause.] But they are waking up now, when those $250 stocks have now gone down to $90. There is a difference of $160 a share in those stocks at this time. The people are finding out now who has been garnering in all of the huge and tremendous profits at their expense.

I can not yield to the gentleman from Wisconsin. Every person in my district is ashamed now that it went Republican in 1928, and you will not catch them any more doing a thing like that. It was the promise of your President that he would enforce the prohibition law that got the vote of every preacher in my district; but you can not find a preacher there now who would vote for him on prohibition because he has not enforced the law and he has not even had his commissions make an attempt to enforce the law.

In addition to that, one of your judges up in New Jersey yesterday had the audacity to affront the Constitution and to come out and say that the eighteenth amendment to the Constitution is not legal.

Mr. STAFFORD. The gentleman should say courage, backbone, and intelligence.

Mr. BLANTON. Yes, intelligence! He ought to be impeached. That judge in New Jersey ought to be impeached and removed from the bench [applause], and I am expecting my friend Mr. LAGUARDIA, who looks after such matters, to bring in a resolution impeaching this judge because he refuses to uphold the law of this country. [Laughter and applause.]

This drought relief bill for afflicted farmers of the United States must be passed and become a law before Christmas. It should appropriate the full $60,000,000. It must appropriate not less than $50,000,000 under any circumstances. The farmers of the United States and their friends are well acquainted with the situation, and they are going to hold this administration and the Republican Party responsible if this legislation is longer delayed, and if it is not passed before the New Year. I believe that the Republican leaders are too astute, and have too keen a political acumen, if they are not moved by any other impulse, to allow this Senate bill for drought relief to remain pigeonholed, and that they will bring it before this House for action so that it may be passed before the holidays.

Mr. SANDERS of New York. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, I ask for recognition in opposition to the bill.

The CHAIRMAN. Is the gentleman opposed to the bill?

Mr. STAFFORD. In its proposed form; yes.

The CHAIRMAN. The gentleman from Wisconsin is recognized for one hour in opposition to the bill.

Mr. STAFFORD. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. PATTERSON].

Mr. PATTERSON. Mr. Chairman and members of the committee, there are a lot of things I would like to discuss if I had unanimous consent to speak out of order, but I think the legislation we are considering now is very important and I want to say a few words in reference to this bill.

We have here a bill that is brought in and is to be passed after two hours of debate, or probably not that much debate, which gives the Postmaster General the right to fix rates and to issue certificates for mailing these three kinds of mail matter. The bill reads thus:

That the provisions of the act of February 14, 1929, authorizing the Postmaster General to furnish receipts showing the mailing of ordinary mail of any class and to prescribe the fee for such receipt are hereby extended to include additional receipts or certificates of mailing covering registered, insured, and collect-on-delivery mail.

Three of our great classes of mail here are left entirely in the discretion of the Postmaster General to fix the rates in any manner he may see fit.

We are told in this connection by the amiable gentleman from Pennsylvania [Mr. KELLY] that the rates are going to remain at 1 cent, but he does not want to write that into the law. However, he can not deny the fact that it is left entirely to the discretion of the Postmaster General; yet he says they are going to remain at 1 cent, and the gentleman states that the reason for leaving it entirely to the discretion of the Postmaster General is to get the bill through in a hurry, because it is a Senate bill.

Mr. O'CONNELL. Will the gentleman yield?

Mr. PATTERSON. I yield to the gentleman from New York.

Mr. O'CONNELL. The gentleman from Pennsylvania [Mr. KELLY] made the statement a few moments ago that the real purpose in changing the law, as indicated in this bill, is to raise additional revenue for the Post Office Department.

Mr. PATTERSON. Oh, sure. This is one of Postmaster General Brown's pet schemes to raise additional revenue, and I hope you will pardon me for saying this, because I do not mean any offense, but I regret some Members of the Congress bringing in such legislation and trying to pick up a few dollars and at the same time give the Postmaster General unlimited discretion to pick up these few dollars out of the poor mail users of the country.

Mr. KELLY. Will the gentleman yield?

Mr. PATTERSON. I yield to the gentleman from Pennsylvania.

Mr. KELLY. The gentleman knows, of course, that Congress has twice passed a provision giving authority to the Postmaster General to fix this fee, and the fee has been fixed at 1 cent. This simply provides for an extension of that service.

Mr. PATTERSON. I want to ask the gentleman now what benefit this will be to the mail service by extending this authority to these other services, and I will give the gentleman some of my time to answer that.

Mr. KELLY. The gentleman puts a wrong construction on it when he states that this is a burden on mail users. There is no burden on anyone except those who believe that this is a service fee for which they will be amply compensated. No one has to pay this fee.

Mr. PATTERSON. Then why leave it in the hands of the Postmaster General, especially when he is so anxious to raise additional revenue?

Mr. KELLY. I agree largely with the gentleman but——

Mr. PATTERSON. Then let us limit it to 1 cent. If the gentleman believes that is the proper thing to do, let us do that.

Mr. KELLY. I can assure the gentleman the fee is to be 1 cent.

Mr. PATTERSON. I do not want any assurance. Why not put that in the bill?

Mr. KELLY. If the gentleman wants to offer an amendment, he can do that at any time after we start reading the bill under the 5-minute rule.

Mr. PATTERSON. I feel sure there will be some amendment offered along that line. To my mind this is a nefarious scheme to give the Postmaster General additional authority. I do not know what his aims are, but it seems to me this is a scheme to reach out and take every cent of money possible out of the people who use the mail. They are asking additional fees for directory service so that the department can raise any amount of money he may desire.

Why should we consider such legislation as this to raise a few dimes or a few pennies out of the American people who use the mail service?

Mr. KELLY. My friend is mistaken about anybody having the power to take money from any mail users. This is only an optional service.

Mr. PATTERSON. We have brought in some that are not optional. The gentleman has some on his desk to-day that are not optional.

Mr. KELLY. That is true, but this bill is the one we are considering now.

Mr. PATTERSON. And this is one of the Postmaster General's schemes, and I oppose such a scheme, and I do not believe it is best for the American people to pass such legislation giving the Postmaster General unlimited discretion in the fixing of fees. Who knows the fee is going to be 1 cent? If he needs revenue as bad as this, who knows whether the fee is going to be 2 cents or 5 cents, and he has unlimited discretion.

Mr. BRIGGS. Will the gentleman yield?

Mr. PATTERSON. Yes.

Mr. BRIGGS. Can the gentleman from Alabama inform the committee as to what is the necessity, aside from being a revenue measure, for this piece of legislation?

Mr. PATTERSON. No; I can not; and I can not find out from the gentleman sponsoring this legislation.

Mr. BRIGGS. What prompts it? Why should people want these additional receipts, for instance, for insured mail, registered mail, and things of that kind?

Mr. PATTERSON. I can not inform the gentleman about that. I asked the gentleman from Pennsylvania [Mr. KELLY] that question and he could not inform me.

Mr. KELLY. Will the gentleman yield?

Mr. PATTERSON. Yes.

Mr. KELLY. I explained that need, and I thought I made it clear to the committee. This is a service that is desired by mail users, and 8,000,000 pieces of mail last year took this kind of certificate and $86,000 was received. The extension is desired by mail users.

Mr. PATTERSON. Who desires it?

Mr. BRIGGS. I understand it is desired by some; but why is it desired. Is it, for instance, desired by houses that want to send out an indiscriminate lot of matter to people who do not want it, do not call for it, and do not write for it; but they just want to show by receipts in order to make out cases that they delivered such matter to the Post Office Department and have a receipt for it; and then when it is not returned they will take steps to annoy the people who receive matter that they have never ordered? Is that the purpose of it?

Mr. KELLY. Oh, no; it has nothing to do with that. This is a certificate of mailing, which will show that the registered, insured, or C. O. D. mail was actually mailed in the post office. It is worth 1 cent for such a certificate.

Mr. BRIGGS. Is it the senders who want it?

Mr. KELLY. There were 8,000,000 last year——

Mr. BRIGGS. Why should they want it?

Mr. KELLY. A great many mail users want to use it, and, as I say, there were 8,000,000 last year——

Mr. PATTERSON. Who wants the additional mail service; who are some of them?

Mr. KELLY. Many concerns have traveling agents out, and they insist that there be proof of the deposit of mail in the post office.

Mr. PATTERSON. I thought the insurance did all that. Is this a scheme for the mail users to get around the insurance provision?

Mr. KELLY. This has nothing to do with the handling of the mail or the delivery of the mail. It is simply a certificate that the mail has been deposited in the post office.

Mr. PATTERSON. It seems to me that the public would be served—if we want to carry out Postmaster Brown's pet schemes—that rather than bring in these chicken-feed measures they should be put into one broad program and let us vote on it and turn it down.

There is a great to-do about the deficit of the Post Office Department.

Mr. ARENTZ. Will the gentleman yield?

Mr. PATTERSON. Yes.

Mr. ARENTZ. There has been a great deal of talk about raising the revenue, about increasing the revenue. I want to say that the average fourth-class postmaster gets about $185 a year. I think along with increasing the revenue we should pass legislation giving to the fourth-class postmaster $25 or $30 a month in payment of the splendid work that they do.

Mr. PATTERSON. I agree with the gentleman, and let us vote down these little chicken-feed measures.

Mr. STAFFORD. Mr. Chairman——

The CHAIRMAN. The gentleman from Wisconsin is recognized for 50 minutes.

Mr. STAFFORD. I shall not consume more than 5 or 10 minutes. I wish to continue the discussion suggested by the gentleman from Texas, as to the real need of having these receipts for mailing, and who are the persons that wish to profit by such receipts.

Mr. KELLY. The Post Office Department is in receipt of many letters commending the law that is now in force and asking that it be extended to these three classes of mail.

Mr. STAFFORD. Is there really any good accomplished by the present service, as suggested by the gentleman from Texas, to secure evidence on the part of the mail-order houses?

Mr. KELLY. It is an appreciated service; yes.

Mr. STAFFORD. What is the use of a receipt? Is it to check the agent of the mail-order house that the mail has been deposited in the post office?

Mr. KELLY. The use is that there will be proof of the deposit of the mail in the post office.

Mr. STAFFORD. For whose benefit? That is what I want to know. If the gentleman can not answer, all right.

Mr. KELLY. In answer I will say that there are 8,000,000——

Mr. STAFFORD. What is the real purpose? The gentleman is proposing to extend the provisions of these receipts to registered mail, insured mail, and collect-on-delivery mail. We all know that so far as the registered mail is concerned you get a receipt to-day. We all know that so far as the insured mail is concerned you get a receipt.

Mr. KELLY. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. KELLY. You do not now get a receipt for mail being deposited. You send the card through and get a receipt as to its delivery.

Mr. STAFFORD. The gentleman must not have sent any mail by registered or insured mail for a long time, because we do get a receipt when we send registered and insured mail.

Mr. KELLY. You get a slip.

Mr. STAFFORD. That is a receipt, giving the number, so as to identify the package. That is a receipt by which the sender of the mail holds the Post Office Department to an accounting in case it is lost. That is a receipt for which we do not pay anything. The gentleman says we do not get a receipt.

Mr. KELLY. The gentleman knows that this receipt of mailing is entirely different from the slip that is given at the time one asks for a return card.

Mr. STAFFORD. That only enlarges the interrogation doubt as to what is the purpose of this supplemental receipt.

Mr. HOCH. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. HOCH. I understand the gentleman from Pennsylvania to say that we get a slip when we mail a package.

Mr. KELLY. Yes.

Mr. HOCH. Do we not receive that in all cases regardless of whether we ask for a return card or not?

Mr. KELLY. Yes.

Mr. HOCH. I understood the gentleman to say we only get that in cases where we ask for a return card.

Mr. KELLY. I wanted to say that these receipts of mailing are quite different from the slip containing the number of the registered article.

Mr. HOCH. What is the purpose of this? We get a receipt of mailing now?

Mr. KELLY. The gentleman will admit that if that is deemed sufficient to prove delivery in the office of this registered letter, of course this additional 1 cent fee will not be paid.

Mr. STAFFORD. Yes; but what is the purpose of it when we already have an acknowledged statement or slip furnished, with a serial number on it, corresponding with that on the package, which has been sent by registered or insured mail? What is the purpose of this additional receipt?

Mr. KELLY. It has been the policy of the service so far to give these certificates for ordinary classes of matter, and now we simply extend it to insured, registered, and collect-on-delivery mail. If it is of no value, no one will use it.

Mr. STAFFORD. I am trying to find out whether the Post Office Department is occupying our time with an inane proposal or a sensible one. If we have a certificate to-day that serves the purpose, what is the use of taking up our time and providing a fee of 1 cent for something that is supplemental to the arrangement now in use?

Mr. KELLY. The Post Office Department estimates that this will raise a considerable amount from those who desire the service and are willing to pay the fee.

Mr. STAFFORD. Will the gentleman state one concrete case in the matter of registered mail, where a person in regular course, without asking, receives a certificate showing the package has been mailed, that shows the necessity for this certificate?

Mr. KELLY. If this certificate is not of value, it will not be used.

Mr. STAFFORD. I want to find out from some one from the Post Office Department or the Post Office Committee the reason for this asinine proposal.

Mr. PATTERSON. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. PATTERSON. Have there been hearings on this bill? Who appeared before the committee and asked for this service?

Mr. KELLY. Mr. Tilton, Third Assistsant Postmaster General, and other representatives of the department presented the case.

Mr. PATTERSON. And nobody appeared except from the Post Office Department?

Mr. KELLY. That is all.

Mr. PATTERSON. Then I want to ask one other question if the gentleman from Wisconsin will yield? How many thousand dollars do they estimate this will add?

Mr. KELLY. This service now yields $86,000 on ordinary classes of mail matter.

Mr. PATTERSON. What will it yield from this additional service?

Mr. KELLY. The department made no estimate, but it will probably be around $25,000.

Mr. STAFFORD. Mr. Chairman, during the early consideration of this bill, attention was directed by the gentleman from Kansas [Mr. HOCH] to the irregularity from a legislative standpoint of amending an existing statute. Supplementing his criticism along the same line, I would inquire whether in the original law there is any reference to certificates of mailing?

Mr. KELLY. The gentleman can see from the comparative print on the last page of the report. It quotes the present law of February 14, 1929, and also the proposed amendment in this bill (S. 3273).

Mr. STAFFORD. After examining that, I direct the gentleman's attention to the fact that he will find no reference in the present law to certificates of mailing.

Mr. KELLY. If the gentleman will look at the act in the first column he will see that it refers to receipts showing the mailing of ordinary mail.

Mr. STAFFORD. But nothing about certificates.

Mr. KELLY. That is a receipt or a certificate.

Mr. STAFFORD. What is the need of saying "certificates" in your amended bill when there is no such word in the original act.

Mr. KELLY. If the gentleman will refer to the bill itself, it refers to receipts or certificates of mailing. "Certificates" is simply a synonym for "receipts."

Mr. HOUSTON of Delaware. Oh, no.

Mr. STAFFORD. The gentleman says that "certificates" is a synonym for "receipts" and the gentleman from Delaware [Mr. HOUSTON] says no. I agree with the gentleman from Delaware, and I yield to him, if he wishes, to explain the difference.

Mr. HOUSTON of Delaware. A question might arise as to whether or not the certificate would not have to be certified to by some superior officer instead of a mere receipt given by the clerk of a post office.

Mr. KELLY. This measure was prepared in the Post Office Department, and I take it from the facts that of course the words "receipt" and "certificate" apply to the same card, that they are simply interchangeable words.

Mr. HOUSTON of Delaware. If it is a certificate then in a court of law it will have more weight than a mere receipt.

Mr. KELLY. That is not contemplated by the bill, I would say to the gentleman.

Mr. STAFFORD. What information I have been able to obtain as to the real purpose of the measure rather confirms my suspicions that it is for the benefit of mail-order houses to get proof that mailable matter has been delivered to some person who has not ordered it so that they can prove that they have a right to recover in a court of law in case the merchandise is not returned.

On last Calendar Wednesday there were similar bills designedly for the purpose of aiding mail-order houses in that particular, authorizing a fee of 20 cents to be charged. Those bills did not originate in the Post Office Department but originated in the Committee on the Post Office and Post Roads. When we came to ask them what their basis for charging the 20 cents was they said, "That is our idea."

Mr. PALMER. Will the gentleman yield?

Mr. KELLY. I yield.

Mr. PALMER. What is the object of this legislation and the results to be obtained? Will it not be an additional cost to the patrons of the office, by raising the fee, and working a hardship on the patrons of the office?

Mr. KELLY. Only those mail users who desire to have a receipt of actual deposit in the post office will be affected by this measure.

Mr. PALMER. Then the object of this legislation is to raise revenue from the common patrons of the office?

Mr. KELLY. Of course, the purpose is to raise revenue not from compulsory service but from an optional service.

Mr. PALMER. Does the gentleman not think that is bad legislation at this time?

Mr. KELLY. I think it is the best way possible to raise revenues which are needed at this time.

Mr. PALMER. From the poor patrons?

Mr. KELLY. Oh, no. This does not apply to any mail user who mails a letter and allows it to go in the regular course. This applies to those who want a receipt of actual deposit in the post office.

Mr. STAFFORD. That is, they want a receipt to protect their rights when the mail is registered or insured or they want a supplementary receipt for some ulterior purpose which the gentleman has not been able to explain.

Mr. KELLY. Of course, a receipt for registered mail is quite different. That is simply a statement of a registry being made through the Postal Service.

Mr. STAFFORD. A receipt whereby you hold the department to accountability in case the letter or package is lost; the only evidence that you have to present in case a package or letter has been misdelivered.

Mr. KELLY. But this has nothing whatever to do with any indemnity by the Government.

Mr. STAFFORD. What better proof has the sender than the receipt which he gets when he mails a registered or insured package?

Mr. KELLY. On this card there will be a description of the package itself. There will be details which he will not get in the slip giving the number.

Mr. STAFFORD. Oh, now we are getting some information. Now we are going to have a description of the package.

Mr. KELLY. I thought the gentleman understood that at the beginning.

Mr. STAFFORD. Oh, no. I am unable to comprehend anything that emanates from the Committee on the Post Office and Post Roads.

Mr. KELLY. That is the gentleman's misfortune.

Mr. PATTERSON. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. PATTERSON. I would like to make this suggestion, that every one of these C. O. D. packages is paid for by the person who receives them. The ordinary person, who probably does not have but sufficient money to pay for it, has to pay every one of these charges. They are all passed on to him, whether the Postmaster General raises it to 1 cent or 5 cents or 10 cents.

Mr. KELLY. Of course, that is not correct.

Mr. PATTERSON. Oh, yes; every one of them is passed on to them.

Mr. KELLY. Again I say that no one will pay this fee except those that definitely request the receipt of mailing for some sufficient purpose.

Mr. PATTERSON. Every cent of the collect-on-delivery postage is passed on to the man who takes it out of the office.

Mr. KELLY. This measure only contemplates an optional service, which will be paid for by the mail user who desires it.

Mr. STAFFORD. I believe that if we proceed farther and farther we will get more into the mire as to the real purpose of this measure, and, accordingly, I reserve the balance of my time.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SANDERS of New York. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. HOGG].

Mr. HOGG of Indiana. Mr. Chairman, ladies and gentlemen of the committee, it appears that the relative importance of the matter involved is out of all proportion to the enthusiasm of the opposition.

What this bill provides for is that if some user of the mail, either rich or poor, desires to spend 1 cent to get an additional receipt to show that he has deposited certain matter in the United States mail he shall have the privilege of doing so.

Mr. MORTON D. HULL. Will the gentleman yield?

Mr. HOGG of Indiana. I yield.

Mr. MORTON D. HULL. Why should he want to get an additional receipt if he has already got one?

Mr. HOGG of Indiana. The gentleman from Illinois has asked a fair question. I regret I am unable to answer such a simple question. But I will state that last year the Post Office Department carried about 15,000,000,000 letters, and I am unable to tell the gentleman why each of the senders used the mail to that extent. I can not tell the gentleman why last year 6,875,000 people used this service. It is the testimony of the Post Office Department that there is a serious demand for the service authorized in this bill.

Mr. HOCH. Will the gentleman yield?

Mr. HOGG of Indiana. I yield.

Mr. HOCH. I am not unfriendly to this legislation in the questions I have asked. I was only trying to get at what the real purpose of this receipt was in the case of registered mail. That is a receipt of mailing. If this is some needed service that people are willing to pay for I am glad to favor it, but I do not yet understand, in the case of registered mail, when everyone now receives a little slip which is a receipt of mailing, why anyone would want to pay for an additional receipt. Is it the intention to take away from the senders of registered mail the free receipt that they now get?

Mr. HOGG of Indiana. It is not. If the gentleman from Kansas and the gentleman from Illinois together took a package to the post office to have registered and there an argument arose between them as to who shall have the receipt, or suppose an argument arose between the gentleman from Alabama and the gentleman from Wisconsin as to who should have possession of the receipt which is given them, they could settle that argument by paying 1 penny and getting an additional receipt for the registered package. That would relieve the necessity of the continuing of the argument between the gentleman from Alabama and the gentleman from Wisconsin, because I am sure the argument would never otherwise terminate.

I am opposed to the authority granted to the Postmaster General to fix rates. This bill will carry an amendment which will fix the rate at 1 cent for each additional receipt.

Postmaster General Walter Brown is giving capable and constructive leadership to the United States postal business of $804,940,961 annual turnover. He is extending national and international air mail service. Rural free delivery now gives daily mail to 25,471,735 people. In the delivery of 28,000,000,000 separate pieces of mail each year he is directing the largest and most efficient organization in the world. Many achievements bear witness of the comprehensive work of General Brown. Occasionally, however, I am unable to reach the conclusion announced by him on postal affairs.

To increase letter postage from 2 cents to 2½ cents per ounce, as advocated by the Postmaster General, is contrary not only to the fundamental principles but also to the economic considerations of the Postal Service.

The report of the department shows that there is now an excess of revenues over expenditures on first-class mail of $70,913,541 annually. Approximately one-half—46.7 per cent—of all postal revenues come from first-class mail. The Postal Service has been built around first-class mail. The present 2-cent rate is responsible for the great volume of business and enormous profit. In number of pieces first-class mail constitutes approximately half of all the mail. To increase the rate to 2½ cents per letter will decrease the volume. Why kill the goose which lays the golden egg?

The present rate of 2 cents went into effect in 1885 and except for a brief period during the World War it has been in effect to the present time. The arguments advanced for an increase are not convincing. It is shown that since 1916 there has been an increase of 82 per cent in newspapers or the second-class rates, of 21 per cent in the third-class rate, and of 10 per cent in the parcel-post rate. It is further pointed out that 2 cents in 1885 is equal to 7 cents in 1930 and that there is an actual deficiency of about $58,000,000 this year in the activities of the department.

Further reference of the cost-ascertainment report of the department shows that each class of mail, except letters or first-class mail, is carried at a loss. If it were not for the profit on first-class mail the actual deficit of the department would be more than double what it now is. It is evidence that profit arising from first-class mail is due to the volume. If, through an increase of rate, the volume of first-class mail is materially decreased, it will thereby compel a higher rate on other classes of mail in order to prevent an increase in the deficit.

The Government has a monopoly of first-class mail. It should never invoke that right to charge an unjust rate. Americans are accustomed to a 2-cent rate. It produces a huge surplus. The 2-cent rate is the chief asset of the Postal Service and it should not be increased.

Buying a single stamp of 2½ cents on any odd number of stamps would be impossible. There would soon be a demand for a 2½-cent nickel to facilitate post-office business, and such denomination is, of course, not to be encouraged.

Many are of the opinion that the postal deficit is due to the cost of franked and penalty mail. Last year franked mail, which, among others, includes that of Senators and

Congressmen, cost the department $637,000. Penalty mail—that is, departmental mail—cost $3,330,000.

These items, with the subsidies granted to the carriers of air mail, to the American merchant marine, and other non-Postal Service, amount to $40,000,000. These are not included in the $58,000,000 actual deficit.

The Postal Service was established for service. It was never intended that it should be wholly self-supporting. It is an institution of which the American people are justly proud. Its workers are most efficient. Their wage increases were not only deserved but have resulted in a greater effectiveness for each dollar paid in wages.

It can be expected that postal revenues will increase with the return of normal business. It would be a backward step to increase the rate on first-class mail. [Applause.]

Mr. SANDERS of New York. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The bill has not yet been read.

Mr. TILSON. That is a privileged motion, Mr. Chairman.

The CHAIRMAN. The gentleman from New York [Mr. SANDERS] moves that the committee do now rise.

The question was taken, and the motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RAMSEYER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (S. 3273) to authorize the Postmaster General to issue additional receipts of certificates of mailing to senders of any class of mail matter and to fix the fees chargeable therefor, had come to no resolution thereon.

Mr. TILSON. Mr. Speaker, I ask unanimous consent that further calendar business for to-day be dispensed with and that the Committee on the Post Office and Post Roads may have the next Calendar Wednesday for the completion of its business. The committee has this bill now under consideration, and three others, I am informed.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that further calendar business for to-day be dispensed with, and that the Committee on the Post Office and Post Roads shall have the next Calendar Wednesday for the consideration of their business. Is there objection?

Mr. GARNER. Reserving the right to object, what is the next committee on call?

Mr. TILSON. The Committee on the Public Lands. The gentleman from Utah spoke to me in regard to it. He hopes to go home over the holidays and will be very glad if his committee is not called until the second Wednesday in January.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

DROUGHT RELIEF

Mr. TILSON. Mr. Speaker, I ask unanimous consent that it may be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the so-called drought relief bill, Senate Joint Resolution 211, and that the remainder of to-day be available for general debate; that the general debate close with to-day's session, and that the debate be confined to the bill.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that it may be in order to move that the House shall resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. J. Res. 211), and that general debate shall be limited to two hours. Is there objection?

Mr. GARNER. Reserving the right to object, and I do not intend to object, I would like to get some information from the gentleman from Connecticut.

As I understand from members of the Committee on Agriculture, on this side of the Chamber, the Senate bill was ordered reported this morning with an amendment, that being the House bill modified with some language that was contained in the Senate bill. I want to see this legislation facilitated, but it is going to be somewhat of a handicap, I think, for gentlemen to intelligently debate this bill unless they have a copy of the bill that will be reported.

So I take it that the gentleman will, as soon as possible, get a copy of the bill that will be reported by the Committee on Agriculture for the benefit of the Members of the House.

Mr. TILSON. I shall join with the gentleman from Texas in urging that this be done.

Mr. GARNER. It being understood, as I said, that the substance of the amendment is that it is the House bill substituted for the Senate bill with a very small modification.

Mr. TILSON. That is my understanding.

Mr. GARNER. Mr. Speaker, the matter then will be taken up apparently, as I understand it, under the 5-minute rule, for amendment?

Mr. TILSON. I should ask that the first paragraph be read before the session ends to-day.

Mr. GARNER. And then it is the gentleman's purpose to follow it up at to-morrow's session, and consider the bill to its final passage?

Mr. TILSON. Yes.

Mr. GARNER. Under the general rules of the House of Representatives?

Mr. TILSON. Under the general rules.

Mr. RAMSEYER. Do I understand general debate on the bill will continue during the day, or is it limited to two hours?

Mr. TILSON. My request was that it be limited to to-day.

Mr. RAMSEYER. I think the Speaker understood it to be two hours.

Mr. GARNER. The understanding was that this entire day was to be devoted to general debate and that beginning to-morrow the resolution would be taken up under the 5-minute rule.

Mr. TILSON. My request was that the remainder of to-day's session be available for general debate, but that general debate be closed with to-day's session.

Mr. BANKHEAD. I was absent from the Chamber temporarily. Was any agreement made as to the control of time?

Mr. TILSON. There will be the usual division and control of the time.

The SPEAKER. Does the gentleman from Connecticut desire to put any limitation on the time or that general debate will continue throughout the day?

Mr. TILSON. I ask that it shall continue no longer than the close of to-day's session. I shall be very glad to limit the time if the gentleman will agree.

Mr. GARNER. That means one thing. It must be understood by all gentlemen who are in this Chamber that if this agreement is entered into they will be entitled to some opportunity to debate this resolution. There are many Members who want to be heard upon it. If somebody should be unkind enough to say there was no quorum present, that would mean a roll call, which would occupy about 40 minutes, which would mean less than two hours' debate. I think it should be "gentlemanly" understood, if I may use that expression, that we will use the entire time from now until we adjourn—if need be until half past 5 or 6 o'clock—in general debate on this resolution.

Mr. TILSON. Would the gentleman be willing to fix the time at, say, three hours and a half?

Mr. GARNER. I would rather have it that way—three hours and a half.

Mr. TILSON. That there be not to exceed three hours and a half of general debate?

Mr. GARNER. That is all right. Now, as to the control of the time.

Mr. TILSON. One half of the time to be controlled by the gentleman from Iowa [Mr. HAUGEN] and the other half by the gentleman from Louisiana [Mr. ASWELL].

Mr. BLANTON. Mr. Speaker, I want to ask the gentleman whether or not he has permission from the gentleman from Illinois [Mr. SPROUL] to take this action?

Mr. TILSON. That is not a proper parliamentary question.

The SPEAKER. The Chair will again put the request, in order that there may be no misunderstanding. The gen-

tleman from Connecticut asks unanimous consent that it may be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of Senate Joint Resolution 211; that the debate be confined to the resolution and be limited to three hours and a half, to be equally divided and controlled by the gentleman from Iowa [Mr. HAUGEN] and the gentleman from Louisiana [Mr. ASWELL]. Is there objection?

Mr. TILSON. It is understood that general debate closes with to-day's session and is not to exceed three hours and a half.

The SPEAKER. And that general debate shall close to-day.

Mr. GARNER. Why does the gentleman want to be so technical?

Mr. TILSON. This was the understanding.

The SPEAKER. Is there objection?

There was no objection.

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of Senate joint resolution (S. J. Res. 211) for the relief of farmers in the drought and/or storm stricken areas of the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of Senate Joint Resolution 211, with Mr. HALE in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of Senate Joint Resolution 211, which the Clerk will report by title.

The Clerk read the title of the resolution.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the first reading of the resolution be dispensed with.

Mr. BANKHEAD. Reserving the right to object, are copies of the resolution available at the desk?

Mr. STAFFORD. They are not.

Mr. BANKHEAD. Then let us have it read. I object.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the Secretary of Agriculture is hereby authorized for the crop of 1931 to make advances or loans to farmers in the drought and/or storm stricken areas of the United States, where he shall find that an emergency for such assistance exists, for the purchase of food, seed of suitable crops, fertilizers, feed for livestock and/or fuel and oil for tractors used for crop production, and for such other purposes of crop production as may be prescribed by the Secretary of Agriculture. Such advances or loans shall be made upon such terms and conditions and subject to such regulations as the Secretary of Agriculture shall prescribe, including an agreement by each farmer to use the seed and fertilizer thus obtained by him for crop production. A first lien on all crops growing or to be planted and grown during the year 1931 may, in the discretion of the Secretary of Agriculture, be deemed sufficient security for such loan or advance. All such advances or loans shall be made through such agencies as the Secretary of Agriculture may designate, and in such amounts as such agencies, with the approval of the Secretary of Agriculture may determine. For carrying out the purposes of this resolution, including all expenses and charges incurred in so doing, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $60,000,000.

SEC. 2. Any person who shall knowingly make any material false representation for the purpose of obtaining an advance, loan, or sale, or in assisting in obtaining such loan, advance, or sale, under this resolution shall, upon conviction thereof, be punished by a fine of not exceeding $1,000 or by imprisonment not exceeding six months, or both.

Mr. RAMSEYER. Mr. Chairman, has the bill been reported with the House amendment?

Mr. HAUGEN. As ordered reported by the House committee. He has not reported the amendment.

The CHAIRMAN. The bill has not been read for amendment. This is the first reading of the bill.

Mr. RAMSEYER. The bill has amendments, and we are calling for the amendments.

Mr. JONES of Texas. Mr. Chairman, I ask unanimous consent that the committee amendment be read as an original bill.

Mr. STAFFORD. Mr. Chairman, I object to that.

The CHAIRMAN. Objection is heard.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the amendment of the Committee on Agriculture be now read.

Mr. BLANTON. Mr. Chairman, I make the point of order that is not necessary. The Senate bill as amended by the House committee ought to be read, as the rules of the House permit that.

Mr. TILSON. That is what we intend to do.

Mr. STAFFORD. That is what I am asking.

Mr. BLANTON. It does not require unanimous consent to do that.

The CHAIRMAN. The Clerk will read the bill as reported by the committee, with the amendment.

The Clerk read as follows:

Strike out all after the resolving clause in the Senate bill and insert the following:

"That the Secretary of Agriculture is hereby authorized, for the crop of 1931, to make advances or loans to farmers in the drought and/or storm stricken areas of the United States where he shall find that an emergency for such assistance exists, for the purchase of seed of suitable crops, fertilizer, feed for work stock, and/or fuel and oil for tractors, and, when necessary, to procure such seed, fertilizer, feed, and fuel and oil, and/or such other purposes of crop production as may be prescribed by the Secretary of Agriculture."

Mr. TILSON. Mr. Chairman, I wish to call attention to the fact that the last clause that was read by the Clerk is the only addition to the so-called House resolution. You understand it is a proposal to strike out all after the resolving clause of the Senate resolution and insert the House resolution, with which all the Members are familiar, with this one clause added.

Mr. JONES of Texas. Why does not the gentleman ask that it be considered as an original bill?

Mr. TILSON. That is not necessary; the amendment is very simple.

Mr. HASTINGS. Mr. Chairman, I ask unanimous consent that the last provision be again read.

Mr. TILSON. That the provision that is not yet in print be read again.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

And when necessary to procure such seed, fertilizer, feed, and fuel and oil, and for such other purposes of crop production as may be prescribed by the Secretary of Agriculture, and sell the same to such farmers. Such advances, loans, or sales to be made upon such terms and conditions and subject to such regulations as the Secretary shall prescribe, including an agreement by each farmer to use the feed and fertilizer thus obtained by him for crop production. A first lien on all crops growing or to be planted and grown during the year 1931 shall, in the discretion of the Secretary of Agriculture, be deemed sufficient security for such loan, advance, or sale. All such loans, advances, and sales shall be made through such agencies as the Secretary of Agriculture may designate, and in such amounts as such agencies, with the approval of the Secretary of Agriculture, may determine. For carrying out the purposes of this resolution, including all expenses and charges incurred in so doing, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $30,000,000.

SEC. 2. Any person who shall knowingly make any material false representation for the purpose of obtaining an advance, loan, or sale, or in assisting in obtaining such advance, loan, or sale, under this resolution shall, upon conviction thereof, be punished by a fine of not exceeding $1,000 or by imprisonment not exceeding six months, or both.

Mr. TILSON. Mr. Chairman, the report has just come in and the language is slightly different from what was read by the Clerk. I hope the bill, as now officially reported by the committee, may now be read.

The CHAIRMAN. Without objection, the Clerk will read the report.

Mr. TILSON. Mr. Chairman, I ask unanimous consent that the report may be printed in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

Mr. BANKHEAD. Mr. Chairman, let me call the attention of the gentleman from Connecticut to the fact that the

Clerk has already read into the RECORD two copies of this matter that we are not going to consider and in order that the RECORD may not be encumbered I think steps should be taken to vacate the improvident reading of those bills.

Mr. TILSON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks, and if so permitted, I shall strike out everything in regard to the reading of the unauthorized matter.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. BANKHEAD. Mr. Chairman, reserving the right to object, I do not think that is the way to reach this question.

Mr. TILSON. All right; if the gentleman has a better plan, go ahead.

Mr. BANKHEAD. I ask unanimous consent that as to the reading of the two former copies of the supposed bill, which it now develops are not correct, that that part of the proceedings be vacated so far as the Journal and RECORD are concerned and that the present, correct copy of the bill may be read and inserted in the RECORD.

Mr. TILSON. As the gentleman, of course knows, there is no record made in the Journal of what is done in committee. It will be in the RECORD and it would not have gone in the RECORD if I had received permission to revise my remarks.

Mr. BLANTON. Mr. Chairman, reserving the right to object, this is the first time we have had the help of the distinguished floor leader and also the gentleman from Wisconsin [Mr. STAFFORD] to assist the chairman of the Committee on Agriculture to frame their bill on the floor and get it properly before the committee, so I object. The RECORD ought to show the proceedings as they occurred.

The CHAIRMAN. Objection is heard. The Clerk will read the report.

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. Was there objection made to the request of the gentleman from Connecticut to revise and extend his remarks?

The CHAIRMAN. There was objection.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That the Secretary of Agriculture is hereby authorized, for the crop of 1931, to make advances or loans to farmers in the drought and/or storm stricken areas of the United States, where he shall find that an emergency for such assistance exists, for the purchase of seed of suitable crops, fertilizer, feed for work stock, and/or fuel and oil for tractors used for crop production, and when necessary to procure such seed, fertilizer, feed, and fuel and oil, and for such other purposes of crop production as may be prescribed by the Secretary of Agriculture, and sell the same to such farmers. Such advances, loans, or sales shall be made upon such terms and conditions and subject to such regulations as the Secretary of Agriculture shall prescribe, including an agreement by each farmer to use the seed and fertilizer thus obtained by him for crop production. A first lien on all crops growing or to be planted and grown during the year 1931 shall, in the discretion of the Secretary of Agriculture, be deemed sufficient security for such loan, advance, or sale. All such loans, advances, and sales shall be made through such agencies as the Secretary of Agriculture may designate, and in such amounts as such agencies, with the approval of the Secretary of Agriculture, may determine. For carrying out the purposes of this resolution, including all expenses and charges incurred in so doing, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $30,000,000.

"SEC. 2. Any person who shall knowingly make any material false representation for the purpose of obtaining an advance, loan, or sale, or in assisting in obtaining such advance, loan, or sale, under this resolution, shall, upon conviction thereof, be punished by a fine of not exceeding $1,000 or by imprisonment not exceeding six months, or both."

Amend the title so as to read: "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States."

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Michigan such time as he may desire.

Mr. KETCHAM. Mr. Chairman and members of the committee, the action of the House in taking up this bill so suddenly gives but a brief notice to members of the Committee on Agriculture, but I want to avail myself of the opportunity that has been given by the chairman to offer a word of explanation of the legislation now before us.

I may say in brief that what we have before us at this time is identically what we had before us day before yesterday in the form of a bill presented for a vote by the House under a suspension of the rules, with the addition of one short sentence. The following language is added to the bill which was under consideration last Monday:

And for such other purposes of crop production as may be prescribed by the Secretary of Agriculture.

Now, that is the language that was added to the bill, as reported by the Committee on Agriculture. In short, putting it in just a sentence, we bring to you a recommendation that $30,000,000 shall be authorized for the purposes set out in the bill, and these purposes were so well and thoroughly discussed the other day that I do not want to go into them again, except to say that food, which seemed to be the principal bone of contention is not included in the bill as reported.

So, to all intents and purposes we have the situation before us identically as we had the other day with the exception of the added language that I have read, the essential part of which is—

For such other purposes of crop production as may be prescribed by the Secretary of Agriculture.

I think that fairly states the proposition before us.

Mr. LANKFORD of Georgia. Will the gentleman yield?

Mr. KETCHAM. I yield.

Mr. LANKFORD of Georgia. Does the gentleman construe the additional language as giving the Secretary of Agriculture the right to add food as one of the essentials?

Mr. KETCHAM. My own construction would not, of course, determine the matter, but I do not think the language was incorporated in the bill with that idea in mind; especially in view of the statement of the Secretary of Agriculture this morning. My own opinion would be that if the bill is passed as it comes from the Committee on Agriculture and goes to the Secretary of Agriculture for his construction and administration, that food would not be included in the interpretation that he would give to the act.

I think I may say this in behalf of all members of the committee, that we have been exceedingly anxious to have this legislation advanced to final passage and that the action that was taken the other day was taken with the idea that that was the most expeditious manner in which the legislation could be considered, and that if any differences developed between the two Houses they could be readily adjusted in conference.

That action did not meet with the approval of the House, and did not secure a two-thirds vote. So, under the unanimous-consent proceeding, you have the bill before us to-day.

I think there is only one phase of the situation that possibly ought to be cleared up. I think I understand that situation and I want to take the opportunity now to put a clear picture of this situation before the membership of the House.

It relates to the differences of opinion that seem to have arisen as to the origin of the recommendation of $60,000,000. I want, as best I can and from the information that I have, to make the understanding of the committee as to that matter clear to the membership of the House. This whole matter of relief first originated, according to my understanding, in a meeting of commissioners of agriculture which was held in the city of Washington some time early in the fall, in October, I think. It ought to be stated that this was not a meeting called by the Secretary of Agriculture for the purpose of considering this particular proposition, but was an annual meeting held by the commissioners of agriculture, at which time they considered problems of general interest. In view of the fact that the drought was so severe and so widely extended it was a very natural thing that a discussion of this particular proposition should occupy considerable time; and so, naturally, the deliberations drifted in that direction, and out of that meeting came the idea of varying amounts, most of them above $60,000,000;

but, if formal resolutions were adopted by that body, I am not able now so to advise the House. So far as the Department of Agriculture is concerned, so far as the Federal Government is concerned, it had nothing whatsoever to do with these particular recommendations of these commissioners of agriculture who came together in an annual meeting and simply took up this matter of drought relief as one of the incidental features of their program.

Time went on, and that discussion, of course, was carried back to the various States, and then subsequently, at the request of the President of the United States, according to my understanding, the various governors of the States appointed drought commissioners, and on or about November 20 these drought commissioners came to the city of Washington and entered into a deliberation in cooperation with the Secretary of Agriculture, and, as I am advised, under his chairmanship, to give attention to this very problem. After some time spent in a discussion of the whole question a series of resolutions were adopted. These resolutions have been printed in the RECORD, and I think you are all thoroughly familiar with them, but so far as our discussion this afternoon is concerned I think you are interested only in two features of those resolutions. First, did any statement found anywhere in the resolutions adopted by this formal conference call for the express purpose of considering this proposition which related to any specific amount of money, and the answer is that there is no mention of any sum of money whatsoever in the resolutions adopted by this formal conference. I think that matter is clear, and if there are any questions on that point I would be glad to answer them.

If there are none, the second point I want to make is this, that in the resolutions that were adopted there is no mention whatsoever of food, so that the bill as presented to you from the Committee on Agriculture we believe presents exactly the recommendations of this conference called by the Secretary of Agriculture, participated in by him, and during which time these resolutions that I have outlined to you were adopted. So the bill before you this afternoon is, as I previously stated, a restatement of the bill we had up the other day with only the one modification as I have indicated, namely:

For such other purposes of crop production.

I think it is proper for me to state that the Secretary of Agriculture this morning, when questioned on that point, specifically stated what the attitude of the department would be regarding food as one of the elements to be considered in crop production. He expressed himself as emphatically opposed to that particular proposition.

Mr. COLE. Did the Red Cross officials at any time appear before the gentleman's committee?

Mr. KETCHAM. No representative of the Red Cross appeared. It was in the mind of the committee this morning to ask the chairman of the National Red Cross to appear and present such discussion to us, but we have his statement, given to us by others, not personally, to the effect that in most cases of real need for food the matter could be handled by the Red Cross.

Mr. COLE. They gave the gentleman's committee that assurance?

Mr. KETCHAM. They gave us that assurance.

Mr. COLE. Knowing what the gentleman does about the situation, does the gentleman apprehend any danger of anybody starving if you do not incorporate food in this bill?

Mr. KETCHAM. I am very glad the gentleman has asked that question. I think one point has been missed here entirely in our consideration of the question. We all understand that there is need for food, of course, in certain sections of the South, but I have it upon the authority of a goodly number of men who know the conditions down there accurately, and who I think, possibly, may participate in the debate, that the provisions of this bill are not intended to reach the particular group that is suffering, so far as food is concerned, and that by no possibility can they be reached by the terms of this bill. That is to say, the real stringency, so far as food is concerned, comes from those that by no manner of consideration could be brought within the limits of the bill in the way of being granted a loan at all because they have no land. They have possibly a little bit of patch of ground and depend on it for the raising of garden vegetables, but by no manner of construction could they qualify for a loan, and therefore the provisions of this bill could not reach them. They are the ones who would come within the purview of the Red Cross to secure what aid they could from that source.

Mr. PATTERSON. Mr. Chairman, will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. PATTERSON. I do not know whether I understood the gentleman but he spoke of those with no land. He does not mean to say, does he, that the man renting land and farming it can not borrow any of this money?

Mr. KETCHAM. What I had reference to was the people who are desperately in need of food who could not qualify under the terms of this bill and who could not secure other credit.

What I meant to say was that I do not believe this bill was intended to reach, nor can it be made to reach, the men who are really, according to representations that have been made, suffering for the want of food.

Mr. PATTERSON. That does not clear up in my mind the point. The gentleman does not mean that the land renter can not borrow this money to farm his land with?

Mr. KETCHAM. I mean that if he is in a position of a renter and has enough character and financial standing and backing, very likely the provision of the act already includes him.

Mr. PATTERSON. I am not talking about food. I am talking about his making a loan to make a crop. There are thousands of farmers in my district who are renters who will need this money.

Mr. JONES of Texas. That is covered by making a mortgage.

Mr. KETCHAM. If he is in a position so that he can give the security that is required by the Department of Agriculture, then he can qualify, whether he is an owner or a renter.

Mr. PATTERSON. I wanted to have that cleared up, because I was afraid the gentleman left the impression that the renter could not borrow the money.

Mr. KETCHAM. I am sorry if I did not make that clear. If he is able to give any sort of security, he can make the loan. I might borrow an expression used in the committee this morning, "Even a security that might be regarded as rather thin."

Mr. PATTERSON. Well, that is on his crop?

Mr. KETCHAM. On his crop, but even that security might be regarded as rather thin. However, the disposition of the Department of Agriculture would be to grant him a loan.

Mr. CRISP. Will the gentleman yield?

Mr. KETCHAM. I will be glad to yield.

Mr. CRISP. As far as the district which I have the honor to represent is concerned, as well as practically all of the State of Georgia, we can not come under this bill because we have good crops, but no price for them. However, I am in favor of the bill because I want to assist other sections. My inquiry of the gentleman is this: Is it the intention of the committee in reporting the bill to prevent any funds loaned to be used to purchase food for humans?

Mr. KETCHAM. That is correct.

Mr. CRISP. What provision is there in the bill and how is it intended to prevent that being accomplished? When a man borrows $300 to make a crop for fertilizer, seed, and hay for his stock and he gets the money and his family needs clothing and something to eat, what is there to prevent him from taking that money and buying food for his family and clothes for his family rather than seed and fertilizer, and so forth?

Mr. KETCHAM. It seems to me that the gentleman from Georgia has indirectly answered his own question, and has at least completely satisfied me as to how every man from the South ought to vote on this bill; that is, to vote for it as it

is, without the mention of food, because if the men in the South will do as the gentleman says, then it seems to me we are safe in writing the law as it appears here, because I think every man who has given this matter any serious consideration will down in his heart say that it is a very wide departure and a very distinct step on to dangerous ground to write into law the principle that the Government is to furnish food to the citizens of the United States under production legislation such as this.

Mr. CRISP. My friend has not answered the question. What provisions of the resolution prevent that thing being done?

Mr. KETCHAM. I think the provisions would be up to the regulations that might be written or might be worked out by the Department of Agriculture. Of course, nothing hard and fast can be written into the law governing this particular matter. It would have to be up to the good judgment of the Department of Agriculture, and after our experience of former years there is no question but what they would deal fairly with the situation.

I thank the gentleman from Georgia for his presentation of that view, which I think completely answers any reservation that any man from the South may have on this bill in voting for the bill as it is.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. KETCHAM. I yield to the gentleman.

Mr. OLIVER of Alabama. The gentleman's position is that since unquestionably the parties who may borrow the money could use it for the purchase of food and that those lending the money know at the time the loan is made, that fact should remove all insistence of putting the word "food" into the bill?

Mr. KETCHAM. Well, I do not think I would care to go that far. I think I have made myself reasonably clear, but I am not the administrator.

Mr. OLIVER of Alabama. That is my understanding of what the gentleman said. Does the gentleman recognize the fact that in many parts of our country the policy obtains, that early in the year one applies for a loan to make a crop and executes a mortgage on all crops to be grown that year? This becomes a first lien on all crops produced that year, and certainly you must recognize the importance of permitting the loan contract, secured by a first mortgage, to cover food, seed, fertilizer, and whatever may be required to make the crop.

Mr. KETCHAM. If the gentleman will permit, I would answer the gentleman's suggestion in this way, that, of course, if the word "food" is included, then every man who makes application for a loan might, without any reservation, use a part of that money for the purchase of food. If the word "food" is not included, it would seem very clear to me that in certain scattered, isolated, or possibly extremely meritorious cases, if I were administering the law, I might not regard the expenditures with such a degree of care as I otherwise might. I trust that makes my attitude of mind as clear as it is necessary to state it.

Mr. COX. Will the gentleman yield?

Mr. KETCHAM. I yield.

Mr. COX. Is not the gentleman saying that that admission convicts the House of insincerity in legislating the language in which the bill is written?

Mr. KETCHAM. No. I would not so regard it.

Mr. GLOVER. Will the gentleman yield?

Mr. KETCHAM. I yield.

Mr. GLOVER. I notice the bill as reported uses the language "purchasing feed for work stock," and in the Senate bill it is "purchasing feed for livestock." Which language do you carry in the present bill we are considering?

Mr. KETCHAM. Feed for work stock.

Mr. GLOVER. Then, if that is true, if a man had a Jersey cow and wanted to get feed in order to produce milk for his children, he could not do so under this bill?

Mr. KETCHAM. That was given very careful consideration in the committee and thoroughly debated pro and con, and it was determined to leave the language as it is. It was determined to leave the language as it is for the guidance of those who are given the responsibility of administering it, and I dare say they would administer it as close to the language here as they possibly could.

Mr. GLOVER. The gentleman does not mean that even the administrators of this law would have the right to prescribe a rule which would fix the punishment?

Mr. KETCHAM. No.

Mr. ANDRESEN. Will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. ANDRESEN. In the discussion of this legislation before the Committee on Agriculture the question arose as to whether or not the amendment proposed by the committee would cover summer fallowing for the crop year 1931. Does the gentleman think that summer fallowing will be covered under the provisions of the amendment?

Mr. KETCHAM. It would seem to me that the language "and for such other purposes of crop production as may be prescribed by the Secretary of Agriculture" might be interpreted to include that particular proposition.

Mr. ANDRESEN. Does not the gentleman believe that was the intention of the committee?

Mr. KETCHAM. I would not want to speak for the committee, but, as far as I am concerned, that would be my own feeling about it, as one member.

Mr. KVALE. Will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. KVALE. The gentleman has made a fairer statement than I have heard come from anyone representing the committee's standpoint in that he said he did not believe there would be any effort to apply too strictly the terms of the law in case the word "food" were omitted and that in case the administrator of the law came up against a case of dire necessity he would apply the same rule. Now, in connection with the matter brought up by the gentleman from Arkansas, the distinction between work animals and livestock, in case a Jersey cow nibbled some feed from the manger of a neighboring animal, would there be any attempt to inflict penalties?

Mr. KETCHAM. Well, that is a rather difficult question to answer; in fact, I am rather inclined to think it answers itself.

Mr. KVALE. I will say to the gentleman from Michigan that I offer it in all seriousness, because I can conceive of cases where there are very simple accommodations for the care of stock on a farm and that there might be great difficulty in separating work animals from livestock.

Mr. KETCHAM. I would say to the gentleman that if he were acting as the representative of the Government and were prosecuting somebody who had been haled into court for a violation which the gentleman suggests, how far does he think he would get with an ordinary jury upon a proposition of that kind.

Mr. KVALE. I do not think very far.

Mr. LOZIER. Will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. LOZIER. I presume that in the administration of this act formal application would be required, in which the applicant would be required to state the purposes for which the loan is desired. If an applicant makes an application stating that he wants the loan for the purchase of seed and fertilizer and seed for work stock and he gets the loan upon those representations then, as I understand this act, if he should use or should have in mind using any of that loan for the purpose of purchasing food he would be subject to prosecution under section 2 of this act and subject to a fine of not exceeding $1,000. Is that correct?

Mr. KETCHAM. I think the act speaks for itself in that matter, and I leave it to the gentleman himself to determine about how far such a prosecution would get in that regard.

Mr. JONES of Texas. That would be making false representations for the purpose of securing it, but that does not apply to the use which may be made of it afterwards.

Mr. LANKFORD of Georgia. That applies to present and past events and not to future events.

Mr. KETCHAM. Yes.

Mr. GREGORY. Will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. GREGORY. I notice this language on page 2 of the House resolution:

A first lien on all crops growing or to be planted and grown during the year 1931, shall, in the discretion of the Secretary of Agriculture, be deemed sufficient security for such loan, advance, or sale.

I would like to have the gentleman's interpretation of the words "growing or to be planted and grown during the year 1931." My reason for asking that question is this: In the district I have the honor to represent a great number of farmers are now engaged in the raising of strawberries. Their plants were all destroyed last year because of the drought, and if they apply for a loan during the year 1931 to replant their gardens in strawberries there can not be a crop harvested during the year 1931. Could they apply for a loan under this act?

Mr. KETCHAM. It would seem to me that the construction which would meet that situation applies likewise to the situation developed in the State of Washington, where they have the system of summer fallowing. I believe that the language—

And for such other purposes of crop production as may be prescribed by the Secretary of Agriculture—

would cover that satisfactorily.

Mr. GREGORY. Why would not the language in line 6 be better if it were changed to this: "or to be planted and/or grown during the year 1931"?

Mr. KETCHAM. Of course, there are many amendments which possibly might be suggested, but the gentleman appreciates the necessity of getting action upon this resolution at the earliest possible moment, and the making of these refinements to apply to certain specific conditions, I think, should be left to the discretion of the Secretary of Agriculture under the general language to which I have made reference. It seems to me that is the better procedure, because if you should get into the field of amendments there is no telling to what length we will spin this program out.

Mr. GREGORY. Then I think the administrative branch of the Government should understand the purpose of Congress in enacting this law, because that is quite important in my district, where, with reference to strawberries, there can be no crop harvested during 1931.

Mr. KETCHAM. I would say to the gentleman that while I am not to be the administrator of this act, still it is my own notion that this act is designed to be of the very greatest assistance possible to all people who are in dire need as the result of the drought, and if a crop goes over into another year it would seem to me that under the language suggested here it would come within the purview of this act. That is as far as I can go.

Mr. SANDERS of Texas. Will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. SANDERS of Texas. With reference to the amount to be appropriated, whether it is to be $25,000,000 or $60,000,000, I notice that in the report of the committee they have added the amount necessary and that it totals $71,500,000.

There are 12 States that do not name any amount, but are clamoring for an appropriation. Does not the gentleman think, in view of that situation, that $60,000,000 would be a very small amount to appropriate?

Mr. KETCHAM. We reported our bill based upon the very best evidence that was submitted to us for consideration, and we agreed upon $30,000,000. Consequently that must stand as the view of the committee, and it is my view of the situation.

Mr. FINLEY. Will the gentleman yield?

Mr. KETCHAM. I yield to the gentleman from Kentucky.

Mr. FINLEY. Every farmer must carry a lot of stock that can not be called work stock—breeding stock or young stock, calves, colts, and in some cases poultry farmers carry nothing except poultry. Would this bill, as written, include feed for stock of that sort?

Mr. KETCHAM. That matter was also discussed in the committee, and as a result of all the discussion, while that viewpoint was urged by some members of the committee, it was felt that this was as far as we ought to extend the exact language of the bill; and if there are particular cases where the language of the act, under the new language that is included, "and for such other purposes of crop production as may be prescribed by the Secretary of Agriculture" would cover the situation, all well and good; but it was felt this is as far as the committee should go in the exact language that is written in the bill.

Mr. FINLEY. A strict construction of that language then would not include poulty, breeding stock, or livestock, other than for work purposes?

Mr. KETCHAM. A strict construction would not, as I understand it.

Mr. ARNOLD. Will the gentleman yield?

Mr. KETCHAM. I yield to the gentleman from Illinois.

Mr. ARNOLD. Some States do not permit a mortgage on crops before they are planted. What arrangement will be made with respect to people in those States who seek to secure the benefit of these advances?

Mr. KETCHAM. I do not know that I am just clear as to what the gentleman is referring.

Mr. ARNOLD. In some States there is no State law permitting a mortgage on crops not planted. The Secretary of Agriculture has authority here to require a lien on the crops that are to be planted. In those States that do not recognize the validity of a mortgage of that kind, what arrangement will be made with respect to the people of those States securing the benefit of the advances?

Mr. KETCHAM. My understanding is that the States are not involved in this; that this is a matter between the Federal Government and the individual who enters into the contract. This is a first lien upon his crop. What particular plan the Secretary of Agriculture has to care for cases of that sort I do not know. Not being a lawyer, I am not able to tell the gentleman about that.

Mr. ARNOLD. If the State law does not recognize the validity of a lien on a crop before it is planted, how can the Federal Government step in and take a lien upon the crop before it is planted?

Mr. KETCHAM. I am not able to answer the gentleman specifically on that point, because that has not come up in the discussions of the committee, and I will leave the answer to some member of the committee who is a member of the legal fraternity.

Mr. McCLINTIC of Oklahoma. Will the gentleman yield?

Mr. KETCHAM. I beg the gentleman's pardon, but there are quite a number of other members of the committee who want to present various phases of this question, and I do not feel that I ought to trespass further upon the time of the committee or upon their time.

Mr. McCLINTIC of Oklahoma. I want to ask the gentleman a question about which I am sure he has information.

Mr. KETCHAM. I yield to the gentleman and then I must yield the floor.

Mr. McCLINTIC of Oklahoma. This bill carries $5,000,000 to take care of storm-stricken areas; does the gentleman have in mind any particular section or any particular area where that sum of money would be applicable?

Mr. KETCHAM. In reply to the gentleman's question, my understanding is that the bill does not carry a specific amount for storm-stricken areas, but that $5,000,000 was added to the original $25,000,000 and the original language amended to include storm-stricken areas, with no definite designation of any specific amount for the storm-stricken areas.

Mr. McCLINTIC of Oklahoma. Then I want to ask the gentleman this question: There was recently a very severe cyclone in or near the central part of Oklahoma, in which a number of citizens lost their lives, and quite a good deal of property was destroyed and other devastations brought about; would those citizens be eligible to receive relief because of this legislation if it is passed in its present form?

Mr. KETCHAM. If they would come under the classification of storm stricken—and the description of the gentleman would seem to indicate that—I can see no reason why they should not.

In conclusion, may I add just this word on behalf of the committee? We believe that this is a very conservatively drawn measure. We think it meets the majority opinion of the House of Representatives as expressed in the vote given the other day when, by 205 to 159—which was a majority, but not a two-thirds majority—we expressed ourselves as being favorable to the language of the House bill, which, as I said in the beginning, has only been modified by the inclusion of this one phrase, to which, I am sure, no friend of either the inclusion of food or a higher amount could possibly object. For this reason it seems to me we ought to have a speedy vote and a unanimous vote, and I want to thank the members of the committee for their consideration of this question at this time and say to them that in bringing up the legislation at this time we are doing the very best we can to meet the critical situation which we realize all too well has developed in the Southland.

Mr. HASTINGS. I would like to ask the gentleman one question, if I may. What was the latest evidence that the committee had before it upon which it based its judgment in inserting $30,000,000 instead of $60,000,000?

Mr. KETCHAM. The latest statement we had was from the Secretary of Agriculture, who appeared before us this morning at 10.30.

Mr. HASTINGS. I was there, and I did not hear him discuss the question of amount.

Mr. KETCHAM. My recollection is that he specifically stated the amount.

Mr. HASTINGS. I heard his statement before the Committee on Agriculture this morning, but I did not hear him state any amount.

Mr. KETCHAM. I do not happen to have the record here, but I think not once but several times he stated specifically the amount.

Mr. HASTINGS. I am not talking about his opinion, but what evidence had the committee collected for its consideration? I mean upon what evidence did the committee base its action?

Mr. KETCHAM. Since the former hearings we have had no hearing except the statement by the Secretary of Agriculture.

Mr. TUCKER. Will the gentleman yield?

Mr. KETCHAM. I will yield once more.

Mr. TUCKER. I did not catch the phrase the gentleman referred to which has been added to the bill.

Mr. KETCHAM (reading):

For such other purposes of crop production as may be prescribed by the Secretary of Agriculture.

Mr. TUCKER. Then that is left to the Secretary of Agriculture?

Mr. KETCHAM. The construction of that phrase is left to him.

Mr. TUCKER. It leaves it to him to say what are necessary and not to the House.

Mr. KETCHAM (reading):

As may be prescribed by the Secretary of Agriculture.

Mr. BURTNESS. I would like to ask the gentleman what is the committee's construction of that phrase?

Mr. KETCHAM. I do not want to interpret that except to say that it means exactly what it says. There might not be some particular conditions of crop production that would not bring such condition within the other language, and the committee took care of it in this way. In effect, this is an "elastic clause."

Mr. ADKINS. If the gentleman will permit, there may be some local conditions arising in some locality with reference to summer fallowing, and the Secretary of Agriculture might know these conditions and say it was necessary to allow for gasoline or something of that kind, necessary in summer fallowing to put the land in condition, and not strictly crop production.

Mr. BURTNESS. Even though it was not for the crop of 1931. I would be afraid that under the language of this bill it would be construed broadly as relating simply to the crop of 1931.

Mr. KETCHAM. May I say again, as I said in the beginning, that we appreciate the attitude of the House in permitting this legislation to come up for consideration at this time, and thus fairly and quickly meet the issue on this side of the aisle and relieve the anxiety on the other side, and I hope this general interest will manifest itself in a well-nigh unanimous vote for the bill as reported by the committee. [Applause.]

Mr. ASWELL. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. JONES].

Mr. JONES of Texas. Mr. Chairman, ladies and gentlemen of the committee, this drought for which this legislation is presented is the worst that this country has seen for at least a half century, and probably in its history. It has come at a time when the country is going through a great depression. That combination makes it a great emergency, and, while I did not favor the first program that was adopted in 1922, there have been five such programs for which my people have helped to provide. The precedent has been fully established, and I think, under the circumstances, the legislation is justified.

There has been considerable discussion by some of the speakers about what the measure should include. The average amount that has been loaned to the individual farmer under the previous measures was $250. Under this bill the average farmer will not receive more than $300. With that money he must buy seed, feed, and fertilizer, so that what little dribbles he may be able to use for food will be little if any, so that the question of whether food shall be included is not the important question.

The thing I am interested in is having the amount sufficient to really handle the situation. They talk about its being the same bill that came up last Monday, except the additional words which give the Secretary of Agriculture the discretion to use for such other purposes for production as he may see fit. It is the same bill, but there is a vast difference in that an opportunity will now be given for the House to express its judgment. As it was presented last Monday, it was the will of a few men who were undertaking to make the House swallow what they presented with all its limitations or have nothing. When this House has considered the facts and determined what amount is necessary to handle this situation, in a free, untrammeled way as fittingly becomes Representatives in the American Congress, I am perfectly willing to abide by that judgment. Suspension of the rules in the passage of a measure was never intended to be used, it seems to me, as it was attempted to be used the other day. It is intended to be used toward the close of a session, when it is necessary in order to secure the passage of legislation, to have quick action, or at a time when it is practically the unanimous consent of the House.

We had had two weeks and the matter had not been brought up, and I could not see that a suspension of the rules was warranted. However, that is water over the mill. I believe that this House should vote the $60,000,000, and I am going to give you the reasons why. This is merely an authorization. There are 22 States involved. There are 80,000 families in the State of Arkansas, according to reports from that State, that need to get under the benefits of this bill. There are 14,000 families in one section of my State and 30,000 in another. If you add up the various estimates, it will run two or three times the amount shown here.

Mr. SANDERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. SANDERS of Texas. On the question of the amount a report was submitted to the gentleman's committee from various States and they named the minimum amounts, and if those amounts are added up it makes $71,500,000, and there are 12 States more to be included, which have desig-

nated no amount. In view of those facts $60,000,000 would not be sufficient.

Mr. JONES of Texas. I think $60,000,000 is the minimum. The $71,500,000 the gentleman refers to is given under an estimate which shows that they would need more than those various amounts, and then they were asked to state the minimum the States could get along with, and the aggregate of those minimum amounts runs to more than $60,000,000. The various commissioners of agriculture of the various States and the drought commissioners finally agreed that $60,000,000 was the minimum figure with which they could get along. This is merely an authorization. Suppose we make it $60,000,000 and the Committee on Appropriations in its wisdom should not see fit to appropriate that amount, and along in February, when the matter is in full swing, the Secretary of Agriculture should see that the amount appropriated is not sufficient, all that will be necessary for him to get the additional amount would be to go before the Committee on Appropriations and ask that it be put in the deficiency appropriation bill and the matter could be handled very expeditiously; but if we put a limitation in this bill of $30,000,000 to cover both drought and food relief, and then toward the end of the session the Secretary finds he has not enough to properly make these loans, it would be necessary to have more legislation, to be followed by an appropriation bill, with discussions and hearings, which would make it impossible to carry it through probably.

Mr. CRISP. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. CRISP. The gentleman from Michigan [Mr. KETCHAM], who very frankly and candidly discussed the bill, left the impression upon my mind that these drought commissioners in their meeting here did not specify any particular sum of money that was adequate for this relief. He was arguing whether $30,000,000 or $60,000,000 should be authorized, and he said that nowhere in the resolutions is any specific amount mentioned. That created the impression in my mind that no sum of money was named. The gentleman from Texas now says that those gentlemen recommended $60,000,000 as a minimum.

Mr. JONES of Texas. That confusion may have arisen in this way. The commissioners of the various States did not mention any amount in their annual meeting, but the drought-relief representatives who came here later agreed that $60,000,000 was the lowest amount with which they could get along. The Secretary of Agriculture specifically requested them, he said this morning, not to put that amount in their resolutions, but they agreed, as shown here in the report, that $60,000,000 would be the minimum that they could possibly hope to get by with in the making of these loans.

Mr. KETCHAM. Has not the gentleman from Texas just turned those expressions around? Was it not the group of commissioners of agriculture who agreed on $60,000,000, and was there any agreement expressed in resolutions anywhere to the effect that these representatives appointed at the request of the President ever agreed on $60,000,000?

Mr. JONES of Texas. The drought representatives did not put it in their resolution, out of deference to the Secretary's request, but they all understood that it would be at least $60,000,000.

At any rate, their total estimates run far above that, so that $60,000,000 is a cutting down rather than an increase of those estimates.

Mr. KETCHAM. That might be true, but in their resolutions they made no mention of the amount.

Mr. JONES of Texas. The Secretary said this morning that he specifically requested them not to mention the amount in their resolutions; but I was up here when these drought representatives appeared, and I talked to several of them, and they all said $60,000,000 was the least, and that they had agreed that $60,000,000 was the minimum that should be provided.

Mr. KETCHAM. If the gentleman had been sent up here as a commissioner from his State——

Mr. JONES of Texas. Not a commissioner, but I refer to the drought-relief representatives.

Mr. KETCHAM. Then if the gentleman had been sent here as a drought-relief representative, would he not have stated that figure as strongly as he could for the State of Texas?

Mr. JONES of Texas. They probably did; but if the gentleman will add up these various sums and the number of farmers he will find that it will take $150,000,000 or $200,000,000. I think the representative from my State was very conservative.

Mr. KETCHAM. When they adopted their resolutions they did not say anything about the amount.

Mr. JONES of Texas. Of course they did not, at the request of the Secretary of Agriculture. They had made their various estimates and they were more than that amount; the Secretary of Agriculture specifically requested that they leave out the amount. Naturally, out of courtesy to him, they did so. But remember, the Secretary of Agriculture did not tell them that he expected to cut down their estimates. Nor did he ever suggest to them that he expected to recommend only $30,000,000 to take care of 24 different States.

Mr. ASWELL. Will the gentleman yield?

Mr. JONES of Texas. I yield.

Mr. ASWELL. The Secretary of Agriculture asked them not to put in the amount because he said it would likely be much more than $60,000,000. I was present.

Mr. JONES of Texas. But here is a list of the various parties representing the various States, and you can take the number of farmers, which was given after a careful survey, or the different groupings of States and you will find it amounts to much more than even that amount.

Mr. RAGON. Will the gentleman yield?

Mr. JONES of Texas. I yield.

Mr. RAGON. I think my State has been hurt more than any of the others. The Department of Agriculture shows that there are only 2 of the 75 counties that will have as much as 30 per cent of an average feed crop. I have been over the entire State. The Red Cross for the last 60 or 90 days has been in there working as much as they could toward furnishing feed for fall pastures and gardens. I do not believe you could take $15,000,000 and go into the State of Arkansas and do what is proposed to be done under this bill.

Mr. JONES of Texas. I thank the gentleman, and I have no doubt his statements are accurate.

The Secretary of Agriculture said in his statement this morning, in response to the direct question, that if the money were appropriated and were not needed for the purpose indicated in the bill it would not be used.

It would not be fair to go into a drought-stricken area and lend to part of the farmers who were in need and not lend to others, if they complied with the same conditions. It would not be quite fair to go into one section that was in need and not go into another section that was in similar need. It would not be good business, if it required $300 to enable a farmer to secure his feed, seed, and fertilizer, to loan him only $100, which, if they had to spread it over too large an area and on too thin a basis, would be the result. It might in some instances be almost like letting him have nothing. It seems to me if we are going to adopt a program at all we should adopt an adequate program; adopt a program that will enable the Secretary of Agriculture to really handle the situation.

It is conceded by the gentleman from Michigan [Mr. KETCHAM] that the commissioners themselves recommended $60,000,000 as the minimum limit. The drought representatives who came later compiled figures far above that amount. Then they eventually had $60,000,000 in their minds, because three of them came to my office after the meeting and said they had tentatively agreed among themselves that $60,000,000 was the minimum limit. They said that no specific amount had been put in the bill because of the request of the Secretary of Agriculture. At no time

until this morning have I ever heard fall from his lips a single statement or a single implication except the general statement which he gave out since this matter came to a head that indicated that he expected to cut the recommendation to $25,000,000 or $30,000,000.

Mr. BURTNESS. Will the gentleman yield?

Mr. JONES of Texas. I yield.

Mr. BURTNESS. I am not interested in what the Secretary of Agriculture may have said.

Mr. JONES of Texas. Perhaps not, but——

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. ASWELL. I yield to the gentleman from Texas five additional minutes.

Mr. BURTNESS. When these commissioners from the various States talked about the $60,000,000 was it then contemplated, in using that figure, that loans for food were to be included? That is, does the $60,000,000 represent their thought not only for feed and seed but also for food?

Mr. JONES of Texas. They had this in their minds, the necessities of the case, I think, without particular reference to whether food should be included. I do not think the resolution at that time had been drafted. They appointed a subcommittee to work with the department in an endeavor to arrive at a resolution, but it had not been in any particular form, and the main thing that was under discussion was the feed, seed, and fertilizer, although I can not answer specifically the question to which the gentleman refers.

Mr. BURTNESS. Would it not be fair to assume that the exact amount that should be carried would depend largely upon the question as to whether loans for food are included or excluded?

Mr. JONES of Texas. I do not believe it would make a difference of any very great amount whether food was included or not, because, if it is intended only to loan a farmer about $300, from which he must buy feed, seed, and fertilizer, there would be little left for any other purpose. Whether you include food or not, there will not be much of it used for food, when he must buy his seed, feed, and fertilizer. That is as simple as A, B, C. When we are making an authorization to cover 24 States the provision should be adequate.

Mr. BRIGGS. Will the gentleman yield?

Mr. JONES of Texas. I yield.

Mr. BRIGGS. Does the gentleman not believe that a misleading impression is created upon the minds of the people of the country with reference to these appropriations, whereas it is specifically provided that it is a loan to be secured by the property of the farmer? This is not a gift to the farmer or the agricultural interests of the United States.

Mr. JONES of Texas. Of course, it is not. As a matter of fact, it is the basic industry of America, and if it were not for the farmer, none of us could be fed.

Now we are going to lend him a pittance of $300 and take a first mortgage on his whole year's work and on his whole year's production. He is required to put up a first lien. If he has loans from bankers or others, they must give way and give a first lien on the crops the farmer produces. That is not a dole. It has been referred to here as a dole. Why, bless your hearts, suppose you went to a bank and wanted to borrow $300 and you gave your note or a first mortgage on your production for a year? Even if you did use a part of it for the purchase of food, would that be a dole?

Mr. BRIGGS. It would not. And is not that a part of the practice of many farmers throughout the country, namely, that of borrowing money during the winter months for the purpose of supplying themselves with food as well as with feed?

Mr. JONES of Texas. I want to say it is a rank absurdity to refer to it as a dole. Nobody but a New Haven farmer would so refer to it.

Mr. TUCKER. Will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. TUCKER. Is not the question of whether it is a gift or a loan left by this resolution in the hands of the Secretary of Agriculture?

Mr. JONES of Texas. I do not think so.

Mr. TUCKER. If we have any opinion on that subject as to what this thing ought to be, a gift or a loan, why do we not say it?

Mr. JONES of Texas. Well, we do say it, and we say it in specific words in the resolution. It is that it shall be a loan. It is so stated, that it shall be a loan for production purposes. There is no question about that. Here are papers and statements from Doctor Warburton as to the method in which he will handle this matter, together with a note and mortgage which the farmers have signed in connection with loans that have been made heretofore, together with a lot of questions that make him give his life's history. He signs the note and gives a first lien, a first mortgage, on all his production, and on all the labor of himself and his family for a year for this loan. So you can not term it anything else but a loan.

Mr. RAGON. Will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. RAGON. In that connection, what has been the experience of the Department of Agriculture in the collection of these loans in the past?

Mr. JONES of Texas. They have collected all the way from 65 to 90 per cent. There are one or two later loans which do not run that high, but they have not finished the collections.

Mr. RAGON. What does the gentleman mean by that?

Mr. JONES of Texas. There have been several measures passed since 1922. The collections under some of them have been better than under others. The details of the handling of all these loans are set out in the report of the committee.

In some of the sections there have been two or three years' drought. The conditions are desperate. They are substantial farmers and not the ne'er do wells. If given an opportunity, the most of them will, in my judgment, make their payments, and a great service will be rendered at little cost to the Government.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. ASWELL. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. McKEOWN].

Mr. McKEOWN. Mr. Chairman and gentlemen of the committee, we are to-day dealing with a matter of great importance. In dealing with our own people there has always been a disposition on the part of those in the House to split hairs and to be so careful that we did not lose anything. Whenever we are dealing with our own people or with a measure calling for relief in the United States there is always a lot of opposition and attempts to curtail it and reduce it as far as possible, but when it comes to dealing with foreign people we are the most generous people in all the world. When it came to dealing with Russia we gave Russia, without any quibbling, $20,000,000 to buy corn, to buy seed, and to buy milk. Then we gave them $4,000,000 to buy medicine.

Mr. MANSFIELD. We did not even take a lien on that loan.

Mr. McKEOWN. No. That was not a loan, but it was a gift, and they were not mortgaging anything.

We now come to the question of dealing with our own situation, and the intimation has been made that all the poverty is down South. Well, all the poverty in this country is not down South. There is a lot of it down there and there is a lot of it in other parts of the country. There are a lot of men in the industrial centers of the country who are poverty stricken at this time.

Mr. DYER. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. DYER. The gentleman refers to the cities. There is unemployment and suffering in the cities which you do not propose to take care of. They do not get anything out of this appropriation.

Mr. McKEOWN. They will not get anything out of it—but this is a loan—but cities are complaining about the burden they are having to carry. I want to say this to the gentleman, that if you really want to do something, without putting an additional burden on the taxpayers of this country, then reduce the salaries of all Government employees, including Members of Congress, in this country getting above $3,500 by 2½ per cent, and take that money and turn it into the great community chests of this country, so as to take care of the people who have to have food.

We hear much said about doles, doles, doles. Some say that England has ruined itself through doles. If England had not given the dole there would have been no English Government to-day. England is wise in her generation and knows how to preserve her government.

You can not reason with men when they are hungry, and whenever you hold out hope to the American people that you can pass legislation that will return prosperity to this country you are holding out a false hope, because under the economic conditions of the world there will be no return of prosperity, in my judgment, within the next few months.

Now, what do you propose to do? Do you propose to make this sufficient to give the people of this country an opportunity to be taken care of? You are not giving any money away. You may lose a little on this deal, but you are not giving any of it away. You are lending this money and taking the best security you can get.

Mr. TARVER. Will the gentleman yield?

Mr. McKEOWN. I yield.

Mr. TARVER. In view of the statement made by the speaker who just preceded the gentleman relative to the adoption of an adequate program, and in view of the distressed condition of agriculture throughout the country, not only in the drought and storm stricken areas but elsewhere and everywhere, does the gentleman think that any program which proposes to include only the farmers in the drought and storm stricken areas is an adequate one?

Mr. McKEOWN. No; and I will say to the gentleman——

Mr. TARVER. Why should it not be extended to the entire agricultural area of the country?

Mr. McKEOWN. I will say to the gentleman, I stand here ready to do my part in any way I can to pass proper legislation to relieve the unemployment situation to the extent that human beings do not starve for lack of food in this country of plenty, and that their wives and children do not go naked in this country where there is so much to be had and we have so much overproduction.

Now, why should we quibble here? What is this issue? It is not an issue between the President and the Congress; it is not an issue between the Secretary of Agriculture and the Congress; it is an issue between the Bureau of the Budget and the people who come here and ask for this help. It is a question of whether or not you are going to let the Bureau of the Budget, acting within its own rights, I grant you, but without any information, arbitrarily come in here and put their judgment against the judgment of the best men in the States who have come here and made their report. I do not know the character of the men from the other States that made such reports, but I will say that Mr. Puterbaugh, the gentleman from my State, is one of the soundest business men and one of the safest men in our State, and he said to us, "I will not go to Washington and be a party to any plan to filch money out of the Treasury of the United States except what is absolutely necessary, and $3 per acre is enough to make these crops." They have come here and made their request, and we have gone to work in our State and have made a survey and there are 17,000 families in our State who can not make a crop next year unless you give them this relief.

Not only have we done this, but Governor-elect Murray proposes to tax every officeholder in Oklahoma—State, county, and municipal—in order to furnish free seed and food to these people.

Now, what is your attitude here? You say you will not give them food. Why, gentlemen, you are not giving these men anything, you are lending them money and you are going to ask them to confine the feed to their livestock. I will grant you that if this were not a tremendous emergency I would go along with your committee on your proposition about work stock, but here you are asking men who have not any feed, who have not any money, who have not any food, to not feed anything but the horses they work in the field and let their milch cows, upon which they must depend to feed their wives and children, starve to death, and, in addition to that, you do not allow them any money with which to buy food.

I say to you gentlemen that you should use your judgment. You are the elected Representatives of the people in your districts, and if the recommendations of the Budget do not meet your approval it is your bounden duty as the Representative of your district to say so upon the floor of this House by your vote.

No harm can come to this Government, because the money is left entirely in the hands of the Secretary of Agriculture, and the Secretary of Agriculture is responsible. He will not lend this money in excess of the amount that ought to be lent, and you gentlemen know it. So why do we have this controversy?

I want to say here and now that the best thing for this country would be for the Congress to pass all necessary legislation that we can agree upon to relieve this emergency and then close our mouths and quit talking about the bad conditions in this country and give the people a chance to go to work and work out their own destiny. We should give them whatever relief we can and do it quickly and get through with it.

A number of gentlemen here have talked about the food question. What do you propose to do in this legislation? Do you propose to go back home and say to your constituents, "I voted up there to feed your jackass, but I would not vote to feed your children"? Gentlemen, it is preposterous to permit anyone to come here and seek to put you in that kind of situation, and I do not believe you men are going to be put in such a position. You are entitled to sit in this House and you are entitled to exercise your rights as the Representatives of your people.

Now, my friends, what is so wrong with the word "food" that you will not allow this to be done lawfully? What do you propose to do? One of the things that has brought the prohibition question in this country so much to the forefront is the hypocrisy that has been practiced in the name of prohibition, and you are now going to stamp these farmers as hypocrits and make them stand up here, in their necessity, and swear that they will not buy food with this money, and yet you know that these men are not going to let their wives and children starve to death. They would not be worthy to be American husbands and fathers if they did that.

This whole matter is a sane proposition that does not call for any scientific information. It just calls for good, hard, common sense, and how can the Treasury of the United States be hurt if you gentlemen make ample authorization? The chief responsibility comes back to you again when the Committee on Appropriations brings in its recommendation.

Then you will be called upon to vote, and I will say frankly to you gentlemen that if you will give us the authorization, if the committee comes back after they have looked into the matter and finds that we can get along with $25,000,000, I will be one to go along with you on the $25,000,000. [Applause.]

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. HAUGEN. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. ADKINS].

Mr. ADKINS. Mr. Chairman and gentlemen of the committee, my friend from Oklahoma was very much disturbed over feeding the jackass and not that of the child. If he will let us feed the jack and put a willing hand behind him, there will be no trouble about the child.

About how far are we going with this thing, anyhow? My understanding is that this is about the sixth appropriation

of this kind that we have made calling on Uncle Sam for help.

Originally we called upon the Federal Government to make a loan to the farmers to purchase seed in a drought-stricken area. That went over all right. My understanding is that on that there is about 15 per cent loss to the Government. Then they said we must have feed to help us put out a crop. Well, they had that. Then they came and said we must have fertilizer, and we made a loan for fertilizer. That went along pretty good. Now, they come and say that they must have food to feed the families. About the next thing will be a loan for money to buy the mule and pay the rent.

We will have to stop it some place. A great deal is being said about feeding the family. I am well aware that in some parts of the country it has been the custom for the landowner to furnish seed and fertilizer and food for the family. They produce the crop and the tenant gets his share and the landowner gets his share.

Now, agriculture is somewhat of a hazard as well as other lines. We come along with the drought proposition. The tenant gets the loan and it relieves the landlord of that much. He has nothing against the crop but the obligation out for the seed and everybody knows that it does not take a great amount of money to buy seed for the crop.

He is not taking any hazard. The farmer will get his seed and fertilizer for the land and then the tenant will get his share of the crop and the owner will get his. He will see that the man gets enough to eat. Early vegetables come on and they will have that. But you take every industrial worker in the city out of a job—he has nothing except what some one gives him. There is not a farmer worthy of the name that has not got something that he has produced that he can eat. He has milk, poultry products, and vegetables, and does not need much outside help to have enough to eat.

Take it out in my country. We have the problem of taking care of needy people. Our people are as hard up as they are everywhere else. I have a newspaper clipping in my pocket which I will not read now, but they had a meeting of the board of supervisors last week in one of the counties in my district, and what kind of a proposition are these people up against? Fortunately they raised enough to feed them and have seed next year. But what was the situation? The board of supervisors found that of $76,000 in taxes they collected last year $51,000 of that was paid out for the maintenance of the poor, for the poor farm, widows, and blind pensions, and left them with $26,000 to pay for the running expenses of the county.

They had issued $45,000 of anticipation warrants for meeting the bills as they come along.

Did they call upon Uncle Sam to help feed the poor? No; they proceed to organize by townships. People must come along with their money and contribute, and organizations of women in each township collect clothes and shoes to keep the families warm. That is the proposition that they are up against. These men are paying commercial rates for interest. Nearly every farmer has some money borrowed, but he is not expecting Uncle Sam to come and feed the poor in his neighborhood, because he expects the different communities to take care of that themselves. I say to you that I think they are mighty charitable to me when I go back and tell them that I know that they have enough to winter their stock and to feed their livestock and to seed their land the next year, but that these other poor fellows have not, and I voted for $30,000,000 to buy them seed to feed their teams and gasoline for their tractors, and to buy fertilizers.

It looks to me as though we were running a pretty vicious circle here when we are loaning money to buy fertilizer to produce a large surplus, and then again loaning money to take that surplus off the market. I do not know where that is going to end, but at any rate we realize the gravity of the situation, and if I wanted to demagogue I would go back and say to my farmer friends that I had not voted for such a thing as this and would not, that they are not being relieved. However, even as hard up as they are, I am willing to vote to relieve these people who are in dreadful straits because of the drought, and I am willing to go back and tell my farmers that we ought to thank God that we have enough to get through this year.

Mr. ARNOLD. Mr. Chairman, will the gentleman yield?

Mr. ADKINS. Yes.

Mr. ARNOLD. The gentleman is aware of the fact that the southern portion of the State of Illinois is in the drought-stricken area, and I am particularly interested in the State of Illinois, as is my friend. This bill provides that the Secretary of Agriculture may provide that a first lien on the crop is sufficient security, or in his discretion he may require additional security. That would be the natural inference from the bill. There is no provision in law in Illinois for a lien on a crop that is not planted. Therefore, how will the people of the State of Illinois receive any benefits under the bill? A lien can not be given on a crop in Illinois until it is planted and growing.

Mr. ADKINS. I have had a little experience with that myself. I once financed a man who could not buy a calf and pay for it. I went on his note, and rigged him up a farm, with the understanding that I was to get a lien on his crop. Of course, I could not put a lien upon it until the crop came up, and then I put the lien on the crop. So far as the details of the administration of the bill are concerned, in the five preceding ones that we have had administered by the Agriculture Department we have had no complaint come to our committee from any section of the country of the lack of authority to administer the law. In States where it was applicable they had no trouble in doing it, and I do not anticipate they will in southern Illinois.

Mr. ARNOLD. In those States that heretofore have received these benefits, perhaps there was a statute authorizing a lien on crops before they were planted, but that is not true in the State of Illinois. How will our farmers in southern Illinois receive any benefits under this?

Mr. ADKINS. You can not get a lien on a crop until you get the crop in the ground and it is up.

Mr. ASWELL. Permit me to say that in the last loan the State of Illinois borrowed a great deal of money under this same language.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. HAUGEN. Mr. Chairman, I yield five additional minutes to the gentleman from Illinois.

Mr. GLOVER. Mr. Chairman, will the gentleman yield?

Mr. ADKINS. Yes.

Mr. GLOVER. This is a Federal statute. The Government will deal direct with the farmer who makes the loan. Would a State statute have anything to do with it at all?

Mr. ADKINS. I presume it would, but I think the contingency the gentleman speaks about will not arise. I do not think there will be any trouble, because they would make the loan and when the crop came up they would get a mortgage or lien.

Mr. HOCH. I do not understand that the language of this bill requires a lien. It simply says that a first lien shall in the discretion of the Secretary of Agriculture be deemed sufficient security for the loan. In Illinois the gentleman says the State law does not permit a lien except on a growing crop, but I do not understand that under this bill it would be impossible for the farmer to secure a loan. It does not say that the Secretary shall not make a loan unless a lien is taken.

Mr. ADKINS. I do not think there will be any trouble about that.

Mr. ARNOLD. It occurs to me from a natural inference that the Secretary of Agriculture must require a lien on the crop; that there must be security to that extent.

Mr. HOCH. It would be only by inference, because it does not say that he shall not make the loan except where it is possible to secure a lien under the law.

Mr. ADKINS. I do not anticipate any such trouble. All these questions would have arisen in the five former laws. So far as southern Illinois is concerned, I was amused the

other day when I read of some fellow down there who said that southern Illinois was well off, and he showed that they had so much money in the savings bank, when I knew as a matter of fact that some of the crops were burned up. On the other hand, one of the leading papers in my district—in Champaign County—had an editorial about taking the bunk out of unemployment, covering two columns. That paper went on to say that we know that we have unemployment, and that we always have that this time of the year.

We always have to raise our community chest. We have more this year than we ordinarily have. We have increased our community chest, and we are going to take care of these people. So, what is the necessity of running around and shouting about unemployment? We have got it and we are taking care of it. We know that the county can not do it. We know that the State can not do it. They never intimated that the Government ought to do it. I do not think there is any trouble about any community taking care of itself.

I was in the drought-stricken area last year myself, where they will not have a bushel of corn on a thousand acres. I had dinner with some of them. They all had something to eat. They are going to have something to eat.

Mr. ABERNETHY. Will the gentleman yield?

Mr. ADKINS. I can not give up all of my time unless I can get more time. I will yield, however.

Mr. ABERNETHY. Are we not buying wheat to raise the price of wheat in the West? Is not the Government doing that?

Mr. ADKINS. No. There is not a Government agency anywhere in the country buying a bushel of wheat.

Mr. ABERNETHY. What about the Farm Board?

Mr. ADKINS. They are loaning money to farm organizations to do that.

Now, take the man who is unemployed in my city, he has just as much pride as the farmer. He would much rather borrow enough money to tide him over until spring until he can get a job. He does not want to be an object of charity. We say to these men in the country, "We will loan you money and take your note for it, even though it is a hazardous loan," but we say to the fellow in the city, "We will let the Red Cross take care of you, or some other charitable organization take care of you."

If we are going into the business of loaning money to unemployed men, why should we make any distinction between the classes of citizens? This is a big question. The people are taking care of it and doing it sensibly, I think. There is no part of my community which ever thinks that the Federal Government should take that job off of their hands. It is a big burden, to be sure, but they are meeting it, and meeting it in a sensible, sane manner; and there is no reason why other communities should not do the same thing. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. ASWELL. I yield 10 minutes to the gentleman from New York [Mr. O'CONNOR].

Mr. O'CONNOR of New York. Mr. Chairman and members of the committee, I am not a farmer nor the son of a farmer. I do not believe I ever spent one day on a farm in my life. I never was elected to public office claiming or pretending to be a farmer, "dirt" or otherwise.

My purpose in speaking in connection with the consideration of this bill is to voice my resentment against the selfish solicitude of this administration for the people in the rural communities, and its complete disregard of the distress in the cities.

In his message to this session of Congress, President Hoover declared that there was no need for most of the employment relief measures which had been suggested by the Wagner bills or by other similar measures, excepting only the bill under consideration now and the bill making appropriations for the construction of Federal-aid roads and like projects.

That is the near-sighted attitude not only of the President, but it is the attitude of this administration, and it has generally been the attitude of the Republican Party for the last 60 years. The farmer has always been the pet child of the Republican Party. But what proportion of our population does the farmer really represent?

Under the Federal census for 1900, 60 per cent of our people lived in the rural sections of our country and 40 per cent lived in our cities. Under the census of 1930 those figures have practically been reversed, so that now 60 per cent, or over 72,000,000 of our population live in the cities and 40 per cent, or about 50,000,000, in the rural sections. That does not mean that all of that 40 per cent live on farms or are actually farmers.

In the 93 cities of our country having populations of over 100,000, and many places with less than 100,000 are considered quite substantial municipalities, there are about 48,000,000 people.

Now, gentlemen, I realize the subject of the farmer, for whose welfare I have consistently voted, brings forth as much demagogic talk as probably any subject considered in Congress, except possibly it be the soldier or prohibition. I am willing to do all I legally and conscientiously can do to help the farmer, not alone of my own State of New York with its 160,000 farmers but the farmers in every part of the Nation.

It often happens here, however, that as soon as you mention "farmer" there is a rush by nearly every Member here to his aid. I wonder if politics is the urge.

There is a widespread and undeniable situation of unemployment in this Nation that constitutes a national calamity. That unemployment is chiefly, however, in the cities. Figures collected recently by labor unions and community relief bodies who are closest to the unfortunates show that late in November in 44 of the large cities of the country there were 1,920,000 people out of work. The conditions in those cities are briefly summarized as follows:

Pittsburgh—20,000 unemployed, with a great deal of suffering reported and various relief funds getting low.

Detroit—210,000; much suffering; Ford plant laid off 7,000 or 8,000, and other manufacturers also are laying off men.

Reading, Pa.—Unemployed census, taken November 24–26, showed 3,100 out of work, with 6,200 dependents. Widespread suffering is reported, together with a plea for State and Federal assistance.

East St. Louis, Ill.—8,000; funds inadequate.

Asheville, N. C.—4,000; only temporary relief in sight.

Des Moines, Iowa—5,000; relief sufficient at present; not much suffering.

Greenville, S. C.—10,000; much suffering; very little relief from organized charities. (Senator BLEASE, of South Carolina, challenged the statement.)

Newark—29,000; suffering terrible; charitable institutions overtaxed.

Buffalo, N. Y.—40,000 unemployed, with an additional 20,000 working half time; anticipate relief agencies will be inadequate.

Chicago—250,000, with 50,000 reported in dire need; effort being made to raise a $5,000,000 fund; money coming in slowly.

Mobile, Ala.—15,000; need food and clothing.

St. Louis—15,000; not sufficient relief.

New York City—Conservative estimate, 800,000, with much distress reported.

Providence, R. I.—Unemployment reported as too great to give an estimate.

Manchester, N. H.—3,000.

Indianapolis—10,000.

Fall River—15,000.

Kansas City, Mo.—20,000.

Knoxville, Tenn.—3,500.

Kansas City, Kans.—5,000; deplorable conditions.

Columbus, Ohio—Miners reported in desperate plight.

Los Angeles—70,000 to 75,000 men; no data on unemployed women.

Louisville—11,100.

Memphis—15,000.

Philadelphia—Approximately 130,000.

Greensboro, N. C.—3,500 to 4,000, with 85 per cent of skilled workers in the building trades idle most of the time since last January.

Baltimore—About 25,000, with an additional 15,000 working part time.
Passaic, N. J.—8,000.
Jacksonville, Fla.—3,000.
Wilmington, Del.—3,500.
Columbia, S. C.—1,800.
Toledo—18,000; and 15,000 working part time.
San Francisco—30,000; not much suffering.
Tacoma, Wash.—5,800.
Denver—20,000.
Springfield, Mass.—10,000.
Dorchester (part of Boston)—50,000.
Portland, Oreg.—20,000.
Schenectady, N. Y.—4,000.
Augusta, Ga.—2,000.
Oklahoma City—8,000,
Syracuse, N. Y.—10,000.
Wheeling, W. Va.—7,500.
Fort Wayne, Ind.—8,000.

The gentleman from Indiana [Mr. PURNELL], one of the leaders for farm relief, said two days ago on this floor that "if every last one of the 120,000,000 people of the United States were gradually to approach the precipice of starvation, the last human being on this earth to survive would be the American farmer." That is undoubtedly true. Nature itself, without other effort, would produce enough sustenance for the farmer and his family to maintain them for a very considerable period. But when the worker in the city loses his job he has no garden, no field, or no back yard to produce his food. With the stoppage of his pay envelope he immediately faces the dread starvation. All possible resources of feeding himself and his family or clothing them or housing them is cut off.

The farmer always has a reserve which he can fall back upon, and he surely will be the last one to suffer real privation. If you are sincere and nonsectional in your desire to do something to relieve the national catastrophe of unemployment, why do you continue, for instance, to smother the bill introduced by Senator WAGNER, of New York, to relieve that situation?

A few days ago this House passed the bill providing $110,000,000 appropriation for "emergency construction on certain public works." That was laudable, but, ladies and gentlemen, not one dollar appropriated in that will ever be spent in any city or will one dollar of that sum ever go to the benefit of the workers of any city of the Nation. The bill was objectionable enough as sectional legislation as it passed in this House. We appropriated $3,000,000 for the Forest Service. There are no national forests in the cities. We appropriated $80,000,000 for Federal highways; there are no Federal highway systems running through our cities; We provided $1,500,000 for the National Park Service. There are no national parks in our cities. We appropriated $3,000,000 for flood control along the Mississippi River; what cities lie in that path? The bill, I repeat, was bad enough when we passed it, but Senator COUZENS, of Michigan placed an amendment on the bill which will probably remain in it. With part of that amendment I agree. I refer to the provision that employees on such works shall be paid the prevailing rate of wages for similar labor in that particular community. What did the other part of the Senator's amendment provide, however? It provided that on said works there shall be employed "only persons who have been living for at least 90 days prior to the commencement of said work in the district, city, town, or village within which said work is being done." That means that a mechanic or laborer could not go from any city to the place of such work and get a job on any of these projects. Is that any relief for the 60 per cent, or the 72,000,000 people, living in the metropolitan centers of our Nation?

Our unemployed in our cities are not asking the Federal Government for a "dole." All they ask is jobs. The great State of New York, for instance, does not ask the Federal Government to give or to loan funds for the solution of the unemployment of its people. It is proud to maintain the welfare of its inhabitants at its own cost and expense. Any State that is not so self-existing might itself have serious doubts as to its rights as a separate unit of our Union. One of the most mouthed arguments against the political autonomy or freedom of the Philippines or others of our possessions has been that they could not sustain themselves financially as well as otherwise. Are there over three States in the Union who do not confess a similar disability by reason of their constant appeals for Federal aid and assistance?

Of course the bill violates all the principles of our Constitution. There is not a State in the Union, if it has a modern constitution, that could legally give or even loan one dollar to any individual, farmer, or banker. If any State proposed to appropriate money as in the bill, any taxpayer could enjoin the carrying out of such an enactment. Such a subsidy or dole by the Congress can not be prevented, however, because of these decisions of our Supreme Court. Fairchild *v.* Hughes, Secretary of State (253 U. S. 126); Manaduworth *v.* Mellon, Secretary of the Treasury, and Frothingham *v.* Mellon (262 U. S. 447). In these three cases argued by our distinguished Member from Pennsylvania [Mr. BECK] for the Government, the Supreme Court could find no way in which a State or a taxpayer could prevent Congress from giving or loaning to an individual or even wasting the funds of the Treasury.

While this bill is not an outright gift of the money, it is just as objectionable legally, because a loan is no different from a gift in its violation of our form of government. The average person, moreover, who needs money has enough pride left so that if he can get a loan he will prefer that to a dole or a gift.

If, however, you are going to loan $60,000,000 or $30,000,000 to at most 40 per cent of the people of the Nation, why do you not at the same time do something to relieve distress or unemployment in the cities of the Nation? Why do you not bring in a national, nonsectional program and meet the situation equitably? The President has said that we should not do anything for two years in respect to the general problem of unemployment. He seems opposed to providing for an immediate public-buildings program that would cause the construction of public buildings in many cities where unemployment is most acute. If you do rush the construction of public buildings, will the Senator from Michigan or some other Republican statesman insist that in the construction of these buildings nobody except the residents of the particular city shall be employed? To be consistent you must, but I do not believe you will. You will want to let the laborers from the rural sections come into the cities and take the jobs.

Mr. KETCHAM. Will the gentleman yield for an observation?

Mr. O'CONNOR of New York. Yes.

Mr. KETCHAM. Is the gentleman aware of the fact that the amendment to which he refers has been stricken out by the conferees?

Mr. O'CONNOR of New York. I understand from the press—which is usually more authentic than the rumors around this building—that the Couzens amendment is going to remain in the bill or there will be a fight over it on the part of the Republicans. Why, ladies and gentlemen, of the millions that private contributions are providing impartially in New York City to maintain bread lines, soup kitchens, and lodging houses to meet this emergency at least 75 per cent of it is being expended on men and women who are not residents of that city. We do not complain. We are not provincial in such matters.

We do not ask you to lend money or to give money to the people in the cities. All of the big cities like New York will take care of the situation themselves. What we do ask you is that as a Federal agency do what you can legally and with respect to State rights to meet a national emergency.

Probably the most striking expression in the President's message to this session of Congress was his statement that "economic depression can not be cured by legislative enact-

ment or executive pronouncement." This is an old bromide exploded, I thought, at least a century ago with the advent of modern democratic governments. Governments can act and executives pronounce solely pursuant to legislative enactments. Such are the sole basis of their conduct in periods of prosperity or days of depression.

If the chief aim of any government should be to make its people happy and contented, against which economic depression is the most dreaded enemy, such a confession of helplessness as announced by the President will surely not be approved by students of government.

If the Government can do nothing to relieve the greatest blight that can fall on its people—why government?

Now, if you propose to take care of a small group of our inhabitants, if you are going to cater to 40 per cent or less of the people of this Nation, you are not adequately serving your country. Your administration can not be interested in the Nation as a whole and your party can not be truly representative of the Nation as a whole.

Mr. STRONG of Kansas. Will the gentleman yield?

Mr. O'CONNOR of New York. For a question; yes.

Mr. STRONG of Kansas. The gentleman charges the Republican Party with doing too much for agriculture. What is the gentleman's position on this bill?

Mr. O'CONNOR of New York. Well, if that is really intended as a question, I will state to the gentleman that I have always voted within reason to support agriculture.

Mr. STRONG of Kansas. Is this within reason?

Mr. O'CONNOR of New York. I believe it is narrow, class legislation.

Mr. STRONG of Kansas. Is the gentleman going to vote for it?

Mr. O'CONNOR of New York. I will ask the gentleman, using a trick often employed by himself and other "statesmen," Will he vote for extending relief, by a loan or otherwise, to the cities of the Nation?

Mr. STRONG of Kansas. Not if it is for giving them a drink; I will not.

Mr. O'CONNOR of New York. I expected some such "stage-play" from the gentleman from Kansas who always has "booze" uppermost in his mind.

Mr. STRONG of Kansas. I would vote for it, of course.

Mr. GREEN. A drink?

Mr. STRONG of Kansas. No.

Mr. O'CONNOR of New York. I would prescribe a drink, if it were lacking, as a stabilizer in many, many instances, including the case of the gentleman from Kansas.

Mr. STRONG of Kansas. It is an unstabilizer.

Mr. O'CONNOR of New York. The gentleman ought to know.

Now, ladies and gentlemen of the committee, what we ask you to do, not necessarily in connection with this resolution, but to be fair to the urban sections of this country, as well as the rural communities, is that you do something for unemployment generally. We ask you to give the Congressmen opportunity to vote upon those unemployment bills which have been before this Congress during the last session and which have been pending in this Congress for two years. We ask you not to smother them further. We ask you to pass the Wagner bills and to pass other measures which will relieve this unemployment situation throughout the Nation as a whole and not confine your solicitude to a few States and to the farmers alone in this country.

Mr. ASWELL. Mr. Chairman, I yield 10 minutes to the gentleman from Georgia [Mr. LARSEN]. [Applause.]

Mr. LARSEN. Mr. Chairman, ladies and gentleman of the committee, some of us have so gotten into the habit of following these departmental heads that we frequently forget our duty and obligation to the people. Very frequently we do that, forgetting the fact that we are the elected representatives of the people. We follow the heads of departments who are not the representatives of the people but who are only representing the executive department of the Government.

I call attention to this fact because in this particular instance some of us, seemingly, have two gods to serve and must soon decide which one we will follow. The President of the United States called upon the governors of the various States with drought-devastated areas and requested them to appoint representatives to come to Washington for the purpose of conferring with him or his respresentatives as to relief measures, after making certain careful surveys in the localities from which they came. Now, those representatives were appointed by the governors, it is true, but they immediately became, when selected, the representatives of the President of the United States. They were his duly accredited representatives, just as much as is the Secretary of Agriculture. They made the surveys and the investigations called for by the President of the United States. No one says their work was not efficient or honest.

They were directed to come here, after investigating and ascertaining the facts, and not only to make the facts known to the President, but to state what in their judgment might be necessary to relieve the situation as they found it. Now, what did those representatives do? They were good and true men taken from among Democrats, from among Republicans, and from the rank and file of the best people in the entire Nation. They came here, and first reporting as to what conditions were in the various States, then summed up the situation and said they must have $72,000,000 to remove the distress and to enable farmers in the drought-devastated areas to continue farm operations. Doctor ASWELL, representing several interests, in addition to that of Representative from his own State, was a member of the organization. He met Doctor Warburton, from the office of the Secretary of Agriculture, and undertook to get them to reduce the amount. What did they do? After consultations and persuasion they agreed that they would reduce the amount to be recommended to the minimum which would meet the exigencies of the situation, and they therefore reduced it to $60,000,000.

Now, ladies and gentlemen, here was a representative body of men directly commissioned by and responsible to the President of the United States, which said that $60,000,000 was the minimum amount needed. Yet, the President, after trying to make a show to the country in October, before the election, that he was in favor of helping the poor, distressed, unfortunate, and downtrodden farmers in the drought-stricken areas, now tries, seemingly, at least, by agreeing with other agents or representatives, to sidestep the issue and avoid responsibility.

Assuming that the Secretary of Agriculture speaks for the President, he comes back and says:

> Oh, well, I have made no investigations out in the field, neither have I nor my agents made any investigations in the field, and we know nothing except in so far as what the records here disclose has transpired heretofore, and from this alone we feel that we would not be authorized to lend more than $25,000,000.

These are practically the words of the agent before the House Committee on Agriculture. They are based on what? Not the fact that the distress does not warrant relief to the amount of $60,000,000, but that he does not feel justified in lending more than $25,000,000 after looking over the records in his office.

This is why the amount, in so far as it is sponsored by representatives of the Republican Party on the House Committee on Agriculture, has been reduced from $60,000,000, the amount needed, according to report and recommendations of the President's drought committee, to $30,000,000. It may satisfy the President and the Secretary of Agriculture, but I can not see how one-half of the amount needed to relieve the distressed farmers in the drought-stricken area should be sufficient to satisfy the conscience of those elected to represent the people in matters of legislation.

Mr. BRIGGS. Will the gentleman yield for a question?

Mr. LARSEN. I will be glad to yield.

Mr. BRIGGS. How did it happen that the bill introduced in the Senate and unanimously passed by the Senate carried $60,000,000?

Mr. LARSEN. Because the Members of the Senate did just what this House ought to do. The Senate felt its responsibility to relieve so far as possible distress caused by drought, and thus followed the recommendations of the

representatives selected by the President of the United States from the various States of the Union which were involved in the drought situation.

Mr. BRIGGS. They investigated the matter before they acted, did they not?

Mr. LARSEN. Yes; they had investigated the matter before that time, and the Members of the Senate, responsive to the wishes of the people and alert to the needy situation, recognized that these honest representatives selected by the President of the United States, and who had come here from the drought-stricken States at his request to advise him, understood the situation, were therefore willing to follow them.

Mr. BRIGGS. Was there any display of partisanship over there in the passage of the bill? Was it not adopted unanimously?

Mr. LARSEN. That is what the record shows. I was not over there? Senator McNARY, the chairman of the committee, as I understand, is wholeheartedly for the bill which carries $60,000,000, and he puts it on two grounds: First, because the representatives of the President of the United States, coming here from 24 States of the Union, asked for that amount; and again because he understood that amount was needed and that the Secretary of Agriculture had agreed to that amount.

Mr. SLOAN. Will the gentleman yield?

Mr. LARSEN. I yield.

Mr. SLOAN. Following the meeting of the governors and the commissioners, will the gentleman state whether any of the 22 States actually interested in this matter called a session of their legislature or made any attempt in any way to shoulder their primary burden in this matter, as I understand it?

Mr. LARSEN. I am unable to answer the gentleman on that question further than to say that several States of the Union are not permitted under their constitutions to make any loans of this kind. I think I am accurate when I say that South Carolina is not, Georgia is not, and I do not believe Alabama is so permitted. There are three such States at least, and no doubt there are others.

Mr. ASWELL. Will the gentleman yield?

Mr. LARSEN. I yield to the gentleman from Louisiana.

Mr. ASWELL. I would like to say in answer to the gentleman from Nebraska that the State of Louisiana has exempted all these drought sufferers from the payment of taxes for 1930.

Mr. BLANTON. Will the gentleman yield?

Mr. LARSEN. I want to make just one further statement and then I will yield.

In addition to that, I would say to the gentleman from Nebraska the constitution of my own State, Georgia, provides that if an amendment is offered to the constitution, before it can be ratified by the people, it must wait until the general election, which would, I believe, require until 1932 in this instance.

I now yield to the gentleman from Texas.

Mr. BLANTON. None of the members of this committee was authorized to call the legislature of his State together. They were merely here, as we are now, to try to get relief, and they could not call the legislatures of the States together.

Mr. SLOAN. May I correct the gentleman by saying that nobody assumed that these commissioners could call the legislatures in session, and even the gentleman from Texas should grasp an idea of that kind.

Mr. BLANTON. And if the governors had called the legislatures together they would have probably spent enough in so doing to grant as much relief as the farmers in such States will receive from the legislation.

Mr. SLOAN. Probably in Texas, but not elsewhere.

Mr. LARSEN. I will further state to the gentleman from Nebraska that this fact is evident: The President of the United States did not ask them to do it. I am sure the drought committee and the governors did everything that the President of the United States asked them to do. In effect, the President said to the governors: "You appoint a committee to come here and make known to me the needs of the people and I will take care of them." When the President of the United States did that the governors complied. Some of the States with Democratic administrations sent Republican representatives. They came here at the request of the President. He did not request them to urge special sessions of the legislatures, nor did he request the governors to call special or other sessions for relief purposes. Yet he now tries to reduce the amount from $60,000,000 to $25,000,000. [Applause.]

Mr. HAUGEN. Mr. Chairman, I yield 15 minutes to the gentleman from Kansas [Mr. HOPE].

Mr. HOPE. Mr. Chairman and ladies and gentlemen of the committee, there has been considerable discussion this afternoon and previously on the motion to suspend the rules and on whether the Department of Agriculture had changed its position as to the amount needed, as well as various other matters, but I have not heard a great deal said as to what evidence the Committee on Agriculture had before it in determining what amount ought to be allowed for the purpose of these production loans. The matter of the amount is not the only question involved in this legislation and is perhaps not the most important, but in determining the amount necessary the committee had before it ample evidence and information.

Something has been said about the meetings that were held in Washington by State commissioners of agriculture and by the drought-relief commissioners appointed by the governors of the various States, and of the amount that the members of these two organizations thought we ought to appropriate. But very little, if anything, has been said on this floor as to the evidence given the committee by the man who perhaps knows more about this situation and who has had more experience in dealing with similar situations than anyone else in this country. I mean Doctor Warburton, Chief of the Bureau of Extension Service in the Department of Agriculture.

Doctor Warburton appeared before the Agricultural Committee and gave us the benefit of his past experience in administering similar funds, and also the benefit of the information they have in the department, both as to the extent of the drought and the amount of money which will be needed for seed, feed, and fertilizer.

It has been intimated here that the Secretary of Agriculture arbitrarily, without having any figures at his command or making any investigation whatever, fixed the amount at $25,000,000 as the maximum which is to be made available for loans. There was nothing arbitrary about the matter at all. The Department of Agriculture has more information in its files than any of the drought commissioners have. It has more information on each State than the drought commissioner of that State has, because in every county in the United States that has any agriculture the Department of Agriculture has a very efficient crop-reporting system. So in the files of the department they have a record showing the production in every county in the United States. They have records showing the normal production, showing what it is this year and the extent to which it was affected by the drought. So from information gained from these figures and from the experience the department has had in making loans in other States, Doctor Warburton came before the committee and said in his opinion that $25,000,000 would be ample.

I want to read what Doctor Warburton said on this subject. He said:

The appropriation in 1929 for the six Southeastern States—Virginia, North Carolina, South Carolina, Georgia, Alabama, and Florida—is, perhaps, more nearly comparable with present conditions than any of the others because earlier appropriations were for rather limited areas, while the 1930 appropriation was for the same section as covered in 1929, and rather widely scattered flood and drought areas in other sections. About $5,550,000 was loaned in the six Southeastern States in the spring of 1929 and some $200,000 in Florida for truck crops in the fall of 1929. The largest amount we have ever loaned in any State from a seed-loan appropriation was a little over $2,000,000 in Georgia in 1929. Except in the States of Arkansas and Kentucky, I think I am safe in saying the conditions are not worse—that either crop production conditions or financial conditions are not worse—in any part of the

drought area this year than they were in Georgia, South Carolina, and southeastern Alabama in 1929. It is largely on the basis of that experience and the amounts we loaned in that territory in 1929, and our experience in other seed-loan territories in previous years and in 1930, that the estimate of $25,000,000 was arrived at. It is our feeling that with $25,000,000 we can loan over the drought area in 1931 on about the same basis that we loaned in these other sections in previous years, if the loan is confined as is proposed in the resolution introduced by you, Mr. Chairman, to seeds, fertilizer, feed for work stock, fuel, and oil.

Now, if that is true, I think that the position of the department in this matter, as far as the amount is concerned, is certainly sound. If there are only two States worse than Georgia and parts of South Carolina during 1929 and $2,000,000 was the amount loaned in Georgia at that time, I think we are justified in saying that the department's estimate is at least fair.

Mr. ASWELL. Will the gentleman yield?

Mr. HOPE. I yield.

Mr. ASWELL. What was the purpose of the President's request for this drought committee for 22 States, if they do not know anything about it?

Mr. HOPE. I do not mean to say that they do not know anything about it because they know a great deal about it, but I do not think they know as much about these conditions as the Department of Agriculture knows after they have collected the information that I have referred to. The Department of Agriculture not only has the information that it has collected but it has valuable experience in the administration of other funds.

In that connection let me say this: All these drought-relief commissioners are representative men in their own States, no doubt, but they have had no experience in matters of this kind. All of them possibly have been unduly alarmed over the condition which prevails. They have never been up against just such conditions before and do not have anything to go by to estimate the amount needed. Naturally, as the representatives of their particular localities, they wanted to get it high enough.

Mr. STRONG of Kansas. Mr. Chairman, will the gentleman yield?

Mr. HOPE. Not now; perhaps later. For instance, the report of the drought-relief commissioner from Alabama states that they are going to need $10,000,000 in that State. Yet the figures which the Department of Agriculture has on the crops produced show that they had practically a normal crop in Alabama in the year 1930. The figures show that for cotton Alabama had the best crop that it has had for years. The average yield of lint per acre in pounds in 1930 was 195. In 1929, which was not a bad year, it was 174 pounds, and in the 10-year period from 1919 to 1928, the average was only 146 pounds, so that they had a yield of cotton last year that was 25 per cent above the average yield for the preceding 10 years.

The corn crop was not so good, but the figures show that the 10-year average production was 14.2 bushels per acre, and this year it was 10.5, and that the average total yield for the five years from 1924 to 1928 was 39,010,000 bushels, and in 1930 30,062,000, only 25 per cent less than the average crop for the preceding five years. The hay crop in the 10-year period showed an average of 0.84 of a ton per acre, and this year it was 0.80 of a ton per acre, practically a normal crop. I think this justifies the statement I made that in many cases these figures are exaggerated. Furthermore, in a good many States rains in the fall changed conditions from what they were earlier in the year. If the State of Alabama, with practically normal crop production, taking the State as a whole, is demanding $10,000,000, then I think we can reasonably say there has been a great deal of exaggeration so far as other States are concerned. I asked a Member of this House from Alabama the other day how he explained the fact that they seemed to need so much when they had practically a normal crop, and he said that they did have good crops but that the prices were very low. Surely it is not the intent of this legislation to extend relief to the farmers of the country on account of low prices for crops. If we are going to do that, we had better go out into the wheat country. In my district alone the farmers this year took $25,000,000 less for their wheat than in the previous year. We are basing this legislation purely on drought relief, and unless the States affected are prepared to come in here and show that the distress which exists is due to drought and to drought alone, then I do not think we are justified in making these authorizations or that the Department of Agriculture is authorized in making loans, because we certainly can not undertake by this legislation to relieve the distress over the country which is due to low prices.

Mr. KETCHAM. Mr. Chairman, will the gentleman yield?

Mr. HOPE. Yes.

Mr. KETCHAM. In connection with the remark the gentleman made with reference to the information gathered by Doctor Warburton, may I call his attention to two sentences on page 23 of the hearings? Question by Mr. BRIGHAM:

> Your opinion is that $25,000,000 will take care of all the necessitous cases?
>
> Doctor WARBURTON. Yes; on about the same basis that we have operated in the previous years.

That is from a man who knows probably more about this situation than any other single man in the United States.

Mr. GREEN. Mr. Chairman, will the gentleman yield?

Mr. HOPE. Yes.

Mr. GREEN. I hope the gentleman does not interpret the proposed legislation to be such as to preclude in storm areas and in frozen areas people from getting under its provisions. We have a number of vegetable growers from the central part of Florida right on up the coast to New York, where within the last few days frost has closed out the crop.

Mr. HOPE. I did not intend to give that interpretation. I had in mind that we were not to understand that this measure means that we are going to relieve necessitous conditions over the entire country unless they are caused by some such calamity as drought or storm.

Mr. GREEN. Or frost?

Mr. HOPE. I presume a frost would come under the definition of storm, although I do not know what interpretation the Department of Agriculture might put upon it.

Mr. GREEN. Or "for such other purposes." That is what we understood.

Mr. LANKFORD of Georgia. Would the gentleman interpret this bill to protect those farmers in areas who suffered from flood conditions two years ago and who have not recovered from that condition owing to low prices?

Mr. HOPE. I have not given any thought to that, but on first blush I do not believe it would cover a situation of that kind. I have not given any particular thought to that

Now, let me say one thing more in connection with the question of the amount which has been requested by the Department of Agriculture. I want to call attention to the statement made by Doctor Warburton before the committee. His statement is that it is the universal experience of the Department of Agriculture in making these loans that as soon as the Government comes into a community and begins to loan money, local credit loosens up somewhat and more funds are available. They found that to be true in the loans made in the Southeastern States last year and two years ago. There is no reason to believe that they will not have the same experience this year, and no doubt that factor was also taken into consideration by Doctor Warburton in arriving at his figure of $25,000,000. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. LUCE].

Mr. LUCE. Mr. Chairman, it is a bit singular that the responsibilities of committee membership compel me to take the floor twice in the same day. This time my warrant for speaking is the fact that the Committee on the Library, of which I am a Member, has the duty of advising the House in matters of legislation relating to the American Red Cross.

This is perhaps the most critical juncture that the American Red Cross has faced in all of its history, and in its defense and for its support I ask your attention while I lay before you the chief issue involved, as far as the future of the country is concerned.

This is not a question of preventing suffering or relieving distress. We are all agreed that no human being in the United States shall suffer from the pangs of hunger if we are informed of his need. I want to repeat that, lest there might be a continuance of partisan difference upon this particular point. There is no question here of the relief of human suffering. The one and only question is who shall do the work. The one and only question is whether or not it shall be done by the Department of Agriculture or by the American Red Cross. The gravity of that question immediately displays itself to everybody who gives it attention.

Hitherto, through many years, the unofficial arm of the Government for dispensing its bounty in the matter of bodily suffering has been the American Red Cross, and now for the first time comes a proposal, backed by the almost unanimous vote of those on one side of the House, a proposal that the American Red Cross shall be supplanted by the Government agency known as the Department of Agriculture. The most important thing we are to decide is not whether relief shall be given to those who are in distress.

The amount to be appropriated for relief is the lesser question. The part of the problem that will have effect through the years to come concerns itself with who shall do the work. I plead for a continuance of the confidence of the country and the confidence of this body in the American Red Cross. I want to show you the reasons why I believe it should be continued and should not be withdrawn.

In the last year for which I have figures, 1929–30, the organization spent $1,163,277 for disaster relief. In the preceding year it had spent $8,206,627 for disaster relief. That is its chief purpose. It has subsidiary purposes, such as the care of veterans in distress and the care of all kinds of minor difficulties, to which it may properly address its efforts.

Mr. GLOVER. Will the gentleman yield?

Mr. LUCE. I yield.

Mr. GLOVER. Can the gentleman at this time give us the amount that is now available for Red Cross work?

Mr. LUCE. In the due and orderly processes of my remarks I assure the gentleman I will arrive at that figure.

In the fiscal year 1929–30 the Red Cross engaged in meeting the results of 102 disasters in the United States and its insular possessions and 6 in foreign countries. When this great drought disaster confronted the people of the land it was the instant duty of the Red Cross to spring to action. What did it do? The Red Cross has a chapter in practically every county in the United States. Most of those chapters have branches, and in many of the counties there is more than one chapter. They have been working already in 1,016 counties suffering as a result of drought. They have furnished seed to 238 counties where Government aid was not available. To the $30,000 contributed by local organizations they have added $300,000 from their own treasury. They have taken some food into 45 counties.

Their program of that character was completed in the middle of November. Then they were confronted by a program of a different character, that which we are now considering, with the problem of bringing relief to those faced by bodily suffering.

Gentlemen say this is a huge problem. They say the Red Cross is not equal to it. What are the facts? How big is that problem already? On Saturday morning they had received at national headquarters applications from 10 counties. Ten counties out of all those that are involved have so far been so hard pressed that they could not meet this exigency themselves, and the amount of money so far required has been only $6,010. Yet gentlemen rise and say that because, perchance, this organization may not be able to raise enough money by appealing to the people for contributions we should alter the entire program of dispensing public bounties and turn the task over to the Department of Agriculture.

I asked about the resources of the Red Cross. They pointed out that they have a disaster fund laid aside in reserve for the purpose of meeting disasters, and there are $5,000,000 now in that fund. Five million dollars now ready and only $6,010 so far asked! They told me—and no man here will dispute the statement of the man who told me, Judge John Barton Payne—he himself told me if that $5,000,000 would not suffice they knew where to get the money. They would not go to the Public Treasury; they would not demand the slow, tortuous process of extracting money from the taxpayers, but they would go to the people of the country, who never yet have refused an appeal from the American Red Cross.

I would bring you some testimony, testimony that my friends from the South will not challenge, because it is from their own spokesmen in this matter.

This testimony was given on the 20th day of November, when the gathering took place in this city and reports from the chairmen of drought committees from 22 States were presented. First, as to Arkansas. Hear these words from its representative, Harvey C. Couch, chairman of the State committee:

> When the drought became acute in Arkansas the governor called some people together to consider the situation. The first thing looked for was the Red Cross, and they were found right on the doorstep ready and willing to help.

Turn to Indiana:

> The Red Cross has had a worker in every county in the drought region.

Next, Texas, from which we have heard to-day:

> The Red Cross has helped us considerably, principally in wheat seed for fall and winter pastures, and, in some instances, turnip seed for fall sowing.

Mr. McDUFFIE. May I inquire when that statement from Arkansas was received?

Mr. LUCE. On the 20th of November, last month.

Mr. McDUFFIE. I understand it was made in June last.

Mr. LUCE. I am reading what the gentleman may find in the first issue of the CONGRESSIONAL RECORD of this session. From Louisiana:

> The Red Cross, who sent a man to Louisiana, have cooperated with local chapters and have supplied seed for gardens and fall pastures, which have been very helpful in this drought area.

So much for the past, and now testimony as to the instant situation. From Kentucky:

> There will be a great deal of actual distress and suffering among a great many unfortunates if some organization like the Red Cross does not step forth and assist in the relief work necessary.

No organization like the Department of Agriculture but some organization like the Red Cross is to be turned to in this emergency.

This is from Montana:

> The State drought committee has made a careful survey and we estimate that our destitution will reach over 2,000 farm families, which will need to be taken care of by the local Red Cross without calling upon the National Red Cross agencies.

This from Ohio, the testimony of Perry L. Green, commissioner of agriculture and chairman of the State drought-relief committee:

> Anticipating relief beyond which could be furnished through employment, the State committee has been cooperating with representatives of the National Red Cross and local Red Cross chapters throughout Ohio in anticipating any possible needs which would have to be supplied through the Red Cross agency. This work has been so completely carried out that all Red Cross relief work can be properly and immediately taken care of.

And now some words to the gentleman from Oklahoma, who recently addressed you. I would that he were here still.

Mr. HASTINGS. I answer in part for Oklahoma.

Mr. LUCE. I am delighted that some gentleman from Oklahoma may not have to postpone his pleasure in knowing about my remarks until he reads them to-morrow morning. This testimony is all the more interesting, if I may so put it, because we have recently received a communication from Oklahoma which does not in all respects tally with what the commissioner said a month ago, when, perchance, there were no other than humanitarian considerations involved in this controversy.

Mr. GLOVER. Will the gentleman yield?

Mr. LUCE. Certainly.

Mr. GLOVER. The gentleman a moment ago mentioned Mr. Harvey C. Couch, whom I have the pleasure of knowing,

chairman of the committee which made this report. I will ask the gentleman if he does not know that in his report, made to the President, he estimated, which is conservative, that it would take $24,000,000 in loans under a bill like this to relieve conditions in Arkansas alone?

Mr. LUCE. I should regret it if there were no inaccuracies in that statement, but I will accept it as accurate. However, that is not what I am talking about. I have not been able, apparently, to make the gentleman understand.

Mr. GLOVER. The gentleman quoted Mr. Couch and intimated that the Red Cross should take care of conditions in my State.

Mr. LUCE. I am not only intimating, I am proving.

Mr. GLOVER. No; the gentleman is not.

Mr. LUCE. Well, let us see what the committee chairman from Oklahoma said in that particular matter:

> We thought in the beginning that the Red Cross was not alive to the seriousness of the situation, but I want to say their wide experience and training put a lot of courage into the situation and cooled it down in an admirable manner. I think that the State committees and all of the States should stand by the Red Cross and give them the benefit of the doubt. This matter of dispensing relief is a very difficult problem. It is a hard thing to go ahead without doing more harm than good.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. HAUGEN. Mr. Chairman, I yield the gentleman two more minutes.

Mr. LUCE. I shall have to compress my remarks by giving you now something from Mississippi:

> We are grateful to the American Red Cross for what they have done, and we want them to stand by us in the event.

And from West Virginia to the same effect.

My plea is not alone that you follow precedent and continue in charge of the Red Cross the responsibility of caring for bodily need but also that you remember there is no man in the whole world more experienced in dispensing the bounty of mankind than the man who is advising us at this moment. Let no man here be so presumptuous as to rise and put his own view against that of the greatest almoner of all time, the President of the United States. [Applause.]

Mr. ASWELL. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. HASTINGS].

Mr. HASTINGS. Mr. Chairman and members of the committee, there are only two questions involved in this discussion. The first is the question of the amount that the resolution should carry, and the second is whether the resolution should include food.

In support of both of these propositions I desire to have read from the Clerk's desk a telegram from J. F. Owens, chairman of the governor's committee for employment of the State of Oklahoma, dated December 16, which is in part an answer to the statement just made by the gentleman from Massachusetts [Mr. LUCE].

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

OKLAHOMA CITY, OKLA., *December 16, 1930.*

Hon. W. W. HASTINGS,
House Office Building, Washington, D. C.:

Governor's committee for employment, composed of representative men from every section of State, numbering 22, unanimously indorsed resolution to the effect that amount proposed for farm relief by lower House of Congress wholly inadequate to meet situation. Conditions in southwestern Oklahoma are bad and are getting worse. Many farmers have absolutely nothing with which to go through winter. Representatives from southwestern section of State confident that while local expedients may carry farmers through next two months they must have relief not only in way of feed for stock and seed for planting but that provision should be made for food for themselves and families. Committee recommends that this be in form of a loan to be secured by crops and land and to include liberal terms of repayment. Committee indorses sum provided by Senate resolution.

J. F. OWENS,
Chairman Governor's Committee for Employment.

Mr. HASTINGS. Let me say that J. F. Owens is one of the most responsible and best business men in the State of Oklahoma, and I am sure that the House can depend upon the accuracy of any statement he makes.

In addition to that testimony and in further reply to the gentleman from Massachusetts [Mr. LUCE], I wish to call attention to a statement that has already been inserted in the RECORD by my colleague the gentleman from Oklahoma [Mr. MCCLINTIC] from Mr. Puterbaugh, who was the President's representative here at the conference on November 21. Quoting from that as to the question of amount, he says:

> It is the belief of those who have studied this matter and who listened to reports from each and every State in the Washington conference of November 21 that $60,000,000 is a sufficient amount but that quite possibly a smaller amount will prove inadequate.

This statement shows that the question of amount was very fully discussed among the Representatives who were here at the conference on November 20 and 21, and it seems to have been agreed by all that $60,000,000 would be the amount recommended.

Let us examine the record a little further. A resolution (S. J. Res. 411) was prepared by the Department of Agriculture and it was sent to the chairman of the Senate Committee on Agriculture, Senator MCNARY, and that resolution was introduced in the Senate and passed, and the amount included in the resolution was $60,000,000.

This is shown by the debate in the Senate on the resolution when it was up for discussion.

This seems to corroborate what Mr. Puterbaugh has said was the general understanding and belief of all of the representatives from the drought-stricken States who were here at the conference of November 20 and 21.

There are two other questions I want to direct attention to. In the first place, I tried to argue to you yesterday that this is not a dole. It is not a gift. It is a loan. Whoever heard of the Red Cross going out with a gift in one hand to relieve the distress of the widows, the poor, the orphans, or the sick, or the unfortunate, and with a note and a mortgage in the other hand, and demanding that the money advanced be repaid? Why, of course you never heard of such a thing. So this is not a dole. This is a loan, made under peculiar circumstances, to a class of people that have suffered very greatly for the past 10 years and who are in extreme distress, and this distress has been accentuated by the most extensive drought that was ever known in the history of this Nation.

Now let me distinguish between the class of cases referred to in the argument of the gentleman from Massachusetts as to the amount that the Red Cross would need to relieve the sick and distressed. The reports read did not contemplate, and they do not cover, the amount that would be needed to assist people for the purpose of making a crop during the entire crop season. There is a vast difference in the amount that would be needed in my State of Oklahoma or the entire country to relieve extreme distress, such as would be handled by the Red Cross, and the amount that would be necessary to assist the farmers to make a crop during the entire crop season.

So the figures that were used by the gentleman from Massachusetts, recommended as ample for the Red Cross to relieve special distress in any community, are entirely inadequate to furnish food, feed, seed, and fertilizer to the farmers in any drought-stricken community to enable them to make a crop.

Ninety-five per cent of the farmers in my district have to pledge their crops to borrow money from their local bank or give a mortgage to the supply merchant for supplies which include food, feed, and seed to make their crops. If the Government takes a first lien upon their crops for feed, seed, and fertilizer, they have nothing to secure the bank or to secure the supply merchant for food for themselves and family.

As the result I greatly fear none of the farmers in my district, if this resolution is passed unamended to exclude food, would be in a position to avail themselves of the provisions of this resolution.

Mr. ALLGOOD. Will the gentleman yield?

Mr. HASTINGS. I will yield to the gentleman.

Mr. ALGOOD. Under the conditions here would the banks loan them money on their crop?

Mr. HASTINGS. The banks could not loan money on second mortgages, because, as the gentleman knows, and everyone knows, the bank examiners would not favorably pass such notes.

Mr. WILLIAM E. HULL. Will the gentleman yield for a question?

Mr. HASTINGS. I yield.

Mr. WILLIAM E. HULL. If you loan a farmer money for seed and fertilizer, how are you going to differentiate between loaning him for seed and a loan for food?

Mr. HASTINGS. I do not think they could do it. I think you ought to encourage him to be honest and loan him the money to cover food, feed, seed, and fertilizer without encouraging any deception as to the purpose for which the loan is to be made except that it is to aid the farmer in making his crop.

Mr. WILLIAM E. HULL. I am going on the basis that most farmers have things they can eat. They have hogs and chickens, and it seems to me it would be better to loan them the money and keep food out of it.

Mr. HASTINGS. How are those farmers going to get the food who are without it and who are regularly carried every year by a bank or supply store?

Mr. WILLIAM E. HULL. He raises it.

Mr. HASTINGS. He did not this year, and that is the necessity for this legislation.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. ASWELL. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. NELSON].

Mr. NELSON of Missouri. Mr. Chairman and members of the committee, in the last session of Congress I expressed my personal views on all legislation of this character. I do not feel that my views have greatly changed. However, I am conscious of this fact, that as Members of Congress we represent first our districts, next our States, and then the Nation as a whole.

In order to arrive at a correct conclusion regarding legislation of this character, and to ascertain the views of the people in Missouri I, a number of days ago, wired the various authorities in my State. I want to take time to read some of these replies.

First of all, I shall read the reply of Dean F. B. Mumford, dean of the Missouri College of Agriculture:

COLUMBIA, MO., *December 5, 1930.*

Hon. W. L. NELSON,
House of Representatives:

A large number of Missouri farmers in the drought area will require Federal loans next spring in some counties in drought area due to bank failures or other circumstance. Local money is not obtainable. Many farmers in drought area can not furnish good security if such farmers borrow locally. The interest rate is very high. The number of localities or farmers needing Federal loans can not be accurately stated without a careful investigation.

F. B. MUMFORD,
Dean of the Missouri College of Agriculture.

Next I read the telegram of R. R. Thomasson, director of agricultural extension in Missouri:

COLUMBIA, MO., *December 5, 1930.*

Hon. W. L. NELSON,
United States House of Representatives:

Best information at hand indicates there will be considerable demand for Federal loans for feed and fertilizer in Missouri drought area. Banks can not meet the situation in all cases. Security offered by farmers in many cases is not acceptable to the banks. Bank failures have reduced the amount of money available for loans even when good security is offered. In two counties all banks have been closed.

R. R. THOMASSON,
Director of Agricultural Extension in Missouri.

The next telegram is from Sherman P. Houston, one of the outstanding farmers of Missouri, a man who has been frequently mentioned for a position in the President's Cabinet:

MALTA BEND, MO., *December 6, 1930.*

Hon. W. L. NELSON,
Washington, D. C.:

Large number farmers in drought area unable finance next year's farm operations. Food, feed, and seed urgently needed. Local banks these districts unable furnish further credit on security offered and intermediate credit banks require practically the same security as local banks, hence no encouragement in attempt organize local intermediate credit banks. Ten to twelve thousand farm families will be entirely dependent on outside aid from some source, otherwise many will drift to cities to join the army of unemployed.

SHERMAN P. HOUSTON.

The next telegram I read is from L. W. Baldwin, chairman of the Missouri State drought-relief committee:

ST. LOUIS, MO., *December 5, 1930.*

WILLIAM L. NELSON,
House Office Building, Washington, D. C.:

Members of the Missouri drought-relief committee feel it important that you support bill for loans for seed, fertilizer, and feed account drought conditions for at least $60,000,000. Committee does not feel twenty-five million will be adequate to meet needs of farmers.

L. W. BALDWIN,
Chairman Missouri State Drought-Relief Committee.

Then here are telegrams from William Hirth, president of the Missouri Farmers' Association:

COLUMBIA, MO., *December 8, 1930.*

Hon. W. L. NELSON,
House Office Building:

Undoubtedly some of our farmers will need loans on feed and seed, but would not include fertilizer. If matter is turned over to county committees of highest responsibility, abuses of Government aid can be reduced to minimum. Think loan terms should be lenient, but that all farmers should understand that repayment is expected.

WILLIAM HIRTH.

Jewell Mayes, secretary of the Missouri State Board of Agriculture:

JEFFERSON CITY, MO., *December 6, 1930.*

Congressman W. L. NELSON,
House Office Building:

Answering telegram Missouri farmers most needing feed, seed, and fertilizer are not good short-time risks for banks. Many will be pinched to extreme limit next spring for needed seed, particularly because of vast acreage of meadows lost during drought.

JEWELL MAYES.

And W. F. Keyser, secretary of the Missouri State Bankers' Association:

SEDALIA, MO., *December 5, 1930.*

Hon. WILLIAM L. NELSON,
House of Representatives, Washington, D. C.:

In my opinion many Missouri farmers will need Federal aid in financing next year's crops.

W. F. KEYSER.

I have others, but these should be sufficient to indicate the views of some at least who are in positions to speak with authority.

Laying aside any personal feeling I might entertain relative to legislation of this character, I expect to support the bill and to do what I can to secure the amount suggested by the chairman of the drought-relief committee in my own State—$60,000,000. The Secretary of Agriculture comes from Missouri. He will be in charge of the expenditure of this fund. He is not of my party, but we should have sufficient confidence in him to believe that he will not permit to be used more of these funds than are needed.

Just one other thought, and that is quite important in legislation of the character now under consideration. I refer to the terms on which these loans are made. I again quote from Mr. Houston, of Missouri. He says:

By every device we were able to employ, we could not induce the farmers to use this money in the way the department wanted it used.

Of course not. When you offer to make a loan to a Missouri farmer to put in a corn crop, and make that loan payable on the 1st day of October before he has gathered his corn, before he is ready to market it, he is not interested. The loans that were made last fall in Missouri are made payable on the 1st day of July, 1931. Every man who is familiar with agricultural conditions in Missouri knows that the farmer will have nothing to sell between now and the 1st day of next July. It is important that the agency having this matter in charge make these loans payable at a time when the farmer may hope to be able to pay them. I strongly urge the need of proper terms.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. NELSON of Missouri. Yes.

Mr. HARE. I am interested in the statement the gentleman makes there about making loans payable July 1, and also interested in the statement that he makes that they will not be able to pay them at that time.

Mr. NELSON of Missouri. Not on July 1. Wheat in central Missouri is harvested during the latter part of June and the early part of July, the harvesting period varying somewhat from year to year.

Mr. HARE. What security is given?

Mr. NELSON of Missouri. On the crops referred to.

Mr. HARE. It may be that the Department of Agriculture is trying to aid these farmers in that if they do not pay on the 1st of July they will cancel the obligation.

Mr. NELSON of Missouri. This is too serious a matter to be facetious about.

Mr. HARE. I am not facetious about it at all; but it occurs to me that if they have the judgment the gentleman says they ought to have they would know that they would have to wait until the crops are harvested before demanding payment.

Mr. NELSON of Missouri. I desire to mention, and I have but a moment, another matter that is important to Missouri and doubtless to other States. I refer to the Agricultural Credit Corporation, or incorporated livestock loan company, a system of loans to aid our livestock farmers. We have in Missouri two such banks at this time. One is in my home county, the other in the home town of Secretary of Agriculture Hyde.

The difficulty to-day in making these institutions of greater value to the people is that they can not get sufficient local dollars needed to expand into the eight or ten dollars. I have a letter from the dean of the Missouri Agricultural College only to-day, also a letter from Chester Starr, president of the Centralia (Mo.) Credit Corporation, referred to. It is suggested that if through loans such as we are now considering the one dollar could be made available to be expanded into eight or ten dollars, that it would take care of the situation referred to this morning in the Committee on Agriculture. My colleagues on this committee will recall that this matter came up and it seemed to have the indorsement, at least tentatively, of the Secretary of Agriculture. The difficulty is that the dollar of local money is not to be had. I trust this suggestion may be looked into. Possibly these intermediate credit banks may be made of greater value in this emergency.

I conclude by saying that as far as I am personally regarding legislation of this character, my views are unchanged, but we are now called upon to meet a great emergency. [Applause.]

Mr. ASWELL. I yield five minutes to the gentleman from Alabama [Mr. HILL].

Mr. HILL of Alabama. Mr. Chairman, the President in his annual message to Congress had this to say:

> We have as a Nation a definite duty to see that no deserving person in our country suffers from hunger or cold.

The distinguished gentleman from Massachusetts [Mr. LUCE] said on this floor this afternoon that we stood pledged to the proposition that no deserving person should suffer from the pangs of hunger, and that distinguished gentleman, together with other gentlemen on this floor, suggest that the way to prevent suffering on the part of our people in the drought areas is to let the Red Cross come in and handle the matter. I am sure that we all honor and appreciate the work of the Red Cross and would do anything we could to foster and promote the work of the Red Cross, but how much better it is for the Government of the United States to loan these people in these drought-stricken areas the money for them to work out their own destiny than to have the Red Cross go into the areas and give them hand-outs. [Applause.]

Our people do not ask for charity. They do not ask for public bounty. They make no plea for hand-outs. Through us as their representatives they stand here to-day and appeal to the Government of the United States to give them an opportunity to work out their own destiny. Instead of suggesting that these people be made the object of hand-outs we should be proud of the fact that they, strong, independent, and self-reliant, prefer with the sweat of their brows and the labor of their hands to work out their own livelihood. [Applause.]

If they are permited to do this instead of being objects of charity, then it is absolutely necessary that this House amend the pending bill so as to make the amount of money a minimum of $60,000,000.

Other gentlemen on this floor have told the House in a general way how the figure of $60,000,000 was arrived at.

I wish to go into a little more detail as to how that figure was arrived at. I want to take my State of Alabama as an example. In compliance with the request of the President of the United States the governor of that State set up a State drought committee, and that State drought committee then proceeded to set up in each and every county in the State a local county committee. The local county committee was composed of the following leaders and officials in the particular county: The probate judge, the superintendent of education, the county farm agent, the county home demonstration agent, the county child welfare worker, the county health officer, one banker, and the president of the county farm bureau, and the Red Cross chairman.

This local county committee made a survey of the needs of its particular county and then made its report to the State committee. The State committee then made its report to Washington, and it was on the reports of these different State committees, as a basis, that the minimum figure of $60,000,000 was arrived at. [Applause.]

In my State of Alabama alone the State committee found that in 39 out of 67 of the counties there are a minimum of 38,000 families that will be unable to secure any loans unless the Government furnishes these loans, and that in the remaining 28 counties there are some 12,000 families that will be absolutely unable to get any loans from any private source. This gives us in Alabama a total of 50,000 families that can secure no credit from private sources. The very minimum amount needed for each one of these families is $200, and if you multiply $200 by 50,000 you get the figure of $10,000,000 which Hon. Seth P. Storrs, the commissioner of agriculture of the State of Alabama, says is the very minimum that Alabama must have to take care of the present distressing conditions growing out of the drought. Mr. F. W. Gist, State and Federal statistician for the State of Alabama, makes the following statement with reference to feedstuffs alone:

> In the matter of feedstuffs it has been heretofore determined that the aggregate volume of grain requirements of farms in Alabama amounts to about 73,850,000 bushels of grain. The production of grain in 1930 has amounted to about 46,600,000 bushels. The shortage this year, therefore, appears to be in the neighborhood of 27,000,000 bushels of grain feeds. It is quite conservative to estimate that of this amount at least $7,000,000 of credit will be required to supply the shortage.

I wish to emphasize what has been said on this floor before, and that is that all loans made by the Government under this bill would be secured by a first lien on all crops. This would mean that the Government would have a mortgage not only on all crops but on all of the labor and all of the toil of the farmer, his wife, and his children. The record shows that the Government will collect approximately 85 per cent of all loans within a period of 10 months, with interest thereon. Unless the people in the drought areas are financed, it will mean 5,000,000 people more added to the ever-mounting number of the unemployed.

The Government would be more than justified in making these loans if for no other purpose than to permit these people to keep at work and not add to the frightful condition of unemployment that now exists in the country. If the Congress could give $100,000,000 to the people of Europe in 1919, if again in 1921 it could give $20,000,000 to the people of Russia, and if in 1924 this House could pass a resolution to make a gift of $10,000,000 to the people of Germany, surely it would seem that the Congress would now be willing not to give but to loan $60,000,000 to prevent suffering and destress among our own people. President Hoover has recommended and the Congress is passing legislation to provide

an expenditure on public works during the next 12 months of a total of $650,000,000. We must realize that after all most of the benefit that will be derived from this great expenditure will go to the industrial sections and to the cities and towns of this country and not to the rural sections. Certainly it would seem that if we can expend this huge sum of money to help in the main the industrial sections of the country, that we ought to be able to loan to the farmers who suffered from drought or flood or storm or freeze less than 0.1 of the amount, remembering all the while that we will get some 85 per cent of it back. Justice dictates that we do it and necessity demands that we do it. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. ASWELL. Mr. Chairman, I yield five minutes to the gentleman from Louisiana [Mr. WILSON].

Mr. WILSON. Mr. Chairman, gentlemen, in listening to the debate one is impressed with the fact that it leads away from the actual basis of this legislation. This legislation can have only as its proper basis a grave emergency; not one which charity could handle; not one which the Red Cross could handle; but beyond that, where it is absolutely necessary for the Federal Government to give assistance, not in the way of donations, but by the extension of credit to preserve the most important industry of the Nation. The emergency was recognized, I think, by all who knew of the disastrous drought throughout the vast territory of the Middle West and South. When that emergency was recognized, steps were taken to find out what action was necessary by the Federal Government and by Congress in the way of legislation.

My colleague, Mr. ASWELL, of Louisiana, the ranking member of the Committee on Agriculture, spent the late summer and early fall working with those in the Department of Agriculture, with those experts, including secretaries of agriculture who came from the various States affected, who made surveys of those States and collected definite information, and the conclusion was that the drought, without precedent as to duration and area affected, had caused an absolute failure of crops in the greater portion of 22 States. All the local credit had been exhausted for the present year and every effort had been made to produce the crops. All the collateral had been deposited and used to secure loans for the present year 1930, with no returns. Hence there was nothing in the way of money, credit, or security with which to begin next year's crop. So by this legislation we are simply asking an extension of credit by the National Government, such as it has given in many instances to industry as well as to other nations. It is not a donation. It is asked for by independent farmers, the last people in the world who would come and ask the Government for donations to assist them. When you have passed this legislation you have extended credit, not which will relieve the present distress but something which will give them an opportunity to come forward in the future and produce a crop and save the homes of these people and their farms, upon which depends the prosperity of all the Nation.

So we take the viewpoint that what the Government will do under this act would be to make loans to honest, responsible farmers who are willing to give any security that is possible, not, perhaps, what you would like to have, but all that is left after the disaster, a lien upon their crops for the present year.

This amount was arrived at after a careful survey of the situation and a careful and conservative estimate as to what each State would need, and, in my judgment, the $60,000,000 should be the minimum allowed.

My friend Mr. PURNELL, of Indiana, yesterday indicated that it did not make so much difference about the amount, but the main thing in his mind, whether it be $60,000,000 or $30,000,000, was that it be arranged so that none of it should be used in the purchase of food. If you have a lien upon the farmer's crop so that he can purchase his supplies to make a crop, he is going to use that just as sparingly as possible. What good will it do to have feed for his stock and seed to plant if he has to abandon his family and go elsewhere to get work to earn money with which to feed his family? As a practical business proposition it should be just as the original resolution calls for, the $60,000,000, and include "food and necessary supplies."

Mr. ASWELL. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Chairman, we are dealing with a calamity that is almost nation-wide and, in my judgment, we should approach the question in a nonpartisan spirit. Heretofore we have provided aid for drought relief. We have responded to appeals in previous droughts and floods by the passage of the ordinary seed and feed loans.

It was recognized that the 1930 drought was an extraordinary one, extending, as it did, from Washington to New Orleans, and occurring in the Middle West, in the Pacific Northwest, and other parts of the country. The President of the United States at once saw an unusual emergency confronting the country. He called a national conference. A national drought-relief committee was appointed. Committees were set up in 22 States of the Union. This drought now covers 24 of the 48 States. The State committees had two meetings in Washington with the national drought committee. What has been the result? What relief has been proposed? What solution has been placed before the Congress to deal with this great calamity? The net result, in all fairness, up to date, has been a few conferences; the railroads voluntarily reduced their rates on feedstuffs, but those reductions have now been eliminated. They were of but little benefit in the South, as farmers had no money with which to buy feed. The President, through his Secretary of Agriculture, has proposed for this extraordinary calamity the ordinary seed and feed loans. The Government is not fully functioning in this emergency.

I oppose paternalism. I am opposed to socialism, but those who are opposed to the inclusion of food and the increased authorization admit the soundness of appropriations heretofore made for feed, seed, and for fertilizer. They admit that the Government of the United States has been justified in making loans or donations, not only in our own country but in foreign countries, as the result of an extraordinary calamity. It is admitted that it is sound to make donations or loans to the stricken areas of foreign countries as the result of war, but in the face of a drought that has covered 24 of the 48 States it is denied that similar relief ought to be extended to our own people.

Mr. Chairman, the destitution and the destruction that now obtain in the drought sections of this country are just as certain as if an invading army or mighty flood had swept through the land.

The argument, in opposition, made by the distinguished majority leader [Mr. TILSON] on Friday, December 12, is typical. He admits the soundness of loans for seed and fertilizer. He admits the soundness of the donation of $20,000,000 to the starving Russians in 1921. He admits the soundness of the appropriation of $100,000,000 in 1919 for donations and loans to the suffering of Europe except the central powers, following the World War. He justifies it by saying that the conditions which obtained were caused by war. I am more interested in the results than I am in the cause. Hunger is hunger, whether caused by drought, by hurricane, by flood, or by war.

From the district which I have the honor to represent I have received letters, resolutions, and telegrams, saying that school children are barefooted these cold winter days; that they have but a single garment on, and that aid from the outside is imperative to prevent human suffering.

I am not unmindful of the aid heretofore extended by the Red Cross and its help must be invoked this winter. The Red Cross must feed the hungry for the next two or three months. The loans for food, if authorized, will not be available before the 1st of February or probably the 1st of March. The entire $5,000,000 for disaster relief, available to the Red Cross, will be exhausted before any of these loans are made. These loans are not to supplant but to supplement the Red Cross. I respectfully maintain, Mr. Chairman, that if the Government of the United States is justified in mak-

ing loans to foreign people in times of great emergencies the same argument applies when we are asked to aid and help our own.

I call attention to this significant fact that those who oppose the extension of these loans for food admit that they will be substantially repaid in the future, as they have been repaid in the past, when made for feed. Under the Senate bill the loans are made on the same conditions, with the same security, and by the same agency for food as they are for feed. In other words, the tenant or small farmer who will be benefited thereby in my territory will give a lien on his crop for 1931, and it will be just as safe and just as ample to repay the loans for food as for feed. If one loan is sound the other loan is sound. To be sure, man is worth more than cattle; and a loan for human being is sounder and more justifiable, if the Government is going to provide relief. [Applause.]

The gentleman from Massachusetts [Mr. LUCE] made reference to a statement by Mr. Harvey C. Couch, chairman of the drought-relief committee from the State of Arkansas. I read from a telegram published in the RECORD of December 16, page 791, sent to Senator ROBINSON by Mr. Couch:

LITTLE ROCK, ARK., *December 5, 1930.*

Hon. JOSEPH T. ROBINSON,
Senate Office Building:

We urgently request that Arkansas congressional delegation do everything possible to assure appropriation of at least $60,000,000 for drought relief. Sum proposed by HAUGEN far too small to meet situation in view of number of States requiring assistance. We are confident proponents of measure carrying small appropriation do not realize disastrous effects of drought. If our committee can be of assistance in supplying data, please command us.

H. C. COUCH,
Chairman State Drought-Relief Committee.

I indicated a few moments ago that I was slow to approve the extension of the policy heretofore adopted in making loans for seed to food, but I believe the exigencies of the occasion justify it.

My friend from Illinois [Mr. HULL] said a few minutes ago that the farmers ought to use their own food and their own corn to feed their families. In the district I represent cotton and corn are the chief products. There is substantially no corn, because of the greatest drought the Nation has ever known. There is no hay, there are no foodstuffs, and there are no feedstuffs. It is as important to feed human beings as it is to feed mules and horses.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks and to include the proceedings, recommendations, and resolutions adopted by a mass meeting of the people of Bolivar County, Miss., on December 11, 1930; to include a letter to me from E. W. Taylor, president of the Board of Supervisors of Quitman County, Miss., dated December 12, 1930; and to include a telegram to me, dated December 16, 1930, by P. L. Denton and other citizens of Quitman County, Miss.

The CHAIRMAN. Is there objection?

There was no objection.

The matter referred to is as follows:

PROCEEDINGS OF MASS MEETING HELD AT ROSEDALE, BOLIVAR COUNTY, MISS., DECEMBER 11, 1930, TO DISCUSS WAYS AND MEANS FOR RELIEF FROM CONDITIONS CAUSED BY DROUGHT AND BUSINESS DEPRESSION

At a meeting of the people of Bolivar County for the purpose of investigating and reporting to Congress the unprecedented conditions resulting from business depression, low prices, and the recent drought visited upon this section the following proceedings were had:

The meeting was called to order by Hon. Walter Sillers, sr., who stated its object.

Senator W. B. Roberts, of Rosedale, was elected chairman and C. B. Black, of Rosedale, was elected secretary.

After numerous citizens had given statements of the effect of short crop and low prices and the condition of the people of the various communities as a result therefrom, a committee consisting of Walter Sillers, jr. (chairman), T. Y. Williford, H. H. McGowen, and J. W. McLellan were appointed, with instructions to give hearing to the people from each neighborhood represented and to make report of their findings to the meeting.

The committee made the following report and recommendations, to wit:

"The undersigned committee, after hearing the statements and having questioned reliable and informed persons regarding conditions prevailing in the various communities of the county, beg leave to submit the following report:

"The conditions which obtain throughout the country are appalling to a people who heretofore have been noted for their energy, thrift, and prosperity, and, while humiliating, it has become imperatively necessary for them to appeal to the National Government for aid to tide them through this unprecedented disaster, aggravated and made doubly serious by the low prices of cotton and cottonseed upon which these people rely as their sole source of subsistence.

"We find that families in these communities who in 1929 produced from 17 to 18 bales of cotton, and received from 18 to 20 cents a pound therefor, and from 10 to 12 tons of cottonseed, from which they received $34 to $35 a ton, have this year produced from 5 to 6 bales of cotton on the same land, and have received but from 10 to 12 cents a pound therefor, and from 3 to 3½ tons of cottonseed, from which they received from $23 to $24 per ton, with the result that only a few made enough to pay for their food; that this is illustrative of the conditions that prevail throughout the entire county, with but few execptions. Tenants have not been able to pay rent and mule feed and have made no corn or hay to feed their stock through the winter, and, moreover, are unable to feed and clothe themselves or to pay taxes on their stock.

"We find that only in rare instances have landowners been able to pay their bankers, and as a rule bankers are not able to carry the landowners and their tenants, and the landowner as a rule is not able to carry his tenants or even pay his taxes.

"Such conditions have affected business, merchants, planters, bankers—all business alike. Distress such as never before existed even during the most disastrous floods stalks through our midst. It is with dismay that our people are awakening to the deplorable condition. It is tragic! Men and women are spending sleepless nights, and soon will be suffering from cold and hunger unless aid comes from the National Government—the only source from which relief can be hoped for or expected.

"In view of this approaching calamity, we recommend that copies of this report, with the accompanying resolutions, be sent to our Senators and Representatives in Congress, with the urgent request that they lay the conditions of our people before Congress with their plea for relief.

"WALTER SILLERS, Jr.,
Chairman.
"J. W. MCLELLAN,
"T. Y. WILLIFORD,
"H. H. MCGOWEN,
Committee."

RESOLUTION MEMORIALIZING SENATORS AND REPRESENTATIVES IN CONGRESS FOR GOVERNMENT AID FOR DROUGHT SUFFERERS

Whereas on account of the crop failure caused by the most destructive drought ever visited upon our people, and the business depression now upon us, the income of our cotton producers has been lowered to less than one-third of the average yearly income, and there is now widespread destitution in the county, and it is evident that this deplorable condition will steadily grow worse during the coming winter months on account of the want of employment; and

Whereas from reports of representatives of the Red Cross it is estimated that more than 4,000 families (an average of five persons to the family, making more than 20,000 people) in Bolivar County are in want, and are unable to obtain for themselves food and clothing; and

Whereas the local communities having no funds to contribute are unable to care for these suffering people, and it is ascertained that the Red Cross, on account of lack of funds, is unable to handle the situation; and

Whereas unless aid is obtained from the National Government these suffering human beings will be left to the ravages of cold and hunger during the coming winter months: Now, therefore, be it

Resolved, By the citizens of Bolivar County, Miss., in mass meeting assembled, at Rosedale, on this the 11th day of December, 1930, that our Senators and Representatives in Congress are urged to use their best efforts to secure from the National Congress an appropriation to be used in alleviating this distressed condition, and give aid and relief to these thousands of suffering people.

That copies of this resolution be forwarded to the Senators and Representatives in Congress from Mississippi.

DECEMBER 13, 1930.

Hon. W. M. WHITTINGTON,
Washington, D. C.

DEAR SIRS We are writing you at the urgent request of many of our leading citizens and are giving you facts as they exist in this county at present.

We are in the midst of the hardest fight since reconstruction days to save many of our people from starvation, exposure to weather, and general physical distress. Many people are facing dire destitution. Their crops have been consumed. We have no industries from which they can derive means of sustenance.

The tenant class makes up more than 80 per cent of our population. These people are absolutely dependent for food, warm clothing, and medical aid from the planters. It is for this 80 per cent of our population that we so seriously need immediate Federal aid.

Unfortunately, Quitman County was overflowed early this year by Coldwater River, damaging roads and bridges and destroying livestock, poultry, feed, and seeds amounting to thousands of

dollars. At one time more than 60 per cent of this county was under water. This caused a delay in planting of this year's crop. Coupled with this handicap, the farmers suffered the summer's terrible drought; then came the decline in prices. All of these conditions following each other in succession have practically paralyzed not only the planters, who want to carry on, but the banks and all other financial institutions available.

Our collateral is already pledged to the limit for production credit during 1930, and as our gross income was cut about 75 per cent of normal we are helpless at present to qualify for loans where collateral is required. What we need is some means of relief to tide us over the next 60 days.

Many people of Quitman County are absolutely in urgent need. Many children in school are seriously undernourished and poorly clad. Some are attending without shoes and with no other clothing for their body except overalls.

Local organizations are unable to meet the situation even at present, and the needs will be many times multiplied as the winter advances.

The people of the county, as a rule, are grimly accepting the conditions as calmly as could be expected, hoping against hope that better times will come soon.

Another phase of our distress is the livestock situation. Many of the planters have been forced to turn out their mules to shift for themselves on account of having no feed, as result of the drought. A large per cent of these will not survive the winter. Those that do survive will not be in fit condition to do effective work in next year's crop.

These conditions constitute a disaster which the Government has already recognized, and upon the basis of previous conditions no more serious than ours the Government in the past has given substantial aid. We are therefore asking you to make a strong plea in our behalf for assistance that will at least mitigate our distress as much as is humanly possible.

Our local Red Cross is already functioning, but they are handicapped seriously for lack of funds.

Hoping that you will give this your immediate attention, we are,

Yours very truly,

E. W. TAYLOR,
President, Board of Supervisors.
S. W. JONES,
S. R. EVANS.

MARKS, MISS., *December 16, 1930.*

Hon. WILL M. WHITTINGTON,
Member of Congress, Washington, D. C.

The citizens of Quitman County, Miss., in mass meeting assembled, this day adopted and approved the letter of December 13, written to you by E. W. Taylor, president of the Board of Supervisors, and others, and earnestly request that you devote your time and attention to obtaining any prompt aid to relieve Quitman County from the dire situation. Many thousands are in necessitous circumstances and experiencing great physical suffering from lack of food and clothing. The condition with reference to livestock is even more acute. Time is of the utmost importance.

P. L. DENTON,
S. R. EVANS,
A. A. POGUE,
S. W. JONES,
E. W. TAYLOR,
Committee.

Mr. WHITTINGTON. Let me make this statement: The ordinary farmer and the ordinary tenant pledges his crop for money with which to buy food and feed. In my district he will be unable to obtain credit, because the banks, merchants, and landlords have not collected more than 35 per cent to 50 per cent of the amounts they advanced during 1930 and the net value of the cotton crop is not more than one-third. So there is no local credit available. [Applause.]

QUESTION

Two days ago the motion to suspend the rules and pass the House relief bill, with no loans for food and with an authorization for only $30,000,000, failed to pass. The question before the House is whether under the general rules it will pass the Senate bill or the House bill. The issue is whether Congress will provide loans for food and whether it will authorize $60,000,000.

AMOUNT

There should be an adequate authorization. For the first time the question is being treated from a national viewpoint. Both bills provide for loans in any drought or storm stricken area anywhere in the United States. Any storms or floods before the 1931 crops are planted anywhere in the United States would come under the provision of the bill. The authorization should be ample. The amount may or may not be used. The matter is in the discretion of the Secretary of Agriculture. Congress is providing for the greatest drought in the greatest depression the country has ever known. It would be a mistake if insufficient funds were provided.

The chairmen of the State drought-relief committees held a meeting at Washington about October 20, 1930. The statement was made that at least $60,000,000 would be required. It is significant that the loans made in the South have been repaid. Ninety-one and four-tenths of those made in Georgia under the act of February 25, 1929, have been repaid.

CRITICISMS

The gentleman from Illinois [Mr. ADKINS] argued that landlords should provide for food for tenants. The trouble is that landlords have lost enormously, are without funds, and are unable to make advances. Cotton is bringing one-half the cost of production. Banks and merchants are unable to extend credit.

The gentleman from Kansas [Mr. HOPE] called attention to the size of the cotton crop in Alabama during the past year. In the territory that I represent there is a short cotton crop and an unprecedentedly low price. Practically no corn or hay was raised. The farmers are without food and feed stuffs. They are unable to buy, because the proceeds of the cotton crop are almost 75 per cent less than last year.

RED CROSS

The distinguished gentleman from Massachusetts [Mr. LUCE] admits that there is a duty, but maintains that the Government should not make loans for food. He asserts that the Red Cross will provide food. I do not understand that the Red Cross has either the funds or the disposition to provide food in the drought-stricken areas, except during the next two or three winter months. It will then be necessary for those whom the Red Cross aids to obtain loans with which to make their crops. There is no greater institution among us than the American Red Cross. The local Red Cross in Mississippi is doing its best. Assistance is promised for probably two months by the American Red Cross. This assistance will not suffice.

The American Red Cross will make all donations that are made. I am asking that the donations of the American Red Cross be supplemented. I do not propose that they be superceded.

LOANS

I emphasize that the Senate bill provides for loans for food. There is no charity. There will be the same security on which landlords, merchants, and bankers normally make advances. The Government is asked to provide the loans, because banks, landlords, and merchants are without funds. The drought, reinforced by the nation-wide financial depression, makes it impossible for local agencies either to provide for all the donations that may be made during the winter, or the loans with which to make the crops for 1931. The local Red Cross in the district that I represent is doing splendid work in all the counties. Their funds will be shortly exhausted. Every dollar contributed by the American Red Cross will be utilized within the next 60 or 90 days.

MISREPRESENTATION

It is said that if loans are provided for feed and seed, they will be used in cases of necessity for food. The gentleman from Michigan [Mr. KETCHAM] virtually admitted the necessity for food in many cases, and substantially stated that the loans would be as widely used for food as for feed.

Section 2 of both the Senate and House bill makes it a criminal offense for any person to make any false representation for the purpose of obtaining the loans. Congress should be frank. Deception, dishonesty, and misrepresentation should not be encouraged. If loans in the discretion of the Secretary of Agriculture are to be used for food, the legislation should so stipulate. There is enough hypocrisy. It should not be perpetuated in providing relief in a great emergency.

I favor the Senate bill. Democracy is being challenged and representative government is being tested by economic conditions. The unprecedented depression is made more acute in one-half of the States of the Union by the longest, most severe, and most widespread drought the country has

ever experienced. The States can not solve the problem. Seventy-three of the 81 counties in Mississippi are in the drought area. Only the Nation is equal to the emergency. Will Congress provide for property rights and ignore human rights? [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. ASWELL. Mr. Chairman, I yield three minutes to the gentleman from North Carolina [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Chairman, ladies and gentlemen of the committee, I have voted for every farm-relief measure that has come before this House since I have been a Member, whether it was from Pennsylvania, Massachusetts, Washington, Illinois, or from whatever section of the country, and in this instance this is a nation-wide proposition. Before I came to Congress this session it was my understanding that our leaders, Democrats and Republicans, had got together with the President for the purpose of relieving this emergency, and that our distinguished Democratic leader in the Senate, Senator ROBINSON, and our distinguished Democratic leader in this matter in the House [Mr. ASWELL] had an understanding with Mr. Hoover and Mr. Hyde, and others, that this fund would be not less than $60,000,000.

It went through the Senate including food as well as feed for stock, and when it came to the House, for some reason, it was cut down to $25,000,000, and finally the Agricultural Committee, by a majority, put it to $30,000,000, leaving out food.

It looks to me, if you want our cooperation—and you need it to help relieve the unemployed and regardless of what brought about this awful situation whether it is a Republican disaster or what it is, we should all work to one end to relieve the situation. Hungry folks need food. Let us put this through for the entire $60,000,000. We need it, every cent.

This is not a charity, but is a loan to the farmer and a legitimate loan, practically all of which will be repaid. It is going to help the farmer and it is going to help the entire country.

If you gentlemen on the Republican side of the House need some help for the hungry in the cities, I for one am going to vote with you, because if there is anything that will keep down revolution, keep down radicalism, keep down communism, it is to keep our people from being hungry. There is too much wealth in this country, unequally distributed though it be, not to give relief to the people who are suffering and starving all over the country. I tell you people who are trying to confine this to $30,000,000 and who are trying to confine it to feed for stock and pigs and hogs and horses and things of that kind, while you are allowing people to go hungry, you had better watch out. The first day we met here we saw something in front of this Capitol that we had never seen before, and that was a lot of reds out there.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. STAFFORD. It did not scare the gentleman, I hope.

Mr. ABERNETHY. Scare me? Yes, sir; if present conditions keep up for the next five years, I would not give you 10 cents on the dollar for all your property. We had better take care of the hungry and starving people of our Nation if we expect to keep them law-abiding and preserve our institutions. The conditions to-day all over the country need our patriotic, conscientious endeavors to save us from serious disaster.

Mr. ASWELL. Mr. Chairman, I yield five minutes to the gentleman from Washington [Mr. HILL].

Mr. HILL of Washington. Mr. Chairman, in the few minutes allotted to me I will not have time to discuss the question of the amount of money to be authorized for this relief. I regret the necessity of calling to your attention a serious discrimination in this bill against the drought-stricken farmers of my State.

The farmers of the State of Washington, under the terms of the bill as now written, stand to be deprived of the relief to be granted in either the Senate resolution or the House resolution; that is, they will not share in the relief to the extent that the farmers in the drought-stricken areas of other States will share.

This is due to the fact that we have a peculiar method of farming in the State of Washington. Due to the soil and climatic condition in that State we grow on the same piece of land only one crop every two years. We must plow our land in the early spring in order to prepare it for a crop in the following calendar year. The land that we will crop in the spring of 1931 is already plowed. It was plowed in the spring of 1930, and we must prepare our ground in the spring of 1931 for the crop that we will produce in 1932. If this bill passes as it is now written, our farmers can not do their spring plowing in 1931. There is no provision in the bill for a loan for that purpose unless the ground so plowed is to be cropped in 1931. We will, therefore, be afforded only one-half the measure of relief that will be afforded to the farmers in other drought-stricken areas. I know that the committee did not intend to discriminate against the farmers of my State.

The terms of this bill are such as to fit the entire seasonal farming operations in most of the agricultural sections, but they do not embrace our plowing, for the reason that the relief proposed is confined to such farming operations as pertain to the crop of 1931 only. As I have just stated, we have to plow our land the year previous to growing a crop on it, and it must be plowed in the spring. While this spring plowing is a necessary part of our farming operations in 1931, it will have no connection with the crop that we will grow and harvest in 1931. Hence, under this bill as now written, we can secure no financial assistance for such plowing. If full justice is to be done the farmers of the State of Washington under this bill, it must be amended to include summer fallowing in the spring of 1931 for the crop to be harvested in 1932.

I want to explain the term "summer fallowing," in order that you may know what I mean when I use that term. Summer fallowing is the plowing of land in the spring and the cultivation of it during the ensuing summer preparatory for a crop to be harvested in the following calendar year. The land that is thus plowed and cultivated lies fallow during the crop season of that year and is seeded for a crop to be harvested in the following year. The land that we are to seed for a crop in 1931 is the summer fallow of 1930. When we ask for relief for summer fallow we are not asking any more than is granted under this bill to farmers in other agricultural sections of the drought-stricken areas. The measure of the relief proposed to be given is to aid the drought-stricken farmers in the entire farming operations for the production of one crop. That is what I am demanding for the drought-stricken farmers of my State. But they will not get it unless this bill is amended to provide for loans for summer fallowing in the season of 1931. At the proper time in the consideration of the bill such an amendment will be offered, and I appeal to your sense of justice and fairness to support the amendment in order that the farmers of my State may share in this relief on an equal basis with the farmers in other drought-stricken areas.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. ASWELL. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has six minutes remaining.

Mr. ASWELL. Mr. Chairman, I yield to the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Chairman, ladies and gentlemen of the committee, the discussion on the pending bill has clearly demonstrated inability on the part of Congress to deal adequately with the situation which confronts this country to-day both in agriculture and in industry. Whenever the question of what is necessary to be done to remedy existing conditions comes up we are met with the argument that an attempt to be really effective must necessarily go far beyond anything which has ever been undertaken in our Government and establish a new precedent which conservatives

regard with extreme concern. We are dillydallying with the agricultural problem when we attempt to limit our efforts to loaning a little money in the sections stricken by drought or storm. The lending of money will be of little help in any event; but, in the name of common sense, if money is to be loaned to a farmer on account of his need and inability to make a crop without it, why should the Secretary of Agriculture have to make a careful inquiry first through complicated machinery in order to ascertain whether his need came about because of drought or storm? What difference does it make, from the standpoint of equity and justice, how it came about? It may have resulted—and in millions of cases has resulted—from inadequate prices obtained for farm products; it may have resulted from the general business depression obtaining throughout the country and to-day writing its warning of worse to come on the walls in letters and figures that he who runs may read; it may have resulted from bank failures or from any one of many other causes; but, whatever its cause, the result is the same. The farmer is in need; the farmer can not make a crop without help; and legislation pretending to help him which requires first that an inquiry be made to determine whether he has been stricken by flood or drought as a condition precedent to aiding him is illogical, unreasonable, and unjust. I know that the principal reason assigned for that restriction is that we are merely following precedents established by former Congresses, but a bad precedent ought not to be followed. Besides, we are confronted with a condition to-day which is in many respects without precedent, and we can not adequately deal with it if we insist upon going no farther than we have gone with other and less serious situations.

The Representatives of urban areas have pointed to the fact that the pending bill is intended only as a measure of agricultural relief; and that it, nor any other measure proposed by this administration, carries with it anything of hope for the industrial population of the country who live in the cities, and millions of whom to-day are suffering for the necessities of life. It is a just complaint. Those of us who live in sections that are chiefly agricultural can not be just to others and fail to recognize that fact. We can point out, of course, that the loans made to farmers are to be secured by mortgages on their crops, and that in no way could loans to workers in industry be similarly secured. I do not concede that to be necessarily true. Industrial workers do borrow money, and do secure their loans, and in many instances pay rates of interest that run as high as 120 per cent per annum.

In this time of stress their suffering is being taken advantage of by the loan sharks to such an extent that the Russell Sage Foundation is seriously advocating, as a measure of relief, a model bill for the District of Columbia which it is hoped will be adopted throughout the country, legalizing loans of the money sharks at the rate of interest of 42 per cent per annum. I do not, therefore, agree that industrial workers could not borrow money from the Government, and could not secure their loans. They are borrowing from the loan sharks, and they are securing them. I do admit, of course, that for the Government to take steps for relief of this character to our industrial population would be establishing a new precedent and extending the theory of Government aid far beyond any limits which it has heretofore known. But if you will look beyond precedent, if you will look beyond the assigned reasons for this pending legislation, you will admit that it has its foundations in that feeling of the human heart that wherever dire need exists in a civilized country good conscience requires that it shall be remedied; through private channels, if possible; but remedied.

I am not to be understood as advocating any particular method of relief for the unemployed industrial workers of the Nation; but I do say that no government can rank as measuring up to the obligations of good government so long as there exists in its territory widespread suffering toward which it is directing no probably effective methods of relief. I can appreciate the attitude of those who throw up their hands in holy horror at the suggestion of the "dole." I must confess that I entertain the same innate feeling of repulsion against such a suggestion. But after everything is said which can be said, there is still a feeling deep down in the hearts of our people that this country belongs to the people who made it; that, while differences in circumstances and in fortune, as well as in ability to earn and keep money, have resulted in collecting most of its assets into a few large pools, yet the rank and file of the people, who produced that wealth, can not be expected to fight for its protection in war, maintain a government for it in peace, sustain those who possess it in their ownership, and nevertheless be denied as much of it as may be necessary in order for them to keep body and soul together.

The question that we are arguing to-day is a superficial question. Whatever shape you place this bill in before you pass it, whether you make it carry sixty or thirty millions, whether it shall be loaned for food or not; these are important questions, of course; but of far greater importance is the question of whether this Congress or some future Congress shall enact legislation which will give to the farmer and laboring man of this country a fair deal, so that he may receive a reasonable part, at least, of the proceeds of his labor and never be in the attitude of being an applicant for charity to that more fortunate part of the population which sits in ease and luxury and asserts right of ownership over what he has produced. Call it socialism, if you will. It is the feeling which menaces governments to-day. It is a feeling which can only be allayed by granting justice to the producers of the Nation. You will pass bills for the protection of capital; you will continue conserving the interests of what you call big business; you will continue denying to the laboring man and farmer the consideration even of measures intended for his welfare, until one day, in some such crisis as exists to-day and is impending for the immediate future, the feeling of the downtrodden will break all restraints. If you want to prevent the spread of communism—and I hate the name of it—if you want to curb the growth of radical sentiment, then pass some of the many measures that are buried in the committee rooms of this Congress to-day and are intended for the welfare of the masses.

The people of this country who live on its farms and toil in its workshops were not born to be peons, to be held in industrial slavery. They are of the strain which laid broad and deep the foundations of this Republic, and they are in large part the ones who are called on to send their sons to battle in its defense in time of peril. As they would not permit you to enslave them by law, so they will not permit themselves to be enslaved in fact. When I see men who have spent their lives working for some great railroad or other corporation thrown aside like old shoes in times like this and allowed to starve if they do not seek and find charity, when I see men who have always been industrious producers deprived of the necessities of life while those who have received the fruits of their labor live in ease and luxury and devote their discussion of governmental questions largely to inveighing against "doles" and insisting that the starving be left to the Red Cross, and that nothing be done to disturb "the business interests" of the country, I can not but wonder if the time may not some day come in this country, as it has come in other parts of the world—

When the masses rise like Samson, trying if their strength be shorn,
Feeling through their pulses quiver the fresh energies of morn,
Brooding on the wrongs of ages, trembling in their new-roused hate,
Fiercer for the wakened devil rushing through the Patience Gate;
What will be the end, O Dreamer? What disasters dire shall swarm,
When the thongs that bound fall broken, and the masses lift their arm?

And that day may be nearer than some of you think. The people of this country are more intelligent, are thinking more, are understanding more to-day than ever before. It is a question as to how much longer they will permit politicians to throw sand in their eyes when dealing with legislation of vital importance to them, and whether, when they have determined to end the unjust system of this day, they

will bring about that end through the orderly channels of political action or otherwise. I have confidence in them to believe that the people will assume control of their Government through orderly channels. But when men speak grudgingly of using a small part of the national wealth to relieve the starving and the distressed in a time like this, I can appreciate the temptation which comes to some uncontrollable spirits to cast aside all restraint and to demand what is justly theirs—a right to live out of the wealth they have produced.

Mr. ASWELL. Mr. Chairman, I yield to the gentleman from Georgia [Mr. LANKFORD].

Mr. LANKFORD of Georgia. Mr. Chairman, ladies and gentlemen of the committee, I am very much concerned about this proposed emergency, seed, feed, and fertilizer legislation. My people in Georgia need this assistance more than ever before. It is true that this is generally considered to be a drought relief bill, but it now seems reasonably certain that when the bill reaches the President it will provide for relief "to farmers in the drought and/or storm stricken areas of the United States," thus including my district and all that part of the Southeastern States which is still severely suffering from the awful storms of the fall of 1928.

Let me say just here that there is absolutely no limit or provision in the bill as to when the drought or storm must have occurred. If the stricken condition of the area exist at the time of the passage of the bill and was caused by a "drought and/or storm" of the past, the farmers of such area are entitled to the relief afforded by this measure, provided, of course, the Secretary of Agriculture "shall find that an emergency for such assistance exists." This provision of the act involves present, past, and future time.

The "drought and/or flood" must have occurred at any time in the past, the stricken condition must exist at the present, the emergency shall exist in the future, to wit, when the loan shall be made, and the help is for the crop of 1931.

Being very much concerned about the construction of this provision of this bill, I have discussed it with Members of the Congress at both ends of the Capitol, and I find that everyone who has carefully analyzed the bill is fully convinced that every "drought and/or storm stricken area in the United States" is to be protected regardless of when the "drought and/or storm" occurred. A few Members at first blush said the bill probably was intended to cover only emergencies which arose during the present year of 1930. Even these few, though, later admitted I was right in my construction. They could not do otherwise when they were reminded that the bill contained absolutely no limitation as to when the "drought and/or storm" must have occurred. I repeat: Assistance is for 1931 crop, stricken conditions must exist now, emergency must be present at time of loan, but "drought and/or flood," which caused stricken condition, may have occurred on any indefinite date in the past.

It will be seen that the words "drought and/or storm stricken area of the United States" is not a time limitation but is a limitation of the area in which loans are to be authorized under this bill. The phrase is not descriptive of time but is descriptive of place. The bill does not even provide that the individual farmer must have suffered as the result of the "drought and/or storm." The bill only provides that the individual farmer must now reside in the "drought and/or storm stricken area," and there must also be present at this time an emergency for help in so far as the crop of 1931 of the individual farmer is concerned.

In other words, an individual may not have been a farmer in the particular section when the drought or storm came and yet he is eligible for a loan if all other requirements are met and he is a farmer in the "drought and/or storm stricken area" at this time.

The phrase now under consideration is just as completely and definitely descriptive of the section of the country to be benefited by this bill as would be the designation of same by States, counties, or even by well-defined boundaries. The word "stricken" refers to a condition regardless of when it arose. Of course, in the instant bill the adjective "stricken" is modified by "drought and/or storm." The cause of the "stricken areas" is limited to "drought and/or storm," but again it will be seen that the element of time of the "drought and/or storm" is not involved.

Webster's Dictionary defines the word "stricken" as—

1. Smitten; wounded; as the stricken deer.
2. Worn out; affected by disabilities and weaknesses. Abraham was old and well stricken in age. Genesis xxiv, 1.

It can not be successfully urged that many Members of Congress did not desire this legislation to grant relief to any section not suffering from a drought or storm of 1930. The will of Congress as unequivocally expressed in the law is binding and not the will of a few or even a majority which is not written into the law.

Many, even a majority of the House, want only $25,000,000 authorized by this bill. Their will counts for nothing in the construction of the bill if when it is signed a different amount is authorized. Some want the authorization of loans to buy food. The language finally written into the bill will settle this question unless it is ambiguous and indefinite.

Up to this time no one on the floor of either the House or the Senate has contended that any "drought and/or storm stricken" area should be excluded because the drought or storm occurred prior to 1930. There have been efforts to make the bill apply to all financially depressed areas. These have met defeat and it has been urged that the bill should only authorize help to the specific "drought and/or storm stricken areas." When this bill was being discussed before the House Committee on Agriculture I used the following language:

Mr. Chairman and gentlemen, I wish to bring before the committee just one additional idea. I hope that the bill reported out by the committee will be so worded as to take care of those sections of the country which are suffering from drought and flood conditions, which occurred not only this year but as much as two years ago.

I was using the word "flood" as a synonym of rainstorm or storm. After I used the language just quoted Mr. FULMER, of South Carolina, a member of the committee, voiced his approval of the suggestion that storm-stricken areas should be included, regardless of whether the storm occurred in 1930 or during prior years.

During this colloquy Mr. ASWELL, of Louisiana, the ranking Democrat of the House Committee on Agriculture, called attention to his bill, House Joint Resolution 403, and said it "provides for relief in the drought and storm stricken areas," and further explained that it made no difference when the drought or storm occurred the storm-stricken area would be protected if his bill was enacted.

His bill will not be enacted, but it seems now that the language in question as written in his bill will be included in the present bill when it becomes law.

Therefore this colloquy between Doctor ASWELL, Mr. FULMER, and myself was before the House Committee on Agriculture may become very pertinent if any question should arise as to what the committee intended.

The committee by its silence approved what we said and now we find the very language discussed and construed by us is to be included in this bill at the instance and upon the request of the House Committee on Agriculture.

I have only to-day, again, discussed this matter with Doctor ASWELL and Mr. FULMER and they both reiterate and confirm the opinions expressed by them in the colloquy with me before the House Committee on Agriculture.

A somewhat similar colloquy occurred on the 9th of this month on the floor of the Senate between Senator BLEASE and Senator MCNARY, except that Senator BLEASE was complaining because the report on the bill by Senator MCNARY did not mention South Carolina, and Senator MCNARY explained that the bill as passed would be conclusive rather than the report of the chairman of the Senate Committee on Agriculture and Forestry.

On the same day Senator SMITH, of South Carolina, on the floor of the Senate, called special attention to his construction of the language I am now discussing. The situation he discussed in his State is identical with the situation

in my State, and Senator SMITH'S construction of this part of the bill as then and there given in the Senate is identical with my construction now urged.

Although the Senator said he would insist the bill should be administered as then construed by him and now construed by me, no Senator took issue with him, but allowed his legal construction of this part of the bill to go unchallenged.

I respectfully contend that the language in question is not ambiguous and not susceptible of more than one construction; but that even if it was, and we were to examine the debates to this good hour, we would be convinced that Congress means to protect the "drought and/or storm stricken areas of the United States" and none other. Certainly if the language excludes all areas not mentioned, it includes all areas which are specifically named. It seems to me that by every possible construction my section of the country is included if the storm-stricken condition of 1928 is still present. Then, again, it must be remembered that this is relief legislation, and as such is entitled to liberal construction in behalf of those whom we are endeavoring to help.

It seems that there were no severe storms during this year 1930, and that if this language is not construed to cover any storms of previous years then it is meaningless and amounts to naught. Such a construction, I respectfully contend, is unwarranted and would be contrary to the purposes of the act.

Now, if my people are included as a legal right, are there also good moral reasons for their inclusion and is their financial distress such as to bring them within the purview of the law?

I admit that if a section at any past time fully recovered from a storm or drought, then it would not now be entitled to relief, it matters not how serious may be its present condition occasioned by other causes.

If a section, though, is still storm stricken, it matters not how many intervening causes may have prevented a recovery, it is nevertheless entitled to all the benefits given a storm-stricken area.

For instance, an old man may have a stroke of paralysis and other causes, such as old age, ill health, bad climatic conditions, and so on, may prevent his recovery, yet he would still be a paralytic, but if he should recover fully and then fall and become a cripple he would be stricken, but not by paralysis.

Many areas of our country are stricken at present, but this bill only covers those areas which are "drought and/or storm stricken" and have never recovered from their original storm or drought stricken condition. I regret very much my district comes within this list of sections of our Nation. I rather my section was very prosperous.

My people made reasonably good crops this year, but because of low prices they were unable to recover from the stricken condition of 1928. Then, again, in order to show good faith with their Government, they repaid above 90 per cent of the money they had borrowed under the emergency seed, feed, and fertilizer acts of 1928 and 1929.

Then, again, the general financial depression, the stampede of bank failures and general bad economic conditions put additional burdens on them. As the result of all these things my people are probably in worse financial condition than they were two years ago.

They have never recovered from their storm-stricken condition of 1928 and to-day are truly "storm stricken" in every sense of these words. More banks are closing in my section than ever before. Much available cash is being sent elsewhere or put into postal savings. My people are in sore distress and I plead that they be given the assistance to which they are legally entitled under this bill.

The present money stringency or panic is causing much money, otherwise available to the farmers through the banks, to be put into postal savings. Thus my farmers will be deprived of the help of the money put into postal savings unless the Government comes to their rescue.

No section of the Nation made a better showing in the way of payment of emergency loans than mine during the last two years. Every moral consideration should be given them.

Then, again, let me say that much of the money loaned my people will be used in growing tobacco, and it may be interesting to know that statistics show that every time the tobacco producers of the United States last year got $28 gross for their crop the United States received as internal revenue $43 net out of the tax on the manufactured products of tobacco.

The tobacco tax received by the Government last year is nearly as large as the entire amount authorized for use by the Federal Farm Board under the recent marketing act.

If this emergency bill should only authorize loans for all purposes to the amount of $45,000,000, this amount would be only 0.1 of what the Government received last year from tobacco taxes. Tobacco taxes run to much over a million dollars per day.

My people are only asking for a loan of a small per cent of what was received in cash from the products of my people last year. Another cogent moral reason why these loans should be made to my district is because my people made such good repayments. Many people in as good and better financial condition than my people did not pay their loans but secured extensions. Most of my people paid theirs, believing that if they kept faith with their Government, they could reasonably expect help again under the same circumstances.

If they can not now at least reborrow the money they paid at so great a sacrifice they will, in effect, be penalized by their country because of their honesty.

I can not believe such will be the case if this bill includes help for "storm-stricken areas" when it is signed by the President.

Mr. Chairman, for several years before we sought emergency seed, feed, and fertilizer legislation for the South, I voted for relief to the drought-stricken areas of the Dakotas and other western States. We had never had a condition in the South calling for such help and yet I supported this kind of legislation because I believed it to be right. I have very little faith in the patriotism of a man who only favors legislation that helps his section and who opposes just and fair legislation because his district is not directly benefited thereby.

I have introduced a bill to make available a sufficient fund to be used in behalf of farmers whenever and wherever the Secretary of Agriculture determines that an emergency exists because of drought, storm, or other great catastrophe. I believe this bill should pass. These emergencies come often without warning and ofttimes when Congress is not in session.

Also I certainly would favor and support legislation providing for help to any and all citizens of our country who as a group are stricken by some great calamity. At this time of unemployment I would gladly support a measure to loan money to the laboring men of the big cities and throughout the country if an arrangement could be worked out to give the Government a lien on the products of their toil and make the loan reasonably safe and yet leave, at all times, enough wages or salary to support the family of the laborer.

Even if the Government lost some money by this process, no one with a heart could complain. The money lost by this kind of an arrangement or by these emergency farm loans, sinks into insignificance when we take into consideration the tremendous good that is done to a worthy group of our people.

The Department of Agriculture is to be commended for the excellent service which it has rendered to the American farmer and yet, to my mind, no greater service has ever been rendered by the Department of Agriculture or any other department of this Government than the emergency seed, feed, and fertilizer service. Especially is this true when we consider the great good that is done and the small amount of money spent or loaned that never comes back and can be classed as permanently gone. It must be remembered that this money is only loaned and much is

repaid and can not be classed as spent and permanently deducted from the funds of the Goverdnment. Why should not Congress be ready to loan money to our farmers and laborers? This same Congress has been very liberal with the peoples of other nations under similar circumstances.

I may say, in passing, I have not always favored our being so liberal with other peoples. I believe Congress has gone to the extreme in some instances. In fact I have bitterly opposed much of the aid Congress has voted peoples of other countries. I do not wish to go into an extended discussion of these foreign-relief measures at this time.

The thing that puzzles me is why some of the ardent supporters of these relief plans to help peoples of other nations are now the most bitter opponents of this relief legislation in behalf of the farmers of America. I would be very glad for any of those who favored these foreign-relief measures, and now oppose the relief bills for our own people, to take the floor and explain, what to my mind, is, on their part, a very inconsistent and unpatriotic attitude. Very few people realize just how generous with other peoples has been the attitude of some Members of Congress who are now opposing these emergency, feed, seed, and fertilizer loans.

Let us see what we have done for peoples living beyond the confines of continental United States.

Mr. Chairman, in order to keep the record straight, I wish to read from several acts heretofore passed by Congress.

First, I will read from the loan act authorizing relief to the populations of Europe, passed in 1920:

That for the participation of the Government of the United States in the furnishing of foodstuffs to populations in Europe and countries contiguous thereto suffering for the want of food, the United States Grain Corporation is hereby authorized, with the approval of the Secretary of the Treasury, to sell or dispose of flour now in its possession, not to exceed 5,000,000 barrels, for cash or on credit at such prices and on such terms or conditions as may be necessary to carry out the purposes of the act and to relieve populations in the countries of Europe or countries contiguous thereto suffering for the want of food.

I will now read from the act authorizing a loan to Russia, which was approved December 22, 1921:

That the President is hereby authorized, through such agency or agencies as he may designate, to purchase in the United States and transport and distribute corn, seed grain, and preserved milk for the relief of the distressed and starving people of Russia and for spring planting in areas where seed grains have been exhausted. The President is hereby authorized to expend or cause to be expended, out of the funds of the United States Grain Corporation, a sum not exceeding $20,000,000, or so much thereof as may be necessary for the purpose of carrying out the provisions of this act.

I will now read from a loan act to relieve the distress in Austria, which was approved the same day the Russian act became law:

That the Secretary of the Treasury is hereby authorized to extend, for a period not to exceed 25 years, the time of payment of the principal and interest of the debt incurred by Austria for the purchase of flour from the United States Grain Corporation, and to release Austrian assets pledged for the payment of such loan, in whole or in part, as may in the judgment of the Secretary of the Treasury be necessary for the accomplishment of the purposes of this resolution.

I will next read from the loan act for relief of the people of Porto Rico, which was approved on the 21st of December, 1928:

For the purpose of carrying out the provisions of this resolution the commission shall have power to make loans to any individual coffee planter, coconut planter, fruit grower, or other agriculturist in the island of Porto Rico, in such amounts and upon such terms and conditions as the commission shall by regulation prescribe, including an agreement by the borrowers to use the loan for the purposes specified by the commission; except that no such loan shall be made for a period of more than 10 years or in an amount in excess of $25,000 to any one individual. The rate of interest upon each such loan beginning with the fourth year shall be 5 per cent per annum, but the commission may, in its discretion, defer the payment of interest upon any such loan for such a period of time as the commission shall deem necessary. All such loans shall be made by the commission itself or through such agencies as the commission shall designate. For carrying out the purposes of this section there is hereby authorized to be appropriated the sum of $6,000,000.

Again, I read from the same act, as follows:

All money received during a period of five years from the date of the approval of this joint resolution as repayment of any loan or interest on loan made under the provisions of this joint resolution shall be held by said commission as a revolving fund, which may be loaned on applications for the purposes and upon the terms and conditions herein provided, and all money received thereafter as payments of interest and principal on all loans made under the provisions of this joint resolution shall be covered into the Treasury as miscellaneous receipts.

Mr. Chairman, I shall not at this time attempt a full discussion of this liberality to other peoples. Neither shall I make a long list of comparisons of the treatment of our people with that of peoples of other nations. A mere glance at these extracts just read by anyone at all familiar with the present bill will show some remarkable differences between what was so graciously and liberally bestowed upon other peoples and what it seems is now to be grudgingly and sparingly parceled out to only a few of the American farmers on harsh terms and for short periods of time.

I plead for a liberal emergency loan act for our farmers. Let us pass an act giving the Department of Agriculture the power and funds to render a real service to our people who are so distressed at this time.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. ASWELL. Mr. Chairman, I yield three minutes to the gentleman from Arkansas [Mr. GLOVER].

Mr. GLOVER. Mr. Chairman, ladies, and gentlemen, we have before us to-day the Haugen bill from the House and the McNary bill from the Senate. Before I came to Congress I read a great deal about the McNary-Haugen bill. At that time those two great minds were together. We find them to-day as far apart as the poles. I am rather inclined to think that the McNary part of the partnership has shown better judgment in his bill. I have my mind made up to support this bill regardless of the amount it carries, but whenever we undertake to do justice to people we ought to do full justice. I am in favor of the amount that is provided in the Senate bill—$60,000,000—the same as is provided by our distinguished friend from Louisiana [Doctor ASWELL] in his bill. There is another provision in the bill that ought to be amended. I do not believe any man on the floor of this House can justly defend this bill against a provision in it that will not permit a man who borrows money on a mortgage to use that money as he will. Why limit a man and say that if he borrows the money on a first mortgage on his crop he shall not buy food with it for his wife and children?

I think $30,000,000 is entirely too little. One speaker here referred to my State of Arkansas to-day. Our banks in the State of Arkansas last year loaned $76,000,000 to the agricultural people of that State. Eighty-six of those banks have failed this year on account of the drought in that State. In my State lands that usually produce from 50 to 65 bushels of corn per acre the record shows made actually only 4 bushels per acre or a little over. That will give you a picture of the condition down there. When you take a first lien from a farm on his crop you have destroyed his every hope of getting any relief anywhere else. No one will take a second mortgage. He can not get a loan from his friend or from his bank if he has already given a first lien on his crop. That provision ought not to be in the bill.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. HAUGEN. Mr. Chairman, I yield 15 minutes to the gentleman from Virginia [Mr. GARBER].

Mr. GARBER of Virginia. Mr. Chairman and gentlemen of the committee, I regret very much that I do not find myself entirely in accord with a majority of my own committee. I always like to be regular, but I have come to the conclusion that it is more important to be right than it is to be regular if the two seem to conflict. [Applause.] A good deal has been said here by way of criticism of the Department of Agriculture and other people who have charge of the general directing of agricultural legislation. I have no sympathy at all with this type of criticism, because I think when human distress is present, when relief of human need is pressing us, it is no time to indulge in loose criticism or to assume that any one person is more interested in bringing about that relief than another. It is

not a matter of politics; it is a matter, first, of public policy, and second, of bringing relief to human distress.

I do not favor the inclusion of food in this bill for two reasons that I suggest rather than try to discuss. There is no logic whereby we can justify the expenditure of this money for food in rural sections without doing the same thing for the cities. There is no reason whereby we can feed a hungry man on the farm and at the same time deny food to the hungry man in New York City. I think we enter the general field bordering on charity and the dole when we go into this angle of relief. I believe the line of demarcation between legitimate financing and charity ought to be clearly made when it comes to the functioning of the Federal Government.

I do not think the proper province of the Government is to be found in the field of charity and the public dole. That is distinctly the field for the Red Cross and in no sense the field of the Federal Government. Therefore if we are going to undertake to write into an agricultural bill, the purpose of which is to bring relief to agriculture, ways and means of taking care of the hungry and the needy, outside of a commercial loan, then we must broaden the whole scope of our bill and undertake to relieve by direct legislation unemployment and hunger and need wherever we find it. I believe that provision should go out of the bill.

Mr. ALLGOOD. Mr. Chairman, will the gentleman yield?

Mr. GARBER of Virginia. Yes; for a question, but not a comment.

Mr. ALLGOOD. Is it not a fact that the poor in the cities are being taken care of by benefit games, great ball games, where they raise hundreds of thousands of dollars, by the Salvation Army and community chests and the Red Cross and various charitable institutions that the country people have not any access to at all?

Mr. GARBER of Virginia. There is something in what the gentleman says; but, on the other hand, let me point out that there are in every rural community your churches, societies, and organizations of every kind which, as far as they are able locally, ought to undertake the relief of human suffering.

Mr. CHINDBLOM. And, on the contrary, is it not also the fact that the farmer generally has some means of obtaining food? In fact, the production of food is his business, while the man in the city has to buy every single ounce of food that he consumes.

Mr. GARBER of Virginia. I was coming to that in a moment; thank you. In the second place, I do not favor the inclusion of food for the reason that if we do include it, the people in the rural sections who are most in need of this particular type of relief can not qualify for the loans, because they can not offer the necessary security. Why do I say that? Go into a rural section anywhere and you will find that the owner of the farm or the tenant on the farm, generally speaking, carries over a certain reserve of food from year to year, with which he can very largely take care of himself and his family.

But, in the mountainous sections, living in small cabins surrounded by a garden and a little patch of land, you will find hundreds and thousands of people who can not qualify as farmers. They can not negotiate a loan with the Government such as is contemplated here, because it is impossible for them to offer the required security. There is a large class of most needy people in the rural sections that will not be reached at all through this proposed legislation. I think the class that can be reached, the class that can qualify for a loan for crop production, will largely be able to provide food for themselves. Therefore I think this entire matter of supplying food should be delegated to the Red Cross.

I want to pass to the second angle of this matter. I do not believe that $25,000,000 or $30,000,000 is adequate to do the legitimate work that is contemplated in this legislation. A great deal has been said about the fact that the Department of Agriculture ought to be in a position to better estimate the amount needed than the average drought-relief committee. What I say is in no sense by way of criticism. I think the men in the Department of Agriculture are absolutely honest when they say they believe that $30,000,000 will do the job. I do not believe it will. Why? If you could go with me into my own State you would understand why. There is no desire to bring before you a lurid picture. I know it is easy to reach a point of hysteria when it comes to a matter of this sort where human need and distress are concerned. I have no desire to indulge in that, but if you would go to the State of Virginia you would not find a square mile but what will show the unmistakable marks of distress and suffering as a result of this drought.

It was my privilege in September to go down through the Shenandoah Valley, that portion of the State of Virginia which we ordinarily like to believe flows with milk and honey. I drove for 80 miles with the Secretary of Agriculture. He said to me: "This is awful. I have not been in any section where the crops appear so entirely destroyed." As far as the human eye could see there was nothing but the seared, brown fields, one after the other.

There were hundreds of acres of corn that would yield practically nothing. All over that section we found that condition. The loss was estimated in an intelligent manner. We employed the very best assistants for that work that could be obtained, the officers of the counties and of the various agricultural organizations were used. We went over the State county by county. It was estimated we had a loss of at least $100,000,000 in our State. Of course, it is not contemplated in this bill to make up that loss. With a loss of at least $100,000,000, you may place your estimate on seed and fertilizer requirements at $15,000,000, and that will be a low estimate. We believe the local banks can take care of at least two-thirds of that, but at least one-third of that estimate can not be financed by the banks. That means that in our State alone, conservatively, we will probably need for legitimate borrowing purposes, for seed, fertilizer, feed for work stock, and so forth, not less than $5,000,000.

Let me call attention to the fact that there is a wide discrepancy indeed between the estimate of the Department of Agriculture and the estimate made by the different agencies conducting the careful local surveys. If you will follow their report you will find that the estimate in 7 of the 24 States is for $83,000,000. If you take into consideration the other 17 States, where they did not set up a definite figure, making all the allowance you care to for local sympathy, if you desire, I believe it will require at least $60,000,000, or possibly $75,000,000, adequately to take care of the legitimate needs for the production of the 1931 crops.

I do not like the idea of considering this entire matter in the sense of charity. If we eliminate the food element, certainly the rest of it will stand on its own feet as a legitimate loan. I call attention to the fact that our experience with this type of loans shows that from 75 to 80 per cent of them are repaid. When you consider this particular legislation as an ordinary appropriation for an ordinary expenditure, I do not think that is fair. It is largely a matter of bookkeeping. It should be carried on the books as a loan and should not be regarded an expenditure reflected in the deficit. When 75 per cent of this comes back, not as an expenditure, but is repaid as a loan, then it seems to me the Federal Government ought to consider this entire proposition a matter of properly and adequately financing the great basic industry in an hour of acute distress.

There is just one thing more that I would like to touch upon. Let me call attention to this: It seems to me that it is the time when our own administration, that has sponsored the cause of agriculture all along, should take a very liberal attitude toward the farmer at this moment. It should be pointed out that this is an authorization to be followed by an appropriation, but there is no requirement to expend the entire amount. Only so much as is actually needed will be spent. Some one says, "When you appropriate a given sum it is sure to be used." Suppose we authorize $10,000,000 more than we actually use, what harm has been done? It is our opportunity to demonstrate our real interest in and friendship for agriculture. It will be much better to have $10,000,000 or $15,000,000 more than we need than to have

that much less than we need. It will still be in the Treasury if it is not used.

If you will refer to the appropriation of 1924 of $1,000,000 for Mexico, you will find that less than 50 per cent of that amount was actually loaned. All through these acts appropriating money for emergency loans you will notice that a substantial margin was never actually loaned, even after the authorization and appropriation had been written into law.

Mr. STAFFORD. Will the gentleman yield?

Mr. GARBER of Virginia. I yield.

Mr. STAFFORD. Can the gentleman give any information as to the time when this money is expected to be dispensed, as to the period of the year, whether it is going to be dispensed immediately or run throughout the entire summer?

Mr. GARBER of Virginia. It depends on the season; it is for crop production during the year 1931, and the amount will be spent during the year as demands are made for it for planting purposes.

Mr. STAFFORD. There is nothing in the testimony to show when the entire amount will be exhausted.

Mr. GARBER of Virginia. It is for the year 1931, for the production of the 1931 crop.

Mr. STAFFORD. Of course, it will be advanced before the fiscal year 1931 comes into existence.

Mr. GARBER of Virginia. I might say in that connection, and to emphasize what I said a moment ago, that I do not think we should consider it on the basis of having a deficit. I think we should consider this in a different light from the ordinary appropriation for a particular expenditure.

Mr. STAFFORD. If this money is not to be spent immediately, Congress will be in session for the next two months, so that an increase could be asked for as it was needed.

Mr. GARBER of Virginia. It will not all be spent immediately.

Mr. SPROUL of Kansas. Will the gentleman yield?

Mr. GARBER of Virginia. Yes.

Mr. SPROUL of Kansas. Does the gentleman indorse the present Federal Farm Board in its policy of price stabilization?

Mr. GARBER of Virginia. I think that is a matter which is not pertinent to the discussion at the present time.

Mr. SPROUL of Kansas. I wanted to predicate a question upon that. If so, does the gentleman think it would be wise to have these loans made upon the agreement that the farmers would plant fewer acres of crops than in the past.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. HAUGEN. Mr. Chairman, I yield the balance of my time to the gentleman from Washington [Mr. SUMMERS].

Mr. SUMMERS of Washington. Mr. Chairman, fortunately the great State of Washington was not hit in all sections by the devastating drought, but a number of our counties were, so that our farmers only produced during 1930 about one-fifth of a crop in those counties, so we are directly interested to that extent in this loan proposition. We are not asking for charity, but with one-fifth of a crop in 1930 it is impossible for our farmers to seed the lands they have already prepared, and to plow, harrow, and otherwise prepare their summer-fallow lands.

While this bill, according to the reports of the committee and the testimony of the Secretary of Agriculture and all others, embraces the State of Washington, unless it is amended it will only provide for Washington 25 or 50 per cent of the extent that it will provide for other States. That is because of our summer-fallowing procedure, which is necessary because of the small amount of rainfall. Take the States of Arkansas, Louisiana, or Virginia, where they normally have from 40 to 50 inches of rainfall during the year. Under any loan granted, their procedure will be to plow, to harrow, to seed, and to harvest, but it is necessary for us to plow and harrow repeatedly during the 18 months before the harvesting is done. The land we now have ready to seed was long since plowed, harrowed, and prepared for seed, but unless we are to end all farming operations, totally and absolutely, with the harvest of 1931, it is necessary to do our spring plowing in March of 1931, looking to the next crop. So we ask nothing in addition to what is granted to all other States—that is, funds for plowing, harrowing, seeding, and harvesting. The same thing is true in one as in the other; but to cover that procedure in our State it will be necessary for me to offer, with the permission of the committee, an amendment which will cover summer-fallowing in 1931. That means an operation which starts in February or March, a month or two from now. I shall offer this amendment:

Provided, That loans from this fund shall be available for summer-fallowing in 1931.

I believe that any loans granted to the farmers of my State will be amply secured by the mortgage given on the crop that is seeded and that the Federal Treasury will not lose by making those loans.

It is important that this legislation be enacted at the earliest date possible, because we seed in the latter part of the winter. We have a short winter, and in order to insure the best crop it is necessary to seed very early. So the sooner we make funds available to those farmers the better security the Federal Government will have on the loans. This is a matter we can not overemphasize, the matter of appropriating this money and making it available just as soon as possible.

I want to compliment the Agricultural Committee for pushing this matter along as they have up to this time and as I know they will up to its final conclusion.

Our farmers are not asking that a provision for food be carried in the bill for themselves and families. We will manage that in some way in the State of Washington.

The CHAIRMAN. The time of the gentleman from Washington has expired. All time has expired, and the Clerk will read.

Mr. TILSON. Mr. Chairman, there are only two sections of the bill and inasmuch as general debate has been formally closed, is it necessary to read the bill?

Mr. HAUGEN. It was the understanding that the first section of the bill would be read to-day and that no amendments would be offered and that the committee would rise immediately after the reading of the first section.

The Clerk read the first section of the Senate joint resolution.

Mr. GARNER. The Clerk has read the first section of the bill.

Mr. STAFFORD. He has not read the committee amendments.

Mr. GARNER. He does not have to read them. He has read the first section and amendments can be offered to-morrow morning.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HALE, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee, having had under consideration the joint resolution (S. J. Res. 211) for the relief of farmers in the drought and/or storm stricken areas of the United States, had come to no resolution thereon.

THE PRESIDENT

Mr. MAGRADY. Mr. Speaker, I ask unanimous consent to extend my remarks by printing an article appearing in the Washington Post of Tuesday.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The article is as follows:

[From the Washington Post, Tuesday, December 16, 1930]

THE PRESIDENT

The President of the United States is our biggest citizen. He is the voice of the majority of the people. Sitting in the White House, he represents the 130,000,000 men and women of this, the greatest country in the world. When he speaks we have to listen.

He voices our sentiments, because we elected him to the world's greatest office to speak for us.

We elected him because the majority of the voters of this country believed that he was the man of all men, who have made history, entitled to the praise which has been universally given him.

We know one thing about President Hoover; that he is an American citizen who has the weal of his country at heart; that anything he proposes is for the Nation's best interests; that he is a humanitarian. His record will prove it. It is unnecessary to go back to the terrible days of the World War to discover Hoover the man. He was only an engineer then, but he proved himself a citizen of the world in the care he bestowed upon the starving people of Belgium.

He provided them with the food necessary for their salvation. Now it is up to the engineer of Belgium as the President of the United States to provide an empire with provender. Mr. Hoover is doing this and is going to stay on the job until the task is accomplished. Judging from the past we must know that he is the best man to lay out the plan and to see it through.

In times like the present it is well that we have a man at the head of the Government who, through experience, human nature, and kindness, is truly the father of his people. The political assaults on him fail in effect, for Herbert Hoover is too big to be swerved from his ideals by cheap persons seeking political gain.

President Hoover has devised the best means of relieving the situation of the jobless, and his energy and force of character are going to carry his plan through. Nothing can stop him. He is the President of the United States and what he advocates is so clear-cut that the entire Nation should be behind him. President Hoover is the hope of the United States. Our hats are off to President Hoover.

EDWARD MCLEAN.

REAPPORTIONMENT

Mr. CLANCY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of reapportionment.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CLANCY. Mr. Speaker, Bishop James Cannon, jr., president of the Board of Temperance and Social Service, the Methodist Episcopal Church South, has renewed his campaign to deprive northern and far-western cities of 30 Congressmen, 30 electoral votes, and 60 delegates to the Republican and Democratic National Conventions held every four years. To-day I received a letter signed by him and other members of the above board urging support of the so-called Stalker alien amendment bill.

Bishop Cannon when leaving New York City upon an ocean voyage last summer issued a public statement that Congress must immediately proceed upon convening in December to pass the proposed constitutional amendment, and pointed out that it would give Virginia one more Congressman and, therefore, one more electoral vote and two more delegates to the national nominating conventions. Giving Virginia these powers would, of course, correspondingly deprive Detroit or some other city of the same amount of power, and the total number of 30 Congressmen and electoral votes and 60 delegates would be taken from the cities and given to the Southern and Western States. Notwithstanding this command from the good bishop Congress has refused to consider during this month of December his infamous proposal, which is a bid for sectional dissentions, which may very well lead to civil war.

The dreadful Civil War of 1861–1865 was primarily caused by men like Bishop Cannon, who separated from the northern churches in 1842 and 1844 and laid down the dogma of their theology that human slavery in the United States is a divine institution, with God demanding it and requiring its preservation, putting the theocracy of the South behind slavery, which had been already abolished by all Christian nations of Europe. They made civil war inevitable, and that terrible catastrophe burst upon the United States about 20 years later.

Now, this brand of theologian has declared that prohibition is a divine institution. The national president of the Anti-Saloon League, Rev. F. S. McBride, declared at the national convention of the league in Detroit last January that the Anti-Saloon League is born of God and that God is leading it and that He will see that its opponents are put out of the way. This is practically the same sort of proclamation which placed the divine stamp upon human slavery in this country.

Bishop Cannon calls himself a moral leader and a leader of morals, and in his letter received to-day he urges that the partial disfranchisement of the American cities "will be most helpful in eliminating a factor which is unfriendly to prohibition and law enforcement." Yet when Representative TINKHAM, of Massachusetts, urged the enforcement of the fourteenth amendment to the Constitution, Bishop Cannon denounced him in unmeasured terms and called him "an enemy of the Southland." In this case Bishop Cannon was against law enforcement, because if the fourteenth amendment were enforced the Southland would lose about 35 Congressmen, 35 electoral votes, and 70 delegates to the national convention.

The Southland to which Bishop Cannon appeals and which men of his type lashed into civil war has disfranchised by one means or another over 10,000,000 of American citizens who are granted the right to vote under the Constitution. The fourteenth amendment provided that if these colored people were not allowed to vote in the Southern States these States should lose corresponding representation in Congress. Under present conditions the Southern States would therefore lose 35 Congressmen, 35 electoral votes, and 70 delegates to the national conventions, if the fourteenth amendment were enforced.

Since these unearned and illegal votes are dry votes, Bishop Cannon fights fiercely to retain them as against Representative TINKHAM'S efforts to right the wrong.

If the fourteenth amendment were enforced all these powers would go mainly to the North. Bishop Cannon now goes further in his effort to add insult to injury and breed another civil war by demanding that Congress immediately further disfranchise the North of another 30 Congressmen, 30 electoral votes, and 60 votes in the national conventions.

The mere statement of this plot is enough to bring the condemnation it deserves.

When the reapportionment measure was up in 1929 Bishop Cannon's friends were bold enough to bring the alien amendment bill to a vote in the House, where it was attached as a rider to the reapportionment measure. Thereupon the Representatives of the wronged States, which include a great majority of the American people, also attached as a rider the Tinkham amendment to enforce the fourteenth amendment. Bishop Cannon's friends thereupon retreated from their position and agreed to the compromise to strike out both riders.

If Bishop Cannon's friends endeavor to repeat their sally of last year in the House they will undoubtedly get another dose of the Tinkham amendment, and the net result will be to create more sectional hatred, which seems to be the purpose of Bishop Cannon.

He has devoted his life to setting neighbor against neighbor and citizen against citizen, and in his declining days he has enough vitality left to continue his implacable war against the Republic and still has enough breath left to continue his crusade to discredit Christianity.

Bishop Cannon and his friends have been able to cheat Detroit during the past 10 years out of 4 Congressmen, 4 electoral votes, and 8 delegates to the national conventions to which they have been entitled under the Constitution since the census of 1920. Detroit and all the northern cities will fight to the limit of their powers against any further disfranchisement.

The letter of Bishop Cannon is as follows:

BOARD OF TEMPERANCE AND SOCIAL SERVICE,
METHODIST EPISCOPAL CHURCH SOUTH,
Washington, D. C., December 16, 1930.

DEAR SIR: At a meeting of the executive committee of the Board of Temperance and Social Service of the Methodist Episcopal Church South, held in Washington on December 10, 1930, it was ordered that a resolution adopted by the full board at its annual meeting at Lake Junaluska, N. C., July 2–4, 1930, with reference to alien representation be sent to the Members of Congress. We are hereby sending to you the resolution appended below.

Yours very truly,

JAMES CANNON, JR.,
E. L. CRAWFORD,
A. C. MILLAR,
LEVIN SMITH,
S. C. HATCHER,
Executive Committee.

Resolved, In view of the fact that under the new apportionment several States will suffer the loss of numbers of Members of Congress, which losses are principally in dry States, and since the States with the large wet, alien-dominated cities now have approximately 30 Congressmen—30 electoral votes and 60 delegates to the national nominating conventions—who represent not American citizens but seven and one-half million of unnaturalized aliens, we heartily approve the Stalker resolution providing for an amendment to the Constitution of the United States which will eliminate entirely all the unnaturalized aliens in the enumeration of the population to determine congressional or electral representation, thus placing control of the Government of the country in its own citizens. We believe that such action will be most helpful in eliminating a factor which is unfriendly to prohibition and law enforcement.

STATEMENT OF REPRESENTATIVE FISH

Mr. HALL of Mississippi. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a statement made by the gentleman from New York [Mr. FISH].

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HALL of Mississippi. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a statement of Representative HAMILTON FISH, Jr., in reply to recent New York Herald Tribune editorials:

The controversy between Representative ROBERT S. HALL, of Mississippi, and the New York Herald Tribune editorial staff has accomplished what I suspect Mr. HALL desired, which was to bring the New York Herald Tribune out into the open as a foe to the investigation of the activities of the communists by a special committee of the House of Representatives for selfish and personal reasons.

The committee appointed by the House has only one purpose and that is to secure the facts in regard to communist activities and to report those facts back to the Congress, with recommendations. The committee has visited most of the large industrial cities in the United States and has made a thorough investigation and is now preparing to submit the report to the Congress, and I know of no more important work that has been performed by a special committee of the House for many years, and the report which will be presented to Congress about January 6, 1931, will speak for itself.

It is of little consequence to me, as a member of the committee, whether the work of the committee has found favor or disfavor in the eyes of the New York Herald-Tribune, or any other newspaper, Republican or Democratic, in view of the fact that it has the support and cooperation of the American Legion, and all other veterans' organizations, the American Federation of Labor, the New York State Chamber of Commerce, and practically all fraternal and religious groups in the country.

After what Representative HALL pointed out in his statement, I am not at all surprised at the carping and hostile attitude of the editorial staff of the New York Herald-Tribune ever since the investigation started.

The New York Herald Tribune speaks of "the failure of the Fish committee to alarm the Nation over the red menace," and that Congress "should halt the Fish alarms and excursions forthwith." Let me emphasize that it is not the duty or purpose of the House committee to act as an alarm clock, but to present the facts, which it intends to do in spite of the stupidity, propaganda, and erroneous statements of the New York Herald Tribune.

The next logical step for the New York Herald Tribune would be to join hands with Prof. Harry Elmer Barnes or with the Daily Worker or, better still, with the communists and denounce the committee for inciting the United States to declare war on Soviet Russia, and such a statement would not be much more absurd than many of their editorials.

The committee proposes to tell the truth in regard to communists' activities and to hew to the line and let the chips fall where they may. It is, furthermore, the duty of the committee to expose the selfish motives of such newspapers as the New York Herald Tribune that are read by hundreds of thousands of people, and I consider that Representative HALL has rendered a distinct public service which will be appreciated not only by his constituents but by the American people.

The failure of the New York Herald Tribune to answer Representative HALL'S pertinent question as to how much stock Mr. Ogden Reid (president and director of the New York Tribune, Inc.) and his family owned in the International Paper & Power Co., which imported into the United States vast quantities of soviet pulpwood during 1930, alleged to be produced by convict and forced labor, to compete with free American labor in this period of depression, and thereby caused further unemployment in the pulpwood industry on the Pacific Coast and among the farmers of the Northeast, amounts to confession and avoidance.

The mere fact that Mr. Reid may have recently resigned as a director of the International Paper & Power Co. is of no consequence. The fact remains undenied that he is still a large stockholder in this company, which is importing what I believe to be convict-made pulpwood from Russia, to the ruin of pulpwood producers in Oregon and Washington and in northern New England, in the midst of a serious depression in that industry.

The International Paper & Power Co. is the same company that was taken to task by the Federal Trade Commission only a few years ago for loaning and offering to loan money to American newspapers in order to make favorable long-time contracts and thereby gain control of numerous newspapers for the purpose of spreading propaganda in behalf of the power interests. If this is so, I am not surprised that it would import soviet pulpwood by the hundreds of thousands of cords, at the expense of free American and Canadian labor.

It might be interesting to the public to know that, according to Poor's Register of Directors, Mr. Ogden Reid is a director of the Mergenthaler Linotype Co., which has been transacting considerable business with Soviet Russia and has a representative over there at the present time. The public might also like to know how much stock Mr. Reid and his family own in this company.

I have no desire to do Mr. Reid an injustice, but it seems a little more than a coincidence that he and his family should be heavy stockholders in two big concerns doing large amounts of business with Soviet Russia, and through his newspaper laying down a bitter editorial barrage against an investigating committee, from the date of its creation, appointed and directed by the House of Representatives, to secure the facts in regard to communist propaganda and activities. I assume, however, that the editorial staff of the New York Herald Tribune is not aware of the fact that neither the Department of Justice nor any department of the Government has any power, authority, or funds from Congress to investigate the revolutionary activities of the communists, and that is the main reason for the appointment of the House committee.

This is not a personal matter with me, but in view of the numerous and hostile editorials against the committee, of which I happen to be chairman, before it has submitted its report, I believe that in fairness to the committee that the public is entitled to know whether or not Mr. Reid is a big stockholder in the International Paper & Power Co. and in the Mergenthaler Linotype Co., and judge the issue on the basis of the facts. I ask for nothing but a square deal for the committee, and that its work be judged by its report and recommendations, and if I have done any injustice to Mr. Reid or to the New York Herald Tribune, I shall be prompt to apologize.

ADJUSTED-SERVICE CERTIFICATES

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a resolution passed by an American Legion post of the District of Columbia.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The resolutions are as follows:

Resolved, That the Vincent B. Costello Post, No. 15, of the American Legion, in regular meeting assembled this 16th day of December, 1930, go on record in favor of the immediate enactment of the legislation provided by the pending bill in Congress introduced by Representative FISH, of New York, as H. R. 15062, "A bill to amend the World War adjusted-compensation act, as amended," providing for payment in cash of 25 per cent of the face value of adjusted-compensation certificates; and be it further

Resolved, That the post's representative on the department executive committee be directed to present this resolution to the department executive committee and urge its passage by all the posts of the department of the District of Columbia, and that the resolution also be forwarded to national headquarters by the department commander; be it further

Resolved, That copies of this resolution be forwarded to the appropriate committee in Congress and to other veterans' organizations in the District of Columbia; and be it further

Resolved, That the post commander call a special meeting of all the post commanders in the District of Columbia without delay, and invite Representative FISH, of New York, to appear before them and explain the bill to them with a view to having all the posts in the District of Columbia go on record favoring the passage of the bill above referred to.

In view of the fact that the Congress will adjourn on March 4, under the provisions of the Constitution, it is evident that all veterans who are in favor of the enactment of H. R. 15062, providing for the payment of 25 per cent of the face value of adjusted-service certificates, should immediately write to their Representatives in Congress, and urge the passage of resolutions by their respective posts in the various veterans' organizations.

In my opinion, there is no more chance of the passage of any bill providing for the immediate payment of the entire face value of the adjusted-service certificates by the present Congress than there is for the repeal of the eighteenth

amendment. Even if it was considered advisable to pay the entire face value of the certificates it is doubtful whether it would be possible to sell a bond issue of $3,000,000,000 to the American people for this purpose.

Although I have not taken any position as to the payment of the entire face value of the adjusted-service certificates, I would hesitate to support such a proposal, not only on financial grounds but also because it would destroy the insurance principle and leave no protection to the widows and children of the veterans.

As a practical proposition it is clear to me that if any legislation is to be passed at this session of Congress the proper and logical thing to do would be for all the veterans to unite in the demand for the payment of 25 per cent of the face value of the certificates and, even then, it is far from certain that such legislation would be adopted before the adjournment on March 4. But it is self-evident that unless all veteran organizations unite in demanding the immediate cash payment of 25 per cent of the face value of the certificates such a proposal, in my opinion, will have little prospect of being enacted into law.

Having presented the facts, the issue rests squarely with the veterans, and unless they pass resolutions in their posts, arouse public opinion as to the merits of the proposition, and notify their Representatives in Congress and their national commanders, there will be little or no chance that any payments will be made to the needy veterans in this emergency upon their adjusted-service certificates.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed the following resolution:

Senate Resolution 378

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Hon. FRANK L. GREENE, late a Senator from the State of Vermont.

Resolved, That a committee of 20 Senators be appointed by the President pro tempore to take order for superintending the funeral of the deceased Senator.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H. J. Res. 440. Joint resolution authorizing the payment of salaries of the officers and employees of Congress for December, 1930, on the 20th day of that month.

The SPEAKER also announced his signature to an enrolled bill of the Senate of the following title:

S. 2895. An act authorizing the bands or tribes of Indians known and designated as the Middle Oregon or Warm Springs Tribe of Indians of Oregon, or either of them, to submit their claims to the Court of Claims.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a joint resolution of the House of the following title:

H. J. Res. 440. Joint resolution authorizing the payment of salaries of the officers and employees of Congress for December, 1930, on the 20th day of that month.

DEATH OF SENATOR FRANK L. GREENE

Mr. GIBSON. Mr. Speaker, it is my sad duty to announce to the House the death of the senior Senator from Vermont, FRANK L. GREENE. He had a long and distinguished record as a civic leader and in the military service of his State, serving in the Spanish-American War as a captain. He served in the House of Representatives from 1912 to 1923, and since that time has served with distinction in the Senate of the United States.

I send to the Clerk's desk a resolution and move its adoption.

The SPEAKER. The gentleman from Vermont offers a resolution which the Clerk will report.

The Clerk read as follows:

House Resolution 324

Resolved, That the House has heard with profound sorrow of the death of the Hon. FRANK LESTER GREENE, a Senator of the United States from the State of Vermont.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

Resolved, That a committee of 21 Members be appointed on the part of the House to join the committee appointed on the part of the Senate to attend the funeral.

The resolution was agreed to, and the Speaker appointed the following committee:

Hon. ERNEST W. GIBSON, of Vermont; ELBERT S. BRIGHAM, of Vermont; EDWARD E. BROWNE, of Wisconsin; HENRY W. TEMPLE, of Pennsylvania; ALLEN T. TREADWAY, of Massachusetts; W. FRANK JAMES, of Michigan; EDWARD H. WASON, of New Hampshire; FREDERICK W. DALLINGER, of Massachusetts; SCHUYLER MERRITT, of Connecticut; JOHN F. MILLER, of Washington; WALLACE H. WHITE, Jr., of Maine; ROBERT LUCE, of Massachusetts; HARRY C. RANSLEY, of Pennsylvania; FLETCHER HALE, of New Hampshire; JAMES W. COLLIER, of Mississippi; CHARLES R. CRISP, of Georgia; JAMES P. BUCHANAN, of Texas; PERCY E. QUIN, of Mississippi; HATTON W. SUMNERS, of Texas; HUBERT P. FISHER, of Tennessee; ROBERT CROSSER, of Ohio.

The SPEAKER. The Clerk will proceed with the reading of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 5 o'clock and 24 minutes p. m.) the House adjourned until to-morrow, Thursday, December 18, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Thursday, December 18, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To authorize the construction of certain naval vessels (H. R. 14688).

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

(10.30 a. m.)

To amend the act of Congress of June 6, 1924, entitled "An act for the protection of fisheries of Alaska" (H. R. 13534).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

723. A communication from the President of the United States, transmitting estimate of appropriations submitted by the several executive departments to pay claims for damages to privately owned property in the sum of $25,938.90 (H. Doc. No. 688); to the Committee on Appropriations and ordered to be printed.

724. A communication from the President of the United States, transmitting schedules covering certain claims allowed by the General Accounting Office, as shown by certificate of settlement transmitted to the Treasury Department for payment, in the sum of $5,256.75 (H. Doc. No. 689); to the Committee on Appropriations and ordered to be printed.

725. A communication from the President of the United States, transmitting records of judgments rendered against the Government by the United States district courts as submitted by the Attorney General through the Secretary of

the Treasury in the sum of $37,960.23 (H. Doc. No. 690); to the Committee on Appropriations and ordered to be printed.

726. A communication from the President of the United States, transmitting record of a judgment or order rendered against the Government by the United States District Court for the Northern District of Illinois in the sum of $7,056.20 (H. Doc. No. 691); to the Committee on Appropriations and ordered to be printed.

727. A communication from the President of the United States, transmitting an estimate of appropriation submitted by the Navy Department to pay claims for damages by collision with naval vessels in the sum of $6,272.11 (H. Doc. No. 692); to the Committee on Appropriations and ordered to be printed.

728. A communication from the President of the United States, transmitting a list of judgments rendered by the Court of Claims, which have been submitted by the Attorney General through the Secretary of the Treasury in the sum of $460,770.68 (H. Doc. No. 693); to the Committee on Appropriations and ordered to be printed.

729. A communication from the President of the United States, transmitting schedules of claims amounting to $227,673.82, allowed by the General Accounting Office, as covered by certificates of settlement (H. Doc. No. 694); to the Committee on Appropriations and ordered to be printed.

730. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to amend the act approved June 22, 1928, entitled "An act to amend that part of the act approved August 29, 1916, relative to retirement of captains, commanders, and lieutenant commanders of the line of the Navy," as amended by the act of March 4, 1929; to the Committee on Naval Affairs.

731. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on preliminary examination of harbor at Mackinac Island, Mich.; to the Committee on Rivers and Harbors.

732. A letter from the chairman of the United States Shipping Board, transmitting an analysis of report of the Comptroller General of the United States of audit of financial transactions of the United States Shipping Board Merchant Fleet Corporation, which report was printed as House Document No. 111, Seventy-first Congress, first session (H. Doc. No. 695); to the Committee on Expenditures in the Executive Departments and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. HAUGEN: Committee on Agriculture. S. J. Res. 211. A joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States; with amendment (Rept. No. 2112). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEAVITT: Committee on Indian Affairs, H. R. 13132. A bill authorizing the use of Osage funds for attorneys' fees and expenses of litigation; with amendment (Rept. No. 2113). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRITTEN: Committee on Naval Affairs. H. R. 6810. A bill authorizing the Secretary of the Navy to accept, without cost to the Government of the United States, a lighter-than-air base, near Sunnyvale, in the county of Santa Clara, State of California, and construct necessary improvements thereon; without amendment (Rept. No. 2114). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. JOHNSTON of Missouri: Committee on Claims. H. R. 8324. A bill for the relief of John N. Brooks; with amendment (Rept. No. 2109). Referred to the Committee of the Whole House.

Mrs. LANGLEY: Committee on Claims. H. R. 10091. A bill for the relief of Anna A. Hall, without amendment (Rept. No. 2110). Referred to the Committee of the Whole House.

Mrs. LANGLEY: Committee on Claims. H. R. 11760. A bill for the relief of Ellen N. Nolan; with amendment (Rept. No. 2111). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HILL of Washington: A bill (H. R. 15354) to provide payment of adjusted-compensation certificates in full to dependents of deceased veterans who died prior to the passage of the act; to the Committee on Ways and Means.

By Mr. GRAHAM: A bill (H. R. 15355) to amend section 229 of the Judicial Code; to the Committee on the Judiciary.

Also, a bill (H. R. 15356) to amend the act providing for the annual conference of senior circuit judges; to the Committee on the Judiciary.

Also, a bill (H. R. 15357) to amend section 126 of the Judicial Code, as amended; to the Committee on the Judiciary.

By Mr. HARE: A bill (H. R. 15358) to provide for public buildings to accommodate all second and third class post offices in the United States; to the Committee on Public Buildings and Grounds.

By Mr. WOOD: A bill (H. R. 15359) making an additional appropriation to carry out the provisions of the agricultural marketing act, approved June 15, 1929; to the Committee on Appropriations.

By Mr. DAVILA: A bill (H. R. 15360) to provide for the filling of certain vacancies in the Senate and House of Representatives of Porto Rico; to the Committee on Insular Affairs.

By Mr. HOUSTON of Delaware: A bill (H. R. 15361) to provide for conveyance of a certain strip of land on Fenwick Island, Sussex County, State of Delaware, for roadway purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PARKS: A bill (H. R. 15362) directing the extension of farm loans by Federal land banks for a period of two years, and for other purposes; to the Committee on Banking and Currency.

By Mr. ZIHLMAN: A bill (H. R. 15363) authorizing appropriations for the improvement of roads at the Antietam Battlefield, Sharpsburg, Md.; to the Committee on Military Affairs.

By Mr. BRUNNER: A bill (H. R. 15364) authorizing appropriation of funds for construction of a Federal highway from Fort Tilden, N. Y., to the border of Connecticut; to the Committee on Roads.

By Mr. HOLADAY: A bill (H. R. 15365) to authorize an appropriation for the construction of two barracks buildings at the Danville branch of the National Home for Disabled Volunteer Soldiers; to the Committee on Military Affairs.

By Mr. KNUTSON: A bill (H. R. 15366) granting the consent of Congress to the State of Minnesota to construct, maintain, and operate a bridge across the Mississippi River near Bemidji, Minn.; to the Committee on Interstate and Foreign Commerce.

By Mr. COOKE: Resolution (H. Res. 321) investigating into the reason for, and the methods of determination used in, the selection of the various sites so far chosen for veterans' hospitals; to the Committee on Rules.

By Mr. GRAHAM: Resolution (H. Res. 322) authorizing an inquiry into the power of the Congress of the United States to establish an administrative tribunal; to the Committee on Rules.

By Mr. BLACK: Resolution (H. Res. 323) to appoint a select committee on economic planning; to the Committee on Rules.

By Mr. WOOD: Joint resolution (H. J. Res. 444) making an appropriation to supply a deficiency in the appropriation for the fiscal year 1931 for expenses of special and select

committees of the House of Representatives; to the Committee on Appropriations.

By Mr. SIMMS: Joint resolution (H. J. Res. 445) relating to the authority of the Secretary of the Interior to enter into a contract with the Rio Grande project; to the Committee on Irrigation and Reclamation.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY: A bill (H. R. 15367) granting a pension to Mrs. Charles S. McWilliams; to the Committee on Pensions.

Also, a bill (H. R. 15368) granting a pension to Pauline Sanders; to the Committee on Pensions.

By Mr. CANFIELD: A bill (H. R. 15369) granting an increase of pension to Catherine A. Turner; to the Committee on Invalid Pensions.

By Mr. CROSSER: A bill (H. R. 15370) for the relief of Samuel Weinstein; to the Committee on Claims.

By Mr. CULKIN: A bill (H. R. 15371) for the relief of Frank D. Lowe; to the Committee on Claims.

Also, a bill (H. R. 15372) for the relief of W. Glenn Larmonth; to the Committee on Claims.

Also, a bill (H. R. 15373) for the relief of Ward Bell; to the Committee on Claims.

By Mr. DENISON: A bill (H. R. 15374) for the relief of Mary E. Stebbins; to the Committee on Claims.

Also, a bill (H. R. 15375) granting a pension to Elizabeth Rhodes; to the Committee on Invalid Pensions.

By Mr. ELLIS: A bill (H. R. 15376) granting an increase of pension to Waldo A. Chapman; to the Committee on Pensions.

By Mr. FINLEY: A bill (H. R. 15377) granting an increase of pension to William H. Hensley; to the Committee on Pensions.

By Mr. FITZPATRICK: A bill (H. R. 15378) granting a pension to Mary Foley Jones; to the Committee on Pensions.

By Mr. FRENCH: A bill (H. R. 15379) granting a pension to Dan B. Dunwell; to the Committee on Pensions.

By Mr. GARNER: A bill (H. R. 15380) for the relief of E. G. Mason; to the Committee on Claims.

By Mr. GREENWOOD: A bill (H. R. 15381) granting a pension to Minnie Hedrick; to the Committee on Invalid Pensions.

By Mr. HALL of Mississippi: A bill (H. R. 15382) granting a pension to Cora Dixia Willett; to the Committee on Invalid Pensions.

By Mr. HARE: A bill (H. R. 15383) granting a pension to Annie Florence Coleman; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 15384) for the relief of Lincoln County, Oreg.; to the Committee on Claims.

Also, a bill (H. R. 15385) granting an increase of pension to William Bell; to the Committee on Pensions.

By Mr. HOGG of West Virginia: A bill (H. R. 15386) granting an increase of pension to Mary C. Davis; to the Committee on Invalid Pensions.

By Mr. HOGG of Indiana: A bill (H. R. 15387) granting a pension to Cordelia Palmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15388) granting an increase of pension to Lovina Yarian; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15389) granting an increase of pension to Lena M. Van Anda; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15390) granting an increase of pension to Lucy J. Shore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15391) granting an increase of pension to Catherine Stanford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15392) granting an increase of pension to Elizabeth O. White; to the Committee on Invalid Pensions.

By Mr. HOLADAY: A bill (H. R. 15393) granting a pension to Elizabeth White Brooks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15394) granting a pension to Sarah A. Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15395) granting a pension to Martha Wilcox; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15396) granting a pension to Laura L. Dow; to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 15397) granting a pension to William Fleming; to the Committee on Invalid Pensions.

By Mr. HUDDLESTON: A bill (H. R. 15398) granting a pension to Fred Tribble; to the Committee on Pensions.

By Mr. MORTON D. HULL: A bill (H. R. 15399) for the relief of Wilbur Rogers; to the Committee on Military Affairs.

By Mr. IRWIN: A bill (H. R. 15400) for the relief of Eustace Parks; to the Committee on Claims.

By Mr. KEARNS: A bill (H. R. 15401) granting an increase of pension to Lucinda Shelton; to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 15402) granting a pension to Flora May Combs; to the Committee on Invalid Pensions.

By Mr. KORELL: A bill (H. R. 15403) granting an increase of pension to Annie Killion; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15404) for the relief of Allan W. Hartmann; to the Committee on Military Affairs.

By Mr. LEECH: A bill (H. R. 15405) granting an increase of pension to Mary Cardiff; to the Committee on Invalid Pensions.

By Mr. LEAVITT: A bill (H. R. 15406) granting a pension to James B. Mitchell; to the Committee on Pensions.

By Mr. LONGWORTH: A bill (H. R. 15407) granting an increase of pension to Lula H. Powers; to the Committee on Invalid Pensions.

By Mr. LOZIER: A bill (H. R. 15408) granting an increase of pension to Martha Ann Parsley; to the Committee on Invalid Pensions.

By Mr. LUDLOW: A bill (H. R. 15409) for the relief of John Joseph Ames; to the Committee on Invalid Pensions.

By Mr. McSWAIN: A bill (H. R. 15410) granting a pension to Annie E. Waller; to the Committee on Pensions.

Also, a bill (H. R. 15411) granting an increase of pension to Emily F. Ailshie; to the Committee on Pensions.

By Mr. MARTIN: A bill (H. R. 15412) for the relief of Mary H. Jordan; to the Committee on Claims.

By Mr. MOORE of Ohio: A bill (H. R. 15413) granting an increase of pension to Sarah Weedon; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 15414) granting an increase of pension to Ann E. McKissick; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 15415) granting a pension to Dwight L. Trent; to the Committee on Pensions.

Also, a bill (H. R. 15416) granting an increase of pension to Isabela L. Williamson; to the Committee on Invalid Pensions.

By Mr. SPEAKS: A bill (H. R. 15417) for the relief of Otis F. Millington, otherwise known as Albert Clay; to the Committee on Military Affairs.

By Mr. TILSON: A bill (H. R. 15418) granting a pension to Bertha Jane Barnard Smith; to the Committee on Invalid Pensions.

By Mr. WALKER: A bill (H. R. 15419) granting an increase of pension to Frederick J. Conn; to the Committee on Pensions.

By Mr. WATSON: A bill (H. R. 15420) conferring jurisdiction upon the Court of Claims of the United States to hear, adjudicate, and render judgment on the claim of George A. Garden and Anderson T. Herd against the United States for seven ships taken over for the use and benefit of the United States during the World War; to the Committee on the Judiciary.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 15421) granting a pension to Mary J. Carr; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8280. Petition of voters of congressional district No. 1, State of Ohio, urging the passage of House bill 7884, for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8281. Petition of Polish National Alliance, of Chicago, Ill., protesting against foreign propaganda, especially against Poland, by advocating the revision of the treaty of Versailles; to the Committee on Foreign Affairs.

8282. By Mr. FISHER: Petition of 69 citizens of Memphis, Tenn., urging the passage of House bill 11; to the Committee on Interstate and Foreign Commerce.

8283. By Mr. GLOVER: Petition of Hamp Williams, chairman Garland County unemployment committee, urging legislation be enacted now, and appropriating money for the construction of roads; to the Committee on the Judiciary.

8284. By Mr. HOGG of West Virginia: Petition of Greenbrier County National Farm Loan Association, of Lewisburg, W. Va., requesting the Federal Farm Loan Board and the Congress of the United States to devise ways and means by which the land bank payments may be passed and extended; to the Committee on Banking and Currency.

8285. By Mr. JOHNSON of Texas: Petition of Mr. E. S. Graham, of Graham, Tex., favoring a tariff on oil; to the Committee on Ways and Means.

8286. By Mr. O'CONNELL: Petition of Sons of the Revolution in the State of New York, favoring a suitable appropriation to acquire land in the town of New Windsor, Orange County, N. Y., to erect a perpetual memorial to George Washington; to the Committee on Military Affairs.

8287. By Mr. PATMAN: Petition of Mrs. L. Ipsen and 51 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8288. By Mr. PATTERSON: Petition of evidence in support of House bill 15321 granting a pension to Sarah Smith Lindley; to the Committee on Invalid Pensions.

8289. By Mr. SMITH of West Virginia: Petition of the Greenbrier County National Farm Loan Association, of Lewisburg, W. Va., requesting the Federal Farm Loan Board and the Congress of the United States to devise ways and means by which the land bank payments may be passed and extended; to the Committee on Banking and Currency.

8290. By Mr. TILSON: Resolution adopted by the American Society for Clinical Investigation, opposing enactment of House bill 7884, antivivisection bill for the District of Columbia; to the Committee on the District of Columbia.

8291. By Mr. YATES: Petition of Barrett Varnish Co., 1532 South Fiftieth Court, Cicero, Ill., protesting the passage of any legislation increasing postal rates on first-class postage; to the Committee on the Post Office and Post Roads.

8292. Also, petition of Sylvester Schiele, president Schiele Coal Co., 1965 West One hundred and eleventh Street, Chicago, protesting the suggested legislation increasing first-class postage from 2 to 2½ cents per ounce; to the Committee on the Post Office and Post Roads.

8293. Also, petition of the Cracker Jack Co., Chicago, Ill., protesting the passage of any legislation by Congress which will increase the rate of first-class postage; to the Committee on the Post Office and Post Roads.

8294. Also, petition of A. B. T. Moore, secretary of the Gideons, 140 South Dearborn Street, Chicago, Ill., urging the defeat of proposed legislation to increase the postal rate of first-class mail from 2 to 2½ cents per ounce; to the Committee on the Post Office and Post Roads.

8295. Also, petition of R. L. Polk & Co., 367 West Adams Street, Chicago, Ill., protesting the proposed increase in first-class mail rate from 2 to 2½ cents per ounce; to the Committee on the Post Office and Post Roads.

SENATE

THURSDAY, DECEMBER 18, 1930

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Thou who in the time of shadow and darkness art revealed as the only true and lasting light, and before whose incomprehensible being even the imagination of man falters, fluttering her pennons vain: lighten our darkness, we beseech Thee, as again we bow before the mystery of death, which maketh life to seem but a mote in the faultless glory, a ripple on the eternal calm.

In Thy loving wisdom Thou hast seen fit to take unto Thyself the soul of our beloved friend, whose patient courage, gentle courtesy, and constant devotion to his sacred trust have endeared him to us all; grant to him, therefore, in Thy blest abode, that rest remaining for the children of God, where pain shall be no more and all sorrow and sighing shall flee away. Vouchsafe unto his loved ones Thy tenderest mercies, that in Thine own sheltering arms they may find that peace and comfort which the world can not give, which passeth all understanding.

We ask it in the name and for the sake of Him who hath brought life and immortality to light, Jesus Christ our Lord. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, transmitted to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. FRANK LESTER GREENE, late a Senator from the State of Vermont.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 2895) authorizing the bands or tribes of Indians known and designated as the Middle Oregon or Warm Springs Tribe of Indians of Oregon, or either of them, to submit their claims to the Court of Claims, and it was signed by the Vice President.

EXECUTIVE MESSAGES

Messages in writing from the President of the United States, making nominations, were communicated to the Senate by Mr. Latta, one of his secretaries.

FUNERAL OF THE LATE SENATOR GREENE

The VICE PRESIDENT. The Chair requests that the following telegram may be read.

The Chief Clerk read as follows:

ST. ALBANS, VT., *December 17, 1930.*

Vice President CHARLES CURTIS,
Washington, D. C.:

Senator GREENE'S funeral in Congregational Church here Saturday morning at 11. Death followed operation performed Monday.

H. H. CHADWICK, *Secretary.*

CONDOLENCES ON DEATH OF SENATOR LEE S. OVERMAN

The VICE PRESIDENT laid before the Senate a communication from the chargé d'affaires ad interim of Mexico, which was ordered to lie on the table and to be printed in the RECORD, as follows:

EMBAJADA DE MEXICO EN LOS
ESTADOS UNIDOS DE AMERICA,
Washington, D. C., December 13, 1930.

His Excellency the PRESIDENT OF THE SENATE,
Washington.

MY DEAR MR. PRESIDENT: Yesterday afternoon, after this embassy's office hours, and while no member of its staff was present, the embassy was informed of the sorrowful news of the death of Hon. LEE SLATER OVERMAN, prominent Member of the Chamber of Senators.

I pray your excellency to accept the deep condolences of this embassy's staff for the irreparable loss of the Hon. Senator OVERMAN, so highly esteemed for his great merits.

I beg your excellency to accept the expression of my sincere consideration.

P. HERRERA DE HUERTA,
Chargé d'Affaires ad interim.

FINANCIAL TRANSACTIONS OF UNITED STATES SHIPPING BOARD MERCHANT FLEET CORPORATION

The VICE PRESIDENT laid before the Senate a communication from the chairman of the United States Shipping Board, transmitting an analysis of a report of the Comptroller General of the United States of audit of financial transactions of the United States Shipping Board Merchant Fleet Corporation, which report was printed as House Document No. 111, Seventy-first Congress, first session, which, with the accompanying paper, was referred to the Committee on Commerce.

DISPOSITION OF USELESS PAPERS, GOVERNMENT PRINTING OFFICE

The VICE PRESIDENT laid before the Senate a communication from the Public Printer, reporting, pursuant to House Report No. 1517, Seventy-first Congress, second session, relative to the disposition and sale of useless papers in the United States Government Printing Office, which was referred to the Committee on Printing.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a communication in the nature of a petition from Daniel H. Griffin, of the National Military Home, Kansas, praying for the payment in cash of soldiers' adjusted-service certificates, which was referred to the Committee on Finance.

He also laid before the Senate a memorial, with related papers, of Caesar F. Simmons, formerly postmaster at Boley, Okfuskee County, Okla., relative to his claim against the United States, which, with the accompanying papers, was referred to the Committee on Post Offices and Post Roads.

He also laid before the Senate a communication from Joseph Battaglia, of New York, together with a pamphlet written by him entitled "The Unconstitutionalities of the Volstead Act with a Substitution Plan," which, with the accompanying pamphlet, was referred to the Committee on the Judiciary.

He also laid before the Senate a resolution adopted by the Republican State executive committee at Fort Worth, Tex., favoring the prompt imposition of an adequate tariff upon crude oil, which was referred to the Committee on Finance.

He also laid before the Senate the petition of the Southside Citizens' Organization, of Waukegan, Ill., praying for the erection of "a main post-office building in the central business district of Waukegan, Ill., and protesting against the Morrow-Wheeler site, reported by the press as just selected in a northside residential district and outside the central business district and far from the railroad station," which was referred to the Committee on Post Offices and Post Roads.

He also laid before the Senate a communication from Abbott E. Kay, of Glen Ellyn, Ill., transmitting copies of his petition seeking protection of petitioner's property rights in his discoveries of radioactive substances, inclusive of radium (Abbott Elliott Kay, M. D., *v.* U. S. Federal Trade Commission, United States Supreme Court, cause No. 843), which, with the accompanying papers, was referred to the Committee on the Judiciary.

Mr. JONES presented a resolution adopted by the Whittier Heights Improvement Club, of Seattle, Wash., favoring the immediate cash payment at full face value of the so-called soldiers' bonus, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens, being members of Federal Employees' Union No. 11, of Spokane, Wash., favoring the passage of Senate bill 471, being a bill to provide Saturday half holidays the year round, and the so-called Smith bill, being the bill H. R. 12695, providing for standardized sick and annual leave, and also prompt action on the report of the Personnel Classification Board, so that classification of the field service may become an accomplished fact, which was referred to the Committee on Civil Service.

He also presented petitions numerously signed by sundry citizens of Seattle, Tacoma, Bellingham, Opportunity, and Spokane, all in the State of Washington, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented a petition of sundry citizens of Spokane, Wash., praying for the establishment of a northern air mail route from Tacoma, Wash., to St. Paul, Minn., which was referred to the Committee on Post Offices and Post Roads.

REPORTS OF COMMITTEES

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, to which was referred the bill (H. R. 101) for the award of the air mail flyer's medal of honor, reported it without amendment and submitted a report (No. 1192) thereon.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (S. 4963) to relieve the Commissioners of the District of Columbia of certain ministerial duties reported it without amendment and submitted a report (No. 1193) thereon.

He also, from the same committee, to which was referred the resolution (S. Res. 362) to investigate the price of bread in the district of Columbia, reported it without amendment and submitted a report (No. 1205) thereon.

Mr. MOSES, from the Committee on Post Offices and Post Roads, to which was referred the bill (H. R. 8649) to authorize the Postmaster General to collect an increased charge for return receipts for domestic registered and insured mail when such receipts are requested after the mailing of the articles, and for other purposes, reported it without amendment and submitted a report (No. 1194) thereon.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, to which was referred the bill (H. R. 5659) to authorize the Postmaster General to charge a fee for inquiries made for patrons concerning registered, insured, or collect-on-delivery mail, and for postal-money orders, reported it with an amendment and submitted a report (No. 1195) thereon.

Mr. ODDIE, from the Committee on Post Offices and Post Roads, to which was referred the bill (H. R. 6603) to provide a shorter work week for postal employees, and for other purposes, reported it without amendment and submitted a report (No. 1196) thereon.

Mr. JOHNSON, from the Committee on Commerce, to which was referred the joint resolution (S. J. Res. 188) authorizing the Surgeon General to conduct an investigation and survey of malaria conditions in the United States, reported it with an amendment and submitted a report (No. 1197) thereon.

He also, from the same committee, to which were referred the following bills and joint resolution, reported them severally without amendment and submitted reports thereon:

H. R. 2936. An act to provide for a preliminary examination of the Tittabawassee and Chippewa Rivers, Mich., with a view to the prevention and control of floods (Rept. No. 1198);

H. R. 8290. An act to authorize and direct a preliminary examination of the Mohican River Ditch from Lake Fork, Ohio, south a distance of 8 miles (Rept. No. 1199);

H. R. 9779. An act authorizing a preliminary examination of the Mokelumne River, Calif., and its tributaries, with a view to the control of floods (Rept. No. 1200); and

S. J. Res. 221. Joint resolution amending section 1 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 3, 1930, relating to the Monongahela River, Pa. (Rept. No. 1201).

Mr. FRAZIER, from the Committee on Indian Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 7063. An act for the relief of H. E. Mills (Rept. No. 1202); and

H. R. 11443. An act to provide for an Indian village at Elko, Nev. (Rept. No. 1203).

Mr. KING, from the Committee on the District of Columbia, to which was referred the bill (S. 5029) to amend the act providing for the acquisition of land in the District of Columbia, reported it with an amendment and submitted a report (No. 1204) thereon.

Mr. PINE, from the Committee on Indian Affairs, to which was referred the bill (S. 5034) authorizing the use of Osage funds for attorneys' fees and expenses of litigation, reported it with amendments and submitted a report (No. 1206) thereon.

REPORTS OF NOMINATIONS

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported favorably sundry post-office nominations.

Mr. CAPPER, from the Committee on the District of Columbia, reported favorably the nomination of Jefferson S. Coage, of Delaware, to be recorder of deeds, District of Columbia, to succeed Arthur S. Froe, resigned.

Mr. ROBINSON of Indiana, from the Committee on the Judiciary, reported favorably the nomination of Paul H. Creswell, of Ohio, to be United States marshal, southern district of Ohio.

The VICE PRESIDENT. The nominations will be placed on the Executive Calendar.

THE FACTS ABOUT UNEMPLOYMENT

Mr. NORRIS. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Washington News of yesterday, Why the Mystery? referring to the testimony of Col. Arthur Woods and John Barton Payne of the Red Cross.

The VICE PRESIDENT. Without objection, it is so ordered.

The editorial is as follows:

[From the Washington Daily News, Wednesday, December 17, 1930]

WHY THE MYSTERY?

Congress is deadlocked over unemployment relief legislation because it lacks facts as to the extent of unemployment. Assuming the best intentions in the world on the part of all concerned—the President and the various factions in Congress—it is impossible to take intelligent relief action without those facts.

Of course, if the administration had not blocked the Wagner bills last year, more adequate statistics and reports would now be available. But that mistake is past, and there is no use lamenting it at this late day.

Under the circumstances the President, in presenting his relief plan to Congress, has had to rely upon hurried surveys and approximations made by John Barton Payne, of the Red Cross, and Col. Arthur Woods, head of the Hoover emergency committee.

On the basis of that data—probably the best available—the President says his program is adequate to meet the need. The Senate disagrees with the President's judgment, as witness the Senate action in raising one agricultural relief figure from $30,000,000 to $60,000,000. This action was taken on advice of the Agricultural Department, not by the Progressive-Democratic group, whom the President charges with playing politics, but by the Republican Senators who are the President's main supporters.

It is clear, therefore, that there exists an honest difference of opinion as to the facts of the situation.

That being the case, it is most surprising that the Senate has not called in Payne and Woods to get such of the facts as their organizations have been able to gather.

Why all the devious maneuvering? In all conscience there are few enough facts about the emergency available; those facts should be made public at once.

This is not a private issue between the White House and the Senate. It is a public issue. There is public suffering. Public money is being appropriated.

Woods, especially, should be given an opportunity by the Senate at once to tell all he knows. Whether his facts support the President or the opposition is relatively unimportant. That the public have those facts and that Congress have those facts in appropriating all this money is highly important.

Woods and Payne should be asked to appear before the congressional committees to-day.

FIRE HAZARDS OF SENATE SIDE OF CAPITOL

Mr. DENEEN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 364) submitted by Mr. COPELAND on the 9th instant, I report it favorably with an amendment. I ask for the present consideration of the resolution.

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendment was, to add at the end of the resolution a comma and the words "the expense not to exceed $500," so as to make the resolution read:

Resolved, That the Committee on Rules be, and hereby is, authorized and directed to make a study of the fire hazards in the Senate wing of the Capitol and the Senate Office Building, and to report to the Senate by resolution or otherwise what changes or repairs are necessary, the expenses of such study to be paid from the contingent fund of the Senate, the expense not to exceed $500.

The amendment was agreed to.

The resolution as amended was agreed to.

CONSERVATION OF WILD ANIMAL LIFE

Mr. DENEEN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 350) submitted by Mr. WALCOTT on the 3d instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the special committee directed by Senate Resolution 246, agreed to April 17, 1930, to investigate appropriate methods for the replacement and conservation of wild animal life is hereby authorized to expend in furtherance of such purposes $10,000 in addition to the amount heretofore authorized.

EMPLOYMENT OF TELEPHONE OPERATOR

Mr. DENEEN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 361) submitted by Mr. WATSON on the 8th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Sergeant at Arms hereby is authorized and directed to employ a telephone operator, to be paid at the rate of $1,560 per annum out of the contingent fund of the Senate, until the end of the present Congress.

ASSISTANT EXECUTIVE CLERK

Mr. DENEEN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 372) submitted by Mr. BINGHAM on the 15th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to employ an assistant executive clerk to be paid out of the contingent fund of the Senate at the rate of $1,800 per annum until otherwise provided by law.

ELLEN, ANNIE, JAMES, AND ANDREW PAYNE

Mr. DENEEN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 375) submitted by Mr. MCNARY on the 16th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1930, to Ellen and Annie Payne, sisters, and James and Andrew Payne, brothers, respectively, of George H. Payne, late a laborer in the stationery room of the Senate, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BARKLEY:

A bill (S. 5415) granting a pension to Marie L. Lustnauer; to the Committee on Pensions.

By Mr. BINGHAM:

A bill (S. 5416) to provide for the filling of certain vacancies in the Senate and House of Representatives of Porto Rico; to the Committee on Territories and Insular Affairs.

By Mr. KING:

A bill (S. 5417) to provide for the erection of a public building at Ephraim City, Sanpete County, Utah; to the Committee on Public Buildings and Grounds.

By Mr. JONES:

A bill (S. 5418) to amend the first paragraph preceding the first proviso of section 19 of the World War veterans act, 1924, as amended; to the Committee on Finance.

A bill (S. 5419) to provide for restoration of the Old Fort Vancouver stockade; to the Committee on Military Affairs.

By Mr. KENDRICK:

A bill (S. 5420) granting a pension to Frederick G. Craco (with accompanying papers); to the Committee on Pensions.

A bill (S. 5421) granting a pension to Albert I. Merrill (with accompanying papers); to the Committee on Pensions.

By Mr. ROBINSON of Indiana:

A bill (S. 5422) granting an increase of pension to Jacob Ellis (with accompanying papers);

A bill (S. 5423) granting an increase of pension to Sarah E. Kinnear (with accompanying papers); and

A bill (S. 5424) granting an increase of pension to Caroline Voit (with accompanying papers); to the Committee on Pensions.

By Mr. DILL:

A bill (S. 5425) granting a pension to J. Frank Beesley;

A bill (S. 5426) granting a pension to Charles H. Bennett; and

A bill (S. 5427) granting a pension to Elmer E. Hall; to the Committee on Pensions.

A bill (S. 5428) for the relief of Lucille McClure; to the Committee on Claims.

By Mr. NORRIS:

A bill (S. 5429) to remit the duty on a printing press to be imported for the Christian Record Benevolent Association, Lincoln, Nebr.; to the Committee on Finance.

By Mr. WATSON:

A bill (S. 5430) granting a pension to India V. Kreh (with accompanying papers); to the Committee on Pensions.

By Mr. DENEEN:

A bill (S. 5431) granting World War adjusted-service compensation to Barbara Weiland; to the Committee on Finance.

By Mr. NORBECK:

A bill (S. 5432) granting a pension to Frank Fog (with accompanying papers); to the Committee on Pensions.

By Mr. GEORGE:

A bill (S. 5433) for the relief of Addie H. Malloy; to the Committee on Claims.

By Mr. JOHNSON:

A bill (S. 5434) for the relief of Patrick Murray; to the Committee on Civil Service.

A bill (S. 5435) for the relief of Alfred A. Goudal; to the Committee on Military Affairs.

By Mr. HAWES:

A bill (S. 5436) granting a pension to Augusta Freeman (with accompanying papers); to the Committee on Pensions.

By Mr. PATTERSON:

(By request.) A bill (S. 5437) giving jurisdiction to the Court of Claims to hear and determine the claim of the Cherokee Fuel Co.; to the Committee on Claims.

(By request.) A bill (S. 5438) authorizing and directing the Secretary of the Interior to enroll on the tribal rolls of the Choctaw and Chickasaw Nations all Choctaw and Chickasaw claimants whose names appear in the citizenship cases hereinafter mentioned and who were duly and legally enrolled by the Federal court, and the heirs now living of all such claimants born prior to the closing of said tribal rolls by an act of Congress; to the Committee on Indian Affairs.

By Mr. WHEELER:

A bill (S. 5439) to excuse certain persons from residence upon homestead lands during 1929 and 1930 in the drought-stricken areas; to the Committee on Agriculture and Forestry.

By Mr. ROBINSON of Arkansas:

A bill (S. 5440) to authorize an emergency appropriation for special study of and demonstration work in rural sanitation; to the Committee on Agriculture and Forestry.

RECOMMITTAL OF A BILL

Mr. HOWELL. I ask that the bill (H. R. 5708) for estimates necessary for the proper maintenance of the flood-control works at Lowell Creek, Seward, Alaska, be recommitted to the Committee on Commerce. I will say that the chairman of the committee, who reported this bill, has agreed to this procedure.

The VICE PRESIDENT. Without objection, the request is granted.

AMENDMENT TO AGRICULTURAL APPROPRIATION BILL

Mr. WHEELER submitted an amendment intended to be proposed by him to House bill 15256, the Agricultural Department appropriation bill, fiscal year 1932, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

At the proper place in the bill, insert the following:

"That any homestead settler or entryman who, during the calendar years 1929 and 1930, found it necessary to leave his homestead to seek employment in order to obtain food and other necessaries of life for himself, family, and work stock because of serious drought conditions, causing total or partial failure of crops, may, upon filing with the register proof of such conditions in the form of a corroborated affidavit, be excused from residence upon his homestead during all or part of the calendar years 1929 and 1930, and in the making of final proof upon such an entry absence granted under this act shall be counted and construed as constructive residence by said homesteader."

CLARION RIVER POWER CO. OF PENNSYLVANIA

Mr. BROOKHART. Mr. President, I ask permission to have printed in the RECORD a letter from Charles A. Russell, solicitor for the Federal Power Commission, in reply to the inquiry of the Secretary of the Interior, in explanation of his action in the case of the Clarion River Power Co. in Pennsylvania, together with accompanying papers.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter and papers are as follows:

FEDERAL POWER COMMISSION,
OFFICE OF THE SOLICITOR,
December 16, 1930.

Litigation: The Clarion River Power Co. v. Patrick J. Hurley et al. Memorandum to the commission.

Memorandum of Mr. Ray Lyman Wilbur, acting chairman of the commission, dated December 11, 1930, was delivered to me late on the afternoon of that day, answer to which has been delayed on account of preparation of brief for the court in the Clarion River Power Co. case now pending.

You have requested an explanation of the statements alleged to have been made by me, which statements are based upon newspaper dispatches published in various newspapers following the argument before the Supreme Court of the District of Columbia on the 8th day of December, 1930, and embodied in a letter from Mr. William D. B. Ainey, chairman of the Public Service Commission of Pennsylvania.

No lawyer or Government official should be called upon to explain newspaper comments which are in no wise official; and, so far as the letter from the Public Service Commission of Pennsylvania is concerned, containing alleged statements by me, copied from said press dispatches, I have no explanation to make.

The fundamental reason for the case of the Clarion River Power Co. against the Federal Power Commission lies exactly in the failure of the Public Service Commission of Pennsylvania to eliminate improper items from the capital structure of the Clarion River Power Co. and limit it accordingly. If that had been done, the accounting division of the Federal Power Commission would not have found that $6,387,000 of the capital structure consisted of improper items and there would have been no reason for the Clarion River Power Co. to have brought the action seeking to prevent the Federal Power Commission from officially determining and fixing the actual cost of construction.

I can not conceive that you would want me to prove false to my trust in carrying out the duties imposed upon this commission, and which in this instance I am carrying on at the specific designation of the Attorney General in response to your request to him for me to handle the matter.

However, I am perfectly willing, and always have been, that my reputation as a lawyer and as a Government official should be judged by the record, and so that you may have the official record before you and not newspaper dispatches I beg to submit the extracts from the official record where the question of the Pennsylvania commission was involved.

The proposition is simply this: If the Pennsylvania commission did not have jurisdiction to regulate the securities, then my statement is wrong and I owe an apology; if the said commission did have jurisdiction and failed, or neglected to exercise the right, then my argument and statement are correct and the commission is subject to the just condemnation and criticism that I have made.

Furthermore, if the commission has failed to properly regulate the public utilities in Pennsylvania, it is subject to the charge that it has failed to faithfully discharge its sworn duty to the public; if it has failed to properly cooperate with the Federal Power Commission, then it is subject to just censure and the charge that it has misstated the record in stating to you that it has always cooperated with this commission. The positions may be summarized as follows:

First. Did the Pennsylvania commission, during the year 1922, have the right under the law of that State to supervise and regulate the issuance of securities of public-service corporations;

Second. Did the Pennsylvania commission, during the period from 1922 to date, properly regulate the rates, service, and charges of such utilities in the interest of the public; and

Third. Did the Pennsylvania commission, during those years, at all times cooperate with the Federal Power Commission in all of the activities of the latter commission in that State?

To the first of these questions the answer, based upon the record, must be that it did have jurisdiction and that it utterly failed to exercise that right. The answer to the last two questions must be, from the same record, that it did not properly regulate such utilities and that it did not cooperate with the Federal Power Commission. I so answer said questions and submit the proof.

In the opening of my argument I read to the court a letter received from a consumer of electric power of the Clarion River Power Co., which letter, in part, reads:

"Thinking that perhaps the following facts might be of some use to you in your suit December 8, I have taken the liberty to send them to you. I have charge of some cottages at King's Landing, Canadohta Lake, Crawford County, Pa. The Clarion River Power Co. furnish the electricity for our lights. Their minimum rate to us is $3.68 a month, which we think is excessive.

"This, however, is not the worst of it. For three months we use the electricity for lights. Then the cottages are closed and we return to Farrell. But we are required to pay $3.68 a month for nine months that no electricity is used, which we think is robbery.

"If we have to wait 50 years to get these facts before the Federal commission before it can act, the most of us will be dead and gone. What we need is justice now."

Following the reading of that letter, the record shows that I made the following comment:

"Mr. RUSSELL. * * *

"I think that is the most complete argument to the proposition that this Power Commission is vested with certain powers that must be exercised, not when Mr. Bullitt and I and your honor are gone but during the time that the work is being handled and the public is supposed to be protected. If that is the kind of protection the Pennsylvania State commission is exercising in behalf of its citizens of Pennsylvania, then God help the citizens of Pennsylvania.

"They have been permitted to issue $11,470,000 of bonds on this property, $6,387,000 of which are absolutely water, and yet the Pennsylvania commission has set idly by in a state of innocuous desuetude and permitted that company to issue these stocks, to issue these bonds, flimflam the public out of $6,387,000, and then they talk to me about State regulation of that kind of a utility" (pp. 22–23).

Argument was then made on behalf of the power company, at which time counsel for the power company raised the question that the Federal Power Commission has no jurisdiction when the State in which the property is located has granted to some regulatory body the power to so regulate rates, service, and securities, in which case the Federal Power Commission has no jurisdiction, and, in order that you may be informed in that connection, I beg to submit herewith the following extract from the official record:

"Mr. BULLITT. * * *

"Now, then, Congress has said wherever the State has a public regulatory body which can regulate rates and determine all those things, that is left to that body. When a State has not got any regulatory body, then they confer upon the Federal Power Commission many of these powers which ordinarily are given to State regulatory bodies.

"The COURT. But you say they are not to be exercised until the United States shall attempt 50 years from now to take over the plant.

"Mr. BULLITT. No; I don't say that. I say they shouldn't be exercised at all, because the State exercises it.

"The COURT. Where there isn't a State regulatory body?

"Mr. BULLITT. In the event that the State has no regulatory body, then certain powers are given to the Power Commission, and it may be—I don't have to meet that question in this case—it may be that in these cases where there is no State regulatory body, and so, therefore, power has been expressly conferred upon the Power Commission to determine, perhaps, rates and things like that—it may, in that instance, be implied that in those cases they can determine certain values for rate-making purposes.

"Mr. RUSSELL. May I interject for just a moment? It is not alone for rate-making purposes. It is for the regulation of securities, and while, as Mr. Bullitt has said, they have an act up there, that is inoperative in Pennsylvania. They don't work at it very strong. They have a provision for the commission to regulate securities, and yet in this particular case the Pennsylvania commission expressly denied they had the jurisdiction to regulate securities.

"Mr. BULLITT. So far as that is concerned, with all due respect, we say that Congress in its wisdom has provided that where there is a State regulatory body then the Federal Water Power Commission has no power to go into a State and undertake to assume to itself the regulation of the internal affairs that belong to the State" (pp. 81-82).

And afterward, in my answer to counsel for the Clarion River Power Co. on the question of the power of the Federal Power Commission to regulate the public utilities within a specific State, the official record discloses the following to be my statement relating thereto:

"Mr. RUSSELL. * * *

"* * * This commission may determine to do so if the State of Pennsylvania refuses to comply with its own act.

"I say again that the use of the word 'asinine' is applicable to that situation. If there is a State that has a right to regulate these public utilities and doesn't do it, there should be a higher power than merely the State politicians of each State that can control that situation, and for the protection of the people, I say that the Federal Water Power Commission has a right to go into any State where they have a law, or where they haven't a law, unless that State honestly and according to that law protects its own citizens.

"I say that under the act the Federal Water Power Commission has that right. It is not a question of the passage of a law. It is a question of whether or not these State administrators comply with the law. The State of Pennsylvania has a right, as I read it, to regulate the securities of this project, but the State of Pennsylvania, its own public-service commission, expressly held it did not have the jurisdiction and let this power company float bonds to the extent of $11,470,000 without an aye, yes, or no about it." (p. 93).

Before discussing the matter of apology for these statements, may I point out to you that the attempt of the Federal Power Commission to give to the Clarion River Power Co. an opportunity to present its evidence in support of its claims was met with a statement of its counsel that they did not care to accept Greek gifts. They are apparently afraid to submit to the determination of this commission claims such as presented in this instance, and is a challenge to the honesty and the integrity of not only the commission itself, but a challenge to the honesty and integrity of men like Mr. William V. King, chief accountant, and Mr. J. F. Lawson, acting chief counsel, who have served the Government for more than 20 years in honorable positions.

When speaking of apologies, it seems that others should be presented with applications for apology.

Your attention is most forcefully invited to the record in the Supreme Court of the District of Columbia, which discloses that the State of Pennsylvania, ably represented by a deputy attorney general of that State, was an intervening petitioner in the Clarion River Power Co. case before Mr. Justice Adkins. The deputy attorney general was before the court in person and presented the intervening petition, and he remained in the courtroom and listened attentively and interestedly, and he voiced no protest and demanded no apology for the people of the State of Pennsylvania. The people of Pennsylvania are not aggrieved, but by an abundance of correspondence to me as solicitor, growing out of their information from the same press news about which Mr. Ainey is complaining, are voicing their delight that finally, and after lo, these many years, the great power of the Federal Government is being wielded in their behalf.

And before undertaking a discussion of the merits I want to point out that at or about the time of the issuance of securities of the Clarion River Power Co., to wit, February 23, 1922, the then executive secretary, Mr. O. C. Merrill, referred the matter to the legal division of the Federal Power Commission and was advised by the chief counsel and assistant chief counsel that under the law of Pennsylvania the Pennsylvania commission had jurisdiction to supervise the issuance of such securities, and thereupon the Federal Power Commission made no further attempt to exercise its jurisdiction in Pennsylvania.

Securities of the Clarion River Power Co. were, on February 23, 1922, authorized in the amount of $20,650,000.

The question argued and presented was material to the issues involved in the proceeding before the court. The jurisdiction of the Federal Power Commission was challenged upon the ground that the State has the right under the law of that State to regulate and to supervise all matters of public-utility regulation.

The position of the Government was, and is, that where the State has no regulatory commission or body to regulate rates, service, or securities, that in any of those three instances the Federal Power Commission, as to its licensees, has the right to so regulate. That is expressly provided by the Federal water power act.

The letter of the Public Service Commission of Pennsylvania, to which I am asked to make an explanation, recites:

"First, the Pennsylvania commission has no jurisdiction over the security issues of utility companies, and therefore neither approves nor disapproves of them in amount or in any other respect." (Third paragraph of letter of Public Service Commission of Pennsylvania.)

With that statement I disagree. The Public Service Commission of Pennsylvania did have jurisdiction over the issuance of the

securities of this utility company at the time that the securities were allowed to be issued.

In order that you may understand the matter from the record, I submit herewith, as Exhibit A, copy of one page of a joint report prepared by an accountant of the Public Service Commission of Pennsylvania and an accountant of the Federal Power Commission, showing the amount of securities issued and the date of such issuance, together with the estimated money value of the project at the time of the issuance of those securities.

This statement shows that there was issued in stocks, bonds, and securities the sum of $9,800,000 after the act, which I will copy hereafter, was enacted, and a total of $9,865,000 issued to December 31, 1924. This statement likewise shows that the estimated money value of the property upon which these securities were issued was $4,285,085. This statement is certified to by the chief accountant of the Public Service Commission of Pennsylvania. This excess of over $5,500,000 of securities was in direct violation of section 18090 of the Pennsylvania statutes then in force and effect, which section reads, in part, as follows:

"* * * It shall be lawful for any publicservice company—

"(a) To issue stocks, trust certificates, bonds, notes, or other evidences of indebtedness or other securities, or make any increase in the issue thereof, in the manner prescribed by law, for and only *for money, labor done, or money or property actually received,* in accordance with the requirements of the constitution and the laws of the Commonwealth.

"All stocks, trust certificates, bonds, notes, or other evidences of indebtedness or other securities, issued in violation of this subsection, and all fictitious increase of stock, trust certificates, bonds, notes, or other indebtedness or securities, shall be void." (Italics mine.)

This statute was in force and effect on the dates on which these stocks and securities were issued, with the exception of $65,000, which was issued in 1912. In fact, the issuance of said $65,000 would not be affected for the reason that said act became law of the State of Pennsylvania on July 26, 1913, and section 18093 of said statutes expressly protects the issuance of any such stocks, etc., prior to the passage of the act. So that the stocks and securities, as indicated in the above statement, which were in excess of the actual amount of money spent, labor done, or property actually received, are void.

The chairman of the Public Service Commission of Pennsylvania says that the Pennsylvania commission has no jurisdiction over the security issues of utility companies. The answer to that statement is incorporated in section 1 of article 5 of the act of July 26, 1913, and indexed as section 18.125, which reads, in part, as follows:

"* * * The commission shall have general administrative power and authority, as provided in this act, *to supervise and regulate all public-service companies* doing business within this Commonwealth.

"Said power and authority shall include *the power to inquire into and regulate,* * * * as specifically provided in this act, the issuing of stocks, trust certificates, bonds, notes, or other evidences of indebtedness or other securities by public-service companies." (Italics mine.)

The statutes of Pennsylvania further provide:

"* * * The commission shall have power, of its own motion or upon complaint, to institute any inquiry or investigation, and to determine * * * whether any public-service company has, after the date when this act shall become effective, issued or made any increase in the issue of any stocks, trust certificates, bonds, notes, or other evidences of indebtedness * * * in violation of any of the provisions or requirements of this act; and if so, to determine and find the nature and extent of such violations, and * * * shall certify the record of such hearing and finding to the Attorney General to institute * * * such proceedings * * * as shall be necessary or proper to enforce the provisions of this act * * *" (sec. 18.145).

These statutes were likewise in force and effect at the time of the issuance of the securities by the Clarion River Power Co., and no steps were taken by the Public Service Commission of Pennsylvania to "inquire into and regulate" said securities; and as a result of the failure of the Public Service Commission of Pennsylvania to so "inquire into and regulate," the Clarion River Power Co., as shown by the preliminary accounting report as of December 31, 1925, had outstanding stocks, bonds, securities, and indebtedness exceeding $11,000,000, of which over $6,000,000 did not represent money, labor, or property actually received.

Strange as it may seem, there has been no decision of any court of the State of Pennsylvania determining the jurisdiction of the Public Service Commission of Pennsylvania, and the only reference to a decision that I have been able to find, after diligent search, is the statement of the Public Service Commission of Pennsylvania itself that it has no jurisdiction.

If there were any doubt of the jurisdiction of the Public Service Commission of Pennsylvania, why was not that doubt resolved in favor of the people of the State of Pennsylvania, and thus require the power company to test the question of that jurisdiction in the courts of that State, rather than that this commission should take it upon itself to arbitrarily adopt a rule that it has no jurisdiction and thus deprive the people of the State of Pennsylvania of the right of a court review?

I have received numerous communications, over long distance, by letter, and orally in my office, both before and after my argument before the court, from prominent lawyers, commercial bodies, construction engineers, and private citizens, concurring in my interpretation of the act and general condemnation of the Public Service Commission of Pennsylvania.

In view of the newspaper reports emanating from some of the staff of the Federal Power Commission and emanating from the Public Service Commission of Pennsylvania, and as contained in the letter of the public-service commission, particularly those matters which go to the integrity of the Public Service Commission of Pennsylvania, I believe I have a right not only to challenge the Public Service Commission of Pennsylvania, but I have a right to show in answer to your inquiry something about the Public Service Commission of Pennsylvania itself.

The last half of the first paragraph, on page 2, of the letter of the Public Service Commission of Pennsylvania, reads as follows:

"* * * The Pennsylvania commission understands that subsequent to the joint report of November, 1925, the Federal Commission engaged in a further audit of certain additional field-construction records. The Pennsylvania commission or its auditors were not invited to participate in this audit, and its results were not made available to the Pennsylvania commission, except in the form of a preliminary report or finding by the accounting department of the Federal Commission."

Here are the facts:

On April 23, 1927, Mr. O. C. Merrill, then executive secretary of the Federal Power Commission, addressed a letter to the Public Service Commission of Pennsylvania inviting the Public Service Commission of Pennsylvania to participate in the accounting work then pending on the Clarion River Power Co. project, and, for your information, there is attached hereto as Exhibit B a copy of that letter.

On April 27, 1927, in reply to the above, the Public Service Commission of Pennsylvania, by Mr. William D. B. Ainey, chairman, the same man who has signed the letter addressed to Secretary Hurley, also as chairman, advised this commission that he had consulted with the secretary and the chief of the bureau of accounts and statistics and found that the present assignments would not permit of active participation in that work for several weeks. A copy of this letter, marked Exhibit C, is attached thereto and made a part of this memorandum so that you may be informed from the record, and I might say that I have had both of these letters photostated.

I will leave to Mr. Ainey, or such other persons as he may designate, the matter of comment on this situation.

Furthermore, the Federal Power Commission, by its executive secretary, Mr. O. C. Merrill, thereupon refrained from attempting to audit the accounts of the Clarion River Power Co. until the 14th day of June, 1927, which was "several weeks" after the letter received from Mr. Ainey.

On that day an accountant for the Federal Power Commission went to Harrisburg, Pa., to the offices of the Public Service Commission of Pennsylvania and was taken to the office of Mr. William D. B. Ainey, the chairman of the commission. His report to the officials of the Federal Power Commission was to the effect, and is now to the effect, and he may be examined by you or any other person, that Mr. Ainey immediately became abusive, profane, and insulting, and told said accountant that the Federal Power Commission had no business to come into the State of Pennsylvania; that the Federal Power Commission should never have issued a license to the Clarion River Power Co. inasmuch as the Federal Power Commission had no jurisdiction over the Clarion River Power Co.; that the Clarion River was a nonnavigable stream; and many other statements, the character and description of which are too numerous to mention.

Thereupon said accountant told Mr. Ainey he did not come there to listen to his abuse but came to ask whether or not he would participate in the investigation of the accounts of the Clarion River Power Co., and Mr. Ainey told said accountant that he would not so participate.

I leave again to Mr. Ainey the propriety of comment on those statements as contrasted with his letter to the Federal Power Commission.

In the early part of 1929 the Federal Power Commission promulgated what is known as Order No. 28, which, in substance, was an order requiring all licensees subject to the act to report to the commission any proposed issue of bonds or securities of any character and to advise the Federal Power Commission fully thereon. This order was issued as of the 26th day of February, 1929, and made effective as of the 1st day of May, 1929.

On April 3, 1929, the same Mr. William D. B. Ainey addressed a letter to the Hon. James W. Good, then Secretary of War and chairman of the Federal Power Commission, wherein he protested against the promulgation of this order, notwithstanding the fact that Mr. Ainey and the Public Service Commission of Pennsylvania were denying it had any jurisdiction to regulate the securities of this licensee of the Federal Power Commission. By this protest, if acted upon, the Clarion River Power Co. would be relieved of any regulation of securities. A copy of this letter is marked "Exhibit D," attached hereto, and made a part hereof.

As a result of the protest of Mr. Ainey and other State commissioners, the Federal Power Commission suspended the effective date of Order No. 28 and the same has not been reinstated nor made effective.

According to newspaper reports emanating from Mr. Bonner, of the Federal Power Commission, he characterizes the situation as "very distressing, since our relations with the Pennsylvania commission always have been highly satisfactory and the generous cooperation extended by that agency has been most helpful.

"The Pennsylvania commission is recognized as one of the best regulatory agencies in the country, and it is very distressing to have anything occur that disturbs our harmonious relations."

The whole statement is challenged except the statement that it is "very distressing." The record here shows that the relations have not been satisfactory; that there has not been cooperation since 1925, and as to the statement that the Pennsylvania commission is recognized as one of the best regulatory agencies in the country, I respectfully refer to the governor's message made to the General Assembly of the State of Pennsylvania January 24, 1927, at which time Mr. William D. B. Ainey was chairman of that commission and the governor then said in his message:

"The Public Service Commission of Pennsylvania has done little to protect the rights of the people and much to insure and increase the profits of the corporations, as the men in the street well know. The plain people would be better off with no public-service commission at all than with a commission the majority of whose members, as at present, are mere speaking tubes for the public utilities.

"The fact is that the Public Service Commission of Pennsylvania has been a cat's-paw for the corporations. By making use of it the public utilities have secured fatter profits from the people than without it they would ever have dared to take for themselves. Without the commission the 8-cent fare in Philadelphia would never have been demanded and the people would never have stood for it. In this and in many other cases the public-service commission is the sugar coating by means of which the public utilities persuade the people to swallow their extortionate rates."

I agree that it is "very distressing." It is very distressing to the consumers of electricity in the State of Pennsylvania. It is very distressing to the general public of the State of Pennsylvania to know and to realize that they are being charged rates for electricity that are not warranted by the facts and that upon the record as here shown there is apparently no relief under the present Pennsylvania Public Service Commission. Therefore, it is a very distressing situation.

Now, let me go a step farther—at the time the United States Senate had before it the well-known Walsh resolution for an investigation of the electric-power companies of the United States, this same Mr. William D. B. Ainey appeared before that Senate committee and protested any such investigation and objected to any investigation upon the ground that the State of Pennsylvania and the other States of the Union were wholly competent to manage their affairs and regulate these public utilities and that they were so doing. The resolution was passed notwithstanding.

The Federal Trade Commission, in pursuance of said resolution, in the course of its investigation of the Scranton Electric Co., a wholly intrastate electric company doing business in the State of Pennsylvania, showed, and it is likewise reported, that the Scranton Electric Co. was controlled by the American Gas & Electric Co., and that for the years 1923 to 1928, inclusive, the earnings on fixed capital before and after depreciation, the return on the average total and average capital, and the earnings on the average book value ranged from 13.78 per cent to 49.27 per cent and for the purpose of showing the exact status of the earnings no matter how computed, there is attached hereto and made a part hereof Exhibit E.

Upon this report of the Federal Trade Commission being made public the Public Service Commission of Pennsylvania at that late date instituted proceedings for the reduction of the rates of the Scranton Electric Co., with the result that the Scranton Electric Co. came in and voluntarily reduced its rates on electricity to the people of the State of Pennsylvania, with all of which the Public Service Commission of Pennsylvania had nothing whatsoever to do.

In addition to the facts shown in the report on earnings it was further shown that under the merger creating the Scranton Electric Co. as of March 1, 1928, the fixed capital of the old Scranton Electric Co. as of February 29, 1928, was $17,350,976.29. On March 1, 1928, the day of the reorganization and the merger, the fixed capital was charged with $29,564,178.86, and included in this amount was $2,239,547, or 12½ per cent for going-concern value.

The increase which was shown in fixed capital was $12,213,202.57. Included in this increase are properties acquired totaling $7,786,874.99, and the difference of $4,426,327.58 represents an arbitrary overnight write-up in fixed capital account, which write-up in the fixed capital was offset by the issuance of securities in the same amount. The Pennsylvania Public Service Commission again failed to supervise, inquire into, or regulate this write-up and failed to see that the statute, section 18090, hereinbefore quoted, was complied with.

The Pennsylvania Power & Light Co. is a licensee of the Federal Power Commission. The Phoenix Utility Co. is owned by the Electric Bond & Share Co., which supervises the Pennsylvania Power & Light Co.

For many years the Phoenix Utility Co. collected from the Pennsylvania Power & Light Co. large sums of money as construction fees. The amount so paid was included as cost of construction and reported to the corporate trustees under the mortgage indenture and first and refunding mortgage bonds were authenticated and issued and were sold on that basis to the general public.

The Federal Trade Commission investigation, made pursuant to the Senate resolution, disclosed that the Phoenix Utility Co. is not a bona fide corporation and the report shows "The Phoenix Utility Co. has been described by counsel and by a vice president of the Electric Bond & Share Co. as an incorporated construction department of the Electric Bond & Share Co. It is known as a construction company."

All fees received by the Phoenix Utility Co. were turned over to the Electric Bond & Share Co. The Phoenix Utility Co. has no pay roll, no equipment, and if the Electric Bond & Share Co. were not behind it, has no facilities to even undertake the construction of a 1-car garage.

The Phoenix Utility Co. has therefore been designed by the Electric Bond & Share Co. to appear as a bona fide construction company to enable the Electric Bond & Share Co. to charge and collect from an affiliated company large sums of money in the guise of construction fees.

The Public Service Commission of Pennsylvania has never questioned the legitimacy of these payments. Furthermore, the investigation of the Federal Trade Commission shows that for a number of years the Electric Bond & Share Co. collected from the Pennsylvania Power & Light Co. large sums of money as supervision fees. These amounts were included in operating expenses and consequently relate to the rates charged to consumers. In other words, the consumers paid these fees.

The Federal Trade Commission investigation, made pursuant to the Senate resolution, discloses that the Electric Bond & Share Co. realized large profits thereon and the Public Service Commission of Pennsylvania has never questioned the legitimacy of these payments.

I desire to point out one further fact for your consideration which justifies the criticism which has been made in my argument to the court and that is that the people of the State of Pennsylvania, in their sovereign capacity, have repudiated the Public Service Commission of Pennsylvania in the last election, and it stands condemned before the court of public opinion in that State and by the people, its citizens.

Respectfully submitted.

CHAS. A. RUSSELL, *Solicitor.*

(Attached Exhibits Nos. A, B, C, D, and E.)

EXHIBIT A

[E] ESTIMATED MONEY VALUE OF SECURITIES ISSUED IN EXCHANGE FOR FIXED CAPITAL

While we realize that the selling price of securities fluctuates with the number of shares transferred and the relations existing between vendor and vendee, as the result of which it is difficult to accurately establish the money value of the securities in question, we submit below an estimate of aggregate money value of these securities determined by applying the selling price available as of date nearest to the date the securities were originally issued. Because of the unreliability and insufficiency of the records examined, the following estimates of the money value of the securities in question may not be entirely accurate, but we believe that it offers some indication of the wide difference that appears to exist between the fixed-capital charges recorded and the money value of the securities given in exchange therefor:

Par value and estimated money value of securities issued to December 31, 1924

Par value			Estimated money value		
Date initially issued	To whom issued	Par value	Date of sale	Selling price	Estimated money value
	Common capital stock				
June 30, 1912	Issued for cash	$6,500.00	June 30, 1912	Par.	$6,500.00
Do	J. R. Paull	58,500.00	do	Par.	58,500.00
	Total	65,000.00			65,000.00
	Participating stock				
Feb. 23, 1922	J. R. Paull	386,000.00	May 4, 1923	$25½	98,430.00
Aug. 28, 1922	Walbridge & Co	3,114,000.00	do	25½	794,070.00
Feb. 2, 1923	Gen. Con. Corp	953,000.00	do	25½	243,015.00
	Total	4,453,000.00			1,135,515.00
	First mortgage 6½ per cent 25-year gold bonds				
Nov. 30, 1922	Gen. Con. Corp	2,700,000.00	Nov. 30, 1922	89	2,403,000.00
	Convertible 8 per cent income gold bonds				
Aug. 31, 1922	Walbridge & Co	200,000.00	May 4, 1923	25½	51,000.00
Sept. 30, 1922	Gen. Con. Corp	2,300,000.00	do	25½	586,500.00
July 31, 1923	Walbridge & Co	30,000.00	July 28, 1923	27½	8,250.00
Sept. 30, 1923	do	30,000.00	Oct. 31, 1923	32	9,600.00
Oct. 31, 1923	do	15,000.00	do	32	4,800.00
Mar. 31, 1924	Gen. Con. Corp	47,000.00	Apr. 4, 1924	29¾	13,982.50
Do	Walbridge & Co	25,000.00	do	29¾	7,437.50
	Total	2,647,000.00			681,570.00
	Grand total	9,865,000.00			4,285,085.00

EXHIBIT B

FEDERAL POWER COMMISSION,
Washington, April 23, 1927.

PUBLIC SERVICE COMMISSION OF PENNSYLVANIA,
Harrisburg, Pa.

GENTLEMEN: Mr. Harold Tomlin of the commission's accounting staff expects to visit New York City next week where he has several days' work in connection with licensed projects, and while there he will call at the office of the Clarion River Power Co. and arrange to again take up and carry to completion the investigation of the fixed-capital accounts of the Piney development.

It will be recalled that in 1925 a joint examination of the accounts of the Clarion River Power Co. was undertaken by Mr. Tomlin and your Mr. Diehl but was never completed for the reason that at that time access to certain records was refused. Since then the ownership and control of the company has changed hands, and the new owners now promise access to all necessary records.

I trust that it will be convenient for your commission to assign one or more of its representatives to join Mr. Tomlin in the completion of the accounting work on the Clarion River projects. It is probable that Mr. Tomlin will call at your offices in Harrisburg upon completion of the work assigned to him in New York City, and proceed from Harrisburg to Johnstown, where it is understood the detail records are kept.

Very truly yours,

O. C. MERRILL,
Executive Secretary.

Mr. B. F. MORGAL,
Chief Bureau of Accounts,
Public Service Commission, Harrisburg, Pa.

EXHIBIT C

THE PUBLIC SERVICE COMMISSION OF THE
COMMONWEALTH OF PENNSYLVANIA,
Harrisburg, April 27, 1927.

Mr. O. C. MERRILL,
Executive Secretary Federal Power Commission,
Washington, D. C.

DEAR MR. MERRILL: Receipt is acknowledged of your letter of April 23 with regard to taking up at this time the completion of the joint investigation of the fixed-capital accounts of the Piney development of the Clarion River Power Co.

I have consulted with the secretary and the chief of the bureau of accounts and statistics and find that the present assignments of that bureau would not permit of active participation in this work for several weeks to come. I shall either try to see you in Washington in the near future or designate one of the commissioners to talk with you concerning this matter.

With kind regards, I am,

Sincerely yours,

WM. D. B. AINEY, *Chairman.*

Copy sent to Mr. Harold Tomlin, care Empire Hotel, New York City.—W. V. K.

EXHIBIT D

COMMONWEALTH OF PENNSYLVANIA,
THE PUBLIC SERVICE COMMISSION,
Harrisburg, April 3, 1929.

Hon. JAMES W. GOOD,
Secretary of War, Washington, D. C.

DEAR MR. SECRETARY: Attention of the Pennsylvania Public Service Commission has been called to Orders No. 28 issued by the outgoing Federal Power Commission on February 28, 1929, in reference to the exercise of the jurisdiction of the Federal Power Commission over rates, service, and the issuance of securities by electric companies owning or operating any project licensed under the Federal water power act.

This order was promulgated without either formal notice or informal intimation to our commission that it was contemplated, or, so far as we are aware, to any other State commission. The Pennsylvania Securities Commission, which exercises control over all securities issued or marketed in the State of Pennsylvania, was similarly without notice, as we have been informed by that commission.

The public service commission has not had time or opportunity to make a detailed study of Orders No. 28, but the questions involved are self-evidently so important and of such vital interest to State powers that we feel justified in suggesting in this informal way that the Federal Power Commission should suspend this order until an opportunity has been afforded for a full discussion of the problems involved. Such discussions would undoubtedly tend to prevent conflicts in jurisdiction or misunderstanding between the Federal and State commissions.

It is the intention of the Pennsylvania commission to direct this important matter to the attention of the executive committee of the National Association of Railroad and Utilities Commissioners. We have no doubt that that committee, representing 47 State utility commissions, would be glad to cooperate with the Federal Power Commission in a study of the problems involved.

We respectfully request in the meantime that the present Federal Power Commission give this matter its serious consideration.

Sincerely yours,

WM. D. B. AINEY, *Chairman.*

EXHIBIT E

The Scranton Electric Co.
(Controlled by American Gas & Electric Co.)

Year	Earnings on fixed capital		Return on average total investment, including bonds	Return on average capital stocks and surplus	Earnings to average book value of common stock
	Before depreciation reserve deducted	After depreciation reserve deducted			
	Per cent	*Per cent*	*Per cent*	*Per cent*	*Per cent*
1923	13.78	13.99	13.80	23.25	34.08
1924	14.15	14.77	15.11	23.75	35.66
1925	15.51	16.34	17.59	27.31	40.13
1926	18.94	20.19	22.13	34.26	49.27
1927	19.96	21.57	21.64	31.76	43.10
1928	15.98	17.14	17.59	27.52	38.28

(Data compiled from Utility Corporations No. 22, prepared by Federal Trade Commission pursuant to Senate Resolution No. 83, Seventieth Congress.)

FEDERAL POWER COMMISSION,
Washington, December 11, 1930.

Memorandum for C. A. Russell.

Accompanying are copies of a telegram of December 8 and a letter of December 9 from the chairman of the Pennsylvania Public Service Commission addressed to Secretary Hurley.

I shall be glad to have you furnish me, without delay, an explanation of the statements to which reference is made.

RAY LYMAN WILBUR,
Secretary of the Interior, Acting Chairman.

[Inclosures]

SIGNAL CORPS, UNITED STATES ARMY,
Harrisburg, Pa., December 8, 1930.

Hon. PATRICK HURLEY,
Secretary of War, Chairman Federal Power Commission:

According to newspaper dispatches, Solicitor Russell, of the Federal Power Commission, made statements this morning in the District of Columbia Supreme Court in reference to the Public Service Commission of Pennsylvania. As published, these statements are absolutely untrue and without any justification of fact. It is astounding that they should be made by a legal representative of the Federal Government.

The Pennsylvania commission has no jurisdiction over the security issues of public utilities, but, nevertheless, has rendered every assistance to the Federal Power Commission in the matter of determining license costs of all projects in Pennsylvania, although the sole jurisdiction in such matters is in the Federal commission. This has been done not only in the Clarion River project but also in the Conowingo and Safe Harbor projects. The commission will forward you later a detailed statement in reference to these matters and this statement will show, we believe, that Mr. Russell owes explanation to his superiors and apology to the District court.

THE PUBLIC SERVICE COMMISSION OF THE
COMMONWEALTH OF PENNSYLVANIA,
W. D. B. AINEY, *Chairman.*

THE PUBLIC SERVICE COMMISSION OF THE
COMMONWEALTH OF PENNSYLVANIA,
Harrisburg, December 9, 1930.

Hon. PATRICK HURLEY,
Secretary of War, Chairman Federal Power Commission,
Washington, D. C.

DEAR SIR: In newspaper dispatches from Washington published yesterday, December 8, statements were ascribed to Charles G. Russell, solicitor for the Federal Power Commission, before the District of Columbia Supreme Court, to the effect that the Pennsylvania Public Service Commission has "failed to apply the law while the Clarion River Power Co. issued watered stock," and that the commission had displayed a "similar attitude of indifference toward other electric-power companies in Pennsylvania." Presumably he referred to other electric-power companies which have applied to and received permits or licenses from the Federal Power Commission. He also asserted, according to the press dispatches, that "so long as the State commission declined to investigate the financial status of these companies, the only relief which might be expected would have to come from the Federal Government."

As a necessary basis for consideration of these statements attributed to Solicitor Russell two facts must be borne in mind, as follows:

First. The Pennsylvania commission has no jurisdiction over the security issues of utility companies, and therefore neither approves or disapproves of them in amount or in any other respect.

Second. The sole jurisdiction in the matter of determining prelicense costs of a project, such as that of the Clarion River Power Co., rests with the Federal Power Commission. (Act of Congress of June 10, 1920, ch. 285, sec. 14; Code, title 16, ch. 12, sec. 807.)

It has been the policy of the Pennsylvania commission to give every assistance possible to the Federal Power Commission in the latter's work of determining the costs of the various projects licensed by the Federal Power Commission in the State of Pennsylvania. There have been four such projects, namely, Clarion River, Wallen Paupack, Conowingo, and Safe Harbor. In each of these, in the fullest spirit of cooperation, the Pennsylvania commission has endeavored to assist the Federal Power Commission in the functions which devolve solely upon the latter in the matter of determining costs as provided under the section of the act of Congress above referred to.

In the Clarion River project the Pennsylvania commission, on August 10, 1925, directed its bureau of accounts and statistics to join with the auditors of the Federal Power Commission in making a detailed audit of the books of the Clarion River Power Co. This audit was made by the accountants of the two commissions who joined in a report of November 4, 1925, which report was made the basis of the subsequent procedure of the Federal Power Commission and apparently has been made the basis for the legal procedure in the action which the Federal commission is now pursuing in the District of Columbia court. The Pennsylvania commission understands that subsequent to the joint report of November, 1925, the Federal commission engaged in a further audit of certain additional field construction records. The Pennsylvania commission or its auditors were not invited to participate in this audit, and its results were not made available to the Pennsylvania commission, except in the form of a preliminary report or finding by the accounting department of the Federal commission.

With respect to the Wallenpaupack project, the Pennsylvania commission participated by invitation in preliminary investigations in March, 1926, preparatory to a detailed audit, and by agreement between the Pennsylvania and Federal commissions, the accountants of the latter proceeded to a detailed audit and their report was made available to the Pennsylvania commission. The Pennsylvania commission did not participate in the preliminary findings of the accounting department of the Federal commission which were made in October, 1930.

In the Conowingo project the Pennsylvania and Maryland commissions participated in an audit of the prelicense costs, which culminated in a joint hearing in Washington in February, 1927, since which time the Federal commission has taken no action. A few weeks ago the Pennsylvania and Maryland commissions were invited to participate in a further audit of the books pertaining to the Conowingo project and the Pennsylvania commission will do so, as is evidenced by its letters of November 18 and December 1, 1930. The auditors of the Pennsylvania commission and the Maryland commission (with which the Pennsylvania commission has been in conference) stand ready to proceed with their assistance to the Federal Power Commission whenever the latter is prepared to exercise its jurisdictional functions in the matter of this particular project.

In the Safe Harbor project a joint audit report was made February 10, 1930, by the accountants of the Federal commission and the Pennsylvania commission. Incidentally, the auditors of the Pennsylvania commission were obliged, by reason of the existing circumstances, to assume practically all of the work of this audit, although the jurisdictional function in the matter rested with the Federal commission. In this proceeding, an agreement with respect to prelicense cost was reached with the Safe Harbor Co., and the Federal commission issued its license in accordance therewith.

From the foregoing statement of facts, which may be revealed by the records of the Federal Power Commission as well as those of the Pennsylvania commission, it will be noted that the Pennsylvania commission has freely rendered its assistance to the Federal commission in all of the projects within the jurisdiction of the latter in the State of Pennsylvania.

In the absence of jurisdiction over security issues, a matter which Solicitor Russell appears to have stressed in his statement to the District of Columbia court, the Pennsylvania commission has primarily centered its attention upon the public interest involved in the matter of rates. From its records it finds that the Clarion River Co. does not serve the public generally, inasmuch as it is not a distributing company. It sells its entire product to two distributing companies. It has on file with the commission a contract for the sale of its entire output at a flat base rate of 7 mills per kilowatt-hour. The annual reports of the company on file with the commission show that the revenue produced by the sale of energy at the rate of 7 mills per kilowatt-hour, after deducting the reported operating expenses, taxes, and depreciation, represented a return of 7 per cent on a property value of $5,160,000 in 1926, of $4,924,000 in 1927, of $5,590,000 in 1928, and of $7,044,000 in 1929, or an average for the four years of a 7 per cent return upon $5,680,000.

In view of the above facts of record, Mr. Russell's reported statements in reference to the Pennsylvania commission are, we submit, totally unsubstantiated and unjustified. Further, his general allegation of "indifference" is negatived by the fact that the Pennsylvania commission has not only freely devoted the services of its auditors to assist the Federal Power Commission in its work but has also on every occasion in which the Federal Power Commission or the Federal Trade Commission have made request placed at their disposal the reports, records, and other information in the files of this commission. During the past 12 months no less than 60 reports and 220 formal docket records have in this manner been submitted to the Federal commissions by the Pennsylvania commission in its desire to cooperate and assist them in every manner possible.

Under these circumstances the Pennsylvania commission protests most earnestly and emphatically against such unwarranted, misrepresentative, and untruthful statements as those ascribed in Associated Press dispatches to Solicitor Russell in his remarks to the District of Columbia Supreme Court. It is inconceivable to the Pennsylvania commission how, in the light of facts easily ascertainable, a representative of an agency of the Federal Government should be guilty of such a gross imposition upon the court and such an unwarranted attack upon an official agency of one of the sovereign States. The Pennsylvania commission hereby registers its protest with the Federal Power Commission and submits that unless Solicitor Russell can substantiate his statements he should be obliged to retract them and make open apology in court.

Very truly yours,

THE PUBLIC SERVICE COMMISSION OF THE COMMONWEALTH OF PENNSYLVANIA.
WM. D. B. AINEY, *Chairman.*

CANCELLATION OF FOREIGN DEBTS

Mr. FLETCHER. Mr. President, I ask leave to have printed in the RECORD an editorial appearing in the Saturday Evening Post of December 13, 1930, relating to cancellation of the allied debts.

The VICE PRESIDENT. Without objection, it is so ordered.

The editorial is as follows:

[From the Saturday Evening Post, December 13, 1930]

CANCELLATION AGAIN

Propaganda to cancel allied debts to this country is being revived, and, we believe, without basis. It is urged that nothing would so improve the international economic situation and promote our own foreign trade as a forgiveness of these debts. But they have already been scaled down very substantially in several respects from the original and actual obligation. They now stand at a figure which forms but a small fraction of the aggregate international exchange and constitute one of the least factors or elements which enter into that exchange. Even granting the wisdom of canceling these debts, which we do not, the effect would be slight. There is no reason to assume that world-wide economic conditions have been caused by these interest payments, and therefore we can not follow the processes of reasoning of those who argue that their cancellation would work a cure.

The largest amount comes from England, but she has promised to remit to her debtors if we remit to her. The largest of these is France, and France also makes the next largest payment to us. But no country in Europe is better off than France. She has less unemployment than the United States and her holdings of gold are the envy and wonder of the world.

Suppose we should cancel these debts and the Allies in turn should cancel those which Germany is supposed to pay to them. The result then is that the American taxpayer shoulders Germany's share of the cost of the war. That, we submit, is something which no one has the right to ask. No doubt foreign nations are perfectly willing that we should pay for the war, but no government in this country dares go before the American people to advocate such a course and no Congress or administration has been foolish enough to take such a stand.

How can any sensible man advocate the cancellation of these debts while Europe remains an armed camp? If we should wipe out these payments to-day, does anyone believe that Italy, France, and England would cut down their armies and navies? Indeed, who doubts that they would take just the opposite course? If they suffer from economic burdens, let them reduce their vast armaments. In that case we could reduce our own great and costly Navy. But if these European debtor countries can afford the luxury of arming on such a stupendous scale against one another it is preposterous to argue that they can not meet their drastically reduced obligations to us.

THE INTERNATIONAL SOCKEYE-SALMON TREATY

Mr. DILL. Mr. President, a few days ago I had printed in the RECORD a speech by the governor of my State in regard to the sockeye-salmon treaty. I have a reply to that, delivered by Mr. Miller Freeman before the Seattle Bar Association on December 10, 1930, which I ask to have printed in the RECORD.

The VICE PRESIDENT. Is there objection?

There being no objection, the address was ordered to be printed in the RECORD, as follows:

I have consented to address your distinguished body on the pending international sockeye-salmon treaty not to persuade you to my views, but in order that you will be able to review the subject dispassionately, with the hope that after careful examination of the facts you will reach your own conclusions and make your recommendations accordingly to the United States Senate without prejudice, based solely on what you conceive to be the best solution of the problem in the interest of this important industry and of the people of the State of Washington.

The members of your profession are trained in logic. You will not be influenced by superficial statements. I trust that you will

so thoroughly pursue your examination that you will consider all angles of the question. If there are valid objections or fundamental points of weakness, they should be brought to light at this time, and if they be found disadvantageous to the interests of the fishing industry and of the State of Washington, they should be corrected.

The pending treaty was approved by Canada May 26, 1930, and now awaits like action by the United States Senate.

The treaty is designed to deal solely with the Fraser River sockeye run. It places under joint control all the waters of the Strait of Juan de Fuca and the connecting waters leading to the Fraser River. On the Canadian side it includes the waters of the Gulf of Georgia from Lasqueti Island to the Fraser. In addition there is included the area of waters outside the 3-mile limit approaching the Strait of Juan de Fuca between the forty-eight and forty-ninth parallels of latitude. The entire Fraser River Basin, with its lakes and tributaries, is also embraced by the treaty. Thus the combined area of the fishing waters frequented by sockeye salmon and the spawning grounds are to be joined and put under the administration of a commission of six members, three from each nation. The commissioners are removable at the pleasure of the respective Governments and are to serve without salary.

The commission is empowered to make a thorough investigation of the fishery and determine on methods for its rehabilitation. The commission has the power to improve spawning grounds, construct and maintain hatcheries, and provide other facilities as may be determined necessary for the propagation and stocking of sockeye salmon.

It is provided in the treaty that the cost of this work be borne equally by the two Federal Governments, who agree to make the necessary appropriations therefor.

The commission is empowered to limit or prohibit taking sockeye salmon in the waters embraced by the convention, and to make certain other regulations as specified, designed to give the commission adequate powers to protect the species in their migration to the spawning beds.

No order of the commission shall be effective unless affirmatively voted for by at least two of the commissioners of each high contracting party.

The treaty declares that as "It is the purpose of the high contracting powers to establish a fishery that is now largely nonexistent, the commission is directed to regulate the fishery with the view to allowing as nearly as may be practicable an equal partition of the fish that may be caught on each side."

The treaty is to continue in force for 16 years, and thereafter until withdrawn.

The primary purpose of the treaty is to permit a sufficient escapement of sockeyes to go to the Fraser River to perpetuate the industry.

The Fraser River sockeye fishery is international in character. This species spawns in the Fraser River Basin in British Columbia and migrates to and from the sea through American waters.

The sockeye-salmon fishery of the Fraser River system was formerly the world's greatest salmon fishery. Its former magnitude is illustrated by the fact that in 1913 the pack on both sides of the line totaled 2,401,488 cases. In 1929 the combined pack was 172,291 cases, or 7.2 per cent of the 1913 pack.

The Fraser River Basin has an area of 90,903 square miles—a territory larger by 20,000 miles than the State of Washington. It contains 16 great lakes and many smaller ones. No other river on the Pacific coast contains so extensive an area of lakes adapted to the propagation of sockeye salmon. Sockeyes spawn in streams tributary to lakes and on the shoals of lakes, and their young remain in the lake waters for a year or more before migrating to the sea.

Scientists tell us that the packs of the years 1901, 1905, 1909, and 1913—amounting to an average of nearly 2,000,000 cases—may be taken from the run each year without an overdraft whenever the spawning beds are as well seeded as during that period. The spawning area of the Fraser River has not been injured or lessened. Owing to the wild, mountainous character of the country, it will never be encroached on by civilization to any marked degree.

When seeded by spawning sockeye as abundantly as formerly, the waters of the Fraser River system will produce annually, at a reasonable estimate, a pack valued at $30,000,000. The fish will do all the work necessary to produce a crop worth this considerable sum, provided the United States and Canada furnish them a safe passage through the fishing grounds. It is one of the greatest reclamation projects in which the two countries can engage.

There is no dissenting opinion from any source on the issue that the fishery should be restored. The differences of opinion are on the means to be employed.

The subject has been discussed and various solutions sought, in my own knowledge, ever since I founded Pacific Fisherman in 1903. On consulting the files of that journal I find that the fish commissioner of the State of Washington first approached the United States Government in the fall of 1903 with a proposition to establish an international hatchery on the Fraser.

In May, 1904, the Washington State fisheries commissioner visited Vancouver for the purpose of securing cooperation of the Canadian fishing interests in the establishment of an international hatchery. The view then expressed by the Canadians was that the only way would be for the two Federal Governments to enter into an agreement.

In 1905 an attempt failed to induce the Legislature of the State of Washington to enact reciprocal legislation with British Columbia. In September, 1906, the Canadian and Washington State Fisheries Commission held a conference in Vancouver, without result.

December, 1907, President Roosevelt recommended a treaty between the United States and British Government. An international commission was appointed and drew up a treaty. This treaty was killed in the United States Congress in 1913.

In June, 1912, a meeting of legislators of Washington State and British Columbia was held in Seattle. In September, 1913, the Canadian fisheries commissioner gave out a statement that the regulations adopted by the State of Washington designed to operate concurrently with those of British Columbia were unsatisfactory.

In 1918 Secretary Redfield, of the United States Department of Commerce, proposed a plan to tie together all the boundary fisheries of the United States and Canada. This fantastic scheme failed.

In 1921 the Washington State Legislature appropriated $100,000 to be expended in the construction and operation of hatcheries on the Fraser River in conjunction with the British Columbia Government. The committee offered to pay over the money to a corporation to be operated under the laws of British Columbia or Canada. The British Columbia Government declined to accept the funds or to permit the State of Washington to render such assistance. Moreover, there was no authority in law for the making of such an arrangement by either of the two local governments.

The repeated attempts to induce the Legislature of the State of Washington and the Canadian Government to adopt substantially similar laws regulating the sockeye fisheries over all these years have been unavailing. It is generally agreed by all authorities in international law that it can only be effectively accomplished by international agreement of the two Federal Governments.

In his radio talk December 4, Governor Hartley stated that "untruthful propaganda" is being spread to the effect that the salmon industry of Puget Sound is being depleted.

Governor Hartley, in support of his position that the State is adequately dealing with the problem and that a treaty is unnecessary, quotes the following figures showing the total number of cases of salmon packed on Puget Sound in the odd years:

1921	653,400
1923	758,183
1925	911,670
1927	892,244
1929	1,131,844

Thus, he says, "within a period of eight years the salmon pack of Puget Sound, as a result of the constructive policy of his administration, has been increased 73 per cent."

The governor gives the impression that the treaty relates to "salmon," without distinction of species. There are five distinct species, each of which is quite a different fish in character and habits from the others. The State of Washington has dealt more or less successfully with four of these species, which breed and are caught largely within State waters; but the sockeye, most valuable of all these species, is not within the control of the State.

However, the governor's figures cover all species including those originating in the State of Washington. But the proposed treaty will not deal with the fisheries originating within the State but with the Fraser River sockeye originating in Canada. During the same years quoted by the governor the total cases of Fraser River sockeye caught and packed on Puget Sound was as follows:

1921	102,967
1923	47,402
1925	112,023
1927	97,594
1929	111,898

A total of 471,884 cases for the five years, compared with 1,673,099 cases in the one year, 1913, and 411,538 cases even as late as 1917.

Thus it will be seen that any efforts that may have been made by the State to improve the conditions of the sockeye have been ineffective.

In 1929 the sockeye pack on Puget Sound was 111,898 cases, compared with 1913 of 1,673,099 cases, a shrinkage of 93 per cent. Both were runs of the 4-year cycle.

Governor Hartley says the way to insure the sockeye run is to extend the culture of the fish by increasing the size and number of the hatcheries on the Fraser River. To this we readily subscribe. But who is to pay for the hatcheries? They would have to be in Canadian territory, owned and run by the Canadian Government. Would Governor Hartley recommend or guarantee that the Legislature of the State of Washington appropriate funds for this purpose to be turned over to Canada?

It is in the power of the people of either the State of Washington or British Columbia to completely destroy the sockeye salmon of this district, but the people of neither side can build it up without the organized cooperation of the other.

Fears are expressed that legitimate prosecution of other important fisheries is endangered by the regulatory powers given to the commission. In my humble opinion such fears are groundless. As the sole purpose of the treaty is the restoration of the sockeye fishery the commission would not be concerned with other species. The first duty of the commission would be to make a thorough investigation, and its regulations must not be based on prejudice or arbitrary opinion but on facts brought out by research. In this connection the United States Government is now expending $125,000 in the construction of a research laboratory at Seattle,

largely for the purpose of studying the habits of the Pacific coast salmon.

The purpose of any commission receiving the best thought of members appointed by the heads of the two Governments would be to restore the fishery with a minimum of hardship to those engaged in the fisheries, whatever their status. With the assent of two out of three members on each side required for any action it is inconceivable that any unjust or unwarranted action could be maintained.

Treaties of this nature are not uncommon.

The commerce of the Danube is administered by a compact of all the adjoining countries, with its own independent administrative powers.

The fur-seal fisheries of Alaska have been successfully administered for many years by international treaty between the United States, Canada, and Japan.

A treaty between Canada and the United States has been in existence for some years, dealing with the halibut fisheries of the Pacific coast.

Probably no greater single act of conservation of wild life was ever inaugurated than when the migratory birds convention act was ratified between the United States and Canada in 1916. Under this it was recognized that the protection of migratory birds was an international question, not a local one, as it is only by international agreement under Federal auspices that we can be assured that protection equivalent to that extended in one country will follow migrant birds to other jurisdiction.

Under the enforcement of the terms of this treaty there has been a very decided increase in the number of birds of the species affected, and it seems as if its continuation will provide for their permanent welfare.

Governor Hartley says the treaty proposes to "take away from our people the control of one of the State's greatest natural resources, the salmon." The treaty refers only to the sockeye salmon, which is not in any strict sense a resource of the State of Washington, but a joint resource of this State and of Canada; of Canada primarily, for no commercially important run of sockeye breeds in any stream of Puget Sound. The great run merely passes through Puget Sound waters; its breeding grounds are in the Fraser River of British Columbia. The treaty has nothing to do with the other four species of salmon, which are quite distinct from the sockeye.

The only interest that "our people" as a whole have in these salmon is that the resource shall be preserved as a permanent asset. This the treaty is designed to do, and that is its only purpose; and the fish can be preserved in no other way than by some such treaty. "Our people" care little by what means the resource is controlled so long as this end is accomplished, whether through their elected legislators (whose official powers do not enable them adequately to control the sockeye salmon), or by a commission in which the United States and Canada—both equally interested—are jointly and equally represented.

Governor Hartley calls the treaty "a menace to one of the State's greatest industries." In what possible way can it be a menace? It authorizes a commission to control fishing for sockeye salmon, to the end that the run be not further depleted by overfishing, which has been shown by thorough scientific investigation to have been an important factor in causing the diminished catches, at least in the "small years," from 1913 to 1928; and also to conduct hatchery work and other activities for the restoration of the resource to its previous important position. The commission would be also authorized, as a first and most essential step, to carry on a thorough scientific research on the sockeye salmon, to determine the best means of accomplishing its restoration; something that the State of Washington has never even undertaken, although Canada and the Province of British Columbia have done considerable work along this line. Nor has the State of Washington ever, until this year, when the treaty has already been ratified by Canada, shown but slight official interest in controlling the sockeye fishery or curtailing the commercial drain on this fishery, even when it was so depleted as to be of little commercial importance.

It is stated that the salmon industry of Puget Sound produced last year $11,000,000 to the State. That was the cycle year of the big quadrennial sockeye run, but of the total the value of sockeyes was only $2,203,496, while in 1913, the last really "big year" for sockeyes, this species alone produced a value of $10,871,178. At 1929 prices the sockeye pack of 1913 would have produced over $30,000,000 in value, not counting other species of salmon. If production could have been maintained on the same basis, last year's salmon pack of all species on Puget Sound would have been worth nearly $40,000,000. The treaty is designed to restore these departed values; and the only action that has been taken since 1913 to restore these values has been to negotiate, time after time, for the adoption of such a treaty.

The statement is made that what is stigmatized as "untruthful propaganda" of the approaching extinction of the salmon industry implies that the State department of fisheries is not functioning. The state of the sockeye fishery implies no inefficiency on the part of the State department of fisheries, since it is a fishery over which the department has no adequate control. A large part of the commercial fishery for these sockeyes is in Canadian waters, and all their breeding grounds are in Canada, where this department can not reach them. The State fisheries department has had some success—in some cases notable success—in preserving and building up such salmon fisheries as are within its control, but the sockeye fishery is not within its control. As for the truthfulness of the so-called "propaganda," let the figures speak for themselves. The depletion of the sockeye salmon between 1913 and 1929 is too evident to be disputed. The run of 1930 was gratifyingly large, due to conditions fairly well understood by scientists who predicted it; but this is just a promise of what may be accomplished under scientific control.

Governor Hartley says: "The State department of fisheries, composed of men with real knowledge of the industry and habits of the salmon, conducted effective policies, established closed fishing areas and closed seasons, which corrective policies brought immediate results." Yes; the State fisheries board, appointed by Governor Hart, took such measures, with most gratifying results, in connection with such salmon fisheries as were within their complete control—which did not include the sockeyes.

The expenses of the State fishery administration (which is wholly ineffective as applied to the sockeyes) are borne by the industry; the expenses of the sockeye administration under the proposed treaty would be borne equally by the Governments of the United States and Canada.

Governor Hartley emphasized the accomplishments of the State fisheries department in the fact of encroachments of hydroelectric developments, etc., on our spawning beds. His remarks here, as elsewhere, do not in any way relate to the sockeye salmon but to other and less valuable species which spawn in State waters. And in the one small sockeye stream of this State—Baker River—a high dam has been built, causing a reduction in the spawning run from 8,000 and 15,000 fish in former years to 1,035 fish in 1930.

If we do not go back to 1913 and previous years, the State has made a fairly good showing in maintaining such species of salmon as are within its control, but not in the sockeyes, which are an international resource and can not be controlled by this State alone. As already pointed out, the fishermen of either Washington or British Columbia have it in their power to destroy the sockeye resource, but neither the fishermen nor the authorities of either side, working independently, have it in their power to protect or restore it.

Governor Hartley imputes a "hidden motive" or a "personal monetary objective" to those who advocate the treaty. The treaty aims to restore the sockeyes, one of the means contemplated being prevention of destructive overfishing. The only possible monetary objective of its advocates is to profit, along with the rest of our people and those of Canada, by participation in the increased values which the sockeyes can be made to produce if they are maintained and restored to something like their former abundance. We certainly plead guilty to this imputation. All of us—all of you gentlemen—all the people, both of the State of Washington and the Province of British Colombia, have a "stake" in the sockeye salmon and a personal monetary objective in their restoration.

It is stated that the treaty would take the salmon fisheries of the State of Washington from the jurisdiction of our citizens. This is only partially true. It would take from the State of Washington only jurisdiction over the sockeye salmon fisheries, with some incidental effect on other salmon that are taken at the same time and by the same gear as sockeyes. And this State has never had and never can have any complete jurisdiction over sockeye fisheries, since the sockeye fisheries extend to a great degree over into the Canadian side and out onto the high seas. The sockeyes appear outside the Strait of Juan de Fuca and run through Puget Sound into Canadian waters, and then play back and forth across the boundary line, asking no permission of immigration officers, until they are ready to ascend to their breeding grounds in the lakes of the Fraser River system.

Governor Hartley says the people's rights are being taken from them under the name of conservation. What rights? And the rights of what people? The people as a whole can not fish for sockeye salmon, which are scarcely ever known to bite a hook. The "right" or privilege of fishing for them with great, expensive nets and traps, by which means alone they can be caught in any quantity, can only be exercised by a few. Have these few the "right" to fish so intensively as to destroy the sockeye fishery? They can not be prevented from doing so by any independent action of State or Province, but only by international agreement between the United States and Canada. We maintain it is the right of the people as a whole to expect that this resource will be maintained to them as a permanent source of national wealth, which is all that this treaty is designed to do.

The principal original cause of depletion of the great sockeye salmon run following 1913 was a rock slide in the Fraser River that year, although overfishing, before and since, has been an important contributing factor, as has been clearly known by scientific reports.

The State of Washington has indeed offered to contribute to fish-cultural operations in the Fraser River district, knowing full well that the Dominion of Canada could not deal with this State officially and could not, in its dignity as a government, accept such contribution in an informal and unofficial manner or without a definite international agreement. The offer was rejected; Canada's reasons were not to be questioned; the fact remained that nothing could then or can now be accomplished in this way. On the other hand, Canada was willing to deal with the matter formally by treaty, as shown by its ratification of several previous treaties, all of which were rejected by the United States on objection from Washington State interests.

Since the catastrophe of 1913 the State of Washington has done very little to allow an escapement of sockeyes. The closed areas established were for the most part located in places not frequented by the sockeye run; and the closed seasons were arranged, prior to 1930, with the specific view of allowing the fishermen of this State the utmost freedom in catching sockeyes that could be exer-

cised without at the same time depleting the pink salmon. The fisheries board early in its existence established a closed season from September 6 to 15, inclusive, during which, as a rule, few sockeyes were present in these waters; but this closed season, enforced in the big years for pink salmon, was customarily suspended in the alternate years.

With the treaty pending, however, the closed season was applied to sockeyes in 1930; and, with a relatively large run for which the industry was unprepared, there has been this year a larger escapement than for many years previous to a few of the many lakes of the Fraser River system.

This escapement probably warrants expectation of another large run of sockeyes in 1934, even though far less than that of 1913. Without more adequate control than now exists, however, this will simply be an open invitation to get them while the getting is good, and will result in an unparalleled concentration of gear in both Puget Sound and Fraser River waters. The Canadians, who had hoped for a treaty which would assure the preservation of the sockeyes, are becoming impatient with the attitude of this side and are disposed to open the river as a free-for-all proposition unless a formal agreement is adopted. This, with the kind of fishing commonly carried on during the sockeye run in Puget Sound waters, would immediately destroy anything that has been gained by the 1930 improvement.

The sockeyes, as previously shown, are not properly to be regarded as a resource of the State of Washington, and it can not in the nature of things exercise such control as would preserve this fishery; this can only be done by a "joint commission" or through some form of definite agreement between the United States and Canada. The adoption of this treaty would not in any way interfere with the right of the State of Washington to protect its fisheries; it would still be at liberty to adopt any protective measures it desires beyond those adopted under the treaty in respect to the sockeyes and would have virtually full control over all other salmon fisheries within its borders. The treaty involves no abrogation of the State's prerogatives over which one can reasonably become excited for any other than strictly political reasons.

Governor Hartley asks naively, "What can be done to insure the sockeye run?" This is just what the treaty is designed to do and can not be accomplished except by treaty.

Governor Hartley's speech offers no constructive suggestions as to means whereby the sockeye resources can be maintained or built up. There is at present no adequate provision for control of the sockeye fishery; under present conditions the only control is a partial independent control exercised separately by Canada and the State of Washington, which from past observation can accomplish nothing; to be at all effective the control must be unified. Need of effective control, as has been shown, is as great as ever; without it any natural improvement in conditions will be immediately neutralized by increased intensity of fishing. Opponents of the treaty have failed to suggest any other way in which unified control, or any adequate control, can be brought about. We are unable to see and believe it will be impossible to devise any other means by which the situation can be dealt with than the pending treaty or an international agreement along very similar lines.

Referring to the suggestion attributed to Governor Hartley that "this question might properly be left to the intelligence and self-interest of the State of Washington and the Province of British Columbia, leaving to the citizens of these respective Commonwealths the control and jurisdiction of their own resources," Hon. Simon F. Tolmie, Premier of British Columbia, said:

"I am not in accord with Governor Hartley's views in this matter. Neither the State of Washington nor British Columbia can effectively deal with it. They can not enter into a treaty other than through federal governments. The State, it is true, can enact fishery legislation that is effective until it is repealed—it is flexible; it can be repealed at any session. It can not be made binding for a period of time sufficient to restore the Fraser sockeye runs to maximum abundance, for that will require years. Furthermore, the Province has no jurisdiction over its fisheries; with us it is a Federal question. The Dominion alone has jurisdiction. Canada can not exchange a treaty with the State of Washington; she can only act in conjunction with the United States. Neither Canada nor the United States acting singly can provide measures that will insure the seeding of the spawning beds of the Fraser for a period of time necessary to restore the run. That can only be accomplished by concurrent Federal action. Joint and uniform regulation that will afford free passage for the fish through Canadian and American waters must be provided and made effective for a sufficient period of time to restore the fishery. Sufficient fish must be permitted to pass through the fishing waters to reach and seed the beds. The interests of Canada and the United States in this question are great. It is not alone a Canadian or American question. It is not a State or Provincial question. It is an international question and can not be dealt with except in an international way.

"The governor is quoted as having said that he did not know the reason for the exchange of the Fraser River sockeye treaty. The restoration of the sockeye salmon of the Fraser River system has been a burning question for years. It was formerly the richest sockeye fishery in the world. It now produces but a fraction of its former production. The fishery can be restored by a treaty. It can not be restored in any other way."

No extreme measures injurious to other fisheries could be put in effect. Any attempt to do so would be obvious and would immediately render the position untenable.

At a public hearing in Seattle September 4 by Senators JONES and DILL two objections to the treaty were raised. One to the extension of control over waters outside the Strait of Juan de Fuca, which now are under no control; and two, that the commission would be given too great authority. Respecting these points, Senator JONES said:

"They come properly within the administrative functions of the commission; but the commissioners from the United States at least will undoubtedly be guided in their attitude by the facts brought out at this hearing, and the assent of two members from this side is necessary to any official action. As I see it, indeed, they will be obliged in the exercise of their regulatory powers to give due consideration to such reasonable desires of the industry as have been or may be expressed, in so far as they do not conflict with the duty of preserving the sockeye fishery.

"It is a notable fact also that, contrary to the condition in most international commissions, the commissioners are subject to removal by the President at any time, and no doubt new men will be appointed should the service of the original members prove unacceptable."

The importance of the matter at issue—action to restore the sockeye fishery—stands out far above any minor consideration or quibble over details. The treaty may not be perfect, but if it offers the reasonable possibility of doing this without gross injustice or serious hardship it should be adopted.

Puget Sound is the headquarters of the salmon fishing industry for the entire Pacific coast. The prosperity of its people is dependent to a far greater degree than is generally realized on the welfare of this industry. The 1930 census of population of communities bordering on Puget Sound has fallen short of expectations. Unless the means of livelihood of our people are assured the 1940 census will be even more disappointing.

The fisheries are inherently a public and not a private resource. If this treaty fails it is doubtful if the Canadian Government will ever be induced to reopen negotiations. It is not unlikely that Canada will then open the Fraser River area to unrestricted fishing, in which event the industry would be permanently destroyed. That is one way to eliminate the problem from further discussion.

I personally am entirely dispassionate in my views. I am not a partisan of any branch or faction of the industry, but am deeply interested as a citizen in maintaining this valuable resource. I have not written a line of this treaty, but have joined wholeheartedly with this, as well as all part efforts, both local and international, in an endeavor to reach a practical solution of the problem.

"METHANOL: ITS CONTROL A PUBLIC HEALTH PROBLEM"

Mr. RANSDELL. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Methanol: Its Control a Public Health Problem," by Dr. Henry C. Fuller. This article is of a technical nature, and I am having it inserted in the RECORD at the request of one of my constituents.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Charging that the report released Saturday by Dr. R. R. Sayers, chief surgeon of the Bureau of Mines, Department of Commerce, and W. P. Yant, supervising chemist of the same bureau, was based upon an investigation financed by the manufacturers of synthetic methanol (wood alcohol) and that it may lull the public into an unwarranted feeling of security, Dr. Henry C. Fuller, of Washington, D. C., formerly chemist of the Bureau of Chemistry in the United States Department of Agriculture and assistant to the late Dr. Harvey W. Wiley, father of the pure food and drug law, to-day made public an exhaustive study of the whole subject of the dangers which threaten the users of wood alcohol in any form.

"They call it 'methanol' now—the same liquid with its subtle effects that for years has been a danger signal to health in the mind of the public and known to the layman as wood alcohol," says Doctor Fuller. "Human ingenuity can not change the actions that nature has given a substance, no matter by what name it is designated. It is the same insidious poison under the name of methanol as when it was termed 'wood alcohol,' 'methyl alcohol,' 'Columbian spirits,' 'colonial spirits,' 'wood naphtha,' 'methyl hydroxide,' 'methyl hydrate,' or 'greenwood spirits,' depending upon the degree of commercial purity under which it was sold."

Quoting eminent scientists in support of his views, including the editor of the official organ of the American Medical Society, as well as Dr. Reid Hunt, of Harvard Medical School; Dr. David I. Macht, of Johns Hopkins University; and Dr. R. H. Price, assistant medical director of E. I. du Pont de Nemours & Co., Doctor Fuller directs attention to numerous experiments to determine the effects of wood-alcohol poison which have been conducted from time to time, and states that these tests show that wood alcohol is capable of producing death, degeneration of kidneys and liver, or blindness if taken into the body through the stomach, skin, or lungs in sufficient dosages.

"Wood alcohol is a true poison," says Doctor Fuller. He cites a number of "poisons" which, while deadly if improperly used, may be distinctly beneficial to humanity if administered under the direction of competent medical advice. "On the other hand," he says, "wood alcohol is a sure and certain poison no matter how it is used. Toxic effects come from breathing its vapors, from absorption through the skin when it comes in contact with the body,

and, of course, when consumed by mouth, innocently or accidentally. And it is a poison for which there is no known antidote."

In Doctor Fuller's opinion, the traffic in wood alcohol "ought to be regulated as rigidly as is the traffic in other poisons. Measures to this end might properly be under national control. In some of our Commonwealths and municipalities there are laws and regulations limiting the sale of wood alcohol and preparations containing it, and providing for certain requirements in labeling, etc.; but there is little or no uniformity in the scope and character of such regulatory measures, and what we need for the protection of the public health are uniform State laws and uniform ordinances in the cities and towns to control local distribution and use. Such regulatory measures may be obtained when legislators and city councils have been fully impressed with the seriousness of the situation. Without such legislation we may expect widespread outbreaks of methanol (wood-alcohol) poisonings and perhaps epidemic conditions."

METHANOL—WOOD ALCOHOL—ITS CONTROL A PUBLIC-HEALTH PROBLEM

(By Henry C. Fuller, B. S., formerly chemist, Bureau of Chemistry, United States Department of Agriculture, and assistant to the late Dr. Harvey W. Wiley in food and drug investigations)

They call it methanol now, the same liquid with its subtle effects that for years has been a danger signal to health in the mind of the public and known to the layman as wood alcohol, and human ingenuity can not change the actions that nature has given a substance, no matter by what name it is designated. It is the same insidious poison under the name of methanol as when it was given its first appellation, wood spirits, subsequently termed "wood alcohol," "methyl alcohol," "Columbian spirits," "colonial spirits," "wood naphtha," "methyl hydroxide," "methyl hydrate," "greenwood spirits," depending on the degree of commercial purity under which it was sold.

But no matter how pure it was from a chemical standpoint—and the commercial methanol, wood alcohol, now on the market is practically chemically pure—it has always possessed the same physiological action, intensified to some extent by the amount and character of the impurities present. For methanol—wood alcohol—is methyl alcohol, and all of its commercial ancestors were methyl alcohol of various grades of refinement; by that I mean with extraneous substances in greater or less quantity.

How did methyl alcohol come into the picture of our economic life? It is interesting to delve a bit into its history. It is something that has not come down from the alchemists, nor was it known to the Arabic school that was responsible for many valuable additions to chemistry and medicine and which pointed the way for the preparation of a fairly pure grade of ethyl alcohol by Arnold, of Villanova. The age of methyl alcohol dates back scarcely a century, and it would appear that the development of the steel industry in the first half of the nineteenth century was indirectly responsible for placing methyl alcohol on the map. It came about because the increasing demand for wood charcoal, to make highly resistant steel, caused the abandonment of the primitive method of charcoal burning and established the retort process whereby the wood was converted into charcoal in a closed container. By the old method the gases and vapors produced by slow burning passed into the atmosphere and were lost, but in the retort process they come off through a pipe and may be burnt under the oven or condensed. The condensed material was found to contain a variety of substances and among them was methyl alcohol. Hence from its source and method of production it was given the name wood alcohol. It was along about the close of the Civil War, in 1865, that methyl (wood) alcohol may be said to have had its introduction into the chemical family. From that time until the present it has been an article of commerce, in one form or another, and in various degrees of purity it has been a factor in the arts.

Methyl (wood) alcohol has had its ups and downs just like the stock market. In a state of high purity, known as Columbian spirits and colonial spirits, it was featured as a substitute for grain alcohol and its use was extended to the manufacture of medicines and toilet articles. But it was not long before serious reactions to the public health followed. A curb on its widespread distribution followed, and its popularity took a downward trend.

Within very recent years new processes for the manufacture of methyl (wood) alcohol have been developed, and now it is not wholly made from wood but is synthesized from carbon monoxide, or water gas, and carbon dioxide and has blossomed out as methanol, the term by which it was known to the systematic chemist as the first member of the alcohol family. So, while there may be a "selling argument" against calling it wood alcohol, it is, from the public standpoint, the same substance and produces just the same physiological reactions and has the same effect on the public health as when it was entirely distilled out of wood during the preparation of charcoal for our steel manfacturers.

After methyl (wood) alcohol got into the trade and since there were no cautions or warnings about its insidious character, and as it got into medicines and bay rums, perfumes, and toilet waters, it naturally began to influence in a deleterious way the health of people with whom it came in contact. Soon the medical fraternity began to report cases of severe illness and death under peculiar circumstances, and in many instances the conditions were accompanied by disturbances of the occular system. People went blind in a mysterious manner, and it was not long before systematic studies of these cases, checked with statistics relative to the composition of the offending agents, pointed to methyl (wood) alcohol as the element causing the trouble.

Beginning in 1904, Casey Wood, the celebrated Chicago eye specialist, and Buller reported 153 cases of blindness and 122 deaths due directly to methyl (wood) alcohol, and Wood subsequently followed this article with others on the same subject. Casey Wood did everything thoroughly, and since his retirement from active practice he has pursued ornithology with the same avidity that he pushed his ophthalmic researches and recently ourneyed to England and went down to Surrey for the express purpose of hearing the nightingales sing during the mating period. The literature since that time has been replete with reports of poisonings by wood alcohol. The toxicity has resulted not only from the internal consumption of articles in which methyl (wood) alcohol featured as the solvent but from local application and inhalation. Instances of severe cases of intoxication from methyl (wood) alcohol have occurred with workmen who were using shellac to varnish the interior of beer vats and who inhaled the vapor of methyl (wood) alcohol, which was used as a solvent for the varnish.

Wholesale poisonings occurred in Berlin and there are instances of damage from methyl (wood) alcohol to the population of foreign countries noted in the literature. In 1914, 12 persons died and 30 others were rendered dangerously ill in Vermont from drinking wood-alcohol whisky. The Journal of the American Medical Association in 1914 issued a statement that nearly 1,000 cases of poisoning attributed to wood alcohol had been reported in the literature since 1893. It is unnecessary to amplify this list. The statistics are appalling. To anyone interested in individual references, it is impressive to run through the compilation of reports of cases of (wood alcohol) poisoning in the files of the Hygienic Laboratory of the United States Public Health Service, an index which was inaugurated by Reid Hunt.

When reports on the deleterious effects of wood alcohol began to appear those who were responsible for its promotion sought to minimize its lethal nature by placing the blame on the impurities it might carry. It was suggested that acetone, methyl acetate, allyl alcohol, and other components were really to blame. Systematic studies, however, showed that it was the methyl (wood) alcohol itself, the methanol, which composed from 80 to 99 per cent of the various grades of commercial articles, that was producing certain characteristic combinations of symptoms, including headache, nausea, abdominal cramps, difficulty in breathing, conjunctivitis, and serious disturbances of the retina and optic nerve. The difficult breathing and the affections of the retina and optic nerve were particularly characteristic of the injuries sustained by the individuals who were exposed to the action of methyl (wood) alcohol. The saddest thing, of course, is the blindness that it causes, and which is the reason for emphasizing its dangers, because blindness is looked upon by the insurance companies handling accident policies as equivalent to loss of life, and the compensation clauses offer the same returns to the individual for the loss of his eyesight as they do to his beneficiaries if he is killed.

Let us quote the opinions of some of the authoritative workers on the pharmacology and pathology of methyl (wood) alcohol: Reid Hunt in 1902 published the results of some researches conducted on animals, which showed that while methyl (wood) alcohol when taken in a single dose is, as a rule, no more dangerous (at least to the lower animals) than an equal amount of ethyl alcohol, when its use is continued for even a short time it is an extremely dangerous poison. * * * Methyl (wood) alcohol given in small doses every other day was tolerated but for a few weeks; the animals remained comatose for days, did not eat, and died, although the administration of the alcohol was discontinued. Extensive fatty degeneration of the liver was always found. (Ethyl alcohol * * * could be given to animals (dogs and rabbits) in doses sufficient to cause intoxication for months and even for almost a year without causing marked functional disturbances.)

Hunt goes on to describe some work of Hirschfeld, who investigated the effects of methyl (wood) alcohol upon the retina and optic nerve and commented on the difficulty he experienced in keeping the animals alive for even short periods when small doses of methyl alcohol were administered at short intervals.

The experiments of Birch-Hirschfeld upon monkeys are of especial interest since these animals react toward narcotic poisons in much the same way as does man, and also because the effect of the poison upon the eye can be studied to far better advantage upon monkeys than upon dogs and rabbits. Birch-Hirschfeld describes experiments upon three monkeys; pure methyl (wood) alcohol, diluted with several times its volume of water, was given in doses of from 3 to 6 or 7 cubic centimeters every one or two days. When it became evident that the animals were at the point of death they were killed in order that the eyes and optic nerves could be obtained in good condition for microscopical study. * * * Two of the monkeys had marked degenerative changes in the retina and one was totally blind. Similar histological changes were found in the retinas of three dogs poisoned by methyl alcohol, although it had not been possible to detect disturbances of vision during life.

Pohl, in his well-known work on the oxidation of alcohol in the animal body (Archiv f. Exper. Path. u Pharm., 31, p. 281; 1893) stated that chronic poisoning by methyl (wood) alcohol is markedly different from that caused by ethyl and other alcohols of this series.

Hunt's experiments on the subacute effect of methyl alcohol on animals may be summarized in his own words, as follows:

"In all of these experiments the dog which received the methyl alcohol died, while those which received equal or larger doses of ethyl alcohol in exactly the same way recovered. The differences between the action of the two alcohols could probably have been brought out still more strikingly if more attention had been given to the dosage. The results of the experiments upon rabbits agree entirely with those obtained in the experiments upon dogs and show how toxic methyl alcohol is when its administration, in suitable doses, is continued for even a few days. The great difference between the toxicity of methyl and ethyl alcohols might be overlooked entirely in experiments in which only the effects of single large doses were studied."

Hunt, in discussing the effect of the inhalation of wood alcohol, again compares the two alcohols when, in 1925, he said: "Methyl alcohol is more volatile than ethyl alcohol and the inhalation of its vapors by painters and others has frequently caused death and blindness, one author reporting 68 such cases."

The experiments on which the above comments were made were conducted with methyl alcohol that came from wood distillation. Reid Hunt reports as follows on the physiological action of the synthetic methyl alcohol which is now being sold under the designation methanol. The following appeared in the Journal of Industrial and Engineering Chemistry (vol. 17, No. 7, p. 763, July, 1925):

"I have performed a number of experiments upon animals with the German (synthetic) methanol which you sent me. The results were the same (qualitatively and quantitatively) as those obtained with pure methyl alcohol obtained from wood distillates. The synthetic methanol showed the same characteristic differences from ethyl alcohol: When the two alcohols were given in equal doses the animals receiving a single (large) dose of ethyl alcohol were more profoundly affected—showing a greater degree of incoordination and a greater depth of narcosis—than did those that had received the methanol. When, however, these doses were repeated a few times at 24-hour intervals the differences between the action of the two alcohols became very striking: The animals receiving the ethyl alcohol became less powerfully affected (tolerance), whereas those receiving the methanol became more deeply poisoned with each dose (cumulative action). Thus, after the third or fourth administration of a comparatively large dose of methanol, the animals passed into a state of coma, in which they died; whereas similar doses of ethyl alcohol had a progressively less effect and could apparently be continued indefinitely without obvious harm.

"Although the lower animals can tolerate somewhat larger single doses of methyl than of ethyl alcohol, it is known that this is not true of man; the more highly developed nervous system of man is more seriously affected by methyl alcohol than is that of the lower animals, and permanent blindness has often been reported from single, sometimes small, doses of methyl alcohol, whereas such results are unknown in the case of ethyl alcohol.

"I did not perform experiments to determine the effect of the synthetic methanol upon the eyes of the lower animals. Such experiments seemed unnecessary, for it was shown years ago that it is the methyl alcohol in wood alcohol which causes the injuries to the eye, and since synthetic methanol is simply methyl alcohol and has the characteristic physiological action of the latter, there is no reason to suppose that it would spare the eye.

"It can confidently be predicted that the use of the synthetic methanol as a beverage or as an adulterant will be followed by the same disastrous effects to life and vision as have characterized such uses of wood alcohol. Those who are circulating the report that the synthetic methanol is not poisonous are not only stating an untruth but are assuming a grave responsibility, for death or blindness will inevitably be the fate of a number of those who may be misled by such statements and attempt to use synthetic methanol as a beverage."

Lecturing on "Wood alcohol" before New Jersey health and labor authorities on March 11, 1930, Dr. R. H. Price, assistant medical director of E. I. du Pont de Nemours & Co., said:

"Research work was conducted under the direction of Dr. G. H. Gehrmann, of the Du Pont Co., in regard to the toxicity of wood alcohol, crude and refined preparations being used as well as both natural and synthetic products. The experimentation upon animals was conducted by Dr. H. F. Smyth. All animals used for testing were kept under observation for at least two weeks before exposure to the alcohol in order to determine their physical health. In tests for absorption by stomach, rabbits were used. In tests for absorption through the skin and for inhalation of vapors, guinea pigs were employed. The conclusions as a result of this work were corroborative of those of Dr. Reid Hunt and other investigators that wood alcohol is capable of producing death, degeneration of kidneys and liver, or blindness, if taken into the body through stomach, skin, or lungs in sufficient dosage."

One could go on almost indefinitely quoting the results of pharmacologists and physiologists of authority who have worked on the problem of methyl (wood) alcohol from one angle or another. I have before me a digest of the work of some 40 authors other than those quoted, but we must pass or to the consideration of the research work and studies of others who were observing the effects of methyl (wood) alcohol in the hospitals and in private medical practice. As an example we will quote Tyson, surgeon to the Knapp Memorial Eye Hospital, New York City, who made a report before the American Medical Society for the Study of Alcohol and Narcotics in December, 1915:

"When its vapor is inhaled in a confined space it is just as poisonous as if the same quantity had been imbibed, as evidenced by the many cases of partial or total loss of vision and death observed in workers varnishing the interior of beer vats, in closed rooms, lead-pencil varnishers, hatters, metal workers, and others. While a greater number of cases of poisoning have resulted from drinking cheap whisky, etc., where methyl had been substituted for ethyl alcohol on account of its lessened cost, its poisonous effect will assume greater importance in the near future on account of the occupational health insurance laws about to be enacted, which will concern every industry in which it is used on account of the possible danger of poisoning from inhalation or absorption while handling it.

"Most drugs after absorption into the blood appear to have a specific action on special tissues; some undergo a chemical change in the liver, while others are retained for a time in the blood stream. Methyl alcohol apparently possesses all three characteristics manifesting a selective action for the nervous elements, and it is especially observable in those of the eyes. While 90 per cent of the ethyl alcohol absorbed is oxidized into carbonic acid and water in 15 hours, and the remainder being completely oxidized later, only about 40 per cent of absorbed methyl alcohol is oxidized in 48 hours, forming formic acid, 25 per cent is eliminated in the urine, perspiration, and breath, the remainder requiring a longer time for oxidation circulates in the blood stream producing a continuous toxic effect. The organism endeavors to eliminate a considerable part of it through the bile, which after entering the intestines is reabsorbed, thus forming a vicious cycle.

"The difference in the intoxication produced by ethyl and methyl alcohol is that the one produced by ethyl commences quicker and subsides more quickly, while that produced by methyl is slower in its incipiency, more profound and persistent, and slow in recovery, and is decidedly more toxic."

Dr. Carey P. McCord, Industrial Health Conservancy Laboratory, Cincinnati, Ohio, 1929, stated that the toxicity of methanol (wood alcohol) is well recognized. It may enter the body in toxic quantities through the portals of skin, the nose in inhalation, the mouth in ingestion.

Dr. David I. Macht, Johns Hopkins University, 1929, says:

"Poisoning from wood alcohol has been known for many years on account of its extensive use in the arts as a solvent for paints, varnishes, etc. * * * In addition to its destructive effects on the optic nerve and the central nervous system, wood alcohol is also very depressant for the heart and blood vessels."

Dr. Raphael Isaacs, in the Journal of the American Medical Association, September 11, 1920, says:

"Methyl alcohol appears to act as a respiratory poison, the rate of breathing in severe cases being reduced to six or fewer times per minute and quite shallow. * * * A characteristic feature is dilatation of the pupils, which, however, may react somewhat to strong light. With the return of full consciousness the patients usually complain of blurring of vision, noted in from 1 to 12 hours."

Dr. Alexander Comora, reporting seven definite cases of methyl-alcohol poisoning, in the New York Medical Journal, April 3, 1920, emphasized that Doctor Camac, of Gouverneur Hospital, cautioned the staff to be on the lookout for methyl (wood) alcohol poisoning, and so every unconscious patient brought to the hospital was closely observed for symptoms and signs of wood-alcohol poisoning. He concludes his paper as follows:

"1. A definite clinical diagnosis of methyl-alcohol poisoning is not always possible.

"2. In every unconscious patient due consideration should be given to wood-alcohol poisoning.

"3. A specimen of stomach contents should be taken immediately for a clinical analysis of wood alcohol."

Thus by the pharmacological and clinical investigations of the past 30 years it has been definitely established that wood alcohol, methyl alcohol, methanol, is a violent poison and an insidious poison, a treacherous substance that reveals its dangerous character by no warning odor or taste as do some other common toxic agents like carbolic or prussic acids. In a state of high refinement, such as characterizes the synthetic methanol (wood alcohol) of recent vintage, its odor and taste are unobjectionable and carry no warning of its inherent dangerous properties.

Methanol (wood alcohol) may be classed as a true poison, the toxic-amentum ideal, of which the number is limited. At first thought it might appear that the term "poison" is capable of simple definition and example, but there is hardly any term that baffles explanation as does "poison." Even strychnine and arsenic, which must bear the red label with skull and crossbones, are not at all poisonous under certain conditions of dosage and administration; in fact, they may be distinctly beneficial when properly used. But to the layman they are poisons. We employ bichloride of mercury as a topical application, and at one time, in the form of antiseptic tablets, it was probably the most widely used of any substance for personal hygiene. And there are many other so-called poisonous substances in common use—carbolic acid ointment, iodine in the form of tincture, atropine to control excessive nasal secretion. The list might be extended, but enough has been cited to demonstrate the difficulty of giving an example of a poison that is always toxic.

In methanol (wood alcohol), however, we have an example of a sure and certain poison, no matter how it is used. Toxic effects come from breathing its vapors, from absorption through the skin when it comes in contact with the body, and, of course, when consumed by mouth, innocently or accidentally. And it is a poison for which there is no known antidote.

As a bearing on the classification of wood alcohol as a poison, it is of interest to record a decision of Hon. Gilbert Bettman,

attorney general of Ohio, handed down November 24, 1930, in which, referring to his State law on poison, he states:

"It must be borne in mind that although methyl alcohol is the chemical name for wood alcohol, the term "wood alcohol" is more commonly used and understood. The statute is, in my opinion, particularly clear in providing that methyl alcohol must be labeled, in letters not less than 1 inch in height, "wood alcohol." The obvious purpose of this law is to advise the layman, who perhaps knows nothing of chemical terms, in generally understood language, that he is purchasing a substance which he knows is a poison. There may be many persons who might confuse the term "methyl alcohol" with the term "ethyl alcohol," which latter substance is nonpoisonous."

Since the advent of synthetic methanol, cases of methyl (wood) alcohol poisoning have increased to an alarming extent. The wholesale distribution of the substance as an antifreeze has this fall (1930) been responsible for unprecedented outbreaks of typical methyl (wood) alcohol toxemia all over the country in localities where the commodity is sold.

The situation has begun to attract the interest of public health officials, municipal, State, and national, and the legislators of our Commonwealths and National Congress. Some actions, more or less local, have been taken to educate the public to the dangers attending the use of methanol (wood alcohol), to regulate its traffic, and to curb an epidemic which, if present conditions are allowed to prevail, may assume very serious proportions.

As an example of educational activity, attention is called to the warning issued in poster form by the Wisconsin State Board of Health and the Industrial Commission of Wisconsin in October, 1930, which, after a heading in red letters and a list of names by which methanol is known, continues as follows:

"1. Exercise care in the use of this product as an antifreeze mixture or otherwise.

"2. It is poisonous when swallowed, inhaled, or absorbed through the skin.

"3. Authorities advise that it is a cumulative poison. Frequent repeated small doses induce blindness and larger doses, whether by stomach or lungs, may cause death.

"4. The toxic dose is not large and is easily reached even when amount absorbed daily is too small to induce a noticeable initial effect.

"5. Methyl alcohol boils at 150.8° F., a moderate engine temperature and therefore vaporizes readily in automobile radiators.

"6. Garage employees and automobile owners should be particularly careful in the use of this product.

"7. Containers should be labeled poison and users instructed as to its hazards."

The question is whether there are any purposes for which methanol (wood alcohol) is now employed that can not be just as well served by solvents that are comparatively innocuous. Of course, methyl (wood) alcohol has an important place in chemical manufacturing as it furnishes the methyl group for developing synthetic bodies, just as ethyl alcohol furnishes the ethyl group where it is needed. But aside from such uses and as the basic substance for the preparation of formaldehyde, it would seem that in our economic life the public health can best be conserved by dispensing with its use to the minimum limit.

Its traffic ought to be regulated as rigidly as is the traffic in other poisons. Where it has to be handled for manufacturing purposes it might be properly denatured and sold under restrictions similar to those which now surround the traffic in the Federal Government's specially denatured ethyl alcohol. Such measures might properly be under national control. In some of our Commonwealths and municipalities there are laws and ordinances limiting the sale of methyl (wood) alcohol and preparations containing it, and providing for certain requirements in labeling which will set forth its danger as a poison. But there is little or no uniformity in the scope and character of these regulatory measures and what we need for the protection of the public health are uniform State laws and uniform ordinances in the cities and towns to control the local sale and dispensing.

Such regulatory measures may be obtained when the legislators and city councils have been fully awakened to the seriousness of the situation and realize the necessity for its control. Without such legislation we may expect widespread outbreaks of methanol (wood alcohol) poisonings and perhaps epidemic conditions, and it is by resolutions from properly qualified medical societies and health associations that we may hope to impress the authors of our laws with the necessity for protecting the public and to take prompt and proper action of a remedial nature.

In conclusion, and with a bearing on the topic under discussion, it may be of interest to quote an editorial in the Washington Post, November 2, headed Deadly Wood Alcohol:

"The menace of wood alcohol is attracting the attention of health authorities in all sections of the country at the season when the motorist is preparing his radiator against freezing weather. That this poison is as dangerous to human life when inhaled in the form of gaseous fumes or absorbed through the pores of the skin as it is when taken as a beverage seems to be recognized by health authorities everywhere. The latest warning is from the pen of Dr. Morris Fishbein, editor of the Journal of the American Medical Association, in an article in the Scientific American:

"'If this substance (wood alcohol) is to be used as an antifreeze mixture in the coming winter, employees of garages who will inhale large amounts are likely to suffer injury as a result. Cases have already been reported in which women and children, who have used quick-drying shellac or varnishes made with methanol in closed rooms have suffered harm as a result. In the great spray process used in automobile factories the spraying is done under hoods and employes wear masks, so that they are protected against the hazards. As is usual in modern industries, the name of the product has been concealed by the bestowing of fanciful names and the average person does not recognize, under the fanciful title, the old, old hazardous wood alcohol.'"

The next paragraph in that editorial refers to the warning of the Wisconsin State Board of Health, which I have already quoted, and the editor concludes with the following significant paragraph:

"The industrial-alcohol division of the Treasury Department should be given control over the making and distribution of wood alcohol for the protection of the public."

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 15359. An act making an additional appropriation to carry out the provisions of the agricultural marketing act, approved June 15, 1929; and

H. J. Res. 444. Joint resolution making an appropriation to supply a deficiency in the appropriation for the fiscal year 1931 for expenses of special and select committees of the House of Representatives.

HOUSE BILL AND JOINT RESOLUTION REFERRED

The following bill and joint resolution were each read twice by their titles and referred to the Committee on Appropriations:

H. R. 15359. An act making an additional appropriation to carry out the provisions of the agricultural marketing act, approved June 15, 1929; and

H. J. Res. 444. Joint resolution making an appropriation to supply a deficiency in the appropriation for the fiscal year 1931 for expenses of special and select committees of the House of Representatives.

APPROPRIATIONS FOR EMERGENCY CONSTRUCTION—CONFERENCE REPORT

Mr. JONES. Mr. President, I ask that the conference report on the emergency construction bill may be laid before the Senate.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment.

(Some routine business was transacted, which appears under proper headings.)

Mr. McKELLAR obtained the floor.

Mr. WALSH of Montana. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. WALSH of Montana. What is the order of business?

The VICE PRESIDENT. The order of business is consideration of the conference report and the Chair understood that the Senator from Tennessee [Mr. McKELLAR] desires to discuss it.

Mr. WALSH of Montana. When that is disposed of will the regular order be taken up?

The VICE PRESIDENT. It will be.

Mr. WALSH of Montana. Then I shall object to any further morning business.

The VICE PRESIDENT. The Senator from Montana objects to any further morning business. The Senator from Tennessee has been recognized.

Mr. LA FOLLETTE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Blease	Broussard	Connally
Barkley	Borah	Bulkley	Copeland
Bingham	Bratton	Capper	Couzens
Black	Brock	Caraway	Cutting
Blaine	Brookhart	Carey	Dale

Davis	Hayden	Norris	Stephens
Deneen	Hebert	Nye	Swanson
Dill	Heflin	Oddie	Thomas, Idaho
Fess	Howell	Patterson	Thomas, Okla.
Fletcher	Johnson	Phipps	Townsend
Frazier	Jones	Pine	Trammell
George	Kean	Ransdell	Tydings
Gillett	Kendrick	Reed	Vandenberg
Glass	King	Robinson, Ark.	Wagner
Glenn	La Follette	Robinson, Ind.	Walsh, Mass.
Goff	McGill	Schall	Walsh, Mont.
Goldsborough	McKellar	Sheppard	Waterman
Hale	McMaster	Shipstead	Watson
Harris	McNary	Shortridge	Wheeler
Harrison	Morrison	Simmons	Williamson
Hastings	Morrow	Smith	
Hatfield	Moses	Smoot	
Hawes	Norbeck	Steiwer	

Mr. MOSES. I wish to announce the absence of my colleague the junior Senator from New Hampshire [Mr. KEYES] on account of a death in his family, and will ask that this announcement may stand for the day.

The VICE PRESIDENT. Eighty-nine Senators have answered to their names. A quorum is present.

Mr. JONES. Mr. President, before we adjourned on yesterday afternoon I had moved that the Senate recede from its amendment numbered 13. I merely desire at this time to renew that motion.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Washington to recede from Senate amendment numbered 13. The Senator from Tennessee has the floor.

Mr. McKELLAR. Mr. President, on yesterday I had not quite finished what I desired to say when an adjournment was taken on account of the death of Senator Greene. It will take me only about five minutes to complete what I desire to say.

I want to read the questions of former Senator Knox, of Pennsylvania, as found on page 1867 of the RECORD of January 22, 1919. I shall read the entire question, because the reading of it was interrupted on yesterday by the adjournment.

Mr. KNOX. Mr. President, I attach so much importance to the judgment of the Senator from Idaho that I want to be perfectly clear about it, if he is willing to make himself a little more clear. The impression that I received from his statement was that it had been prearranged that this $100,000,000 appropriation should be asked for in order to relieve the packers. I have heard here on the floor of the Senate that we should appropriate this money because of the sending of this cablegram from the President to the Acting Secretary of State, in which he points out the distress and hunger which exist in various sections of Europe and particularly among the urban population, and asks for money to be expended by him as he shall see fit, and where he sees fit to expend it. Those are two entirely different propositions. I would never in the world vote for an appropriation of $100,000,000 to enable Mr. Hoover to stabilize packing products in Europe by virtue of a preconceived arrangement. I might, in connection with the situation in Europe with the war, be persuaded to vote for the appropriation upon the theory the President puts it. I would like to know what is the deliberate judgment of the Senator from Idaho upon those two propositions?

Mr. BORAH. The Senator from Pennsylvania is an able lawyer and a sound judge of evidence. Let us review briefly, therefore, the facts and circumstances which warrant the conclusions I have drawn. First, let it be remembered that men in the employ of the packers, drawing large salaries from the packers, were in control of matters in the Food Administration having particularly to do with the packers' interest; that upon the signing of the armistice the packers were left with a large food supply on hand which they had acquired during the war; that if a market was not found for this food they stood to lose a large sum of money, as prices would fall and they would have to sell on a falling market; that the point, therefore, was to find a market and thereby stabilize prices, and in this the packers were supremely interested; to this end a conference was called between the packers and Mr. Hoover, and the entire subject matter was discussed, although we have not the details as fully as we should like; shortly after the conference the newspapers carried the statement that Mr. Hoover was going to Europe to look after the food situation and might become the food dictator of Europe; that on this trip to Europe with Mr. Hoover, sitting in with him and advising about the situation, were men in the pay of the packers; that within less than a week after Mr. Hoover arrived in Europe, and before he could have surveyed the situation, before he had been outside of Paris or London, the newspapers carried back here, in substance, his plan; then came his demand for a hundred million dollars; this was followed by a telegram from Mr. White, a member of the peace commission, urging a hundred million dollars more and referring to the fact that we had large food reservoirs in this country, the prices for which should be stabilized; that afterwards Mr. Glasgow, representative of the Food Administration, stated specifically that the packers had accumulated large supplies of pork and that it was necessary to work this off as we could to Europe, and that was one of Mr. Hoover's purposes; that Mr. Taliaferro, representative of the packers, testified before the committee that in demanding this hundred million Hoover was simply keeping good faith with the packers, or, in other words, carrying out the understanding, express or implied. Add to this the fact that we went in search of an opportunity to spend this money and did not wait for the petitions or pleas to come from the distracted countries. Others may take what view they will; I can not close my eyes to such a set of facts, to my mind intolerable and indefensible.

Mr. President, these documents and the quotations from the speech of the Senator from Idaho [Mr. BORAH] speak for themselves. An itemized accounting of the expenditure of that $100,000,000, as required by law, has never been made.

To paraphrase what the Senator from Idaho said, Mr. President, it is not my purpose by anything which I have said to challenge the President's personal integrity, but his management of trust funds is of such a kind and character and his viewpoint of such things is so different from mine that it makes it impossible for me to vote to turn over $116,000,000 for him to expend at this time, after his failure to make an accounting of the former $100,000,000.

Of course, the President himself will not actually expend this appropriation. Who will do it, no one knows. There is to be no accounting of any kind under this proposed act. For these reasons I shall vote against the motion of the Senator from Washington [Mr. JONES] to recede.

Mr. VANDENBERG. Mr. President, so far as I am concerned, I can think of nothing more futile than the effort of the Senator from Tennessee at this late date to tarnish the reputation of Mr. Hoover as a war administrator and as a patriotic American loyalist. That reputation is safe in history and in the heart of the world. I can think of nothing that contributes less to the illumination of the Senate in connection with its present pressing problems than the tirade to which the Senate has been listening. As expressing the general attitude of what I believe to be the common opinion of the Nation upon this subject and the common confidence in the President as a faithful and competent administrator, I send to the desk an editorial published in a recent issue of the independent Detroit News, and ask that it may be read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read, as requested.

The Chief Clerk read as follows:

[From the Detroit News]

THE MAN OF ALL MEN FOR THIS JOB

Facts graphically true amply support the Republican leaders of House and Senate in their defenses of the bill appropriating $150,000,000 outright and giving President Hoover latitude in allocating the money on public works in ways to do the utmost toward relieving unemployment and bettering the economic conditions. It follows that, in attempting to tie the President's hands and distribute the money in specific sums for specific works, the Democrats are put into an obstructive position.

Where the money is to be applied and how, in substance, it is to be divided are stated by Mr. Roop, Director of the Budget, in a letter which President Hoover transmitted to Congress with his message requesting the appropriation. To start works already authorized in ways avoiding "the long delays incident to the selection of new projects by Congress and the further delays in technical preparation which new projects would require"—in short, to cut red tape and act while there can be effect on the conditions—is the purpose as stated by Mr. Hoover.

More than half, or about $80,000,000, would go at once to Federal highway building and would match a like sum to be spent by the States.

It may be a departure in time of peace, although the Republican spokesmen score effectively when they recall that in 1919, after the Great War and when a peace era had begun, Congress, the Democrats concurring, gave Herbert Hoover, then a private citizen, $100,000,000 for the relief of Belgium and with no strings tied to its disposition. The use of that large fund by the man who now is President was the most conspicuous example of efficient beneficence in the history of the world.

All told, let estimates of Hoover otherwise be as they may, is he not the man of all men, on his record as Secretary of Commerce and in Belgium and Russian relief, to be intrusted with broad powers and ample funds now?

We say he is. As for contrast of a time of war with a time of peace, debate on that might be enlightening if waged hotly enough. President Wilson was given $150,000,000 in 1917 to use as he saw fit to prosecute the war. Justifiable as that may have been, our entrance into the war being a fact—justifiable or unjustifiable even unto spreading over the land false accounts of Ger-

man atrocities—strike a comparison between the results of the use of that money and the use now of the same sum by President Hoover if he can help to that extent to put the Nation to work and thus help to restore good times! As to shelter from the cold, clothes to wear and food to eat, compare emergencies in time of peace with emergencies in time of war when all the wheels are turning, when money is being madly wasted in a hundred directions, and every girl and cripple finds work at high pay to replace the able-bodied men gone to fight!

Mr. GLENN. Mr. President, the other day I came into the Chamber toward the close of the remarks of the Senator from Tennessee [Mr. McKELLAR] and not until I read the RECORD the following day did I appreciate what I believe to be the seriousness and the absolute impropriety of many of the statements made by him. I thought perhaps it had come about through the impulse of the moment and that upon reflection and reconsideration and a reading of his remarks in cold print the Senator from Tennessee would, at least, not pursue the subject and perhaps would make some amends and some apology to the President of the United States for the charges which he had made against him. However, yesterday afternoon and again this morning the bitter, vitriolic, and, as I believe, unwarranted attacks have been continued by the same Senator. They are directed not so much to the governmental views and policies and the administration of the President of the United States as to his personal character, his integrity, and his honor. I would take the same position if the President of the United States about whom those remarks were made were a Democrat as I am taking now when he is a Republican.

President Hoover was charged, in effect, with being an embezzler of public funds. That is the direct insinuation and almost the direct charge, and the Senator can not in a few words at the conclusion of his remarks to-day deny the direct force of the statements which he has made in his prepared addresses this and previous days during the present legislative session.

The Senator charges the present Chief Executive with failure to account for a great sum of money appropriated by the United States for the relief of suffering, of hunger, of starvation in foreign countries which were suffering from the effects of the Great War. He said that Mr. Hoover failed to make any accounting; he said it not only once but twice, three, four, and five times. The only implication can be that Mr. Hoover is a dishonest man, and has taken for his own use, or permitted others to take, unlawfully, moneys intended for the use of starving people abroad. I resent the implication and I deny the insinuation, and I say it is an attack not so much upon a Republican as it is upon the Presidency of the United States of America, an attack which I believe every true American will resent.

Now, what does he say among other things? He said, as appears from the RECORD of Wednesday, December 10—I shall refer only to a few of the remarks which were made:

> The President denounces the Senate of the United States in these words: "They are playing politics at the expense of human misery." What a damnable charge, Mr. President! It is an absolutely untrue charge and I denounce it as absolutely false, without the slightest foundation in fact.

He goes on and says:

> Mr. President, while I am talking about politics let me say that the President of the United States has had some experience in spending Government funds. It will be remembered that upon his suggestion, after the World War was over, Congress in a burst of generosity and upon Mr. Hoover's suggestion, made through President Wilson, appropriated $100,000,000 for starving people among the Allies in Europe. That fund was turned over to Mr. Hoover to spend. Whether there has ever been a final accounting of the fund I do not know.

Yesterday, though, the Senator said that he does know that there never has been a final accounting of the fund. On one day he says he does not know whether there has been a final accounting of the fund, and on almost the following day he says—I presume not recalling his remarks of a few days ago—that he does know there never has been a final accounting of the fund.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. GLENN. I yield.

Mr. McKELLAR. I will say to the Senator that I have made every inquiry possible. I have had the Congressional Library, I have had the superintendent of the document room, make a search to find any final accounting as required by the act; and they all tell me that so far as they know no final accounting has ever been filed. That accounts for the difference in the statement made by me on the 10th of December and the statement made yesterday.

Mr. GLENN. The Senator does not know now whether there has been a final accounting?

Mr. McKELLAR. I have every reason to believe, unless these Government officers are not telling the truth, that there has been no final accounting. Has there been a final accounting? Does the Senator know?

Mr. GLENN. I do not think the Senator from Tennessee knew what he was talking about the other day when he made his charge, and I do not believe he learned much in the two or three days following.

Mr. McKELLAR. Probably it will take me some time to learn very much under the present circumstances.

Mr. GLENN. The Senator says:

> Whether there has ever been a final account of the fund I do not know. The last account I saw did not show how the entire sum was expended. It accounted in the most general way for about $88,000,000. Whether there has ever been another accounting of that fund I do not know, and I doubt if any Senator on this floor knows. If there be any Senator who knows, I ask him to speak now, and I will yield to him to state whether or not Mr. Hoover has ever made a final accounting as to the expenditure of that entire $100,000,000.

The idea, of course, being that Mr. Hoover misappropriated a portion of that fund—a charge entirely unwarranted and unjustified, and unworthy to be made upon the floor of the United States Senate.

After talking about the meat packers' matter for a while, he continued:

> Not only did he spend American money, but he kept the price of meats in this country and perhaps in other countries at an abnormal price. I shall have to be shown the accounting of Mr. Hoover for that $100,000,000 before I vote to turn over to him another $110,000,000 to be used as he sees fit.

Then he proceeds:

> Mr. President, as soon as Mr. Hoover was elected President he began a career of utter disregard of the proprieties in government.

A serious charge for the Senator from Tennessee to make—that the President of the United States began a career of utter disregard of the proprieties of government—unjustified, made through malice and ignorance and spite.

Now, another serious charge:

> He sought and secured a battleship to take him around South America at the Government's expense. He secured it only because the Navy Department no doubt knew that it would be better for it to accede to his wishes in that regard. Such a trip made at Government expense in a Government battleship before he was President was the very height of impropriety.
>
> Is there a man on this floor, if he were elected President, who would commit such an act of impropriety? If so, I should like for him to interrupt me and say so. I take it that no man here familiar with the Government, familiar with the proprieties which should govern officials of the Government, would for a moment think of doing it.
>
> And since the President has undertaken to assail us, since he has denounced us, I think we might as well have another matter cleared up here and now. Another situation that has been open to public talk for a long time is that the President, in buying and building a summer residence, used the marines of the United States in the building of roads and clearing the land, and some even say in building the house. I do not know that this allegation is true. I merely know that it is on the lips of everyone. If it is true, it is an indecent and illegal use of the powers of the President in his control over the United States marines.

Rather a serious charge to make of indecency and impropriety and misappropriation of public funds through the use of the marines for the summer home of the President down in Virginia.

And so this thing continues; and this morning, as I said, the attack was resumed following the remarks on yesterday afternoon.

I first pay attention to the charge regarding this statement of the President that some people have been playing politics at the expense of human misery. The Senator says:

> What a damnable charge, Mr. President! It is an absolutely untrue charge, and I denounce it as absolutely false, without the slightest foundation in fact.

A number here have been touched by those words; but, after all, is there not some truth in them, and are they not true? Senators have spoken repeatedly on this floor during this session on the unemployment situation. One Senator after the other on both sides of this aisle—regular Republicans, Progressive Republicans, and Democrats—have painted the picture of unemployment and distress in a manner which must touch the hearts of everybody within this Chamber and within this country when they hear it. The Senator from Wisconsin [Mr. LA FOLLETTE] put into the RECORD the other day, in his argument, telegrams from various portions of the country about unemployment, about misery, about suffering. The Senator from New York [Mr. WAGNER] the other day called our attention graphically to that situation, as did the Senator from Arkansas [Mr. ROBINSON], the minority leader. So I presume it is conceded by everybody that there is human misery and human suffering in America now, a great deal of it, more than we want.

While we are here in a short session of the Congress, with the necessary supply bills to pass, and the other legislation which must be enacted to carry on the usual activities of the Government, we are pressed for time in which to deal with the great emergency measures dealing with this situation of human misery and human suffering; and if there ever was a time when party lines should be disregarded and forgotten, it is now. Instead of that, however, one Senator after the other, and particularly the Senator from Tennessee, repeatedly makes bitter, personal, partisan attacks upon the President of the United States, instead of permitting the House and the Senate to devote their time to dealing with human misery and human suffering. They would rather play politics—bitter, partisan politics—than to deal with human suffering. The President is charged with embezzlement, with misappropriation, with failure to account, with failure to file the report that it was the duty of another President to file, if you please.

I wonder if this man Hoover is a man who should be charged with these things. I have no desire to eulogize him; but I say that no section of this country knows better than the State of Tennessee that Hoover, in an emergency like this, is equipped and able and disposed to deal with the situation.

I recall, as the Senator from Tennessee must recall, not long ago when there came rushing down from Minnesota and Iowa and Wisconsin and the North, down the great Father of Waters, a great torrent of flood upon our lands, with levees one after another all down the States of Illinois and Missouri. We saw our farmers in southern Illinois, with their wives and their children, fighting on those levees day and night trying to keep back the flood of that onrushing water. Finally, I saw the levees go out, and I saw the great torrent of the river rush in, breaking the levees, driving the farmers fleeing from their homes, leaving their homes to be destroyed and carried down the stream. I saw the cattle, the hogs, the sheep, the poultry of the farmers drowned and carried farther down the valley. I saw the farmers fleeing to the hills. I saw that great torrent as it passed our State and Missouri down into Arkansas and Tennessee and Louisiana and on down to the Gulf.

Then we had distress and suffering and human misery, and we needed a man who knew how to meet the emergency and to deal with it. The call went up for Herbert Hoover, this man whom the Senator from Tennessee would not trust; and he took charge. Regardless of party, I know that the suffering people of Illinois and Missouri and Arkansas and Kentucky and Tennessee and those other valley States bordering the Mississippi know that he most efficiently, most thoroughly, and most systematically performed that great duty. Many a family living along the Mississippi River in the State of the Senator from Tennessee thanks God that there was available in that great crisis a man with the capacity of the President whom the Senator assails to-day.

Senators, the President's whole life has been one of honor and probity. He has been equipped, through ability, experience, and knowledge of world affairs, to meet these other situations. President Wilson had confidence in the man. When the time came when America, out of its great hoard of wealth, materials, and foodstuffs, felt that it was its duty to go to the relief of the suffering peoples of the world, Hoover was the man who was intrusted with that task; and he performed it in a way for which he has received the praise of every knowing, thinking person throughout the world who was familiar with his deeds. Now, as a result of the greatest administration in the interest of human suffering that has ever been known in all of history, he is charged as a misappropriator of public funds, in effect, as an embezzler of funds which should have gone to starving children and women and invalids and orphans. That is the reward that he reaps. But Woodrow Wilson was satisfied with the accounting which this man made with him and to him. I think, perhaps, President Wilson knew as much about the situation as does the Senator from Tennessee. You heard no word of criticism from him. You heard no intimation of misappropriation of that great charitable fund from President Woodrow Wilson; and it comes with bad grace now, years and years after the fund has been expended, when the man in whose final charge it rested lies in his tomb, for a man to rise upon the floor of the Senate and condemn a President of the United States—why? Because he is an embezzler? No. Why? Because he has failed to account? No. Because he is a Republican President; and that is the only reason.

I think there is but scant support among the patriotic Democrats in this Chamber for these utterly unfounded, baseless, and malicious charges made against the President of the United States.

In these hours when the whole world is trembling in the balance, I wonder whether it is an act of patriotism for anybody in the Congress of the United States to make attacks such as have been made during the last few days by this man upon our President in this time of great emergency. I believe America at no time, perhaps, except in time of war or when war was immediately impending, has been in a more severe and critical situation than it is to-day. I speak not only of the internal situation but I look around the world, and I see a world almost on fire. When we are struggling here, or should be struggling, to support the administration of this Nation—not because it is Republican but because of the great emergency, not only economic but governmental, throughout the world—we find these bitter attacks upon the President.

I look about me and I see government unrest everywhere. I saw at the opening of this session, as we all did, a hundred or so communists at the door of the Congress of the United States. At this time, when the soil is fertile, when people are unemployed, when misery is rampant, I saw them there with their banners seeking to instill in America the spirit of communism and anarchy.

I look about and I see on the south Bolivia, within the last few months its government overthrown by revolution. I see Peru, its government changing overnight at the point of the bayonet. And in that great reservoir of wealth, particularly of agricultural greatness, the great imperial country of the Argentine, we have seen revolution succeed and the government overthrown. In Brazil, wonderful country, on the south of us, there is the same story. And just day before yesterday Guatemala was taken over by the revolutionists. Here on our own side of the world the government of almost every country is overthrown and overcome, not in the organized manner, by the orderly methods, in the proper way, but by revolution.

We look across the borders of the sea and in this time, when our President, the President of every man and woman in the country, is being damned and sneered at and condemned, we see Great Britain, great imperial empire, whose proud boast it has been for more than a century that the sun never sets upon the British flag—we see Great Britain in the most desperate governmental and economic condition she has known since the days of the first Napoleon. We see in India Gandhi imprisoned, but millions of his followers breaking at the bonds that bind them to the mother country.

We see millions of people walking the streets of England, unable to obtain employment, and living only at the expense of the government dole.

We look across and see Germany, with 42 different political parties striving for mastery, no one knowing how long the Republic will endure, and across the border, watchfully and patiently, in the hope that he or some member of his family of the old monarchistic reign can be placed back in power, we see the Kaiser.

We all know something of the sordid and solemn story in Russia. In Rumania we see the boy King dethroned overnight and his dissolute and profligate father placed again upon the throne.

In Spain every day the forces of revolution are gathering, gathering power, and to-night when the King of Spain lays aside his diamond-studded crown he does not know whether he will awake to-morrow a monarch of a great people or an exile fleeing from their wrath.

Then, at this time of governmental unrest, of revolution, of communism, instead of teaching our people that they should have faith in their Government, faith in their Congress, faith in those who have been elected in a regular way to administer the affairs of this Government, those in authority are attacked and condemned upon this floor.

We see the story all over the world. There is scarcely time to enumerate the cases. In China, a great nation of almost 400,000,000 souls, the tramping armies march back and forth, pillaging, destroying, robbing, and murdering as they go.

Instead of teaching faith and confidence in the Government of the United States, every day or so an attack is made upon the President of this Nation. I say if it were not an act of ignorance it would be almost an act of treason.

When I think of the charge made on the floor of the Senate that the President of the United States has probably taken Government funds to build a road to his summer camp, I think how small, how utterly almost insane it is to make that charge against this man, and be we Republicans or be we Democrats, whether or not we believe in all the things the President of the United States has done—and there is disaffection on this side as there is on the other, division here as there is over there—I think the people of the United States are entitled to know, as we know here, that instead of being a poltroon, a thief, an embezzler, a misappropriator of public funds, a disloyal citizen of the United States, no man in all the history of the Republic holding that highest position of all positions in the world has rendered more sincere, more unselfish, more unfailing service than the present President of the United States.

Rising in the morning at 7 o'clock, the President is at breakfast at 8 o'clock or so, not alone or with the members of his family, but every day having with him, in order to save his precious time, people from this or the other section of the United States with whom he desires to talk, to confer, in order that he may learn something of their views of the great problems of America. Then into his office before 9 o'clock, meeting there until 1 o'clock one after the other delegation from all over this Nation, Senators, members of the Army and of the Navy, diplomats, people of every class and character and stratum of our American Commonwealth. Then to lunch, again with people from whom he is seeking some light upon the great problems of the land, and all afternoon chained to his desk like a slave, working for America, as he honestly and sincerely believes to be to its interest. Then to dinner, not a private social gathering with his family and his intimate friends, but again with people assembled there, rich and high, humble, poor, coming there to talk over the problems of our Nation, in order that no time may be wasted of his busy day.

After dinner, not retiring to seek relaxation and rest, or to a game of cards or for small social talk, but meeting again with the leaders of America, be they leaders of labor or leaders of capital, everybody, anybody, from whom he can learn something as to the proper solution of the problems of America.

Then to bed; and they tell me that even in the night this man, unfaithful to America as some are saying, awakens and works in his bed for an hour or two upon the things he did not find time to deal with during the day.

That is a joke to the Senator from Tennessee, because he does not know that kind of industry; he knows nothing of it; and he condemns the President now because he goes to a summer camp a few week ends in the year, taking with him, as we all know, people with whom to continue his discussions of these important subjects. If the marines have done a little work upon that road there to make life a little easier for this man, and perhaps to make his life a little longer, I say it is the best expended money that has ever been spent by the Marine Corps of the United States.

What a shameful thing it is to condemn the President for those things, I think it is time to say, in this time of disaster and unemployment. I know there are many on the other side of the aisle who will agree with me—and I say it sincerely—that if this man were a Democrat I would take the same position I am taking here to-day. This is not a time for cheap politics. It is not a time for a man to seek the newspaper headlines, so that it can be broadcast all over Tennessee that Senator McKELLAR made another great attack upon the President of the United States.

I may say that this charge that this man has not accounted for a fund appropriated largely for the relief of starving and hungry children comes from a man who does not and can not really know the love for children which President Hoover has within his heart, because I submit that no man who has reared no children of his own, no bachelor, can feel the same impulses of love and affection for childhood as does the present President of the United States of America, a proud father, an indulgent President, a lover of childhood, an honest man.

Mr. NORRIS obtained the floor.

Mr. McKELLAR. Mr. President, will the Senator yield to me for just one word?

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Tennessee?

Mr. NORRIS. I yield.

Mr. McKELLAR. Mr. President, I only want to say, in reply to the very ludicrous speech of the Senator from Illinois, that I think the only fitting close to that speech would be for somebody to ask unanimous consent to print alongside of his panegyric the panegyric which Mr. Edward B. McLean published in the Washington Post a day or two ago. I think they would go well together.

Mr. NORRIS. Mr. President, I had not expected to take the time of the Senate to say anything on this motion, but I am moved to do so by the eloquent address to which the Senate has just listened from the Senator from Illinois. I want, if I can, to say something to add to the emphasis the Senator from Illinois has placed upon this subject.

For a moment let us see just what the pending motion is. The motion is for the Senate to recede from the amendment whereby it struck out of the House bill the clause which would give to the President of the United States the authority to shift an appropriation from one activity to another. Under that language in the original House text, the President would have authority to transfer an appropriation from a highway system to rivers and harbors, or he could transfer the appropriation provided for the building of roads and trails in the National Park Service to the Federal highway system, or he could transfer the appropriation for control of the Mississippi River to some other appropriation made in the bill for some other purpose. He could, in fact, transfer all the money to any one item he saw fit and change it about as he pleased. That would be an extremely difficult task. The Senate amendment struck out that language so as to leave the appropriation just the same as we leave all appropriations to be carried out by the administrative officials of the Government for the particular uses and purposes specified in the act.

In the course of the debate I have heard no reason given why this extraordinary power should be conferred upon the

President—at least no reason that appealed to me as having any logic behind it. Instead of taking that action and giving that authority, if we desire to proceed in that way, we ought to shorten the appropriation bill to one sentence. We should merely add up all the appropriations for the various items in it and then say that the amount " is hereby appropriated and the President can use it as he sees fit." That is the effect of the language stricken out by the Senate. If there were any extraordinary occasion why this extraordinary power should be given or why this extraordinary exception should be made in the various items contained in the appropriation bill, I would be glad to grant that authority if I thought it were necessary. But if we take this step, then, to be consistent, in all other appropriation bills we ought to insert the same language. We could, in fact, shorten all the appropriation bills by adding the amounts all together and simply appropriating a lump sum and providing that the President may use it as he sees fit.

If this language remains, if the motion of the Senator from Washington [Mr. JONES] is agreed to, then this additional power will be given to the President, and what will result? He will have men from different parts of the country asking him to transfer the appropriation for the National Park Service over to the flood-control service. He will have another delegation the same day asking him to use the money appropriated for flood control on the Mississippi and Missouri Rivers by transferring it to the highway system. When he gets through with that he will have another delegation asking him to transfer the appropriation for the Federal highway system over to roads and trails in the National Park Service.

The result will be, if this language remains, that the President of the United States will be overburdened with work to a greater extent than he has ever been overburdened, and that is the reason why I have taken the floor. I listened carefully to the Senator from Illinois [Mr. GLENN], who told us how the President is overworked. I take what he said at 100 per cent—that the President has not time to eat breakfast; he does not eat lunch; he can not have dinner by himself; that he can not go to bed and sleep through the night because he has to get up in the night to work. And yet the Senator from Illinois and those who want to recede from the amendment want to place another burden upon the President. So I say, in the name of justice to our President and in order to save him from this additional work and this additional labor, that we ought to vote down the motion made by the Senator from Washington.

Mr. ROBINSON of Arkansas. Mr. President, with the consent of the Senate, let me take just a few moments to present what I regard to be the merits of the question pending before the Senate.

The amendment was proposed by myself. At the time it was offered a request was made for explanation as to the necessity for the provision. No explanation was given. The Senate voted unanimously to strike out section 2 of the bill, which is as follows:

> The sums herein appropriated shall be available interchangeably for expenditure on the objects named in this act upon order of the President stating the amounts and the appropriations between which such interchanges are to be made.

Yesterday, in support of his motion that the Senate recede from its amendment, the Senator from Washington [Mr. JONES], in charge of the conference report, made a very brief and fair statement regarding the amendment. His explanation was:

> It would not be considered proper under ordinary circumstances to put a provision like this in such a bill.

Then, omitting certain other statements not directly related to the question I am now presenting, he said:

> It is possible that conditions might be confronted which would make it highly important to transfer some of the funds from the item for which they are appropriated to another where the relief which will be brought about would be much greater.

That statement might be almost equally true with reference to any general appropriation bill. This appropriation represents items somewhat carefully worked out. They are all based upon well-known facts and upon conditions which existed for the most part for a considerable period. There is less justification for such a provision in a bill like this, in my judgment, than there is in the ordinary general appropriation bill.

Another consideration that appeals to me as strongly justifying opposition to the motion under present conditions is the fact that the conference report which has been agreed to represents not that the conferees are in final disagreement about the item but merely declares that no agreement has been reached. There is nothing here to show that an agreement can not be consummated. There is nothing to indicate that an agreement is not probable. In view of the statement made by the chairman of the committee in charge of the bill that it might be possible that a necessity would arise to transfer some of the funds from one of the items to another, I respectfully suggest that it is within the range of probability, if that statement represents the necessity for the provision which was stricken out by my amendment, that an agreement can be reached.

It would be easy, for instance, to provide that if in the opinion of the President the emergency required such action some portion of the fund appropriated for rivers and harbors purposes could be used to build trails in the national forests or highways in the country generally. But one can readily see that even such a provision as that might occasion confusion and might result in efforts to divert the appropriations carried in the bill from the purposes for which they are intended.

I am anxious that the legislation shall proceed and am anxious to contribute in every way possible to the passage of the measure; but I feel, since the conference report merely indicates that no agreement has been reached, that the declaration of the Senator from Washington hardly justifies the provision being stricken out. It being necessary that the bill go back to conference under the action heretofore taken, I think that the Senate should reject the motion now pending.

The PRESIDENT pro tempore. The question is on agreeing to the motion made by the Senator from Washington that the Senate recede from its amendment numbered 13.

Mr. JONES. Mr. President, with reference to the suggestion of the Senator from Arkansas that there is nothing in the report to indicate any special situation regarding the amendment, I wish to say that the conference report is presented in the same form as any other conference report is presented to the Senate. As the Senator from Arkansas well knows, the House presents its conference reports in an entirely different way from that in which such reports are presented to the Senate.

This amendment went back to conference in the first place with the assurance on my part to the Senate, in view of the situation which seemed to confront us here, that if we could not get the House to recede from our amendment we would bring it back to the Senate. We were unable to get the House members to recede and so we brought the amendment back to the Senate.

I feel that I ought to say—and I think the other Senate conferees will bear me out—that the House conferees are very firm on this provision. If the amendment is taken back to conference by a vote of the Senate, I feel that I should say frankly to the Senate that as one of the conferees, if I shall be appointed, I would take it in the sense of an instruction from the Senate to adhere to or stand by our position. That, in my judgment, means the indefinite holding up of the passage of the bill. I feel that I ought to say that much.

I want to congratulate the Senator from Arkansas on his patriotic stand when the report came to the Senate in the first instance. He expressed on the floor of the Senate his willingness, under the circumstances, to accept the action taken. I think that was patriotic and based upon reason and logic. I know that is his attitude now.

Permit me to say just a few words further regarding the amendment and the provision. The House, I believe, is just about as jealous of the rights and privileges of the Congress

as is the Senate. I think its Members will resist encroachments of the Executive, if that should be attempted, just as strongly as would the Senate. I do not know what the vote was in the House, but my understanding is there was no serious objection to the provision when presented to the House and when they sent it to us. I think that the situation is different from that which confronts us in relation to the ordinary appropriation bill. This is an emergency measure. It is to meet an emergency situation. While I can see no justification for giving to the President this power in a general appropriation bill, I do see justification for it in connection with this measure.

While of course the items in this bill are based on certain information and estimates in the possession of the administration with reference to the needs of the various projects, it can not be such detailed information as we have with reference to the regular ordinary appropriation bills. It is evidently information that has been hurriedly and hastily gathered to determine just what should be recommended to meet the present emergency. So I can see some justification for the idea that, as the relief provided for in the bill is being carried out, it may be shown that under particular circumstances in connection with a particular work there is greater necessity for an increased amount of money than there is in connection with some other project. All this provision proposes to do is to give the President power to meet such a situation as that.

Mr. FESS rose.

Mr. JONES. I will yield to the Senator from Ohio in just a moment.

With reference to what the Senator from Nebraska suggested, I rather concluded in an ironical way, although it is a fact, so far as that is concerned, the President, under this language, could transfer practically all of the money in one item to another, or from this item to that, as covered by the bill, but certainly nobody believes that the President would arbitrarily and without justification make any such transfer.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from Washington yield to me?

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Arkansas?

Mr. JONES. I will do so in just a moment.

Surely no one can conclude that the President, after Congress has indicated its wishes with reference to particular items, would make transfers of a fund unless some especially strong reason led him to feel that he would be justified in doing so.

The Senator from Ohio [Mr. FESS] appealed to me first, and I yield now to him.

Mr. FESS. Mr. President, I wanted to ask the Senator whether the authority here proposed to be conferred on the President goes any further than merely to change the allocation? As I understand, the President is merely given authority to use the fund in one place rather than in another or to use it on some other kind of work?

Mr. JONES. The authority merely goes to the particular items, and the work covered by them as set forth in the bill, as I understand.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield to me?

Mr. FESS. I should like to invite the Senator's attention——

Mr. ROBINSON of Arkansas. At that point will the Senator permit me to make just a brief statement?

Mr. JONES. I will.

Mr. ROBINSON of Arkansas. The authority sought to be conferred by the section stricken out goes to the objects of the appropriation, and under that authority I think a study will show that the President could transfer the entire appropriation made for one purpose to another entirely different purpose if, in his judgment, he found it desirable to do so.

Mr. JONES. That is, for an entirely different purpose, within the terms of the bill?

Mr. ROBINSON of Arkansas. Yes.

Mr. JONES. Yes; I agree with the Senator from Arkansas.

Mr. ROBINSON of Arkansas. In other words, the President could transfer the $3,000,000 proposed to be appropriated for construction and maintenance of roads, and so forth, in national forests to river and harbor improvements, and he could transfer the amount carried for the construction and improvement of forest highways to any other purpose covered by the bill.

Mr. JONES. I agree with that.

Mr. ROBINSON of Arkansas. I do not object to giving that power to the President in an emergency, when necessity for it shall be shown, but every request for information on that subject has been futile. I know the Senator from Washington has made the most conclusive statement on the subject that he can, but all he said is what I read a moment ago in the CONGRESSIONAL RECORD of yesterday, that ordinarily he would not favor such a provision, but he conceives that there might possibly arise a necessity for transferring a portion of the funds appropriated for one purpose to another purpose.

However, I respectfully submit to all Senators that, unless we are going to establish the precedent of making lump-sum appropriations and vesting in the Executive the power to allocate those appropriations, without limitation upon the part of Congress, this provision is unnecessary and will be fruitless.

I think there is much force in the suggestion that was made—whether humorously or otherwise—that it invites a movement on the Capitol and on the White House for the purpose of inducing the expenditure of these funds for objects different from those specifically set forth in connection with various appropriations provided.

There has not been anything definite shown here; the barest general statements have been made; and I do not think they are adequate to justify a departure from a well-established system. I think everyone who hears me knows that in offering the amendment and in supporting it I am not moved by any suspicion of the President or by any thought that he would not do the very best he could, which would probably be much better than I could do if there were to be imposed on a Senator the obligation of allocating these appropriations.

Mr. JONES. Surely the Senator does not conclude from anything I said that I intimated anything of that kind. I spoke just to the contrary.

Mr. ROBINSON of Arkansas. Certainly I have not. I have no such thought. But still the fact remains that this is an extraordinary provision. Congress goes to the trouble of making a specific allocation of all these appropriations, based, as I said a few moments ago, upon facts within the knowledge of committees reporting the bill, and then pursues the extraordinary course of saying, notwithstanding the expression of opinion in the bill as to how this money ought to be spent, if the Executive sees fit he may use all of it for one purpose or any part of the specific appropriation for an entirely different object from that specified in the bill. In view of the fact that no justification, no necessity for such a provision, has been shown, I think that a further effort ought to be made to reach an agreement concerning the amendment, since the bill has to go back to conference anyway.

Mr. JONES. Mr. President, the Senator from Arkansas does not seem to look at this measure as I do. I think it is an extraordinary situation that we are trying to meet; it is an emergent situation, and this is emergent legislation. It is legislation out of the ordinary to meet what is supposed to be exceptional circumstances and conditions.

Mr. ROBINSON of Arkansas. If the Senator will pardon me, I raise no question as to that. If the Senator understood me to say that this is not emergency legislation, I am very unfortunate in lacking the ability to express myself with fair intelligence. What I said was that the power to interchange these appropriations is not affected with an emergency character. The appropriations as a whole have relation to the emergency, but the power to shift them from one purpose to another, in my judgment, has not by anything said here or elsewhere coming within the range of my knowledge been shown to be of an emergent character.

Mr. JONES. All I can say to that is that the different items are appropriated to meet different conditions with reference to various activities of the Government. I can see how the President may well find that the situation in relation to national parks is not anything like so urgent or pressing, and does not need an emergent appropriation, as probably river and harbor work or highway work or something of that kind. I can appreciate how he could very well say, upon a full report—not upon the petition of individuals coming from here and there, because he will not be at all controlled in that way, in my judgment, but by the reports of his representatives, those who have charge of the different activities—that work in the national parks, for instance, will not be of especial assistance to labor in the particular locality or community, and is not necessary to meet any emergent situation. Under such circumstances the President may well say it is much more important to spend the money on a certain stretch of road or on river and harbor work or something like that. I can see how that condition can very well confront the President in the expenditure of this money; and that is the condition, I take it, the President would have in mind if he concluded to make any transfer, and I apprehend he would not make any transfer unless some showing of that kind were made.

Mr. FLETCHER. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Florida?

Mr. JONES. I yield to the Senator from Florida.

Mr. FLETCHER. In reference to the inquiry of the Senator from Ohio [Mr. FESS] I call his attention to the language of the provision which says:

> The sum herein appropriated shall be available interchangeably for expenditure on the objects named in this act.

It can not be expended for some other purpose outside the provisions of this act. Some of the projects named in this act may get a little more under a certain emergency than other projects or a larger proportion of the fund; but I regard it as an emergency matter, and I can see no real objection to section 2. The funds can not be used for something outside of the act; they must be used for the objects set forth in the act. I can appreciate very well that if I were in the position of the President I should like to have the provision eliminated, because I know he will be importuned and troubled no doubt a great deal by petitions for a larger sum here and there; but still, under the circumstances, I can see no real objection to the provision.

Mr. SWANSON. Mr. President, will the Senator from Washington permit me to ask him a question for information?

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Virginia?

Mr. JONES. I yield to the Senator from Virginia.

Mr. SWANSON. Suppose there is an authorization to improve a river, say, in Florida, and this measure appropriates the money for that authorization, and at the same time the President is given the power to spend that money for other authorizations. The authorization for the Florida project, however, is completed because the money has been appropriated, and it seems to me if the President were to divert it that it would be necessary to get another authorization. If that be true, the provision ought not to be adopted.

Mr. JONES. Mr. President, I do not grasp entirely the point the Senator from Virginia makes. There is a lump sum provided for rivers and harbors, for instance, and the project, so long as it is not completed, is an adopted project.

Mr. SWANSON. If the Senator will permit me further, the appropriation of a lump sum is made for certain items enumerated in such and such documents.

Mr. JONES. It is supposed, of course, that the department will follow these items; but it is under no obligation to do so.

Mr. SWANSON. When an appropriation is made, that completes that authorization.

Mr. JONES. No; it does not.

Mr. SWANSON. I think it does.

Mr. JONES. If that money is not used for a particular project that might have been embraced in the law, that project does not go off the books; it is still an adopted project.

Mr. SWANSON. It is adopted until an appropriation is made for it, but when the appropriation is made and the authorization is fulfilled, it seems to me the project is completed.

Mr. JONES. The bill does not make an appropriation specifically for a specific project.

Mr. SWANSON. This very bill, it seems to me, makes an appropriation of $22,000,000 for certain items.

Mr. JONES. It makes an appropriation of $22,500,000 for river and harbor improvements.

Mr. FLETCHER. That is in addition to the general appropriation.

Mr. JONES. That is in addition to the general appropriation.

Mr. SWANSON. That amount may take care of a project that has been authorized.

Mr. JONES. But if none of that money is used upon a project that happens to be enumerated by the Chief of Engineers as one to which he intends to apply some of it, that project is still an adopted project.

Mr. GLASS. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Virginia?

Mr. JONES. I yield.

Mr. GLASS. I wish to say that I did not understand that this appropriation was for any specific purpose or purposes, but was a lump-sum appropriation to be applied to the improvement of rivers and harbors.

Mr. JONES. Just as in all the other appropriations we make for rivers and harbors, we provide a lump sum. That lump-sum appropriation is based, of course, upon reports submitted to the House of Representatives by the Chief of Engineers wherein he enumerates the projects to which he contemplates applying the money.

Mr. GLASS. But he is not obliged under this bill to apply it to that particular project.

Mr. JONES. He is not; but he is expected to do so under the general custom and practice.

Mr. ROBINSON of Arkansas. Mr. President, right on that point——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Arkansas?

Mr. JONES. I yield.

Mr. ROBINSON of Arkansas. Let me read in support of what the Senator from Virginia [Mr. SWANSON] suggested a provision of the bill that is not susceptible of any other construction or interpretation than that which he has placed upon it, as I think all will agree. Listen:

> Flood control, Mississippi River and tributaries: For prosecuting the work of flood control in accordance with the provisions of the flood control act, approved May 15, 1928 (U. S. C., Supp. III, title 33, sec. 702a), $3,000,000, to remain available until expended.

Manifestly, the object of the Congress in making that appropriation is to carry out certain features of a project carefully worked out and embraced in a document referred to in the act itself. By the pending extraordinary provision, after determining that it is necessary to carry out that project, we are saying that notwithstanding that decision the President may take all or any part of that fund and use it for some other purpose.

Mr. GLASS. Mr. President——

Mr. ROBINSON of Arkansas. One second.

If we follow these various items through, we will find that the same principle applies to all except possibly one or two of them, namely, the instance cited by the Senator from Washington pertaining to roads and trails—I am not sure—and construction of highways in national forests. So that what is actually taking place here is that appropriations are being made to carry forward certain work already authorized by the Congress, carefully studied and worked out, and the plans devised; and then it is nullified by a provision that gives the Executive the power to refrain from proceeding

with some of the work contemplated in these provisions and to carry on some other work contemplated in the bill.

As stated by the Senator from Florida, it is entirely true, and I have not suggested anything else, that every dollar carried in the bill must be spent for one of the objects contemplated by the bill; but see how diverse those objects are and how carefully the basis for the appropriation has been worked out by the agencies of the Government.

With all due respect to the body at the other end of the Capitol, I think there is nothing in this that strengthens the hand of the President. There is nothing in this that will help the President in administering emergency legislation; but it is just as certain as we are passing it to confuse and embarrass and harass and annoy him, because, if it means what it says, it invites and encourages those who feel that their extremity is greater than that of others with which they may not be entirely familiar to advance with measured tread and deafening cry on the Executive in the hope of getting him to do something which Congress would not do in making the appropriation, but as to which Congress "passed the buck" to him by giving him a blanket authority for which no particular necessity exists, and which can not materially help him in doing the great work he is seeking to do.

Mr. JONES. Mr. President, I wish to suggest that the Senator from Arkansas has not covered the point made by the Senator from Virginia.

Mr. GLASS. No.

Mr. JONES. As I understand, the Senator from Virginia makes the point that if some of this money were diverted to some other project—a project enumerated by the Chief of Engineers—the money might be taken from it, and that project would be abandoned and would cease to be an adopted project.

Mr. ROBINSON of Arkansas. The Senator from Virginia makes many points. That is one of the points I did not discuss.

Mr. JONES. That was the point to which I was addressing myself, that it does not mean the abandonment of that project at all. It still continues as an adopted project.

Mr. GLASS. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Virginia?

Mr. JONES. I yield to the Senator.

Mr. GLASS. I rose to clear up that very particular point. My colleague made a suggestion that is not cured by the elimination of this authority proposed to be conferred upon the President; and in support of my colleague's contention the Senator from Arkansas calls attention to a specific rather than a lump-sum appropriation.

Of course, the flood-control item of the Mississippi River means just exactly that; but, for example, the estimates, perhaps, upon which this lump sum of $22,000,000 was based comprehend the improvement of the James River and other rivers in Virginia. That is left to the discretion of the Secretary of War. He can apply some portion of that fund to these purposes or not, as he pleases; and the elimination of the authority sought to be conferred upon the President here does not affect that situation in any way whatsoever.

Mr. JONES. Oh, no; not at all.

Mr. GLASS. While I am on my feet I may say that I think it most unfortunate that this provision was incorporated in the bill on the House side. I vote to strike it out. As a conferee, if the Senate insists upon keeping it in, I shall regard that as an instruction, and stand for it even at the risk of indefinitely deferring this relief; and that is what we want—instructions to that effect. If the Senate is willing that the matter shall be prolonged indefinitely upon the insistence of the House conferees, I want to be instructed to that effect.

Mr. JONES. I am glad the Senator made that statement.

Now, Mr. President, just a further word and then I shall conclude and be ready for the Senate to vote.

I regret very much indeed the unfortunate phase of the debate in regard to this matter. It seems to me that it puts the Senate in a rather peculiar attitude, and an attitude that I am satisfied most of the Senators will regret. In my judgment, if the Senate votes against the motion to recede in this case, in view of the discussion that has been had here, the country will take it as a direct thrust at the President, to use as mild language as possible.

As I said, I admire the stand taken by the Senator from Arkansas [Mr. ROBINSON]. By his attitude he has put the discussion of this matter, both the other day and to-day, upon the plane on which I think the Senate should act in these matters. The responsibility is ours, and we should discharge it in that way and on that basis. Yet, as I say, with the discussion we have had here to-day and the circumstances that have arisen, in my judgment the country will look upon a vote by the Senate not to recede on this amendment as a direct thrust at the President. I can hardly see that the Senate can justify itself in putting itself in that position.

I ask for the yeas and nays on the motion to recede.

The yeas and nays were ordered.

Mr. STEIWER. Mr. President, I am one of those who favor the legislative practice of definite appropriations, specifically made; and with respect to the matter now before the Senate, I should be strongly inclined to follow that practice save for two considerations. One is the thought that I do not desire to withhold from the President authority which he feels that he needs in meeting the present emergency. The other is that I feel that we will dispatch the business before us and perform our duty the more quickly if we do not prolong a discussion between ourselves and the House of Representatives.

I therefore rather reluctantly have concluded to support the motion to recede—reluctantly, because I feel, as a general practice, that we should make the appropriations specifically, and make them as definite as we can make them.

I do not rise, however, to discuss the merits of the question before the Senate. Rather, I desire for a very brief time to detain the Senate with respect to a discussion that was had upon this floor on yesterday, in which the Senator from Tennessee [Mr. MCKELLAR], either directly or by very strong implication, accused the President of failure to file with the Congress a report which was required under the act of February 25, 1919, and concerning which it was said or intimated that there was a duty upon Mr. Hoover.

There are those here who know the history of that act and the performance under that act much better than I. I have been obliged, in the brief time since yesterday, to acquaint myself with some factors with which I have not heretofore been familiar. I have not yet had time to prepare or to bring here all of the material which might shed light upon the transactions had; but I obtained from the office of the Secretary of the Treasury certain documents to which I desire to make reference, and which I shall in a moment ask to have printed in the RECORD as a part of my remarks.

These documents, and other information to which I have access, disclose this state of facts:

That the then President of the United States, following the adoption of the act of February 25, 1919, issued an Executive order by the terms of which he directed Mr. Hoover to proceed in the making of a certain survey in Europe and in the administration of the act so far as the distribution of the relief supplies was concerned. The Executive order further required that the United States Grain Corporation should be the fiscal agent of the President in the administration of the act. It was supposed, I think, that the money appropriated would be made available immediately and paid over by the Secretary of the Treasury to the United States Grain Corporation. That was not done. Under the ruling of the Treasury it was held that no money could be disbursed from the appropriation made by Congress save upon receipt of proper supporting papers showing the reason for the disbursement and the object for which the money had been expended.

The result was that the Grain Corporation acquired with other funds in its possession certain food supplies. After

they were acquired and shipped, the Grain Corporation presented to the Treasury of the United States the necessary supporting papers and secured from the Treasury the money which had been appropriated by Congress in the $100,000,000 appropriation bill.

Mr. Hoover handled no money. He made no requisition for money. He did not speak in terms of money. He merely made a survey of Europe in accordance with the Executive order, acquired the necessary information, made allotments of the food which was being furnished by the United States Grain Corporation, and made requisitions upon the United States Grain Corporation for the necessary food supplies. Subsequently he made the necessary settlements with the foreign nations for repayment of the sums advanced.

After some interval the Grain Corporation assembled the information upon which it made almost a complete report of its fiscal transactions. Of the entire $100,000,000 appropriation, I think all was accounted for save something like $100,000; and subsequently, by supplemental report, that was all accounted for except a very small amount, which, I think, was less than $13,000, and was purely a matter of accountancy between the Treasury and the Grain Corporation.

In the consummation of the will of the President under the Executive order these reports were made by the Grain Corporation directly to the President of the United States. The President at that time transmitted the information to the Treasury. I said a minute ago that I do not have the entire record, but I have here copies of certain parts of the record which I desire to send to the desk. I invite particular attention to the copy of a letter written by Woodrow Wilson, as President, under date of September 29, 1920, to Hon. David F. Houston, the then Secretary of the Treasury. This letter was merely a letter of transmittal, in which he sent to the Treasury certain letters and material that had been furnished to him by the United States Grain Corporation.

These documents, with certain documents which accompanied the letter of the President, show that the United States Grain Corporation furnished to the President almost a complete account of all the disbursements which had been made under the appropriation of February 25, 1919. With the President's letter to the Secretary of the Treasury was an account of payments by the United States Treasury out of the $100,000,000 appropriation. With it also, as another exhibit or inclosure, was a list of the cargoes and service expenditures approved by the Comptroller of the Treasury under the act.

Mr. President, these documents communicated to the President of the United States certain information in a comprehensive way which had already been largely, if not entirely, delivered to the Treasury at the time the various appropriations were received. This is true, because the inclosures were merely a compilation of the supporting evidence and supporting documents which the Grain Corporation had already delivered from time to time to the Secretary of the Treasury.

I ask that these three documents just now referred to may be printed in the RECORD as a part of my remarks.

The VICE PRESIDENT. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, September 29, 1920.

MY DEAR MR. SECRETARY: I am somewhat at a loss to know why Mr. Barnes should have sent the inclosed documents to me. Surely they should have gone to the Treasury. If I am wrong in this, you will correct me.

Cordially and faithfully yours,

WOODROW WILSON.

Hon. DAVID F. HOUSTON,
Secretary of the Treasury.

UNITED STATES GRAIN CORPORATION,
New York City, September 25, 1920.

His Excellency WOODROW WILSON,
President of the United States, Washington, D. C.

DEAR MR. PRESIDENT: The United States Grain Corporation having under Executive order acted as fiscal agent of the American relief administration covering European operations, has prepared an accounting as of to-day on the $100,000,000 appropriation which was approved by Congress February 25, 1919 (Public 274, 65th Cong.), and we are forwarding herein statement of account showing proper evidence of expenditure furnished to and approved by the Comptroller of the Treasury in the amount of $94,929,246.77, and a list of cargoes and cost of service covered by the above expenditure.

A large part of the foodstuffs supplied under this appropriation was furnished to the various governments in central and northern Europe, who have undertaken to give obligations for repayment at the cost thereof in the amount of $84,014,527.92, which includes the sum of $9,170.28 remaining to be collected, as shown by certified statement attached. This statement also shows an expenditure in the amount of $10,923,889.13 for child feeding and other charitable services, for which no obligations of repayment were taken. The signed obligations of the various governments are inclosed herewith.

Please note that these obligations exceed in amount owing by the various governments on account of our having taken the obligations as security during the delivery of the foodstuffs and at a time when definite values could not be relied on. These excess obligations amount to $13,141,324.24, and are being returned herewith for disposition.

We still have outstanding claims amounting to approximately $100,000, which will be billed against the comptroller on the appropriation just as soon as paid vouchers can be obtained, being the evidence the comptroller requires before reimbursing the Grain Corporation. We hope shortly to be in a position to forward a further statement as to evidence of the $100,000 expenditure referred to, thus closing the entire matter.

Yours very truly,

EDW. M. FLESH,
Vice President and Treasurer.

Received with President's letter of September 29, 1920.—V. K.

UNITED STATES GRAIN CORPORATION,
New York City, March 17, 1923.

Mr. S. P. GILBERT, JR.,
Undersecretary, Treasury Department,
Washington, D. C.

MY DEAR MR. GILBERT:

* * * * * * *

We do not want our interpretation on these specific obligations to have any bearing on the credit indorsements on previous obligations transmitted to the Treasury Department covering the $100,000,000 appropriation, for the reason that the obligations arising out of the $100,000,000 appropriation are all based on c. i. f. values, and interest on these obligations therefore accrues from the date of the obligations covering their face value to the date of the indorsement of credit, and from then on the interest should be calculated on the face value, less the credit indorsement.

Whenever we can be of further service call on us.

Yours very truly,

EDW. M. FLESH,
President and Treasurer.

(FILE NOTE.—The above is the last paragraph of a 4-page letter from Mr. Flesh relating to the obligations the United States Grain Corporation received from foreign governments which were transmitted to the Treasury with letter of January 9, 1923.)

United States Grain Corporation, acting as fiscal agent of the American Relief Administration

LIST OF CARGOES AND SERVICE EXPENDITURE APPROVED BY THE COMPTROLLER OF THE UNITED STATES TREASURY UNDER THE $100,000,000 APPROPRIATION FUND

Description (steamer, etc.)	Cargo	Freight handling, etc.	Total
S. S. Pequot	$1,145,255.60	$269,226.80	$1,414,482.40
S. S. West Madaket	815,665.23	280,435.00	1,096,100.23
S. S. Indianapolis	665,214.46	228,708.32	893,922.78
S. S. Zeus	915,603.07	223,370.45	1,138,973.52
S. S. West Cobalt	811,409.26	210,698.92	1,022,108.18
S. S. Edgecombe	931,597.87	181,205.63	1,112,803.50
S. S. West Humhaw	3,326,048.19	250,713.72	3,576,761.91
S. S. Eastern Light	832,032.82	193,547.67	915,600.49
S. S. Edgefield	915,765.21	178,189.93	1,093,955.14
S. S. Manitowoc	471,200.00	186,000.00	657,200.00
S. S. Arakan	2,949,233.21	226,799.01	3,176,032.22
S. S. Selandia	1,161,254.60	186,218.71	1,347,473.31
S. S. Jan Van Nassau	409,002.41	100,197.21	509,199.62
S. S. Canton	209,751.25	82,796.54	292,547.79
S. S. Cape Lookout	749,675.59	262,042.97	1,011,718.56
S. S. Western Chief	894,000.31	211,617.19	1,105,617.50
S. S. Hico	479,579.44	113,340.63	592,920.07
S. S. Regulus	668,648.59	97,521.01	766,169.60
S. S. Lake Larga	218,773.60	86,356.00	305,131.60
S. S. Eastern Queen	915,142.22	216,868.13	1,132,010.35
S. S. Oshkosk	600,840.43	186,173.46	787,013.89
S. S. Lacandaga	1,013,144.31	227,860.58	1,241,004.89
S. S. Saco	458,391.58	180,920.36	639,251.94
S. S. Lonoke	452,166.02	51,915.96	504,081.98
S. S. Fort Pitt Bridge	581,548.57	198,157.73	779,706.30
S. S. Lake Calvenia	337,990.70	100,821.09	438,811.79
S. S. Foster	455,596.80	60,039.22	515,636.02
S. S. Lake Strabo	340,725.90	86,391.14	427,116.14
S. S. Lake Charlottesville	343,255.00	87,032.78	430,287.78
S. S. Phoenix Bridge	324,178.00	127,965.00	452,143.00

United States Grain Corporation, acting as fiscal agent of the American Relief Administration—Continued

Description (steamer, etc.)	Cargo	Freight handling, etc.	Total
S. S. Wakanna	$468,597.74	$56,642.27	$525,240.01
S. S. Panola	364,912.00	129,137.51	494,049.51
S. S. West Erral	688,262.52	211,156.93	899,419.45
S. S. Bavaria	420,704.49	139,081.65	559,786.14
S. S. Charlot	749,461.43	133,738.00	883,199.43
S. S. Lake Licoco	340,787.86	81,324.38	422,112.24
S. S. Lake Lillicusum	344,127.14	82,121.25	426,248.39
S. S. Agawan	1,034,582.66	235,782.67	1,270,365.33
S. S. Dio	989,215.31	188,332.44	1,177,547.75
S. S. Ceralvo	354,412.14	84,575.62	438,987.76
S. S. Tyr	550,126.81	101,105.36	651,232.17
S. S. Coquina	311,810.71	74,409.38	386,220.09
S. S. Yakima	460,295.71	55,188.46	515,484.17
S. S. West Chester	1,115,177.59	232,110.09	1,347,287.68
S. S. Shooters Island	1,128,812.97	199,918.04	1,328,731.01
S. S. Faraby	432,308.78	118,890.23	551,199.01
S. S. Athenic	580,939.87		580,939.87
S. S. Queen Alexandria	755,141.37		755,141.37
S. S. Navarino	777,735.60		777,735.60
S. S. Western Belle	2,392,981.24	207,246.95	2,600,228.19
S. S. Cape Henry	802,467.15	130,757.37	933,224.52
S. S. Maine	27,692.43	8,198.42	35,890.85
S. S. West Cressey, Voyage II	1,172,846.89	229,470.54	1,402,317.43
S. S. Naimes	866,087.25	145,025.22	1,011,112.47
S. S. Sonnenfels	934,419.80	161,674.68	1,096,094.48
S. S. Westward Ho	403,086.41	166,996.86	570,083.27
S. S. Rudelsburg	848,477.43	136,913.40	985,390.83
S. S. Gerfrid	820,171.24	130,089.50	950,260.74
S. S. Aschenburg	875,287.90	173,153.13	1,048,441.03
S. S. Hannau	537,422.08	105,676.47	643,098.55
S. S. Kagera	664,507.74	87,063.96	751,571.70
S. S. Schwarzenfels	2,123,459.35	205,222.93	2,328,682.28
S. S. Besoeki	670,406.49	102,325.31	772,731.80
S. S. Schodack	471,703.60	184,347.35	656,050.95
S. S. Lake Fraley	369,880.95	74,958.84	444,839.79
S. S. Lake Fraichur	368,158.67	74,609.81	442,768.48
S. S. Lake Fontanet	383,534.47	77,725.82	461,260.29
S. S. Lake Ceroseo	345,478.07	70,219.87	415,697.94
S. S. Bermuda	821,956.77	134,347.05	956,303.82
S. S. Lake Fray	392,691.87	79,581.63	472,273.50
S. S. Erfurt	856,403.23	142,446.87	998,850.10
S. S. Lake Gretna	383,611.99	77,741.54	461,353.53
S. S. Crostafels	607,658.16	85,161.68	692,819.84
S. S. Huberfels	805,076.59	115,268.98	920,345.57
S. S. Lake Dancey	426,648.74	35,159.91	461,808.65
S. S. Catawba	1,051,800.39	46,815.03	1,098,615.42
S. S. Garibaldi	891,924.57	13,168.67	928,839.46
S. S. Hansa		23,746.22	
S. S. Mirach	1,148,701.67	138,762.08	1,287,463.75
S. S. Falkenfels	808,596.58	132,610.72	941,207.30
S. S. Absaroka	369,581.49	117,487.30	487,068.79
S. S. Englewood	22,790.06	3,386.88	26,176.94
S. S. Point Bonita	69,704.31	24,291.48	93,995.79
S. S. Theresa Horn	18,204.48	2,385.00	20,589.48
S. S. Ocland	118,044.13	74,957.17	193,001.30
S. S. Ida	10,886.31	20,062.12	30,948.43
S. S. Isis	54,313.92	3,185.50	57,499.42
S. S. Adelheid	30,622.19	5,218.26	35,840.45
S. S. Everett	166,803.00	49,675.12	216,478.12
S. S. Newburg	1,388,823.33	251,193.55	1,640,016.88
S. S. Morristown	872,101.98	155,825.37	1,027,927.35
S. S. Western Light	798,740.21	153,749.60	952,489.81
S. S. Augusta Foherczegno	178,782.43		178,782.43
S. S. Szent Istvan	74,079.64		74,079.64
S. S. Marianne	90,577.03		90,577.03
S. S. Brisgravia	153,096.39		153,096.39
S. S. Frederica	66,516.18		66,516.18
S. S. Antwerpen (coastwise)		35,149.28	35,149.28
S. S. Karpathos (coastwise)		41,580.55	41,580.55
S. S. Lipsos (coastwise)		33,284.03	33,284.03
S. S. Roma (coastwise)		32,906.70	32,906.70
S. S. Schwinge (coastwise)		30,123.54	30,123.54
S. S. Hilda (coastwise)		36,088.49	36,088.49
Commodities purchased from U. S. Army in France	6,808,894.11		6,808,894.11
S. S. Dubbe	304,435.31	126,180.42	430,615.73
S. S. Balli	883,760.14	192,876.17	1,076,636.31
S. S. Wieringen	304,760.07	126,315.03	431,075.10
S. S. Bussum	366,994.84	152,109.71	519,104.55
S. S. Woonsocket	560,728.34	232,407.13	793,135.47
S. S. Westford	539,600.00	223,650.00	763,250.00
S. S. Sahale	467,976.78	193,964.06	661,940.84
S. S. Lake Yelverton	224,034.70	92,856.49	316,891.19
S. S. Agwistar	338,883.34	62,332.87	401,216.21
S. S. Tabor	16,553.07	4,318.88	20,871.95
S. S. Lake Farge	112,920.33	28,402.43	141,322.76
S. S. West Lashaway	19,924.80	4,831.91	24,756.71
S. S. Neuse	142,976.40	21,511.89	164,488.29
Commodities purchased from U. S. Army at Trieste per quartermaster's invoice—			
9	72,760.30		72,760.30
10	2,116.80		2,116.80
51	43,358.24		43,358.24
54	69,479.77		69,479.77
S. S. West Mount	49,609.70	14,299.75	63,909.45
S. S. West Eldara	85,866.90	45,933.91	131,800.81
S. S. Siretul	93,522.67	15,638.89	109,161.56
S. S. Karpathos and August Wilke		48,930.00	48,930.00
Freight on typhus equipment from U. S. Army at Coblenz to Poland		110,462.60	110,462.60
Expenses of movement of commodities from Rotterdam and French ports to upper Baltic ports		975,958.13	975,958.13
Coal for bunkering of steamers engaged in above movement		209,867.52	209,867.52

United States Grain Corporation, acting as fiscal agent of the American Relief Administration—Continued

Description (steamer, etc.)	Cargo	Freight handling, etc.	Total
S. S. Maartensdyjk	$329,115.29	$147,235.79	$476,351.08
Commodities purchased from the Commission for Relief in Belgium	2,073,159.02		2,073,159.02
S. S. Slavonia	51,471.64	6,743.38	58,215.02
S. S. Kickapoo	405,840.82	37,793.75	443,634.57
S. S. Muntenia		31,149.11	31,149.11
S. S. Remscheid	2,044,290.49	Not yet paid.	2,044,290.49
Grand total	80,129,872.76	14,799,374.01	94,929,246.77

United States Grain Corporation, acting as fiscal agent of the American Relief Administration, account of receipts from the United States Treasury out of the $100,000,000 appropriation fund segregated according to country to which relief was furnished, September 25, 1920

Name of country, etc.:		
A. For commodities delivered and services rendered to European governments for which obligations of repayment were taken—		
Armenia	$8,028,412.15	
Czechoslovakia	6,348,653.56	
Estonia	1,785,767.72	
Finland	8,281,926.17	
Latvia	2,610,417.82	
Lithuania	822,136.07	
Poland	51,671,749.36	
Non-Bolshevist Russia	4,465,465.07	
		$84,014,527.92
B. For commodities delivered for child feeding and for other charitable services for which no obligations of repayment were taken—		
Czechoslovakia	2,261,229.96	
Estonia	376,621.73	
Finland	560,275.75	
Latvia	493,575.52	
Lithuania	279,721.53	
Poland	4,743,147.07	
Rumania	414,286.43	
Non-Bolshevist Russia	373,873.72	
Serbia	1,035,407.59	
Freight on Red Cross supplies	275,287.23	
Freight on typhus equipment	110,462.60	
		10,923,889.13
Total		94,938,417.05
Deduct for collection not yet made on account of Government of Armenia (vouchers not received), but included above		$9,170.28
Net receipts as list of cargoes and service expenditure approved		94,929,246.77

We hereby certify that the above account of receipts from the United States Treasury out of the $100,000,000 appropriation fund is correctly stated in accordance with the books of the United States Grain Corporation, London office, as of this date.

LESLIE, BANKS & CO.,
Chartered Accountants.

NEW YORK, *September 25, 1920.*

Mr. FESS. Mr. President, will the Senator yield?

Mr. STEIWER. I yield.

Mr. FESS. Did the resolution require that the report should be made to Congress, or did it require that it should be made to a Cabinet officer?

Mr. STEIWER. The resolution required that the report should be made to the Congress of the United States.

Mr. FESS. Was that to be through a Cabinet officer?

Mr. STEIWER. I took a contrary position last night in a brief discussion I had with the Senator from Tennessee. It is my opinion as a lawyer that the report should have been made by the President of the United States to Congress. However, I want to make clear to-day, as I did upon yesterday, that I have no desire at all to criticize President Wilson or to criticize the Secretary of the Treasury, Mr. Houston, on account of failure of either of them to make report required by the act of February 25, 1919. We know the emergency under which those men were acting and the demands that were being made upon their time. The whole

transaction was unusual, and I think it is unfair now that we should direct criticism toward him for failure to report.

The point I desire to make is that the duty to make the fiscal report was never upon Mr. Hoover, who was never the fiscal agent of the President with respect to this transaction. It was always upon the United States Grain Corporation, and that institution did furnish the information to the President, who turned it over to the United States Treasury, and the failure to make the report certainly can not be charged to any failure on the part of Mr. Hoover.

There is just one other word I would like to add to what I have said, namely, that the act of Congress under which the President, the Grain Corporation, and Mr. Hoover were proceeding, provided in these direct terms—

> There is appropriated out of any money in the Treasury not otherwise appropriated $100,000,000, which may be used as a revolving fund until June 30, 1919, and which shall be audited in the same manner as other expenditures of the Government.

Under the direct provision of the language just read neither Mr. Hoover nor any other man was in position to gain control over this appropriation. The money was paid by legal process upon claims duly approved by the Comptroller of the Treasury, and every cent of the $100,000,000 that had been appropriated by Congress was accounted for in the manner required by law, and accounts were stated and presented to the Comptroller of the Treasury; the comptroller allowed and audited the accounts, the money was paid, the United States Grain Corporation made the shipments, the food was distributed, and Mr. Hoover accounted for the distribution of the food. All of the documents with respect to the cargoes and the shipments, the tonnage, the value, the nature of the cargo, came back through the regular channels and found their way back to the President of the United States.

It seems to me that this bright page in our history, this generous impulse of the Congress of the United States to provide from our abundant funds for the welfare of those suffering on another continent, this purpose of President Wilson to respond to a great obligation which he felt was upon our Government, this splendid effort by Mr. Hoover to make allocations of food, this humanitarian use of the money of the people is altogether too fine a thing to be traduced and maligned here upon the floor of the Senate of the United States, and that the record made yesterday should not stand unchallenged so that the country might be led to understand and believe that anyone in the Food Administration was at fault or that Mr. Hoover was at fault in failure to make or to file with Congress the report which the act contemplated should be made and filed by another.

Mr. GLASS. Mr. President, I somewhat feel that the obligation is upon me to make a brief statement. I do not think the consideration of this question necessitates either the applause of the President or the bitter criticism of him which have been indulged in here.

My recollection of the expenditure of this $100,000,000 for relief in Europe is that Mr. Hoover had not a free hand to spend that money as he might please. The Treasury had on the ground over there its own accredited representative, and neither the Grain Corporation nor the Food Administration could get a dollar of credit upon that particular fund without the sanction of the Treasury's representative on the ground in Europe.

I think it most unfortunate that this discussion should have assumed an aspect of calling in question the integrity and the honesty of the President of the United States. As I see it, the only question is as to the judiciousness of introducing into a measure of this sort authority for the President of the United States, or any other official of the United States, to transfer funds which Congress intends for one purpose to another purpose.

As I have stated, I voted for the elimination from the House bill of the section in question. I am not so intense upon its elimination prompted by any distrust of the President as that I would be willing to see this measure of emergent relief defeated.

Now, in view of the discussion had here, I apprehend that the conferees on the part of the other House, already apparently very steadfast in their opposition to the elimination of this section, will be induced to be more determined, and the Senate should understand that if it votes to retain that section it may mean, almost inevitably will mean, a very prolonged wrangle between the two Houses and a long delay of this necessary relief.

Mr. COUZENS. Mr. President, under ordinary circumstances I would be opposed to the provision put in this bill by the House of Representatives, but under the present circumstances, in what I consider to be a great emergency, I am going to vote to release the conferees on this provision. Under normal conditions I would not be willing to transfer such power from the Congress to the President.

For the same reason, namely, the emergency, I think we ought to insist upon the maintenance of wages and the use of local labor. That subject I will take up when we reach amendment numbered 14, which I understand is next in the bill.

Mr. FESS. Before we vote I desire to state that I have in my hand a copy of a very illuminating address made over the radio by the chairman of the Committee on Appropriations of the Senate, the senior Senator from Washington [Mr. JONES], touching the present situation, the emergency, and other questions engrossing the attention of Congress to-day. I think everyone would like to read this address, and I ask unanimous consent that it be printed in the RECORD in connection with this debate.

The VICE PRESIDENT. Is there objection?

There being no objection, the address was ordered to be printed in the RECORD, as follows:

> Ladies and gentlemen of my radio audience, I do not know how many there are of you, but I am informed that this radio station reaches as far as Seattle and San Francisco, and so it must reach every part of the United States—so if I do not have a large audience I have a vast amphitheater to talk in. I will imagine it is filled; that is a very satisfying feeling to a speaker.
>
> I have been asked to talk about relief for the distress in the country, measures for relief, and the situation in Congress.
>
> What brought about the condition that confronts us to-day? Was it political? I do not think so. It came from the inherent special characteristics and disposition of the American people. We are a speculating, risking, daring, intensely progressive people. Furthermore, no people can continue half prosperous and half poverty distressed; that is the condition we have been in practically since the World War. Agriculture is really our basic resource; it has been continuously depressed. Industry proper has been prosperous; under the impetus given it by the war, it has become more and more prosperous. Our people—not only in industry but thousands of them in other lines of activity—became excited at our industrial prosperity and development. They became feverishly excited; speculation was the order of the day; fortunes were made overnight. Our credulity and cupidity were played upon.
>
> The President warned the people against what he saw was the inevitable result unless there was a stop to the mad rush for riches; his warning was not heeded. Many good men did not believe we could have an industrial crash again such as we have had from time to time in the past. They felt that our financial and banking system was on such a basis as to prevent any such panics. I am not a financier, but in my judgment no financial system can be devised that will prevent the inevitable results of wild, reckless, and continued speculation by the American people, and nothing can stop the recklessness of this speculative spirit except a crash. The feverish speculation in which our people engaged in the few months preceding the panic is within the memory of all of us. Reflecting men knew this state of affairs could not continue—industrial crash had to come. It came, and we are in the midst of it to-day. Industry and agriculture are coming to the same plane, which had to be. When they reach the bottom and parity they will begin to recover. After the country catches its breath industry and agriculture will rise together from this depression on a higher plane than they ever before rose from a depression in the past, and the country will reach a higher degree of prosperity than ever before.
>
> Harsh, brutal, uncalled for and unjustifiable language has been used against the President of the United States. This language should be resented by all of our just and fair-minded people.
>
> Our Presidents have been honorable, honest, sincere men, earnestly desirous of promoting the happiness and comfort of our people and the welfare of our country. We have never had a President more honest, sincere, earnest, and patriotic than Herbert Hoover; and no President has shown more clearly his love for and devotion to humanity; no President has done as much for humanity in time of peace and in time of war as Herbert Hoover. He has handled millions of dollars donated by the philanthropic

people of the world and has never been charged with the misuse of a penny. He has given his time freely and without price for this work, and I have no doubt but that he has given thousands of dollars of his own money that neither you nor I know anything about. He is no less a humanitarian in the President's chair than he was as a private citizen. He is as innocent of deceit, of what is called "bunk," and of deception as a newborn babe. He may make some mistakes—who does not? That he is denounced as a deceiver of the people and a "bunk peddler" should meet with the condemnation of every good citizen of the Republic, regardless of politics.

Everybody is alive to the situation in this country, both as to the phase growing out of the industrial crash and the situation in certain sections growing out of the unprecedented drought.

These situations are to be met by local, county, State, and national action, together with the aid of benevolent organizations formed for the express purpose of meeting distress in every form. Each of these organizations has its peculiar jurisdiction, and this should be recognized by everybody.

Never before have local organizations been formed so extensively and so promptly as in this crisis, and never before have such extensive organizations been formed or so many men of wealth been enlisted in their efforts, and with their means, to aid humanity and relieve distress as now. The man who is more responsible than any other for this great activity and unexampled benevolent action is Herbert Hoover. And, let me say right here, that in my judgment—of course I can not prove it, but I believe it—this industrial depression would have been far worse than it is but for the prompt, energetic, and wise action of Herbert Hoover.

Some seem to think that the National Government should meet the entire industrial and drought distress. I do not think so. Localities and philanthropic organizations can and should take care of local personal distress situations. They will do so, and they will do it far better and with far less expense than it can be done by the National Government. They will relieve hunger, save from cold, and provide care for the sick.

Certain phases of the labor situation will be met by State and county action, and are being so met to-day, along with other local and State phases of the situation.

I am expected to point out what the National Government is doing and what is being attempted by Congress.

That Representatives and Senators are alive to the need of early and prompt action is apparent from what has already been done. In the consideration of measures in Congress and in the country, the humanity and patriotic motives of those upon whom rests the responsibility of meeting the situation should be assumed. It should also be realized that the welfare of those to be relieved and of those who must bear the burdens must be carefully considered, lest in seeking to help some we make conditions worse for all. Put the burdens too heavy on the well-to-do and they may become the poverty stricken without improving the condition of those we seek to help. Encourage, develop, and expand business as much as possible and relief for the poor and idle is broadened and aided. Some urge higher taxes on business and property. Business and property may be able to stand higher taxes, but there is a limit; and burdensome taxation may mean depression and possible bankruptcy to a prosperous business. In my judgment, it were better for the prosperity of the country and for those who are in adversity if we should not tax to the limit, rather than go beyond the capacity of business to bear.

Various measures are proposed entailing expenditure of Government moneys. Some of you may be interested to have these various proposals brought to your attention. Let me say first, however, that it is said that bills have been introduced in Congress which propose expenditures that would aggregate over $4,500,000,000. I have not examined those particular bills, but I have no doubt this is true. The Senators who propose these measures are doubtless earnest and sincere and they want to help the people. What may have been introduced in the House I have not had an opportunity to examine, but doubtless bills aggregating a tremendous sum of money have been presented. The current expenditures of this Government for the fiscal year aggregate over $4,800,000,000. While the four billion five hundred million proposed in these various bills is not to be expended every year, yet a vast sum of it would be required; and when the National Government starts upon a certain line of expenditures, it is generally a long time before it gets out of it. Can the industries of this country stand an additional tax burden of two or three billion dollars a year? I doubt it very much; and if business fails under such a burden, distress throughout the country will be far greater than it is to-day. I will describe briefly some of the different bills that have been introduced, some substantially the same as others, though introduced by different Members.

One bill introduced appropriates $250,000,000 to be distributed among various counties throughout the United States. The prime purpose of this bill is to furnish employment to 300 men at $3 a day for three months—January, February, and March—for the purpose of surveying, grading, and building new post roads. One of the provisions of the bill requires the counties, where they have the teams, implements, and the like, to furnish free of charge these teams and implements for the purpose of carrying on the work on the roads. If the counties do not have such teams and implements, they are authorized to rent the same and pay for them out of this money. Such a measure would be very difficult, in my judgment, of application, and would entail the securing of not laborers or needy people but officials to carry on these proposed activities.

Another bill has been introduced appropriating a hundred million dollars to be used to reimburse States and subdivisions thereof for expenditures by the States in caring for distressed persons in the State and such political subdivisions, and provides for reimbursement to the States for such expenditures during the years 1929, 1930, and 1931. It would look like the spirit of this bill is to relieve the States and subdivisions of any burden for caring for their own people and putting the burden on the National Government.

Another bill has been introduced for the relief of the farmers of the drought-stricken, flood-stricken, hail-stricken, and storm-stricken areas of the United States, and $40,000,000 is authorized to be appropriated and advanced or loaned to the farmers to meet this situation.

Another bill has been introduced for substantially the same purpose appropriating $100,000,000, but extends the use of this money to the purchase of food in addition to seed, fertilizer, feed for work stock, etc.

Another bill has been presented not directly appropriating any money, but it provides for the distribution of 40,000,000 bushels of surplus wheat in the hands of the Federal Farm Board. This is to be distributed to private or public relief organizations. No provision is made for reimbursement of the money that has been spent by the Federal Farm Board in the purchase of this wheat, but its distribution is to be accomplished without cost to the United States or to the people benefited.

Another bill has been introduced for $25,000,000 for similar purposes without making any provision for the purchase or distribution of the grain.

Another bill authorizes an appropriation of $3,500,000 to enable the Secretary of Agriculture to employ agents required to carry on agricultural extension work in the counties embraced within the drought areas. These shall not be the employees now in the distressed areas, but are to be Government agents to instruct the people in these drought areas. I am inclined to think that people do not need so much instruction right now as they do the means of getting ready for the coming year.

Another bill is pending to provide for the advance to any State affected by drought $5,000,000 to be expended for construction of highways in addition to the regular highway appropriations. No "matching" by the State is required. This would mean additional appropriations of $100,000,000 or more. It would take some time to prepare plans for the expenditure of this money in addition to the regular road appropriations and the emergency appropriation that we are making.

Another bill has been introduced for $60,000,000 to aid in the drought-affected areas. This bill does not provide for furnishing food. One of the provisions of this bill authorizes the advancement to any State affected the sum of $5,000,000, on such terms and provisions as the President and the Governor may agree upon. This section would call for the appropriation of many millions of dollars. Another section of the same bill authorizes the appropriation of $3,500,000 for the employment of Government agents to carry on extension work. Another section authorizes the President to requisition from the Federal Farm Board from time to time, and deliver without cost, wheat, to be distributed through the Red Cross agencies or other agencies designated by the President. This bill as a whole would entail, if carried out, the expenditure of one hundred and fifty or two hundred millions of dollars.

Substantially the same bill has been introduced in the House.

Another bill has been introduced for $150,000,000 to make advances or loans to farmers for the purchase of food, seed, etc., to meet the needs growing out of droughts during the past four years.

A bill authorizing an appropriation of $60,000,000 to aid the farmers in the drought-stricken sections of the country has been passed by the Senate. This bill provides for furnishing the farmers not only seed, fertilizer, feed, etc., but also food, clothing, etc., for the families. This is a departure in relief measures by the National Government. Of course everybody's sympathy goes out to farmers needing food and clothing. A serious question arises, however, as to whether the National Government should inaugurate the policy of furnishing food and clothing under such circumstances, or whether this should be left to the various localities where the suffering people reside. Considering a question of this kind, the future must be taken into account as well as the present, and also we must not overlook the fact that many thousands of our people who are not farmers nor allied with farmers may be suffering for food and clothing, just as the farmers are. If we take care of the farmers in this way, what excuse can we give for not taking care of the destitute everywhere? We have many splendid organizations throughout the country to take care of situations like this; furthermore, the people of various communities who are not suffering are always glad to aid their neighbors under such circumstances, and is it not wise to allow such situations to be cared for in that way? This is no more charity than for the Federal Government to appropriate money to be used directly for this purpose.

These great crises are not met by what may be termed "charity" but by aid and the philanthropic acts of people who are glad to relieve the suffering of those who can not help themselves. This $60,000,000 bill passed the Senate without any division. It is now pending before the House of Representatives. There seems to be a strong sentiment there to eliminate the provision for the purchase of food. This is not based upon any unphilanthropic or unsympathetic nature or feeling of the Representatives, but is

based upon their idea as to what is really wise to appropriate today. They propose to appropriate $30,000,000 to be used for the relief of farmers in the furnishing of feed, fertilizer, etc. If the bill is passed in this form, of course it will go to conference, and what will come out of the conference I can not say. We should act promptly, as the need is urgent. The climatic conditions in some sections of our country require early action to make available feed, fertilizer, etc., in time.

The President asked for $150,000,000 for emergency work. Bills were introduced by various Members to carry this recommendation out. Finally the House Committee on Appropriations after hearings reported a bill for $110,000,000. The committee, instead of leaving the expenditure of money entirely to the President, apportioned it among five specially urgent propositions, giving to the President the power to transfer from one project to another in case of emergency. The bill passed the House in this form. It has been considered by the Senate. The Senate added $8,000,000, of which $3,000,000 was added for roads and trails and for highways in forest reserves, and $3,000,000 to be applied on the road program provided for at the last session of Congress. This bill has gone to conference, and the conferees have reached a full agreement; and instead of $8,000,000 increase, as provided by the Senate, $6,000,000 is agreed upon in the conference; and while the Senate struck out the provision giving the President authority to transfer from one project to another, the conferees have restored that provision.

There are public buildings all over the country authorized, and the money is ready to start work on them. There are a few technicalities that must be removed by legislation. These can be passed promptly unless we get to wrangling over details, or some one may delay the same because he thinks he may not be getting all he ought to have. These buildings when started will entail the expenditure of $350,000,000 or more, and will furnish employment for many thousands of laborers all over the country.

Farm relief and relief for the unemployed are the great and important questions confronting Congress. They are entirely nonpartisan. Democrats are just as anxious to work these problems out satisfactorily to all as are Republicans, but no more so. The primary responsibility rests on the Republicans, because they are in control of the Government and the legislative branch. While all are entitled to their opinions as to what should be done, we should all work together as nearly as possible for the common good and be ready to make many concessions in order to expedite relief. The limitations of the National Government should be recognized, and no attempts should be made to expand them, even in the face of the great emergency confronting us. Something might be temporarily helpful that exceeds the established limits, but in the end it would be most harmful. It would be better not to go up to those limits rather than to expand them even temporarily.

The real power and stability of this Nation after all, in time of stress as well as in time of prosperity, rest in the people back home. I appeal to them to reflect and form conservative opinions as to what should be done in this great crisis, and have confidence in the humanity, integrity, and patriotic purposes of not only their President but also their Senators and Representatives.

Let the Nation, the State, the county, and the local municipality work together within their respective jurisdictions for the common good, and we will soon see our people on the road to prosperity and happiness, and the Nation to greater wealth, power, and glory—courage and stability, reason and progress, wisdom and success, industry and strength, economy and production, perseverance and determination go hand in hand with a nation's progress as well as an individual's success. Hope rather than fear dispels the clouds of pessimism in the progress of an individual or a nation, in adversity as well as prosperity.

Mr. FESS. Mr. President, I had no hesitancy, when this matter was before us on a previous occasion, to vote with the majority to let this item go out of the bill, but in view of the fact that it appears that the President feels that he could be more expeditious in the application of the fund if this authority were given him, I am perfectly willing to give him the entire authority in the matter. I do not believe it will be abused, and I am going to vote to recede.

The VICE PRESIDENT. The question is on agreeing to the motion of the senior Senator from Washington [Mr. JONES]. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. ROBINSON of Indiana. I have a general pair with the junior Senator from Mississippi [Mr. STEPHENS]. I am unable to obtain a transfer, and therefore am forced to withhold my vote. If permitted to vote, I would vote "yea."

Mr. BLEASE. I transfer my pair with the junior Senator from Maine [Mr. GOULD] to the senior Senator from Nevada [Mr. PITTMAN] and vote "nay."

Mr. FESS. I desire to announce the following general pairs:

The Senator from Connecticut [Mr. WALCOTT] with the Senator from Tennessee [Mr. BROCK];

The Senator from New Hampshire [Mr. KEYES] with the Senator from Iowa [Mr. STECK];

The Senator from Colorado [Mr. WATERMAN] with the Senator from Virginia [Mr. SWANSON]; and

The Senator from Rhode Island [Mr. METCALF] with the Senator from Maryland [Mr. TYDINGS].

The result was announced—yeas 42, nays 39, as follows:

YEAS—42

Barkley	Gillett	McMaster	Shortridge
Bingham	Glass	McNary	Simmons
Broussard	Glenn	Morrow	Smoot
Capper	Goff	Moses	Steiwer
Carey	Goldsborough	Norbeck	Thomas, Idaho
Couzens	Hale	Oddie	Townsend
Dale	Hastings	Patterson	Vandenberg
Davis	Hatfield	Phipps	Walsh, Mont.
Deneen	Hebert	Ransdell	Watson
Fess	Jones	Reed	
Fletcher	Kean	Schall	

NAYS—39

Ashurst	Copeland	Howell	Robinson, Ark.
Black	Cutting	Johnson	Sheppard
Blaine	Dill	Kendrick	Shipstead
Blease	Frazier	La Follette	Smith
Borah	George	McGill	Thomas, Okla.
Bratton	Harris	McKellar	Trammell
Brookhart	Harrison	Morrison	Walsh, Mass.
Bulkley	Hawes	Norris	Wheeler
Caraway	Hayden	Nye	Williamson
Connally	Heflin	Pine	

NOT VOTING—14

Brock	Metcalf	Stephens	Walcott
Gould	Pittman	Swanson	Waterman
Keyes	Robinson, Ind.	Tydings	
King	Steck	Wagner	

So the Senate receded from its amendment No. 13.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. A bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

Mr. JONES. I ask unanimous consent that the unfinished business may be temporarily laid aside.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. JONES. I now move that the Senate recede from its amendment numbered 14.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Washington that the Senate recede from its amendment numbered 14.

Mr. JONES. Mr. President, this is an amendment proposed by the Senator from Michigan [Mr. COUZENS]. At the time it was proposed I stated that I felt very favorably inclined toward the principle and policy of having local workmen on local work as far as it is possible to do so, and if proper provisions at the proper time could be framed and presented to carry out that purpose I should be inclined to support them. I feel inclined to believe, however, that the amendment could not be applied here. Some question has been raised as to its constitutionality. I am not going to discuss that phase of it except to call attention to the section of the Constitution which was called to my attention, and allow those who are more familiar with legal propositions, especially constitutional questions, to pass upon it.

Section 2 of Article IV of the Constitution provides that—

> The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

If we can provide by legislation that the citizens on one side of a State line can not be used on public works just across that line, I hardly see how the constitutional provision can be considered as involved; but, as I said, I am not going to discuss that phase of the matter. I merely suggest it for the lawyers of the Senate to consider, if they have not already done so.

Mr. BARKLEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Kentucky?

Mr. JONES. I yield.

Mr. BARKLEY. There may be something in the general contention made by the Senator from Washington, but his

illustration, it seems to me, is faulty. The amendment does not say anything about State lines or boundaries. It merely says that contractors and others shall be required to use local labor. I suppose if that labor is close enough to a State line to be just across that line from the work to be performed, it would be regarded as local, and the question of the Constitution would not in any way apply there, although it might apply if the people were in widely separated sections.

Mr. JONES. Of course it applies in that way. It does not apply merely to places near the State lines.

Mr. BARKLEY. But the Senator's illustration was purely a local one.

Mr. JONES. It came to me just on the spur of the moment.

I wish to invite attention, too, to a criticism of the amendment which I think should have the very careful consideration of every Member of the Senate. It comes from what I consider a very authoritative source, from a source which has to do with propositions in which every Senator is interested. I say every Senator, because there is not a Senator who is not interested in harbor improvement or river improvement. I wish to read a letter from the Chief of Engineers. The proposal of the Senator from Michigan embraces and affects and deals with all river and harbor projects throughout the country so far as they are affected by the $22,500,000 appropriation for rivers and harbors. I have here a copy of a letter from the Chief of Engineers to the chairman of the House committee dealing with the item covered by the particular amendment now before the Senate. I ask the attention of Senators, because I think it vital. Addressing the chairman of the House committee, the Chief of Engineers said:

1. In accordance with your request by telephone, I furnish herewith my views on the amendment to section 3 of the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works which was indorsed by the Senate.

2. This amendment contains certain restrictive provisions as to the employment of laborers and mechanics under contracts made under the provisions of the act and fixes the rates of wages for such laborers and mechanics.

3. The purpose of the act is to provide for emergency construction on certain public works with a view to increasing employment. As unemployment has now reached an acute stage, it is highly advisable that as much work as possible be placed under contract at the earliest practicable date. The Engineer Department has plans and specifications in readiness to place a considerable proportion of the work under advertisement as soon as the appropriation is passed. These specifications are drawn up on the basis of existing law.

4. It is the universal experience that new legislation slows up the work while administrative and judicial interpretation of the meaning of the statute is being sought. Among the interpretations required under the proposed legislation are the following:

What part of a river or harbor channel lies within a given city, town, or village within the meaning of the act?

Apparently, according to the Chief of Engineers, that language will need special construction and, of course, will have to be studied, and he intimates that it will take some time properly to construe the language. He continues:

Are the crews of dredges to be classed as laborers and mechanics within the meaning of the act?

Dredges, of course, are used very extensively on both river and harbor improvement and the Chief of Engineers seemed to have some doubt as to whether the crews of the dredges would be classed as laborers. He said that is a matter which would involve construction and possible litigation.

Mr. COPELAND. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from New York?

Mr. JONES. I yield.

Mr. COPELAND. Would not the men on dredges of that kind be considered as permanent employees? Is it not the purpose of the bill to apply only to new construction and new help that would be employed?

Mr. JONES. But the dredges would be used in new construction.

Mr. COPELAND. But are not the dredges in common and constant use?

Mr. JONES. There seems to be some doubt in the mind of the Chief of Engineers, because he asks the question whether the men will be classed as laborers or not within the meaning and terms of the act. I am not prepared to pass on that question myself.

How is the highest rate of wage for a given class of work within a city, town, State, or Territory to be determined?

I confess that I do not know how it is to be determined. I can see how various questions might arise with reference to whether this or that was the highest wage. I can see how contractors might make some special arrangement between themselves and labor by which certain wages would be paid that would enable them to bid on an advertised contract to the disadvantage of bidders or contractors who did not know about such an arrangement. I can see the possibility of all sorts of controversies and conditions arising, and leading to controversy with reference to what the highest wage is. Evidently the Chief of Engineers sees much difficulty along that line. Then:

If one contractor raises wages for the purpose of securing laborers or mechanics under adverse working conditions, must all other contractors meet this increase?

That is in line with the thought I just expressed.

5. Bidders on the work will demand interpretations of this nature on other features of the law. If it is not furnished, and it can not promptly be, the bid prices will be greatly raised, and the public funds will go into the contractor's profits rather than into the payment of wages.

6. I do not favor restrictive legislation of this character under any circumstances. Should, however, Congress regard such legislation as advisable, I strongly urge that it be made to pertain to the regular appropriations, in expenditure of which promptness is not a matter of extreme moment, rather than in emergency legislation designed to relieve the present distress.

Very truly yours,

LYTLE BROWN,
Major General, Chief of Engineers.

It strikes me that the last suggestion which General Brown makes is one that is entitled to most careful consideration. This is a relief measure; it is considered as an emergency measure. Its enactment into law promptly is very important. The amendment certainly involves a very controverted question, and one that should be given most thoughtful and careful study by a committee of Congress in order to determine its terms; and if it shall be applied, as General Brown suggests it ought to be applied, I think, to the regular appropriation bills. It is possible that we may work out some legislative scheme by which we can apply such a provision, if it is constitutional, to the regular appropriation bills, where expedition is not a vital element.

There seems to be very serious questions as to the terms of the amendment. In the debate the other day it was discussed as if it related to public buildings. There is no public-building proposition involved in this measure. I can see difficulties arising with reference to the public highways. There may be a stretch of a public highway that is partly in one State and partly in another. How can that be dealt with under this amendment?

Mr. President, that is as far as I intend to go. It seems to me that the suggestions submitted by the Chief of Engineers are practically unanswerable and are vital when it comes to considering the adoption of this amendment at this time and on the pending measure.

In view of this decision and because of the urgent necessity of early action on the bill and the different interpretations that may be placed on the amendment, I have moved that the Senate recede from it.

The VICE PRESIDENT. The question is on the motion of the Senator from Washington.

Mr. COUZENS. Mr. President, I think the Chief of Engineers in the final paragraph of his letter, which the Senator from Washington has just read, sums up his argument by saying that he disapproves of all restrictive legislation.

Mr. JONES. There was one statement of the letter which I failed to read, which I wish now to read before the Senator from Michigan proceeds. It is an additional memorandum of the letter from General Brown. It is a memorandum to accompany the letter to Chairman Woods and is as follows:

A considerable part of the public works for the improvement of rivers and harbors to which the emergency appropriation is to be applied lie in the boundary waters between two States. It is clearly impracticable to require a contractor engaged in the construction of a dam across the Mississippi River between the States of Illinois and Iowa, for example, to employ residents of Illinois on one portion of the work and residents of Iowa on the other portion.

That is signed by General Brown.

Mr. COUZENS. Mr. President, the Chief of Engineers is opposed to all restrictive legislation. When anyone starts out with a fundamental objection to legislation or to any restriction, of course, he can manufacture all sorts of excuses and reasons for opposing it. I do not believe the Chief of Engineers has advanced one single sound reason against the enactment of this proposed legislation. The enforcement of every new legislative act involves interpretation by the departments and by the courts. Just why this proposed legislation, which is to be applied in an emergency, would be any more difficult of interpretation than would be any other regulatory legislation which we might pass in reference to the regulation of railroads, the radio, the telephone, or the telegraph I can not see. Every opponent of legislation manufactures all sorts of reasons to indicate that such legislation can not be enforced. Yet we do enact regulatory legislation at every session of Congress which has to be interpreted by administrative departments of the Government and by the courts.

I do not intend to go in detail into the objections of the Chief of Engineers, because as I have stated they are all trivial, and, no matter at what time we might enact such legislation, there would have to be administrative interpretation.

Mr. President, we heard this morning an elaborate speech delivered by the junior Senator from Illinois [Mr. GLENN]. He referred to the growth of communism, to the general condition of discontent throughout the world, the falling of governments, the breaking down of forms of government, the possible return of the Kaiser to Germany, the possible dethronement of the King of Spain. Yet there is nothing more important to the world than the maintenance of the home. The maintenance of the home is the background of civilization. No one disputes that; and this amendment is proposed for the purpose of maintaining the home, to encourage home building and home owning. It is proposed for the purpose of making men and families contented to live in homes and to adopt certain sections and cities for their homes; and yet it is now proposed by the Senator from Washington to discourage home owning and the establishment of homes by encouraging the importation of labor from any section of the country at any sort of wages and under any sort of conditions that the employer may see fit to impose.

Frequently contractors who bid on contracts for public works figure on the standard going wage, which is not difficult to ascertain, and after having secured the contract on the basis of such standard wage they then, under duress of starvation and need, get workers to work for perhaps half the wage that would ordinarily have to be paid, or the wage which had been used in figuring the bid. I know of cases where contractors have secured contracts for road building based on 50 or 60 cents an hour wages, and after having secured the contract based on those figures have gone out and employed workers at 20 or 30 cents an hour. If the Senate does not want to discourage that sort of practice, then it will vote for the motion of the Senator from Washington. The importation of gangs of workers into cities where men are walking the streets is most discouraging and is an incitement to communism. We should not approve of that sort of thing.

Some Senators may talk about the amendment being unconstitutional. We do sometimes enact laws which are afterwards declared to be unconstitutional; but it seems to me that this is an emergent situation and that we should adopt the provision, force the administrative departments of the Government to interpret it, and then ascertain if in the judgment of the courts this character of legislation is unconstitutional.

Mr. BLACK. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Alabama?

Mr. COUZENS. I yield.

Mr. BLACK. I might call the Senator's attention to the fact that as I understand the only question as to constitutionality is directed against a single phase of the amendment, namely, that which provides for the employment of local labor. I do not understand that any question of constitutionality is raised as to that portion of the amendment which provides that the highest prevailing rate of wages shall be paid. I do not understand that, referring to the suggestion of the Senator from Washington that as to that phase of the amendment there is any possibility of its being unconstitutional.

Mr. ROBINSON of Arkansas. Mr. President——

Mr. COUZENS. I yield to the Senator from Arkansas.

Mr. ROBINSON of Arkansas. It might be said in that connection that section 1 of Article XIV, which was cited by the Senator from Washington, is an inhibition against the States; it limits the powers of the States, but apparently does not limit the power of Congress. The Constitution provides that no State shall deny equality of privilege or immunity to the citizens of other States; and, of course, the moral implication follows that Congress will not do it.

Mr. JONES and Mr. GLASS addressed the Chair.

The VICE PRESIDENT. Does the Senator from Michigan yield; and if so, to whom?

Mr. COUZENS. I yield first to the Senator from Washington.

Mr. JONES. I referred to section 2 of Article IV of the Constitution, which reads in this way:

The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

That is the paragraph to which I referred.

Mr. ROBINSON of Arkansas. I thought the Senator cited Article XIV.

Mr. JONES. No.

Mr. BLACK. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Alabama?

Mr. COUZENS. Yes.

Mr. BLACK. Personally I doubt if that section would apply to the circumstances of this bill; but even conceding that the committee should think that a portion of the amendment was unconstitutional and for that reason would not want to agree to it, there would still be no reason why that feature of the amendment providing for the use of local labor only could not be left out by them, retaining the provision requiring the highest prevailing standard of wages to be paid. That might offer a basis of compromise between the two Houses.

Mr. COUZENS. I think that is true; and if the highest prevailing wage was maintained there would not be the same incentive to import cheap labor.

Mr. BARKLEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Kentucky?

Mr. BARKLEY. I thought the Senator from Michigan had concluded.

Mr. COUZENS. I have concluded; I have said all I care to say.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield to me?

Mr. COUZENS. I yield.

Mr. WALSH of Massachusetts. Is it not a fact that in addition to the fact that the residents of local communities where these public projects are undertaken favor this measure, and that the representatives of labor do. Contractors also favor such legislation as the Senator proposed?

Mr. COUZENS. I may say that I have had no objections from anywhere since this matter has been before the Senate except from the Chief of Engineers, and he is the last man who ought to be propagandizing with Members of Congress to defeat legislation.

Mr. WALSH of Massachusetts. I will say that I have had more pressure brought to bear upon me by high-class, respectable contractors in favor of legislation of this kind than by any other group.

Mr. GLASS. Mr. President, in response to that I beg to state that contractors may be confined to Massachusetts; but I have had contractors from Virginia and adjoining States here to protest that under the terms of this proposition they can not contract for any work in the District of Columbia.

Mr. President, I desire for a moment, not being a lawyer, nevertheless to emphasize the section of the Constitution referred to by the Senator from Washington.

The agitation of this question started here in the District of Columbia. The circumstance was that a contractor in North Carolina had bid on one of the larger projects of improvement here in the District of Columbia. He was the lowest bidder under one section of the proposals. An outcry was made that he was going to bring his construction force from North Carolina into the District of Columbia.

We all know that all contractors of any consequence do have, as they are obliged to have, construction forces. They often maintain their organization when they have not one dollar of work on hand, because of the vital importance to them of having an organization with which they are familiar, and under the operations of which they are enabled to bid on contracts.

The authorities of the District of Columbia, in response to local sentiment, finally found a means of excluding this North Carolina concern and giving the contract to another concern, because the bid of the North Carolina concern for marble trimming had been somewhat in excess of the bid of this other concern for marble trimming, whereas the bid of the North Carolina concern for limestone trimming—which was really in contemplation—was less than that of the other concern; and upon that mere technical consideration the bid of the North Carolina concern was rejected.

This provision of the Constitution which says that—

> The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States—

in my judgment, precludes the passage and the operation of this proposed amendment.

Let us see what the amendment means, for example:

The State of North Carolina contributed last year approximately $300,000,000 in direct taxes to the Public Treasury here in Washington. Just in proportion as that contribution was in excess of the contributions from other States, the State of North Carolina contributed to the lump sum of $9,500,000 for the maintenance of the Government here in the District of Columbia. Nevertheless, under the proposed amendment, contractors in North Carolina and citizens of North Carolina are precluded from coming into the District of Columbia and contracting for its public buildings or laboring on its public buildings.

My own State of Virginia contributed in direct taxes, internal-revenue taxes last year, $89,000,000 to the common Treasury; and in proportion as that contribution is in excess of contributions of other States, they contributed to the lump-sum appropriation for the maintenance of the government of the District of Columbia. Yet, under this amendment, citizens of Virginia across the river are denied the right to come into the District of Columbia and work on Federal improvements. That argument is not confined to the District of Columbia. They are denied the right to go into any State of the Union and work, and citizens of all other States are denied the right to come into either the District of Columbia or any other State and labor on a public improvement. The very essential injustice of the proposition appeals to me, let alone the preclusion contained in the Constitution of the United States.

To do a thing of that sort means to precipitate litigation on every contract made by the Federal Government, because the probable, the almost inevitable, consequence of it would be that every contractor failing to get a contract of moment would at once precipitate litigation, and contend that he was denied his right under the Constitution of the United States to contract for work and to use his own organized force in the prosecution of that work.

These are my personal views. Of course, if the Senate of the United States shall instruct me to stand for this amendment, I am going to stand for it; but from expressions already had in conference it is perfectly apparent to the Senate conferees that the House is never going to recede on it, and, in my judgment, it never ought to recede on it.

Mr. BARKLEY. Mr. President, I do not care to take very much time in arguing about the constitutionality of this proposition, although I find myself unable to agree entirely with the Senator from Virginia with reference to that, even if that should be regarded as an obstacle.

It seems to me that Article IV of the Constitution is very plainly dealing with the relation of the States toward one another. There are two sections to that article, the first one being plainly intended to deal with the relation of the States toward one another, because it says:

> Full faith and credit should be given in each State to the public acts, records, and judicial proceedings of every other State.

While that is affirmative and positive language, it is an inhibition against the legislature of one State passing any law that in any way impairs the integrity of an act of some other State legislature, or the rights of citizens of the other States declared by their judicial departments, or for any other purpose. Nobody can contend that section 1 of Article IV has anything to do with an act of Congress, just like the constitutional provision that no State shall pass any legislation impairing the obligation of a contract. That pertains purely to the relation of one State to another; but there is no constitutional prohibition against the Congress of the United States passing a law that would impair the obligation of a contract. Nobody has ever contended that Congress could not pass any such act. However wise or unwise it might be, Congress has the power to do it, because Congress has not been prohibited by the Constitution of the United States.

Inasmuch as section 1 of Article IV plainly deals with the relationship of the States, I think that at least by implication section 2 likewise deals with the same thing, because it says simply that—

> The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

In other words, no legislature in any State shall have the right to pass a law that abridges the rights of citizens of other States when they are in that State. I think the context of this article, the two sections, plainly shows that it deals with the relationship of the States toward one another, and not the relationship of the Federal Government toward citizens of any State.

So much for that. I am not so much concerned, I will say frankly, with the question of contractors bringing labor out of one State into another to work on a contract as I am with the prevalent habit that is in existence in some sections of contractors taking advantage of this depressed situation, and the large unemployment, to drive wages down even among local employees whom they hire to work upon their local projects; and that is what is occurring.

I have many letters from the city of Louisville, in my State, calling attention to the fact that contractors there on certain public works have deliberately gone out to take advantage of the depressed conditions of unemployment prevailing, and the willingness of a man to work for almost any wage in order to get something to feed his family, for the purpose of driving the pay of day laborers down below a decent wage upon which they might exist. It is largely on account of that situation that I am in favor of the amendment which was adopted by the Senate, and it is largely on account of that that I am going to vote against the motion to recede. I am willing to take chances on the constitutionality of one part of the amendment if we can reach the evil which exists in the other part.

Mr. COUZENS. Mr. President——

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Michigan?

Mr. BARKLEY. I yield to the Senator.

Mr. COUZENS. I ask the Senator if it is not more important to defeat this bill entirely than to put the money in the hands of contractors with which to depress labor?

Mr. BARKLEY. Well, yes. I think if we are going to consider the actual speeding-up in the employment of men, as carried by this bill, compared with the inclination and propensity of contractors to take advantage of the situation to drive down the wages of men, the Senator is right——

Mr. COUZENS. I would much rather.

Mr. BARKLEY. Although I do not want to see the bill fail, and I do not think it will fail if we stand by the provision in this measure. The Senate has already yielded, or practically instructed the conferees to yield, on the other amendment which was in controversy; and I voted to recede on that, because while I do not yield in my conviction that as a matter of principle and general legislation it is unwise, I do think it more important to pass this emergency legislation than it is to haggle between Congress and the Executive as to how the money shall be distributed.

There is another thing which I should like to mention while I am talking about this matter, and that is, I do not at all appreciate the disposition at the other end of the Capitol to use the temporary power which they now have for another two months to hold up legislation here and even be willing to stifle legislation in order that they may carry their point. I am glad that after the 4th of March they will be in no such position to hold up the Senate and legislation and then lay it on the Senate and say we are trying to prevent meritorious legislation for the benefit of the American people; and only because, in my judgment, an emergency exists now was I willing to vote to recede on the other amendment. I certainly do feel with the Senator from Michigan, however, that this matter is of sufficient importance to justify the Senate in standing by its position on it; and I hope the Senate will not recede.

Mr. BLACK. Mr. President, I made some remarks on the subject a few days ago, and I do not care to consume any time now except to explain my attitude with reference to the three phases of this amendment.

In the first place, I am not inclined to disagree with the views expressed by the Senator from Virginia as to the policy of forcing the employment of local labor. I do not believe that this amendment is contrary to the Constitution. But I can not say that I heartily favor the principle of forcing by legislation the employment of local labor. For that reason I voted for the amendment of the Senator from Wisconsin when this matter was first presented to the Senate. However, that is only one of the three phases of the amendment. The other two, in my judgment, are of paramount importance, and, according to my belief, if they are adopted, they will meet the situation at which the Senator from Michigan is aiming.

The other two phases are these. So far as I have heard, there is no objection on the part of any Senator to the other two phases of this bill. First is the protection which is afforded to labor, local or foreign, in the matter of the wages to be paid to that labor. In other words, I do not believe that there are many members of the Senate who think that it is proper in times of depression for the Government to set the example of beating down the compensation either of local or foreign labor. Yet, contractors are forced to do that exact thing under the prevailing system. They are forced to bid in an effort to find out who can construct a building for the lowest price. When they do that, of course, they figure on low-priced labor. The result is that they are going to force down the wages of labor as much as they possibly can. So that the Government, by reason of the system which has been allowed to spring into existence, instead of meeting the emergency at this time with an effort to keep up the prevailing standard of labor, as has been recommended by the President to industry, permits the continuation of a policy which requires its contractors to act in such way that they are compelled to drive down the compensation of labor in order to meet competitive bids. That is the second phase of the bill. The first is the one about which I am very frank to say I do not disagree with the Senator from Virginia, and I have never said on this floor that I did. I doubt the advisability of attempting to enforce the employment of local labor.

The third phase is this. In order to be able to make a low bid there are two things which are necessary for a contractor to do. One is to secure cheap labor; the other is to work that labor long hours.

Mr. CARAWAY. Mr. President, will the Senator yield?

Mr. BLACK. I yield.

Mr. CARAWAY. The Senator said he doubted the wisdom of trying to enforce the employment of local labor. Is it not the custom now everywhere to insist that a contractor within a State shall employ labor within that State?

Mr. BLACK. That is frequently true.

Mr. CARAWAY. The Senator approves that?

Mr. BLACK. I did not say that I approved enforcing by legislation the employment of local labor.

Mr. CARAWAY. If there should be an extensive program of building highways in Alabama, the Senator would be very much opposed to letting the contract to somebody who would go over to the State of Tennessee and employ his labor there and bring it to Alabama and leave Alabama labor unemployed.

Mr. BLACK. Naturally every man would like to have the people in his own State employed to do work in that State.

Mr. CARAWAY. The Senator would not question the right of the State of Alabama to say, "I let this contract; you do not have to accept it, but if you do accept it you accept it under this condition, that you employ local labor"? The Senator does not question the right and power of the State to do that?

Mr. BLACK. The right and power of the State? I do not.

Mr. CARAWAY. So there is no constitutional inhibition against doing that thing?

Mr. BLACK. I have not stated there was any constitutional inhibition against any of it, and I do not think there is.

Mr. CARAWAY. Then I come to this point: If it is a wise policy, and the Senator says he would favor the employment of Alabama labor against Tennessee labor in a program of highway building in Alabama; if it is good public policy for Alabama it is good public policy everywhere, and if it is good public policy, and there is no constitutional inhibition against it, then why would it not be a fine thing for Congress to say, "You shall not go out and exploit labor, and you shall not import it from one community to destroy and break down the morale of the labor of another"? If both policy and power unite, then why is not the amendment as it stands a good one?

Mr. BLACK. I will be glad to state to the Senator my views, although I have not heretofore stated my views on it, because the other two phases seem of paramount importance to me and, in my judgment, if properly enforced will take care of the exact situation, as I will show to the Senator.

Mr. GLASS. Mr. President, will the Senator yield to me?

Mr. BLACK. I yield.

Mr. GLASS. Do I understand the Senator from Alabama to assent to the proposition that it is the right of a State to levy an embargo on labor from other States?

Mr. BLACK. I have not stated my views in reference to the question of the Senator from Arkansas as yet, because I have not had an opportunity.

Mr. CARAWAY. Mr. President, may I just say this: No one would question the right of Virginia to say, "If I am going to let a contract, I will not employ anybody but Virginians upon it." There is no authority anywhere that could go into Virginia and say that Virginia should employ anybody who asks in preference to its own labor.

Mr. GLASS. No; but it must employ the labor supplied by the lowest responsible bidder. I would not think that Virginia would have a right to enact a statute providing that all labor on public enterprises in Virginia must be confined to Virginians and thereby put an embargo on labor from the adjoining or any other of the 47 States.

Mr. CARAWAY. Would the Senator contend that Virginia, if she wanted to contract with somebody, could not impose a condition on him that he should employ Virginia labor?

Mr. GLASS. I do not think it would have a right to do it.

Mr. CARAWAY. Then if Virginia could not do it nobody could do it.

Mr. GLASS. I do not think any State of the Union is authorized to do that any more than it is authorized to put an embargo on the commerce between the States. Of course, it is presumptuous in me to contest a proposition of law, and particularly of constitutional law, with Senators who are lawyers.

Mr. BLACK. Mr. President, the main purpose for which I rose was to point out to the Senate facts which would show that the one proposition which had been here suggested is not the only proposition involved in this amendment, and that if we yield we will be yielding more than that position.

Mr. McKELLAR. Mr. President, as I understand the Senator, his view is that there are at least two propositions here, and probably three.

Mr. BLACK. There are three.

Mr. McKELLAR. And that the motion to recede ought to be defeated, so that all those matters can go back, and if the conference committee reports that the first one—about the employment of local labor—is not proper, they could cut that out and report the last one, which provides for the cost of labor.

Mr. BLACK. The Senator has stated it exactly—that there are three phases—and when we recede we vote against each one of the three phases. The first would require the employment of local labor, upon which there is a division of opinion. The second would require the payment by the contractors of the highest prevailing standard of wages, upon which I do not believe there is much division of opinion. The third would require the limitation of hours in the day of labor to eight. It is difficult to think that in this enlightened day of progress and unemployment there is the slightest division of opinion in this body on that question.

Therefore if Senators vote for the motion of the Senator from Washington they put the stamp of their approval upon requiring men to work for more than eight hours per day on building public works. They also put the stamp of their approval upon a system which permits the Government to beat down the wages of American labor at a time when distress is widespread throughout the land.

It is apparent that at least one member of the conference committee, and probably others, do not believe it is wise for us to adopt the first phase, with reference to the employment of local labor. There is plenty of ground there for an agreement and a compromise and a yielding by both sides. Why not carry out what the universal sentiment of all the enlightened people in this country is to-day and let the Government set the example of working its employees, and those who are employed by reason of the expenditure of this money, only eight hours a day? Why not go one step farther and say that when a contractor goes into a State to erect a building he shall not be required to build on a basis which would require him, in order to get the contract, to drive a hard bargain with the workingman, who is to-day unable to earn his daily bread?

Mr. JONES. Mr. President, will the Senator yield?

Mr. BLACK. I yield.

Mr. JONES. If some one should offer a motion on the floor of the Senate that the Senate recede on this amendment with an amendment, or concur in this amendment with an amendment, then the conferees, of course, would have full authority to present that to the conferees on the part of the House. But under the circumstances as they are, with the attitude of the Senate heretofore expressed, with the instructions under which the House conferees have had to act in the last conference, we would feel, if the Senate voted down a motion to recede, that we would be instructed to stand by this amendment.

Mr. ROBINSON of Arkansas. Mr. President, I do not believe that is a sound statement of the effect of a vote upon a motion to recede. If we recede on the amendment, that ends all controversy with respect to it, and there is no opportunity to do what I believe several Senators would like to see done, namely, recede and accept an amendment which the House may propose. That would be met on a motion here to recede and agree to the House amendment.

I want to point out now, if I may be pardoned for speaking a little generally on the subject, that there are some provisions of the amendment which would work hardship on deserving people. They can be easily corrected. I do not believe that the provision requiring a 90-day residence is practicable. I think it can be easily modified so as to be relieved from the objection which may be made to it.

I think the language might be further modified so as to relieve against any possible hardship in other cases. Take a small town, for instance, the object being to provide employment for the unemployed in the immediate vicinity, it would be a hardship to deny a man living outside of the corporate limits the same opportunity to earn his living which one residing just a few yards away might enjoy. I think the language in that respect can be easily changed so as to improve it, by simply saying "residing in the immediate vicinity of the place where the work is to be performed."

While I have had no opportunity of suggesting it to the Senator from Michigan, it would relieve against any possible objection from a constitutional standpoint, although I think it very gravely questionable whether that is applicable in this particular case, and I wish to state now, if I may, my reason for that suggestion.

Mr. COUZENS. Mr. President, will the Senator yield?

Mr. ROBINSON of Arkansas. I yield.

Mr. COUZENS. Would the Senator construe a rejection of the motion of the Senator from Washington as prohibiting a compromise in conference?

Mr. ROBINSON of Arkansas. Certainly not; that has happened innumerable times in the memory of every Senator who has served here a single term. The only way a compromise can be effected, the only way a revision can be accomplished now, is by refusing to recede on this amendment and letting the conferees agree on something.

Mr. JONES. Mr. President, I want to make just one suggestion, then, which I think may close this debate. It was the peculiar circumstances which have been brought about in connection with this bill which led the conferees to understand that if the Senate rejected this motion, they would be instructed. If it is the general understanding of the Senate that if this matter is taken back to conference, the conferees on the part of the Senate will be at liberty to work out such compromise with the conferees on the part of the House of Representatives as they possibly can, I am perfectly willing to withdraw my motion to recede and take the matter back to conference.

Mr. LA FOLLETTE. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Wisconsin?

Mr. ROBINSON of Arkansas. I yield.

Mr. LA FOLLETTE. It seems to me perfectly clear that unless the Senate further instructed the conferees, assuming that the motion of the Senator from Washington should be rejected, the matter would go to conference just as it would in the original instance.

Mr. ROBINSON of Arkansas. I have not the slightest doubt that the conferees have full power to deal with the matter except that the Senate has indicated that it declines to recede from its position on the amendment. I think the conferees can agree to any modification that is germane to the amendment of the Senator from Michigan and bring it back, and the Senate can then dispose of the question finally.

I wish to add just another brief statement. Certainly there is not any desire on my part to delay discussion. I would like to see the amendment changed as I have indicated. It ought to be changed; otherwise we will have the situation of a man living just across the corporate limit line, who is just as deserving as the man who lives within the city or town, denied the opportunity to earn his living merely for the reason that he does not live within the corporate limits. That would work a hardship. But there is justification for the principle of the amendment, namely, to give employment

to those who live in the neighborhood of the work to be performed. I do not believe that a violation of Article IV of the Constitution.

It will be remembered that I made the statement that Article XIV of the Constitution was of no application. I was then informed that the Senator from Washington had made reference to Article IV. That, in my opinion, is an affirmative assurance on the part of the Federal Government. Section 2 of Article IV reads:

> The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

That guarantees or assures the citizens of the several States equality of privilege and immunity, but the question arises as to what constitutes privilege or immunity within the meaning of that section. There are some authorities which seem to indicate that a declaration that preference shall be given to laborers residing in the immediate vicinity of the work to be performed is not a violation of the equal immunity or privilege guaranty of the Constitution.

Mr. CARAWAY. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to his colleague?

Mr. ROBINSON of Arkansas. I yield.

Mr. CARAWAY. All that means is that the State of Virginia may not enact a law that anyone living in Virginia and having work done there shall hire no one but Virginians. That would be an infringement of the rights of the residents of other States. But when a contractor comes along he can hire anyone he pleases. I can attach to a contract any condition I desire. That is the guaranty of the Constitution, as I view it, that a State can not enact a law, for instance, providing that the people of Virginia could not employ people of West Virginia; but nobody could contend properly that a man living in Virginia should not say "I will not trade with a man living in West Virginia." There is no way to make him do it.

Mr. ROBINSON of Arkansas. Just a further brief statement and my part of the discussion will terminate. A very carefully prepared work on the Constitution which analyzes this section, under the heading "Nature of Privileges and Immunities—Privileges Belonging to Citizenship," embraces the following language:

> No privileges are secured by this clause except those which belong to citizenship. Rights attached by the law to contracts, by reason of the place where such contracts are made or executed, wholly irrespective of the citizenship of the parties to those contracts, can not be deemed "privileges of a citizen," within the meaning of the Constitution.

There is cited a case in Two hundred and fifty-fourth United States Reports which seems to support the principle of a discrimination based on mere residence without regard to State citizenship.

I do not assert that the provision in the bill is beyond doubt constitutional. My statement is that it is not clearly unconstitutional, and it is doubtful whether it would be objectionable particularly if modified to conform to the language which I suggested a moment ago, that "persons living within the immediate vicinity of work to be performed shall have preference in employment."

Mr. JONES. Mr. President, I am still of the opinion, as expressed by the Senator from Virginia [Mr. GLASS] that we are practically instructed, so far as the conferees are concerned, under the circumstances and the action heretofore taken with reference to the provision. We are instructed to stand by the amendments relating to Alabama and Georgia. If we should go to a vote on this matter and the Senate should refuse to recede, we would be instructed in the same way. But with the statement made by various Senators on the floor as to their attitude and as to what they think might be done—and that is perfectly satisfactory to the Senator from Michigan [Mr. COUZENS]—I am perfectly willing to withdraw the motion to recede and take the matter back to conference in the hope that we may work out some compromise which will be satisfactory to all.

The VICE PRESIDENT. The Senator from Washington withdraws his motion.

Mr. JONES. I want to refer to one statement made by the Senator from Michigan [Mr. COUZENS], in which he referred to Chief Engineer Brown as a "propagandist." Of course, I know nothing about what the Chief Engineer has been doing aside from the letter which I have here and from which I quoted. That letter was written by the Chief of Engineers in response to a request direct from the House, to which, of course, he had to reply. If there is anything else he has done, of course, that is something about which I know nothing.

The VICE PRESIDENT. The Senator from Washington moves that the Senate insist upon its amendments numbered 11, 12, and 14, ask a further conference with the House, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Chair appointed the Senator from Washington [Mr. JONES], the Senator from Utah [Mr. SMOOT], the Senator from Maine [Mr. HALE], the Senator from Virginia [Mr. GLASS], and the Senator from Louisiana [Mr. BROUSSARD] as conferees on the part of the Senate at the further conference.

Mr. WALSH of Montana. Mr. President, I wish to inquire of the Senator from Washington [Mr. JONES] what assurance we have of the utilization of these funds immediately for the purposes to be accomplished by amendments numbered 6 and 7?

Mr. JONES. We had a letter, which I read upon the floor of the Senate, from the Bureau of Public Roads, assuring us that the intention which they have is clearly expressed in the House text, and on that expression from them we receded from the Senate amendment.

Mr. WALSH of Montana. The Senator will recall that the last word is with the Comptroller General and not with the Bureau of Public Roads.

Mr. JONES. My understanding from the House conferees was that they had conferred with the Comptroller General and that he had the same view. They had an entirely different view of the effect of the amendment of the Senator from Montana than we on the floor of the Senate had. The Bureau of Public Roads says:

> As originally worded, provision was made for an advance of funds which the States could use to match their regular apportionments of Federal aid. Under this procedure the States would receive a 100 per cent payment on projects constructed under this act. This payment would be made up of the Federal pro rata to be charged to their regular Federal aid apportionment, the balance being an advance under the terms of this bill. Amendment No. 7 apparently makes no provision for advancing Federal funds to supply funds required of the States, but would provide an additional $80,000,000 which under the Federal highway act would have to be matched with State funds. This would not relieve the present situation, in which many States find themselves unable to promptly take up their Federal aid funds because of a temporary shortage of State funds with which to match the Federal funds.

That is the way they construed the language.

Mr. WALSH of Montana. I am surprised at that. The amendment expressly provides that the funds "shall be immediately available for road construction, anything therein or any amendment thereto to the contrary notwithstanding," referring to the Federal highway act.

Mr. JONES. That is their construction.

Mr. WALSH of Montana. However, with the assurance coming from both sources that the money will be immediately available and will not need to be met at the present time by the States I am quite content.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, its enrolling clerk, announced that the House had passed the joint resolution (S. J. Res. 211) for the relief of farmers in the drought and/or storm stricken areas of the United States, with an amendment, in which it requested the concurrence of the Senate.

RELIEF OF FARMERS IN DROUGHT AND STORM AREAS

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 211) for the relief of farmers in the drought and/or storm stricken areas of the United States.

Mr. McNARY. I move that the Senate disagree to the amendment of the House, request a conference on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the President pro tempore appointed Mr. McNARY, Mr. NORRIS, and Mr. SMITH conferees on the part of the Senate.

INTERIOR DEPARTMENT APPROPRIATIONS

Mr. SMOOT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

Mr. WALSH of Montana. Mr. President, pending action on the request of the Senator from Utah, I desire to say that for some days I have been hoping we would have a morning hour. I have some business which I desire to offer during the morning hour. I particularly desire to present a resolution for the consideration of the Senate.

Mr. SMOOT. I am assured that we will have a morning hour to-morrow. I am quite sure it will not take very long to pass the Interior Department appropriation bill. There are only about half a dozen amendments.

Mr. McNARY. Mr. President, it was because of the parliamentary situation presented this morning, which gave precedence to the consideration of the conference report, that we were unable to have the usual call for routine business. That was because of the proceedings attaching to the important conference report in charge of the Senator from Washington [Mr. JONES]. It is my intention to ask an adjournment this afternoon, so we shall have a morning hour to-morrow. I hope there will be nothing to prevent the carrying out of that program.

Mr. BORAH. Mr. President, I understand the Senator from Utah desires to take up the Interior Department appropriation bill at this time.

Mr. SMOOT. Yes.

Mr. BORAH. That is a very important bill to some of the western people. I have not had an opportunity to read the bill or the report. When did it come to the Senate?

Mr. SMOOT. Day before yesterday.

Mr. BORAH. I would like to have it go over until to-morrow morning.

Mr. SMOOT. Of course, if the Senator desires it to go over I will let it go over, but I want to say to the Senator that every request that has been made by any Senator has been incorporated in the bill. If there is anything the Senator has in mind which was not submitted to the committee, of course I am perfectly willing to let the bill go over.

Mr. BORAH. There are several items I had in mind. I should like to know the condition in which they are, if they are in the bill at all. We will not lose anything by the delay, if there is no controverted proposition.

Mr. SMOOT. I do not think there are any controverted items. I think it will take only about half an hour to-morrow morning to pass it. I will let it go over until to-morrow morning.

The VICE PRESIDENT. The Senator from Utah withdraws his request.

APPROPRIATIONS FOR EMERGENCY CONSTRUCTION

Mr. WALSH of Montana. Mr. President, I should like to have the attention of the chairman of the committee having charge of the bill we have just been considering, since it is to go back to conference.

The second amendment provided that the funds provided for in the bill should "remain available until expended." That, I see, has gone out; but I call attention to the fact that such language is found in connection with the appropriation of $5,000,000 for the construction of roads through the unappropriated and unreserved public lands; a similar provision is found in the appropriation for rivers and harbors, and a similar provision is made in connection with the appropriation for flood control. I read from page 2, line 20, referring to the appropriation for roads through public lands:

> Said sum to be available until expended.

With reference to rivers and harbors, after the appropriation, I read the following:

> And to remain available until expended.

For flood control:

> Three million dollars, to remain available until expended.

However, there is no such provision with respect to the $3,000,000 for roads, trails, and bridges in national forests, and no such provision with reference to the appropriation for highways.

It seems to me that, according to well-established rules of construction, the appropriations carried by the bill to which I have called attention and in connection with which there is no such provision will fail at the expiration of the current fiscal year.

Mr. JONES. They will fail unless they are obligated in the meantime. In other words, if contracts are made in the meantime, then the fund will be available for two years.

Mr. SMOOT. That is correct; it will be available for two years from June 30 next.

Mr. WALSH of Montana. Does that apply to road construction only?

Mr. JONES. It applies to those where the appropriation is not continued until expended. That is the Federal law.

Mr. WALSH of Montana. Then the words "until expended" relate to contingencies occurring after the expiration of two years?

Mr. JONES. When there is an express provision that the appropriation shall remain available until expended, there need not be any haste about obligating before the 1st of July, but where there is no such provision as that it can be obligated before the 1st of July, and then the appropriation continues for a couple of years.

WORLD'S WORK COMMENDATION OF THE PRESIDENT—LETTER OF FORMER GOVERNOR TERRAL

Mr. CARAWAY. Mr. President, I rise to ask unanimous consent to insert in the RECORD a letter addressed by a former governor of my State to World's Work, answering the propaganda letter inclosed in a purported advertisement, saying that Mr. Hoover was a great engineer. I ask unanimous consent that this letter may be inserted in the RECORD.

There being no objection, the letter was ordered to be inserted in the RECORD, as follows:

DECEMBER 15, 1930.

WORLD'S WORK,
Doubleday, Doran & Co. (Inc.), Garden City, N. Y.

GENTLEMEN: I beg to acknowledge receipt of your letter and inclosure of a prepared statement for myself and other American citizens to sign as an indorsement of the policies of President Hoover.

I can not subscribe to this statement for the reason I do not believe it speaks the truth, and I can not subscribe to a statement that I know attempts to shield anyone from conditions that have brought more idleness for our American workmen than any other President of this Republic.

I will not subscribe to a statement when I realize that the leaders of the Senate and a few of the leaders of the House of Representatives attempted to set in motion relief measures that would have saved millions of citizens from hardships and suffering.

Mr. Hoover is evidently not familiar with conditions in this Nation or he would not have bitterly opposed these measures, and when he so vigorously urged millions of American dollars be sent to foreign lands for foreigners, and when at a time our own American people are facing grave conditions and now we find him not in harmony with his same ideas and ideals for Americans.

I do not say that President Hoover is to blame for the entire condition of the country, but I do insist that through proper management of the affairs of the Nation many of these conditions could have been averted through prompt action.

I therefore refuse to sign a statement I know to be a false representation of the facts.

Very sincerely yours,

TOM J. TERRAL.

WELFARE OF MOTHERS AND INFANTS

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

Mr. JONES. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Dill	Kean	Schall
Barkley	Fess	Kendrick	Sheppard
Bingham	Fletcher	King	Shipstead
Black	Frazier	La Follette	Smith
Blaine	George	McGill	Smoot
Borah	Gillett	McKellar	Steiwer
Bratton	Glass	McMaster	Stephens
Brock	Glenn	McNary	Swanson
Brookhart	Goff	Morrison	Thomas, Idaho
Broussard	Goldsborough	Morrow	Thomas, Okla.
Bulkley	Hale	Moses	Townsend
Capper	Harris	Norbeck	Trammell
Caraway	Harrison	Norris	Tydings
Carey	Hastings	Nye	Vandenberg
Connally	Hatfield	Oddie	Walsh, Mass.
Copeland	Hayden	Patterson	Walsh, Mont.
Couzens	Hebert	Phipps	Waterman
Cutting	Heflin	Ransdell	Watson
Dale	Howell	Reed	Wheeler
Davis	Johnson	Robinson, Ark.	Williamson
Deneen	Jones	Robinson, Ind.	

The VICE PRESIDENT. Eighty-three Senators having answered to their names, a quorum is present.

The Chair will request the clerk to read the unanimous-consent agreement with reference to the pending bill.

The legislative clerk read as follows:

Ordered, by unanimous consent, that after the hour of 3 o'clock p. m. on to-morrow, no Senator shall speak more than once or longer than 15 minutes upon the bill (S. 255) for the promotion of the health and welfare of mothers and infants, or more than once or longer than 5 minutes upon any amendment offered thereto.

The VICE PRESIDENT. The question is on the amendment of the Senator from Maryland [Mr. TYDINGS], which will be stated.

The CHIEF CLERK. On page 2, line 3, it is proposed to strike out all after the word "census" and the colon down to and including line 23, on page 7.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Maryland.

Mr. TYDINGS. Mr. President, the amendment now before the Senate does not propose to cut down the appropriation originally provided in the bill. What it would do, if adopted, would be to give the appropriation to the States outright without requiring the States to match it, and it would eliminate the Children's Bureau and provide for the expenditure of the money under the direction of the Surgeon General of the Public Health Service of the United States. In other words, this amendment would leave the bill intact so far as the amount of money involved is concerned, but would eliminate the Children's Bureau, strike out the provision compelling the States to match the Federal appropriations, and provide that the money shall be expended under the direction of the Surgeon General of the Public Health Service of the United States in each of the 48 States, to carry out the purpose for which the so-called maternity act was originally drawn.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Maryland.

Mr. JONES. Mr. President, I hope the amendment will be rejected, because it proposes to change practically the whole theory of the bill.

Mr. BINGHAM. Mr. President, the other day there was some discussion over the figures with respect to the effect of the old Sheppard-Towner Act in Kentucky.

I have in my hand a very interesting memorandum prepared by one of the officers of the American Medical Association. In order to save time, I ask that it may be printed in the RECORD as a part of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

It is not necessary to dispute the accuracy of the figures submitted by Senator JONES with reference to the infant and maternal death rates in Kentucky during stated periods before and after the enactment of the Sheppard-Towner Act. To assume, however, that those figures show any beneficent effect of the act is to fall into the very common logical error, post hoc propter hoc. It has already been pointed out that death rates of mothers and infants were declining before the passage of the Sheppard-Towner Act. Unless, therefore, it was presumed that the passage of the act would arrest that decline, lower death rates were to be expected after its passage, not because the act was passed but because a decline was already under way. The proponents of the Sheppard-Towner Act must show that the rate of decline was accelerated by the act before they can show that lower death rates were due to the act.

The figures submitted by Senator JONES with respect to Kentucky afford a very striking example of a statistical fallacy that proponents of the act have sometimes indulged in with respect to death rates generally. They have ignored the tremendous increase in mortality that occurred within the 5-year period preceding the passage of the Sheppard-Towner Act because of the tragic epidemics of influenza that occurred in 1918–19 and 1919–20. By electing to compare average death rates for the 5-year period within which these epidemics occurred with the average death rates during the succeeding five years they have shown a decline in the death rate that was due, not to human interference but to the disappearance of the influenza epidemic. It is because of the increased mortality that occurred through the influenza epidemics in the 5-year period preceding the passage of the Sheppard-Towner Act that it has been found necessary in any statistical study of the efficiency of the Sheppard-Towner Act to refer to death rates for single years and not to death rates for 5-year periods.

According to a statement released by the Bureau of the Census, October 24, 1930, the infant mortality rate per thousand live births for the 5-year period preceding the passage of the Sheppard-Towner Act were as follows:

1917	87
1918	93
1919	82
1920	73
1921	62

The infant mortality rates for Kentucky subsequent to the passage of the act were:

1922	69
1923	72
1924	65
1925	71
1926	75
1927	61
1928	70
1929	71

Maternal-mortality rates in Kentucky per 10,000 live births, according to a statement prepared by the Bureau of the Census and printed on page 14 of Report No. 2751, House of Representatives, Seventieth Congress, second session, were as follows:

Before the passage of the Sheppard-Towner Act

1917	60.1
1918	80.0
1919	63.2
1920	64.4
1921	62.7

After the passage of the Sheppard-Towner Act

1922	60.7
1923	59.6
1924	61.8
1925	59.5
1926	58.4
1927	49.4

And, according to statements issued by the Bureau of the Census, subsequent to the publication of the report from which the above figures were taken, the maternal mortality in Kentucky in 1928 was 60 and in 1929 it was 66.

Certainly the figures stated above afford no grounds for believing that the adoption of the Sheppard-Towner Act by the State of Kentucky in 1922 resulted in any acceleration in the decline of the maternal and infant death rate in the State.

Since the Senator from Washington has elected to bring the State of Kentucky to the foreground with reference to the administration of the Sheppard-Towner Act, it is interesting to inquire what the administration of the act has cost. Figures for the entire 7-year period are not available. Plans submitted by the State of Kentucky for the administration of the Sheppard-Towner Act during the fiscal year 1927, and approved by the maternal and infant hygiene board on June 25, 1926, provided, among other things, for the following salaries:

State health officer	$1,000
Director	3,600
Assistant director	3,600
Clinical instructor	1,800
Chemist for water and milk supply	1,800
Inspector of birth registration	1,500
Educational instructor	900
Six clerks	3,720
Stenographer	1,500
Bookkeeper	300

Whether budgets submitted for other years for the State of Kentucky and approved by the maternity and infant hygiene board were or were not similar to the budget submitted for 1927 is not now known, but there is no reason to believe that there was any essential difference.

In this budget submitted by the State of Kentucky we can see clearly one of the greatest dangers of the Sheppard-Towner Act and at the same time one of the reasons for the propaganda that has been carried on for its resuscitation. Even the State health officer, a paid health officer of the State itself, was the subsidized

officer of the Children's Bureau. As such he was certainly subject to orders from the Chief of the Children's Bureau, for otherwise he was accountable to no one for the return made for salary received. When the Federal Government went into a State and subsidized a State health officer, the divided loyalty of that officer was hardly consistent with the performance of his duties. As State health officer, it was his duty to see that the State received full returns from the Federal Government under the Sheppard-Towner Act to recompense the State for the appropriations that it has made and for the surrender of a part of its sovereignty to the Federal Government. As an officer of the Federal Government he was bound to see that the State made full returns to the Federal Government for the Federal subsidy. In each position that he held he had to supervise and control the discharge of his own duties in the other position.

The considerable number of more or less highly paid assistants in Kentucky provided by the approved budget represents the numerous foci established under the Sheppard-Towner Act in Kentucky for the dissemination of Federal propaganda for its continuance. How far the functions of these employees were limited to work under the Sheppard-Towner Act is questionable. Is it to be presumed, for instance, that the chemist for water and milk supply examined the water and milk supply of the State from the standpoint of mothers and babies and that other chemists were employed to examine them from the standpoint of men and unmarried women? Did the administration of the Sheppard-Towner Act in Kentucky call for the services of a stenographer and six clerks and the apparently part-time services of a bookkeeper? Incidentally, what were the other expenses of administering the act in the State and to what extent were they segregated from the expenses of the State itself for its health activities of which Sheppard Towner funds were not placed?

The entire situation in Kentucky, and presumably in other States, seems to have been hopelessly involved and to illustrate the dangers of the Sheppard-Towner Act from the standpoint both of the Federal Government and of the State.

Mr. BARKLEY. Mr. President, I do not suppose it is necessary to spend any time in arguing the merits of this amendment. As I understand, it strikes out everything in the bill except the mere appropriation. It strikes out the requirement that the States must match this money in order to obtain the benefit of it.

Coming from a Member of the body who has objected to the bill because it undertakes to relieve the States of the obligation of doing this sort of work, it strikes me as a little incongruous that an amendment should be offered which puts the whole fund in the hands of the Federal Government, and takes away from the States the obligation, and, of course, the possibility, of any contribution toward it. If the argument is sound against the merits of this bill that the work ought to be done entirely by the States, certainly it is not in harmony with that theory to offer an amendment that takes away from the States even the obligation to help the Federal Government.

I hope this amendment will not be adopted.

Mr. TYDINGS. Mr. President, I think the Senator's point is fairly well taken. This might well be said, however: I think the Senator will concede that there are some States that would not accept the money. In other words, they would not be bludgeoned by the Federal Government into doing something which was, from the State viewpoint, purely the affair of those States.

The other viewpoint, the one set forth in the amendment, seems to me to be fair to everyone. It gives to each State its proportional allotment of the money; but it does not compel, through the medium of the Federal Government, the State to tax its people for something which the Federal Government thinks it ought to do, but which the State may choose to do in some other way than that set up in the machinery of the bill.

Mr. BARKLEY. In other words, if the Senator will permit me, he thinks there are some States that do not want this Federal aid, provided they have to make any contribution to the work themselves; but if the Federal Government is willing to do it all, they will accept it?

Mr. TYDINGS. No; I did not say that, and I did not mean that.

Mr. BARKLEY. That is a possibility under the amendment, though.

Mr. TYDINGS. No; as a matter of fact, the States which have not accepted the Federal Government's money are doing the work themselves.

Mr. BARKLEY. There are only three that did not accept it.

Mr. TYDINGS. That is all right. Those three are three sovereign States; and the very fact that there are three sovereign States that can not be bribed to surrender their police powers through the bait of a Federal appropriation lends weight to the case presented by this amendment.

Mr. BARKLEY. Does the Senator think that those States would be any more justified in surrendering their police powers by accepting the fund under his amendment than they would be under the so-called bludgeon that they can not get it unless they are willing to pay half the expense?

Mr. TYDINGS. My point is this: That the Federal Government has no moral right to say to a State, "We want you to tax your people to do something within your State, not as you want to do it but as we want you to do it." It seems to me that when the Federal Government compels a State to exercise a State function, the Federal Government has overstepped its rightful and proper limitation.

I do not want to appear to oppose the high and lofty aims of those who advocate this legislation and I am not opposing them. What I have attempted is the framing of an amendment which would result in the money being used for the exact purpose provided for and set forth in the bill, to be spent by the Federal Government and the States combined, but with no obligation on a State to tax its people simply to get Federal money.

The PRESIDENT pro tempore. The time of the Senator from Kentucky has expired.

Mr. BARKLEY. I will discuss the bill for a moment.

The PRESIDENT pro tempore. The Senator will have 15 minutes on the bill.

Mr. BARKLEY. It seems to me the effect of the Senator's amendment is as follows: There are three States which heretofore have asserted their sovereign right not to accept the Federal appropriation for this work because in order to get it they are required to put up dollar for dollar the amount appropriated by the Federal Government.

Mr. TYDINGS. Mr. President, I do not want to interrupt the Senator in his time, but if he will allow me to make one remark on that point, I think what he said is likely to be misinterpreted. I think the States have refused to accept it not so much because they did not want to tax their people as because they did not want the Federal Government to make them tax their people; they wanted to exercise their own right.

Mr. BARKLEY. While they are not willing for the Federal Government to make them tax their people 50-50 in order to get this money, they are willing for the Federal Government to appropriate the money and turn it over to them, and use it under the direction of the Children's Bureau to get the benefit of it, so long as the State is not required to put up any money to match the money put up by the Federal Government.

I do not think that attitude on the part of the States—if the Senator's amendment represents these States which have not accepted the benefits—quite fairly even represents the attitude of their people with respect to the benefits conferred under this statute.

Mr. TYDINGS. Mr. President, will the Senator yield right there?

Mr. BARKLEY. Yes; but I have only a few minutes.

Mr. TYDINGS. Let me say that in my own State of Maryland our people are very much opposed to this kind of legislation. Our governor has made many speeches over the country and before the legislature in opposition to the 50-50 plan. But we have accepted it, not because we liked the scheme but because we were not opposed to the purposes of the scheme. We accepted it under protest. For a long while we debated in the legislature whether we would accept it or not, believing that the State function and the Federal function on matters of this kind ought to be divorced. We did accept it, although we are not in favor of the philosophy contained in this bill.

Mr. BARKLEY. Under the Senator's amendment, even those States which have not accepted it, which, as I understand it, are Massachusetts, Connecticut, and Illinois, would be compelled to accept whatever allotment under this bill,

if it should be amended, might go to the other States, although they are not willing to make any contribution whatever toward the work provided for in the act. Or, if they refuse to accept it, even under the amendment of the Senator, the money would lie in the Treasury, not susceptible of being used by anybody else, because the State to which it had been allotted under this amendment would not have the interest in it to accept it.

Mr. TYDINGS. Will the Senator permit me to interrupt him just one more time, and then I will not interrupt him again?

Mr. BARKLEY. I yield.

Mr. TYDINGS. Let me say to the Senator that that is exactly what happens now. The three States in question do not accept the money, and it does lie in the Treasury, and can not be used by anybody.

Mr. BARKLEY. The States which have not accepted it, including the three which I mentioned, although they stand upon their pride, on the doctrine of State rights, and do not want the Federal Government to interfere or to have any part in the performance of this work, have been stimulated at least by the existence of the law, so that they are doing what they never did before the law was passed, they are undertaking to some extent to engage in these activities on their own part and with their own State funds, whereas prior to the enactment of the law in 1921 they had had no activities whatever along this line.

Mr. JONES. Mr. President, will the Senator from Kentucky yield to me?

Mr. BARKLEY. I yield.

Mr. JONES. I suggest, too, that I see from some of the hearings that those States have taken advantage of the conventions and meetings which have been held and sent representatives to them and got the benefit of all the discussion in them.

Mr. BARKLEY. Yes; that is my information. Now, I want to say just a word or two with reference to the measure as a whole. I favor this bill. When the law was originally enacted I was a member of the Committee on Interstate and Foreign Commerce of the House of Representatives. I believed in the legislation then, I believe in it now, because of the work which has been done and the results which have come to the people by reason of the enactment of the legislation originally.

I am not concerned, I will say frankly, over the question of any infringement on the part of the Federal Government on the rights of the States. If any of us had the time or the inclination to trace the development of the exercise of Federal power in the United States, it would be interesting to do so. I have no doubt that those who framed the Constitution never dreamed that the exercise of the powers of the Federal Government under the commerce clause would be carried to the extent to which it has been carried, because they did not foresee the complexity of our lives. As I have on occasions heretofore said, President James Madison, who had as much to do with the writing of the Constitution as any man in the convention, and who had more to do with transmitting to future generations what happened in the convention than anybody else, who has been called the father of the Constitution, when he was President of the United States vetoed an act of Congress to appropriate money to improve rivers and harbors, on the ground that the Constitution conferred upon Congress no such power to appropriate money. President Monroe did the same and President Jackson did the same. Even as late as 1847 James K. Polk vetoed an act of Congress appropriating money to improve internal waterways and to build highways on the same ground, that the Constitution conferred no such authority on the Federal Government.

Yet by decisions of the Supreme Court, as well as by legislative interpretation, Congress has for half a century been engaging in the very activities which the framers of the Constitution held that Congress had no power to do.

Mr. GLASS. Does not that illustrate the fact so often asserted that court interpretations have transformed the Constitution of the United States so that we have not got one?

Mr. BARKLEY. There might be something to the contention of the Senator, but in the absence of any other tribunal competent to pass upon the constitutionality and limitation of our power, the Supreme Court is the only tribunal left to pass upon those questions.

Even taking the most strict construction of the question of State rights and Federal encroachment, there certainly is no encroachment here, because these activities are carried on under the terms of the act, under the direction of the State boards of health in the States where there is a department of health created. There has been no interference with any individual rights, there has been no interference with any State rights. It has been a work of voluntary cooperation on the part of the State departments of health with the Children's Bureau in the Department of Labor. There has been no friction anywhere. They have both operated to the benefit of the women and children intended to be benefited by this legislation.

The Senator from Connecticut, who represents one of the three States which have persistently refused to accept the benefits of the act, a day or two ago called attention to some statistics given out with reference to the State of Kentucky. I stated in reply to him that in the State of Kentucky from 1922 to 1928, the period covered by the operation of the law, the death rate among mothers was reduced from 87 to 61 per 10,000; that the death rate among infants was reduced from 65, I believe, though I am not certain that that is the correct number, down to 49. The operation of the law ceased in 1928. There was a slight increase in the death rate in Kentucky, due to the fact that we had state-wide floods, which gave rise to malaria and other epidemics, and we had to organize in as many of the counties as possible county health agencies, through which the operation of the law in question and of other health laws was carried on. In 1929, due to the very same cause and due to the fact that the operation of the law had ceased automatically in 1929, there was a slight increase in the death rate. There is going to be another increase in 1930, although our State legislature at the beginning of 1930 appropriated $50,000 to be used by the State board of health and these county agencies to cover activities in some respects covered by this measure.

The slight increase in 1928 was due purely to local conditions over which no act of Congress could have had any effect. The slight increase in 1929 was due very largely to the fact that the morale of the county organizations which had been set up during the 7-year period under the operation of the law knew they were going to be compelled to go out into other fields at the end of 1928, when the law should cease, which made it impossible for the work to be carried on as efficiently as it had been during the seven years when the law was in effect.

I sincerely hope that the amendment which has been offered by the Senator from Maryland will be defeated. I hope the bill will be passed, as I believe it will be passed if we can ever get a vote on it, so that it may go to the House and receive the consideration in that body to which it is entitled.

Mr. TYDINGS. Mr. President, I think I have 15 minutes on the bill, and I will take but 5.

First of all, the adoption of my amendment would not stop the operation of the law. The money would be appropriated just as it has always been appropriated, and would be expended just as it has always been expended. So, as far as that argument is concerned, it is out of the picture.

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. TYDINGS. I yield.

Mr. BARKLEY. But if a State should take the hint and decline to make any appropriation to cooperate with the Federal Government, the practical effect would be that there would be available for this work only half as much money as will be under the bill unamended.

Mr. TYDINGS. Mr. President, that argument does not hold at all, and I will state why. I am not familiar with the figures as to all the States, of course, but I do know that in the State of Maryland we appropriate hundreds of thousands of dollars annually to safeguard health all over the

State, in the coal mines, through children's hospitals, through maternity hospitals, through appropriations to general hospitals, through our workmen's compensation act, through the enforcement of our child labor law, through lying-in hospitals, and other State institutions. I say right now that if this law had never been passed, in 99 per cent of the States the work of safeguarding the health of the mothers and the infants would have gone on just the same. So much for that phase of it.

In Kentucky alone, by the Senator's own admission, at the start of this year, regardless of this bill, the legislature appropriated $50,000 to carry on this work.

It will be found that in the State of Connecticut, which refused to accept any part of the appropriation, the State budget and State laws translated large sums of tax money into the very work which is the object of this bill.

Mr. BARKLEY. Mr. President, will the Senator yield again?

Mr. TYDINGS. I yield.

Mr. BARKLEY. The $50,000 appropriated by the State Legislature of Kentucky is available for these activities on the part of the State alone.

Mr. TYDINGS. Yes.

Mr. BARKLEY. But the money was appropriated somewhat in anticipation of the fact that the legislature would not meet for two years, and that in the meantime the Federal Government would enact this measure, so that the State would have the money available with which to match the Federal appropriation.

Mr. TYDINGS. I think the Senator's remarks are accurate, but let me say that I believe Kentucky will take care of the women and children of that State whether the Federal Government functions along that line or not.

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Maryland yield to the Senator from Kentucky?

Mr. TYDINGS. I am glad to yield.

Mr. BARKLEY. Kentucky will take care of them to the extent of its ability, but it can do it better if the Federal Government helps.

Mr. TYDINGS. Under my amendment the Senator's State is given just as much as it would get otherwise. It would get just as much under my amendment as it would get if the amendment had never been offered. The sum that would go to each and every State would be exactly the same. I venture to say if there could be assembled the sums of money which each State appropriates for the care of its mothers and children, the sum contained in this bill would be found to be infinitesimal by comparison, because every State is appropriating thousands and hundreds of thousands of dollars toward the safeguarding of the health of its mothers and infants and all others in all the various activities in which the people are engaged.

Mr. BARKLEY. Does the Senator take the same position with reference to general appropriations for State highways being matched by the States?

Mr. TYDINGS. Generally speaking, I do. Yet I think that the case of highways is not analogous to the maternity matter now before us.

Mr. BARKLEY. Maryland has accepted its proportion of the Federal highway appropriations?

Mr. TYDINGS. Yes; and we have accepted this maternity money.

Mr. BARKLEY. Yes; I know that, too. Maryland has accepted both, so in spite of Maryland's objection to Federal appropriations she takes them.

Mr. TYDINGS. That is true. We have accepted, for example, some constitutional amendments with which we do not agree. We have accepted any number of things of that nature. May I ask the Senator if his own State of Kentucky accepted the outcome of the Civil War and the fourteenth and the fifteenth and the sixteenth amendments to the Constitution?

Mr. BARKLEY. Yes; we accepted them, and there never has been any discrimination in the laws of Kentucky or in the practices of our people, in the holding of elections, as between voters because of race, color, or previous condition of servitude.

Mr. TYDINGS. The point I make is that the people felt so strongly against the situation at that time that they were willing to go to war to preserve their viewpoint.

Mr. BARKLEY. The State of Kentucky never seceded from the Union. While the people of our State were divided in their affiliation and allegiance and in their sentiment, the State of Kentucky officially remained in the Union.

Mr. TYDINGS. That is quite true, but a majority of her citizens fought in the Confederate Army, as we all know.

Be that as it may, however, is it not a bad policy for the Congress of the United States to sit here and compel a State to exercise a function of government which it may not care to exercise, simply because, through the medium of giving them a sum of money, as a bait, a bribe, or a reward, we can compel them to exercise that State function of government. I do not believe it is a sound policy for Congress to compel the States to do as we want them to do within the sphere of their purely local endeavors.

Therefore, I hope my amendment will prevail. To repeat, it does not take one dollar away from the original appropriation made in the bill. It gives it to the States divided just as the proponents of the measure want it divided. It leaves it to the Surgeon General of the United States to say how it shall be expended. There is no doubt that the State agencies will cooperate with the Federal agency, and I hope we will begin to put an end to that practice of so intermixing State and Federal functions that it is difficult to tell which is which, so complex has this interweaving become.

May I say, in conclusion, that we have taken up almost a week debating this bill, when up in our Committee on Interstate and Foreign Commerce we have been considering for a couple of years the question of the merger of railroads, interstate bus operations, and all sorts of measures of far-reaching import to the people of the country, yet we have not had time to whip those measures into such shape that we could get them enacted into laws and thereby tell the business of the country where it stands on those questions. Instead of that we are adding more and more to the functions of government until we have had so many things to do and take care of that time can not be found to attend properly to the normal functions for which the Federal Government was created.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Kentucky?

Mr. TYDINGS. I yield.

Mr. BARKLEY. I ask the Senator if his amendment contemplates removing the activities entirely from the Children's Bureau and transferring them to the Public Health Service?

Mr. TYDINGS. Yes; it does. For it will eliminate a duplication of effort by so doing.

Mr. President, the other day a manufacturer in Baltimore city asked me to come out to his plant. He employs under normal conditions about 800 people. He told me he had less than 100 working there now; that recently he had made a visit to various railroad concerns and asked them if they would not give him just enough work to keep a nucleus of his regular force employed. He is engaged in the business of manufacturing railroad supplies. I am sorry to say that he has had to lay off practically the entire force of 800 men. However, in soliciting business he was told by one railroad concern after the other that until the Congress of the United States sees fit to say there should be no mergers or that there might be mergers under certain conditions, or that there should be mergers as originally contemplated by the Interstate Commerce Commission, that the railroads' buying power would continue to be more or less curtailed; that railroad executives are loath to expend a dollar except for the bare necessities because they do not know what kind of legislation the Congress might enact concerning them in the near future.

That might be an exaggerated picture, but in these days of unemployment, in one city, here are at least the major part of 800 men thrown out of employment because the Congress of the United States, after three years' consideration, has not been able to formulate a railroad policy; and yet instead of debating such an important and normally Federal function of our activities as the control and regulation of interstate commerce, we have taken a whole week to discuss the welfare of babies and mothers in the respective States, in which States they are better taken care of by the local agencies than they can be by the Federal Government.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield further to the Senator from Kentucky?

Mr. TYDINGS. Certainly.

Mr. BARKLEY. I do not like to appear to be in perpetual controversy with my good friend from Maryland, for whom I have affectionate regard, as he knows; but as a matter of fact this "baby legislation," as the Senator designates it, has had no effect whatever to interfere with legislation relating to railroad mergers or consolidations. The fact of the business is that the Committee on Interstate Commerce of the Senate has reported no bill relating to railroad mergers. The Committee on Interstate and Foreign Commerce of the House has made no report relating to railroad mergers. There is no legislation pending in either House reported from any committee relating to railroad mergers and consolidations. It strikes me we have not wasted any time talking about the measure now before us, because if we had not been talking about it we would not have been talking about railroad mergers and consolidations for the reason that neither House nor Senate committee has reported out any such measure for consideration.

Mr. TYDINGS. I beg the Senator's pardon. I refer to the measure reported out by the Senator from Michigan [Mr. COUZENS], who introduced a measure providing that there should be no merger of railroads for a period of two years.

Mr. BARKLEY. Yes; we passed that two years ago, and it went to the House and was referred to the Committee on Interstate and Foreign Commerce in the House and is still in that committee.

Mr. TYDINGS. The Senator knows as well as I do that for a long period of time we have had before us various railroad people, representatives of labor unions, presidents of railroads, financiers, other people interested in the question. It seems to me if we would devote our ability and our energies to the solving of normally Federal functions and leave the States alone, we would make progress very much more quickly than we are at the present time.

Mr. BARKLEY. I admit that there has been a good deal of delay in bringing about legislation on the subject of railroad consolidations, but I do not believe the Senator can claim that the mothers or babies of the United States had anything to do with the delay or were in any way responsible for it.

Mr. TYDINGS. No; but I do maintain that when the Congress of the United States takes up its time dealing with these purely local questions it takes just that much time from the consideration of purely Federal or national questions. It certainly has more than it can do in the 90 days of this session if it would attend strictly to Federal or national questions. If my amendment shall be adopted, I am confident the States can handle these questions very much better than the Federal Government can handle them for the States. Therefore I hope my amendment will prevail.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maryland.

Mr. TYDINGS. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. GEORGE (when his name was called). I have a pair with the Senator from Colorado [Mr. PHIPPS]. I understand if he were present he would vote for the amendment. If I were free to vote, I would vote against it.

Mr. KING (when his name was called). Upon this vote I have a pair with the junior Senator from Pennsylvania [Mr. DAVIS]. If he were present he would vote "nay," and if I were permitted to vote I would vote "yea."

The roll call was concluded.

Mr. BINGHAM. I inquire if the junior Senator from Virginia [Mr. GLASS] has voted?

The PRESIDING OFFICER. That Senator has not voted.

Mr. BINGHAM. I have a general pair with that Senator; and in his absence, not knowing how he would vote, I withhold my vote. If permitted to vote, I should vote "yea."

Mr. SHEPPARD. I desire to announce that the Senator from Florida [Mr. FLETCHER], the Senator from Virginia [Mr. GLASS], the Senator from Arizona [Mr. ASHURST], and the Senator from Oklahoma [Mr. THOMAS] are detained from the Chamber on official business.

Mr. FESS. I wish to announce the following general pairs:

The Senator from Connecticut [Mr. WALCOTT] with the Senator from Tennessee [Mr. BROCK];

The Senator from New Hampshire [Mr. KEYES] with the Senator from Iowa [Mr. STECK];

The Senator from Colorado [Mr. WATERMAN] with the Senator from Virginia [Mr. SWANSON]; and

The Senator from Maine [Mr. GOULD] with the Senator from South Carolina [Mr. BLEASE].

I also wish to announce that the Senator from Rhode Island [Mr. METCALF] is paired on this question with the Senator from Mississippi [Mr. STEPHENS].

The result was announced—yeas 5, nays 66, as follows:

YEAS—5

Broussard	Reed	Tydings	Walsh, Mass.
Carey			

NAYS—66

Barkley	Gillett	Kendrick	Sheppard
Black	Glenn	La Follette	Shipstead
Blaine	Goff	McGill	Shortridge
Bratton	Goldsborough	McKellar	Simmons
Brookhart	Hale	McMaster	Smith
Bulkley	Harris	McNary	Steiwer
Capper	Harrison	Morrow	Thomas, Idaho
Caraway	Hastings	Norbeck	Townsend
Connally	Hatfield	Norris	Trammell
Copeland	Hawes	Nye	Vandenberg
Couzens	Hayden	Oddie	Wagner
Cutting	Hebert	Patterson	Walsh, Mont.
Dale	Heflin	Pine	Watson
Deneen	Howell	Ransdell	Wheeler
Dill	Johnson	Robinson, Ark.	Williamson
Fess	Jones	Robinson, Ind.	
Frazier	Kean	Schall	

NOT VOTING—24

Ashurst	Fletcher	Metcalf	Steck
Bingham	George	Morrison	Stephens
Blease	Glass	Moses	Swanson
Borah	Gould	Phipps	Thomas, Okla.
Brock	Keyes	Pittman	Walcott
Davis	King	Smoot	Waterman

So Mr. TYDINGS's amendment was rejected.

THE TRANSPORTATION PROBLEM—ADDRESS BY SENATOR SMITH

Mr. ROBINSON of Arkansas. Mr. President, I ask leave to have printed in the RECORD an address on the transportation problem delivered by the Senator from South Carolina [Mr. SMITH] before the National Association of Railway and Utilities Commissioners at Charleston, S. C., on November 12, 1930.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Mr. President, ladies and gentlemen of the convention, I want, in behalf of my State, to congratulate you on coming to that spot in the South that perhaps is the richest in American history, which has been in former time the most potent, perhaps, in shaping the destiny of this country; and unless signs fail, in the future she will continue to do the same. [Applause.] I have been greatly mortified as a Memeber of the upper House to see the real ignorance of national legislators as to the resources and facilities that since the unfortunate Civil War had lain dormant in the South. You have visited to-day and seen for yourselves what indisputably is the finest harbor, bar none, according to its size, on the Atlantic seaboard. You have met the people and you must admit that the resources and facilities of the South do not

equal the splendid hospitality of the people of Charleston. [Applause.] It is unaffected, it is the genuine natural emulation of a culture that has never been decayed.

It's useless for me to tell you, because every man and woman, I know, feels the inspiration of the touch of this wonderful historic spot. But I am only to talk to you a few minutes. Of all intolerable things in the world is the speaker on occasions like this, who, in the terminology of the railroads, has very poor terminal facilities. [Laughter.] I am not going to discuss the question that has just been discussed before you. I will have to admit that I belong to a body that produces quantities of natural gas. [Laughter.] We have certain pipe-line facilities that we have never submitted to the Interstate Commerce Commission and never expect to. [Laughter.] We haven't a monopoly on it, however, as I can see by my slight association with this body. [Laughter.] But we have a peculiar variety. Just how illuminating it is, why the public, of course, is the judge. [Laughter.] It has been very useful on occasions, it has served its purpose in restraining and checking what otherwise might have been a disaster to the public.

Now, the only reference that I am going to make to the national supervision is this: The commerce clause of the Constitution, if ever State rights are destroyed, that section of our Constitution will be the cause.

Now, I want to discuss with you some of the problems. I don't mean to discuss the problems but just point them out, because I would not arrogate to myself either the ability or the right before this body of specialists to discuss your particular problems. But I think after I had the honor of being the chairman of the Interstate Commerce Committee twice I have some little glimmer of what this transportation problem means. Since then there has been handed over to our commission the very simple thing known as the radio. Of course, you all know about the technicalities about the wave length, and so on. I wouldn't begin to try to twist my tongue with the names they use to designate the things that they use to determine how much power an individual will get or a station will get—but it is here. The telephone, the telegraph—we are in an industrial age. The brains of the scientists, of the inventor, have unlocked a storehouse of problems intended to help mankind, and we are standing to-day in the age of miracles more stupendous than any legislative or regulatory body ever dreamed of.

We know certain things as facts, but you and I know nothing of their origin, nothing of the superforce that calls them into being and makes them so potential; the radio, the automobile business, airplanes, X rays, the marvel of the modern days. And before I go further let me say, all of these are under the heading of "labor-saving devices," and we are bankrupting the world by labor-saving devices. We are impoverishing the nations of the earth with the gifts of God. Who is to arise in the halls of legislation or among men that will justly and fairly apportion to the layman his equity in these marvelous productions? That is your job. It is not to stand here and quibble over a Supreme Court decision as to the rights of an individual company in these things but to get the broader view and know that we have passed over from the old order into the new and that every free-born American citizen is entitled to his share of God's new gifts to mankind. [Applause.]

Gentlemen of this convention into whose hands is placed the power to determine the destiny of America in part, do you think in terms of 120,000,000 people or do you think in terms of the profits that accrue to the company? Just so sure as I am speaking to the men representing the several States, and who represent the Nation, we have got to think in terms of the masses and of the man who loses his job because genius has substituted a better method than his hands. What are you going to do about it?

Oh, I have sat in the committee room and seen the battle rage as to whether or not a certain rate was right, whether or not certain dividends were to be paid. What was the greater question even than that; what is the greater service we can render?

Some time ago, when we were discussing what I wouldn't discuss to-night—no; you may have heard of the word "tariff" [laughter] and "protective tariff"! Yes; when we were discussing that question the thought occurred to me—and I am going to give it to this body of representative men, representing the real pioneer lives of the practical application of the discovery of genius to mankind. When we were discussing that question one of my friends wrote to me and said: "You and I were in college together, and I tell you unless we can get $3 a thousand on lumber we will have to quit the lumber business; we will just have to quit." He said: "Russia and Canada are just pouring their forest production in here and putting us out of business." He said: "We must have it; $3." I wrote back to him in good faith, and I leave this for you all to chew on and think about. I wrote back and told him I would vote for him with the greatest joy in the world if he would just furnish the home builders with the extra $3 with which to build. I submit that to any economist that sits before me to-night. If by Federal law you force an individual to pay more, by the same token you should grant him the power to pay more. Just think it over. I am done with that right now. [Laughter.] Some one said, you know, that he had lived to be 40 years old before he found a good place to have a boil, and when asked where, he said on the other man. [Laughter.]

Now, gentlemen, just a word or two. I was very much entertained by the paper that was read. What is the logic of this gas discussion? Concentration. You nor I by Federal or State law will never stay it; it is here, vast accumulations of wealth, and the inventions of science, making possible in a small area and under the control of a little group, a power ten thousand times greater than one man; hence concentration. And you have mass service now. That is before the committee of which I am still ranking member; the question of the consolidation of the railroads, the same logic, the same trend of events—get them all together, save overhead, and then cut off all competing heads. Yes; that is what that means, you know. Say what you please, we are faced with the paradox that we have got so much wealth in the country we have all gone "batty." Now, get up and deny it. We have got, as I have said before, so much cotton we are all going naked, so much wheat that we are starving to death, and so much money we are bankrupt. Isn't it true? Overproduction, and people starving—God help us. Think of what that means, gentlemen of this convention, to those of us who have been intrusted with the legislation in order to have an equitable distribution of that God-favored country of ours; who is to blame?

The trouble with most of us, we are like the old Dutchman who was not satisfied until he had purchased the land of his adjoining neighbor, and some one said to him, "Why in the name of God, do you want all the land in the world?" And he said, "No, indeed; I just want that land that's joining mine." [Laughter.] That is all he wanted.

For years and years the first streak of dawn in the industrial development of the present age was the steam railroad and the steamboat. Had the legislators at that time known the potentiality that was throbbing in the heart of that little crude thing, the history of this country might have been different. It might have been different. But a legislator, you know, why he is generally not a very practical man, except to practice on others, and he does that very successfully sometimes. [Laughter.]

But that was the dawn. It was a monopoly; what did it do; it solved the problem of tremendous tonnage and long-distance transportation. It did more than that, it built an empire, it solved the problems of distance, and opened up and made possible the accommodation and the communication between the sections of the country and built them up. Oh, we lavished upon them the richest kind of legislation. You remember the history of the Union Pacific; we gave them half the West, they didn't know what to do with the land; we just piled it up. I think Texas gave them some two or three sections to get some railroads. And, naturally, having a monopoly and having the power to exercise that monopoly, the history of the railroad business in this country, up to the inauguration of the Interstate Commerce Commission, was not such as to be proud of; and it hasn't been such a shining example of philantrophy and charity even since then. [Laughter.]

But, mark you—

"Though the mills of God grind slowly, yet
They grind exceeding small;
Though with patience He stands waiting,
With exactness grinds He all."

I have sat in that committee room and heard the fight over—I see some of the commissioners here—over what was known as the fourth section. Some of you have heard of that—you must give us, say the railroads, grant us some right to remove water competition; if you don't, we will go bankrupt. Well, now, water competition was more fixed in its geographical location by nature than the railroad was, because you couldn't make a river, you couldn't make an ocean, and you couldn't build a harbor, but they offered competition, they offered competition of a very distinct and terrific kind, because you didn't have to build any track or keep them up, all you had to do was to equip the boat and load it up, and if you didn't have steam, why you had wind enough, and you could haul up your sail and you could sail. You didn't have to build it, nature built it.

Well, the railroads succeeded and tied up all the boats and took them all off the river. But, lo and behold, somebody invented the internal combustion engine, and it is going to give the railroads the dickens, to use a modern term. Look at the logic of the situation; it doesn't have to keep up its road bed; it uses the public highways; it carries passengers and freight; it has no fixed schedule, you can go and come at liberty, it delivers at the warehouse door without any transportation from the railroad depot; it is here as a vital competitor to steam transportation.

And what are we going to do about it? Already our committee is being importuned to regulate the busses and passenger trucks; regulate them for what? Gentlemen, we might as well, right now, one time as another, in this hour of our national travail, by the side of which no depression that I have ever experienced compares, you might as well make up your minds here and now that the test of what the people are going to tolerate is reasonable service at a reasonable price. It's here, inevitably here.

And just a thought and then I am done with that. They can not camouflage the cost of building the road, or reproduction. We have heard something about that [laughter] a time or two. Replacement cost. They are going over the public highways at public cost. We know about what the truck weighs; most anybody can buy him one. Most any man can get a bus, and some of us have broken ourselves buying more Fords than we could afford to buy.

And here is the problem. The railroads are here and here to stay; there will never be a substitute for steam transportation, in the long haul and in the convenience and comfort of the steam travel. If we will just come to this problem as representatives of a nation, as the thinkers not only of the problems but of the actual conditions that confront us, and each one of us, go to it with the intent and purpose to serve, and demand only just terms

for the service rendered, we will go largely toward the dispelling of the gloom that is over us now.

One word: I do not think that these things alone can solve the problem. We are guilty of trying to run this country on a horse-and-buggy basis in an industrial age. You can not do it. The plane of living is on a $5 basis as compared to a 50-cent basis five years ago; and we are trying to run one half of the world on a $50 basis and the other half on the 50-cent basis, and the gulf between them is getting so wide that it is threatening to engulf the Government. We have got to understand that if we are to buy these utilities we must have the wherewith to buy them. And the only way we can get the wherewith to buy it is to see that the relativity of things is adjusted.

I have labored in the Interstate Commerce Committee, in season and out of season, to try to get the proper viewpoint as to the service rendered and the value of it to the public. It's just as elusive as air; when you think you have got it, you haven't got it. And I have found out that one reason why I could not get it was because I was thinking one way and the other fellow was thinking the other way. You must remember that you are servants, or else you will not be given the right and privilege of serving.

But I am afraid a great many of them, gentlemen, look upon the public as Pat did, who was riding an old horse that was very lean and thin, and somebody asked him why he didn't feed him more and get more flesh on him. And he said, "Why, he can hardly walk with what he has got now; what can he do with any more?" [Laughter.]

There is a great silver lining back of all that cloud of doubt, ladies and gentlemen, and that is the nineteenth amendment—now don't get it confused with the eighteenth amendment—the participation of the women in politics. You know, when that question was brought up before the Congress I wondered what in the name of Heaven she wanted with any more power than she already had; she was running the whole shooting match then. I wondered what she wanted with any more.

I was a son of a minister, and I heard the Bible read every morning and evening until I was about a grown man, and there was one passage of Scripture I never understood until I was married, and that was the passage which says, "I will guide thee with mine eye." And that is how she does it. [Laughter.] You have heard that old expression, that the pen was more powerful than the sword. That poet, or whoever it was, got that thing all wrong. The glance from your wife has as much power as anything on the face of this earth. [Laughter.]

Gentlemen, I certainly am delighted to be with you this evening. If some of the suggestions I have made can bear any fruit I shall be very happy. I have the unique distinction of being the only Democrat that was ever elected to a major committee of the Senate under a Republican administration. I was elected chairman of the Interstate Commerce Committee over that wonderful expert, Mr. Cummins, of Iowa. I had the distinction of being chairman of that committee during the war. And if the Democrats had just put out one or two more notches during the last election and just returned two or three more good, faithful [much laughter] ones I would have had the choice chairmanship of the Interstate Commerce Committee or Agriculture Committee. Having tasted this one twice, I think I would have taken a bite at agriculture. I know it couldn't have been worse.

Ladies and gentlemen, I certainly appreciate the honor of speaking and addressing this body, and may your deliberations rebound in great good for our common country, which we all love and hope to see the sunshine of prosperity falling in its glorious effulgence throughout the length and breadth of the country. [Much applause.]

TAXES PAID BY NEW YORK STOCK EXCHANGE AND MEMBERS THEREOF

Mr. HEFLIN. Mr. President, I ask unanimous consent for the present consideration of Senate Resolution 366, submitted by me, but which has been held up upon the request of the Senator from Utah [Mr. SMOOT]. That Senator has withdrawn his opposition to the resolution, and I ask unanimous consent that it may be now read and considered.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 366) submitted by Mr. HEFLIN December 10, 1930, was read, as follows:

Resolved, That the Secretary of the Treasury is hereby requested to transmit to the Senate the information showing the amount of taxes paid to the Government by the New York Stock Exchange or by members thereof in connection with exchange transactions for the years 1919, 1920, and each succeeding year up to and including the year 1930.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution submitted by the Senator from Alabama?

Mr. McNARY. Mr. President, I understand from the statement of the Senator from Alabama that the Senator from Utah has withdrawn his opposition to the resolution?

Mr. HEFLIN. He has, and he told me to go ahead and have it considered if I so desired.

The PRESIDING OFFICER. Without objection, the resolution is agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, its enrolling clerk, announced that the House insisted on its amendment to the joint resolution (S. J. Res. 211) for the relief of farmers in the drought-stricken areas of the United States, disagreed to by the Senate, agreed to the conference asked by the Senate, and that Mr. HAUGEN, Mr. PURNELL, and Mr. ASWELL were appointed managers on the part of the House at the conference.

MEETING OF APPROPRIATIONS COMMITTEE

Mr. JONES. I desire to announce that it is desired to have a meeting of the full Committee on Appropriations at half past 4 o'clock to-day.

EXECUTIVE SESSION

Mr. McNARY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate messages from the President of the United States transmitting sundry nominations, which were referred to the appropriate committees.

NOMINATIONS REPORTED

The PRESIDING OFFICER. Reports of committees are in order.

Mr. COUZENS, from the Committee on Interstate Commerce, reported favorably the nomination of Frank R. McNinch, of North Carolina, to be a member of the Federal Power Commission for the term expiring June 22, 1934.

The PRESIDING OFFICER. The nomination will be placed on the Executive Calendar.

Mr. WALSH of Montana, from the Committee on Public Lands and Surveys, reported favorably the following nominations:

Richard P. Imes, sr., of Montana, to be register of the land office at Billings, Mont., vice Harry B. Drum, deceased; and

Murdock D. Nicholson, of Montana, to be register of the land office at Great Falls, Mont. (Reappointment.)

The PRESIDING OFFICER. The nominations will be placed on the Executive Calendar. If there be no further reports of committees, the calendar is in order.

THE TARIFF COMMISSION

The Chief Clerk proceeded to read the nominations of members of the United States Tariff Commission.

Mr. McNARY. Mr. President, agreement was reached a few days ago respecting the nominations of members of the Tariff Commission, and I ask that they go over.

The PRESIDING OFFICER. The nominations will go over.

HARRY J. ANSLINGER

The Chief Clerk read the nomination of Harry J. Anslinger, of Pennsylvania, to be Commissioner of the Bureau of Narcotics.

Mr. COPELAND. Mr. President, at my request the Senate has deferred action on this recommendation of the President. I have had a visit with Mr. Anslinger and made investigation of certain criticisms which had been brought to my attention. I am satisfied, after due consideration, that the appointment is a worthy and proper one, and I move that the nomination be confirmed.

Mr. President, in this connection I ask at this point that there may be inserted in the RECORD an article from the Washington Herald of yesterday as to the action of agents of the Bureau of Narcotics in seizing recently a million dollars' worth of narcotic drugs. This commendable act gives evidence that Mr. Anslinger is going to make an effective and useful commissioner.

The PRESIDING OFFICER. Without objection, the article referred to will be printed in the RECORD.

The article is as follows:

[From the Washington Herald of December 17, 1930]

OFFICIALS HAIL DOPE SEIZURE BY UNITED STATES AGENTS—VALUE OF DRUGS ESTIMATED AT $5,000,000 RETAIL BY AUTHORITIES—SENT AS FURS

By Edward L. Roddan

Seizure at New York of contraband narcotics valued at more than $1,000,000 wholesale was hailed by Federal authorities last night as the largest haul of smuggled "dope" ever made in the United States.

Through this and other captures recently it is hoped to smash up a nation-wide drug ring which has been operating extensively in nearly all large cities of the country.

FROM CONSTANTINOPLE

The illegal dope, consisting of 1,100 pounds of morphine, was brought to New York from Constantinople on the French freighter *Alesia*, of the Compagnie Cyprien Fabre Line. Aware of its coming, agents of the Narcotics Bureau and the Customs Service seized the shipment.

Officials here estimate this amount of dope would be sufficient to supply 20,000 addicts for a period ranging from nine months to one year.

A fair estimate of the average retail price is about $400 an ounce. The 18,000 ounces seized would bring about $5,000,000 into the pockets of the underworld racketeers.

Authorities here were considerably exercised over the fact that the morphine came direct from a Constantinople factory, confirming the belief that Turkey is the principal supply of the illicit traffic in this country.

SEARCH BILL OFFERED

A bill has been introduced by Representative LAGUARDIA (R.), of New York, making it mandatory on the Customs Service to open and search all shipments from Turkey until that country cooperates in stopping the drug racket.

The seizure was made possible by over two months of intense investigation by narcotics and customs agents both here and in Europe.

The morphine was concealed in 25 cases of "furs" and merely consigned "to order," thus insuring delivery to the person or persons holding the bill of lading.

The *Alesia* also carried a shipment of legal narcotics assigned to drug concerns. During the voyage a case of this shipment was reported missing. The incident created such a stir on board that the smugglers evidently became suspicious.

FAIL TO APPEAR

The *Alesia* first put in at Providence, R. I., and later docked at New York, where agents kept a close watch for the consignees to appear with a bill of lading. They failed to appear.

Authorities, however, are convinced there is a connection with a recent seizure at New York which resulted in the arrest of 30 men, 25 of whom were aliens. They are now awaiting trial or deportation.

The remarkable success of Federal authorities in hitting the dope traffic has resulted from the policy of close cooperation inaugurated by the new commissioner of narcotics, Harry J. Anslinger, and Commissioner of Customs F. X. A. Eble.

The PRESIDING OFFICER. The question is on the motion of the Senator from New York that the nomination be confirmed.

The motion was agreed to.

The PRESIDING OFFICER. The President will be notified.

FEDERAL RESERVE BOARD

The Chief Clerk read the nomination of Eugene Meyer, of New York, to be a member of the Federal Reserve Board.

Mr. BROOKHART. Mr. President, I ask that that nomination go over. I desire at the proper time to move to recommit it to the committee.

The PRESIDING OFFICER. The nomination will go over at the request of the Senator from Iowa.

Mr. WAGNER. Mr. President, I did not hear what the request of the Senator was.

Mr. BROOKHART. The request was that the nomination go over.

Mr. WAGNER. Mr. President, this is a very important office, and I think this matter ought to be determined. Can we not agree upon, say, to-morrow afternoon for the consideration of the motion the Senator from Iowa proposes to make?

Mr. BROOKHART. I desire to-morrow afternoon to go to the funeral of the late Senator Greene, of Vermont.

Mr. COUZENS. Mr. President, I had a tentative understanding with a number of Senators that we would take up to-morrow afternoon at 2 o'clock the nominations of members of the Power Commission.

Mr. WAGNER. To-morrow?

Mr. COUZENS. Yes.

Mr. WAGNER. The nomination of Mr. Meyer has precedence on the Executive Calendar and has been pending here longer than the nomination of members of the Power Commission.

Mr. COUZENS. May I point out to the Senator, however, that Mr. Meyer is serving as a recess appointee, while the whole power administration is stalled because the commissioners have not been confirmed and been able to assume office.

Mr. WAGNER. Can we not discuss the nomination of Mr. Meyer and also nominations of members of the Power Commission to-morrow? I do not believe there will be very much debate.

Mr. COUZENS. I have no objection if the Power Commission nominations may take precedence.

Mr. BROOKHART. Mr. President, in reference to this matter, let me say that Mr. Meyer is in his office and functioning now, but the Power Commission, of course, is not, and it is more urgent that nominations of members of the Power Commission shall be considered to-morrow than it is that the nomination of Mr. Meyer shall be considered.

Mr. WAGNER. Suppose we consider the nomination of Mr. Meyer to-morrow immediately after the nominations of members of the Power Commission shall have been disposed of.

Mr. McNARY. Mr. President, I can not agree to that. There are a number of more important matters that may come before the session to-morrow and the day following. Is there any hurry about this nomination?

Mr. WAGNER. I do not see any reason for delay. My impression is that a very large majority of Senators favor the confirmation of Mr. Meyer.

The PRESIDING OFFICER. Is there objection to considering the nomination to-day?

Mr. McNARY. Mr. President, let me make this suggestion: After we conclude our normal amount of work to-morrow, which may involve some very important conference reports, later in the day I shall be glad to move an executive session, at which time we can probably take up this nomination.

Mr. WAGNER. Very well.

Mr. McNARY. I suggest that it be left in that way.

Mr. WAGNER. That will be satisfactory.

FEDERAL FARM LOAN BOARD

The PRESIDING OFFICER. The clerk will report the next nomination on the calendar.

The Chief Clerk read the appointment of Floyd R. Harrison, of the District of Columbia, to be member of the Federal Farm Loan Board.

The PRESIDING OFFICER. Without objection——

Mr. BROOKHART. Mr. President, I think the Senator from Florida desires that nomination to go over.

The PRESIDING OFFICER. The Chair will state that the consideration of these nominations is in order and they do not go over on mere objection. The Chair is of opinion that if any Senator suggests that a nomination go over that may be done.

Mr. BROOKHART. I suggest that the nomination go over.

The PRESIDING OFFICER. The nomination will go over until the following day.

FEDERAL POWER COMMISSION

The Chief Clerk proceeded to read the nominations of members of the Federal Power Commission.

Mr. COUZENS. Mr. President, subject to the interruption of any conference report, I ask that the Senate agree to take up the consideration of the nominations of members of the Power Commission at 2 o'clock to-morrow.

Mr. McNARY. Mr. President, of course my attitude in connection with the request of the Senator from Michigan is the same as that expressed a moment ago, and it is not

necessary to repeat it. I understand, however, the request of the Senator from Michigan is qualified.

Mr. COUZENS. I have qualified it by making it subject to the consideration of conference reports.

Mr. McNARY. The Senator qualifies his request by giving preference to conference reports, and to that I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan to consider the nominations of members of the Federal Power Commission at 2 o'clock to-morrow?

Mr. COUZENS. Subject to the consideration of any conference report.

Mr. McNARY. How long will it probably take?

Mr. COUZENS. I qualified my request by making it subject to conference reports, Mr. President.

Mr. McNARY. Suppose a conference report should come before the Senate at 3 o'clock or half past 2.

Mr. COUZENS. I should be willing to lay aside this matter.

Mr. McNARY. Very well. With the understanding that in all circumstances conference reports will have priority of consideration, I have no objection.

The PRESIDING OFFICER. The Chair hears no objection, and it is so ordered.

JUDICIARY

The Chief Clerk read the nomination of Fred S. Pulver to be United States marshal, eastern district of New York.

The PRESIDING OFFICER. Without objection, the nomination is confirmed, and the President will be notified.

MISSISSIPPI RIVER COMMISSION

The Chief Clerk read the nomination of Lawrence A. Glenn, of Illinois, to be a member of the Mississippi River Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed, and the President will be notified.

The Chief Clerk read the nomination of Lieut. Col. George R. Spalding, Corps of Engineers, United States Army, to be a member of the Mississippi River Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed, and the President will be notified.

COAST GUARD

The Chief Clerk proceeded to read sundry nominations in the Coast Guard.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc, and the President will be notified.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the postmasters on the calendar be confirmed en bloc, and the President notified.

The PRESIDING OFFICER. Without objection, the request will be complied with.

The calendar is completed, and the Senate resumes legislative business.

ADDRESS BY THEODORE W. NOYES ON TAXATION IN THE DISTRICT OF COLUMBIA

Mr. CAPPER. Mr. President, at the sixty-fifth annual meeting of the Association of Oldest Inhabitants of the District of Columbia, held in Washington on December 8, 1930, Mr. Theodore W. Noyes, president of the association, delivered a very able and interesting address on taxation and other matters having to do with the welfare of the people of the District.

I am sure that Mr. Noyes's remarks will be of interest not only to the people of the National Capital but to Members of Congress and the citizens of the country generally. I therefore ask that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

On the occasion of its sixty-fifth anniversary the Association of Oldest Inhabitants, from venerable and venerated Centenarian Saxton to the 50-year-old baby member of yesterday, tenders its warmest, heartiest greetings to its guests to-night.

Our association fights to win for Washington (1) political equity, (2) financial equity, and (3) physical and spiritual health and beauty.

Political equity means voting representation in Congress and the Electoral College for the 300,000 potential voters in the District who are now voteless. It means, politically, promotion of the District residents of voting age from the class of the convict and the lunatic to that of American sovereigns.

To-day's threat against fair play is leveled specifically at financial equity.

In the short time devoted to the so-called annual address I am not going to weary my hearers with details of nonthrilling figures which demonstrate that the Washingtonian's municipal tax burden, when equitable readjustments are applied to the calculation, is heavier than that of such cities as Baltimore, New Orleans, St. Louis, Indianapolis, and Minneapolis and should not, except as an unavoidable necessity, be increased.

Nor will I impose upon you the somewhat familiar statistics which demonstrate that a lump-sum appropriation of nine or nine and one-half millions by the Nation for Capital maintenance and development is inadequate in amount as well as unsound in principle.

But there are some illuminating figures recently reported by the collector of internal revenue which have a vitally important bearing upon the equities under discussion before the House special fiscal relations committee and in committee rooms on Capitol Hill in the framing of the District appropriations bill. And to these figures I invite your interested attention.

For the fiscal year 1930 the Capital community contributed in property taxes, water and gas taxes, and in miscellaneous revenues considerably over $30,000,000. The Nation contributed nine millions in lump sum for Capital maintenance. This lump-sum appropriation—indeed, the national contribution toward Capital development in any and every form—has been described as a gratuity, beggars' alms, money wrung from the scanty earnings of the Congressman's outraged constituent to ease the tax burdens of the mendicants, tax dodgers, and robbers of the District of Columbia. This undeserved vilification has aroused a prejudice in the House against the District which it is hard to eradicate.

The report of the collector of internal revenue discloses the contributors to these national taxes and the amounts of their respective contributions.

The only national taxes that fall directly and unmistakably and in ascertainable amounts upon Americans are their internal-revenue taxes, and they constitute three-fourths of Uncle Sam's total receipts. The collector's report for 1930 shows that the District paid in these taxes in that year $15,724,675.72, and that 25 (more than half) of the States contributed less than the District to the Treasury in internal-revenue taxes. These States are as follows: Alabama, Arizona, Arkansas, Colorado, Georgia, Idaho, Iowa, Louisiana, Maine, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Oregon, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Washington, West Virginia, and Wyoming.

Ten States combined contribute to these national taxes only a trifle more than the District alone. These States are: Arizona, Idaho, Mississippi, Montana, Nevada, New Mexico, North Dakota, South Dakota, Vermont, and Wyoming, whose combined internal-revenue tax payments aggregate $15,774,342.99, to be compared with the District's contribution of $15,724,675.72.

These 10 States are represented in Congress by 20 Senators and 21 Representatives. The total representation of the District is 0.

The District's per capita contribution to these national taxes is $32.29. In per capita contribution only five States of the Union exceed the District. These States are Delaware, Illinois, New York, North Carolina, and Virginia. Of all the other 43 States the average citizen contributes less than the average Washingtonian.

The Washingtonian's per capita contribution to the Treasury in internal-revenue taxes ($32.29) exceeds the combined per capita contribution of the following States: Alabama ($3.71), Arkansas ($1.70), Georgia ($4.21), Idaho ($1.94), Mississippi ($1.04), Montana ($4.87), Nebraska ($4.14), New Mexico ($2.16), North Dakota ($0.81), South Carolina ($1.74), South Dakota ($1.28), Wyoming ($3.34), with an aggregate per capita contribution of $30.04. In other words, one Washingtonian contributes more than the combined contributions of 1 Alabaman, 1 Arkansan, 1 Georgian, 1 Idahoan, 1 Mississippian, 1 Montanan, 1 Nebraskan, 1 New Mexican, 1 North Dakotan, 1 South Carolinian, 1 South Dakotan, and 1 Wyomingite, 12 in all from States with 24 representatives in the Senate and 62 Representatives in the House, where the District has no representation at all.

The national internal-revenue taxes are used to pay not only the nine or nine and one-half millions of lump-sum payment toward Capital maintenance and development but the millions spent in the grand program of national building and development at the Capital, and the hundreds of millions spent everywhere in all forms of national activity, in the maintenance of Army and Navy, and in the payment of the salaries of the President and executive officers of the United States and of Senators and Representatives in Congress. It thus appears that in national expenditures for all these purposes the Washingtonian's per capita contribution exceeds those of 43 States.

Let us compare the District's contribution with that of some typical State. The progressive State of Nebraska has two Senators and six Representatives in Congress (one of the most influential in some respects of the State delegations), where the District has none. The internal-revenue figures show that the District, with something more than one-third of Nebraska's population, pays in these national taxes something less than three times as much as Nebraska, and that in per capita calculations the average Washingtonian pays nearly eight times as much as the average Nebraskan. In other words, the average Washingtonian contributes more than seven Nebraskans and nearly as much as eight Nebraskans toward the nine and one-half millions lump sum for National Capital maintenance. The Washingtonian pays into the fund from which the salary of the Nebraskan's Representative is paid nearly eight times as much as the Nebraska Representative's voting constituent.

It is not intended in presenting these figures to suggest that the States or citizens contributing most per capita to the internal-revenue tax or other national taxes should on that account have any weightier voting power in respect to the disposition of the national revenues than those States and those citizens whose contributions to the national taxes are, comparatively speaking, infinitesimal; and it is not intended to discredit in any way the small contributors to the national taxes or even to argue in denial of the latter's claim that it is more virtuous not to contribute than to contribute to internal-revenue taxes derived from cigars, cigarettes, distilled liquors, playing cards, and especially from the taxes imposed upon the bloated incomes of those picturesquely described as "malefactors of great wealth."

The sole purpose is to convince the Representatives of small-contributing constituencies in the States that they should not berate their National Capital constituents (whose legislative interests are intrusted to their care by the Constitution) on the ground that the latter are untaxed or undertaxed mendicants supported by the tax money unjustly drawn from their local constituents; first, because in so many cases these contributions by their constituents to the national taxes are infinitesimal, far less than those made by the District itself; second, because the District instead of being untaxed or undertaxed is reasonably and, owing to the peculiar local conditions, even heavily taxed both in municipal and in national taxation.

In developing the Nation's City the Washingtonians are by far the largest contributors among Americans. They contribute on both the local and the national side of the account. They are out of the Union only when rights, privileges, powers, and bounties are distributed. They are very much in the Union when the burdens of national taxation and military service are imposed. They pay in one way and another approximately three-fourths the expense of the municipality, and they are heavy contributors to the internal-revenue taxes from which the national funds are derived that meet the other quarter. In municipal contributions and national taxes they pay over $100 per capita for every man, woman, and child in the District. They are the only Americans who have absolutely nothing to say authoritatively concerning the collection and disposition of the funds to which they are such large contributors.

On the other hand, in the expenditure of the national money to which the District contributes on equal terms the United States has in many respects failed to be equitable toward the Capital. It has distributed money and land (which were as much the property of the people of the Capital as of any other Americans) among the States and Territories, and ignored entirely the national District. These donations include approximately two hundred millions of acres of public lands and many hundred millions of dollars.

In the fiscal year 1929 the 25 States which paid in internal-revenue taxes less than the District drew in subventions from the Treasury over $100,000,000. Five of these States took from the Treasury more than they contributed in internal-revenue taxes, and two of them drew out more than twice the amount put in.

In that year the District paid in internal-revenue taxes $17,094,719 and took from the Treasury $9,000,000 lump-sum appropriation. It took out 53 per cent of the amount it put in.

The 10 States whose internal-revenue tax payments aggregated in 1929 less than this tax payment by the District alone drew out from the Treasury in subventions over $14,000,000, or 84 per cent of the amount they put in.

Toward this annual donation of over $100,000,000 to 25 States the District contributed more than any one of these States, and the Washingtonian's per capita contribution was greater than those of 43 States. Although the District's tax contribution toward this annual hundred million for the aid of certain States was exacted from it without its consent by a taxing body in which it was not represented, and although its contribution was distributed also without its consent among the States, excluding itself, the District does not complain of even a technical robbery, and is far from suggesting that its contribution is an involuntary gratuity squeezed or wrung from its impotency for the relief of the favored States.

ADJOURNMENT

Mr. McNARY. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 32 minutes p. m.) the Senate adjourned until to-morrow, Friday, December 19, 1930, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate December 18, 1930

APPOINTMENT IN THE ARMY

GENERAL OFFICER

To be brigadier general

Col. William Sharp McNair, Field Artillery, from December 11, 1930, vice Brig. Gen. George C. Barnhardt, died December 10, 1930.

COAST AND GEODETIC SURVEY

APPOINTMENTS

Aide with relative rank of ensign in the Navy

Kenneth Surrell Ulm, of Massachusetts, vice E. B. Lewey, promoted.

Jeremiah Strauther Morton, of Virginia, vice R. C. Bolstad, promoted.

John Crawford Ellerbe, of South Carolina, vice A. N. Stewart, promoted.

Robert Alexander Marshall, of Massachusetts, vice C. A. George, promoted.

Herman Carl Applequist, of California, vice J. S. Massey, resigned.

Junius Thomas Jarman, of Mississippi, vice J. N. Jones, promoted.

Promotions as of July 16, 1930

To be junior hydrographic and geodetic engineer, with relative rank of lieutenant (junior grade) in the Navy:

Ernest Bane Lewey, of Virginia, vice A. J. Hoskinson, promoted.

Edwin Caleb Baum, of the District of Columbia, vice J. C. Sammons, promoted.

Clifton James Wagner, of Virginia, vice I. Rittenburg, promoted.

Ross Angus Gilmore, of Massachusetts, vice G. E. Boothe, promoted.

John Laskowski, of North Dakota, vice E. A. Deily, promoted.

To be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy:

Albert Jay Hoskinson, of California, vice new position.

Jack Chester Sammons, of Kentucky, vice new position.

Isidor Rittenburg, of Massachusetts, vice new position.

Glendon Edwin Boothe, of New Mexico, vice new position.

Earle Andrew Daily, of Pennsylvania, vice new position.

John Carlos Bose, of Texas, vice new position.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 18, 1930

COMMISSIONER OF NARCOTICS

Harry J. Anslinger to be commissioner of narcotics.

UNITED STATES MARSHAL

Fred S. Pulver to be United States marshal, eastern district of New York.

MEMBERS MISSISSIPPI RIVER COMMISSION

Lawrence A. Glenn to be a member of the Mississippi River Commission.

Lieut. Col. George R. Spalding to be a member of the Mississippi River Commission.

COAST GUARD

John T. Stanley to be temporary ensign.

William I. Swanston to be temporary ensign.

Clyde G. Tarkenton to be temporary ensign.

Arthur M. Root, jr., to be temporary ensign.

Ward W. Bennett to be district commander.

Harry N. Renshaw to be temporary ensign.

William E. Creedon to be temporary ensign.

Ralph T. Crowley to be district commander.

Martin W. Rasmussen to be district commander.

John Ask to be chief gunner.
Stewart P. Mehlman to be lieutenant.
Henry A. Meyer to be temporary ensign.

POSTMASTERS

ALABAMA

John L. Shotts, Hamilton.
Annie J. McArthur, Riderwood.
Walker T. Stewart, Sylacauga.

ARIZONA

John Caretto, Bisbee.
Charles J. Alden, Globe.

ARKANSAS

Hattie L. Moore, Altus.
William V. Trautman, Bearden.
Raymond M. Jackson, Biscoe.
Fred E. Marble, Carlisle.
Perry W. Hampton, Glenwood.
Ocie E. Mathis, Hackett.
Harry L. Kelley, Holly Grove.
Eston G. Berry, Magazine.
Lindley M. Osborne, Marianna.
Wilford Flannigan, Monette.

CALIFORNIA

Walter S. Sullivan, Agnew.
Raymond P. Hawkins, Alleghany.
John W. Drane, Alturas.
Edward F. Hopkins, Arroyo Grande.
Elmer B. Whitson, Balboa.
Howard C. McCaughey, Bodega.
Fred W. Stein, Camarillo.
Harry C. Smith, Campbell.
James A. Lewis, Carpinteria.
Otto B. Liersch, Corning.
Gilbert M. Aylesworth, Cupertino.
Harrison P. Gower, Death Valley.
Cora C. Fitzwater, Fall River Mills.
Mary Goble, Hobart Mills.
Noah A. Mackey, Imperial.
George M. Heath, Ione.
Phyllis V. Gleason, King City.
Norman F. Densmore, Laton.
Frank S. Farquhar, Livingston.
Don C. Saunders, Lompoc.
Ida P. Naylor, Newport Beach.
Clarence L. Pratt, Pacific Beach.
Florence E. Cornelius, Piru.
James B. Rickard, Santa Barbara.
Frederic W. Stahler, Yorba Linda.

COLORADO

Henry R. Pilati, Aguilar.
Ethel R. Quinn, Cheyenne Wells.
Arthur I. Weaver, Creede.
William H. Cochran, jr., Del Norte.
Barnett F. Greene, Dolores.
John W. Moore, Las Animas.
Henry Miller, Manzanola.
John H. O'Connell, Sugar City.
John C. Callaghan, Westcliffe.

CONNECTICUT

Charles K. Bailey, Bethel.
Helen S. Ladd, Bloomfield.
Howard A. Middleton, Broad Brook.
Elbert B. Austin, Cromwell.
Thomas C. Brown, Elmwood.
W. Kenneth Avery, Granby.
Archibald Macdonald, Putnam.
Edmund E. Crowe, South Norwalk.
Abigail B. Lathrop, Warehouse Point.

FLORIDA

William B. Wingate, Callahan.
William T. Graves, Cottondale.
Pauline F. Colley, Florence Villa.
Albertus A. Kurfiss, Groveland.
Donald A. Flye, Haines City.
Henry G. Nelson, Williston.

GEORGIA

Louise F. Hays, Montezuma.

IDAHO

George Odenius, Craigmont.
Oliver E. Norell, Mountain Home.
Warren P. Jones, Priest River.

ILLINOIS

Edgar H. Chadwick, Ashton.
William Ryder, Auburn.
Herman Semmelroth, Belleville.
William Kitts, jr., Bellflower.
Guy W. Astell, Broadlands.
Leonard J. Obery, Chestnut.
Hazel C. Van Alstyne, Colfax.
Henry C. Voegtle, Collinsville.
Earl D. Husted, Cornell.
Louis R. Kelly, Duquoin.
William W. Austin, Effingham.
Herbert W. Greene, Fairbury.
Frank G. Doney, Fithian.
George V. Robinson, Forrest.
John R. Scoggin, Gardner.
Mary F. Robbins, Glenwood.
Walter A. Leigh, Jerseyville.
Fuller Green, Kenney.
Orlando H. Akin, Kirkwood.
Thomas W. Collins, Knoxville.
Walter C. Howe, Latham.
Harvey T. Smith, Mendon.
Virgil G. Beauchamp, Meredosia.
Lester Cromwell, Momence.
Laura B. Hayes, Monroe Center.
Benjamin A. Kent, Morrisonville.
Leslie J. Smith, Mount Auburn.
Ralph H. Gard, New Canton.
Franklin S. Lyman, Oak Forest.
Daniel Reeder, Payson.
Rue L. Witham, Perry.
Albert Weiland, Peru.
William C. Roodhouse, Roodhouse.
Viola M. Rowland, Rutland.
Daniel B. Comegys, Seneca.
Thomas A. Brown, Sparta.
Frances E. Tinker, Stonington.
Frank Reed, Taylorville.
Abraham L. Houk, Tuscola.
Robert E. Laycock, Ursa.
Edwin G. Meyer, Valmeyer.
Luella H. McCoid, Venice.
Leonard O. Bingham, Virginia.
Joseph E. Shantz, Wilmette.
Charles S. Hoots, Windsor.

INDIANA

Charles A. Gatwood, Albion.
Pearle Coffin, Carthage.
McKinley Ayer, Chrisney.
John Walker, Fortville.
John B. Fornwald, Gaston.
Albert Neuenschwander, Grabill.
William B. Thornley, Jeffersonville.
Phineas O. Small, La Porte.
Nell Manley, Laurel.
William S. Milner, Ligonier.
David R. Scott, Linton.
Floyd E. Leonard, Mulberry.
Sam J. Bufkin, Newcastle.
George E. Young, Shelbyville.

KANSAS

Anna B. Jennings, Arnold.
Wilbur B. Morris, Eldorado.

Harriet P. Lowell, Fall River.
Harry W. Mudge, Gridley.
Maude P. Evans, Hartford.
Wiley Caves, Inman.
Theodore H. Rinne, Kinsley.
Roy C. Mortimer, McCracken.
Anna J. Nichols, Morland.
John F. Oliver, Oxford.
Gertrude H. Nuttmann, Paxico.
Ella J. Starr, Scott City.
Bessie W. Brennan, Strong.
Caroline Boman, Virgil.
Ezra E. Shields, Wathena.
William B. Hart, Westmoreland.
Henry N. Jessen, White Water.

KENTUCKY

Hobart Ison, Blackey.
Mike C. Winfrey, Columbia.
Otha S. Curd, Greenville.
William H. Sergent, Jenkins.
Onis L. Greer, Owensboro.
John E. Forte, Raceland.
Willis D. McCammish, Versailles.

LOUISIANA

Isaac C. Fife, Bastrop.
Robert S. Butler, Port Allen.

MASSACHUSETTS

James N. Young, Adams.
Henry L. Pierce, Barre.
Almon L. Pratt, Belchertown.
Charles J. Dacey, Conway.
Alfred A. Averill, Edgartown.
Clarence E. Arnold, Hopedale.
Xavier A. Delisle, Lowell.
Louise S. Snow, Middleton.
James H. Butler, Pittsfield.
Nathaniel E. Lewis, Provincetown.
George A. Wilder, Townsend.
Edgar S. Woodman, West Medway.
Samuel Highley, Woburn.
Myra G. Jordan, West Upton.

MICHIGAN

Leroy M. Gunniss, Algonac.
Marie L. Mottes, Alpha.
Ernest E. Hawes, Applegate.
Charles F. Waldie, Bancroft.
Henry E. Cowdin, Carson City.
John M. Eusebio, Caspian.
Samuel C. Kirkbride, Clare.
Charles M. Vermilya, Columbiaville.
Asa B. Freeman, Durand.
Otto C. Miller, East Detroit.
Louis Gee, Farwell.
Ernest E. Yerdon, Fenton.
Glenn H. Perkins, Freeport.
Flora Van Zinderen, Grandville.
Henry I. Walker, Greenville.
Edna Donohue, Gregory.
Ethel P. Colwell, Harrisville.
William L. Shulters, Hastings.
Fred J. Beaman, Jackson.
Emory J. Glidden, Lakeside.
Fred B. Kay, Lapeer.
George H. Steadman, Lyons.
John P. Robertson, Metamora.
Edward F. Blake, Middleville.
Charles J. Kappler, Port Austin.
Thomas S. Scupholm, Port Huron.
John B. Hecox, Portland.
Frank L. Brighenti, Ramsay.
Charles H. Dodge, Romeo.
Menno C. Weber, Saranac.
Bert Green, Shepherd.
James V. Baker, South Lyon.
George Q. Brace, Sparta.
Oscar W. Greenlund, Stambaugh.
Frank P. Church, Stanton.
Grace M. Miller, Union City.
David F. Jones, Unionville.
Enoch J. Andrus, Utica.
Christopher J. Bristow, Van Dyke.
James M. Carr, Vassar.
Bea Kelly, Watersmeet.

MISSOURI

William O. Roberts, Doniphan.
Edward A. Hackmann, Fayette.
Charles E. Bedell, Hale.

MISSISSIPPI

Josephine J. Dent, Morgan City.
Beulah J. Smith, Piave.
George W. Sledge, Sunflower.
Michael J. Mulvihill, jr., Vicksburg.

MONTANA

Pontus C. Haegg, Charlo.
Laura P. Johnson, Darby.
Malcolm K. Kedzie, Libby.
Mariness W. Stockwell, Musselshell.
John B. Randall, Wolf Point.

NEBRASKA

Clarence L. Snyder, Bushnell.
William J. Allen, Fort Robinson.
Orpha A. McCray, Merriman.
Edward E. Ely, Milford.
Margaret E. Gleason, Platte Center.

NEVADA

Frank E. Meder, Carson City.
Mabel L. Andrews, Hawthorne.

NEW HAMPSHIRE

Fred H. Ackerman, Bristol.
Willard G. Holt, Epping.
Archie C. Howe, Colebrook.
Russel B. Henchman, East Jaffrey.
Herbert E. Walbridge, Enfield.
Frank J. Bryant, Lebanon.
Frank E. West, Lyme.
Stephen C. Coburn, Milford.
George L. Crockett, Whitefield.
William E. Jones, Winchester.
Fred P. Dearth, Woodsville.

NEW MEXICO

Charles H. Lutz, Roswell.

NEW YORK

Pearla S. Kling, Albany.
Ernest R. Netzen, Alexander.
George I. Yost, Ballston Spa.
Jennie E. Carroll, Cuylerville.
Karl L. Whipple, Dannemora.
Frederick A. Lowe, Fayetteville.
I. Wallace Fish, Frankfort.
Henry C. Almy, Friendship.
Thomas W. Hamer, Lacona.
Henry T. Kenyon, Leonardsville.
William H. Ordway, Mount McGregor.
William V. Wagner, Nanuet.
Edmund E. Westerman, Pittsford.
Hobart Lester, Richland.
George E. Clark, Romulus.
William P. Andres, Round Lake.
Rollin G. Giffin, St. Regis Falls.
Helen L. Wilcox, Shelter Island Heights.
Caroline A. R. Roberson, Shushan.
August P. Lenz, Thendara.
William C. Raynor, West Hampton.
Frank E. Everest, Wilmington.

NORTH DAKOTA

Ruth Y. Hardy, Burnstad.
Daisy Thompson, Carpio.
Jacob Krier, Gladstone.

Carl C. Harr, Martin.
Elvin J. Elstad, Rugby.
Thomas H. Tharalson, San Haven.

OHIO

Berman K. Smith, Arcanum.
Charles E. McClelland, Attica.
William Compton, jr., Blacklick.
J. Schuyler Hossler, Bloomville.
Faith H. Malsbary, Blue Ash.
James U. Riley, Brookville.
Gertrude Stormont, Cedarville.
Clarence E. McCafferty, Chauncey.
William H. Lambert, Delta.
Fred S. McCoy, Fairlawn.
Albert W. Griswold, Georgetown.
George R. Warren, Groveport.
Arthur H. Wood, Holland.
George M. Jenkins, Huron.
Charles S. Case, Jefferson.
Joseph Jameson, Lorain.
Harvey C. Wilson, Lyons.
Fred G. Bates, Madison.
Leo Mutach, Marblehead.
Mary E. Basore, McGuffey.
Benjamin F. Duell, Mogadore.
Alice M. O'Meara, Mount St. Joseph.
Earl C. Mikesell, New Paris.
Kensel L. Birkhead, Orient.
Harry E. Cahill, Pandora.
Frank P. Johnson, Pataskala.
Gurth W. Repp, Pioneer.
Florence R. Smith, Pomeroy.
William Schnoor, Put in Bay.
Raymond J. Rowley, Quincy.
Harry L. Mefford, Ripley.
Harlan B. Miller, Shiloh.
Dwight D. Fierbaugh, South Euclid.
Chester W. Holt, Stow.
Bert E. Woodward, Stryker.
Charles A. Alexander, Vanburen.
Estella Wilson, Warsaw.
William Disher, Waterville.
Josiah T. Gibson, Waverly.
Ross H. Hartsock, Waynesville.
Alice C. Griffith, Worthington.

OKLAHOMA

Fred G. Marsh, Afton.
Mable C. Heidenreich, Duke.
Edwin B. Minich, Eldorado.
Wayne Anderson, Miami.
Vernon Whiting, Pawhuska.
James L. Hines, Reydon.
David W. Robinson, Talihina.
Mary Moore, Valliant.
Porter Z. Newman, Welch.

OREGON

Joel C. Sturgill, Baker.
Drusilla M. Crance, Cornelius.
Albert R. Barnes, Kinzua.
John A. McCall, Klamath Falls.
Teresa H. McComb, Malin.
Rodrick A. Chisholm, Monroe.
Ora Mahoney, Oakland.
Grant L. Grant, Riddle.
Charles S. Heinline, Roseburg.
Henry E. Grim, Scappoose.
Lawrence S. McConnell, Sherwood.
John S. Hudson, Troutdale.
George L. Edes, Yoncalla.

PENNSYLVANIA

Marshall Troutman, Clearville.
Alice B. Carrick, Loupurex.
John H. Watson, Turtle Creek.

PORTO RICO

Juan Aparicio Rivera, Adjuntas.
Concepcion Torrens de Arrillaga, Anasco.
Alfredo Gimenez y Moreno, Bayamon.
Alfredo F. Irizarry, Cabo Rojo.
Julio Ramos, Cayey.
Angel de Jesus Matos, Coamo.
Jose Carrera, Humacao.
Eduvigis de la Rosa, Isabela.
Angel F. Colon, Juana Diaz.
Pedro Muniz Rivera, Manati.
Luis Clos, Naguabo.
Antonio Godinez, Rio Piedras.
Augusto M. Garcia, Sabana Grande.
Hortensia R. O'Neill, San German.
Francisco Valldejuli, Yabucoa.
Simon Semidei, Yauco.

RHODE ISLAND

Jonathan Bateman, Manville.

TENNESSEE

Rex E. Stribling, Clifton.
Homer C. Eastland, Collinwood.
Weyman I. Dooly, Conasauga.
John M. Thompson, Englewood.
Mary E. Ferguson, Gates.
Byrd S. Bussell, Greenbrier.
Jasper D. Wright, Jamestown.
Alfred F. Agee, La Follette.
Tyson T. Cole, Minor Hill.
George Wilcox, Monterey.
Walter Carr, Moscow.

WEST VIRGINIA

Wilbern D. Hill, Danville.
Thaw Stewart, Dunbar.
Rutherford L. Dowdell, Glen Dale.
Eula Collier, Kermit.
Thelma F. Settle, Page.
Reece G. Johnson, Twin Branch.
George E. Patterson, Wellsburg.

WYOMING

Percy G. Matthews, Evanston.
Edna C. Jessen, Newcastle.
Harry A. Wylam, Superior.

HOUSE OF REPRESENTATIVES

THURSDAY, DECEMBER 18, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, Thou art our all-sufficient and everlasting portion, and this amazing truth is verified in our daily experience; we have recompense unspeakable. In our book of memory we turn the pages and recall the unutterable, invincible patience of God; blessed be Thy holy name. Give us directive wisdom for this day, and in all our ministrations gather us together in unity, in common desire, and in common labors for the welfare of our country and for the honor of its great name. Though we can not discern Thee in the circuit of Thy being, nor measure any part of the height, the depth, the length, nor the breadth of divine love, yet we pray, do Thou let it fill our souls with gladness and wonder, and Thine shall be the praise. In the name of the Savior. Amen.

The Journal of the proceedings of yesterday was read and approved.

AGRICULTURAL MARKETING ACT

Mr. WOOD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 15359) making an additional appropriation to carry out the provisions of the agricultural marketing act, approved June 15, 1929.

The SPEAKER. The gentleman from Indiana asks unanimous consent for the present consideration of the bill which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, I assume that the Committee on Appropriations had hearings on this resolution?

Mr. WOOD. It did; very full hearings.

Mr. STAFFORD. Did the hearings disclose when the limit of the $500,000,000 would be reached by the board?

Mr. WOOD. We have already appropriated $250,000,000, $150,000,000 in this bill and $100,000,000 previously, making a total of $250,000,000.

Mr. STAFFORD. We passed the act within a year, and have appropriated the full amount $500,000,000, a tidy sum in these piping hard times. Did the hearings disclose when we will have to increase the authorization?

Mr. WOOD. No; the information from those in charge is that we will not have to increase the authorization. The authorization has enabled the board to make loans amounting to $350,000,000, and they feel that with the appropriation of the full $500,000,000 the revolving fund will be sufficient to keep them going.

Mr. STAFFORD. For how long? Until the public is disgusted with the extravagant methods in trying to bolster up the price of wheat, cotton, and other products?

Mr. WOOD. I will say that this authorization has been made, and if there ever was a time, if the Congress means to stand by this board and give it the most effective support, now is the time when they need this appropriation for stabilization.

Mr. STAFFORD. But they have had little effect on stabilization.

Mr. WOOD. If the gentleman will read the hearings the gentleman will change his mind.

Mr. STAFFORD. I am reading the market reports rather than the hearings. Of course it is for the board's interest to make a good showing.

Mr. WOOD. If the gentleman will read the hearings he will see that the prices would have been a good deal lower than they are now if it had not been for the action of the board.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. COCHRAN of Missouri. Do the hearings disclose the salaries paid to officers and employees of the grain corporation and other corporations handling various commodities?

Mr. WOOD. The hearings do not.

Mr. COCHRAN of Missouri. Has that information ever been brought out?

Mr. WOOD. Yes; the gentleman will find that in the hearings before the Independent Offices Appropriation Committee.

Mr. COCHRAN of Missouri. We have been unable to procure the information and the charges have been made——

Mr. WOOD. I am informed that the information is in the Appropriations Committee on the Independent Offices.

Mr. COCHRAN of Missouri. Charges have been made that men receiving minor salaries prior to the time they were appointed are getting as high as $40,000 from some of the corporations and the money is paid from this appropriation.

Mr. WOOD. Well, you can not believe everything you hear. It has been said that there was a fund of $200,000 raised in the last two or three days for the purposes of destroying the Farm Board, but they say there is no truth in that. You can not believe all that you read in the newspapers.

Mr. COCHRAN of Missouri. I did not read it in the newspapers. We are to get the information as to how they have been spending this money when the hearing on the independent offices appropriation bill is held.

Mr. DUNBAR. Is it not a fact that these appropriations authorized here are somewhat misleading, due to the fact that loans that are made are from time to time repaid?

Mr. WOOD. There is no reason why they should be misleading. Of course, as a loan is repaid it is reloaned.

Mr. DUNBAR. My understanding is that the Farm Board now has actually less than $100,000,000 of Government money due to the fact that the money has been repaid, and that when a new amount is required an additional appropriation is required.

Mr. WOOD. That is correct, though not exactly. The total repayments amount to $125,000,000 to $130,000,000.

Mr. DUNBAR. Then $125,000,000 of the $500,000,000 has been repaid, and that is again subject to another appropriation.

Mr. WOOD. Yes.

Mr. DUNBAR. And the statement that was made a while ago that $500,000,000 has been appropriated for the purpose of the Farm Board is not quite correct, because there still will remain what has been repaid out of the $500,000,000 for further appropriation.

Mr. WOOD. The total loans of the money already appropriated amount to $337,000,000, as I recall.

Mr. DUNBAR. Then less has been used than some of us suppose.

Mr. WOOD. Yes.

The SPEAKER. Is there objection?

Mr. COCHRAN of Missouri. Mr. Speaker, is this a unanimous-consent request.

The SPEAKER. It is.

Mr. COCHRAN of Missouri. I object.

Mr. WOOD. Will the gentleman withhold his objection?

Mr. COCHRAN of Missouri. Yes.

Mr. WOOD. I hope the gentleman will withdraw his objection. In order that this money may be available, this bill must of necessity pass the Senate. This board has only $2,000,000 on hand, with applications for $137,000,000. Certainly the gentleman does not want to hamstring the board now.

Mr. COCHRAN of Missouri. Mr. Speaker, Members of the Appropriation Committee that will have the members of the Farm Board before them have just talked with me and they assure me that they are going into this question to fully learn how they are spending this money, salaries paid, and so forth, and with that assurance I withdraw the objection.

Mr. STAFFORD. Will they go into the question of how much money has been lost?

Mr. COCHRAN of Missouri. I certainly hope they will. When this bill passed I said then it would not benefit the farmer and it has not benefited the farmer. It simply put the Government in business. I further stated a large amount of the appropriation would be lost to the Government, and I am sure in the end this prediction will come true.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

EXPENSES OF SPECIAL COMMITTEES

Mr. WOOD. Mr. Speaker, I ask unanimous consent for the present consideration of House Joint Resolution 444, making an appropriation to supply a deficiency in the appropriation for the fiscal year 1931 for expenses of special and select committees of the House of Representatives, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, etc., That the sum of $45,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year 1931 for expenses of special and select committees authorized by the House of Representatives.

The SPEAKER. Is there objection?

Mr. PATTERSON. Mr. Speaker, reserving the right to object, will this money go to the contingent fund of the House?

Mr. WOOD. Mr. Speaker, this appropriation is to defray the expenses of the special committees that have been ap-

pointed by the House. It is disbursed through the Clerk of the House.

Mr. PATTERSON. It does not go to the contingent fund?

Mr. WOOD. It does go to the contingent fund, but the necessity for it is caused by the appointment of these special committees.

Mr. PATTERSON. I want to know whether it goes to the contingent fund or goes direct to the committees.

Mr. WOOD. It goes to the contingent fund.

The SPEAKER. Is there objection?

Mr. BEEDY. Mr. Speaker, reserving the right to object, what is all this about?

Mr. WOOD. This is to defray the expenses of the special committees that have been appointed by the House. One was the Fish committee, to investigate the reds; and the other was the Parker committee, to investigate the railroads.

Mr. BEEDY. And the appropriations that were made for these committees are not sufficient to meet their actual disbursements?

Mr. WOOD. The contingent fund, out of which these expenses must be defrayed, is depleted. I think there is but $3.50 in the hands of the Clerk to-day.

Mr. BEEDY. So, that contrary to the usual custom, we have to make a special appropriation?

Mr. WOOD. That is correct.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the joint resolution was passed was laid on the table.

ORDER OF BUSINESS

Mr. SNELL. Mr. Speaker, I ask unanimous consent to proceed for two minutes, to make an announcement.

The SPEAKER. Is there objection?

There was no objection.

Mr. SNELL. Mr. Speaker, several people outside and also several Members have requested me to state when we intend to take up the Vestal copyright bill and the Capper-Kelly bill. As Members know, we passed rules for these two bills last session. The Vestal copyright bill is now the unfinished business of the House. As far as the chairman of the Committee on Rules is concerned, on the first day that there is no appropriation bill or emergency legislation before the House he proposes to ask the Speaker to recognize Mr. VESTAL for the purpose of considering the copyright bill. As soon as possible after that we propose to call up the rule on the Capper-Kelly bill.

Mr. GIFFORD. Will the gentleman yield?

Mr. SNELL. I yield.

Mr. GIFFORD. I would like to ask what prospect there is that House Joint Resolution 292, relating to presidential succession and change of the commencement of terms of the Members of Congress, will be brought up on the floor?

Mr. SNELL. I will be glad to say to the gentleman from Massachusetts that that matter has not been formally presented to the Rules Committee, although I have a request from the gentleman from Massachusetts to consider it. As far as I am personally concerned, I am opposed to the bill unless there is some provision for definite adjournment of the second session of Congress. But, as chairman of the Committee on Rules, I shall not oppose bringing that resolution to a vote sometime during the present session.

Mr. BUSBY. Will the gentleman yield?

Mr. SNELL. I yield.

Mr. BUSBY. As I understood, the gentleman suggested that the copyright bill dealing with the general provisions of the copyright law, the bill that was being considered at the last session in June, is the unfinished business?

Mr. SNELL. That is the unfinished business. It is here under a special rule and we think it should be completed one way or the other before we take up any other special business.

Mr. BUSBY. As nearly as the gentleman can tell at the present time, about when does the gentleman think that will be taken up?

Mr. SNELL. The first day the Speaker thinks we can consider it after the Christmas holidays. We will not take it up before the Christmas holidays.

LEAVE OF ABSENCE

Mr. FREAR. Mr. Speaker, I ask unanimous consent that my colleague, Mr. REILLY, be excused on account of sickness.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DROUGHT-RELIEF LEGISLATION

Mr. TILSON. Mr. Speaker, I have been requested by a number of Members on both sides of the House to make a unanimous-consent request.

I ask unanimous consent that in the consideration of Senate Joint Resolution 211, the so-called drought relief bill, in the Committee of the Whole House on the state of the Union, the committee substitute, recommended by the Committee on Agriculture, be considered as an original bill for purposes of amendment.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that in the consideration of Senate Joint Resolution 211 in the Committee of the Whole House on the state of the Union, the committee substitute be considered as an original bill for the purpose of amendment in the Committee of the Whole House. Is there objection?

Mr. GARNER. Reserving the right to object, Mr. Speaker, I think that is a much better method of considering this amendment, but I wish the gentleman would give us greater freedom under the rules of the House by adding to the unanimous-consent request an opportunity to make a motion to recommit with instructions. That would give a direct vote on the problem. Let the House record itself. The House would have perfect freedom to express itself on that particular question. This would really mean getting an expression of the House on the provisions of the bill.

Mr. TILSON. There is no disposition on my part to attempt to so radically change the rules of the House, and I do not think the gentleman from Texas desires it.

Mr. GARNER. The gentleman has asked unanimous consent to change the rules of the House. Just to add an opportunity to move to recommit with instructions would not be any more radical than what the gentleman is now asking.

Mr. TILSON. Oh, very, very much so. The request I made is a small change, simply for the convenience of considering this bill, and it has been done time and time again. I think it would facilitate the consideration of the bill. Members on both sides have asked me to do it.

Mr. CRISP. Mr. Speaker, may I make a parliamentary inquiry, reserving the right to object? I am frank to say I think it better for the House, if my inquiry should turn out as I think it will, to consider the bill in the manner suggested by the gentleman from Connecticut, considering the committee amendment as original text for the purpose of perfecting it. But this is the inquiry I wish to make:

If the House resolution is considered as original text for the purpose of perfecting it in the Committee of the Whole, after that is done will the vote then be on adopting the perfected House substitute for the original text of the Senate bill? In other words, Mr. Speaker, an amendment is proposed as an amendment to the Senate bill, striking out all after the enacting clause, and substituting a new text. Now, if the Committee of the Whole House on the state of the Union considers that House amendment as an original bill, when the committee has concluded its consideration of the House amendment, having considered it as an original bill, would the vote then be on accepting that in lieu of the text of the Senate bill?

The SPEAKER. In the Committee of the Whole, or in the House?

Mr. CRISP. Both in the Committee of the Whole and in the House. Mr. Speaker, I catch myself, for, of course, if the Chairman of the Committee of the Whole reports the

House Committee on Agriculture amendment has been adopted the House must vote on the report of the Chairman of the Committee of the Whole; but in the Committee of the Whole would the vote be after it has been perfected on adopting the perfected amendment as a substitute for the original Senate text?

The SPEAKER. The Chair would think so.

Mr. CRISP. That was my opinion, but I wanted to bring the matter up so there could be no doubt about it.

Mr. GARNER. Would that give an opportunity in the House for a vote on the amendment proposed by the Committee on Agriculture?

The SPEAKER. Undoubtedly.

Mr. BLANTON. Reserving the right to object, I want to ask the gentleman from Connecticut a question. If we consider this committee amendment as a bill and the Committee of the Whole House should adopt the committee's proposal to substitute, then we would not get a vote in the House on the amendment of the committee?

Mr. TILSON. Oh, yes.

Mr. BLANTON. As an original proposition?

Mr. TILSON. Just as a vote that would come before the House to adopt any other amendment which the Committee of the Whole had recommended.

Mr. BLANTON. But if we did not accede to the request of the gentleman from Connecticut there would automatically come in the House a vote on this committee amendment?

Mr. TILSON. There will in any event.

Mr. BLANTON. There will anyway?

Mr. TILSON. Yes. Certainly.

Mr. BLANTON. If there will be that opportunity to vote on the committee proposal, I have no objection.

Mr. TILSON. Every amendment that is recommended by the Committee of the Whole House on the state of the Union must be passed upon by the House.

Mr. BLANTON. But if we are considering this as a bill it will not be an amendment.

Mr. TILSON. Oh, this proposed change is simply for the purpose of amendment.

Mr. BLANTON. If that is the case, then we will get a straight-out vote on the proposal of the House committee?

Mr. TILSON. Certainly.

Mr. GARNER. In connection with the gentleman's request for unanimous consent I ask unanimous consent that the minority be permitted to make a motion to recommit with instructions, regardless of the present rules of the House.

Mr. TILSON. I shall object to any such violent change of the rules.

Mr. GARNER. I just wanted to complete the record. I make the request and the gentleman from Connecticut objects, as I understand it.

Mr. TILSON. Yes.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. TILSON]?

There was no objection.

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of Senate Joint Resolution 211, for the relief of farmers in the drought and/or storm stricken areas of the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of Senate Joint Resolution 211, with Mr. HALE in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of Senate Joint Resolution 211. Under the unanimous-consent agreement the Clerk will report by sections the committee amendment as an original bill for amendment.

Mr. LANKFORD of Georgia. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Georgia rise?

Mr. LANKFORD of Georgia. For the purpose of propounding a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LANKFORD of Georgia. Amendments to the paragraph or section which was read yesterday are now in order, are they not?

The CHAIRMAN. No. The Clerk is to report by sections the committee amendment as an original bill for amendment.

The Clerk read as follows:

That the Secretary of Agriculture is hereby authorized, for the crop of 1931, to make advances or loans to farmers in the drought and/or storm stricken areas of the United States where he shall find that an emergency for such assistance exists, for the purchase of seed of suitable crops, fertilizer, feed for work stock, and/or fuel and oil for tractors, used for crop production, and for such other purposes of crop production as may be prescribed by the Secretary of Agriculture. Such advances, loans, or sales shall be made upon such terms and conditions and subject to such regulations as the Secretary of Agriculture shall prescribe, including an agreement by each farmer to use the seed and fertilizer thus obtained by him for crop production. A first lien on all crops growing or to be planted and grown during the year 1931 shall, in the discretion of the Secretary of Agriculture, be deemed sufficient security for such loan, advance, or sale. All such loans, advances, and sales shall be made through such agencies as the Secretary of Agriculture may designate, and in such amounts as such agencies, with the approval of the Secretary of Agriculture, may determine. For carrying out the purposes of this resolution, including all expenses and charges incurred in so doing, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $90,000,000.

Mr. KETCHAM. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KETCHAM: Page 3, line 6, after the word "tractors," strike out the comma and insert the words "and when necessary, to procure such seed, fertilizer, feed, and fuel and oil, and sell the same to the farmers."

Mr. KETCHAM. Mr. Chairman, I will simply state that this language was in the original bill but, in the haste to make a report yesterday morning, it was inadvertently omitted. This amendment simply restores the language as it was originally passed by the Committee on Agriculture and is in reality no change at all.

Mr. STAFFORD. Will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. STAFFORD. In the administration of similar bills in the past can the gentleman inform the committee as to what extent the department has availed itself of this privilege of purchasing the seed, fertilizer, feed, fuel, and oil rather than to make allotments of money to the farmers direct for those purposes?

Mr. KETCHAM. I am not able to tell the gentleman; and that particular information did not develop in connection with the questions which were asked of the Department of Agriculture, the division of the department which has the special administration of the bill.

Mr. STAFFORD. The gentleman can not inform the committee, then, as to the administration of this law, whether it is to be by parceling out the funds or making purchases of seed and fertilizer and allocating them to the farmers?

Mr. KETCHAM. I imagine there are various situations which have to be handled differently in different States, and this language is included in order to accommodate the different situations which may arise.

Mr. ASWELL. That was formerly in the bill but the department has never thought the language worth while, and this is not a new departure.

Mr. STAFFORD. Then in the general administration of such laws the department allocates the money to the farmers?

Mr. ASWELL. Yes. The department stated it was all right to be in there, but they have never used it in that way.

Mr. BANKHEAD. Mr. Chairman, I suggest that this amendment be again reported. As I followed the reading

of the amendment, it was not coherent, and it was probably read into the wrong part of the bill.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection.

The Clerk again reported the amendment.

Mr. SNELL. Will the gentleman from Michigan yield?

Mr. KETCHAM. Yes.

Mr. SNELL. Through what agencies is most of this money given out to the farmers?

Mr. KETCHAM. Through what governmental agencies?

Mr. SNELL. Yes.

Mr. KETCHAM. It is handled through the Department of Agriculture, and particularly by the Extension Service. The Extension Service designates a man to have general charge of this work, and he goes into the area or areas affected, and it is handled under his general charge. He is the representative of the Secretary of Agriculture in that situation and handles these funds for him.

Mr. FORT. Will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. FORT. I notice that the place which the gentleman suggested to put the language is at the end of line 6. Should it not be after the word "production" in line 7? As it now concludes it will be "farmers used for crop production."

Mr. KETCHAM. I may say to the gentleman that the confusion in the presentation of the amendment occurred by reason of the haste with which the House asked us to make the report yesterday morning. The amendment as sent to the desk makes it agree with the copy as it was read from the desk yesterday.

Mr. FORT. I think it should be placed in line 7 after the word "production" instead of line 6 after the word "tractors." Then I think it would be in proper form.

Mr. KETCHAM. Mr. Chairman, I ask unanimous consent to withdraw the amendment temporarily so that I may have an opportunity to examine the text.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

Mr. JONES of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JONES of Texas: Page 3, line 24, strike out "$30,000,000" and insert in lieu thereof "$60,000,000."

Mr. JONES of Texas. Mr. Chairman, ladies and gentlemen of the committee, this is really the crucial part of this measure. Just a few moments ago the House increased the appropriation to take care of the Farm Board activities. In the passage of the authorization measure we had included enough to make this additional appropriation possible.

The measure which we have under consideration to-day is simply an authorization. If this amendment is adopted, then if the Secretary should find the sum which may be provided insufficient to carry out his program, it would be a simple matter to come back and provide the money in a deficiency bill; but if we do not carry the full authorization at this time it would require toward the close of the session an authorization and an appropriation which it might be impossible to secure.

We had some discussion yesterday about the needs in reference to the full $60,000,000, and this is the item in which I am interested. If we are going into this program at all, we should certainly go into it to a sufficient degree to really take care of the handling of the loans in proper fashion. It would not be fair to serve one section in the form of loans and not take care of another section. It would not be fair to go into one section and lend to a part of the farmers and not lend to all the distressed farmers in that section. This would cause criticism. It would not even be fair to the Government, if they found there were more than they could take care of with an appropriation of $30,000,000 in the 24 different States. If they found they could not lend, as the amount needed, the sum of $300 and should try to cut that down to $100, it might be entirely useless.

When we are laying down a program to take care of a situation of distress, why in the name of common sense is it not wise to launch that program in such a way as to take care of the matter properly?

Mr. BRIGGS. Will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. BRIGGS. There is nothing in the proposed legislation that confines this to 24 States. As I understand, it is applicable to every State in the Union.

Mr. JONES of Texas. That is true; but the facts as developed show that there are 24 States which, or a part of which, have advocated this legislation as necessary.

Mr. BLANTON. Will the gentleman yield for one question?

Mr. JONES of Texas. On the same subject?

Mr. BLANTON. Yes. When it is understood and conceded that in conference this sum is going to be raised to $60,000,000, why not raise it here on the floor of the House?

Mr. JONES of Texas. I prefer not to make comment on that, although the gentleman is entitled to his opinion.

I have here a list prepared by the representatives from the drought-stricken areas which we had under discussion yesterday. There was some discussion as to whether they recommended $60,000,000. I have set down the amount which each of these men said was necessary in the form of loans to take care of the distressful situations in their States, and this is all merely a loan with proper security. It adds up $98,000,000.

I will put in the RECORD a list of the estimates prepared by the representatives from the different drought-stricken States. There were some four or five cases where the States did not give any estimate, so the total will amount to more than $100,000,000.

The only way the $60,000,000 came up was by reason of the fact that they talked it over among themselves and tried to see if they could not cut down their estimates. So if the arguments which have been made on the other side are of any avail at all they simply apply to cutting down the estimates from what they were originally.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. JONES of Texas. Mr. Chairman, I ask unanimous consent for three minutes more.

The CHAIRMAN. Without objection, the gentleman from Texas is recogniezd for three additional minutes.

There was no objection.

Mr. JONES of Texas. The actual amount was left out by request of the Secretary of Agriculture at that particular time, simply as a courtesy to him, but it was understood by everyone that he had not said he would cut it down or that he would increase it, and they all went away with the idea that it would be at least $60,000,000.

I have in my papers here, and I am going to insert in the RECORD, at the request of several Members, the form of the note which the farmer signs, and the form of the mortgage to the United States Government which the farmer must sign.

The questionnaire which the individual farmer must answer. That mortgage is to be a first-lien mortgage. If the local bank has a mortgage that must be made subordinate if this fund is to be made available.

This is not in any form a dole, nothing but a loan. If this amendment is adopted I want to say to both sides of the House that it does not change the House bill except as to the amount. It leaves the House bill as prepared by the committee.

Mr. YON. Will the gentleman yield?

Mr. JONES of Texas. I yield.

Mr. YON. I would like to ask the gentleman if the loans that have been made previously have been fully paid up?

Mr. JONES of Texas. That information is in the report on the third or fourth page. It shows the amount paid on each loan. The largest amount repaid, I think, is in Georgia, in which 92 per cent was returned, and they are still collect-

ing on these loans. The major portion of the loans have been repaid.

Mr. BRAND of Georgia. Will the gentleman yield?

Mr. JONES of Texas. I yield.

Mr. BRAND of Georgia. What rate of interest is to be paid on these loans?

Mr. JONES of Texas. The rate of interest on former loans has been 6 per cent, and it will be on this, so Mr. Warburton, who handled the loans, stated.

Mr. BRAND of Georgia. Why not fix it in the bill?

Mr. JONES of Texas. That would hardly seem necessary as the department has had experience in five or six loans and they have always been at the rate of 6 per cent.

Mr. BRAND of Georgia. The rate of interest is too high. It ought not to exceed 4 per cent.

Mr. JONES of Texas. I would have no objection to that.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. FORT. Mr. Chairman, ladies and gentlemen of the committee, it has been my pleasure both as a member of the Committee on Agriculture and as a Member of this House to support every seed and feed loan bill that has come before this body since I have been a Member.

I think, however, that the discussion on this measure is getting away from the fundamental principles on which these bills as a governmental policy were first made.

The precedent which the Congress of the United States followed in the first of these measures was the policy which in a like case allowed loans to the railroad corporations after the war—that here was an industry essential to the Nation whose credit facilities had failed it. And it is only on that basis that these loans can be justified here or at any other time. When we come to a situation where a major and essential industry of the Nation finds it impossible to secure adequate credit, then, in the interest of the general welfare, that credit should and will be extended.

It is not primarily—and has not been in the past, it will be disclosed by a study of similar past legislation—because of the mere happening of a drought that we have made the loans. It has been because the banks in the section affected by the drought were unable to loan the needed money to the people therein.

Now we are planning here to-day, following the history of these loan bills in the past, to appropriate $30,000,000 to be loaned to those who can not borrow elsewhere because of the lack of bank facilities; and perhaps as a measure toward the amelioration of bad conditions we are willing to accept a security that ordinarily a lender would not accept.

Much of the talk we have heard on the floor is a matter for the Red Cross rather than for the extension of credit for loans. If, gentlemen, this House on application of the Red Cross and its statement that it needs funds which it can not raise by private charity appropriates for it funds with which to relieve suffering, that is an entirely different proposition. To appropriate Government money for such purposes now would simply render the Red Cross unable to interest private charity at all.

But I am opposed to loaning money to any business enterprise unless it be on the basis that it is clearly shown to be needed for want of local banking facilities able to loan the needed money.

Mr. JONES of Texas. Will the gentleman yield?

Mr. FORT. I will yield to the gentleman from Texas.

Mr. JONES of Texas. The gentleman understands that my amendment before the House only increases the amount?

Mr. FORT. Increases the amount—I am coming to that. Now whose direction are we seeking in the handling of these sums? An administration headed by a man who has had more experience in the practical administration of relief than any other man in the world ever had. [Applause.] A man who has administered relief in the very section represented by you gentlemen on the Democratic side of the aisle, and who says that no funds are needed beyond what this bill now carries.

You are asking us here to-day to vote for a proposition attempting to assert our untrained judgment against the finest trained judgment in matters of relief that we have ever had.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. ASWELL. Mr. Chairman, my friend, Farmer FORT, the gentleman from New Jersey, is always entertaining, but I have never yet known the House to follow his eloquence on questions of agriculture. He has a lot of trouble looking after his large farming interests. Let me remind the House, as has been intimated by him and by others yesterday, that this is not a southern question. This is not confined to the South. We have a wide area of States involved, reaching to Montana and Wyoming, to Washington, Ohio, Illinois, Indiana, West Virginia, North Dakota—and North Dakota has been in every drought bill that we have passed and it is here again now. It is not a southern question. When you come to a roll call on this vote this morning, when you come to vote as between $30,000,000 and $60,000,000, I think those gentlemen who represent these areas that I have described will hesitate a good while before voting against the $60,000,000, because it is unfortunate that these large areas of the Middle West and the far Northwest have no defender of their distressed people in their home States on this side of the Chamber. I don't believe you will stand up and vote against the interests of the people back home.

Again answering Mr. FORT, this is not a question of charity, because the men and women in these distressed regions—North, South, East, and West—prefer to mortgage their labor and their crops, and make a business proposition of it, and be self-supporting and self-sustaining and self-respecting, and not depend upon the Red Cross charity.

We are representing here a large body of men and women in America, in all parts of it, who prefer not to have their morale destroyed and lean upon charity, but who want to be given a chance to stay on their farms and continue in productive labor. That is the question that we must vote on to-day. We ask enough money to make these loans to the men who want to do their own work, and you will have, all through these sections of the country, many men and women who have no way to mortgage a crop, and they will be the objects of charity. The Red Cross will have all that it can do.

Mr. O'CONNOR of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. ASWELL. Yes.

Mr. O'CONNOR of Oklahoma. I quite agree with the gentleman that it is not a southern question, because were it a southern question, those people who are strong for State rights would think that the States have duties also and should meet some part of these projects and get under part of this load and not stand, hat in hand, before Uncle Sam, with the continual cry of "Gimme."

Mr. ASWELL. What does the gentleman's State of Oklahoma do?

Mr. O'CONNOR of Oklahoma. Our governor ran on a program of furnishing free seed and was elected by about 100,000, and they are going ahead with it, I believe. As to fertilizer, I do not think there should be any appropriation for that, because there was enough fertilizer put out in the campaign last fall all over the country to supply the world.

Mr. ASWELL. Well, it would seem that the gentleman's State left him at home at any rate.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. ASWELL. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ASWELL. Mr. Chairman, the drought-relief committee called here on the 20th of November by the Secretary of Agriculture, created by order of the President of the United States, 22 States, represented by about 30 men, left this city of Washington firmly convinced, and they will speak for those back home, that the administration was

whole-heartedly supporting $60,000,000, and they found out to their disappointment only just a few days ago that they were misled, deceived, and double-crossed. I think gentlemen who come here to represent those people back home will do well to consider their interest when they come to vote on the question of making this $60,000,000.

Mr. SNOW. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Texas [Mr. JONES], which has for its object the raising of the amount to be appropriated from $30,000,000 to $60,000,000. The gentleman from Louisiana [Mr. ASWELL] is running true to form to-day, when he warns us here on the floor of the House of the dire consequences which will befall us if we vote against this amendment and allow our names to be recorded in the RECORD as favoring thirty instead of sixty million dollars. We Republican members of the Committee on Agriculture have gone through this same experience previously with this gentleman. The various drought relief bills were referred to our committee and when the committee was about ready to vote in executive session on the question of the amount to be appropriated, the gentleman from Louisiana stood up, threw his hands in the air, and warned us then and there that in case we voted in executive session instead of open session he would furnish the names of those members of the committee who voted for $30,000,000 and those who voted for $60,000,000 to the press, so that the entire country would know just who was who on the committee. Carrying out this threat, he had a small army of representatives of the press waiting outside the rooms of the committee on the day this vote was taken in executive session, but he frightened no one, and I hope he will frighten no one here to-day. [Applause on the Republican side.]

Now that the tension from the present emergency has passed, the absurdity of the proposal to appropriate $60,000,000 is apparent, and I sincerely hope that this House will not allow itself to be stampeded into giving what will amount to a dole to the farmers of drought areas. It is nothing more or less than a raid upon the Public Treasury. In the opinion of the President of the United States and the Secretary of Agriculture, an appropriation of $25,000,000 to $30,000,000 is amply sufficient to buy seed, feed for work stock, and fertilizer for this particular class of farmers.

By virtue of their experience in relief work in past years, the opinion of these two men should, in my mind, be given much greater weight than that of the gentleman from Louisiana [Mr. ASWELL], who, as far as we know, has had absolutely no experience in this work.

The moment you increase this appropriation beyond $30,000,000 you indirectly appropriate money for food for these farmers and put them on a dole. In placing farmers in drought-stricken States on this dole, workingmen in cities without positions will necessarily have to be treated in absolutely the same manner, and justly so; and if this is done, the United States will soon be facing the same financial unrest with which England is now suffering; our economic system will be weakened and the impetus to emerge from the present depression will be abruptly stopped by visions of ready financial assistance from the United States.

If the farmers in the drought-stricken States are given the necessary financial loans to carry their working stock through the winter and plant their crops next spring, this Congress can and should do no more unless it proposes to throw open the doors of the Treasury and have the United States act as Santa Claus; and we will be doing that very same thing if we appropriate $60,000,000 to-day.

The drought-relief committee did not recommend any stated sum of money to be appropriated, nor did it recommend that food be furnished these farmers by the United States. It did, however, urge liberal contributions to the Red Cross. The Red Cross is the organization best fitted and qualified to relieve hunger because of the drought. We have assurances that this organization is willing and ready to look after this phase of the situation and we ought not by our vote here to-day, in this time of emergency, create a competing agency to the Red Cross in the guise of the Department of Agriculture. Conditions are surely distressing enough in our country to-day without adding that monstrosity known as the dole.

Mr. MOORE of Virginia. Mr. Chairman, this resolution contains no suggestion of a dole. There is no provision in it that looks to furnishing food for people. The resolution, as the gentleman from New Jersey [Mr. FORT] has suggested, contemplates extending credit to people who can not borrow from the banks. The resolution is limited to extending loans to those who are not in a position to borrow in the ordinary way. The gentleman from New Jersey in discussing the question as to whether $30,000,000 shall be appropriated or $60,000,000 pleads with us to be governed by the trained judgment of the President of the United States. Let us for a moment try to ascertain what has been the attitude of the President himself.

When the great emergency became apparent the President summoned the representatives of the drought-stricken States to Washington to consult with the Secretary of Agriculture as his representative. The meeting took place on the 20th of November, less than one month ago. After a very full conference it was determined that loans should be authorized to be made when necessary to be made, and a resolution was passed to that effect. It is true that $60,000,000 was not specified in the resolution adopted by the conference, but I challenge any man on this floor to deny that the Secretary of Agriculture then and there said that he favored approximately $60,000,000, and that he pledged the support of the President to that amount.

Why has Secretary Hyde changed his attitude since then, and why has the President changed the attitude which was attributed to him by the Secretary? What has occurred, except that the emergency has become more distressing with the progress of weeks, until there is no one on this floor who gives any attention to conditions who does not know that the situation is growing bad in many localities?

I charge that the administration, if it be assumed that Secretary Hyde had authority to speak for the President on the 20th of November, has repudiated the idea of appropriating $60,000,000 and also has repudiated recommending that $50,000,000 be appropriated to construct minor roads, farm-to-market roads. We do not hear anything now about that matter. I ask the responsible leaders on the majority side of the House to tell us whether we are going to hear anything about that.

There is something else which was approved in that conference, upon which there is now silence, and that is the proposed assumption by the Federal Government until 1932 of the compensation of the farm agents.

What has taken place since November 20 of this year to change the position of the President and the Secretary of Agriculture, and to suggest that you ought to change your view, if you had any view in advance of the meeting of Congress? What has happened? Absolutely nothing, unless the wants of people who are in great need are to be subordinated to what we are told is the present and prospective condition of the Treasury. But we continually boast of the financial strength of the Nation, and there are none here to-day who do not recognize that we can provide, without any difficulty, for taking care of the needs which are so widespread and serious in the 20 States whose delegates were in conference here on the 20th of November.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. PURNELL. Mr. Chairman, ladies and gentlemen of the committee, I regret exceedingly that I must take issue with my distinguished friend and colleague, for whom I have the very highest regard, and whose retirement from this body I am sure we all regret; but I can not permit to go unchallenged the statement of the gentleman from Virginia [Mr. MOORE] that the Secretary of Agriculture at any time through these deliberations agreed to this amount of $60,000,000.

At the time our committee held its hearings the Secretary of Agriculture was out of the city. The air had been surcharged for a number of days with accusations and charges of various kinds, all directed at the Secretary of Agriculture.

With that thought in mind, we invited the Secretary of Agriculture to appear before our committee, in order that he might put himself on record not only with respect to the purpose and intention of the bill itself, but as to the specific amount, as well as the proposition to include food. Secretary Hyde came before our committee on yesterday, and I now want to direct your attention to his testimony before that committee.

I asked the Secretary this question:

It is also true, Mr. Secretary, is it not, that this figure as given is based on the department's experience in handling previous seed-loan measures?

Reference was made to the $25,000,000 recommended by the department. The Secretary's answer is as follows:

Yes, sir. The department, of course, has been the agency which Congress has used in these seed loans heretofore, and as a consequence of that we have amassed a considerable volume of experience as to the amount needed, and we have based our estimate upon that experience and upon the actual results of the drought.

Following that, the gentleman from Texas [Mr. JONES] asked the Secretary, in substance, what harm it would do, since he had control over the money, to authorize the appropriation of the full $60,000,000. The Secretary answered that question as follows:

But, after all, if you do not need it, what is the use of having it? You merely throw the Budget out of balance; you merely make it a temptation to increase loans beyond the needs of the situation.

Later on in the hearings of yesterday, as set out on page 22, in order to get a definite answer and commitment from the Secretary of Agriculture concerning the matter, I asked the Secretary this further question:

You stand, then, just where you stood in the beginning, in favor of the $25,000,000 against the inclusion of food, and have not at any time committed yourself to any other proposition?

The Secretary's answer was:

That is correct.

Now, ladies and gentlemen, we should give some weight to the views and wishes of the Department of Agriculture which has had to deal through all these years with seed loans. This $25,000,000 which they recommended is based upon their actual experience, as was stated by the Secretary of Agriculture, and confirmed in the hearings by the testimony of Doctor Warburton. Doctor Warburton said when I asked him how he arrived at this figure of $25,000,000:

We have arrived at that——

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. PURNELL. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Without objection the gentleman from Indiana is recognized for five additional minutes.

There was no objection.

Mr. PURNELL. He said:

The estimate of $25,000,000 was arrived at from our previous experience in making seed loans.

Mr. McDUFFIE. Will the gentleman yield?

Mr. PURNELL. I yield.

Mr. McDUFFIE. Some of us had experience with the department when they were administering the last loan of $6,000,000 for 15 States. Did the Secretary also state that very often the department replied to inquiries made that they could not grant these loans for the reason that Congress did not appropriate sufficient sums of money?

Mr. PURNELL. That question was not put to the Secretary, and, of course, he did not volunteer the information, and I am not informed as to whether or not that is the fact.

Mr. McDUFFIE. That is the fact, I will say to the gentleman, so far as my experience is concerned. Now, on the question of how much we need. The Secretary does not have to expend the money unless it is needed, and I am sure the gentleman wants to appropriate a sufficient amount.

Mr. PURNELL. Let us look at this situation for a moment. Last year 15 States were affected and we appropriated $6,000,000. Now we take on seven additional States and the department adds $19,000,000, which they say is sufficient. I am inclined to follow the judgment of the department. Before I sit down let me make this further observation: We are not unfamiliar in this body with the practical legislative situation that confronts us. This bill has yet to go to conference. A bill has already been passed by the Senate which authorizes $60,000,000. Now, you know full well that the conferees must meet within the next day or two—and I hope this afternoon, if possible—and thrash out the differences which exist between these two bills. The Senate bill includes food. I hope we shall be able to keep it out of this bill. The Senate bill provides for $60,000,000. I hope you will permit those of us who will sit in that conference to have something to trade upon, if you care to use that language. [Applause.] Give us the $30,000,000, which is $5,000,000 more than was recommended by the Secretary of Agriculture. Keep food out of this bill, and let us go into conference and thrash it out.

Mr. JONES of Texas. Will the gentleman yield?

Mr. PURNELL. Yes.

Mr. JONES of Texas. The gentleman will remember that Doctor Warburton said that the loan last year was made available quite late, well along in March, and also that the drought area, even in the States affected, was not anything like as extensive as now.

Mr. PURNELL. Doctor Warburton perhaps made that statement.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. PURNELL. Yes.

Mr. MOORE of Virginia. I made the statement a while ago that Secretary Hyde and everybody else in the conference of November 20 agreed that approximately $60,000,000 would be necessary. I made that statement upon the evidence furnished me by Governor Byrd, of Virginia. That information has come from the representatives of other States, and I have no doubt from the gentleman's own State. It was agreed that $60,000,000 was approximately the amount that would be needed and that was agreed to by Secretary Hyde, and he said the President would have his support of that recommendation.

Mr. PURNELL. May I ask the gentleman whether or not he attended that conference?

Mr. MOORE of Virginia. I did not attend it; but I have a statement here from Governor Byrd in quotations issued to the public in Virginia, and he is not only a man of very great ability but a man of unquestioned integrity, and he stresses that statement in a telegram sent me, and there can not be a shadow of doubt that Secretary Hyde stood exactly where Mr. Byrd places him on the 20th of November, and something has occurred since to change his mind.

Mr. PURNELL. I am not impugning the motives or questioning the integrity of the distinguished ex-Governor of the State of Virginia, for whom I have a very high regard; but I have just as high regard, I want to say to the gentleman, for the integrity of the Secretary of Agriculture, who stated emphatically before our committee that he made no such commitment. [Applause.]

DISTINGUISHED VISITOR

Mr. LAMBERTSON. Mr. Chairman, I ask unanimous consent to speak out of order for one minute.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to speak out of order for one minute. Is there objection?

There was no objection.

Mr. LAMBERTSON. Mr. Chairman, we are honored to-day by having in the gallery the distinguished national commander of the American Legion. I take pleasure in presenting to the Members of the House Ralph T. O'Neil, of Topeka, Kans. [Applause.]

DROUGHT-RELIEF LEGISLATION

Mr. ALMON. Mr. Chairman, the pending legislation is intended to provide loans to farmers in the drought areas in order to assist them in making a crop in 1931. The chief controversies are, first, the amount to authorize; second, for what purposes.

As to the amount, let us consider the evidence which has been furnished us. In August, 1930, President Hoover requested the governors of each State to appoint a drought-relief committee for their States for the purpose of making a survey and determine the amount of damage and destruction caused by the drought. In compliance with the request of the President, the governors set up a State drought committee and the committee proceeded to set up in each and every county a local county committee. This committee in Alabama was composed of the probate judges, superintendents of education, county farm agent, county home demonstrator agent, county child welfare worker, county relief officers, one banker, the president of the county farm bureau, and the Red Cross chairman. Some committee of this kind was formed in each of the drought-stricken States. This work was done through the agricultural committee in these States.

Upon the call of the Secretary of Agriculture the chairmen of the State drought relief committees assembled in Washington November 20 and reported the conditions that prevailed in their respective States. They agreed that $72,000,000 was needed for loans to farmers to aid them in making a crop for 1931, but finally agreed that $60,000,000 would be the minimum amount needed. Since the committee met two more States have appealed for assistance, making 24 States, or one-half the States in the Union.

A summary of the report from the State of Alabama, which I in part represent, shows that due to shortage of crops the farmers are unable to meet obligations to their banks. Tenant farmers are unable to meet their obligations. A survey shows a total of 50,000 families unable to secure credit from any source and who are in dire need of assistance, and who will be unable to operate and make a crop in 1931 unless credit is furnished them; that $10,000,000 is the minimum amount needed as a loan from the Federal Government to the farmers in the State of Alabama. Similar reports are made as to other States in the drought area.

The Agriculture Department of the United States sent a bill to the chairman of the Agricultural Committee of the Senate providing for the $60,000,000, and it passed the Senate unanimously, making provision for loans to the farmers for the purchase of food, seeds of suitable crops, fertilizers, feed for livestock and fuel oil for tractors used for crop production, and for such other purposes of crop production as may be prescribed by the Secretary of Agriculture, to be made upon such terms, conditions, and regulations as the Secretary of Agriculture wished to prescribe. A first lien on all crops growing or to be planted and grown during 1931 may, in the discretion of the Secretary of Agriculture, be deemed sufficient security for such loans. When this bill was sent over to the House it was referred to the Committee on Agriculture.

This committee recommended a substitute providing for $30,000,000 and the provision for the purchase of food was eliminated. The Democratic members of this committee voted against this amendment and filed a minority report insisting that the amount should be $60,000,000 and that farmers should be allowed loans with which to buy food for themselves and their families as well as for fertilizers, seeds, and feed for livestock. Judging from the vote in the House on Monday under a motion to sustain the rules and pass this amendment, I presume that practically all of the Republican Members of the House will vote for the amendment and that all of the Democrats will vote against it, and that the amendment will be adopted. If this happens it will then go to conference, and I sincerely hope that the conferees will agree on at least $45,000,000, if not $60,000,000, and that food be included. This is substantially all of the evidence that was submitted on the question and for that reason I urge and insist that you vote for the amendment offered by the gentleman from Louisiana [Mr. ASWELL] fixing the amount at $60,000,000. I introduced a bill for this purpose and placed the amount at $100,000,000. The commissioner of agriculture of Alabama, the Hon. Seth Storrs, who was a member of the drought commission and the Washington conference, advised me that in his opinion the amount should be $100,000,000. We would not be required to appropriate the entire amount at this time but could do so later if it were needed, and would not have to wait until an additional amount was authorized by Congress.

FOOD

Now, on the other question, as to whether food should be included, I submit that if a farmer borrows money from the Government with which to purchase seeds, fertilizers, and feed for livestock and gives a first lien on his crops for 1931, he would be unable to borrow from any other source money with which to buy food for himself and his family. How can the farmer produce a crop without food for himself and his family? If we are going to make provision for a loan, as we should, to enable him to make a crop, first let us permit him to make it for the purpose of acquiring the needs which are absolutely necessary to enable him to make the crop. The President and the Republican administration are opposed to including the word "food," and claim that it would set a bad precedent. The precedent has already been established. Congress has appropriated many millions of dollars during the history of our Government for the relief of destitute persons in the various countries of the world. Some claim that this was due to the result of the war, but in some cases it was the result of droughts, earthquakes, and the like. If Congress can donate money for the purchase of food in foreign countries, why is it that we can not make loans to our own farmers to enable them to buy food for themselves, their wives, and children while making a crop without which it can not be done? Our experience in making loans to farmers for such purposes shows that an average of 85 per cent of it has been repaid. I can not understand why many Members of the House, who have voted to make donations to foreign countries with which to feed the starving people, can hesitate to vote for a loan to farmers in our own country who are in a destitute and starving condition in the drought areas, and that will enable them to buy food with which to make a crop during the next year.

The drought of 1930 in half of the States in the Union was a national calamity. In addition to that the financial panic came on and the farmers did not receive more than one-half the cost of production for the crops that were made. Cotton has been selling during this season for only one-half, and in many cases less than one-half, of the actual cost of production. This adds greatly to the distressed condition of our people, so let us do what is expected of us.

RED CROSS

Some of our friends on the Republican side of the House insist that the American National Red Cross can supply the demand for food to those who are in distress. I appreciate very greatly the wonderful work of the Red Cross for what it has done and is now doing to relieve those in distress, but I have no doubt but that it will require much of the efforts and the money of the Red Cross to aid in caring for the distressed in the towns, cities, and in the industrial districts. I am sure the Red Cross will do all it can for those in the rural districts and on the farms, but it would be unable, in a large measure, at least, to aid the farmers in securing food to live on while they are producing a crop.

PAYMENT OF SOLDIERS' BONUS

I have introduced a bill providing for the payment of the adjusted-service certificates held by the veterans of the World War. Other Members have introduced similar bills, but for some reason the Ways and Means Committee will not, or has not, at least, considered any of these bills. One reason, I presume, Mr. Andrew W. Mellon, Secretary of the Treasury, is opposing this legislation. He is a very wealthy man and has an enormous income, and is not in a position to appreciate the distress of the World War veterans. The payment of these certificates, or the soldiers' bonus, as it is sometimes called, would be a great relief to the soldiers and place a large amount of money into circulation. My bill provides for the issuance of bonds by the Government, which could be done at a very low rate of interest, to pay

the World War veterans their adjusted-service certificates. I have signed the petition now on the Clerk's desk to require the Ways and Means Committee to report a bill providing for the payment of these certificates. I sincerely hope that as many as 217 Members of the House will sign this petition and force action on this legislation at this session. [Applause.] If this is not done, we will certainly pass such a bill at the next session of the Congress.

SPECIAL HIGHWAYS APPROPRIATIONS

I have also introduced a bill providing for a loan of $5,000,000 to each of the States in the drought area, to be expended in the construction of highways in addition to the amount heretofore authorized as Federal aids. I have supported and voted for the bill providing for an appropriation of $116,000,000, providing for public works, such as road construction, river and harbor works, and so forth, and for the purpose of relieving the unemployment situation in the entire country. It, no doubt, will and should be enacted before the adjournment for the holidays. [Applause.]

FEDERAL LAND BANK MORTGAGES

Let us give the Federal Farm Board a chance to prove if it is of value by appropriating the additional sum recommended. Let us also pass the bill which provides that for a period of two years all Federal land banks be authorized and directed, subject to the approval of the Federal Farm Loan Board, to withhold foreclosure of mortgages if the borrower is in default and to extend the time for payments of any installments due or to become due for a period of two years. This is very important to every section of the United States. Many of the farmers are absolutely unable to pay interest on their mortgages. If this bill does not pass at this session, the profiteers will take advantage of these unfortunate farmers and they will lose their lands. The farmers constitute the backbone of the country. They pay their debts when they can. They are doing their best. They are battling against the drought and the low prices of their products and the high cost of living, some of which is the result of the high protective Republican tariff laws. Let us give them a chance. It will be a mistake for the Government if it does not be just to these distressed citizens and deny to them that which they have a right to expect.

I understand that it is the purpose of the officials of the Government in the executive departments to execute all of the relief measures passed by Congress as speedily as possible, so let us speed up the enactment of these measures. [Applause.]

MUSCLE SHOALS

Last, but by far not least, is the settlement of Muscle Shoals and the placing of those wonderful plants into operation. It would give employment to thousands of men and save the American farmers millions of dollars each year in the price of their fertilizer. I am delighted to hear that the conferees on the Muscle Shoals bills are making good progress with the indications that they will be able to agree and report at an early date. I believe that both Houses of Congress will adopt the report which they are expected to make. This would settle a long-disputed question and go far toward relieving the unemployment situation and restore confidence in our people that Congress can be depended upon to function in all important matters like this.

The sentiment in Congress now seems to be very general that Congress should provide for the full operation of the Government properties at Muscle Shoals without further delay. All say that it has already been delayed too long—so let us compromise our differences and get together and do it now. [Applause.]

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto do now close.

Mr. OLIVER of Alabama. Mr. Chairman, I ask that the gentleman allow me five minutes. I have not spoken on the measure at all.

Mr. HAUGEN. Mr. Chairman, this is a matter that deserves speedy action. We have now had an unnecessary delay of a week and my intention is that the measure go to conference at the very earliest moment. If any reasonable request for time is made, we will try to grant it; but this matter was discussed three and a half hours yesterday, and every minute that is consumed now means that much delay. We have already had unnecessary delay; why have any more delay at this time?

I will modify my original request and ask unanimous consent that all debate on the amendment and all amendments thereto close in five minutes.

Mr. ALLGOOD. Mr. Chairman, I object.

Mr. JONES of Texas. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JONES of Texas. Would this agreement apply simply to the amendment which I have offered and all amendments thereto?

The CHAIRMAN. The request of the gentleman from Iowa is confined to the amendment of the gentleman from Texas and all amendments thereto. Is there objection?

Mr. ALLGOOD. I object, Mr. Chairman.

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Iowa [Mr. HAUGEN] moves that all debate on the Jones amendment and all amendments thereto close in five minutes.

The motion was agreed to.

Mr. OLIVER of Alabama. Mr. Chairman, if the members of the committee will consider on a purely business basis this appeal for an authorization of $60,000,000 they can well dismiss from their minds many issues that have been raised and discussed, and which, I am frank to say, are not pertinent to a decision as to what action should be now taken. Every Member must know that this $60,000,000 authorization is sought to aid in the production of a crop which sells annually for from eight to ten billion dollars. Reasons why it is necessary to offer Government aid in the form of a loan have been stated, and I will insert as a part of my remarks a telegram received from reliable business men, setting forth a situation in their county which I understand has been fully approved as true in other sections by the heads of the State departments of agriculture in all of the Southern States where cotton is grown. Certainly no one can say that an authorization for a loan of $60,000,000 to aid in the production of a crop which annually sells for more than $8,000,000,000 is excessive under conditions that now exist. The profit from raising cotton is small, and this year the crop has been sold at an actual loss to those who raised it.

When you consider the many items of cost that enter into the production of a cotton crop, to wit, fertilizer, labor, seed, feed, and food, you can well understand that $60,000,000 will not go very far in providing loans for these essential items of cost. The labor that produces cotton is cheap, and in the vast majority of cases represents little return to the party that cultivates the crop. Fertilizer, feed, food, and seed are large items of cost and, as has been explained, any appropriation made for this purpose will be secured by a first mortgage on the crop. I wish to emphasize that an authorization under existing conditions to lend on mortgages to farmers who have stock and land the sum of $60,000,000 to be used in purchasing those things that must be bought in order to produce the crop is not an excessive authorization. This authorization carries no appropriation, and since this is a short session of Congress it is important that the authorization for the amount which it is thought by those who have made the survey will be required be now made.

The Committee on Appropriations is now busy writing up its regular appropriation bills, and no appropriation is recommended without a careful consideration of evidence justifying the appropriation. You may not know definitely until just before Congress adjourns what amount you should appropriate to aid in the production of crops during 1931, and this makes it important that your authorization be given at this time, so that if the evidence establishes a larger amount than the President now feels may be required consideration can be promptly given to it.

I think the House has sufficient confidence in the Appropriations Committee to rely upon adequate proof being submitted before any appropriation is recommended. I sincerely hope that the committee will not vote to decrease the authorization carried in the Senate bill, to wit, $60,000,000, but will approve such authorization and let the proper committee of the House later, in an orderly way, give careful consideration to what amount the facts justify should be appropriated.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. OLIVER of Alabama. Mr. Chairman, I ask unanimous consent to put in the RECORD as a part of my remarks the telegram I hold in my hand from the Business Men's Club of Boligee, Ala.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to extend and insert as part of his remarks the paper indicated. Is there objection?

There was no objection.

Mr. OLIVER of Alabama. The telegram reads as follows:

BOLIGEE, ALA., *December 18, 1930.*

Hon. W. B. OLIVER, M. C.:

Just read Secretary Hyde's statement in paper. This section in dire need and worse condition since reconstruction, with total failure of feed and feed crops and very short cotton crop leaves local creditors burdened with last year's advances to small farmers and no resources to aid 1931 crop. Local creditors willing to allow tenant farmers to keep mules to make another crop and give Government first mortgage on crop for advances for feed, free fertilizer, and seed. Unless sufficient credit is allowed to cover full production expenses, we fear general collapse in this section.

BOLIGEE BUSINESS MEN'S CLUB.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. JONES].

The question was taken; and on a division (demanded by Mr. JONES) there were 105 ayes and 139 noes.

Mr. JONES of Texas. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. HAUGEN and Mr. JONES of Texas as tellers.

The committee again divided; and the tellers reported that there were 133 ayes and 189 noes.

So the amendment was rejected.

Mr. KETCHAM. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Page 3, line 1, strike out all of lines 1 to 8, inclusive, and the word "agriculture," in line 9, and insert in lieu thereof the following:

"That the Secretary of Agriculture is hereby authorized, for the crop of 1931, to make advances or loans to farmers in the drought and/or storm-stricken areas of the United States where he shall find that an emergency for such assistance exists, for the purchase of seed of suitable crops, fertilizer, feed for work stock, and/or fuel and oil for tractors, used for crop production, and, when necessary, to procure such seed, fertilizer, feed, and fuel and oil, and/or such other purposes of crop production as may be prescribed by the Secretary of Agriculture, and sell the same to such farmers."

Mr. KETCHAM. Mr. Chairman, I understand that debate is not exhausted.

Mr. HAUGEN. My motion was to close debate on this section and all amendments thereto.

The CHAIRMAN. The Chair understood the gentleman from Iowa to move, and the Chair put the motion, that debate close on the Jones amendment and all amendments thereto. The Chair rules that the debate on the amendment of the gentleman from Michigan is open and on any amendment hereafter.

Mr. HAUGEN. Then, Mr. Chairman, I move that all debate on this section and all amendments thereto close in 10 minutes.

Mr. BLANTON. Mr. Chairman, I make the point of order that the motion is not in order for the reason that the gentleman from Michigan offered an amendment and was recognized by the Chair and was entitled to five minutes under the rule and can not be taken off his feet.

The CHAIRMAN. The point of order is sustained, and the gentleman from Michigan will proceed.

Mr. KETCHAM. Mr. Chairman, I yield to the gentleman from Iowa [Mr. HAUGEN].

Mr. HAUGEN. Mr. Chairman, I move that all debate on this section and all amendments thereto close in 10 minutes.

The question was taken, and the motion was agreed to.

Mr. KETCHAM. Mr. Chairman and gentlemen, I shall not take the five minutes. I simply desire to say to the committee that this is the form of amendment which was introduced earlier this afternoon. We have simply corrected the text to make it correspond to the bill as originally presented to the House on Monday. I think that is all that is necessary to be said about it, and I yield back the balance of my time.

Mr. BURTNESS. Will the gentleman yield to me?

Mr. KETCHAM. Yes.

Mr. BURTNESS. That part of the language in the amendment that is new provides that the Secretary of Agriculture, when necessary, may purchase seed and fertilizer and sell it to the farmers. I wonder whether the gentleman would not agree to change the word "necessary" to "advisedly." The situation might never arise where it would be necessary and it might arise where it would be advisable. It might be advisable to prevent the farmer being gouged by the merchant on the price of seed. It might be advisable that the wheat that the Federal Farm Board has be sold to them. And there might be a great deal of saving in it.

Mr. KETCHAM. Let me say in response to the question of the gentleman and his statement that followed the question that the language used is the language that has occurred in previous bills and consequently it was not thought advisable to change it in this, although there might be merit in the gentleman's suggestion.

Mr. BURTNESS. They never have found it necessary in the past to make purchases.

Mr. McCLINTIC of Oklahoma. Mr. Chairman, in view of the fact that there are more loans than assets in the banks at the present time, and that it is impossible for farmers living in drought-stricken areas to borrow any money, does not the gentleman think it would be wise to limit the amount any one person could borrow from the Government, having in mind to make it possible for this fund to go a little bit further?

Mr. KETCHAM. I think that is clearly in the minds of those who are charged with the responsibility of the administration. I think the gentleman need have no fear about that. They will spread it out as wide as possible.

Mr. McCLINTIC of Oklahoma. I had prepared an amendment along that line, with the hope that the committee would see the wisdom of it.

Mr. PATTERSON. Mr. Chairman, will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. PATTERSON. Does the gentleman think that this bill is going to make it definite enough so that the Secretary of Agriculture will not feel constrained to rule or will not rule that this money be restricted to the drought area which was designated for the purpose of the reduction of freight, but will extend to emergency in any of these States?

Mr. KETCHAM. I would not want to assume responsibility for stating positively how the Secretary would interpret the language referred to, but I think he will interpret it liberally.

Mr. PATTERSON. I think we ought to have an amendment that would assure that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

Mr. SNOW. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. SNOW: Page 3, line 12, after the word "seed," insert a comma, and in the same line strike out the word "and" after the word "fertilizer," insert a comma, and after this comma insert the words "feed for work stock, fuel and oil."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Maine.

The amendment was agreed to.

Mr. FULMER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. FULMER: Page 3, line 3, after the word "areas," insert the word "and" and strike out "of the United States," and in line 5, after the word "exists," insert "in the United States."

Mr. FULMER. Mr. Chairman and members of the committee, I appreciate very much the speech made by the gentleman from New Jersey [Mr. FORT] a few minutes ago, or at least the greater part of it. He stated that the passage of this bill was well founded on the ground that the Congress of the United States some years ago made a loan to the railroad interests of the country, largely because they found themselves in a position where they did not have proper credit facilities. Unless the amendment that I have offered be agreed to, I fear there are numerous sections in the various States that will not be able to get a thin dime out of this bill where an emergency exists which is just as great as any that will be found in the drought or storm stricken areas. In a number of States we have communities and counties without a single bank, where the farmers will be unable to secure production credits next year to carry on unless the Secretary of Agriculture is given the right under my amendment when he finds an emergency, regardless of what causes the emergency, to grant loans. There are sections in South Carolina and many other States that will not get any assistance under this bill unless this amendment be agreed to.

I want to say to my good friend from Florida [Mr. GREEN], who spoke some days ago about the matter of damaging fruits and vegetables in his State by frosts or freezes, that your people will not be able to get any relief under this bill unless my amendment be agreed to.

This is an important matter, and I hope the committee will vote the passage of my amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina.

The amendment was rejected.

Mr. SUMMERS of Washington. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. SUMMERS of Washington: Page 3, line 2, after the word "crop," insert the words "and summer-fallow."

Mr. CHINDBLOM. Mr. Chairman, I make the point of order, which should have been made to the last amendment, that those lines are no longer in the bill. The Ketcham amendment has been adopted and it substitutes language for the first eight lines of the committee amendment as printed.

Mr. SUMMERS of Washington. During the confusion I was not able to learn that those lines were stricken out by the Ketcham amendment, and I ask that it be inserted in the proper line in the amendment.

Mr. CHINDBLOM. Unfortunately, I would have to reserve a point of order to that, the Ketcham amendment having been adopted. It should have been an amendment to the Ketcham amendment.

The CHAIRMAN. The Chair sustains the point of order.

Mr. McKEOWN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MCKEOWN: Page 3, line 6, after the word "stock," insert the word "food."

Mr. STAFFORD. Mr. Chairman, I make a point of order, similar to the point of order made by the gentleman from Illinois [Mr. CHINDBLOM], that the Ketcham amendment was adopted striking out that portion of the bill, and it is too late to offer a perfecting amendment.

The CHAIRMAN. The Chair sustains the point of order.

Mr. McCLINTIC of Oklahoma. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Oklahoma [Mr. MCCLINTIC] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MCCLINTIC of Oklahoma: On page 3, line 24, after the figures "$30,000,000," insert the following: "*Provided*, That no person shall be eligible to borrow more than $5 per acre on land to be cultivated, and the maximum amount to be loaned to any person shall not exceed $500."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Oklahoma.

The amendment was rejected.

Mr. JOHNSON of South Dakota. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read the amendment, as follows:

Amendment by Mr. JOHNSON of South Dakota: On page 3, line 3, after the word "stricken," insert "or hail stricken."

Mr. CHINDBLOM. Mr. Chairman, I make the same point of order on that. Those words have been stricken out.

Mr. JOHNSON of South Dakota. Mr. Chairman, I will withdraw the amendment temporarily.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

Mr. SUMMERS of Washington. Mr. Chairman, I offer an amendment, at the end of the first section, to strike out the period and insert a colon and the following:

Provided, That loans shall be made for summer-fallowing in 1931.

Mr. CHINDBLOM. Mr. Chairman, I reserve a point of order on that amendment.

The CHAIRMAN. Will the gentleman from Washington reduce his amendment to writing and send it to the Clerk's desk?

Mr. CHINDBLOM. Mr. Chairman, under the reservation of the point of order, I beg to say that if the various gentlemen who have amendments of this character, in which they are trying to modify the first eight or nine lines which have already been stricken out and amended, will agree upon the language which all of them want and will offer it all at one time, perhaps we might be able to avoid the intervention of points of order, but it certainly would not be proper to place the gentleman's amendment at the end of the bill now and then afterwards make a point of order with the result that some other Member could not do the same thing.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent that the words "hail stricken" may be inserted after the words "storm stricken" in the Ketcham amendment. The committee is willing to agree to that.

Mr. McKEOWN. Reserving the right to object, some of us offered amendments in good faith, and by reason of the action of the gentlemen on the majority side in making points of order against them they were not considered. Now, the gentleman is asking us to grant him permission by unanimous consent. I do not think it is fair.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to insert the words "hail stricken" after the words "storm stricken" in the Ketcham amendment. Is there objection?

Mr. McKEOWN. Mr. Chairman, I object.

Mr. SUMMERS of Washington. Mr. Chairman, I have reduced to writing the amendment which I proposed.

The CHAIRMAN. The gentleman from Washington [Mr. SUMMERS] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. SUMMERS of Washington: Page 3, line 24, after the figures, insert "*Provided*, That loans shall be made available for summer-fallowing in 1931."

Mr. CHINDBLOM. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. Does the gentleman from Washington desire to be heard on the point of order?

Mr. SUMMERS of Washington. Will the gentleman be kind enough to state the purport of his point of order?

Mr. CHINDBLOM. The gentleman from Oklahoma [Mr. MCKEOWN] is perfectly right. If amendments are to be permitted to the text which has already been stricken out, there should be equal opportunity to all members of the committee. This is, in fact, an amendment to the first

sentence, seeking by circumvention to accomplish a result which could not be done directly.

The amendment now comes at the wrong place in the bill; it is not germane to the language to which it is offered, and should have been offered at the time of the adoption of the first Ketcham amendment, because it seeks to amend that portion of the section.

The CHAIRMAN. Is the gentleman from Illinois [Mr. CHINDBLOM] insisting upon his point of order?

Mr. CHINDBLOM. Yes. I shall have to insist upon the point of order.

The CHAIRMAN. The Chair thinks that the amendment is in order and overrules the point of order.

The question is on the amendment offered by the gentleman from Washington [Mr. SUMMERS].

The question was taken; and on a division (demanded by Mr. SUMMERS of Washington) there were 61 ayes and 51 noes.

So the amendment was agreed to.

Mr. JOHNSON of South Dakota. Mr. Chairman, the gentleman from Oklahoma, as I understand it, has agreed to withdraw his objection to my unanimous-consent request and I renew it. I ask unanimous consent that I be given permission to offer an amendment which will insert the words "hail stricken" after the words "storm stricken" in the first Ketcham amendment.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that he may be permitted to submit an amendment to the amendment adopted by the committee. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of South Dakota: Page 3, line 3 of the committee amendment, after the word "stricken," insert the words "or hail stricken."

Mr. CHINDBLOM. Mr. Chairman, that amendment goes into the Ketcham amendment.

The CHAIRMAN. That is where it was reported. The question is on agreeing to the amendment offered by the gentleman from South Dakota.

Mr. McDUFFIE. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from South Dakota.

Mr. BLANTON. Mr. Chairman, I desire to propound a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. I would like for the Chair, if he will, to rule on whether or not "hail" is already included in the expression "storm." A hailstorm is just one kind of storm and it is likely already included in the bill.

The CHAIRMAN. The Chair does not consider that a parliamentary inquiry.

Mr. McDUFFIE. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from South Dakota. After the word "hail" in the amendment offered by the gentleman from South Dakota insert the words "and/or frost."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. McDUFFIE to the amendment offered by Mr. JOHNSON of South Dakota: After the word "hail" insert the words "and/or frost."

The CHAIRMAN. The question is on agreeing to the amendment to the amendment offered by the gentleman from Alabama.

The question was taken; and on a division (demanded by Mr. GREEN) there were—ayes 31, noes 125.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from South Dakota.

The question was taken, and the amendment was agreed to.

Mr. BRAND of Georgia. Mr. Chairman, I offer an amendment, which is on the desk.

The CHAIRMAN. The gentleman from Georgia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BRAND of Georgia: Page 3, line 3 of the Ketcham amendment, after the word "States," strike out the comma and insert "at not exceeding 4 per cent interest per annum."

Mr. CHINDBLOM. Mr. Chairman, I reserve a point of order. This amendment amends the Ketcham amendment and that can not be done under the rules of the House.

The CHAIRMAN. Does the gentleman from Illinois insist on his point of order?

Mr. CHINDBLOM. I do.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BRAND of Georgia. Mr. Chairman, I ask unanimous consent to offer an amendment to the Ketcham amendment.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to submit an amendment to the amendment adopted by the committee. Is there objection?

Mr. DE PRIEST. Mr. Chairman, I object.

The Clerk read as follows:

SEC. 2. Any person who shall knowingly make any material false representation for the purpose of obtaining an advance, loan, or sale, or in assisting in obtaining such advance, loan, or sale, under this resolution, shall, upon conviction thereof, be punished by a fine not exceeding $1,000 or by imprisonment not exceeding six months, or both.

Mr. O'CONNOR of Oklahoma. Mr. Chairman, I move to strike out the last word. [Applause.] Mr. Chairman and gentlemen of the committee, we are facing a grave situation, which is as important to us in our public and official duties and to the future of this country as it is to the direct beneficiaries of the various legislative proposals which have been and are going to be put forward at this session. I interruped a speaker, the gentleman from Louisiana [Mr. ASWELL], in sincerity. I did not intend to be funny, and I stand by what I said. Have we come to a condition in this country where we are going to look to the Government to cure all the ills of the country?

Are we going to blame the Government for everything that goes wrong, as the cause of unemployment, the depression, and the drought, and that we must cure everything by government? But that is not the chief thing I rose to complain of. It is this: Have we forgotten our State pride? Have we forgotten the responsibility which goes with statehood? Have we forgotten the responsibility and the pride which go with local communities? I rose to say to you that I believe the National Government should not attempt to meet all of that situation. It is also partly a State proposition and a local proposition and should be so considered. The successful candidate for governor in my State ran and was reelected by 100,000 on a program of furnishing seed and relief to the farmers in that State.

Now, the gentleman referred to the fact that my constituents had left me at home. Oh, no. The election certificate has been issued to my opponent.

However, I have given notice of contest and the Committee on Elections have not yet reported. When the ballots are honestly counted I will be with you. [Applause.] And, my dear brother, 84,000 votes were cast and according to the count I was defeated by 260, which is going some for that vicinity in a year like this. I have lots of friends in your party down there, and if it should not come out that I am elected, when I leave you my parting words will be the text that was used by the chaplain of the legislature when he was appointed chaplain of the State penitentiary, "Where I go you can not follow me; but I go to prepare a place for you." [Laughter.]

You can make all the fun you like about lame ducks, but the limp of the duck never hurt the country. It is the quack of the duck that hurts the country. I may be lame but I am no quack. I thank you. [Laughter and applause.]

Mr. LANKFORD of Georgia. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, ladies and gentlemen, I regret very much that we should pass an important measure like this with amendments to a section made in such a way as to prevent those who have bona fide amendments from offering them.

I regret, too, that the debate was shut off without giving us a chance to discuss bona fide amendments.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. LANKFORD of Georgia. I yield.

Mr. CHINDBLOM. Is the gentleman now complaining that there has not been ample opportunity to offer amendments to this bill?

Mr. LANKFORD of Georgia. I am complaining first because we did not have an opportunity to discuss the various amendments proposed.

Mr. CHINDBLOM. The gentleman wanted to discuss every one of them?

Mr. LANKFORD of Georgia. No; I wanted to discuss the ones that I wished to propose, but I did not get a chance to discuss them.

Mr. CHINDBLOM. There is certainly no ground for such complaint with respect to this bill.

Mr. LANKFORD of Georgia. I wish this bill could be enacted so as to take care of all the areas of the United States where there is real financial suffering. There are many sections where the banks have closed and where the money is being deposited in postal savings and where the people are in just as dire distress as they are in the storm-stricken areas.

Then, again, much has been said about this being a dole to the farmer. Last year the farmers of the United States who produce tobacco got only $28, when the Government got $43 out of that tobacco in the form of taxes on cigars, cigarettes, chewing tobacco, and other manufactured products. These farmers are coming back and asking for a loan to them of only a small part of the money which was taken from the tobacco consumers throughout the United States.

In my section, for instance, we have had storms, but they were more than a year ago. Those farmers borrowed money, and on that money they have paid 95 cents on the dollar. To-day they are in worse shape financially than they were two years ago, and very probably this bill will not be construed to apply to a drought or storm which did not occur this year. The bill does not say when the drought must have occurred, and I think the bill should be made definite and say whether the drought or flood must have occurred in the last year or in the past. I had an amendment to that effect, and I wished to offer it, but debate was shut off, and then the bill was so amended as to make it impossible for a person to redraft an amendment and get it in order. Many meritorious amendments are now stifled and prevented by the parliamentary jam which is now so apparent.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. LANKFORD of Georgia. I yield.

Mr. CHINDBLOM. I made those points of order in the interest of orderly procedure in the House, and if the gentleman had offered his amendment at the proper time he would have got it in.

Mr. LANKFORD of Georgia. I am not critizing the gentleman for making his points of order. I am saying I regret that a state of affairs has arisen making his objections good. Many Members were forced to await the right of prior recognition of members of the Committee on Agriculture, and before we could secure recognition members of the committee secured the adoption of amendments and moved to close debate, so as to make our amendments out of order and so as to prevent further explanation of any amendment. I regret also that a bill of this importance should be rushed through under what appears to be a purpose to defeat all amendments not sponsored by members of the committee.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The CHAIRMAN. The question is on the adoption of the committee substitute as amended to the Senate joint resolution.

The committee substitute was agreed to.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise and report the joint resolution back to the House with an amendment, with the recommendation that the amendment be agreed to and that the joint resolution as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HALE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the joint resolution (S. J. Res. 211) for the relief of farmers in the drought and/or storm stricken areas of the United States, had directed him to report the same back with an amendment, with the recommendation that the amendment be agreed to and that the joint resolution as amended do pass.

Mr. HAUGEN. Mr. Speaker, I move the previous question on the joint resolution and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

Mr. ASWELL. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 226, nays 146, not voting 60, as follows:

[Roll No. 6]

YEAS—226

Ackerman	Ellis	Kearns	Selvig
Adkins	Englebright	Kelly	Short, Mo.
Aldrich	Erk	Ketcham	Shott, W. Va.
Allen	Estep	Kiefner	Shreve
Andresen	Esterly	Kinzer	Simmons
Andrew	Evans, Calif.	Knutson	Simms
Arentz	Fenn	Kopp	Sinclair
Ayres	Finley	Korell	Sloan
Bacharach	Fish	Kurtz	Smith, Idaho
Bachmann	Fitzgerald	Lambertson	Snell
Bacon	Fort	Leavitt	Snow
Baird	Foss	Leech	Speaks
Barbour	Frear	Lehlbach	Sproul, Ill.
Beck	Free	Letts	Sproul, Kans.
Beedy	Freeman	Loofbourow	Stafford
Beers	French	Luce	Stalker
Black	Gibson	Ludlow	Stobbs
Bohn	Gifford	McClintock, Ohio	Stone
Bolton	Golder	McCormick, Ill.	Strong, Kans.
Bowman	Goodwin	McFadden	Strong, Pa.
Bland, Ohio	Goss	McLaughlin	Sullivan, Pa.
Britten	Griffin	Maas	Summers, Wash.
Brumm	Guyer	Magrady	Swanson
Buchanan	Hadley	Manlove	Swick
Buckbee	Hale	Mapes	Swing
Burdick	Hall, Ill.	Martin	Taber
Burtness	Hall, Ind.	Menges	Taylor, Tenn.
Cable	Hall, N. Dak.	Merritt	Temple
Campbell, Pa.	Halsey	Michener	Thurston
Carter, Calif.	Hancock, N. Y.	Miller	Tilson
Chalmers	Hardy	Moore, Ohio	Timberlake
Chindblom	Hartley	Morgan	Tinkham
Christopherson	Haugen	Mouser	Treadway
Clague	Hawley	Murphy	Turpin
Clancy	Hess	Nelson, Me.	Vestal
Clark, Md.	Hill, Wash.	Newhall	Vincent, Mich.
Cochran, Pa.	Hoch	Niedringhaus	Wainwright
Cole	Hogg, Ind.	Nolan	Wason
Colton	Hogg, W. Va.	O'Connor, Okla.	Watres
Connolly	Holaday	Palmer	Watson
Cooke	Hooper	Pittenger	Welch, Calif.
Cooper, Ohio	Hope	Pratt, Harcourt J.	Welsh, Pa.
Coyle	Hopkins	Pratt, Ruth	White
Cramton	Houston, Del.	Pritchard	Whitley
Crowther	Hudson	Purnell	Wigglesworth
Culkin	Hull, Morton D.	Ramey, Frank M.	Williamson
Dallinger	Hull, William E.	Ramseyer	Wolfenden
Darrow	Irwin	Ransley	Wolverton, N. J.
Davenport	James, Mich.	Reece	Wolverton, W. Va.
Denison	Jenkins	Rich	Wood
De Priest	Johnson, Ill.	Robinson	Woodruff
Dickinson	Johnson, Ind.	Rogers	Wursbach
Dowell	Johnson, Nebr.	Rowbottom	Wyant
Dunbar	Johnson, S. Dak.	Sanders, N. Y.	Yates
Dyer	Johnson, Wash.	Sears	Zihlman
Eaton, N. J.	Johnston, Mo.	Seger	
Elliott	Jonas, N. C.	Selberling	

NAYS—146

Abernethy	Arnold	Bankhead	Bloom
Allgood	Aswell	Bland	Box
Almon	Auf der Heide	Blanton	Boylan

Grand, Ga.	Driver	Kerr	Parks
Briggs	Eslick	Kunz	Parsons
Browne	Evans, Mont.	Kvale	Patman
Brunner	Fisher	Langley	Patterson
Busby	Fitzpatrick	Lanham	Pou
Butler	Fulmer	Lankford, Ga.	Prall
Byrns	Gambrill	Lankford, Va.	Ragon
Campbell, Iowa	Garber, Okla.	Larsen	Rainey, Henry T.
Canfield	Garber, Va.	Lea	Ramspeck
Cannon	Garner	Lindsay	Rankin
Carley	Garrett	Linthicum	Rayburn
Cartwright	Gavagan	Lozier	Rutherford
Christgau	Glover	McClintic, Okla.	Sanders, Tex.
Clark, N. C.	Goldsborough	McCormack, Mass.	Sandlin
Cochran, Mo.	Granfield	McDuffie	Schneider
Collier	Green	McKeown	Shaffer, Va.
Condon	Greenwood	McMillan	Smith, W. Va.
Cooper, Tenn.	Gregory	McReynolds	Somers, N. Y.
Cooper, Wis.	Hall, Miss.	McSwain	Steagall
Cox	Hancock, N. C.	Montague	Sullivan, N. Y.
Craddock	Hare	Montet	Tarver
Crisp	Hastings	Moore, Ky.	Taylor, Colo.
Cross	Hill, Ala.	Moore, Va.	Tucker
Crosser	Howard	Morehead	Vinson, Ga.
Cullen	Huddleston	Nelson, Mo.	Warren
Davis	Hull, Tenn.	Nelson, Wis.	Whittington
DeRouen	Hull, Wis.	Norton	Williams
Dickstein	Jeffers	O'Connell	Wilson
Dominick	Johnson, Okla.	O'Connor, N. Y.	Wingo
Doughton	Johnson, Tex.	Oldfield	Woodrum
Douglas, Ariz.	Jones, Tex	Oliver, Ala.	Wright
Doxey	Kading	Oliver, N. Y.	Yon
Drane	Kemp	Owen	
Drewry	Kendall, Ky.	Palmisano	

NOT VOTING—60

Bell	Douglass, Mass.	Kennedy	Reilly
Blackburn	Doutrich	LaGuardia	Romjue
Brigham	Doyle	McLeod	Sabath
Browning	Eaton, Colo.	Mansfield	Schafer, Wis.
Carter, Wyo.	Edwards	Mead	Sirovich
Celler	Fuller	Michaelson	Sparks
Chase	Gasque	Milligan	Spearing
Chiperfield	Graham	Mooney	Stevenson
Clarke, N. Y.	Hickey	O'Connor, La.	Sumners, Tex.
Collins	Hoffman	Parker	Thatcher
Connery	Hudspeth	Peavey	Thompson
Corning	Igoe	Perkins	Underhill
Crail	James, N. C.	Quin	Underwood
Dempsey	Kahn	Reed, N. Y.	Walker
Dorsey	Kendall, Pa.	Reid, Ill.	Whitehead

So the amendment was agreed to.

The following pairs were announced:

On this vote:

Mr. Thatcher (for) with Mr. Kennedy (against).
Mr. Reid of Illinois (for) with Mr. Igoe (against).
Mr. Perkins (for) with Mr. Mansfield (against).
Mr. Hickey (for) with Mr. Fuller (against).
Mr. Kendall of Pennsylvania (for) with Mr. Browning (against)
Mr. LaGuardia (for) with Mr. Mooney (against).
Mr. Underhill (for) with Mr. Connery (against).
Mr. Clarke of New York (for) with Mr. Edwards (against).
Mr. Corning (for) with Mr. James of North Carolina (against).
Mr. Chiperfield (for) with Mr. Milligan (against).
Mr. Blackburn (for) with Mr. Celler (against).
Mr. Reed of New York (for) with Mr. Underwood (against).
Mr. Brigham (for) with Mr. Mead (against).
Mr. Graham (for) with Mr. Whitehead (against).
Mr. Doutrich (for) with Mr. Sabath (against).
Mr. Crail (for) with Mr. Stevenson (against).
Mr. Chase (for) with Mr. Sirovich (against).
Mr. McLeod (for) with Mr. Romjue (against).
Mr. Hoffman (for) with Mr. Gasque (against).
Mr. Eaton of Colorado (for) with Mr. Dorsey (against).
Mrs. Kahn (for) with Mr. Quin (against).
Mr. Parker (for) with Mr. Collins (against).
Mr. Dempsey (for) with Mr. Sumners of Texas (against).
Mr. Michaelson (for) with Mr. Bell (against).
Mr. Carter of Wyoming (for) with Mr. Reilly (against).

Until further notice:

Mr. Schafer of Wisconsin with Mr. O'Connor of Louisiana.
Mr. Sparks with Mr. Douglass of Massachusetts.
Mr. Thompson with Mr. Spearing.
Mr. Walker with Mr. Doyle.
Mr. Peavey with Mr. Hudspeth.

The result of the vote was announced as above recorded.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question now is on the passage of the bill.

Mr. ASWELL. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 363, nays 6, not voting 63, as follows:

[Roll No. 7]

YEAS—363

Abernethy	Aldrich	Almon	Arnold
Ackerman	Allen	Andresen	Aswell
Adkins	Allgood	Arentz	Auf der Heide
Ayres	Englebright	Kemp	Ramspeck
Bacharach	Erk	Kendall, Ky.	Rankin
Bachmann	Eslick	Kerr	Ransley
Bacon	Estep	Ketcham	Rayburn
Baird	Esterly	Kiefner	Reece
Bankhead	Evans, Calif.	Kinzer	Rich
Barbour	Evans, Mont.	Knutson	Robinson
Beck	Fenn	Kopp	Rogers
Beedy	Finley	Korell	Rowbottom
Beers	Fish	Kunz	Rutherford
Bland	Fisher	Kurtz	Sanders, N. Y.
Blanton	Fitzgerald	Kvale	Sanders, Tex.
Bloom	Fitzpatrick	Lambertson	Sandlin
Bohn	Fort	Langley	Schneider
Bolton	Frear	Lanham	Sears
Bowman	Free	Lankford, Ga.	Seger
Box	Freeman	Lankford, Va.	Selberling
Boylan	French	Larsen	Selvig
Brand, Ga.	Fulmer	Lea	Shaffer, Va.
Brand, Ohio	Gambrill	Leavitt	Short, Mo.
Briggs	Garber, Okla.	Leech	Shott, W. Va.
Britten	Garber, Va.	Lehlbach	Shreve
Browne	Garner	Letts	Simmons
Brumm	Garrett	Lindsay	Simms
Brunner	Gavagan	Linthicum	Sinclair
Buchanan	Gibson	Loofbourow	Sloan
Buckbee	Gifford	Lozier	Smith, Idaho
Burdick	Glover	Luce	Smith, W. Va.
Burtness	Goldsborough	Ludlow	Snell
Busby	Goss	McClintic, Okla.	Snow
Butler	Graham	McClintock, Ohio	Somers, N. Y.
Byrns	Granfield	McCormack, Mass.	Speaks
Cable	Green	McCormick, Ill.	Sproul, Ill.
Campbell, Iowa	Greenwood	McDuffie	Sproul, Kans.
Campbell, Pa.	Gregory	McFadden	Stafford
Canfield	Griffin	McKeown	Stalker
Cannon	Guyer	McLaughlin	Steagall
Carley	Hadley	McMillan	Stobbs
Carter, Calif.	Hale	McReynolds	Stone
Cartwright	Hall, Ill.	McSwain	Strong, Kans.
Chalmers	Hall, Ind.	Maas	Strong, Pa.
Chindblom	Hall, Miss.	Magrady	Sullivan, N. Y.
Christgau	Hall, N. Dak.	Manlove	Sullivan, Pa.
Christopherson	Halsey	Mapes	Summers, Wash.
Clague	Hancock, N. Y.	Martin	Swanson
Clancy	Hancock, N. C.	Menges	Swick
Clark, N. C.	Hardy	Merritt	Swing
Cochran, Mo.	Hare	Michener	Taber
Cochran, Pa.	Hartley	Miller	Tarver
Cole	Hastings	Montague	Taylor, Colo.
Collier	Haugen	Montet	Taylor, Tenn.
Colton	Hawley	Moore, Ky.	Temple
Condon	Hess	Moore, Ohio	Thurston
Connolly	Hill, Ala.	Moore, Va.	Tilson
Cooke	Hill, Wash.	Morehead	Timberlake
Cooper, Ohio	Hoch	Morgan	Tinkham
Cooper, Tenn.	Hoffman	Mouser	Treadway
Cooper, Wis.	Hogg, Ind.	Murphy	Turpin
Cox	Hogg, W. Va.	Nelson, Me.	Vestal
Coyle	Holaday	Nelson, Mo.	Vincent, Mich.
Craddock	Hooper	Newhall	Vinson, Ga.
Cramton	Hope	Niedringhaus	Wainwright
Crisp	Hopkins	Nolan	Warren
Cross	Houston, Del.	Norton	Wason
Crosser	Howard	O'Connell	Watres
Crowther	Huddleston	O'Connor, Okla.	Watson
Culkin	Hudson	O'Connor, N. Y.	Welsh, Pa.
Cullen	Hull, Morton D.	Oldfield	White
Dallinger	Hull, William E.	Oliver, Ala.	Whitley
Darrow	Hull, Tenn.	Oliver, N. Y.	Whittington
Davenport	Hull, Wis.	Owen	Wigglesworth
Davis	Irwin	Palmer	Williams
Denison	James, Mich.	Palmisano	Williamson
De Priest	Jeffers	Parks	Wilson
DeRouen	Jenkins	Parsons	Wingo
Dickinson	Johnson, Ill.	Patman	Wolfenden
Dickstein	Johnson, Ind.	Patterson	Wolverton, N. J.
Dominick	Johnson, Nebr.	Pittenger	Wolverton, W. Va.
Doughton	Johnson, Okla.	Pou	Wood
Dowell	Johnson, S. Dak.	Prall	Woodruff
Doxey	Johnson, Tex.	Pratt, Harcourt J.	Woodrum
Drane	Johnson, Wash.	Pratt, Ruth	Wright
Drewry	Johnston, Mo.	Pritchard	Wurzbach
Driver	Jonas, N. C.	Purnell	Wyant
Dunbar	Jones, Tex.	Ragon	Yates
Dyer	Kading	Rainey, Henry T.	Yon
Eaton, N. J	Kearns	Ramey, Frank M.	Zihlman
Elliott	Kelly	Ramseyer	

NAYS—6

Andrew	Ellis	Golder	Tucker
Black	Fuss		

NOT VOTING—63

Bell	Crail	Hudspeth	Nelson, Wis.
Blackburn	Dempsey	Igoe	O'Connor, La.
Brigham	Dorsey	James, N. C.	Parker
Browning	Douglas, Ariz.	Kahn	Peavey
Carter, Wyo.	Douglass, Mass.	Kendall, Pa.	Perkins
Celler	Doutrich	Kennedy	Quin
Chase	Doyle	LaGuardia	Reed, N. Y.
Chiperfield	Eaton, Colo.	McLeod	Reid, Ill.
Clark, Md.	Edwards	Mansfield	Reilly
Clarke, N. Y.	Fuller	Mead	Romjue
Collins	Gasque	Michaelson	Sabath
Connery	Goodwin	Milligan	Schafer, Wis.
Corning	Hickey	Mooney	Sirovich

Sparks	Sumners, Tex.	Underhill	Welch, Calif.
Spearing	Thatcher	Underwood	Whitehead
Stevenson	Thompson	Walker	

So the bill was passed.

The following pairs were announced:

Until further notice:

Mr. Thatcher with Mr. Kennedy.
Mr. Reid of Illinois with Mr. Igoe.
Mr. Perkins with Mr. Mansfield.
Mr. Hickey with Mr. Fuller.
Mr. Kendall of Pennsylvania with Mr. Browning.
Mr. LaGuardia with Mr. Mooney.
Mr. Underhill with Mr. Connery.
Mr. Clarke of New York with Mr. Edwards.
Mr. Chiperfield with Mr. Milligan.
Mr. Blackburn with Mr. Celler.
Mr. Reed of New York with Mr. Underwood.
Mr. Brigham with Mr. Mead.
Mr. Peavey with Mr. Whitehead.
Mr. Doutrich with Mr. Sabath.
Mr. Crail with Mr. Stevenson.
Mr. Chase with Mr. Sirovich.
Mr. McLeod with Mr. Romjue.
Mr. Goodwin with Mr. Gasque.
Mr. Eaton of Colorado with Mr. Dorsey.
Mrs. Kahn with Mr. Quin.
Mr. Parker with Mr. Collins.
Mr. Dempsey with Mr. Sumners of Texas.
Mr. Michaelson with Mr. Bell.
Mr. Carter of Wyoming with Mr. Reilly.
Mr. Welch of California with Mr. Douglas of Arizona.
Mr. Nelson of Wisconsin with Mr. Corning.
Mr. Clark of Maryland with Mr. James of North Carolina.
Mr. Schafer of Wisconsin with Mr. O'Connor of Louisiana.
Mr. Sparks with Mr. Douglass of Massachusetts.
Mr. Thompson with Mr. Spearing.
Mr. Walker with Mr. Doyle.

On motion of Mr. HAUGEN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. BYRNS. Mr. Speaker, the gentleman from Tennessee, Mr. BROWNING, is absent on account of official business for the House. If present, he would have voted "aye."

MR. FISH CHALLENGED TO JOINT DISCUSSION

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by incorporating a letter written to Mr. HAMILTON FISH, a Member of Congress.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, under leave granted to extend my remarks in the RECORD, the following letter, which is self-explanatory, is submitted:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., December 18, 1930.

Hon. HAMILTON FISH, Jr.,
House Office Building, Washington, D. C.

MY DEAR MR. FISH: I have read your appeal in the CONGRESSIONAL RECORD of yesterday (received this morning) to all veterans and veterans' organizations to urge their Representatives in Congress to advocate the passage of your bill, H. R. 15062, which provides for the payment in cash of 25 per cent of the face value of the adjusted-service certificates.

This statement is not only misleading but misrepresentative of the true facts. I believe there is an excellent chance of passage at this session of Congress of a bill providing for the full face value of the adjusted-service certificates; the passage of such a measure will bring prosperity to our entire Nation immediately by paying an honest debt heretofore confessed by Congress to the veterans for services rendered, and will not cause an increase of taxes.

Realizing the effect your statement might have on people who are not familiar with all the facts, I propose to you that we engage in joint discussion on this issue for the purpose of fully presenting all facts to the country. If it can be arranged I shall be glad for the joint discussion to be held in the House of Representatives, or in the City of New York before an audience of your own constituents, or any other place where our debate can be broadcast over a nation-wide hook up of the radio. My only purpose is to fully acquaint the people with the true facts.

Since your statement has been given such wide publicity, I am taking the liberty of delivering a copy of this letter to the press.

If you are willing to cooperate with me in getting the facts to the people, please let me hear from you at your earliest convenience, and oblige.

Yours sincerely,

WRIGHT PATMAN.

THE AGRICULTURAL APPROPRIATION BILL

Mr. DICKINSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15256, the agricultural appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. TREADWAY in the chair.

The Clerk read the title to the bill.

The CHAIRMAN. When the committee rose on Tuesday it had completed the reading of the first paragraph. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

OFFICE OF THE SECRETARY

SALARIES

For Secretary of Agriculture, $15,000; Assistant Secretary, and for other personal services in the District of Columbia, including $7,294 for extra labor and emergency employments, and for personal services in the field, $763,815; in all, $778,815, of which amount not to exceed $750,815 may be expended for personal services in the District of Columbia: *Provided*, That in expending appropriations or portions of appropriations contained in this act for the payment for personal services in the District of Columbia in accordance with the classification act of 1923, as amended, with the exception of the Assistant Secretary the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year, and then only to the next higher rate: *Provided further*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade, in the same or different bureau, office, or other appropriation unit, or (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the classification act of 1923, as amended, and is specifically authorized by other law: *Provided further*, That the Secretary of Agriculture is authorized to contract for stenographic reporting services, and the appropriations made in this act shall be available for such purposes: *Provided further*, That the Secretary of Agriculture is authorized to expend from appropriations available for the purchase of lands not to exceed $1 for each option to purchase any particular tract or tracts of land: *Provided further*, That not to exceed $55,000 of the appropriations available for salaries and expenses of officers and employees of the Department of Agriculture permanently stationed in foreign countries may be used for payment of allowances for living quarters, including heat, fuel, and light, as authorized by the act approved June 26, 1930 (46 Stat. 818): *Provided further*, That no part of the funds appropriated by this act shall be used for the payment of any officer or employee of the Department of Agriculture who, as such officer or employee, or on behalf of the department or any division, commission, or bureau thereof, issues, or causes to be issued, any prediction, oral or written, or forecast with respect to future prices of cotton or the trend of same.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word for the purpose of making two separate inquiries; one as to the limitation upon the discretion of the Secretary of Agriculture in securing options on lands for which appropriations are available, whereby he is not to expend more than $1 for each option.

Mr. DICKINSON. The whole purpose of that is to permit the Secretary when he has a desirable option to permit him to contract for the purchase of the land for which authorization has already been made. It is simply giving the Secretary authority to bind these bargains.

Mr. STAFFORD. Why limit him to the payment of but $1 for the securing of each option?

Mr. DICKINSON. All he needs is the right to go in and officially make a binding contract for a nominal consideration only.

Mr. STAFFORD. Then this provision does not restrict the Secretary so that he would fail to secure options on lands which the department wishes permanently?

Mr. DICKINSON. Oh, no.

Mr. STAFFORD. My next inquiry is as to the following proviso which is the first instance where the Government is

making allowances to our representatives abroad connected with the Department of Agriculture for heat, light, and fuel.

Mr. DICKINSON. That is under an act of Congress recently passed.

Mr. STAFFORD. Is that to be administered on a standardization program, allowing to each employee or officer a certain amount for such and such purpose, or is it to be determined according to conditions in the respective countries?

Mr. DICKINSON. It is to be determined according to the conditions in the respective countries. It is a policy that has been worked out in conjunction with the State Department and the Department of Commerce where they follow the same rules.

Mr. STAFFORD. The Department of State was the first department to administer such a fund. The Department of Commerce followed, and now the Department of Agriculture comes along. It is not intended to grant them a blanket amount, the same to all alike?

Mr. DICKINSON. Oh, no.

Mr. STAFFORD. But the amount will be determined upon the varying conditions in the different countries?

Mr. DICKINSON. Yes; according to a classification agreed upon by the various departments, where the allowances are the same in each bureau and department.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

For farmers' cooperative demonstration work, including special suggestions of plans and methods for more effective dissemination of the results of the work of the Department of Agriculture and the agricultural experiment stations and of improved methods of agricultural practice, at farmers' institutes and in agricultural instruction, and for such work on Government reclamation projects, and for personal services in the city of Washington and elsewhere, supplies, and all other necessary expenses, $1,574,430: *Provided*, That the expense of such service shall be defrayed from this appropriation and such cooperative funds as may be voluntarily contributed by State, county, and municipal agencies, associations of farmers, and individual farmers, universities, colleges, boards of trade, chambers of commerce, other local associations of business men, business organizations, and individuals within the State.

Mr. KETCHAM. Mr. Chairman, I move to strike out the last word in order to direct the attention of the committee to the closing three lines of the paragraph just read, lines 18, 19, and 20, page 14. I think that a goodly number of the members of the committee have seen considerable discussion of this very question, and the leading farm organizations of the country have expressed themselves in rather direct and positive language on the matter. The point they make, and it seems to me one that is well taken, is that this whole service has now arrived at a time when we should not burden chambers of commerce, individuals, or other local organizations of business men and business organizations with a portion of the payment in order that this service may be maintained. I raise the question now in order that we may hear from the chairman of the subcommittee as to whether or not any views of that sort have been expressed before his committee, or whether he himself has any knowledge of adverse comment on this proposition or any general opposition to it.

Mr. DICKINSON. Mr. Chairman, this is the first time the attention of the chairman of this subcommittee has been called to any demand upon the part of any local community, State, county, or municipal agency that they be relieved of this contribution.

Mr. KETCHAM. I am not referring to State, county, or municipal agencies, nor to associations of farmers or to universities or colleges, but to boards of trade, chambers of commerce, and other local associations of business men and business organizations and individuals within the State.

It has seemed to me that some valid criticism might be made with reference to burdening them, thus having one group contribute especially for work that is of value to another group. Speaking of leading farm organizations, the National Grange at its recent meeting in Rochester, which was the largest attended meeting ever held by that organization and the largest meeting of a farm organization ever held in the country, went on record specifically in opposition to further continuance of this provision, and the reason given was because in some instances the policies of the service were in some way modified and controlled and special services were rendered to certain organizations by the extension service because of those contributions. It seems to me that that is worthy of some consideration by the committee.

Mr. DICKINSON. This is the first time that the complaint has been brought to my attention, and it was not suggested in our hearings by any of the witnesses.

Mr. MORTON D. HULL. Will the gentleman please explain the way in which these chambers of commerce, boards of trade, and so forth, figure in this demonstration service.

Mr. DICKINSON. For the demonstration service only a part of the expense is carried by the appropriation of the Federal Government. So much expense is carried by the State government, and in most cases there is a contribution by the farm organization. In many instances that is not sufficient to carry on the type of service they want carried on by the county agency and home demonstrator, and so forth, with the result that the chamber of commerce or the board of trade will come in and make a contribution to the farm organizations or whoever they have in charge, and it is used to pay the general expense.

Mr. MORTON D. HULL. The Government appropriates in addition to that, to these local chambers of commerce, and so forth?

Mr. DICKINSON. No. The Government makes no appropriation to local chambers of commerce, but, the chamber of commerce can voluntarily raise so much money to expand the type of service that they think is justified in their respective localities, under the county agent, and the home administration, and boys and girls' club work. Many times the cooperation has to do with giving premiums, such as buying a calf for the boys and the girls, and working out various types of work that is to be carried on.

Mr. MORTON D. HULL. Is there any appropriation of a proportional amount required by this?

Mr. DICKINSON. No. That is contributed voluntarily; purely voluntarily.

Mr. KETCHAM. There is one other fair criticism, I think, that can be offered, and that is that in certain States the membership of certain farm organizations make contributions to the extension service. Complaints have been made, I think with some degree of justice, that the service that county agricultural extension agents in such States are supposed to give, irrespective of whether or not those whom they serve are members of organizations, is restricted to the members who contribute to the affiliated organizations, to the exclusion of some others on the outside. Has the gentleman any information about that?

Mr. DICKINSON. That complaint has come to me in various instances, but I have always found, when it was checked up, that the county agent was willing to give service to every citizen of the community, regardless of whether they were affiliated or not. There are some cases, for instance in the case of poultry clubs, when the membership is limited, and that is the only instance that I know of where a complaint has been made with reference to that.

Mr. KETCHAM. I am glad to hear the gentleman say that, because the service of the county agents should be open to all, notwithstanding contributions that are made by particular associations.

Will the gentleman state whether, in his opinion, that particular policy ought to be continued if such complaint could be fairly proved?

Mr. DICKINSON. This is a public service and ought to be open to everyone demanding the service.

There is one other thing that I would like to suggest. Efforts are now being made to broaden this service along what might be called employment lines. Heretofore it has been limited to a certain type of farm service, which a great many people take advantage of. An effort is now being made to broaden the service by putting in an employment service, exchange agencies, and that service is open to everyone in the county who desires to take advantage of it.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For necessary expenses incident to collecting and disseminating meteorological, climatological, and marine information, and for investigations in meteorology, climatology, seismology, evaporation, and aerology in the District of Columbia and elsewhere, including $6,700 for investigations of the relationship of weather conditions to forest fires, under section 6 of the act approved May 22, 1928 (U. S. C., Supp. III, title 16, sec. 581e), $2,577,200, of which not to exceed $800 may be expended for the contribution of the United States to the cost of the office of the secretariat of the International Meteorological Committee, not to exceed $30,000 which shall be immediately available for the construction of a building and suitable facilities to replace the existing Weather Bureau building and facilities at Tatoosh Island, Wash., including the employment of architectural services by contract or otherwise, and not to exceed $10,000 may be expended for the maintenance of a printing office in the city of Washington for the printing of weather maps, bulletins, circulars, forms, and other publications: *Provided*, That no printing shall be done by the Weather Bureau that can be done at the Government Printing Office without impairing the service of said bureau.

Mr. DICKINSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read the amendment, as follows:

Amendment offered by Mr. DICKINSON: On page 18, line 5, strike out "$6,700" and insert in lieu thereof "$4,650."

Mr. DICKINSON. Mr. Chairman, that is simply to correct the amount to correspond with the cut in the appropriation.

The amendment was agreed to.

The Clerk read as follows:

For investigations, observations, and reports, forecasts, warnings, and advices for the protection of horticultural interests, $65,500.

Mr. BRIGGS. Mr. Chairman, I move to strike out the last word. May I ask if this item carrying this slight increase in the Budget estimate will take care of the service of giving storm warnings in the coastal area of Texas as well as down to the Rio Grande area? Is it regarded as sufficient for that purpose?

Mr. BUCHANAN. This is regarded as sufficient to carry storm warnings for the coastal area, the winter garden section, and the Rio Grande Valley, all three.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Animal husbandry: For all necessary expenses for investigations and experiments in animal husbandry; for experiments in animal feeding and breeding, including cooperation with the State agricultural experiment stations, including repairs and additions to and erection of buildings absolutely necessary to carry on the experiments, including the employment of labor in the city of Washington and elsewhere, rent outside of the District of Columbia, and all other necessary expenses, $723,400, of which $32,495 shall be immediately available, including $12,500 for livestock experiments and demonstrations at Big Spring and/or elsewhere in Texas, to be available only when the State of Texas, or other cooperating agency in Texas, shall have appropriated an equal amount or, in the opinion of the Secretary of Agriculture, shall have furnished its equivalent in value in cooperation for the same purpose during the fiscal year ending June 30, 1932: *Provided*, That of the sum thus appropriated $181,320 may be used for experiments in poultry feeding and breeding.

Mr. BUCHANAN. Mr. Chairman, in line 19, on page 24, I ask to amend the word by adding the letter "s" in the words "Big Spring." The name of the town is "Big Springs."

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BUCHANAN: On page 24, in line 19, strike out the word "Spring" and insert in lieu thereof the word "Springs."

The amendment was agreed to.

The Clerk read down to and including line 8, page 26.

Mr. DICKINSON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TREADWAY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15256) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1932, and for other purposes, and had come to no resolution thereon.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate recedes from its amendment numbered 13 to the bill (H. R. 14804) entitled "An act making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment"; further insists upon its amendments numbered 11, 12, and 14 to said bill, disagreed to by the House, requests a further conference with the House upon the disagreeing votes of the two Houses thereon, and appoints Mr. JONES, Mr. SMOOT, Mr. HALE, Mr. GLASS, and Mr. BROUSSARD to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the joint resolution (S. J. Res. 211) entitled "Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCNARY, Mr. NORRIS, and Mr. SMITH to be the conferees on the part of the Senate.

DROUGHT RELIEF

Mr. KETCHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (S. J. Res. 211) for the relief of farmers in the drought and/or storm-stricken areas of the United States, with a House amendment, insist on the House amendment, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Michigan asks unanimous consent to take from the Speaker's table Senate Joint Resolution 211, with a House amendment, insist on the House amendment, and agree to the conference asked by the Senate. The Clerk will report the resolution.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, has the gentleman from Michigan consulted with the gentleman from Louisiana [Mr. ASWELL], with the gentleman from Texas [Mr. JONES], or any of the other minority members of the Committee on Agriculture about taking this action.

Mr. KETCHAM. With reference to the time of the conference?

Mr. GARNER. No; as to giving unanimous consent to go to conference.

Mr. KETCHAM. The gentleman from Texas [Mr. JONES] is present.

Mr. GARNER. The gentleman from Michigan has asked unanimous consent to take from the Speaker's table the so-called drought-relief resolution and agree to the conference asked by the Senate. Is that agreeable to the minority members of the Committee on Agriculture?

Mr. JONES of Texas. That is agreeable to me.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Chair appoints the following conferees: Messrs. HAUGEN, PURNELL, and ASWELL.

AGRICULTURAL APPROPRIATION BILL

Mr. DICKINSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15256) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1932, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15256, the agricultural appropriation bill, with Mr. TREADWAY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further con-

sideration of the bill H. R. 15256, the agricultural appropriation bill, which the Clerk will report by title.

The Clerk read the title of the bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ERADICATION OF FOOT-AND-MOUTH AND OTHER CONTAGIOUS DISEASES OF ANIMALS

In case of an emergency arising out of the existence of foot-and-mouth disease, rinderpest, contagious pleuropneumonia, or other contagious or infectious diseases of animals, which, in the opinion of the Secretary of Agriculture, threatens the livestock industry of the country, he may expend, in the city of Washington or elsewhere, any unexpended balances of appropriations heretofore made for this purpose in the arrest and eradication of any such disease, including the payment of claims growing out of past and future purchases and destruction, in cooperation with the States, of animals affected by or exposed to, or of materials contaminated by or exposed to, any such disease, wherever found and irrespective of ownership, under like or substantially similar circumstances, when such owner has complied with all lawful quarantine regulations: *Provided*, That the payment for animals hereafter purchased may be made on appraisement based on the meat, dairy, or breeding value, but in case of appraisement based on breeding value no appraisement of any animal shall exceed three times its meat or dairy value, and except in case of an extraordinary emergency, to be determined by the Secretary of Agriculture, the payment by the United States Government for any animals shall not exceed one-half of any such appraisements: *Provided further*, That the sum of $10,000 of the unexpended balance of the appropriation of $3,500,000, contained in the second deficiency appropriation act, fiscal year 1924, approved December 5, 1924, for the eradication of the foot-and-mouth disease and other contagious or infectious diseases of animals, is hereby made available during the fiscal year 1932 to enable the Secretary of Agriculture to control and eradicate the European fowl pest and similar diseases in poultry.

Mr. ARENTZ. Mr. Chairman, I move to strike out the last word. I notice that in line 14, page 23, it is provided that as to animals slaughtered because of the infection of tuberculosis no payment as compensation shall exceed one-third of the difference between the appraised value of such cattle and the value of the salvage thereof, and that as to animals slaughtered because of pleural pneumonia the compensation shall be one-half of the appraised value. Why should there be that difference between the salvage value of animals slaughtered because of tuberculosis and those slaughtered because of pleural pneumonia?

Mr. DICKINSON. It is due to the difference in the salvage value of the animals.

Mr. ARENTZ. In one case they are stock cattle and in the other case dairy cattle?

Mr. DICKINSON. That is true.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Forest pathology: For the investigation of diseases of forest and ornamental trees and shrubs, including a study of the nature and habits of the parasitic fungi causing the chestnut-tree bark disease, the white-pine blister rust, and other epidemic tree diseases, for the purpose of discovering new methods of control and applying methods of eradication or control already discovered, and including $125,000 for investigations of diseases of forest trees and forest products, under section 3 of the act approved May 22, 1928 (U. S. C., Supp. III, title 16, sec. 581b), $211,052.

Mr. DICKINSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DICKINSON: Page 32, line 2, strike out "$125,000" and insert "$112,480."

The amendment was agreed to.

The Clerk read as follows:

Western irrigation agriculture: For investigations in connection with western irrigation agriculture, the utilization of lands reclaimed under the reclamation act, and other areas in the arid and semiarid regions, $159,940: *Provided*, That the limitations in this act as to the cost of farm buildings shall not apply to this paragraph.

Mr. KETCHAM. Mr. Chairman, I move to strike out the last word. I want to direct the attention of the chairman of the subcommittee to the last two paragraphs which have just been read, dealing particularly with investigations on irrigated lands and also dry-land agriculture, with more particular reference to investigations in connection with western irrigation projects. I presume the gentleman has seen some current discussion as to the advisability of transferring all of the irrigation work of the Government from the department where it now is vested to the Department of Agriculture, because of the very feature that is carried in this paragraph and which is given emphasis here by the investigation which they give to it. Has the gentleman in his committee hearings had any expression from any individuals or any organizations bearing on that point?

Mr. DICKINSON. No suggestion has been made to our committee that there was any probability of a transfer. This is for the purpose of trying to make dry land agriculture more profitable, working out the various trials and tribulations they are having in the production of crops and in helping them maintain their various districts. There has been no suggestion made to our committee that the care, custody, or control of irrigation districts ought to be turned over to the Department of Agriculture.

Mr. KETCHAM. The gentleman is familiar with the fact that another great department of the Government has taken upon itself some very extensive investigations in this same field, is he not? If the gentleman does not know to what department I am referring, I will say I have reference to the War Department.

Mr. DICKINSON. I understand.

Mr. KETCHAM. Can the gentleman by any stretch of the imagination conceive of an activity of the War Department which ought to carry on an investigation of the irrigation districts of the great West?

Mr. DICKINSON. Absolutely none.

Mr. LEAVITT. Will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. LEAVITT. Is the War Department carrying on studies as to the kind of agriculture that should be best adapted to irrigation projects?

Mr. KETCHAM. Under the authorization which they have been given there is scarcely any phase of the irrigation proposition which can not come within the scope of their investigations, if they so desire, or if Congress appropriates the money.

Mr. LEAVITT. Are they going beyond the purpose of the Congress from the standpoint of engineering? Of course, to some extent, when they consider the necessities from an engineering standpoint they must also consider the possibility of the project paying out; but they are not putting any agricultural agents on the ground to carry through experiments as to how the irrigated areas should be farmed.

Mr. KETCHAM. Oh, no; they are not doing that, but the point I am trying to emphasize is that, it seems to me this whole work ought to be correlated. At the present time, as I understand it, the whole work of irrigation, not including the work of investigation, is in another department of the Government and now the War Department under some interpretation of the authority that was given them by an appropriation made in the last few years, has entered this field and is making extended investigations in a very broad way, and here in the department, where it seems to me the authority ought to be vested, there is a very limited appropriation. The point I am driving at is that it seems to me that all this work eventually, in view of the economic phases now being so important, ought to be centered in the Department of Agriculture, and I am wondering how the gentleman would feel as to ultimately transferring this whole activity to that department?

Mr. COLTON. Will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. COLTON. Does the gentleman think that the Department of Agriculture ought to deal with the title to lands? This has always been a function of the Interior Department and titles are involved in reclamation.

Mr. KETCHAM. I do not think they ought to deal with either the title of lands or the purely engineering phases involved, but it does seem to me that the other phases of the matter ought to be more largely vested in the Department of Agriculture than they are now.

Mr. DICKINSON. What phases of the work are under the War Department, aside from the engineering phase of it?

Mr. KETCHAM. If they were limited to that, I do not know that I would have anything to say, but my idea is that their investigations far exceed the scope or the intention of Congress when they were given such authority.

Mr. ARENTZ. If the gentleman will permit, it is my understanding that the War Department started out on stream gaging.

Mr. KETCHAM. Yes.

Mr. ARENTZ. I believe the Department of Agriculture does no stream gaging or measurement of water for purposes of determining whether there shall be flood-control work or the further utilization of the water in the streams examined for irrigation.

Mr. KETCHAM. I am very glad to hear the gentleman say that. The gentleman agrees, does he not, with the proposition that there ought not to be duplication?

Mr. ARENTZ. I agree with that, and I think the War Department should be prohibited from going beyond the acquiring of engineering data. It should leave the economic studies to either the Interior Department or the Agricultural Department. However, I do not think the Department of Agriculture can step into the picture and do the things that the War Department does in the interest of flood control, the development of power, which naturally follows, and then the utilization of that water for irrigation.

Mr. DICKINSON. The function of the Department of the Interior has always been very clearly defined in view of the fact it has always had control of land titles, and the matter of land improvement coming under the Department of the Interior is a very natural development from their work in connection with land titles. This item, as I understand it, simply has to do with research and investigational work in an effort to try to make the production of crops more profitable and more nearly certain.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. KETCHAM. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Without objection, the gentleman is recognized for five additional minutes.

There was no objection.

Mr. KETCHAM. The point I have in mind is this: Has it not become a fact, in connection with most of our irrigation projects, that really the heart of the situation is not so much an engineering proposition or a land-title proposition as it is a question of the economic returns that come out of such irrigation projects, and the effect that the development of these irrigation projects has upon the agriculture of the country generally. Does not the gentleman see that this is becoming really the most significant feature of the whole thing?

Mr. DICKINSON. That is the fundamental principle underlying the success or the failure of an irrigation project, and that is the reason the Department of Agriculture is making some effort to make these agricultural investigations with reference to possible crop production and the certainty or uncertainty of such production.

Mr. KETCHAM. Then, if I get the gentleman's viewpoint, he believes that if anything were to be done looking toward a correction of some of the injustices that have crept into the situation, he would magnify this appropriation and provide for such study and perhaps curtail similar appropriations under other departments that have gotten into a field where they do not belong, in order that the whole thing may go forward in an orderly way.

Mr. DICKINSON. The reason for magnifying this appropriation is by reason of the complication that arises with reference to the certainty or the uncertainty of crop production in many of these projects.

Mr. COLE. Will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. COLE. There is a provision here for the development of arid lands through processes of dry farming. Will the gentleman tell us what reason there is for bringing such lands under cultivation when we already have surplus crops? Would it not be more advisable to make appropriation to take some of these marginal lands out of cultivation?

Mr. KETCHAM. I presume the gentleman is directing his question to me because the time happens to be under my control.

Mr. COLE. Yes.

Mr. KETCHAM. I will simply say there is a large area of this arid land and there are large numbers of people involved. This is a very small appropriation and it seems to me it is a perfectly proper thing to do, although I can see the gentleman's point of view.

Now, I want to take the last minute of my time——

Mr. COLE. I do not believe we should be bringing more land under cultivation. What we ought to do is to take some land out of cultivation.

Mr. DICKINSON. This does not provide for any new land. It simply provides the money for making some investigations that will assist in working out this problem where the land is already under cultivation.

Mr. KETCHAM. If the gentleman will permit me in my own time——

Mr. COLE. Just let me say that we make appropriations to take care of the surplus and then come back and bring more of this land into cultivation.

Mr. KETCHAM. I do not think that is the intent. The intention is to make investigation for all those who now live on the arid lands.

I will now yield to the gentleman from Nebraska, who wants to ask a question.

Mr. SIMMONS. The gentleman has reached a conclusion that I hoped might be made plain to the gentleman from Iowa. I do not think it is necessary for me to say anything further.

Mr. KETCHAM. I am glad that I read the gentleman's mind. It seems to me that it is time that the War Department be put on notice by the House of Representatives and the Congress of the United States that in certain definite channels in which they accomplish most magnificent work, and for which we ought to give every encouragement, there may be other departments that can investigate these things much better, and those departments ought to be employed to do that work well.

Mr. SIMMONS. Will the gentleman yield?

Mr. KETCHAM. I yield.

Mr. SIMMONS. I take it that the gentleman's statement in no way adversely criticizes the work of the Secretary of the Interior in its administration of the reclamation projects?

Mr. KETCHAM. It is not intended to be very critical. If I had my way, I would find myself in disagreement with some of my good friends in the West as to the extension of these projects.

Mr. SIMMONS. I think this ought to be said: That the present Secretary takes the more statesmanlike attitude as well as business attitude in dealing with the reclamation projects than some of his predecessors. I would dislike to have anything said that would look as if the House felt that he was not, in fact, carrying on a proper reclamation program.

Mr. KETCHAM. I would not in my remarks carry that implication.

Mr. SUMMERS of Washington. Mr. Chairman, I move to strike out the last two words. By the authority of Congress the War Department was authorized to make complete studies of rivers and river systems to determine the proper utilization of rivers for transportation, irrigation, and power; and the study of flood control. The War Department has proceeded along those lines from year to year.

I have had the matter up with the War Department and the Interior Department and I have been repeatedly assured by both departments that they are not duplicating their work. But where work has been done by the Interior Department the War Department will utilize that, and where the work has been done by the War Department the Interior Department will make use of the engineering data.

There may be duplication in some other lines but certainly so far as I have been able to learn—and I have been following it closely—the War Department and the Interior Department are not duplicating their work.

Mr. LEAVITT. Mr. Chairman, I move to strike out the last two words. As a matter of fact the experience is that in the development of any section of the United States, and I think that will apply to every section, in the passing of time better methods of agriculture come into use and come to be understood. Methods of agriculture that apply in one section of the country frequently will not apply in other sections. It is necessary that what we call dry lands in the Western States be properly utilized, and in order to have them properly utilized experiments must be carried forward and the results made available to people who in good faith, often in the carrying out of the homestead laws, have gone into those sections as pioneers and are helping to build new parts of the country.

It is a common saying in any new country that it requires three groups of homesteaders or settlers to arrive at the correct methods of agriculture in that section. That, of course, is often true, but during such a severe process a great deal of human misery is entailed during the trying out and discarding of various methods. If the Federal Government through carrying on experiments such as are provided for in this appropriation can determine the best method of utilizing those lands it will be helpful in the settlement of new sections of the United States.

Question frequently arises here as to why lands are not producing as fully now as they should under proper methods, and as to whether new methods should be developed when there is a surplus of agricultural products in the country. You never find any representative of any section who wishes the land in his own State or section put out of cultivation in order to reduce the surplus. He always wants to go to some other part of the United States and have the attrition of farm lands applied there. There has never been a case in all of these debates where a Member has suggested taking lands in his own State and putting them out of use, and putting the people settled on those lands out of business as farmers.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. LEAVITT. Yes.

Mr. JONES of Texas. What is the reason for the proviso that the limitations in this act as to the cost of farm buildings shall not apply to this paragraph?

Mr. LEAVITT. That is a question that will have to be answered by some member of the committee.

Mr. JONES of Texas. In most of the acts that we have put into effect heretofore there have been some limitations where buildings were to be constructed at all upon the amount that might be expended on any particular building.

Mr. LEAVITT. I would prefer to have the gentleman direct his question to the chairman of the subcommittee, as that is entirely away from the point that I am discussing. This is one of the most valuable items in the development of a new section of the United States in the bill, an item that will provide the expense of making studies of the best methods of cultivating farm lands in what is called the arid section of the United States, where American citizens of the pioneer type are located and are making American homes, and where the working out of these problems is of great advantage in the development of those new sections.

Mr. JONES of Texas. Mr. Chairman, I move to strike out the last word in order to direct a question to the chairman of the subcommittee as to the proviso on page 36:

That the limitations in this act as to the cost of farm buildings shall not apply to this paragraph.

Does that mean to take off all limitations as to the cost of any building that may be constructed?

Mr. DICKINSON. That is in certain areas where the limitation of $1,500 is not sufficient to let them build some type of reclamation building which they have to build. We simply release the general limitation.

Mr. JONES of Texas. I remember that when we put on the limitation we fixed it at $1,500 or $1,800.

Mr. DICKINSON. One thousand five hundred dollars.

Mr. JONES of Texas. I wondered if this released it so that an unlimited amount could be used.

Mr. DICKINSON. It would be unlimited so far as this particular type of improvement is concerned for this year.

Mr. JONES of Texas. Did they indicate how much would be expended?

Mr. DICKINSON. I think there is a commitment in the hearings as to how large the building is.

Mr. JONES of Texas. The committee investigated that?

Mr. DICKINSON. Yes.

Mr. JONES of Texas. I withdraw the pro forma amendment.

The Clerk read as follows:

Horticultural crops and diseases: For investigation and control of diseases, for improvement of methods of culture, propagation, breeding, selection, and related activities concerned with the production of fruits, nuts, vegetables, ornamentals, and related plants, for investigation of methods of harvesting, packing, shipping, storing, and utilizing these products, and for studies of the physiological and related changes of such products during processes of marketing and while in commercial storage, $1,355,360, of which $15,000 shall be available toward the establishment, including the erection of buildings, of a pecan experiment station in the middle-eastern Mississippi region when the State of Mississippi and/or other local cooperating agency shall have deeded to the Government 100 acres of land acceptable to the Secretary of Agriculture for such purpose.

Mr. DICKINSON. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment by Mr. DICKINSON: Page 36, line 22, strike out the figures "$1,355,360" and insert "$1,365,360."

Mr. DICKINSON. Mr. Chairman, this amendment is to have work done on what is known as the tomato blight in the State of Utah. The gentleman from Utah [Mr. COLTON] appeared before our committee and the committee got the wrong impression in respect to the blight. The committee got the impression that the blight was something that occurred only once in a while and was not a persistent pest. Upon further investigation we find that it is persistent, that it does continuous damage to the tomato crop and in this past year got as high as 60 per cent of the crop. After reinvestigating the matter the committee is in favor of the adoption of the amendment which I now offer.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was agreed to.

The Clerk read as follows:

In national forest region 3, Arizona and New Mexico, $719,834.

Mr. DICKINSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read the amendment, as follows:

Amendment by Mr. DICKINSON: Page 42, line 24, strike out "$719,834" and insert "$717,834."

Mr. DICKINSON. This is simply a perfecting amendment to make the limitation correspond with the total.

The amendment was agreed to.

The Clerk read as follows:

In national forest region 4, Utah, Idaho, Wyoming, Nevada, Arizona, and Colorado, $940,224.

Mr. DICKINSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read the amendment, as follows:

Amendment by Mr. DICKINSON: Page 43, line 2, strike out "$940,224" and insert "$936,224."

The amendment was agreed to.

The Clerk read the bill as far as line 25, page 50.

Mr. DICKINSON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TREADWAY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration

the bill (H. R. 15256) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1932, and for other purposes, had come to no resolution thereon.

THE FINANCIAL SITUATION

Mr. DARROW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address delivered by Mr. H. Ennis Jones, president of the Franklin Trust Co., on the present financial situation.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DARROW. Mr. Speaker, under the leave to extend my remarks in the RECORD I include an address Wake up America, delivered before the Stephen Girard Lions Club luncheon, December 17, 1930 at Philadelphia, Pa.

The address is as follows:

If I should walk into your office or place of business this afternoon and ask you that timeworn, threadbare question, "How is business?" what would your answer be? Before answering this question it would be well for you to consider all factors, for it may not be as bad as you think it is. Recently I was asked this same question and this was my reply:

Since January 1, 1930, our deposits have increased about $2,000,000, we have opened more than 15,000 new accounts, and our profits for the months of October and November, or since the close of our fiscal period October 1, have exceeded the same period last year.

The gentleman was a depositor, and immediately his countenance beamed, until suddenly another thought struck him, and he volunteered this information: Oh, yes; he had been reading in the papers that people were hoarding money in savings accounts of banks, and he supposed that was the reason for our increased deposits. "No," I said, "our increase does not represent hoarding by individuals, but instead it is the result of an intensive effort on the part of our officers to obtain new business, and the majority of this favorable showing represents new contacts made and accounts secured from firms and individuals with whom we have never before done business."

Of course, our depositor left with a different frame of mind, because he had received solid facts that encouraged a more optimistic viewpoint.

We are all "fed up" on that pessimistic attitude of crying "Wolf!" every time the leaves rustle. Why not search for a little cheer and sunshine; it can be found if we go after it. For instance, here is a small list of corporations taken from a group of 120 whose earnings for the first nine months of 1930 (according to figures recently published in a financial publication) show an increase over the corresponding period of 1929, as follows:

	Gain, per cent
American Telephone & Telegraph Co	2
Bangor & Aroostook	11
Chesapeake Corporation	42
Gulf Coast Lines	21
Gould Coupler Co. and subsidiaries	72
Pullman (Inc.) and subsidiaries	19
Bickford's (Inc.)	30
Lessings (Inc.)	763
Coco-Cola Co	8
White Rock Mineral Springs Co	10
William Wrigley, Jr., Co	6
Cushman's Sons (Inc.)	47
National Biscuit Co	4
Amerada Corporation	59
H. F. Wilcox Oil & Gas Co	70
Cities Service	40
Public Service of Northern Illinois	13.2
United Railways & Electric	11
Memphis Natural Gas Co	65
United Gas Improvement Co	22.2
Worcester Consolidated Street Railway	34
Fox Film Corporation	21.6
Radio-Keith-Orpheum Corporation	86
Briggs Manufacturing Co	37
Yellow Truck & Coach Manufacturing Co	23
City Ice & Fuel Co	12
International Business Machines	11.1
Autostrop Safety Razor Co	86
Industrial Rayon Corporation	18

Why did these concerns forge ahead during a period in which other concerns lost ground? Various reasons may be assigned to the different cases, but underlying them all is the fact that, generally speaking, the management of these companies is in the hands of forceful and capable men, who through economy, efficiency, and increased merchandizing efforts have brought about these results.

Has your sales volume increased or decreased this year? Here are a few concerns taken from a list of 30 large corporations that show substantial gain for the first nine months of 1930, as follows:

	Per cent
Claude Neon Lights (Inc.)	22
Edison Bros. Stores (Inc.)	25.8
F. & W. Grand-Silver Stores (Inc.)	29.3
Great Atlantic & Pacific Tea Co	6.55
J. J. Newbery Co	10.7
Lane Bryant (Inc.)	39.6
Melville Shoe Corporation	13.3
Schulte-United $0.05 to $1 Store	64.43
Scott Paper Co	10.9
Walgreen Co	16.8
W. T. Grant Co	10.3

These choice morsels of progress remind me of a recent advertisement published by the Saturday Evening Post, wherein the suggestion is made that we had all better take a good restful morning-after look at our product, our sales plan, and ourselves. The message continues with the question, "Is your selling energy at full limit?" "Are your sales and advertising plans extraordinarily gaged to extraordinary resistances?" or, "Are we cutting the power just as we are trying to make the hill?" and as to ourselves, "Have we a goodly supply of plain old-fashioned nerve?"

There are many fair-weather executives and business men who obtained an overestimated opinion of their business ability when conditions carried them along with the tide of prosperity, while to-day these same men are almost paralyzed with fear and unable to keep an even mental balance in times of stress. Many will fall by the wayside. From now on it will be the survival of the fittest, which means that we must adjust our methods of doing business and change our product to meet present conditions.

Fear and psychology unquestionably are playing an important part in the prevailing state of business inactivity. However, to change our mental attitude requires more than talk and theory—it requires action to remove the cause.

A recent attempt toward this has been the many "buy now" campaigns started in various sections of the country, which originated right here in Philadelphia. The theory upon which these plans were exploited was that people were hoarding their money in banks and the old family sock instead of buying on a scale to which they had recently been accustomed.

The results of the campaigns were very satisfactory from a publicity standpoint and also helped to increase the sales volume of some of our merchants.

In fact, great credit is due our local chamber of commerce for the efficient and capable manner in which the idea was put over. However, this procedure is unsound for the following reasons:

Individuals are not hoarding their money in savings accounts, as statistics compiled by the American Bankers' Association for the year ending June, 1930, prove conclusively. The total savings deposits increased $267,000,000, but interest computed at 3½ per cent on all deposits would have been $987,000,000. Thus, in reality, savings did not increase, but rather $720,000,000 in interest was withdrawn. The number of savings depositors on June 30, 1930, was 52,769,175, representing an increase of only 5,048 over the corresponding period a year previous.

This reserve of savings is in many instances the only backlog that the American workman has against unemployment and unforeseen circumstances. This is not the time to persuade individuals to withdraw their savings to make purchases.

"Buy-now movements" should first be inaugurated and adopted by our railroads, public utilities, corporations, and individuals whose wealth and income place them in a decidedly more advantageous position to set the example and lead the procession to buy now rather than place the burden of leadership on the "little fellow" or average citizen.

Retail merchants will find that the secret of increasing their sales volume will be to sell the consumer what he wants at a price that he can afford to pay. To do this will require closer cooperation on the part of the manufacturer.

There is no question but that incomes have been materially decreased due to unemployment and reduction in wages, security losses, and overproduction. This is the real basis for the prevailing lack of inclination to buy.

Those whose incomes are most affected are numbered among the executives and directors of our large corporations and business enterprises and in such positions dominate or control the leading purchasing power of America. When their confidence is restored, both individually and collectively, then corporate purchasing power will be resumed. When that occurs it will not be necessary to use forced methods to bring the little fellow in line; he will follow right along in a proportionate scale.

When will "that" time come, you ask? Well, that is a question worth trying to answer. Let's tackle it from the bottom up and endeavor to ascertain about where we are now. The old law of supply and demand governing our prosperity is infallible and is at work right this minute.

It was in the spring of 1925 that commodity prices reached their all-time peak, since then they have been falling. Their downward journey was checked in May, 1927; but in July, 1929, the definite decline was resumed, and since then they have more than made up for lost time. Overproduction is the cause of this condition. Reports from abroad indicate that wheat surpluses in all export countries will total about 1,187,000,000 bushels, and that allowing for the requirements of import countries there will still be a surplus of 423,000,000 bushels by the end of next July.

Unofficial estimates place the Farm Board's holdings of wheat at more than 0.1 of the United States wheat supply, which

should be sufficient quantity to insure against market depressions even though there is a differential in quotations at the present time of 20 cents per bushel between Liverpool and Chicago for December wheat.

However, Russian wheat appears to still be a disturbing factor in the market; but British authorities estimate that shipments from that source will practically cease before the end of the year.

According to estimates of Dow, Jones & Co., steel activities have slackened to about 39 per cent of capacity. The trade seems to anticipate an upturn in demand after the first of the year from the automobile industry, building, and railroads. Leading producers have advanced prices on bars, plates, and shapes by about $1 per ton, which is similar to the steps taken by them in 1922 and 1927, which were successful in creating stability at that time and may have the same effect now.

Unemployment estimates are not authentic and range from three and one-half million to five million. Regardless of the total, it is too great and has seriously curtailed the public's buying power. In all parts of the country organizations are cooperating with Colonel Woods in Washington.

United States Steel, Bethlehem Steel, Standard Oil of New Jersey, according to reports, have definitely announced that they will not drop any more employees due to lack of work. We must, however, guard against doing anything that will lead to the disastrous "dole system," such as England is saddled with. Conditions require emergency relief over the winter months, but the American workmen do not want alms or dole; they want jobs, and its going to be up to all of us to do our share toward furnishing greater employment.

Car loadings, which are looked upon by statisticians as the barometer of our industrial activity, are still about 75 per cent of normal, while the amount of currency in circulation has materially increased, thus reflecting some improvement in retail trade, due to the approach of the holiday season and cooler weather.

Money is plentiful, because huge corporations that normally invest their surpluses in securities prefer to have cash in banks at a low rate of interest rather than speculate on what the immediate future has in store for business.

Millions of dollars are thus represented, and it is this huge buying power waiting to be released that will do more to bring back good times than anything.

The foreign situation is one that must not be overlooked because its bearing on our well-being is tremendous.

The further development of foreign markets for our products can only be done through a sympathetic understanding of the foreigner's problem. If we can not persuade him to do business our way then we must be prepared to do business his way and on his terms—that is, if we want to be a factor in the market. Cooperation financially as well as industrially will govern the volume of our foreign trade in the future and make no mistake about it a great deal of our future prosperity depends on a larger volume of foreign business.

The banking structure of our country has weathered the storm remarkably well with a few exceptions. This is due to cooperation all along the line and all efforts should be bent toward keeping our finances on an even keel during the uncertainties of the next few months.

Leading bankers everywhere are agreed on this, but there is a limit to the length that the fabric of our credit structure will stretch and this is deserving of our immediate consideration.

The picture as painted by the foregoing high spots while not optimistically encouraging is nevertheless one that can be made a whole lot brighter than it appears on the surface. How can we accomplish this?

Mentally our business men are somewhat fatigued; some who were leaders in times of prosperity openly admit that they do not know now which way to turn, so rather than take a chance on their own judgment, which no doubt is as good to-day as it ever was, they take the apparently safe course and do nothing. This causes business stagnation.

Most of us are our own worst enemies. Grab your imagination and will power by the back of the neck and sit down and have a talk with yourself. What are you doing to make conditions better—can you name one constructive thing that you have done to help the situation during the past week or have you really been a slacker and depended on your fellow men to hold the front-line trenches? There isn't a person in the world whose condition or fortune, whether good or bad, could not be much worse. Just look around you now and be thankful for what you have—you might have less. Take a trip down through the slums of any large city; get your nose close to what some of your fellow men have to call living, and then just remember that after all you, too, are just flesh and blood the same as they, with desires, love, and ideals perhaps a little more refined or a little more highly developed, but just simply human after all with a heart that knows sorrow and is searching for happiness.

A professor of Yale recently estimated that the world was several million years old—compare that to the short span of a lifetime and we realize that we haven't much time in which to accomplish that which we set out to do, and above all for the privilege of living on this old earth we owe something to our fellow men.

Let's cooperate—give our mental attitude a thorough house cleaning—start with a new perspective and remember that we are "all in the Army now" and there must be no slackers.

It has not been so long since America was embroiled in the throes of a great war for justice. To-day we again find ourselves in the midst of another war; this time it is an economic war that will decide whether the present standard of living of the American workman, which is the highest in the world, shall be continued. Our industrial supremacy is threatened by foreign competition, and to meet this we are completely disorganized.

This situation is not hopeless, but it requires immediate action to place American business back on an even keel.

If Russia, Italy, France, Germany, England, or any other world power threatens us with an economic war let's set our own economic machine in order and fight them in true American economic fashion.

It is up to America to lead this march of progress, and our first step should be to mobilize American industry into one coordinated, well-regulated machine.

It is the old story that in "union there is strength," and individual effort without regard to effect on others is worse than none at all.

The best way to organize this effort would be for Congress to appropriate a sufficient sum to create a "bureau of business," in which labor and farming shall be equally represented. At the head of this should be a director, and that man should be one of our outstanding organizers, capable of earning $100,000 a year or more. Not a politician and with no entangling political alliances, but a fearless person whose training and ability qualifies him to coordinate all of our business and industrial activities. In other words, a man with a reputation for doing things in a big way. He should be one who would command the respect of business and also labor and farming, one in whom confidence could justly be placed. Just as in the World War, such a man may have to be drafted from industry; but big business could well afford to release him for this more important responsibility.

Once placed in charge the director of the "Bureau of Business" should be responsible only to the President of the United States. He would immediately surround himself with an advisory board to be designated perhaps as the "Business Council" and to consist of leaders in their respective business whose duty it would be to organize each industry. This could be accomplished through simultaneous conferences at which the best brains and ability in industry, farming, and labor would be present. These conferences would be asked to make definite recommendations from a practical standpoint for overcoming difficulties with which their particular business is now confronted. While these meetings are in progress the best qualified executives drafted from business and industry would be dispatched to various foreign countries with sufficient assistants to make a first-hand survey of actual conditions that would effect American industry from an economic standpoint. Within 30 to 60 days sufficient information would be assembled at headquarters here in the United States to enable the beginning of the development of a definite foundation upon which could be firmly established a plan for the future of American business and American labor.

From this time on American business would then have a sort of clearing house for definite up-to-the-minute first-hand information, because since this organization would be permanent it would always have its hands on the pulse of trade in the four corners of the world.

The whole country is now in a particularly advantageous position to welcome a real leader that would show us how, by practical deeds and not words or theory, to perpetuate American leadership. Such a man would stimulate greater industrial effort—promote and insure closer cooperation and effect great economy and efficiency, and in the end create more jobs for American labor.

We have in our country many of the greatest and most capable engineers, merchants, manufacturers, bankers, and business men, all of whom should be molded into one great team or organization working with one thought in mind—the perpetuation of American leadership in all walks of life and the maintenance of the standard of living of the American workman.

To accomplish this, of course, it is assumed that our public-spirited Senators and Congressmen would have to forget politics and consider this subject from an "all-American" angle.

We are on the threshold of the greatest opportunity that this country or any of us individually ever had. The year of 1931 will [illegible]st likely witness the end of the present depression if past recor[illegible] of similar periods may be used as a yardstick—new leaders in business, banking, and industry will spring up to take their places alongside former financiers and captains of industry, but they will be those who have the vision and courage to prepare now for those great opportunities which inevitably follow a depression.

America must wake up. Our resources should be mobilized under the competent leadership of a citizen director who will marshal our forces in such a manner as to restore confidence at home and abroad. The world is waiting for America to lead the way and there is no time for further procrastination; that is, if we value and want to keep that which we now have.

WASHINGTON AND ITS APPROACHES

Mr. SNOW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by having printed therein a short editorial from the current issue of the Saturday Evening Post relating to the northerly approaches to the city of Washington. It is a short editorial.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. SNOW. Mr. Speaker, under the leave to extend my remarks in the RECORD I include a very veracious, interesting, and timely editorial appearing in the current issue of the Saturday Evening Post:

[From the Saturday Evening Post, December 20, 1930]

The physical aspect of Washington, the Nation's Capital, is characterized by charm, grace, and sheer magnificence. Commission after commission has sought with an ever-mounting degree of success to beautify the city. George Washington conceived it originally and a talented French engineer officer made the first plans on a noble scale. One President after another has given a really unstinted enthusiasm to the project and Congress has been anything but niggardly in appropriating funds for vast and ornamental public buildings. In recent years two able men, Senator SMOOT and Secretary Mellon, have been especially interested in forwarding the mighty building program. Meanwhile the pattern of parks, monuments, boulevards, highways, and bridges has taken an ever-finer shape.

It is a commonplace to say that the automobile has transformed modern life. Is it ten or fifteen million people who go touring every summer? The exact number does not matter; we all know that the country is covered with motor travelers, not only in summer but throughout the year. The Capital gets its share of them—make no mistake about that—and justly so. They go there by individuals and in groups, in delegations, and in swarms. There are school children, college students, and conventions of adults of every conceivable description, in addition to plain citizens who have no badges on them, but who are out to see the sights. They go to see the White House, Congress in session, the Supreme Court, the Washington Monument, the Lincoln Memorial, Mount Vernon, and a hundred other points of interest.

Multitudes of these go by train, but other and increasing throngs reach the Capital by the highways. No one will pretend that railroad entrances to most of our large cities are things of beauty. But there is some excuse for these dull, sordid approaches. In the first place, they represent mostly a very old development, when life was on a simpler scale and there was not the recognized necessity of preventing ugliness that now exists. In the second place, the railroads must touch heavy industries, and, besides, they have their own necessary accompaniment of freight depots, roundhouses, warehouses, and the like.

There is no such excuse for the character of so many of the main automobile entrances to our cities. If the main approach to Washington from the north be taken as an example, it is a wonder that tourists do not turn about and return to their homes. In the first place, there exists for many, many miles a perfect chaos of billboards. These include not only what are technically known as poster boards, which are usually the larger and more regular forms of outdoor advertising, but also an endless and utterly bewildering array of snipe, or smaller, signs.

The defacement of the route is so complete, the signs are so overdone, they are so numerous, that it is impossible to see how the advertising can have any effect. Moreover, what space is not covered by signs is given over to hot-dog stands, service stations, and other outfits which, generally speaking, add to the prevailing feeling of gloom.

In one large State which does not adjoin the District of Columbia more than 32,000 signs, many of them wholly illegal, were removed in a few weeks' time in July of this year. In this particular State the Outdoor Advertising Association, as well as the State highway department, has been instrumental in removing illegal signs.

What a travesty that one can not reach the Nation's Capital by main highway from the most thickly settled part of the country without passing through so much which is ugly!

It is true that officials of the District of Columbia have no jurisdiction outside the borders of the District. But are there no arguments, no forms of persuasion which Federal commissions and dignitaries can bring to bear which will make neighboring States less lax?

Washington is like a magnificently dressed queen with dirty finger nails and down-at-the-heels, muddy shoes. It will never, it can never be a beautiful city until it is entered by ways that are at least dignified and decently free from actual defacement.

THE LATE SENATOR FRANK L. GREENE

The SPEAKER. Without objection, the Chair will appoint in place of the gentleman from Pennsylvania, Mr. RANSLEY, as a member of the funeral committee for the late Senator FRANK L. GREENE the gentleman from Illinois, Mr. ALLEN, and the Clerk will so inform the Senate.

There was no objection.

The SPEAKER. Without objection, the Chair will add to the funeral committee for the late Senator GREENE the name of the gentleman from Michigan, Mr. KETCHAM, and the Clerk will so inform the Senate.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CHASE, at the request of Mr. LEECH, indefinitely, on account of illness.

DROUGHT-RELIEF LEGISLATION

Mr. TILSON. Mr. Speaker, I ask unanimous consent that the conferees of the House on the joint resolution (S. J. Res. 211) for the relief of farmers in the drought and/or storm stricken areas of the United States may have until midnight to-night to file a conference report for printing under the rule.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that the conferees on the joint resolution (S. J. Res. 211) may have until 12 o'clock to-night to file a conference report for printing under the rule. Is there objection?

Mr. GARNER. Reserving the right to object, Mr. Speaker, I take it that if the conference report is completed and filed before midnight to-night it is the purpose of the gentleman from Connecticut to take it up to-morrow for consideration?

Mr. TILSON. That is my purpose, and it is hoped that the conferees may arrive at a conclusion to-night. If so, we should like to have it printed under the rule so that it will be in order to-morrow.

Mr. GARNER. If the gentleman succeeds in having that conference report adopted to-morrow, I take it it is the purpose of the gentleman to introduce a resolution providing for recess from Saturday afternoon?

Mr. TILSON. I am informed that such a resolution will come from the other end of the Capitol in case there is a probability of being able to recess at that time.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

The conference report and statement is as follows:

ADJOURNMENT

Mr. DICKINSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 1 minute p. m.) the House adjourned until to-morrow, Friday, December 19, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Friday, December 19, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON COINAGE, WEIGHTS, AND MEASURES

(10 a. m.)

To authorize the Secretary of the Treasury to prepare and manufacture a medal in commemoration of the one hundred and fiftieth anniversary of the surrender of Lord Cornwallis at Yorktown, Va., and of the establishment of the independence of the United States (H. R. 14271).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

733. A communication from the President of the United States, transmitting a supplemental estimate of appropriation pertaining to the legislative establishment under the Architect of the Capitol for the fiscal year 1931 in the sum of $4,000 (H. Doc. No. 696); to the Committee on Appropriations and ordered to be printed.

734. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on preliminary examination of Gary Harbor and Canal, Ind.; to the Committee on Rivers and Harbors.

735. A letter from the Public Printer of the United States, transmitting report of an accumulation of papers which are not needed in the transaction of public business and have no permanent value or historical interest; to the Committee on Disposition of Useless Executive Papers.

736. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on

preliminary examination of Trent River, from Trenton to Tuckahoe Bridge, N. C.; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WOOD: Committee on Appropriations. H. R. 15359. A bill making an additional appropriation to carry out the provisions of the agricultural marketing act, approved June 15, 1929; without amendment (Rept. No. 2115). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOOD: Committee on Appropriations. H. J. Res. 444. Joint resolution making an appropriation to supply a deficiency in the appropriation for the fiscal year 1931 for expenses of special and select committees of the House of Representatives; without amendment (Rept. No. 2116). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEAVITT: Committee on Irrigation and Reclamation. H. R. 14056. A bill to amend the act approved March 2, 1929, entitled "An act to authorize the disposition of unplatted portions of Government town sites on irrigation projects under the reclamation act of June 17, 1902, and for other purposes; with amendment (Rept. No. 2118). Referred to the Committee of the Whole House on the state of the Union.

Mr. DEMPSEY: Committee on Rivers and Harbors. H. J. Res. 441. A joint resolution amending section 1 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 3, 1930, relating to the Monongahela River, Pa.; without amendment (Rept. No. 2119). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SCHAFER of Wisconsin: Committee on Claims. H. R. 8613. A bill to adjudicate the claim of Knud O. Flakne, a homestead settler on the drained Mud Lake bottom, in the State of Minnesota; with amendment (Rept. No. 2117). Referred to the Committee of the Whole House.

Mr. WURZBACH: Committee on Military Affairs. H. R. 6073. A bill for the relief of Daniel Whipple; with amendment (Rept. No. 2120). Referred to the Committee of the Whole House.

Mr. COLTON: Committee on the Public Lands. H. R. 14442. A bill for the relief of certain settlers and claimants within the limits of the grant of land to the Atlantic & Pacific Railroad Co. in the State of New Mexico, and for other purposes; without amendment (Rept. No. 2121). Referred to the Committee of the Whole House.

Mr. RANSLEY: Committee on Military Affairs. H. R. 14727. A bill for the relief of Frank Fanning; without amendment (Rept. No. 2122). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 13703) granting an increase of pension to Johanna Moss, and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROWNE: A bill (H. R. 15422) withdrawing War Department aid from military courses in high schools, amending the act of June 4, 1920, entitled "An act to amend an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,'" approved June 3, 1916, and to establish military justice, be and the same is hereby amended so that the same shall not apply to high schools and secondary schools other than essentially military schools; to the Committee on Military Affairs.

By Mr. CARTER of California: A bill (H. R. 15423) to provide for plant and cereal patents; to the Committee on Patents.

By Mr. CHRISTOPHERSON: A bill (H. R. 15424) to prohibit the purchase of butter substitutes for eating purposes; to the Committee on Agriculture.

By Mr. CULKIN: A bill (H. R. 15425) to authorize appropriations for construction at Madison Barracks, N. Y.; to the Committee on Military Affairs.

Also, a bill (H. R. 15426) to authorize appropriations for construction at Fort Ontario, N. Y.; to the Committee on Military Affairs.

Also, a bill (H. R. 15427) for the purchase of land as an artillery range at Fort Ontario, N. Y.; to the Committee on Military Affairs.

By Mr. IRWIN: A bill (H. R. 15428) to provide for the settlement of claims against the United States on account of property damage, personal injury, or death; to the Committee on Claims.

By Mr. JOHNSON of Washington: A bill (H. R. 15429) to create a board of local inspectors, Steamboat Inspection Service, at Tacoma, Wash.; to the Committee on the Merchant Marine and Fisheries.

By Mr. EVANS of Montana: A bill (H. R. 15430) to provide for a duty on copper and certain copper products; to the Committee on Ways and Means.

By Mr. RANKIN: A bill (H. R. 15431) to amend the World War veterans' act 1924; to the Committee on World War Veterans' Legislation.

By Mr. SINCLAIR: A bill (H. R. 15432) to amend the Federal highway act; to the Committee on Roads.

By Mr. SPROUL of Illinois: A bill (H. R. 15433) granting the consent of Congress to the State of Illinois to construct, maintain, and operate a free highway bridge across the Little Calumet River on South Halsted Street at One hundred and thirtieth Street, in Cook County, State of Illinois; to the Committee on Interstate and Foreign Commerce.

By Mr. REID of Illinois: A bill (H. R. 15434) granting the consent of Congress to the State of Illinois to construct, maintain, and operate a free highway bridge across the Fox River at Algonquin, in McHenry County, State of Illinois; to the Committee on Interstate and Foreign Commerce.

By Mr. RAMSPECK: A bill (H. R. 15435) to authorize an appropriation of $1,500,000 to enable the Administrator of Veterans' Affairs to provide hospital facilities in Georgia; to the Committee on World War Veterans' Legislation.

By Mr. HALE: A bill (H. R. 15436) providing compensation and hospitalization for enlisted men of the Naval Reserve when injured in the line of duty; to the Committee on Naval Affairs.

By Mr. JAMES of Michigan: A bill (H. R. 15437) to authorize appropriations for construction at Tucson Field, Tucson, Ariz., and for other purposes; to the Committee on Military Affairs.

By Mr. SPROUL of Illinois: Resolution (H. Res. 325) requesting the Postmaster General to withdraw his request for a change in certain postal rates; to the Committee on the Post Office and Post Roads.

By Mr. McKEOWN: Joint resolution (H. J. Res. 446) authorizing the President of the United States in his discretion to lay an embargo against the importation of crude and refined oil for sale in continental United States; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ACKERMAN: A bill (H. R. 15438) granting a pension to Martha Peer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15439) granting an increase of pension to Emily S. Cravens; to the Committee on Invalid Pensions.

By Mr. BACHARACH: A bill (H. R. 15440) granting a pension to Ida Herman; to the Committee on Invalid Pensions.

By Mr. BACHMANN: A bill (H. R. 15441) granting a pension to Ida B. Grimes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15442) granting an increase of pension to Barbara Etta Weekley; to the Committee on Invalid Pensions.

By Mr. BRAND of Georgia: A bill (H. R. 15443) for the relief of Addie H. Malloy; to the Committee on Claims.

By Mr. BRAND of Ohio: A bill (H. R. 15444) for the relief of George Raymond McClary; to the Committee on Naval Affairs.

By Mr. CHASE: A bill (H. R. 15445) granting an increase of pension to Edna M. Garrity; to the Committee on Pensions.

By Mr. DAVENPORT: A bill (H. R. 15446) granting a pension to Barbara Burnett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15447) granting an increase of pension to Parthena S. Tennant; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15448) granting an increase of pension to Florence M. French; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15449) granting a pension to Mary Blair; to the Committee on Invalid Pensions.

By Mr. EVANS of Montana: A bill (H. R. 15450) for the relief of A. K. Resner; to the Committee on Claims.

By Mr. HOGG of Indiana: A bill (H. R. 15451) granting a pension to Elizabeth Nye; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15452) for the relief of William G. Mehringer; to the Committee on Claims.

Also, a bill (H. R. 15453) granting an increase of pension to Lydia A. Espich; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15454) granting a pension to Chelsie L. Dougherty; to the Committee on Invalid Pensions.

By Mr. HOOPER: A bill (H. R. 15455) granting a pension to Maude Holmes; to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 15456) granting an increase of pension to Mary F. June; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Indiana: A bill (H. R. 15457) for the relief of George R. Stringer; to the Committee on Claims.

Also, a bill (H. R. 15458) for the relief of Raymond Crosby; to the Committee on Claims.

By Mr. KEARNS: A bill (H. R. 15459) granting an increase of pension to Malinda Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15460) granting an increase of pension to Martha A. Breeding; to the Committee on Invalid Pensions.

By Mr. KIEFNER: A bill (H. R. 15461) granting a pension to Minnie Dean; to the Committee on Invalid Pensions.

By Mr. KORELL: A bill (H. R. 15462) for the relief of Thomas E. Read, otherwise known as Thomas Griffiths; to the Committee on Military Affairs.

By Mrs. LANGLEY: A bill (H. R. 15463) granting a pension to Mrs. Allen C. Hyden; to the Committee on Invalid Pensions.

By Mr. LUDLOW: A bill (H. R. 15464) granting a pension to Jane Wade Donahoe; to the Committee on Pensions.

Also, a bill (H. R. 15465) granting a pension to Minnie S. Rushton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15466) granting an increase of pension to Hannah Sims; to the Committee on Invalid Pensions.

By Mr. MOONEY: A bill (H. R. 15467) granting a pension to Florence G. Schultz; to the Committee on Pensions.

By Mr. MOUSER: A bill (H. R. 15468) granting an increase of pension to Roxanna Jane Turner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15469) granting an increase of pension to Amanda E. Larick; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 15470) granting an increase of pension to Jennie A. Wildy; to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 15471) granting an increase of pension to Mary Schmidt; to the Committee on Invalid Pensions.

By Mr. ROWBOTTOM: A bill (H. R. 15472) granting an increase of pension to Amanda E. Wheeler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15473) granting an increase of pension to Sarah Ellen Knowles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15474) granting an increase of pension to America Drake; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15475) granting a pension to William B. Masterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15476) granting a pension to Mary E. McLaughlin; to the Committee on Invalid Pensions.

By Mr. RUTHERFORD: A bill (H. R. 15477) granting a pension to Ella Sullivan; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 15478) for the relief of Lynn Brothers Benevolent Hospital; to the Committee on Claims.

Also, a bill (H. R. 15479) for the relief of Delora Freeland; to the Committee on Claims.

By Mr. STRONG of Kansas: A bill (H. R. 15480) granting a pension to Emma Straub; to the Committee on Pensions.

By Mr. UNDERWOOD: A bill (H. R. 15481) granting an increase of pension to Matilda M. Sidwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15482) granting an increase of pension to Margaret C. Hitchcock; to the Committee on Invalid Pensions.

By Mr. VINSON of Georgia: A bill (H. R. 15483) to authorize the President to reinstate George L. Brittingham, formerly second lieutenant, United States Cavalry, in the Army; to the Committee on Military Affairs.

By Mr. WIGGLESWORTH: A bill (H. R. 15484) granting a pension to Margaret Pierson; to the Committee on Invalid Pensions.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 15485) granting an increase of pension to Margaret Smith; to the Committee on Invalid Pensions.

By Mr. WOOD: A bill (H. R. 15486) for the relief of William H. Howe; to the Committee on Claims.

By Mr. YON: A bill (H. R. 15487) for the relief of Harry Manning Lee; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8296. By Mr. BACHMANN: Petition of the American citizens of Ukrainian descent in Wheeling and in surrounding localities of West Virginia and Ohio residing, at a mass meeting assembled on Sunday, December 7, 1930, resolved to protest against the Polish barbarism, atrocities, and ravages officially perpetrated by the Polish governmental troops and police on the aboriginal Ukrainian population in east Galicia and in other Ukrainian regions of western Ukraine now under the Polish occupation; to the Committee on Foreign Affairs.

8297. By Mr. BOYLAN: Resolutions adopted by the New York Conservation Association, of Cornell University, Ithaca, N. Y., favoring increase in Federal appropriations for forestry work; to the Committee on Appropriations.

8298. Also, resolutions unanimously adopted by board of directors of the Maritime Association of the Port of New York, petitioning the Secretary of War to give due consideration to the requirements of our shipping using the canal and urging that early action be taken to increase the hours of operation on the Panama Canal; to the Committee on Interstate and Foreign Commerce.

8299. By Mr. BRUNNER: Petition of the Grand Aerie, Fraternal Order of Eagles, petitioning the Senate of the United States and the House of Representatives to provide

for the creation of a Federal industrial commission having all powers necessary to deal with the economic problems that underlie unemployment in any and all fields of industry, agriculture, and commerce; to the Committee on the Judiciary.

8300. By Mr. CULLEN: Petition of the board of directors of the Maritime Association of the Port of New York, urging the Secretary of War to give due consideration to the requirements of our shipping using the Panama Canal, and urging that early action be taken to increase the hours of operation; to the Committee on Interstate and Foreign Commerce.

8301. Also, petition of Sons of the Revolution in the State of New York, urging a suitable appropriation to acquire land in the town of New Windsor, Orange County, N. Y., to erect a perpetual memorial to George Washington; to the Committee on Military Affairs.

8302. Also, petition of Military Order of the World War, favoring legislation which will bring about an adequate increased pay and allowances for our Army, Navy, Marine Corps, and allied services; and also favoring a program of universal draft in time of national emergency, which will include both industry and manpower; to the Committee on Military Affairs.

8303. Also, petition of Military Order of the World War, advocating an adequate national defense policy by the Federal Government, with sufficient appropriations for the placing and maintenance of the Navy on the basis of the London naval treaty, an adequate Regular Army, National Guard, Organized Reserves, Reserve Officers' Training Corps, and citizens' military training camps; to the Committee on Military Affairs.

8304. Also, petition of Military Order of the World War, urging the Congress of the United States to enact such laws as will prevent the spread of propaganda by communists and the abuse of free speech by treasonable utterances, and also urging that all authorities in charge of educational activities in the United States be urged to require of all teachers that they swear allegiance to the United States and its Constitution by an oath in writing; to the Committee on the Judiciary.

8305. Also, petition of Board of Commissioners of Pilots of the State of New York, seeking an early appropriation by Congress of the necessary funds to permit of the acquirement by construction or otherwise of additional vessels of a suitable type to enable the captain of the port to meet the demands for a more efficient patrol and supervision over the waters of the harbor, together with the addition of the personnel necessary to operate the same; to the Committee on the Merchant Marine and Fisheries.

8306. Also, petition of New York State Conservation Association, urging favorable consideration of items in the appropriation bill for the United States Department of Agriculture for 1931–32 that provide for the work of the northeastern forest experiment station, and also urges most strongly that Congress provide necessary increase in Federal appropriation for the suppression of the gypsy moth; to the Committee on Appropriations.

8307. By Mr. GARBER of Oklahoma: Petition of Western States Aeronautics Association, suggesting creation of Federal-State airway system; to the Committee on Interstate and Foreign Commerce.

8308. Also, petition of Bernard Gill Post, No. 16, of the American Legion, State of Oklahoma, indorsing immediate reissuing of World War adjusted-service certificates in negotiable bonds; to the Committee on Ways and Means.

8309. Also, petition of the Oklahoma State Association of Master Plumbers, indorsing the Capper-Kelly fair trade bill; to the Committee on Interstate and Foreign Commerce.

8310. Also, petition of Fred W. Bacher, indorsing legislation to put Muscle Shoals into immediate operation; to the Committee on Military Affairs.

8311. By Mr. HESS: Petition of various residents of Cincinnati, Ohio, requesting the early passage of House bill 7884, as reported by the Committee on the District of Columbia; to the Committee on the District of Columbia.

8312. By Mr. O'CONNOR of New York: Resolution of the New York State Waterways Association, in opposition to transfer of all or any part of the State canal system of New York under the terms and conditions set forth in the rivers and harbors act of 1930, and urging its repeal, and also opposing all negotiations therefor until it has been repealed; to the Committee on Rivers and Harbors.

8313. Also, resolutions of the board of directors of the Maritime Association of New York, urging 24-hour operation of the Panama Canal; to the Committee on Interstate and Foreign Commerce.

8314. By Mr. ROMJUE: Petition of merchants of Edina, Mo., urging the passage of the Capper-Kelly bill; to the Committee on Interstate and Foreign Commerce.

8315. By Mr. SANDLIN: Petition of veterans of the World War of Mansfield, Cedar Grove, Arcadia, and Minden, La., concerning proposed legislation to pay adjusted-compensation certificates in cash; to the Committee on Ways and Means.

8316. Also, petition signed by veterans of the World War of Logansport, Plain Dealing, Spring Hill, and Oil City, La., concerning proposed legislation to pay adjusted-compensation certificates in cash; to the Committee on Ways and Means.

8317. By Mr. SMITH of West Virginia: Resolution of officers and members of Pocahontas County Post, No. 50, American Legion, of Marlinton, W. Va., favoring the enactment of legislation providing for payment of soldiers' adjusted certificates in cash; to the Committee on Ways and Means.

8318. By Mr. TEMPLE: Petition of American Legion Post, No. 165, Bentleyville, Pa., urging the passage of legislation providing for the payment of the adjusted-compensation certificates; to the Committee on Ways and Means.

SENATE

FRIDAY, DECEMBER 19, 1930

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, who through Thy blessed Son hast taught us when we pray to say "Our Father," as we enter Thy very audience chamber, where we take refuge from the worthlessness of the world and the baseness of our own hearts; comfort us, though the air of the world be tremulous with anguish, with the assurance that prayer is helplessness casting itself on power, it is misery seeking peace, it is hatred desiring love. Satisfy us, as we feel the insufficiency of our mortal life, with the knowledge that prayer is corruption panting for immortality, it is the eagle soaring heavenward, it is the dove returning home. Empower us, though sin enthralls and buffeting cares oppress, with the confidence that prayer is the prisoner pleading for release, it is the mariner steering for the haven amid the dangerous storm, it is the soul escaping to the empyrean, bathing its ruffled plumage in the ethereal and the divine.

Hear us for the sake of Him in whom mercy and truth have met together, righteousness and peace have kissed each other, Jesus Christ, Thy Son, our Lord. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

SENATOR FROM NEW HAMPSHIRE

The VICE PRESIDENT laid before the Senate the credentials of HENRY W. KEYES, chosen a Senator from the State of New Hampshire for the term commencing March 4, 1931, which were read and ordered to be filed, as follows:

STATE OF NEW HAMPSHIRE,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November, 1930, HENRY W. KEYES was duly chosen by the qualified electors of the State of New Hampshire a Senator from said State to represent said

State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1931.

Witness: His excellency our governor, Charles W. Tobey, and our seal hereto affixed at Concord, this 15th day of December, A. D. 1930.

CHAS. W. TOBEY, *Governor.*

By the governor, with advice of the council.

[SEAL.] ENOCH D. FULLER, *Secretary of State.*

AMOUNT OF MONEY IN CIRCULATION (S. DOC. NO. 233)

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, in response to Senate Resolution 367, requesting information showing the amount of money in circulation in the United States for the years 1919, 1920, and including each succeeding year up to 1930, which, with the accompanying papers, was ordered to lie on the table and to be printed.

TRIBUTE TO THE LATE SENATOR OVERMAN

Mr. TYDINGS. Mr. President, I ask unanimous consent to have printed in the RECORD a tribute by Mrs. George F. Richards to former Senator OVERMAN, which appeared in the Worcester Gazette of December 15, 1930.

The VICE PRESIDENT. Without objection, it is so ordered.

The tribute is as follows:

For many a year I have sat in the press gallery, and during that time have witnessed scenes of sorrow and even tragedy, but never have I seen such genuine and widespread evidence of affection and emotion as shown when the announcement of the death of Senator OVERMAN, of North Carolina, was made. His friend and colleague of 25 years' standing, Senator SIMMONS, of North Carolina, rose and told of his death; then began to read a resolution of regret. As he went on his voice grew weaker, a long pause followed, then with tears streaming from his eyes, Mr. SIMMONS was heard to murmur, "I can not finish it," and a page quickly stepped to his side, took the resolution to the desk, where it was read by the clerk of the Senate.

Was Senator SIMMONS the only man present whose eyes were moist or whose tears overflowed? He was not. Many a Senator classed by the public as "hard boiled" made no attempt to conceal his grief; many a Senator whose political crust is hard as steel was seen with tears coursing down his cheeks. For Senator OVERMAN was beloved by them all, regardless of political affiliation.

You see Mr. OVERMAN was a "gentleman of the old school." He never appeared on the floor of the Senate except in a black frock coat; he never failed in kindly, friendly courtesy, no matter under what provocation. His service in Congress for nearly 30 years had been ever marked with bright gold stars of integrity and good faith. His friendliness, courtesy, and never-failing kindness were inbred. And that every Senator loved him was shown plainly by their tense silence, bowed heads, and welling tears, when the announcement of his death was read.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution adopted by Rogers Chapter No. 4, Disabled American Veterans of the World War, Washington, D. C., favoring the prompt payment in full of adjusted-service certificates of ex-service men, which was referred to the Committee on Finance.

He also laid before the Senate resolutions adopted by the Pender (Nebr.) Chamber of Commerce, favoring the passage of special legislation for the relief of distressed Indians on the Omaha and Winnebago Reservations, Nebr., which were referred to the Committee on Indian Affairs.

He also laid before the Senate resolutions adopted by the Mahoning County (Ohio) Chapter, Reserve Officers' Association of the United States of America, favoring the passage of legislation outlawing the Communist Party in America, immediately expelling all alien members of the Communist Party or any alien communists, and providing that no products or goods made in or imported from Soviet Russia be allowed to enter the United States, which were referred to the Committee on Immigration.

Mr. JONES presented a resolution adopted under the auspices of the Chelan County Woman's Temperance Union, of Wenatchee, Wash., praying for the passage of legislation providing for the Federal supervision of motion-picture films in interstate and foreign commerce, which was referred to the Committee on Interstate Commerce.

Mr. REED presented the petition of members of various departments of the social sciences in the University of Pittsburgh, Pa., praying for the ratification of the World Court protocols, which was referred to the Committee on Foreign Relations.

Mr. BROOKHART presented a petition of sundry citizens of Pleasantville, Iowa, praying for the prompt payment in cash of the adjusted-service certificates of ex-service men, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens and members of the Victory Lutheran Church, of Minneapolis, Minn., praying for the passage of the so-called Brookhart booking bill, relative to motion-picture films, which was referred to the Committee on Interstate Commerce.

Mr. WATERMAN presented a petition of sundry citizens of Durango and vicinity, in the State of Colorado, praying for the prompt passage of legislation restricting all immigration of whatever character for a period of not less than two years, which was referred to the Committee on Immigration.

He also presented a petition of sundry citizens of Durango and vicinity, in the State of Colorado, praying for the adoption of an amendment to the Constitution excluding aliens from the count of the whole number of persons in each State in apportioning Representatives among the several States according to their respective numbers, which was referred to the Committee on the Judiciary.

Mr. COPELAND presented a communication from the Board of Trade of Warwick, N. Y., which was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

WARWICK, N. Y., *December 16, 1930.*

Hon. ROYAL S. COPELAND,
United States Senate, Washington, D. C.

DEAR SENATOR: The following resolution was adopted by the Warwick Board of Trade unanimously, representing the interests of this community. This resolution is submitted to you for such consideration you may deem proper:

"Be it hereby resolved, That the Warwick Board of Trade go on record as favoring the passing of laws regulating the operation of revenue trucks and busses over the highways of this country; be it further

"Resolved, That a copy of this resolution be mailed to United States Senator ROYAL S. COPELAND and Congressman HAMILTON FISH, State Senator Thomas Desmond, and Assemblymen Rainey S. Taylor and William Lamont."

Yours most respectfully,

WARWICK BOARD OF TRADE,
FRED S. WORK, *Secretary.*

Mr. COPELAND also presented a letter from the city clerk of Niagara Falls, N. Y., which, with the accompanying paper, was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

NIAGARA FALLS, *December 16, 1930.*

Hon. ROYAL S. COPELAND,
United States Senator from the State of New York,
Senate Chamber, Washington, D. C.

DEAR SIR: At a meeting of the city council held December 15, 1930, the council adopted a resolution in favor of the construction of remedial works in the Niagara River for the purpose of improving the scenic grandeur of Niagara by insuring at all seasons unbroken crest lines on both the American and Canadian Falls, and, pursuant to said resolution, I am inclosing herewith a certified copy of the same.

The mayor stated, on the adoption of this resolution, that if the work was approved by the Federal Government it would furnish work to relieve the unemployment situation in this city.

Yours respectively,

GEO. J. RICKERT, *City Clerk.*

I hereby certify that the following resolution was adopted at a meeting of the council held December 15, 1930:

"Resolution

"Whereas the convention or treaty between the United States and Great Britain for the preservation and improvement of Niagara Falls and rapids, signed at Ottawa on January 2, 1929, and a protocol on the same day, which convention and protocol have been approved on the part of the Dominion of Canada, was transmitted to the Senate of the United States on or about January 21, 1929, for its action; and

"Whereas such treaty provides for the construction of remedial works in the Niagara River, for the purpose of improving the scenic grandeur of Niagara by insuring at all seasons unbroken crest lines on both the American and Canadian falls; and

"Whereas the Hydroelectric Power Commission of Ontario and the Niagara Falls Power Co. have offered to construct such remedial works under a plan permitting a temporary diversion during the winter season of additional water for power development to be used in power plants of said commission and company, respectively, which are not now in operation; and

"Whereas said convention and protocol are still pending before the Senate of the United States and are in the hands of the Foreign Relations Committee of said Senate:

"*Resolved*, That the City Council of the City of Niagara Falls respectfully requests said Foreign Relations Committee of the United States Senate to act favorably upon said convention and protocol at the earliest possible date, to the end that said work of improving the scenic grandeur of Niagara may be undertaken at an early date, not only because of the aesthetic benefits to be derived from such improvement, but also because the undertaking of such work would furnish useful employment for a large number of unemployed people at and near Niagara Falls, N. Y., and Niagara Falls, Ontario, and its consummation will afford an additional supply of electric energy at low rates for use during a portion of the year upon the business revival which this council expects will come in the near future.

"*Resolved*, That the City Council of the City of Niagara Falls, all of whose members are familiar with conditions at Niagara Falls, approves of said convention and protocol and adopts this resolution upon its own initiative, because of the great and many benefits which will be derived from the approval thereof and action in pursuance thereto.

"*Resolved*, That a certified copy of this resolution be transmitted to the Committee on Foreign Relations of the United States Senate, to the Hon. ROYAL S. COPELAND and the Hon. ROBERT F. WAGNER, Senators from the State of New York, and to the Hon. S. WALLACE DEMPSEY, Representative in Congress from this congressional district, with the request that such Senators and Representatives use all proper means to progress the approval of said convention and protocol."

Witness my hand and seal this 16th day of December, 1930.

[SEAL.] GEO. J. RICKERT, *City Clerk.*

Mr. COPELAND also presented a communication from the president of the United Brotherhood of Carpenters and Joiners of America, Niagara Falls, N. Y., which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA,
Niagara Falls, N. Y., December 17, 1930.

Hon. ROYAL S. COPELAND,
United States Senator.

HONORABLE SIR: At a meeting of the above local (500 members) I was instructed to forward the following resolutions:

"*Resolved*, That the Carpenters' Local Union, No. 322, of Niagara Falls, N. Y., strenuously protests against the importation of any goods that may be manufactured wholly or in part by convict labor; and be it further

"*Resolved*, That the officers of Carpenters' Local Union, No. 322, of Niagara Falls, N. Y., are hereby instructed to mail a copy of this protest to the United States Senators and Congressmen of New York, urging them to prevail upon the Department of the Treasury to enforce section 307 of the tariff act of 1930. A copy of this resolution also shall be forwarded to the Treasurer of the United States at Washington, D. C.

N. DECKAR, *President.*
WM. H. WOODALL,
Recording Secretary.

Mr. COPELAND also presented a communication from the secretary of the Maritime Association of the Port of New York, N. Y., which was referred to the Committee on Interoceanic Canals and ordered to be printed in the RECORD, as follows:

THE MARITIME ASSOCIATION OF THE PORT OF NEW YORK,
New York, December 13, 1930.

Hon. ROYAL S. COPELAND,
United States Senate, Washington, D. C.

DEAR SIR: I have the honor to transmit herewith resolutions unanimously adopted by the board of directors of the Maritime Association of the Port of New York at a regular monthly meeting held December 10, 1930, upon recommendation of the committee on steamship affairs:

"Whereas the annual report of Col. Harry Burgess, Governor of the Canal Zone, recently submitted to the Secretary of War, covers the operations of the Panama Canal for the fiscal year ending June 30, 1930; and

"Whereas the revenue from the canal for the past year, as shown in the report above referred to, is, with the exception of the year 1928, the largest in its history; and

"Whereas for several years past the canal has been operated on a 12-hour basis only; and

"Whereas as a result of this 12-hour suspension of traffic each day vessels arriving at the canal are frequently compelled to wait for the same to open, thereby greatly delaying their transit through the canal, with consequent monetary loss to shipowners and operators: Therefore be it

"*Resolved*, That the board of directors of the Maritime Association of the Port of New York respectfully petitions the Secretary of War to give due consideration to the requirements of our shipping using the canal, and urges that early action be taken to increase the hours of operation; that if it is not found to be practicable to return to the 24-hour basis formerly in effect, such extension of the hours of operation be granted as may be consistent with the engineering and maintenance problems of the canal, and as will serve to reduce to a minimum the delays and losses suffered by shipping as a result of curtailed operation of the waterway; and be it further

"*Resolved*, That copies of these resolutions be transmitted to the President of the United States, to the Secretary of War, and to the Members of Congress from the State of New York."

Very respectfully yours,

F. D. DENTON, *Secretary.*

RELIEF SITUATION IN INDIANA

Mr. WATSON. I present three telegrams for printing in the RECORD and reference to the Appropriations Committee.

There being no objection, the telegrams were referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

INDIANAPOLIS, IND., *December 16, 1930.*

Senator JAMES E. WATSON,
Senate Office Building, Washington, D. C.:

The unemployment situation in Indianapolis is well in hand through the cooperation of the community fund and other local agencies. We believe the President's recommendation for relief to be adequate.

W. H. INSLEY,
President Indianapolis Community Fund.

INDIANAPOLIS, IND., *December 16, 1930.*

Hon. JAMES E. WATSON,
Senate Office Building, Washington, D. C.:

Our best judgment is situation here now not as bad as in some previous periods of business reaction. Our plans to meet the situation this winter well in hand. Our employment stabilization commission, after functioning one year, has collaborated with employers in obtaining their best efforts to provide maximum employment and has urged permanent methods of relieving unemployment. The commission has also set in operation a program of emergency work, using regular charity funds in payment for work in public departments and on public projects that otherwise would not be carried out for lack of funds. Approximately 500 given three days' work this week in that manner and plans being expanded as rapidly as details can be arranged. City also cooperating with new projects requiring workmen, 100 having been employed this week. Our whole program of employment stabilization is of a constructive nature and, as a matter of fact, Indianapolis is one of a few cities handling the problem in this manner that have received favorable national comment and investigation. Community recently raised $890,000 for charity organizations. Charity work coordinated and we feel Indianapolis will fully meet needs of the situation this winter.

PAUL Q. RICHEY,
President Indianapolis Chamber of Commerce.

INDIANAPOLIS, IND., *December 17, 1930.*

Senator JAMES E. WATSON,
United States Senate:

The American Red Cross is well prepared for any duty that may arise in providing relief for sufferers from the drought in Indiana. A survey has been made; local committees have been appointed in each of the drought-stricken counties; and representatives of national headquarters are in readiness to direct relief work. There has not yet developed any need that they are not prepared to care for. The unemployment in cities and towns is rather serious, but not as bad as it has been at times in the past. There is more organized preparation than I have ever known before, and there has been more generosity than ever before. Plans for relief employment provide for increasing expenditure through winter months, and those in charge believe that they are better prepared to cope with situation than in distress periods of previous years.

WILLIAM FORTUNE.

RELIEF SITUATION IN NEW JERSEY

Mr. KEAN. I ask unanimous consent to have printed in the RECORD a telegram from John J. Roegner, mayor of the city of Passaic, N. J., showing that they have the unemployment situation well in hand, and also a telegram from Mr. John F. Murray, jr., of Newark, N. J., showing the same condition.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

PASSAIC, N. J., *December 19, 1930.*

Hon. HAMILTON F. KEAN,
United States Senate:

Telegram received concerning unemployment. Estimated number out of employment in city of Passaic 2,500. Mayor's community relief committee, Red Cross, poor department, schools, and other agencies have situation well in hand. Employment on the upgrade; distress and suffering at a minimum. City of Passaic maintains a municipal employment bureau, doing commendable work. I personally feel Passaic is in the front lines, doing more than its share to relieve unemployment, distress, and suffering caused by industrial and commercial depression. Senator, for your information, Passaic gets a black eye from the fact that the Passaic industrial center, as designated by the American Federation of Labor, includes in Bergen County, Garfield, Wallington, and Lodi, and Clifton in Passaic County. We are proud to know

that Passaic is in an excellent position. For its population of 63,108, the percentage of unemployment is negligible. A mayor's community relief committee is at present taking up a school census on unemployment and will later have this turned over to the police to verify accuracy of same.

Thanking you for calling this to our attention and wishing you the compliments of the season.

JOHN J. ROEGNER, *Mayor.*

NEWARK, N. J., *December 19, 1930.*

Hon. HAMILTON F. KEAN:

Your wire 18th. Newark handling unemployment relief capably. We find by house-to-house canvass about 9,000 out of work. Families being aided through poor and alms number some 4,700. They are getting ample aid and not suffering. City employing 3,000 on public work who went to work only last week. Unemployment due substantially to reduced production in industry and lessening of business in many lines of merchandising.

JOHN F. MURRAY, Jr.

REPORTS OF COMMITTEES

Mr. DALE, from the Committee on Commerce, to which was referred the bill (H. R. 13130) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Bogue Chitto River between Sun and Bush, St. Tammany Parish, La., reported it without amendment and submitted a report (No. 1207) thereon.

He also, from the same committee, to which was referred the bill (S. 4803) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Atchafalaya River at or near Morgan City, La., reported it with amendments and submitted a report (No. 1208) thereon.

Mr. HAYDEN, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 5314) to amend the Federal highway act, reported it without amendment and submitted a report (No. 1209) thereon.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (H. R. 12571) to provide for the transportation of school children in the District of Columbia at a reduced fare, reported it with an amendment and submitted a report (No. 1210) thereon.

EXECUTIVE REPORTS

As in executive session,

Mr. BORAH, from the Committee on Foreign Relations, reported favorable Executive C, being a treaty with Norway exempting from military service or other act of allegiance certain nationals.

He also, from the same committee, reported favorably the following nominations:

George D. Andrews, jr., of Tennessee, now a Foreign Service officer, unclassified, and vice consul of career, to be also a secretary in the Diplomatic Service; and

Henry H. Balch, of Alabama, now a Foreign Service officer of class 4 and a consul, to be a counsel general.

The VICE PRESIDENT. The reports will be placed on the Executive Calendar.

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported favorably sundry post-office nominations.

The VICE PRESIDENT. The reports will be placed on the Executive Calendar.

ENROLLED BILL PRESENTED

Mr. GILLETT, from the Committee on Enrolled Bills, reported that on December 18, 1930, that committee presented to the President of the United States the enrolled bill (S. 2895) authorizing the bands or tribes of Indians known and designated as the Middle Oregon or Warm Springs Tribe of Indians of Oregon, or either of them, to submit their claims to the Court of Claims.

DEFICIENCY APPROPRIATION

Mr. JONES. From the Committee on Appropriations I report back favorably without amendment the joint resolution (H. J. Res. 444) making an appropriation to supply a deficiency in the appropriations for the fiscal year 1931 for expenses of special and select committees of the House of Representatives. It deals with the expenses of the House, as its title indicates. I ask unanimous consent for its immediate consideration.

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed, as follows:

Resolved, etc., That the sum of $45,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year 1931 for expenses of special and select committees authorized by the House of Representatives.

AGRICULTURAL MARKETING ACT

Mr. JONES. From the Committee on Appropriations I report back favorably without amendment the bill (H. R. 15359) making an additional appropriation to carry out the provisions of the agricultural marketing act, approved June 15, 1929.

This is a bill, as the title indicates, making an additional appropriation to carry out the provisions of the national marketing act of June 15, 1929. It provides for an additional $150,000,000 for the Federal Farm Board. I would like to ask unanimous consent for the immediate consideration.

The VICE PRESIDENT. Is there objection?

Mr. BORAH. I object to the unanimous-consent request.

The VICE PRESIDENT. Objection is made, and the bill will go to the calendar.

RELIEF OF FARMERS IN DROUGHT AND STORM AREAS—CONFERENCE REPORT (S. DOC. NO. 232)

Mr. McNARY submitted the following report, which was ordered to lie on the table and to be printed:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. J. Res. 211) for the relief of farmers in the drought and/or storm stricken areas of the United States having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with the following amendments:

On page 1, line 9, of said amendment strike out the word "of" and insert the words "incident to."

On page 2, line 11, of said amendment strike out the numerals "$30,000,000" and insert in lieu thereof "$45,000,000."

And the House agree to the same.

CHAS. L. MCNARY,
GEO. W. NORRIS,
E. D. SMITH,
Managers on the part of the Senate.

G. N. HAUGEN,
FRED S. PURNELL,
J. B. ASWELL,
Managers on the part of the House.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ROBINSON of Arkansas:

A bill (S. 5441) to assist in the organization of agricultural-credit corporations; to the Committee on Agriculture and Forestry.

A bill (S. 5442) for the relief of Isaac Pierce (with an accompanying paper); and

A bill (S. 5443) to authorize the Secretary of War to lease to the city of Little Rock portions of the Little Rock Air Depot, Ark.; to the Committee on Military Affairs.

A bill (S. 5444) granting a pension to Sarah Catherine Campbell (with accompanying papers); and

A bill (S. 5445) granting an increase of pension to Margaret A. Looney (with accompanying papers); to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 5446) for the relief of Marinius M. Londahl; to the Committee on Military Affairs.

By Mr. BROOKHART:

(By request.) A bill (S. 5447) to amend the national defense act, approved June 3, 1916, as amended, in respect to

compulsory military training; to the Committee on Military Affairs.

A bill (S. 5448) granting an increase of pension to Anna Kath (with accompanying papers); to the Committee on Pensions.

By Mr. GILLETT:

A bill (S. 5449) placing Cadet Adrian Van Leeuwen on the retired list of the Army; to the Committee on Military Affairs.

By Mr. WALSH of Montana:

A bill (S. 5450) granting an increase of pension to Isabelle Culbertson (with an accompanying paper); to the Committee on Pensions.

By Mr. ROBINSON of Indiana:

A bill (S. 5451) granting an increase of pension to Ann Lee (with accompanying papers); to the Committee on Pensions.

By Mr. BULKLEY:

A bill (S. 5452) granting an increase of pension to Lester L. Karns (with accompanying papers); and

A bill (S. 5453) granting a pension to Lucy C. West (with accompanying papers); to the Committee on Pensions.

By Mr. JONES:

A bill (S. 5454) granting a pension to Susan T. Clark (with accompanying papers); to the Committee on Pensions.

By Mr. DALE:

A bill (S. 5455) to authorize an additional appropriation of $7,500 for the completion of the acquisition of land in the vicinity of and for use as a target range in connection with Fort Ethan Allen, Vt.; to the Committee on Military Affairs.

By Mr. BROUSSARD:

A bill (S. 5456) to extend the time for construction of a free highway bridge across the Sabine River where Louisiana Highway No. 21 meets Texas Highway No. 45;

A bill (S. 5457) authorizing the State of Louisiana and the State of Texas to construct, maintain, and operate a free highway bridge across the Sabine River where Louisiana Highway No. 6 meets Texas Highway No. 21; and

A bill (S. 5458) authorizing the State of Louisiana and the State of Texas to construct, maintain, and operate a free highway bridge across the Sabine River where Louisiana Highway No. 7 meets Texas Highway No. 7; to the Committee on Commerce.

By Mr. COPELAND:

A bill (S. 5459) to amend section 177 of the Judicial Code; to the Committee on the Judiciary.

A bill (S. 5460) for the relief of Lieut. Philip Egner;

A bill (S. 5461) to authorize appropriations for construction at Madison Barracks, N. Y.;

A bill (S. 5462) for the purchase of land as an artillery range at Fort Ontario, N. Y.;

A bill (S. 5463) to authorize appropriations for construction at Fort Ontario, N. Y.; and

A bill (S. 5464) authorizing the Secretary of War to reconvey to the State of New York a portion of the land comprising the Fort Ontario Military Reservation, N. Y.; to the Committee on Military Affairs.

By Mr. CAPPER:

A bill (S. 5465) to amend section 586c of the act entitled "An act to amend subchapter 1 of chapter 18 of the Code of Laws for the District of Columbia relating to degree-conferring institutions, approved March 2, 1929; to the Committee on the District of Columbia.

By Mr. KING:

A bill (S. 5466) making an appropriation for fuel-research work by the Bureau of Mines at Salt Lake City, Utah; to the Committee on Appropriations.

By Mr. GEORGE:

A bill (S. 5467) to amend an act for the relief of Augusta Cornog, approved May 29, 1928; to the Committee on Claims.

By Mr. BRATTON:

A bill (S. 5468) granting an increase of pension to Candalaria S. de Chavez; to the Committee on Pensions.

By Mr. HARRIS:

A bill (S. 5469) for the relief of R. Y. S. Hunnicutt; and

A bill (S. 5470) for the relief of the widow of John Curtis Staton; to the Committee on Claims.

By Mr. SHORTRIDGE:

A bill (S. 5471) for the relief of Clifton H. Cantelou; to the Committee on Naval Affairs.

A bill (S. 5472) granting a pension to John Parent; to the Committee on Pensions.

By Mr. HOWELL:

A bill (S. 5473) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Brownsville, Nebr.; to the Committee on Commerce.

By Mr. WAGNER:

A bill (S. 5474) for the relief of Thomas G. Carlin; to the Committee on Military Affairs.

By Mr. TRAMMELL:

A joint resolution (S. J. Res. 224) authorizing the Postmaster General to make a just and equitable compensation for the past use in the Postal Service of a certain invention and device for the postmarking of mail packages and for the more permanent cancellation of postage stamps during the time the said device was in use by the Post Office Department, not exceeding or going beyond the life of the letters patent thereon; to the Committee on Post Offices and Post Roads.

CHANGE OF REFERENCE

On motion of Mr. ROBINSON of Indiana, the Committee on Finance was discharged from the further consideration of the bill (S. 5230) for the relief of Myron M. Andrews, and it was referred to the Committee on Military Affairs.

TRANSFER OF OIL LANDS

Mr. WALSH of Montana. Mr. President, I send to the desk a resolution and ask that it be read.

The VICE PRESIDENT. Let it be read for the information of the Senate.

The Chief Clerk read the resolution (S. Res. 379), as follows:

Whereas it has been recently charged in the public press upon the authority of a former employee of the Government of reputed good character, long in the service of and charged with the duty of inquiring into the circumstances attending the disposition of the public lands, that considerable areas of such, valuable potentially and otherwise because of the oil shales in which they abound, have been improvidently, erroneously, and unlawfully, if not corruptly, transferred to individuals and private corporations, to the great loss of the public:

Resolved, That the Committee on Public Lands and Surveys or any subcommittee thereof, be, and hereby is, authorized and directed to inquire into the charges so made and into the alienation of oil shale lands of the United States, so far as they have been alienated and to the practices, rulings, and action of the Department of the Interior in relation to the preservation or disposition of such lands, or of applications for patent to the same, and to make such recommendations as to it may seem appropriate touching needed legislation or other governmental action for the recovery of any such lands as may have been wrongfully alienated or for a review of any final award by the Secretary of the Interior of any such lands.

The said committee or subcommittee is hereby authorized to sit, act, and perform its duties at such times and places as it seems necessary or proper; to require by subpœna or otherwise the attendance of witnesses; to require the production of books, papers, documents, and other evidence; and to employ counsel, experts, and other assistants. The cost of stenographic service to report such hearings shall not exceed 25 cents per 100 words. The chairman of the committee or subcommittee, or any member thereof, may sign subpœnas and administer oaths to witnesses; and every person duly summoned before said committee or subcommittee, who refuses or fails to obey the process of said committee or subcommittee, or appears and refuses to answer questions pertinent to the investigation shall be punished as prescribed by law.

The cost of said investigation shall be paid from the contingent fund of the Senate on vouchers of the committee or subcommittee, signed by the chairman and approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. WALSH of Montana. Mr. President, I venture no opinion whatever concerning the verity of the charges thus made and referred to in the resolution. I have gone into the matter sufficiently to satisfy myself that at least a preliminary inquiry ought to be prosecuted with a view to

determining whether an exhaustive examination of the facts and circumstances should be prosecuted. I shall ask that the resolution be referred to the Committee on Public Lands and Surveys, which can, at little or no expense, prosecute the necessary preliminary inquiry and make recommendations to the Senate as to the course that ought to be pursued with reference to the same.

The VICE PRESIDENT. Without objection, the resolution will be referred to the Committee on Public Lands and Surveys.

INVESTIGATION BY TARIFF COMMISSION—COCO AND CHOCOLATE

Mr. GILLETT submitted the following resolution (S. Res. 380), which was considered by unanimous consent and agreed to:

Resolved, That the United States Tariff Commission is directed, under the authority conferred by section 336 of the tariff act of 1930, and for the purposes of that section, to investigate the differences in the costs of production of the following domestic articles or products and of any like or similar foreign articles or products: Coco and chocolate, sweetened and unsweetened, in bars or blocks weighing 10 pounds or more each. (Par. 777.)

SENATORIAL EXPENSES IN 1930 CAMPAIGN

Mr. NYE submitted the following resolution (S. Res. 381), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate Resolution No. 215, agreed to April 10, 1930, authorizing and directing a special committee of the Senate to investigate the campaign expenditures of and contributions to the various candidates for the United States Senate in the campaign terminating in the general election in November, 1930, hereby is extended in full force and effect until the end of the first session of the Seventy-second Congress; and said committee hereby is authorized to expend out of the contingent fund of the Senate $50,000 in addition to the amount heretofore authorized for the above-mentioned purposes.

EXECUTIVE MESSAGES

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

RESOLUTIONS PASSED OVER

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be stated.

The CHIEF CLERK. A resolution (S. Res. 363) favoring relief of human suffering prior to consideration of interests of wealthy income-tax payers.

Mr. MOSES. Mr. President, the Senator from Wisconsin [Mr. LA FOLLETTE], who introduced the resolution, is not present. I ask that it may go over.

The VICE PRESIDENT. The resolution will be passed over. The Chair lays before the Senate another resolution coming over from a previous day, which will be stated.

The CHIEF CLERK. A resolution (S. Res. 370) requesting certified copies of minutes of certain meetings of the Tariff Commission, and that they be printed as a Senate document.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The resolution will go over.

INVESTIGATION BY TARIFF COMMISSION

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, which will be stated.

The CHIEF CLERK. The resolution (S. Res. 371) submitted by Mr. COPELAND on the 15th instant, as follows:

Whereas the United States Tariff Commission was directed by Senate Resolution 328, under the authority conferred by section 336 of the tariff act of 1930, and for the purposes of that section, to investigate the differences in the costs of production of cigarette books, cigarette-book covers, and cigarette paper in all forms, and of any like or similar foreign articles: Therefore be it

Resolved, That such direction as to cigarette books, cigarette-book covers, and cigarette paper in all forms be hereby rescinded.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

The VICE PRESIDENT. Morning business is closed.

AMENDMENT TO AGRICULTURAL MARKETING ACT

Mr. BLACK. Mr. President, I attempted to get the floor under the proper order to send to the desk a short amendment to House bill 15359, providing an additional appropriation of $150,000,000 for the Farm Board. The amendment is very short. I desire to send it to the desk and have it read for the information of the Senate. It is an amendment which I intend to propose when the bill to which it relates comes before the Senate.

The VICE PRESIDENT. The amendment intended to be proposed by the Senator from Alabama will be read.

The Chief Clerk read as follows:

Amendment intended to be proposed by Mr. BLACK to the bill (H. R. 15359), making an additional appropriation to carry out the provisions of the agricultural marketing act, approved June 15, 1929:

Insert at the end of the bill the following:

"No part of the amount hereby appropriated shall be expended and no loan shall be made out of such amount for the purpose of dealing in futures or indulging in marginal transactions or any transaction whereby contracts are made for the purchase of agricultural commodities or food products thereof where no delivery of such commodity or food product is intended; and no cooperative association or stabilization corporation shall make any expenditure for any such purpose from the proceeds of any loan made out of such amount."

The VICE PRESIDENT. Does the Senator from Alabama desire that the amendment be printed and lie on the table?

Mr. BLACK. Yes.

The VICE PRESIDENT. That order will be made.

CONGRESS AND ITS PROBLEMS

Mr. DILL. Mr. President, I ask unanimous consent to have printed in the RECORD a radio address of Edward Keating, editor of Labor, over the National Broadcasting System, concerning Congress and the problems which confront it, being an unusually interesting address.

The VICE PRESIDENT. Without objection, it is so ordered.

The address is as follows:

Good evening, ladies and gentlemen. I am sure you will agree with me that "pinch hitting" for William Hard is a man's job. My situation is rendered all the more difficult by the fact that I have had little or no experience in this broadcasting game. So if I seem a bit unsteady during the next 15 minutes you will understand.

When I asked Mr. Hard for suggestions as to the line I should take this evening, he replied, "Tell the truth as you see it." There may be those among you who think, even if you do not give voice to your thoughts, that telling the truth is not an easy assignment for a newspaper man. I assure you that is a libel on an ancient and honorable calling. Newspaper men prefer to tell the truth, the whole truth, all the time and about everything.

Only a sincere concern for the peace and happiness of their fellow men induces them to temper their utterances. Truth is a high explosive; worse than T. N. T. In unskilled hands it may wreck homes, destroy reputations, and send nations forth to battle. Therefore, it must occasionally be diluted with charity, forbearance, affection, and a lot of other Christian virtues.

With that thought in mind, let's take a look at what's going on in Washington.

Mr. Hoover has Congress "on his hands" once more. To hear some people talk about Congress, you would imagine the legislative branch of Government had some ailment which was highly contagious or infectious, and should therefore be quarantined for long periods at some remote point.

Others represent our lawmakers as a group of halfwits, demagogues, or near-grafters, who are filled with an unholy desire to turn everything upside down, disturbing business and discouraging and disgusting devoted public servants.

As an old newspaper man who has had exceptionally good opportunities to observe the work of Congress and to become acquainted with its Members, may I suggest that these pictures of our national legislators are entirely out of focus?

Do you know of any legitimate business which has been injured by congressional enactment?

Can you name any honest public official who has suffered because of a congressional investigation?

I think you will find it difficult to answer either of these questions in the affirmative. Personally, I have a very high opinion of our lawmakers' integrity, ability, and devotion to the public service.

Well, if there is nothing wrong with Congress, why all this effort to get it out of Washington as soon as possible and keep it out as long as possible?

The answer is—and please remember I am trying to follow Mr. Hard's instructions and tell you the truth as I see it—the answer is: That certain powerful interests find it impossible to control Congress, which is more responsive to the people's will than either the executive or the judiciary.

For the moment most of the propaganda is directed against the Senate. When I first took an interest in Washington affairs the

Senate was called the "Millionaire's Club" or the "American House of Lords," and it was the citadel of conservatism.

Aldrich, of Rhode Island, Frye, of Maine, and Quay, of Pennsylvania, ran the show and the "predatory interests" got just what they wanted, when they wanted it.

Occasionally the House caused trouble, but not often, because "Czar" Joe Cannon bossed things at that end of the Capitol.

We didn't hear anything about Congress "disturbing business" in those days. With Teddy, the Rough Rider, in the White House the executive, not the legislative, branch of government was "viewed with alarm."

Popular election of Senators has worked the change. No one runs the Senate now. From being one of the most reactionary it has become the most independent and progressive legislative body in the world.

The House is still ruled by a few bosses—LONGWORTH, of Ohio; SNELL, of New York; and TILSON, of Connecticut. Those three captains of the "old guard" are in a position to kill or pass almost any bill. They will not be so powerful when the new Congress meets, because the voters deprived them of about 50 of their faithful followers on November 4. So there is just a chance that the House may change its rules so as to give the ordinary Members a voice in legislation and thus cease to be a "rubber stamp" for the three very amiable but extremely reactionary leaders.

Think what would happen if we had a House, as well as Senate, that didn't take orders from anyone! The mere prospect is so disconcerting that an appeal is being made from the White House and through the press to head off at all hazards an extra session of the new Congress.

The men you elected to the House and Senate on November 4 are not to be permitted to do anything except draw their pay until December, 1931—13 months after they were officially designated as the spokesmen of the people. In the meantime about 75 Senators and Representatives who were repudiated by the voters in November will continue to legislate until their terms expire at high noon on March 4 next.

The excuse for this anomalous arrangement is that a new Congress should have time to "cool off"—to forget what the Members promised the voters before election.

No other nation on earth has such a "cooling-off" period. For example, just across an imaginary line, in the Dominion of Canada, they held a general election last summer. The Liberal government was overthrown and within two weeks the Conservatives were in control.

A few weeks later Parliament was convened in extra session to deal with unemployment. An ambitious program, including a revision of the tariff, almost total suspension of immigration, and large appropriations for public works and direct relief for the needy was put through within two months of election day.

Are the Canadians too fast, or are we too slow?

Senator NORRIS, of Nebraska, says we are too slow, and he has proposed the so-called "lame-duck" amendment to the Constitution. The Senate has approved the amendment on three or four occasions but it has always been pigeonholed by the "old guard" in the House.

If NORRIS has his way, Congress will meet about 60 days after election and will remain in session until the public business has been transacted in an orderly fashion. Among other things, this would do away with the filibusters and legislative jams which have so often marked short, or "lame-duck," sessions of Congress.

NORRIS is insisting that the "old guard" permit the House to vote on his amendment. If this is refused, the progressives in the Senate may block a few of the general appropriation bills and thus force an extra session of the new Congress.

NORRIS is also calling for action on his Muscle Shoals bill, Senator WAGNER'S unemployment measures, and a bill limiting the use of injunctions in industrial disputes.

The Muscle Shoals bill, which has already passed the Senate, provides for Government operation of the immense power plant which Uncle Sam has constructed in Alabama at a cost of about $150,000,000.

At present the power generated at the dam is being sold by the Government to the Alabama Power Co. for 0.2 of a cent per kilowatt-hour and it is being retailed to consumers within sight of the plant for 8 cents per kilowatt-hour, or forty times original cost.

NORRIS'S bill gives cities and towns and farmers' cooperative organizations a prior right to buy the power. He insists that the result would be lower light and power rates not only in the vicinity of the shoals but throughout the country.

His idea that Uncle Sam should use the shoals plant as a sort of "yardstick" to determine the fairness, or lack of fairness, of rates charged by private enterprise.

He points with approval to what has been accomplished by the Province of Ontario, in Canada. Ontario has invested $300,000,000 in an immense power system and is selling electricity to domestic consumers for less than 2 cents a kilowatt-hour.

Compare that with what your local light company is charging you and you will see what NORRIS has in mind.

President Hoover is probably more fixed in his opposition to the shoals bill than to any pending legislation which has the slightest chance of passage. Government ownership in any form is anathema to him.

Should the shoals bill reach his desk in its present form he will probably veto it. Any compromise acceptable to Mr. Hoover would not satisfy Senator NORRIS.

So there we have the makings of another fine fight, and it may become so bitter as to precipitate the much-dreaded extra session.

President Hoover's message was read in both Houses on Tuesday.

The Chief Executive was optimistic. He blamed the greater part of our troubles on world conditions, insisted that we were still going at from 80 to 85 per cent capacity, and suggested that the skies would begin to clear in about six months.

He disappointed those who believe that the Federal Government should launch an immense building program, in the hope that the increase in employment would enable industry to get to going again.

The President will ask Congress for a special fund of $100,000,000 to $150,000,000 to be used, in his discretion, in almost any form of construction work. He does not promise to spend the money, however.

It is evident that the President feels that the Federal Government is doing its share for the relief of the jobless and should not be urged to go much farther.

So far as the farmers are concerned, the President holds that his Farm Board is functioning satisfactorily. He is willing to loan money to farmers in the drought areas for the purchase of seed and feed for stock, but the beneficiaries must put up satisfactory security—not an easy condition when thousands of agriculturists are trying to make up their minds whether they will stick to the "old home place" or go to the city and add to the difficulties of an already badly congested labor market.

Mr. Hoover flatly refuses to ask Congress to make any contribution for the direct relief of the needy.

The Red Cross, he says, will alleviate suffering in the agricultural areas, and State and municipal authorities and private charities must provide for the "down and outs" in the cities.

May I inject, at this point, that the police of New York have located within the boundaries of that city 42,000 families that need assistance. Probably conditions are just as bad in other cities in proportion to population.

Congressman HUDDLESTON, of Alabama, a veteran of the House, does not agree with the President.

He has presented a resolution asking Congress to appropriate $50,000,000 for direct relief, under regulations drafted by the President.

Canada is doing just that; and no one in the Dominion seems to be worrying about the possible effect on the moral fiber of the people who are being given food, clothing, and shelter.

On the other side of the international boundary they go on the theory that cold and hunger will do more damage to one's moral fiber than any number of hot meals and warm beds, even if the meals and beds are paid for by a Government agency.

The Treasury is facing a deficit of $180,000,000, the President says, and the cut in taxes on incomes and corporation profits, which the administration sponsored right after the stock-market crash last year, will not be continued this year.

Those of us who have taxable incomes should not complain. Instead, we should thank God we are not in the condition of thousands of our fellow Americans with wives and children dependent on them, who have no more use for income-tax blanks than Fiji Islanders have for fur overcoats.

As Congress convened, a small group of alleged communists staged a demonstration in front of the Capitol, demanding the wiping out of restrictions on immigration and social equality for negroes.

The police used their clubs rather freely, and a few tear bombs were discharged. It was a fine show for the moving-picture photographers, and the scenes are probably already on exhibition at your favorite theater.

Don't take them too seriously. The "reds" did not number more than 200, and most of them were imported for the occasion. They were unarmed, and a score of efficient policemen could have handled the "mob" with ease.

In the opinion of this humble substitute for one of America's most famous broadcasters, our country is not facing a "red" menace.

Our unemployed are not communists. They are not "demonstrating." They are a bit puzzled to find themselves on the bread line in the midst of plenty. They find it difficult to understand why people should be cold and hungry because they have produced too much of the necessaries of life.

But they are not plotting the overthrow of their Government. It would be a mistake, however, to imagine that they will starve meekly.

They hold with Congressman-elect David J. Lewis, of Maryland, that while the world owes no man a living it owes every man a job—a chance to earn a living, for himself and his family.

Those of us who love American institutions and desire to transmit them to posterity unimpaired should bestir ourselves and see that the job is provided. Failing that, every one of the unemployed is entitled to needed food, clothing, and shelter.

Since the foundation of the Government, America has responded generously to appeals for help from foreign lands. We have fed the Germans, the Belgians, the Russians, the Japanese—ignoring the differences in race and creed and color. Shall we do less for our own flesh and blood?

WORLD COURT

Mr. WAGNER. Mr. President, I ask unanimous consent to have printed in the RECORD a statement regarding the attitude of the church people of the United States on the

question of American membership in the permanent court of international justice. The statement was made by the Commission on International Justice and Good Will of the Federal Council of the Churches of Christ in America.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

NEW YORK, N. Y., *December 17, 1930.*

Hon. ROBERT F. WAGNER,
Washington, D. C.

DEAR SIR: The inclosed document is being presented to-day to President Hoover by Bishop William F. McDowell, chairman of the Washington committee of the Federal Council of the Churches of Christ in America.

It presents with some fullness recently gathered information regarding the attitude of the church people of the United States on the question of American membership in the Permanent Court of International Justice. The information that comes to us from all sources corroborates and strengthens the judgment that the vast majority of the church people of the United States earnestly desire that the United States shall promptly become a member of the World Court.

Respectfully yours,

CHARLES S. MACFARLAND,
General Secretary Federal Council of the Churches of Christ in America.
SIDNEY L. GULICK,
Secretary Commission on International Justice and Goodwill.

A STATEMENT OF THE ATTITUDE OF THE CHURCH PEOPLE OF THE UNITED STATES OF AMERICA ON THE QUESTION OF AMERICAN MEMBERSHIP IN THE PERMANENT COURT OF INTERNATIONAL JUSTICE

The information given below comes from—

I. Moderators and presidents of communions and from chairmen of denominational peace committees of the following communions (arranged in order of size):

Methodist Episcopal Church; Methodist Episcopal Church South; Presbyterian Church in the United States of America, General Assembly; Church of Christ, Disciples; Northern Baptist Convention; Protestant Episcopal Church, National Council; Congregational Churches, National Council; the United Lutheran Church in America; Presbyterian Church in the United States; the Church of the United Brethren in Christ; the Reformed Church in the United States; Evangelical Synod of North America; Methodist Protestant Church; Reformed Church in America, General Synod; Societies of Friends; the Salvation Army; the American Unitarian Association; the Universalist Church, General Convention; the Christian Church; Seventh Day Baptist General Conference; and Reformed Presbyterian Church.

II. The Federal Council of the Churches of Christ in America.

III. Secretaries of State Federations and Councils of Churches (arranged in alphabetical order):

California State Church Federation; Connecticut State Federation; Illinois Council of Churches; Massachusetts Federation of Churches; Michigan Council of Churches; New Hampshire State Council of Churches; New York State Council of Churches; Ohio Council of Churches; Oklahoma State Council of Churches; Pennsylvania Council of Churches; Rhode Island Federation of Women's Church Societies; the Federation Council of the Churches of Christ in South Dakota; and Mid West office of the Federal Council of the Churches of Christ in America.

IV. Secretaries of city federations and councils of churches and of interdenominational associations of ministers (arranged in alphabetical order):

Atchison (Kans.) Ministerial Association; Atlanta (Ga.) Christian Council; Boston (Mass.) Federation of Churches; Brooklyn (N. Y.) Federation of Churches; Cambridge (Mass.) Council of Churches; Chicago (Ill.) Church Federation; Detroit (Mich.) Council of Churches; Hartford (Conn.) Council of Churches; Indianapolis (Ind.) Church Federation; Kansas City (Mo.) Council of Churches; Los Angeles (Calif.) Church Federation; Medford (Mass.) Federation of Women's Church Societies; New York (N. Y.) Federation of Churches; Philadelphia (Pa.) Federation of Churches; Portland (Me.) Church Federation; Portland (Oreg.) Council of Churches; Shenandoah (Iowa) Ministerial Association and Council of Churches; Toledo (Ohio) Council of Churches; Trenton (N. J.) Council of Churches; Washington (D. C.) Federation of Churches; West Roxbury (Mass.) Federated Church Socities; Wilmington (Del.) Council of Churches; Youngstown (Ohio) Federated Churches.

V. The National Committee on the Churches and World Peace.

QUOTATIONS FROM LETTERS AND RESOLUTIONS

I. Communions

The Methodist Episcopal Church:

"In my judgment, the members of the Methodist Episcopal Church are as sincerely interested as ever in the matter of United States membership in the World Court. In a body so large and varied as ours it would be impossible to secure either a full expression or to expect unanimity on an important matter like this. But I am sure that the church as a whole in its devotion to world peace and international good will sincerely favors membership in the World Court at the earliest possible date." (Bishop William F. McDowell.)

The Methodist Episcopal Church South:

"I am quite sure the (Methodist) church in the South is strongly in favor of immediate entrance into the World Court." (Hon. Josephus Daniels.)

The Presbyterian Church in the United States of America, general assembly:

"The official action of the general assembly in the matter of world peace at its recent annual meeting includes the following:

"'That the general assembly especially commends and supports President Hoover in his efforts to bring about reduction of armaments, to establish closer relations and understanding between nations, to remove the causes of war, and in his clear and persistent presentation of those principles which make peace possible and practical.

"'That it pledges its undivided support to the President of the United States in his determined efforts to secure the ratification of the London naval pact.'

"The board of Christian education, as representing the Presbyterian Church, is seeking to carry out the intention of the above resolution by every possible means its national organization affords. It looks forward to the early presentation of the protocol of the World Court to the United States Senate with the assurance that the members of the Presbyterian Church throughout the United States will place behind its ratification their active moral support in every practical way possible." (Rev. William Chalmers Covert.)

The Church of Christ, Disciples:

"As an official charged with matters pertaining to peace for the Disciples of Christ, a people numbering a million and a half, I urge that the World Court protocol be presented to Congress in December. This religious body has gone on record year after year since the proposal first was up in favor of our country joining the World Court, and those of us who are charged with responsibility for representing them feel that we will lose a great opportunity if we do not put the matter before the Senate at this winter's session." (Rev. Alva W. Taylor.)

Northern Baptist convention:

"I write * * * on behalf of the Baptists of the northern Baptist convention, of which I have the honor to be president, our assurance of the eagerness with which we look forward to the time when the World Court protocols shall be submitted again to the Senate, and our further assurance that he can count upon the eager support of the constituency of the northern Baptist convention in pressing for the membership of the United States in the Permanent Court of International Justice.

"A step which is so eminently justified, which has been so long urged by presidents of the United States, which is so valuable for the peace of the world, so heartily in accord with the Christian ideals for which we stand, could not have other than the strongest support that we can give it." (President Albert W. Beaven.)

Protestant Episcopal Church, National Council:

"The Episcopal Church, through all its authoritative bodies, has expressed in no uncertain terms the desire of those who represent it that the United States should be a member of the Permanent Court of International Justice. May I beg you, as the opportunity may come, to convey to President Hoover the assurance that the members of my communion are keenly interested in the submission of the protocols to the Senate, and I assure you that those who represent this body will be behind the President in pressing for our membership in this Permanent Court of International Justice.

"I make this statement not at all in my personal capacity or trusting in my personal judgment. Public statements of the Episcopal Church have been frequently made on this subject, and the church is committed to this action." (Rev. Charles N. Lathrop.)

On November 13, 1930, at the suggestion of the Right Rev. James De Wolf Perry, president of the House of Bishops, the New York and New Jersey province of the Protestant Episcopal Church unanimously adopted a resolution urging the President and Senate of the United States to bring about early entrance of the United States as a member of the World Court, and added that the United States "can not consistently contend it is comprised of peace-loving people, desiring world peace, if it remains outside the fold of the World Court."

Congregational Churches, National Council:

"So far as I am informed every Congregational minister is in hearty accord with the proposal now being made by the President for the ratification by the Senate of the Treaty of Adherence to the Permanent International Court of Justice, and I am quite sure that I am voicing the sentiments of the entire denomination when I express the hope that the United States will become a member of this court without further delay." (Moderator Fred B. Smith.)

"The National Council of Congregational Churches on Monday, June 3, 1929, adopted without a dissenting voice the following resolution:

"'Whereas, the National Council of Congregational Churches has more than once expressed its deep conviction that the United States, under proper safeguards, should enter the World Court, therefore be it

"'*Resolved*, That this council respectfully petitions the Senate of the United States to adopt a plan, such as has been negotiated at Geneva under the guidance of the Hon. Elihu Root, so that the United States may become a member of the Permanent Court of International Justice, and be it further

"'*Resolved*, That the general secretary of this council respectfully transmit this resolution to the chairman of the Foreign

Affairs Committee of the Senate, to the President of the United States, and to the Department of State in Washington.'"

"As chairman of the council's commission on international relations, I give it as my opinion that our congregational ministers and laity are overwhelmingly in favor of the entrance of the United States into the World Court, as stated above in the resolution." (Prof. William Walker Rockwell.)

The United Lutheran Church in America:

"I am persuaded that the conviction of our entire church is that the United States of America should establish membership in the World Court." (President F. H. Knubel.)

Presbyterian Church in the United States:

"The church members of my communion are as keenly interested as ever in the matter of the World Court. You can count on our hearty support in pressing for the membership of the United States in this permanent court of international justice.

"The Presbyterian Church in the United States has, with increasing clearness for the past several years, expressed itself as concerned in the abolition of war and in the settlement of international disputes by peaceful methods." (Rev. D. P. McGeachy.)

The Church of the United Brethren in Christ:

"An amicable adjustment of all international differences through a world court will go a long way toward the reign of peace on earth. The United States of America has always been in the foreground in all matters that make for peace and good will. May she not lag behind other nations of the world at this strategic time." (Bishop A. R. Clippinger.)

The Reformed Church in the United States:

"The General Synod of the Reformed Church in the United States, at its last triennial meeting in Indianapolis, passed the following action:

"'That we favor membership of the United States in the Permanent Court of International Justice and in the League of Nations, with such reservations, if deemed necessary, as may be mutually acceptable to the United States and the members of the league.'

"Therefore, as president of the general synod, I wish to give you the assurance that the Reformed Church in the United States is as keenly interested in this matter as ever, and you can count on its hearty support in having the United States become a member in the Permanent Court of International Justice." (Rev. Charles E. Schaeffer.)

Evangelical Synod of North America:

"On behalf of the members of our communion, I want to express * * * our unalterable conviction that the welfare of the nations and the peace of the world require the adherence of the United States of America to this court. * * * Let me assure you that we, together with the millions of earnest and sincere Christians, are eagerly awaiting such action and anxious to give our hearty support in pressing the membership of our Government in the Permanent Court of International Justice." (Rev. H. P. Vieth.)

Methodist Protestant Church:

"I desire to assure you of the deep interest of the Methodist Protestant Church in the United States accepting membership in the World Court. Our undisputed leadership in many world activities places upon us as a nation the responsibility of cooperation in this court that provides the means whereby international problems can be solved peacefully." (President J. C. Broomfield.)

Reformed Church in America, General Synod:

"Speaking for the Reformed Church in America, I feel that this matter is of very great concern, and that the entire church would deplore the fact if this country did not heartily enter into full membership in this body and, what is just as important, assume its full privileges and responsibilities as a member of that body. It would be a great calamity if any small technical matters or questions of political expediency should defeat this great objective." (President Milton J. Hoffman.)

Friends (Five Years' Meeting):

"It is therefore natural for Friends to welcome the inauguration and successful operation for the past 10 years of the World Court, and to look forward with eager hope to the participation of our country in that great work. We believe that the protocols recently negotiated and signed by authority of the President, formulated (as respects certain important points) in accordance with the suggestions of Elihu Root, safeguard in every respect the rights and interests of the United States and obviate every substantial objection to the entrance of the United States into the court. We believe, therefore, that whenever the way opens for the submission of these protocols to the Senate for its advice and consent, and they are so submitted by the President, they deserve the prompt and favorable consideration of that great deliberative body. We believe that the question of the entrance of the United States into the World Court is second in importance to no other question now before the American people." (Walter C. Woodward.)

Peace section, American Friends service committee:

"In so far as we represent the Society of Friends in America we can say that we and Friends generally approve American membership in the World Court and will welcome vigorous prosecution of this matter by the administration. You can depend upon us for cooperation." (Clarence E. Pickett.)

The Religious Society of Friends of Philadelphia and vicinity:

"The Society of Friends is keenly interested in the World Court and desires the United States to take its place as a full member. We believe, therefore, that there would be hearty support for an effort to complete the membership of the United States in the court on the part of our members, and we would expect to do everything in our power both within and without the Society of Friends to encourage such support. We feel that it is highly desirable that the ratification be completed as soon as possible." (Wm. B. Harvey.)

The Religious Society of Friends (Hicksite):

"The Religious Society of Friends has always advocated peaceful methods of settling international disputes. Believing that the World Court is one very necessary institution in the settlement of such disputes, the members of the Religious Society of Friends are anxiously awaiting the submission of the protocols to the Senate, and will most certainly support the efforts made to have the United States become a member of the Permanent Court of International Justice." (Anna B. Griscom.)

Western Yearly Meeting of Friends Church:

"Without question the members of Western Yearly Meeting of the Friends Church are earnestly awaiting the submission of the World Court protocols to the Senate, and can be counted on for support in pressing for the membership of the United States in the Permanent Court of International Justice." (Richard B. Newby.)

The Salvation Army:

"Will you please convey to President Hoover, on behalf of Commander Evangeline Booth and the Salvation Army in the United States, our most hearty assurance of support in the matter of full membership of the United States in the Permanent Court of International Justice.

"We are awaiting with keen interest the submission of the protocols to the Senate, and we are earnestly hoping that that august body will ratify those protocols and thus remove the last barrier to the active participation of our Nation in the World Court. Essentially American in its inception, we consider it our national duty to support such a splendid institution for the preservation of the world's peace, and to invest the eminent American who represents us at the court with the fullest possible authority." (Commissioner William Peart.)

The American Unitarian Association:

"Whereas the protocol for the adherence of the United States to the Permanent Court of International Justice protects in all respects the interest of the United States; and

"Whereas the signing of the Kellog Peace Pact for the Renunciation of War makes it vitally important that the United States be officially connected with the Permanent Court of International Justice.

"*Resolved*, That the Third Biennial Conference of the American Unitarian Association, assembled at Chicago, October 17, 1929, urgently requests the Senate of the United States to take such steps as may be necessary to bring about the adhesion of the United States to this international tribunal."

"I am personally convinced that there is a stronger feeling than ever we ought to enter the World Court and that at the earliest possible moment. * * * You may assure the President that we are earnestly awaiting the submission of the protocols to the Senate and that he may count on the hearty support of a great body of Unitarians in such action and throughout whatever campaign is necessary for their ratification in the Senate." (Dr. Robert C. Dexter.)

The Universalist Church, general convention:

"I am glad to say on behalf of the Universalist Church that I believe we are almost a unit in desiring the culmination of this project—American membership in the World Court." (Rev. H. E. Benton.)

The Christian Church:

"The Christian Church is very much interested in the matter of peace and our membership in the Permanent Court of International Justice.

"* * * The sentiment is growing steadily among our whole membership * * *. Our President may count upon our hearty support in seeking membership therein." (Rev. Warren H. Denison.)

The Seventh Day Baptist General Conference:

"We believe that the World Court is a prime factor in the realization of a warless world, and that the entrance of the United States into the court is essential to its greatest efficiency.

"As president of the Seventh Day Baptist General Conference, I am asking you to assure President Hoover that our people will give sympathetic support to his effort for the United States to accept membership in the Permanent Court of International Justice." (President Willard D. Burdick.)

Reformed Presbyterian Church:

"The Reformed Presbyterian Church is still deeply interested in the World Court and will give hearty and practically unanimous support to any effort to make the United States a constituent member of the World Court. I wish to assure you that the members of our churches will give the President every support in seeking to secure the ratification by the Senate of the World Court protocols." (Rev. Walter McCarroll.)

II. The Federal Council of the Churches of Christ in America

Resolution adopted by the executive committee December 2, 1930:

"The executive committee of the Federal Council of the Churches of Christ in America welcomes the statement of President Hoover that he plans to submit to the Senate in a special message the protocols of the Permanent Court of International Justice.

"This World Court was established as a result of American suggestions and embodies in the main American ideas and practices. The Hon. Frank B. Kellogg, former Secretary of State, has recently been elected one of the judges of the court. Membership of the

United States in the court was voted by the Senate in 1926, with five reservations. The protocol dealing with American membership, according to the statements of President Hoover, Secretary of State Stimson, and many other competent legal authorities, conforms to those reservations and provides a method by which to carry them out. Ratification of these protocols now seems to us a moral obligation.

"The peaceful settlement of all international disputes is a fundamental policy of the United States, the latest expression of which policy is the Kellogg-Briand peace pact. To make this policy thoroughly effective, a world court for the settlement of all legal controversies is essential. The World Court at The Hague is such a court. It needs the moral and practical support of every peace-loving nation. For the United States to proclaim the settlement of all disputes on a basis of law and reason, equity and good will, and never on the basis of military might and violence, and yet for it to refuse to adhere to the World Court can not fail to be universally regarded as illogical and self-contradictory.

"The Federal Council of Churches of Christ in America and practically all the major church bodies of the United States have repeatedly during the past seven years recorded their judgment and desire that the United States should join the World Court. We believe that the vast majority of the membership of the churches is now more firmly convinced than ever that such membership is an essential step in the program for world justice, mutual confidence, disarmament, and assured peace, which are vital for the general welfare of mankind: Therefore be it

"*Resolved*—

"1. That the executive committee of the federal council, reaffirming its many previous actions, again expresses its conviction that the United States should now join the World Court, and respectfully, yet earnestly, urges the Senate to give its early 'advice and consent' for ratification of the protocols.

"2. That the executive committee calls the attention of church members generally to the need for fresh study of the facts in regard to the problem of membership of the United States in the Permanent Court of International Justice, and suggests to them as citizens the importance of giving to their representatives in the Senate fresh expression of their individual judgments and desires."

III. Secretaries of State Federations and Councils of Churches

The California State Church Federation: "At the executive committee meeting (November 6, 1930) of the California State Church Federation, which represents about 80 per cent of all the Protestants in the State, a strong resolution was passed reaffirming the previous attitude of this organization toward the interest of American membership in the World Court." (Rev. F. M. Larkin.)

The Connecticut State Federation: "I feel warranted in saying that the Connecticut churches, by a majority amounting almost to unanimity, favor American membership in the Permanent Court of International Justice." (Rev. Roscoe Nelson.)

The Illinois Council of Churches: "Though the public discussion of the World Court has decreased during the past months, we want you to know that the christian people of Illinois are still deeply interested in the matter.

"May we ask you to convey to President Hoover assurance that when the protocols are submitted to the Senate the coming winter, we will be glad to do every legitimate thing in our power to bespeak the support of our Senators for their ratification. You have only to command us to secure our interest and hearty cooperation." (President Hugh T. Morrison.)

The Massachusetts Federation of Churches:

(A resolution unanimously adopted at the Twenty-seventh Annual Meeting of the Massachusetts Federation of Churches (Inc.), November 13, 1930:)

"Whereas during the past year the great majority of the nations of the world have approved of the protocol containing the Root agreement as to America's five reservations, while no objections have been recorded, thus making it reasonably certain that every member of the World Court is ready to accept America's conditions; and

"Whereas, therefore, there is no valid reason for continued reluctance to signify our own acceptance of the terms agreed upon:

"Therefore the Massachusetts Federation of Churches urges on the President and Senate of the United States early ratification of the protocol of accessions of the United States of America to the Permanent Court of International Justice." (Rev. E. Tallmadge Root.)

The Michigan council of Churches:

"The Michigan Council of Churches, representing a constituency of 350,000 Michigan citizens, at its second annual meeting on Wednesday, November 19, 1930, at the State capitol, adopted the following resolution:

"'*Resolved*, That this council approve the position of President Hoover in regard to the World Court as a positive influence toward world peace.'" (Rev. Ralph McAfee.)

The New Hampshire State Council of Churches:

"The New Hampshire State Council of Churches is strongly in favor of the United States entering the World Court at the earliest practical moment, and has so expressed itself by formal action taken at two of its sessions within the past year." (President Edwin T. Cooke.)

The New York State Council of Churches:

"As representing somewhat the interests of 13 denominations in this State and knowing their attitude toward world peace, I am writing to assure you that the members of these churches are keenly interested in hastening the time when the United States may take its place in the Permanent Court of International Justice." (Rev. Charles E. Vermilya.)

The Ohio Council of Churches:

"The Ohio Council of Churches has repeatedly gone on record favoring American entrance into the World Court. * * * I have every reason to believe that our organization is more strong for said entrance into the court than ever before. We shall be pleased to do whatever is possible in rallying public sentiment to that end." (Rev. B. F. Lamb.)

The Oklahoma State Council of Churches:

"The Oklahoma State Council of Churches at its meeting at Oklahoma City November 24 and 25 voted unanimously as follows:

"'That we urge President Herbert Hoover to submit to the Senate at the forthcoming session of Congress recommendation that the United States become a member of the World Court on the basis of the protocols as signed.'" (Rev. F. M. Sheldon.)

The Pennsylvania Council of Churches:

"The Pennsylvania Council of Churches has always been committed to the joining of the United States and has made very strong pronouncements to this effect. It has seemed to us to be very inconsistent on the part of the United States not to take a favorable action." (Rev. William L. Mudge.)

Federation of Women's Church Societies of Rhode Island:

"In view of the action taken in relation to the entrance of the United States into the World Court last year, by the church groups constituting this federation, I feel confident of their continued deep interest in the matter and that they will welcome the opportunity again to support the President in presenting the World Court protocol to the coming session of the Congress and will urge its speedy ratification." (Mrs. Henry I. Cushman.)

The Federation Council of the Churches of Christ in South Dakota:

"I am hereby writing you to assure you that the Protestant Churches in South Dakota in the Federation Council of South Dakota, members of the Federal Council of the Churches of Christ in America, are hoping that these protocols will be ratified by our Senate, and that we may become members of the World Court. I find a growing sentiment in favor of this action among the members of our Federation Council, and you can assure the President that the Protestant churches of South Dakota will be back of him in this, his desire for ratification." (Rev. H. C. Juell.)

Mid West Office of the Federal Council of the Churches of Christ in America:

"My work as associate general secretary of the Federal Council of the Churches of Christ in America, and especially in the field of extension of State and local cooperation, brings me constantly in touch with the executive secretaries of our city and State councils of churches and with leaders in the different cities. All of these contacts impress upon me more and more the unanimity of the desire of the leaders in the church that the United States should become a member of the permanent Court of International Justice." (Rev. Roy B. Guild.)

IV. Secretaries of city federations and councils of churches and of interdenominational associations of ministers

Atchison (Kans.) Ministerial Association:

"As secretary of the Ministerial Association of Atchison, Kans., I am instructed by the six members now forming this association to inform you that it is our unanimous opinion that the United States of America should become a member of the Permanent Court of International Justice.

"We desire, if possible, that you may convey to President Hoover the fact of our keen interest in this matter. We hope the President will submit to the Senate the protocols as soon as seems best, and that favorable action will be taken there on this vital matter. We believe in America's entrance into the World Court and will do our part to increase the interest in the public here in this course." (Rev. J. Hamilton Woodsum.)

Atlanta (Ga.) Christian Council:

"The Atlanta Christian Council, representing 128 churches of 7 Protestant denominations, wishes to pledge its heartiest sympathy in your effort to encourage the speedy entry of the United States into the World Court. Please convey our sentiments to President Hoover." (Rev. D. P. McGeachy.)

Boston (Mass.) Federation of Churches:

"The ministers and churches of our community are keenly interested in the World Court issue and anxious to have the United States a member. Resolutions to this effect have been passed with practical unanimity in previous years, and we do not feel that our judgment has changed." (Rev. George L. Paine.)

Brooklyn (N. Y.) Federation of Churches:

"It is my firm conviction that the vast majority of the ministers and church leaders in Brooklyn are most heartily in favor of the United States entering fully into the World Court. I think it would be most unfortunate if Congress were to delay action longer." (Rev. Frederick M. Gordon.)

Cambridge (Mass.) Council of Churches:

"The members of the Protestant churches in Cambridge are still as keenly interested as ever in the matter of the World Court protocols. They are ready to stand behind him (the President) and give him their strong support whenever the protocols are presented to the Senate. The United States should certainly become a member of the Permanent Court of International Justice." (Rev. Raymond Calkins.)

Chicago (Ill.) Church Federation:

"The Protestant churches of metropolitan Chicago in the fellowship of the Chicago Church Federation are vitally interested in the matter of American membership in the World Court, and are earnestly awaiting the submitting of the protocols to the Senate and will continue to give their hearty support in pressing for the membership of the United States in the Permanent Court of International Justice.

"The Chicago Church Federation represents 17 denominations and over 800 Protestant churches of metropolitan Chicago." (Rev. Walter R. Mee.)

Detroit (Mich.) Council of Churches:

"The board of directors of the Detroit Council of Churches, in session Thursday, November 6, 1930, at noon, by unanimous vote reaffirmed our previous actions of indorsement of the World Court.

"We will appreciate it if you will convey to President Hoover assurance that, as far as we can ascertain, the members of the churches of our community are keenly interested in the court and earnestly await America's entrance into it.

"We will be glad to support the President whenever in his judgment the time is ripe to lay the protocols before the Senate." (Rev. Ralph McAfee.)

Hartford (Conn.) Council of Churches:

"Our council of churches has already acted favorably regarding the World Court and will do so again. * * * You can count on our action whenever the time seems opportune." (Rev. Edwin Knox Mitchell.)

Indianapolis (Ind.) Church Federation:

"At its meeting on November 15 the executive committee of the Church Federation of Indianapolis passed a motion expressing the desire that President Hoover, without fail, submit the World Court protocol to Congress at the coming session. Similar action had been taken previously at the meeting of the city ministers' association.

"This, we think, expresses the attitude of the thinking people in the churches, who are desirous of seeing progress made in this direction." (Rev. Ernest N. Evans.)

Kansas City (Mo.) Council of Churches:

"I am addressing these few lines to you with the intent of giving you again the assurance of the most cordial support on the part of our church people in this area to the adherence of the United States to the permanent court of international justice.

"Just a short time ago I raised this question with our executive committee and I discovered that without a dissenting voice they were anxious to have every possible action taken which might hasten the time when our country would become a member of the court." (Rev. Irvin E. Deer.)

Los Angeles (Calif.) Church Federation:

"We will give our hearty cooperation to the President of the United States in his effort to have the United States enter into the World Court.

"The Protestant churches of this community are interested in seeing the protocols * * * considered as soon as possible." (Allan A. Hunter.)

Medford (Mass.) Federation of Women's Church Societies:

"Protestant churches in Medford are as keenly interested as ever in the World Court protocols and are awaiting with interest the submitting of them to the Senate, and they heartily support pressing for the membership of the United States in the Permanent Court of International Justice." (Mrs. O. B. Leonard.)

New York (N. Y.) Federation of Churches:

"Protestant churches in Greater New York are as keenly interested as ever in the question of the United States entering the Permanent Court of International Justice. * * * We are convinced that the uniting of our country with other nations in this effort to insure the peace of the world should no longer be delayed." (Rev. W. B. Millar.)

Philadelphia (Pa.) Federation of Churches:

"The directors of the Philadelphia Federation of Churches have repeatedly expressed their earnest hope that the Senate will vote to have the United States become a member of the Permanent Court of International Justice. The interest in this proposal has deepened with the passing the months. (Rev. Elim A. E. Palmquist.)

Portland (Me.) Church Federation:

"At the last meeting of the executive board of the Church Federation it was voted that the executive secretary be authorized to convey to you that, as a group, they are whole-heartedly behind the President in his attempt to press for the membership of the United States in the Permanent Court of International Justice and that it was the concensus of opinion that a large majority of the church membership of Portland was also concerned about this question and hoped for action." (Mrs. Louis M. Files.)

Portland (Oreg.) Council of Churches:

"I am instructed by the executive committee of the Portland Council of Churches to bring to your attention the matter of entrace of the United States into the World Court.

"It is the judgment of this committee, representing the Protestant churches of Portland, that there is deep concern that the United States Government take the earliest possible action on the protocols, whereby American membership in the World Court becomes a fact. Conditions throughout the world urge the importance of this action on the part of our Government as a friendly and reassuring demonstration.

"To this end I am instructed to request that you speak as the representative of the Portland Council of Churches conveying to the President of the United States our urgent request that such action be taken by the Government during the coming session of Congress, and assuring him of our hearty support of his endeavors to this end." (Frederick H. Strong.)

Shenandoah (Iowa) Ministerial Association and Council of churches:

"The churches of this community are interested in the entrance of this country into the Permanent Court of International Justice, and he (our President) can count on the support of this community to back him in such a movement." (President L. A. Lippitt.)

Toledo (Ohio) Council of Churches:

"By unanimous vote of the Social Service Department and also of the executive board of the Toledo Council of Churches, I am writing to state that the Toledo Council of Churches is glad to reexpress its belief that the United States should become a member of the World Court.

"If President Hoover sees fit in the near future to present the World Court protocols to the Senate, it is our belief that the people of the churches in this city will be glad to support him in that action and to urge upon their Senators the speedy ratification of these protocols." (Harlan M. Frost.)

Trenton (N. J.) Council of Churches:

"As president of the Council of Churches in Trenton, representing 85 Protestant churches, I want to announce that the Protestant churches of the community are heartily behind the proposed World Court and America entering the World Court. I hope you will convey to the President the enthusiasm of the church members of this community." (Rev. William Thomson Hanzsche.)

Washington (D. C.) Federation of Churches:

"So far as the attitude of our local congregations has become known to me, they are favorable to such membership (in the World Court) and hope that our country will not remain aloof any longer." (Rev. W. L. Darby.)

West Roxbury (Mass.) Federated Church Societies:

"At its meeting this year the West Roxbury branch of the Boston Federated Church Societies voted to go on record to the President, Mr. Hoover, as being keenly interested in having the United States take membership in the World Court of International Justice." (Elizabeth Sawyer.)

Wilmington (Del.) Council of Churches:

"We particularly appreciate the difficulties confronting you in the matter of America's representation in the World Court, and I take this opportunity of sending you word to assure you of the very large number of ministers and church people in our community who are deeply concerned and are following you in this work with our prayers and very sincere wishes." (Rev. Charles L. Candee.)

Youngstown (Ohio) Federated Churches:

"A very large majority of the members of the Protestant churches of our city are strongly in favor of the membership of the United States in the Permanent Court of International Justice.

"It is to be hoped that the President will present this matter to the Senate at his earliest opportunity. I am confident that our church people will heartily support him in so doing." (Rev. George L. Ford.)

V. The National Committee on the Churches and World Peace

"The action of the last conference of the Churches and World Peace, representing 37 national religious bodies, was so clear and emphatic that I can say with authority that this great constituency is ardently back of President Hoover in the submission of the World Court protocols and will urge upon the Senate prompt ratification. To quote from the findings: 'This conference is convinced that the tradition of the United States points directly to membership in the World Court * * * and that such membership is essential to the fulfillment of America's international obligations.'" (John Howland Lathrop.)

THE TARIFF

Mr. FESS. Mr. President, recently our friend, Gov. E. C. Stokes, of New Jersey, wrote a very informational letter on the tariff question to the New York Times, which was published in that paper. I ask unanimous consent that it may be inserted in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter is as follows:

[From the New York Times, Wednesday, December 10, 1930]

THE TARIFF AS A BENEFIT—WE ARE, IT IS HELD, ACTING FOR OUR OWN BEST INTERESTS

To the EDITOR OF THE NEW YORK TIMES:

I quote from the Times of November 30 the following by Raymond B. Fosdick: "The recent tariff act was a blow struck by one nation at the economic stability of 60 nations. It was the blind, desperate effort of a great country to hang on to the top of the ladder by kicking at every other country."

The writer apparently fails to state that practically every country of industrial importance is raising its tariff walls against American products, as, for instance, Italy, England, France, and Germany against our automobiles; the recent enactments by Canada and the action of other countries favoring the protective policy for their own lands. The protective policy is growing in

favor throughout the world. It is intimated that America is the sole champion of this policy, which is contrary to the facts.

The truth is that America is the greatest free-trade country on earth, with the exception of England. I quote the figures vouched for by former President Coolidge, which may need some slight revision but which are still practically true: "The value of our imports for the last fiscal year showed an increase of more than 71 per cent since the present tariff law went into effect." In other words, President Coolidge shows that the tariff is not a bar to purchases by us from foreign countries; that they sell more to us under the protective tariff than otherwise, because we have a greater buying power. He goes on to say:

"Of these imports about 65 per cent come in free of duty. We have admitted a greater volume of free imports than any other country excepting England.

"We are, therefore, levying duties on about $1,550,000,000 of imports. Nearly half of this, or $700,000,000, is subject to duties for the protection of agriculture and have their origin in countries other than Europe. They substantially increased the prices received by our farmers for their produce. About $300,000,000 more is represented by luxuries, such as costly rugs, furs, precious stones, etc. This leaves only about $550,000,000 of our imports under a schedule of duties which is in general under consideration when there is discussion of lowering the tariff. While the duties on this small portion, representing only about 12 per cent of our imports, undoubtedly represent the difference between a fair degree of prosperity or marked depression to many of our industries and the difference between good pay and steady work or wide unemployment to many of our wage earners, it is impossible to conceive how other countries or our own importers could be greatly benefited if these duties are reduced."

The last revision of the new bill contains 3,221 specifically mentioned dutiable items and "basket" clauses which cover a number of items. A recent survey by the Tariff Commission shows that 2,171 or 66 per cent of these items remain as they were in the tariff law of 1922. This means that only one-third of the dutiable items are affected by the bill.

The increased duties allowed by the bill are mostly in favor of agriculture. Duties levied on agricultural raw materials are compensatory duties allowed industries using those materials and account for approximately 68 per cent of the total increase. Agricultural duties will jump from 38.10 per cent to 48.92 per cent on raw materials; compensatory duties on agricultural products made from agricultural raw materials, from 36.15 per cent to 48.87 per cent; but the increase in industrial rates in which the compensatory element does not enter is only from 31.02 per cent to 34.31 per cent. The tariff measure is preeminently an agricultural revision upward.

On the basis of these facts, charges that industry stands to gain millions of dollars from this act at the expense of the public are absurd.

The insignificance of the increase of our tariff rates on our industrial products certainly does not warrant the misleading propaganda and indictment of the last tariff legislation that is now being spread throughout the country.

The competition from other countries has grown keenly since the war. The low wages of 140,000,000 Russians, all conscript labor; the low wages of China and Japan, of Germany and Czechoslovakia, with other illustrations that might be cited, make the dumping of foreign products on our shores inevitable unless we raise a protective barrier.

These foreigners pay no taxes in this country, they do not contribute to our churches, or our charities, or our colleges or universities or schools, and in case of war they might fight against our flag. Why should they have the privilege of our markets, which they in no sense create, against our own people and to the detriment of the latter? Not all but a large part of the goods that come in from other countries take work from the American people and reduce the American pay roll.

There is apparently an almost universal demand in this country, whether wise or unwise, to stop immigration; and yet we allow that would-be immigrant to work abroad for beggarly wages, the product of his handicraft being shipped over here, thus preventing the sale of American-made goods and throwing the American workman out of a job.

We forbid the sale of prison-made goods in this country on the ground that it displaces free labor. That policy is universally adopted and is a good one. The same principle applies to the cheap goods that are made by the low-paid labor from other countries.

This free-trade propaganda makes one wonder what has become of our boasted Americanism. Are there no Americans in America to speak for our country and resent the gospel of these internationalists, who seem to have hysterics over American legislation, and who in spirit are foreigners first and Americans last? They are so solicitous for the nations over the seas that one wonders if they are Americans at all.

America has been most generous to the other nations of the world. In the last few years she has sent thirteen billions of capital abroad to help other nations. We helped to fight their battles in the World War. We aided the starving children of Russia and Germany. We were first on the ground with assistance at the time of the Japanese earthquake. Our hand is always extended to aid and help other peoples, and yet if we try to protect our own people, so they can have work and wages, a set of dilettante internationalists howls about the barriers of trade.

E. C. STOKES.

TRENTON, N. J., *December 5, 1930.*

SETTLEMENT OF CLAIMS

Mr. HOWELL. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 776, the bill (S. 4377) to provide for the settlement of claims against the United States on account of property damage, personal injury, or death.

The VICE PRESIDENT. Let the bill be read for the information of the Senate.

The bill (S. 4377) to provide for the settlement of claims against the United States on account of property damage, personal injury, or death, which had been reported from the Committee on Claims without amendment, was read by title.

Mr. SMOOT. Mr. President, will it take very long to dispose of the measure?

Mr. HOWELL. I trust not. The bill was passed by Congress and pocket-vetoed by President Coolidge because there was in it a provision which provided that the attorneys in the General Accounting Office should conduct any suits which might arise thereunder. That was objected to by the Attorney General's Office. This provision has been excluded from the bill. It is legislation which is highly necessary. It will relieve the committees of Congress of a great deal of work and will provide for uniformity of settlement of tort claims. It will also expedite the claims of claimants against the United States Government.

Mr. SMOOT. Is it a unanimous report from the committee?

Mr. HOWELL. It is a unanimous report.

Mr. BRATTON. Mr. President, I hope the Senator from Nebraska will not insist upon his motion. The bill is a long and comprehensive one. It proposes to confer new powers upon certain departments, including that of the Comptroller General. It proposes to set up a new system for the adjustment of claims, which will apply to thousands of claimants against the Government. It will require some discussion, and probably will consume the entire morning hour. I hope the Senator will let the bill go over until after the Christmass holidays in order that some of us may give it further study and be able to discuss it at that time. The bill can not be disposed of hurriedly this morning. There are several Senators who entertain fixed views about it and who probably desire to voice them. Under those circumstances, let me suggest to the Senator from Nebraska that he allow the bill to go over until after the holiday recess.

Mr. HOWELL. Mr. President, this bill has been before the Senate for about nine months. It has been objected to when it has been reached on the calendar from time to time. There is only one way that the Senate can understand the bill, which proposes to grant certain powers and is somewhat complicated, and that is to discuss it, so that the Senators may understand and appreciate what its passage will mean to Congress in relieving it of unnecessary work, and what it will mean to claimants who come here and importune the various Senators for the settlement of tort claims.

In an act of 1922 Congress provided for the settlement of tort claims not to exceed $1,000 involving property damage, and provided that they may be settled by the various departments. They are being so settled, but there is no uniformity in the method of settlement.

Therefore, Mr. President, though I am sorry to disagree with the Senator from New Mexico, there is only one way for this bill to be passed—that is, for the Senate to understand it—and I think the sooner we begin to discuss this question and understand it the sooner we shall eliminate the bill from the calendar.

Mr. SMOOT. Mr. President, will the Senator please withdraw his request for the consideration of the bill until we get through with the Interior Department appropriation bill, which has to go back to the House of Representatives?

Mr. HOWELL. I do not want to interfere with the Interior Department appropriation bill, but we are now in the morning hour, and I have now the first opportunity of having this question decided.

Mr. McNARY, Mr. WATSON, and Mr. MOSES addressed the Chair.

The VICE PRESIDENT. Does the Senator from Nebraska yield; and if so, to whom?

Mr. HOWELL. I yield first to the Senator from Oregon.

Mr. McNARY. I think probably, with a short explanation, the Senator from Nebraska, with his sense of fairness, will appreciate the situation now confronting the Senate. Yesterday request was made for an executive session at 2 o'clock. I interposed an objection that the executive session should not be set definitely for that hour if it would interfere with the consideration of two important conference reports.

Mr. President, two conference reports will be in here this afternoon; I expect one regarding drought relief to be here before 2 o'clock this afternoon.

Mr. MOSES. Mr. President, may I interject that the conference report on the Post Office and Treasury Departments appropriation bill is here now?

Mr. McNARY. There are two appropriation bills that are demanding attention. It will be difficult, unless we act promptly, to get the relief measures through before the holiday recess, and they are imperatively important. The measure in which the Senator from Nebraska is so much interested may be loaded with merit, but certainly this is not the time to take it up, when there is pressing need to act upon more urgent legislation; and I appeal to the fairness of the Senator from Nebraska not to insist upon his motion until after the holiday recess.

Mr. HOWELL. Mr. President, I will agree to withdraw my motion if I may have the bill to which I have referred made the unfinished business, and I ask unanimous consent——

Mr. McNARY. Mr. President, may I suggest to the Senator that we have unfinished business now before the Senate, namely, the so-called maternity bill, and we can not pile up order upon order. If the Senator will just be patient, I fancy he will have no difficulty, after we convene in January, in securing consideration of his bill.

Mr. ROBINSON of Arkansas. Mr. President, may I ask the Senator from Oregon a question?

Mr. HOWELL. I yield.

Mr. ROBINSON of Arkansas. When will it be practicable to bring forward the conference report on the bill to which the Senator has referred, namely, the drought relief bill?

Mr. McNARY. Between 1 and 2.30 o'clock this afternoon; that is my hope.

Mr. NORRIS. Mr. President, I should like to suggest to the Senator from Oregon that the two important conference reports which will necessarily have to be considered before any holiday recess can be taken are both now in the other House; neither one is here.

Mr. SMOOT. But the Interior Department appropriation bill is here.

Mr. NORRIS. Yes; but that is not so important; if that bill shall not be passed until after the holiday recess, it will not make any difference. The conference reports of which the Senator from Oregon speaks, however, are both emergency measures. Why can not the Senator from Nebraska go on with his bill, at least until one of the conference reports to which the Senator from Oregon has referred reaches the Senate, if his bill shall not have been disposed of before that time?

Mr. McNARY. Mr. President, in answer to the Senator, let me say that yesterday we came to a moral understanding that at 2 o'clock to-day we would proceed to the consideration of executive business.

Mr. NORRIS. There was a condition attached to that understanding, namely, that it should not interfere with the conference reports on the emergency bills.

Mr. McNARY. I appreciate that, and I think I made a similar suggestion. I expect the conference report on the drought relief bill to be here at 1 o'clock; that is only 35 minutes from now; and it would be idle to undertake to discuss an important bill for 35 minutes, and it would interfere very greatly with what we can accomplish to-day. I think the Senator from Nebraska understands the situation, and I sincerely hope that he will withdraw his motion.

Mr. HOWELL. Mr. President, time and again this bill has been before the Senate; time and again it has been reached, and the statement made that there was something else that was more important and it should not be considered. There are now nearly 40 minutes left of the morning hour, which is set aside for just such purposes as the discussion of bills of this character.

Mr. MOSES. Mr. President, will the Senator permit me to make a suggestion?

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from New Hampshire?

Mr. HOWELL. I yield.

Mr. MOSES. I suggest to the Senator that he enter a motion now, which we can dispose of, to make the bill a special order for a given day following the holiday recess.

Mr. SWANSON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Virginia will state it.

Mr. SWANSON. Only five minutes debate is permitted before 2 o'clock, is it not?

The VICE PRESIDENT. No debate is in order now if any Senator objects until the bill shall have been taken up.

Mr. SWANSON. We can dispose of this question by a vote if an agreement can not be reached.

The VICE PRESIDENT. But if the bill shall be taken up on motion debate would be unlimited.

Mr. SWANSON. But no debate is in order on the motion to take the bill up.

The VICE PRESIDENT. No debate is in order if any Senator objects.

Mr. HOWELL. Well, Mr. President——

Mr. SWANSON. I call for the regular order.

Mr. HOWELL. I move that this bill be made the special order for 2 o'clock on the 5th day of January.

Mr. LA FOLLETTE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LA FOLLETTE. It requires a two-thirds vote to make the bill a special order, does it not?

The VICE PRESIDENT. It requires a two-thirds vote in order to make it a special order.

SEVERAL SENATORS. Vote!

The VICE PRESIDENT. The question is on the motion of the Senator from Nebraska.

The motion was rejected.

Mr. HOWELL. I ask permission to proceed with this bill at the present time.

The VICE PRESIDENT. Objection was made by the Senator from Virginia, who demanded the regular order.

Mr. SWANSON. We can act on a motion to consider the bill, but I want the matter disposed of. If a motion to consider the bill were agreed to and the bill should be taken up, there would be no limit to debate on it.

Mr. HOWELL. I move that the Senate proceed to the consideration of the bill.

The VICE PRESIDENT. The question is on the motion of the Senator from Nebraska to proceed to the consideration of the bill, which the Secretary will state by title.

The CHIEF CLERK. A bill (S. 4377) to provide for the settlement of claims against the United States on account of property damage, personal injury, or death.

The VICE PRESIDENT. The question is on the motion of the Senator from Nebraska.

The motion was rejected.

ACTION OF STATE DEPARTMENT ON FOREIGN LOANS

Mr. SMOOT obtained the floor.

Mr. GLASS. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Virginia?

Mr. SMOOT. I yield.

Mr. GLASS. Mr. President, there is on the desk a resolution offered by me some time ago directing the Department of State to discontinue the exercise of a lawless function in the matter of undertaking to approve or disapprove loans negotiated by banks in this country with citizens of foreign countries and with foreign nations. I refer to Senate Reso-

lution 305. I want to ask to have the resolution referred to the Committee on Banking and Currency, with the intention of asking that committee to report it immediately after the holiday recess.

I do this because I notice in the press dispatches that the State Department found it desirable the other day to disclaim having disapproved certain loans by American banks to Italy upon the ground that it would not sanction any loan to Italy until Italy yielded in the matter of its differences with France on the question of naval disarmament.

Mr. REED. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Pennsylvania?

Mr. GLASS. Yes; I yield.

Mr. REED. I saw the statement by the State Department. As it was issued, it was to the effect that the department had not been asked to consider any such loans and had not considered them.

Mr. GLASS. That I know.

Mr. REED. The subject had never been brought up.

Mr. GLASS. I say that I know, and that I am saying, but we should not have a situation in this country where the State Department feels compelled to deny that it has done something that it has no lawful right to do in any event.

The VICE PRESIDENT. The resolution will be referred to the Committee on Banking and Currency.

INTERIOR DEPARTMENT APPROPRIATIONS

Mr. SMOOT. I move that the Senate proceed to the consideration of House bill 14675, being the Interior Department appropriation bill.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. NORRIS. I do not ask the Senator to yield. I desire to submit a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Nebraska will state his parliamentary inquiry.

Mr. NORRIS. If the motion of the Senator from Utah shall prevail, and the bill shall not have been disposed of before 2 o'clock, will it not displace the unfinished business?

The VICE PRESIDENT. No; the unfinished business will be laid down at 2 o'clock.

Mr. NORRIS. Then the appropriation bill would not displace the unfinished business?

The VICE PRESIDENT. It would not. The question is on the motion of the Senator from Utah.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. SMOOT. I ask that the formal reading of the bill may be dispensed with and that the bill may be read for amendment, the amendments of the committee to be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The Chief Clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the heading "Office of the Secretary, salaries," on page 2, line 5, after the name "District of Columbia," to strike out "$358,000; in all, $373,000" and insert "$360,780; in all, $375,780," so as to read:

Secretary of the Interior, $15,000; First Assistant Secretary, Assistant Secretary, and other personal services in the District of Columbia, $360,780; in all, $375,780.

The amendment was agreed to.

The next amendment was, under the subhead "Office of solicitor," on page 3, line 22, to increase the appropriation for personal services in the District of Columbia from $120,000 to $120,500.

Mr. SMOOT. Mr. President, nearly all the amendments to the bill are caused by the Budget salary increases. There are very few amendments, I think only about half a dozen, outside of those made necessary by the salary increases as reported by the Budget. I ask unanimous consent that all the amendments covering those increases be agreed to en bloc.

Mr. ROBINSON of Arkansas. Let us have an explanation of that request, Mr. President.

Mr. HEFLIN. Mr. President, will the Senator yield?

The VICE PRESIDENT. The Senator from Arkansas rose to ask a question. Does the Senator from Utah yield to the Senator from Arkansas?

Mr. SMOOT. I yield.

Mr. ROBINSON of Arkansas. I think that before an omnibus arrangement of that nature is made, we should at least have an explanation as to what the increases are, and something should be said about the necessity for them.

Mr. SMOOT. Mr. President, it is the same action we took with respect to the Treasury appropriation bill. The increases are provided for under what is known as the Brookhart salary law. Similar increases are found in the appropriations for all the different departments of the Government.

Mr. HEFLIN. Mr. President, will the Senator yield?

Mr. SMOOT. I yield.

Mr. HEFLIN. What will the increases amount to?

Mr. SMOOT. The increases in this particular bill amount to $248,194.

Mr. BRATTON. Mr. President, it is my understanding that all of those increases merely carry out existing law.

Mr. SMOOT. Yes; they carry out existing law as construed by the department, and I think rightfully construed.

Mr. ROBINSON of Arkansas. What are the items?

Mr. SMOOT. The items are the salaries which have been affected by the salary increases. I do not know how many of them there are in this bill, but in the appropriation bill for every department increases have been made to take care of the increases in salaries.

Mr. ROBINSON of Arkansas. I think we had better proceed in the regular manner.

The VICE PRESIDENT. The question is on agreeing to the amendment on page 3, line 22.

The amendment was agreed to.

The next amendment was, under the subhead "Expenses of Indian Commissioners," on page 6, line 23, before the word "of," to strike out "$14,100" and insert "$14,300," and in the same line, after the word "exceed," to strike out "$9,000" and insert "$9,200," so as to read:

For expenses of the Board of Indian Commissioners, $14,300, of which amount not to exceed $9,200 may be expended for personal services in the District of Columbia.

Mr. SMOOT. That is a salary increase.

The amendments were agreed to.

The next amendment was, under the heading "General Land Office, salaries," on page 7, line 4, after the name "District of Columbia," to strike out "$732,000" and insert "$741,160," so as to read:

For Commissioner of the General Land Office and other personal services in the District of Columbia, $741,160, including one clerk of grade 1, clerical, administrative, and fiscal service, who shall be designated by the President, to sign land patents.

Mr. ROBINSON of Arkansas. Is that in the same class?

Mr. SMOOT. It is the same.

The amendment was agreed to.

The next amendment was, on page 8, line 18, after the name "Secretary of the Interior," to strike out "$700,000" and insert "$706,480," so as to read:

Surveying public lands: For surveys and resurveys of public lands, examination of surveys heretofore made and reported to be defective or fraudulent, inspecting mineral deposits, coal fields, and timber districts, making fragmentary surveys, and such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States, under the supervision of the Commissioner of the General Land Office and direction of the Secretary of the Interior, $706,480.

Mr. SMOOT. That is the same thing, a salary increase.

The amendment was agreed to.

The next amendment was, on page 10, line 1, after the word "another," to strike out "$192,500" and insert "$193,460," so as to read:

Contingent expenses of land offices: For clerk hire, rent, and other incidental expenses of the district land offices, including the expenses of depositing public money; traveling expenses of clerks detailed to examine the books and management of district land offices and to assist in the operation of said offices and in the opening of new land offices and reservations, and for traveling expenses of clerks transferred in the interest of the public service from one district land office to another, $193,460.

Mr. SMOOT. That is a salary increase.

The amendment was agreed to.

Mr. ROBINSON of Arkansas. Mr. President, if the Senator from Utah can state the amendments which would be comprehended in his request for omnibus action, I know of no reason why the Senate might not agree to it. But just to say that all amendments that have relationship to a particular subject be agreed to I think is bad practice.

Mr. SMOOT. It would be.

Mr. ROBINSON of Arkansas. Perhaps we had better go right ahead.

Mr. FLETCHER. I think we will save time by going on in the regular way.

Mr. SMOOT. So do I.

The PRESIDING OFFICER (Mr. Fess in the chair). The Secretary will report the next amendment.

The next amendment was, on page 10, line 14, before the word "including," to strike out "$485,000" and insert "$488,220," so as to read:

Depredations on public timber, protecting public lands, and settlement of claims for swamp land and swamp-land indemnity: For protecting timber on the public lands, and for the more efficient execution of the law and rules relating to the cutting thereof; protecting public lands from illegal and fraudulent entry or appropriation, adjusting claims for swamp lands and indemnity for swamp lands; and traveling expenses of agents and others employed hereunder, $488,220, including not exceeding $35,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles and motor boats for the use of agents and others employed in the field service and including $60,000 for prevention and fighting of forest and other fires on the public lands, to be available for this and no other purpose, and to be expended under the direcion of the commissioner.

Mr. SMOOT. That is a salary increase.

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Indian Affairs, salaries," on page 11, at the end of line 9, to strike out "$465,000" and insert "$472,440," so as to read:

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, $472,440, and in addition thereto the unexpended balance for this purpose for the fiscal year 1931 is continued available for the same purpose for the fiscal year 1932.

Mr. SMOOT. That is the salary increase.

Mr. KING. Mr. President, I am not sure whether this is the appropriate place to offer an amendment or not, but the amendment I propose to offer will be in harmony with the suggestion made by Mr. and Mrs. Crawford, representing the Klamath Indians. They objected to an appropriation.

Mr. SMOOT. Mr. President, this is not the place, I will say to my colleague. When we come to the Indian section whatever amendment the Senator desires to offer can be offered, after we get through with the amendments of the committee.

Mr. KING. I have no objection to that course.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 11, line 9.

The amendment was agreed to.

The next amendment was, on page 14, at the end of line 2, after the figures "$23,000," to insert a comma and "to be immediately available," so as to read:

For the purchase of supplies and equipment and the employment of labor for the construction and repair of telephone lines between Gallup, N. Mex., and the Zuni Indian Agency; and within the Jicarillo Reservation, N. Mex., $23,000, to be immediately available.

The amendment was agreed to.

The next amendment was, under the subhead "Expenses in probate matters," on page 15, line 22, after the name "Secretary of the Interior," to strike out "$73,000" and insert "$73,260," so as to read:

For the purpose of determining the heirs of deceased Indian allottees having right, title, or interest in any trust or restricted property, under regulations prescribed by the Secretary of the Interior, $73,260, reimbursable as provided by existing law, of which $16,000 shall be available for personal services in the District of Columbia.

Mr. SMOOT. That is a Budget increase.

The amendment was agreed to.

The next amendment was, on page 16, line 9, after the word "attorneys," to strike out "$40,000" and insert "$40,600," so as to read:

For salaries and expenses of such attorneys and other employees as the Secretary of the Interior may, in his discretion, deem necessary in probate matters affecting restricted allottees or their heirs in the Five Civilized Tribes and in the several tribes of the Quapaw Agency, and for the costs and other necessary expenses incident to suits instituted or conducted by such attorneys, $40,600.

Mr. SMOOT. That is a salary increase.

The amendment was agreed to.

The next amendment was, under the subhead "Indian lands," on page 18, line 2, to strike out "$3,700" and insert "$3,800," so as to read:

For the pay of one special attorney for the Pueblo Indians of New Mexico, to be designated by the Secretary of the Interior, and for necessary traveling expenses of said attorney, $3,800.

Mr. SMOOT. That is a salary increase.

The amendment was agreed to.

The next amendment was, on page 21, line 2, after the name "Red River in Oklahoma," to insert a colon and the following proviso:

Provided, That said sum herein made available shall be paid out in two equal installments—one during the month of October and one during the month of March.

So as to read:

For payment to the Kiowa, Comanche, and Apache Indians, of Oklahoma, under such rules and regulations as the Secretary of the Interior may prescribe, $200,000, from the tribal trust fund established by joint resolution of Congress, approved June 12, 1926 (44 Stat. p. 740), being a part of the Indians' share of the money derived from the south half of the Red River in Oklahoma: *Provided*, That said sum herein made available shall be paid out in two equal installments—one during the month of October and one during the month of March.

Mr. SMOOT obtained the floor.

Mr. HOWELL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. SMOOT. I was just going to explain the amendment, and then I will yield.

Mr. HOWELL. Very well.

Mr. SMOOT. That amendment was put into the bill at the request of the junior Senator from Oklahoma [Mr. THOMAS]. The only purpose of the amendment is to advise the Indians when they can expect this money.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment, that the House insisted on its disagreement to the amendments of the Senate numbered 11, 12, and 14 to the said bill, agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WOOD, Mr. CRAMTON, Mr. WASON, Mr. BYRNS, and Mr. BUCHANAN were appointed managers on the part of the House at the further conference.

SETTLEMENT OF CLAIMS

Mr. HOWELL. Mr. President, it seems that the only way to get an opportunity to present a question to the Senate is to proceed, and I shall take the liberty at this time of presenting to the Senate the merits of Senate bill 4377, the so-called tort bill.

I think it will be agreed that the Government of the United States should respond to claimants where wrongs have been done in connection with property, or where life and limb are involved; and there ought to be some means whereby those wrongs can be corrected and damages allowed without undue time passing, so far as the claimant is concerned.

At the present time, however, there is no general method of settling tort claims against the United States where the claims arise out of the acts of public officials in the performance of their duties. It is true that in 1922 Congress saw fit to give authority in a limited degree to the independent departments of the Government to settle tort claims involving property to the amount of $1,000. But what has been the result? There have been about as many different kinds of settlement in connection with similar claims as there are departments, and ofttimes, as before 1922, a claim coming before the War Department, for instance, is delayed several months before a result is obtained.

As to claims of over $50,000, they all have to come to Congress; they come before one of the Committees on Claims and they come before that committee with ex parte evidence only. They have not been properly investigated. There has not been a proper report made. The evidence before the Claims Committee is evidence upon which no court would attempt to settle a claim.

What this bill proposes is this: The orderly collection of the testimony; its collation; its presentation to the General Accounting Office; and, if the claim does not exceed $1,000, the Accounting Office has the right to settle the claim in the light of the recommendations of the various departments, in the light of the testimony they have gathered, and in the light of such additional testimony as the Accounting Office may gather.

Mr. SHORTRIDGE. Up to $1,000?

Mr. HOWELL. One thousand dollars, and no more.

Mr. NORRIS. Mr. President, is there any provision for the cross-examination of witnesses?

Mr. HOWELL. There is no provision of that character. The claimant makes his claim; he presents his claim to the department.

Mr. SHORTRIDGE. What department?

Mr. HOWELL. The department the employee of which has been guilty of the tort. This is merely in connection with property damage. He presents all the facts. The department makes a complete and full investigation. The report is presented to the General Accounting Office. The Accounting Office then makes such investigation as it deems proper. The Accounting Office then makes a settlement, and if the party is not satisfied he can go to the Court of Claims as on certiorari upon that record.

Thus far we give no more power to the General Accounting Office than is enjoyed by the various departments, but we do provide in this manner for a uniform method of settlement of such claims.

Mr. SHORTRIDGE. Mr. President, will the Senator yield?

Mr. HOWELL. I yield.

Mr. SHORTRIDGE. Do I understand that this bill proposes that in connection with torts a given department has the authority, the power, to hear and determine and dispose of a claim?

Mr. HOWELL. At the present time that is the fact, up to a thousand dollars.

Mr. SHIPSTEAD. Mr. President, I make the point of order that the Senate is not in order.

The PRESIDING OFFICER. The point of order is well taken. The Senate will be in order.

Mr. SHIPSTEAD. The Senator from Nebraska is discussing a very important question, and I want to hear the discussion.

Mr. SHORTRIDGE. I will put the question again, Mr. President. I have not read the bill, wherefore I have asked the Senator as to its general scope. What power, if any, is given to a particular department; and has the department the full power to hear and determine and pass upon a claim; and will its decision be final and binding upon the Government?

Mr. HOWELL. At the present time each department has the power and authority to determine tort claims not exceeding a thousand dollars in amount and to pay them out of their own appropriations. This bill proposes that these departments shall get together all the evidence and present the evidence to the General Accounting Office, and then the General Accounting Office may make the settlements.

Mr. NORRIS. The effect of that is to make the practice uniform.

Mr. SHORTRIDGE. Is there a limit as to the amount?

Mr. HOWELL. A thousand dollars.

Mr. SHORTRIDGE. It is limited to that?

Mr. HOWELL. Just the same limit as is now imposed upon the departments.

Mr. SHORTRIDGE. That is to say, a claim for $2,000 will not be entertained?

Mr. HOWELL. It will not be entertained, except in a case such as I will cite. I am about to come to a discussion of claims of more than $1,000.

Mr. SHORTRIDGE. Arising out of tort?

Mr. HOWELL. Arising out of tort, affecting property. Where the claim is for more than $1,000 and not in excess of $50,000——

Mr. SHIPSTEAD. Mr. President, before the Senator gets to that, will he yield?

Mr. HOWELL. I yield.

Mr. SHIPSTEAD. In this method of settlement, will there be any opportunity for the claimant and the representatives of the department to meet before the case goes to the comptroller?

Mr. HOWELL. The claimant can present all of his evidence to the department, and he can gain from the department what its attitude is.

Mr. SHIPSTEAD. Can he gain from the department information as to what the decision of the department is, so that he can answer what he may consider a misstatement of fact?

Mr. HOWELL. The department does not conclude anything. All the department does is to present the facts to the General Accounting Office, and then the claimant can go to the General Accounting Office and present any evidence he sees fit.

Mr. SHIPSTEAD. In addition?

Mr. HOWELL. In addition.

Mr. SHIPSTEAD. He will have the right to see the argument of the representatives of the department, so that he can answer it if he thinks it is wrong in the statement of facts?

Mr. HOWELL. There is no provision of that kind in the bill.

Mr. SHIPSTEAD. Does not the Senator think that there should be such a provision in the bill?

Mr. HOWELL. So far as the bill is concerned now, it does not give the General Accounting Office any more power or authority than the departments have, and it gives it the same authority the departments have; in other words, we follow the law of 1922 exactly up to the point where the settlement is made, and then the settlement is made by the General Accounting Office. That is the change from the law of 1922, and there is no other change of any kind or character.

Mr. SHIPSTEAD. What I am trying to get at is this, Is this arrangement for settlement a paper settlement, or is there an opportunity for the claimant and the representatives of the department to meet?

Mr. HOWELL. There is every opportunity for the claimant and the department to meet, just exactly as they meet now.

Mr. SHIPSTEAD. I understand that as they meet now it is unsatisfactory.

Mr. HOWELL. It is unsatisfactory in this, that one department makes one kind of a settlement in connection with a particular claim, and in connection with a similar claim another department could adopt different principles in making the settlement.

Mr. SHIPSTEAD. I understand that.

Mr. HOWELL. But at the present time there is no objection, so far as I know, to this method of settlement by the departments, except that the departments themselves feel that these settlements are not similar in the various cases, and that they ought to be made similar. In order that Senators may realize that fact I desire to read from a letter written by the Secretary of War. He said:

> It has recently come to my attention that there is a lack of uniformity in the various departments of the Government with respect to the payment of claims, particularly those arising under the act of December 28, 1922.

That is the act about which I have been talking. He proposes in this letter that there shall be cooperation between the departments, a sort of an interdepartmental committee appointed to arrive at some general principles for the settlement of claims.

When this matter was called to the attention of the General Accounting Office the General Accounting Office replied that this is exactly what was being attempted in a bill pending before Congress, which was passed by Congress, but pocket-vetoed. That is why I am here on the floor now trying to provide for the uniform settlement of claims, granting no more power to the General Accounting Office than the departments have now; and covering the same kind of claims up to this point. We do provide this, which is not provided in the law of 1922, that if anyone is dissatisfied, he can appeal to the Court of Claims as on certiorari. It certainly is an advance over the method in vogue at the present time.

Mr. President, I shall now talk about tort claims, in relation to property, exceeding a thousand dollars and up to $50,000. In the cases of such tort claims the evidence is collected by the departments just exactly the same, and is then presented to the General Accounting Office; the General Accounting Office then arrives at a settlement. If the claimant is not satisfied, he has a right to appeal to the Court of Claims as on certiorari, but if he does not appeal, then the claim comes to Congress for payment.

There is no authority whatever given the General Accounting Office to pay a claim of that character. It comes to Congress for appropriation and payment and Congress can take whatever action it sees fit. But there is an orderly method provided for the taking of evidence in these claims so that they do not come before committees on ex parte evidence, which is exactly what is going on here constantly at the present time.

There is another thing for which the bill provides, and that is the settlement of tort claims involving injury or death of individuals. At the present time those claims come before the committees of Congress upon ex parte evidence, which in many cases no court would consider. When I first became a member of the Committee on Claims, inasmuch as I had had some 10 years' experience in the settlement of claims, I called the attention of the members of the committee to the fact that there ought to be a method provided to take testimony in the cases; that certainly no member of the committee had the time to collect the evidence; that the chairman could not collect the evidence.

Mr. President, there are 1,100 bills before the Claims Committee which have been introduced in this Congress, and probably the number will be 1,300 before we get through. I say to the Senate that the method used in the settlement of claims is 100 years behind the times. What can this committee know about a tort claim which involves personal injury and death? We are there very much like an insurance company, but with none of the facilities of the insurance company. A man is injured out in California. How do we get information as to the facts in the case? We have no physician in San Francisco to whom we can appeal and ask to go and examine the injured party. We find that affidavits are presented which on their very face do not coincide with other facts in the claims presented. But how are we to weed out and determine which are correct? Certainly, the chairman of that committee has not the time to do it. If he did that, he would do nothing else, and he would have to work 365 days in the year unless we had given to him adequate assistance.

It is time that Congress did something to end this practice. Claims come before the committee that would have no standing whatever in court. They are submitted upon hearsay testimony, upon evidence that is far from the best evidence, and many times the claims are passed by Congress. It is plain at least that we should provide for a method of investigation of claims, collating the evidence, and presenting it in the manner in which it might be received in the courts.

The bill provides that in the case of personal injuries or death the claimants shall file their claims with the Compensation Commission, which has been set up by the Government and which has the machinery to investigate claims of personal injury and death; that they shall file all their evidence before the commission and shall be heard by the commission, or that representatives of the claimants may be heard by the commission. After the commission has collated the evidence, the evidence is then transmitted to the General Accounting Office. The General Accounting Office then audits such claims and the claims come to Congress for appropriation and payment.

Mr. TYDINGS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Maryland?

Mr. HOWELL. I yield.

Mr. TYDINGS. In a case where there would not be jurisdiction normally taken by the Compensation Commission, such as where a military airplane falls into a field upon a farmer who is plowing his ground and kills him, where would the claimant take such a claim under the Senator's bill?

Mr. HOWELL. To the Compensation Commission.

Mr. TYDINGS. There is no compensation involved in it. The man was not a Government employee.

Mr. HOWELL. That simply involves cases of tort. Suppose a man working in a field is killed as a result of the falling of one of our military airplanes. I think it must be agreed that the family is entitled to something.

Mr. TYDINGS. Legally it might be that they could not recover in a court of law because there has been no negligence. If there is no legal liability, what would be done with such a claim in its presentation to the Compensation Commission?

Mr. HOWELL. If Congress did not see fit to grant a claim of that sort, it would not be granted, because every claim comes before Congress and must be passed on by Congress.

Mr. TYDINGS. I am not taking issue with the Senator, but the point I make is that the relatives of the deceased, his widow and children, would probably be here five or six years before they would get the claim through under the present procedure.

What I am hoping is that the Senator provides for the setting up of some machinery to expedite these matters where simple justice shall be done and that the commission will not only take in and consider strictly legal cases, but be broad enough to be a fact-finding body for all these claims, so that Congress may have a recommendation before it as to whether there is justice in the claim or not.

Mr. HOWELL. As a matter of fact, that is exactly what the Compensation Commission would be in such cases, a fact-finding commission. It is peculiarly equipped to find the particular facts. At the present time, if a case of that kind comes before Congress, I think the Senator is aware

that it comes before Congress in the most incomplete manner.

Mr. TYDINGS. May I also state to the Senator that he is no doubt familiar with a bill which I introduced as soon as I came to the Senate, known as the Aberdeen Proving Ground bill. Legally I doubt if the claimants have any case at all in court. The Government told them it would be responsible for certain acts it performed. They accepted the Government's word. I then introduced the bill simply to refer the facts to the Court of Claims in order that we might find out whether or not those people had any amount of money still owing to them. When the bill came up on the floor of the Senate it was so amended that it is of little value if it goes to the Court of Claims. In that case the Senate said:

> Notwithstanding the Federal Government, exercising its right of eminent domain and its right of confiscation in time of war, has taken property for which it has not made compensation, legally those men could not maintain their case at bar and therefore we will not give them the money, even though we promised we would in 1918 when we took their property.

It seems to me the Senator's bill ought to be broad enough so that claims to be considered are not confined to purely tort or legal limitations, but that where there is enough injustice done by the Federal Government to make any claims worthy of compensation then the claimant ought to get it, law or no law. I do not think the Federal Government should hide behind legal technicalities where it is more or less bound to maintain its side of the controversy.

Mr. HOWELL. The bill is broad enough to cover every kind of claim. The claimant will have to come and present his evidence. After he has presented his evidence it will be passed on to the General Accounting Office. Any additional evidence that may be available to the General Accounting Office that was not available before will be included. Recommendations will then be made to Congress, and Congress will have the final determination as to what shall be done.

Mr. President, I have covered the three classes of claims covered by the bill. The first class is that form of tort involving property where the amount does not exceed $1,000. The second class are tort claims exceeding $1,000 but not exceeding $50,000. The third class are tort claims involving personal injury and death. All except the first class of claims, those involving not more than $1,000 and involving property owners, must come to Congress for final disposition; but they come to Congress with a full record or at least with a record such as we have not been receiving and do not receive at the present time in connection with claim bills. Certainly Congress ought to allow its committees to utilize the present facilities of Government for the collection of evidence in connection with claims against the Government which it is the duty of those committees to consider and dispose of.

Mr. President, there are certain classes of claims which are eliminated from the bill entirely in connection with torts involving property, such as any claim arising out of the loss or miscarriage or negligent transmission of postal matter; any claim arising in respect of the assessment or collection of any tax or customs duties; any claim relating to loss, damage, or destruction of the property of officers and enlisted men in the naval service, Marine Corps, Coast Guard, or Nurse Corps; any claim arising out of conveyance, transfer, assignment, or delivery of money or other property, or out of the payment to or seizure by the President or Alien Property Custodian of money or other property or in the administration of the provisions of the trading with the enemy act; any claim arising out of the administration of the quarantine laws except the laws administered by the Public Health Service of the Treasury Department; any claim arising out of the activities of the Government, its agents and employees, relating to flood control; any claim arising out of the activities of the Government, its agents or employees, relative to river and harbor work.

There is nothing in the bill that is particularly new. It simply provides for the collating of evidence and for the uniform settlement of such claims as are now authorized to be settled by the independent departments of the Government. But when we come to those claims involving personal injury and death, where there is now no method whatever for settlement except by reference to Congress, we merely provide for the collating of the evidence, its audit, and its submission to Congress for Congress to determine whether or not the recommendation shall be followed or whether some other course shall be determined upon in the settlement of a particular claim.

In the case of tort claims involving personal injury and death there are also exceptions. Any claim provided for in the Federal employees' compensation act we do not attempt to duplicate, nor any claim for injury or death incurred in line of duty by military or naval forces where relief is provided for otherwise.

As I have stated, there is no claim for injury or death in excess of $7,500 that is included in the bill or that can be settled under the terms of the bill. There is also a provision in the case of death that hospital services, where the Government is liable, are to be paid, and there is an allowance for funeral benefit of not to exceed $200.

There is no question about the merits of the bill. It is no great departure. It simply provides for efficiency in the settlement of tort claims. We now have claims coming before the committee accompanied by practically no evidence that would be received in any court.

Under this bill the evidence to be presented would be of a character that would be received in court. Claimants would be enabled to make out their cases in proper form and to offer their proof in such manner that it could be understood. At the present time, however, evidence submitted to committees of the House and of the Senate—I assume it is so in the House—is often of a character that is contradictory; in a form that means nothing but the turning down of the case, because certainly claims should not be paid by Congress where there is no adequate proof.

Mr. President, there is now no general law providing for the adjustment of tort claims against the United States by either General Accounting Office, administrative officers, or the courts. The consequence is that the Claims Committees of Congress are burdened with numerous private bills for the payment of tort damages caused by acts of omission or commission of officers of the United States, and a considerable part of the time of Congress is consumed in the consideration of such of the bills as are favorably reported by the respective committees. The burden on Congress and the injustice to claimants have become so great that provision should be made for the utilization by Congress of the assistance of the established machinery of the Accounting Office and of the judicial branch of the Government for the settlement of tort claims in the same manner as provision has been made for such utilization in the settlement of contract claims against the United States.

The act of February 24, 1855, establishing the Court of Claims, limited suits therein to claims "founded upon any law of Congress, or upon any regulations of an executive department, or upon any contract, express or implied, with the Government." The act of March 3, 1887, slightly extended the jurisdiction of the Court of Claims by adding claims "for damages, liquidated or unliquidated, in cases not sounding in tort." These statutes were carried forward into the Judicial Code of March 3, 1911. However, there have been enacted from time to time many special statutes conferring jurisdiction on district courts to hear and determine particular claims sounding in tort against the Government, and there is a general statute which authorizes the Court of Claims to hear claims for the tortuous acts of the Government in the infringement of patents. That is provided for now.

In taking over the railroads and collateral services and in establishing a Shipping Board for the merchant ships, the Government placed itself in the position of a private operator. That is, it submitted itself to tort liability in connection therewith.

There have also been enacted from time to time numerous private bills for the payment of damages to persons or property because of tortuous acts of employees or other agents of

the United States. In addition to these private acts the Federal workmen's compensation act of September 7, 1916, has been enacted providing compensation for the disability or death of an employee "resulting from a personal injury sustained while in the performance of his duty," and Congress provided in the act of July 11, 1919, for compensation for damage to property by Army aircraft, and by the act of December 28, 1922, provision was made for the satisfaction by the heads of the executive departments or independent establishments of the Government of certain claims for damage to or loss of private property not in excess of $1,000 "caused by negligence of any officer or employee of the Government acting within the scope of his employment." An act of the same date gave the Secretary of the Navy authority to settle maritime collision claims up to $3,000.

In other words, it may be said that Congress has recognized the general liability of the Government within maximum amounts for the negligence of officers and employees of the United States, but the machinery for determining that liability is defective and results in overburdening the Claims Committees of Congress and Congress itself with the consideration of tort liability claims and with injuries to the claimants without adequate evidence, or with evidence of such a character in many instances that no insurance company would entertain it for a moment. Claims come before the committee that are 10 years old. The evidence is purely hearsay. It is said the claimant did receive an injury at that time but that he did not make a report of it because he did not know about the matter; and yet, in some of those cases it will be found where such evidence is presented that the claimant had received benefits from the compensation act at the time of the accident upon which the compensation is sought years after its occurrence.

It is time we had some regular, orderly manner of collating evidence so that claimants could be assured that the character of evidence they were presenting was of such a character that it could be seriously considered by Congress. But oftentimes a committee says, "Well, it is too bad; this man evidently has suffered, and it does look as if there might be something in his case"; and sometimes such claims are presented and acted upon favorably here on the floor of the Senate.

Public business can not be done under methods any different from those employed by private business unless we are willing to forego in the conduct of Government business the efficiency which characterizes private business. One of the main causes of inefficiency in government to-day is the fact that we will do things in the name of the Government of the United States, even when a purely business proposition is involved, that no private business institution would do under any circumstances. When the Government undertakes business or anything approaching business, it must adopt the same methods as are pursued by private business or failure is absolutely certain to follow.

The Alaska Railway is an example of that sort of thing. We entered upon the construction of that railway without, in my opinion, knowing what the facts were. One end of the Alaska Railway was at the Tanana River, a branch of the Yukon; the other end was on the Alaskan Gulf; and although building the railroad from the Tanana River south required the shipment of freight over the White Pass Railroad down the Yukon River, nearly to its mouth, and then up the Tanana River to the point where the railroad was to end, part of that railroad was built in that manner, and $80 a ton was paid for freight on the rails and ties, for instance, and other supplies to the point on the Tanana River where that construction was started. The record of the construction of that railway, I think, is certainly a blot upon the Interior Department. Why they did it I can not imagine. How can the Government expect to succeed in railroad building or anything else when such methods are pursued? I can only surmise why it was done. Those behind the undertaking were probably afraid that if they did not get that railroad constructed quickly it would not be built at all, and so they began at both ends—on the Alaskan Gulf and on the Tanana River.

Mr. President, it is methods of that kind that cast upon the attempts of Congress in various undertakings in this country a question mark as to efficiency. How many times do you think, Mr. President, such things have occurred? I stood on the floor of Congress here when we passed a bill authorizing the loaning of money to shipping concerns at the lowest rate at which the Government was issuing its securities.

I urged on the floor of the Senate that the minimum should be fixed at 4 per cent, but that was denied, and to-day the Government is loaning to shipping concerns, as a bonus, money for 1⅞ per cent for 20 years. Suppose I came here and asked that the Nebraska farmer be treated upon that basis; what would be said? Yet there is a bill here on the calendar—and the Senate will not pass it—to correct that situation. Let me say furthermore that it is not a bill introduced by me, but it is now on the calendar, and makes provision that the shipping concerns shall not be able to get the money for less than 2 per cent from the Government. However, that bill has been objected to every time it has come up here for consideration. There are those who want the shipping companies to secure the money from the Government at 1 per cent, if possible. What can we expect when methods of that character are pursued by the Government? There can be only one result.

Mr. President, that has been the trouble with our whole shipping program. Imagine a man going into business, any line of business in this city, and running his business so as not to interfere with his competitors. Just imagine him running his business so that whenever his competitor complained he would immediately withdraw. In the case of the shipping business the only reason complaint was made by private companies was that the Government vessels were getting some of the competitiors' business. How could you expect, Mr. President, any commercial concern running a business on such a basis to succeed? You would hardly expect a small boy without any knowledge of business to attempt to conduct a popcorn stand on any such basis. Yet that is exactly what we have done in the shipping business. We have attempted to run a commercial business without injuring our competitors.

Mr. President, I put that question to the manager of the Shipping Board and asked him if that was not the trouble with our shipping enterprise. His reply was, "Why, HOWELL, it is worse than that; we are attempting to conduct a commercial business by aiding our competitors." Yet we will sit here and allow that kind of thing to go on and the people's money to be expended and wasted, and then we will add on top of such a mountain of unwisdom a provision to loan shipping concerns money for 1⅞ per cent for 20 years; and, in my opinion, they can get it for less than that now, if the Shipping Board will grant them the loans, and I have not a doubt they are after the money right now, because Government securities have been floated recently at a very low rate of interest. Why should we not pass that bill? We ought not to adjourn before we pass a bill of that kind unless we have no regard for the Treasury of the United States.

The farmers in the Middle West are losing their farms to-day because insurance companies will not renew their loans without payment upon principal and because when they do renew loans they want from 1½ to 2 per cent commission; and yet if I came in here with such a proposition as that to relieve the farmers of the Middle West, what would be said? Would there be any chance to aid the farmer? I imagine there would not be, but the shipbuilding industries, great corporations in New York, can get money from the Government on such terms.

If an individual or corporation wants money out of the Treasury of the United States, all that is necessary is to have sufficient influence. That is our record. It is an outrage upon the people of this country. I must say that when I first came to Congress I was amazed at the ease with which the Treasury could be raided.

The only way anyone can conduct business with success is to run the business for blood; to watch over it whether

asleep or awake; to grasp every opportunity. That is the only way to make a success in business; but the Government of the United States will not do that sort of thing and Congress will not insist upon it being done in that way. The consequence is failure after failure, but not because it is inherently necessary, for there are instances in this country of public affairs being run with just the same efficiency and with the same splendid results that private business has achieved. I have been seeking for months to secure the consideration of a bill that might save the Treasury of the United States additional raids—small raids, it may be, small sums—but all I am asking is that the information in reference to these claims shall be collected in a proper manner.

What am I talking about? Efficiency in business, which of course demands consistency. You can not run a business one week with efficiency and then let it go for the next few weeks. It has to be prosecuted day after day, week after week. You can not sleep; and yet we have heard expressions here in this Chamber, we have heard expressions in Congress, we have heard expressions from the executive officers to the effect that we should get Government out of business. But what methods have been attempted to get Government out of business? Scuttle; pay no attention to the losses; just get out—that is all—and yet when 16 financiers in New York City came here and said to Congress, "We have a canal on our hands that is losing money every day and we want to get rid of it," they were able to prevail upon Congress to go into the business of running a canal to relieve them.

Mr. President, I am referring to the notorious Cape Cod Canal bill. We have heard much of it on the floor, but it ought not to be forgotten. The people of this country ought not to forget it. The testimony before the committee was to the effect—and the testimony was given by the Chief of Engineers of the United States, here in Washington—that that canal as a commercial enterprise would pay 6 per cent on $1,800,000. That was the testimony; but President Coolidge recommended to Congress that we buy it for eleven and a half million dollars.

Do you know of any reason why the people of the United States should pay any more for a canal or any other piece of property than anyone else should pay it? The owners of that canal could not sell it for $1,800,000, but Congress bought it for $11,500,000. Why? Because they had the influence and they had the power to put it over.

There were 16 banking concerns in New York City that were interested in that concern, and the Rothschilds, of London; and they got theirs, too. They had built this enterprise purely as a commercial enterprise. They had expected to make money out of it; and if it had paid 10 per cent upon the cost, and the Government had attempted to take it, the cry would have gone up, "Here is another attempt to impose socialism on the people of the United States." But when these millionaires were losing their money and it was found that they were on notes of over five and a half million dollars in one of their trust companies in New York, and if they did not sell this canal to the United States they would have to pay those notes, they came down here and put this thing over. I do not know how true it was, but a Senator of the United States who has been here in the Senate for a long time, and is not here now, told me that he had learned or heard, and it was after the deal was put over, that the lobbyists got two millions out of that $11,500,000.

That is what has been going on; and the story is not ended. It has just begun; and at a later date I expect to stand on the floor of the Senate and tell the Senate what is the trouble with the Alaska Railway and their methods, and the methods of the Interior Department in conducting that business.

Mr. President, there is no reason on earth why there should not be efficiency in public affairs. When there is not efficiency it is because there is not the will to impose or to insist upon efficiency, because efficiency in public affairs is profitable just the same as in private affairs. All that is necessary is the will; but when public officials will not enforce the law, when public officials will overlook the primordial principle of successful business and impose other methods, and when such officials will not reverse their position when they find what it means, we shall have just such results as are going on; and it is certainly a pity that such is the case, because it destroys opportunities that this Government might embrace for the welfare of our people that are so great that to relate them would hardly be believed.

The possibilities of cooperation are so great, even among two or three persons—the possibilities of cooperation are so great when you increase the number—and when the number reaches the population of the United States, with all its resources, the possibilities of cooperation for the benefit of all the people are so great that they are almost immeasurable.

The distinguished Senator from Utah knows what cooperation means. All that is necessary is to have the will to carry out such cooperation; and yet down at Muscle Shoals we see a case where we have not the will even to try to make that enterprise a benefit and an example of tremendous influence in this country. For 10 years we have been trying to accomplish that, and the people's money has been spent; and now I understand some people want to talk about Government operation of Muscle Shoals without the authority to build our transmission lines from Muscle Shoals. We might as well talk about starting an insurance company and then have a provision in the by-laws that the insurance company shall not be allowed to expend any money whatever or solicit business in any way. How much business do you think insurance companies would do in such a case?

All I have been trying to do here for months is to get consideration by the Senate of a bill to provide efficiency in the settlement of claims, and I can not get a hearing before the Senate. We must muddle along. I have not wanted to talk out of my time. I have not wanted to make remarks that were not addressed to the subject before the Senate, but there seems to be no other way. It seems impossible to get a hearing on any other subject; and if that is the case, I am perfectly willing to cease my past tactics of trying to confine myself to the subject that is before the Senate. If it is necessary to come before the Senate and take up the time, when it is considering other measures, to call its attention to business that ought to receive its attention, all well and good; I shall not hesitate to do so.

Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Kendrick	Shipstead
Barkley	Frazier	King	Shortridge
Black	George	La Follette	Simmons
Blaine	Gillett	McGill	Smith
Blease	Glass	McKellar	Smoot
Borah	Glenn	McMaster	Steiwer
Bratton	Goff	McNary	Stephens
Brock	Goldsborough	Morrison	Swanson
Brookhart	Gould	Moses	Thomas, Idaho
Broussard	Hale	Norbeck	Thomas, Okla.
Bulkley	Harris	Norris	Townsend
Capper	Harrison	Nye	Trammell
Caraway	Hastings	Oddie	Tydings
Carey	Hatfield	Patterson	Vandenberg
Connally	Hawes	Phipps	Wagner
Copeland	Hayden	Pittman	Walsh, Mass.
Couzens	Hebert	Ransdell	Walsh, Mont.
Cutting	Heflin	Reed	Watson
Dale	Howell	Robinson, Ark.	Wheeler
Davis	Johnson	Robinson, Ind.	Williamson
Dill	Jones	Schall	
Fess	Kean	Sheppard	

Mr. MOSES. I wish to announce the absence of my colleague the junior Senator from New Hampshire [Mr. KEYES] on account of a death in his family, and will ask that this announcement may stand for the day.

The VICE PRESIDENT. Eighty-six Senators having answered to their names, a quorum is present.

Mr. HOWELL. Mr. President, continuing the discussion of the tort bill, I call attention to the fact that Congress has recognized the general liability of the Government within maximum amounts for the negligence of officers and employees of the United States, but the machinery for determining that liability is defective and results in overburdening the Claims Committees of Congress and Congress itself with the consideration of tort liability claims. This

proposed legislation is designed to relieve the situation by utilizing the machinery of the Accounting Office and judicial branches of the Government in the assistance of Congress.

The claims departments of the great casualty insurance companies have their representatives in every part of the United States. They not merely have agents who gather the evidence but they make provision for physicians and surgeons to represent them, and they make provision under conditions which render the cost a minimum.

Machinery similar to the very expensive machinery developed by the great casualty companies has been largely developed by the United States Compensation Commission located here in Washington. They know to whom they can send in every part of the country for evidence of a particular character, and they have representatives of the Government in the various localities who can collect evidence. Therefore in a measure the Government is equipped to-day to handle compensation claims in tort cases about as efficiently as an insurance company can handle similar claims.

The Compensation Commission does handle personal injury and death claims in the cases of employees of the Government, and it is because they do that that they have that machinery; and why should not Congress be the beneficiary of that machinery in connection with the settlement of tort claims? There is no reason whatever why they should not be.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. HOWELL. I yield.

Mr. ROBINSON of Arkansas. What additional force probably would be required in the comptroller's office to handle the business contemplated by this bill?

Mr. HOWELL. Mr. President, there would not be any particular increase in the force.

Mr. ROBINSON of Arkansas. Did the committee go into that?

Mr. HOWELL. The comptroller has not made a statement with reference to that, but that was my understanding. I have been interested in this bill for some time, and I have tried to inform myself respecting what the result of its operation would be. The General Accounting Office has a force at hand to settle contract claims.

Mr. ROBINSON of Arkansas. Does the Senator think that no additional employees or officers would be required?

Mr. HOWELL. I do not think any additional officers would be required. I think the present force can perform these services, because the number of claims is not enormous. As I stated this morning, we have about 1,100 bills before the Committee on Claims at this time. The maximum I have known in any year has been about 1,300 bills. Of course, not all those bills are bills of the character contemplated by this bill—probably not more than a third of them—and the various departments of the Government which will handle such claims can easily add this amount of work without increasing their forces, in my opinion. That is all this bill proposes—to give Congress the benefit of this kind of service, with practically no cost to the Government.

Mr. President, the act of December 28, 1922, authorized the payment of claims not exceeding $1,000 for torts caused by the negligence of any officer or employee of the Government acting within the scope of his employment. It has been suggested to me that the Government should not recognize claims of this kind, or should recognize them only in special cases. I do not agree with any such policy. It seems to me that the Government should respond where its employees are the cause of damage to property or injury or death of individuals just the same as any private corporation should respond.

The former bill passed by the House provided that contributory negligence should operate to diminish the damages recovered in proportion to the amount of negligence attributable to the claimant, increased the $1,000 limitation to $5,000, and forced claimants who had been damaged in their property to the extent of more than $5,000 to seek their redress in court. That was the former bill, and that provision has been eliminated, as it was considered unnecessary and inadvisable.

The Congress is surrendering no authority or responsibility by virtue of the proposed legislation, because under Article I, section 9, of the Constitution of the United States no money may be drawn from the Treasury without the consent of Congress; and it matters not whether a claim for $5,000 or more comes to Congress for appropriation through a court or through the proper officer of the Government, because in either event Congress must either approve or disapprove the conclusion reached and, in its discretion, refuse to approve what has been done in appropriating money to pay a claim or judgment.

A claim on account of tort liability should be, of course, determined on the basis of the facts and the law. It will remain the responsibility of Congress to see that such claims are so determined before appropriating money to pay them. The jurisdiction and power should be, and have been, clearly reserved in the Congress to require such a determination before paying a claim, and this whether the claim is in the form of a settlement or in the form of a judgment.

Mr. President, even claims of a thousand dollars on account of property damage can not be paid without an appropriation, but where appropriations have been made for a department for such purposes the claims can be paid up to a thousand dollars, in the case of property damage, without reference to Congress.

TAXES PAID BY NEW YORK STOCK EXCHANGE AND MEMBERS THEREOF (S. DOC. NO. 235)

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to Senate Resolution 366, information showing the amount of taxes paid to the Government by the New York Stock Exchange in connection with exchange transactions for the years 1919 to 1930, which, with the accompanying paper, was ordered to lie on the table and to be printed.

EXECUTIVE SESSION

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Senate, under its order of yesterday, will proceed in executive session to consider the nominations of members of the Federal Power Commission.

Mr. ROBINSON of Arkansas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Kendrick	Shipstead
Barkley	Frazier	King	Shortridge
Black	George	La Follette	Simmons
Blaine	Gillett	McGill	Smith
Blease	Glass	McKellar	Smoot
Borah	Glenn	McMaster	Steiwer
Bratton	Goff	McNary	Stephens
Brock	Goldsborough	Morrison	Swanson
Brookhart	Gould	Moses	Thomas, Idaho
Broussard	Hale	Norbeck	Thomas, Okla.
Bulkley	Harris	Norris	Townsend
Capper	Harrison	Nye	Trammell
Caraway	Hastings	Oddie	Tydings
Carey	Hatfield	Patterson	Vandenberg
Connally	Hawes	Phipps	Wagner
Copeland	Hayden	Pittman	Walsh, Mass.
Couzens	Hebert	Ransdell	Walsh, Mont.
Cutting	Heflin	Reed	Watson
Dale	Howell	Robinson, Ark.	Wheeler
Davis	Johnson	Robinson, Ind.	Williamson
Dill	Jones	Schall	
Fess	Kean	Sheppard	

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States transmitting nominations, which were referred to the appropriate committees.

REPORTS OF NOMINATIONS

Mr. MOSES, from the Committee on Post Offices and Post Roads, reported favorably sundry post-office nominations.

Mr. HALE, from the Committee on Naval Affairs, reported favorably the nomination of Rear Admiral William V. Pratt to be Chief of Naval Operations in the Department of the Navy, with the rank of admiral, for a term of four years from the 17th day of September, 1930, and also sundry other officers in the Navy.

The VICE PRESIDENT. The reports will be placed on the Executive Calendar.

RALPH B. WILLIAMSON

Mr. JONES. Mr. President, I understand that under the order made we are to proceed to the consideration of the nominations for the Federal Power Commission. As I understand it, Mr. Ralph B. Williamson, nominated from my State, is one as to whom there has been no objection at all. I think also there are one or two others to whom there is no objection. I know Mr. Williamson's position and that he has many matters at home which he would like to get looked after and disposed of before he is required to come here. I do not think that those to whom there is no objection should be delayed by reason of objection to others. Under these circumstances, I ask unanimous consent that the nomination of Mr. Williamson may be confirmed. As I understand it, there is no opposition whatever to him.

Mr. ROBINSON of Arkansas. Was the report upon Mr. Williamson unanimous?

Mr. JONES. Yes; it was unanimous.

Mr. NORRIS. Mr. President, it seems to me that request ought to be made with reference to all as to whom there is no objection.

Mr. JONES. The Senator from Wyoming [Mr. KENDRICK] is interested in Mr. Draper. I understand there is no objection whatever to that nomination. I am entirely willing to couple Mr. Draper with my request.

Mr. ROBINSON of Arkansas. No; I suggest that the requests be made separately.

Mr. JONES. I thought that was the proper way. I submit my request with reference to Mr. Williamson.

The VICE PRESIDENT. Is there objection? The Chair hears none. The nomination of Mr. Williamson is confirmed, and the President will be notified.

CLAUDE L. DRAPER

Mr. COUZENS. Mr. President, next in the same category is Mr. Claude L. Draper, of Wyoming, who was reported unanimously by the committee after very extensive hearings.

Mr. ROBINSON of Arkansas. I should like to hear some statement made with reference to the qualifications of the appointee.

Mr. COUZENS. Mr. Draper for many years has been a resident of the State of Wyoming. He is at present serving on the State public utilities commission, if that is the correct title of the commission, charged with the responsibility of regulating the public utilities in the State of Wyoming. He answered all questions and, I think, satisfied the committee of his fitness for the position. He has not been at any time allied with any power industry or in the service of any private power company, nor does he own any stock or securities in any power industry. I think if there is anything further required, the Senator from Wyoming [Mr. KENDRICK] could answer the questions better than I.

Mr. ASHURST. Mr. President, in the inception of the administration of the present incumbent of the White House the Executive adopted an excellent practice of sending to the Senate a list of names of those persons who had recommended his nominees for appointment to various offices.

Mr. ROBINSON of Arkansas. And the documents.

Mr. ASHURST. Yes; and the documents. I wish to ask the senior Senator from Michigan [Mr. COUZENS], the chairman of the Committee on Interstate Commerce, if the President sent to his committee the list of the indorsers of these appointees to the Federal Power Commission?

Mr. COUZENS. He did not.

Mr. ASHURST. Did the committee call for the list?

Mr. COUZENS. No; the committee did not call for the list, but asked the various nominees, as is shown in the testimony, who recommended them. That is set forth in the hearings, a copy of which is on the Senator's desk.

Mr. WATSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Indiana?

Mr. ASHURST. Gladly.

Mr. WATSON. I think the custom to which the Senator from Arizona refers applied only to the Department of Justice. I do not think it applied to any other department.

Mr. ASHURST. I have found so little in the present administration to commend that when I do find something which I can commend I am moved promptly to commend it. I wish to commend the Executive for the action he took in the inception of his administration in sending to the Senate a list of the indorsers of appointees, and I am sorry that this practice apparently has been discontinued.

Mr. COUZENS. I do not think it was followed with reference to appointees to the Interstate Commerce Commission or other similar appointees. It only applied to the Judiciary, so far as I know.

Mr. ROBINSON of Arkansas. Can the Senator state the reason for the distinction, or can the Senator from Indiana [Mr. WATSON] do so? Why was the practice made applicable only to appointees under the Department of Justice, if that is the case? I did not know until this moment that it is the case.

Mr. COUZENS. I do not know the reason for any distinction. All I know is that it is not the practice to send the names of indorsers of appointments on any commission, but it has been followed, so far as the judiciary is concerned, as I understand it.

Mr. ASHURST. So far as the practice went and so far as it operated, I think it was a most excellent practice. It seems to me that with reference to the Federal Power Commissioners the practices should have been observed with meticulous correctness unless the administration, when it sent in the list of indorsers of the so-called Parker nomination, fell into such an egregious blunder that it was thought one unhappy experience was enough.

Mr. COUZENS. I am not out of agreement with the Senator at all.

Mr. ASHURST. I believe it is a poor commentary upon events of the day when a practice which was so universally commended is discontinued without reason. I know of nothing in the Hoover régime that was more widely commended, and justly commended, than the practice of sending to the Senate the names of those who were indorsers of men nominated to high public office.

Mr. BLAINE. Mr. President——

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Wisconsin?

Mr. ASHURST. Certainly.

Mr. BLAINE. For the sake of full information and in order that we may have full information on this matter, permit me to suggest to the Senator from Michigan that the practice to which the Senator from Arizona has referred was applied to other departments than the Department of Justice. I recall very distinctly that when the present administration appointed two members to fill vacancies in the office of Commissioners for the District of Columbia, full information was given to the Committee on the District of Columbia, including the names of indorsers.

Mr. KENDRICK. Mr. President——

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Wyoming?

Mr. ASHURST. I yield.

Mr. KENDRICK. In connection with the nomination of Mr. Draper I desire to say, for the information of the Senate, that he is a native son of Wyoming. It has been my privilege to know him personally for a period of 30 years. During that time I have neither known nor heard anything detrimental to his record, either as a private citizen or a public official. It is possible that Mr. Draper may not be known nationally, but he is very widely and favorably known west of the Missouri River. He has been engaged in various activities, one of which was ranching, and from this line of endeavor he was called by my present colleague, Mr. CAREY, to serve as a member of our State public utilities commission. This commission performs a dual service, first as a

utilities commission, also its members render service as a board of tax equalization.

Very soon after his appointment Mr. Draper was chosen as chairman of both commissions. It is a significant fact that in such capacity he served through the administration of 4 different governors, 2 of whom were Republicans and 2 of whom were Democrats.

In the performance of these duties Mr. Draper rendered unusual service to the producers of livestock and other agricultural products by securing reduced freight rates in the shipment of their products to market. During all his years of service on the two commissions named I have heard no word of criticism from the people of Wyoming as to his energy, his efficiency, his honesty, or his steadfast devotion to duty.

Mr. ASHURST. Mr. President, if I had ever entertained any intention of opposing the nominee, Mr. Draper, which intention I never harbored, the speech and the assurance of the distinguished Senator from Wyoming would be all sufficient for me. I gladly and promptly accept as reliable all that he has said, because there is in this Chamber no saner mind, as there is no character more highly respected in all the Senate, than that of the senior Senator from Wyoming.

I have said but little about power—hydroelectric energy—although in the northern and northwestern part of my State there are four millions or more of potential horsepower of hydroelectric energy in the Colorado River. I shall not take the time to point out, for such is not now necessary, the value—not only immediately but in the future—to the people and to the Nation of such a vast quantity of potential horsepower. As I look at this matter, in confirming these nominees to a place upon the Federal Power Commission, we are investing them with an authority as important, yea more important, possibly, than that possessed by the Tariff Commission or the Federal Trade Commission; in fact, the position of Federal Power Commissioner is almost as important as a place upon the bench of the Supreme Court of the United States. I am sorry that we do not have more information concerning these appointees. I probably have been introduced to Mr. Draper; I probably have been introduced, in the course of my travels, to some of the nominees. I happen to have known Mr. George Otis Smith for many years. I regret that the Interstate Commerce Committee did not ask the Executive for the list of indorsers.

Mr. CAREY. Mr. President——

The VICE PRESIDENT. Does the Senator from Arizona yield to the junior Senator from Wyoming?

Mr. ASHURST. I yield to the Senator from Wyoming.

Mr. CAREY. I think, perhaps, it might be enlightening to the Senator from Arizona for me to say that Mr. Draper was a candidate for appointment to the Interstate Commerce Commission. He came to Washington and met the President. The President did not appoint him to the Interstate Commerce Commission, but afterwards, without the solicitation on the part of anyone from Wyoming, the President offered to him an appointment on the Federal Power Commission. I feel this was because Mr. Draper made such a favorable impression upon the President that he offered him this appointment. I do not believe he had any indorsers for the Federal Power Commission, although he had numerous indorsements for the Interstate Commerce Commission.

Mr. BARKLEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Kentucky?

Mr. ASHURST. I yield to the Senator from Kentucky.

Mr. BARKLEY. I merely wish to say that Mr. Draper appeared before the committee and was examined at some length touching his past occupation and his familiarity with questions relating to power and public utilities. He impressed me as being one of the most frank and most sincere men who have appeared before our committee for examination as a result of any appointment with which I have recently come in contact. He seemed in no way disposed to conceal anything from the committee; he disclosed familiarity with the general subject in a way which was enlightening; and he made upon me at least, as a member of the committee, a very favorable impression not only as to his ability but his character and his candor in dealing with the problems with which the commission will be called upon to deal.

Mr. ASHURST. Mr. President, I am sure that I do not take my duty here any more seriously than any other Senator takes his, but I am in doubt if Senators generally appreciate the vast importance and the power that this commission will have.

I shall not weary the Senate with any discussion of the Colorado River, but let us consider for a moment at what has happened. For the past 10 or 15 years applications have been made through the Secretary of the Interior, and subsequently through the Power Commission, for permits and licenses to generate hydroelectric energy on the Colorado River. Some permits have been granted, and at least one permit has been, to use the phrase of the power law, transmuted into a license. Very recently there was issued an order that all applications for permits and all applications for licenses would be canceled willy nilly, in many cases without a hearing. Possibly some of the preliminary permits ought to be canceled, I can not say, and possibly the applicants and licensee ought to have had a hearing.

I merely point that out to show to Senators the vast influence and authority this Power Commission will possess and to indicate that we ought to use extreme care in confirming such nominees. I have no doubt that the Interstate Commerce Committee, under the chairmanship of the senior Senator from Michigan [Mr. COUZENS], has used such care, but it would have been more satisfying, it would have been more enlightening to us, if the Executive had continued the practice which he inaugurated in the early part of his administration of sending to the Senate the names and addresses of those who made the recommendations for the nominations. That is all I care to say.

Mr. WHEELER. Mr. President, I do not rise at this time for the purpose of objecting to Mr. Draper, but I do want to say that I agree with what the Senator from Arizona [Mr. ASHURST] has said with reference to the importance of the Power Commission. As a member of the Interstate Commerce Committee of the Senate, I, with other members of that committee, have given much study and time to the consideration of questions concerning power and the controversy which has been going on in the Power Commission. I think every member of the committee felt that when a new Power Commission was appointed there should be named five men who are outstanding characters in America, men who have given some time and thought to the subject matter with which they would have to deal, namely, power.

During the last campaign, when Mr. Hoover was a candidate for President, our Republican opponents constantly said, "If you elect Mr. Hoover, this great engineer, you can be assured that he will pick out men to administer these different offices who will be outstanding men along their particular lines." I am sure it must have been a disappointment to every member of the Interstate Commerce Committee when they read the five names that he sent in for the Power Commission. The truth about it is, I must say, that there is not an outstanding character in the whole five.

Here is Mr. Draper, who is not an outstanding character. While I admire my friend from Wyoming and while I have no doubt that Mr. Draper has been a mediocre member of the public utilities commission of that State, comparable, if you please, to men on public-service commissions in other States, I must concede that I never heard of him, living as I do in the next State to him, in Montana. Likewise, I do not see how he could have impressed any member of the committee with being an outstanding character; nor did any of the other members of the commission impress the committee, or impress many of the members of the committee, with being outstanding characters.

It was said during the campaign, "If you elect Mr. Smith President of the United States, he will pick out only mediocre men"; and now we find the great engineer, President

Hoover, sending in the names of men of most mediocre character to serve upon one of the greatest commissions created by the Congress of the United States. You can go down the list and analyze the record of each and every one of these men, and you will find that that is the case.

The first man, the chairman of the commission, George Otis Smith, has not had any particular experience for the position to which he is appointed. It is true that he probably knows more about water power than most of the men who were appointed upon the commission; but when he was asked as to his views upon certain questions it seemed to me that his answers were most evasive, and he was unwilling to commit himself upon any question that was asked him by the committee. The only thing we could find that he did was to write six open letters and send them to the governor or some other public servant in the State of Maine. He wrote six articles opposing the enactment or for the repeal of a law that the people favored and that the Power Trust was against. In other words, in the contest that was being waged in the State of Maine he took the side of the Power Trust as opposed to the people up in that State. That is the only case we could find where he had ever taken a definite stand upon any subject connected with the power situation since it has been before the people of the country.

Then we have Mr. Williamson. Mr. Williamson, if you please, is a lawyer who had been representing some of the irrigation projects in the State of Washington—not an outstanding character at all; not a man who had made any particular study of the power question.

Then we have Mr. Garsaud, from Louisiana, who owed his first appointment on some board down there to the representative of the Power Trust in that State, to the president of the public service commission, which in turn was controlled by the Electric Bond & Share Co.

Mr. Draper, as I said a moment ago, certainly was not an outstanding character, either in the West or in any other place; and I never heard of him until his name came before the committee.

Then we have Mr. McNinch. I am frank to say that when I went before the committee to hear Mr. McNinch testify I was prejudiced against him; but I was impressed with the frankness and the honesty of his statement. While apparently he knows nothing about power, and frankly said so, I was impressed with the fact that he is probably the strongest character of all of the five that have been named upon the commission.

So that is the new Power Commission that we are going to have to deal with this great subject that is so controversial and in which the people of the United States are so much interested!

We asked Mr. Smith whether he would vote to keep Mr. Bonner, the present secretary of the Power Commission. Mr. Smith stated that he would not answer that question; and no one knows to-day whether or not he is going to keep Mr. Bonner as secretary of the commission, or what he is going to do, notwithstanding the fact, let me say, that I think it was almost the unanimous opinion of the Committee on Interstate Commerce, after hearing Bonner testify in some cases, that his mind was so prejudiced in favor of the power interests and against the people of the United States that they felt he should not be retained.

I think it is a sad commentary on the situation that exists when we see the President of the United States so ignoring the wishes of the Congress in wanting to see appointed a commission of outstanding men who would know something about the questions involved, and who would be anxious to see that the public interests were correctly represented.

Mr. KING. Mr. President, I desire to ask the Senator a question. Did the committee to whom these names were referred make any inquiry as to whether either of these individuals would support the rights of the States in such cases as that of New York recently, where the State desired to utilize the power rather than have the Federal Government take over the control of the power which rightfully belonged to the State? The Senator knows that that is a most important question.

Mr. WHEELER. That question, as I recall, was asked Mr. Smith by the Senator from New York [Mr. WAGNER]. I do not see the Senator from New York here. Mr. Smith first said, as I recall his testimony—and I am compelled to state it from my recollection, because I have not read the report, and can not read it at the present time—as I recall, he said that where there was a conflict as between a private concern applying for a permit on the one hand and a municipality upon the other, he would put the burden of proof upon the municipality as against the private corporation; and it was only after we called his attention to the law, and called his attention to the fact that in our opinion the law gave preference to the municipalities, that he finally said, well, if that was in the law, or in substance, he would follow the law; and I cite that as an example of the bent of the man's mind. His whole bent seemed to me to be on the side of private corporations running a power project, and the great corporations of the country running it, rather than some municipality, if the municipality saw fit. My recollection of his testimony—and I may be wrong about that—my recollection of his answer to Senator WAGNER is that it was extremely vague and indefinite. But, as I say, I think the Senator from Washington [Mr. DILL] will call the attention of the Senate to that. I have not been able to read it on account of the condition of my eyes at the present time.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. WHEELER. I shall be glad to yield.

Mr. McKELLAR. I notice on page 138 of the hearings a letter from a man by the name of John Bowman, who uses this language in reference to Mr. Draper:

> The question as to whether Mr. Draper is fitted by education, training, experience, and fundamental ability to occupy a $12,000 position with the Government and to be intrusted with the responsibility which will be placed with this particular commission should be thoroughly gone into by those Senators who have only the ultimate benefit of all of the people at heart.

Mr. WHEELER. That is the first time that letter has ever been called to my attention.

Mr. McKELLAR. The Senator does not know Mr. Bowman?

Mr. WHEELER. I do not.

Mr. McKELLAR. I do not know who Mr. Bowman is, of course. I have no idea.

Mr. WHEELER. Where is he from?

Mr. McKELLAR. I imagine he must be from Wyoming, judging from the date line of the letter. Would the Senator from Wyoming mind telling us about that?

Mr. KENDRICK. Mr. President, I have no recollection of Mr. Bowman, and can not say what might have inspired him in writing the letter.

Mr. McKELLAR. Perhaps the junior Senator from Wyoming can answer the question.

Mr. CAREY. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the junior Senator from Wyoming?

Mr. WHEELER. I yield.

Mr. CAREY. I am a native of Cheyenne. I have lived in Wyoming all my life, and I believe I know as many people in Wyoming as anyone. I never have heard of anyone in Cheyenne by the name of John Bowman. I have looked both in the directory and in the telephone book, and I think that letter was written by some one to hurt Mr. Draper, and that "John Bowman" is a fictitious name. That is my opinion about that letter.

Mr. McKELLAR. Then the Senator is of the opinion that Mr. Draper is fitted by education, training, experience, and fundamental ability for this job?

Mr. CAREY. I will say to the Senator that I, as Governor of Wyoming, brought about the creation of a State board of utilities, and also a State board of equalization. The legislature would not create two separate boards, but made the same men members of both boards. I appointed Mr. Draper to both those boards, and he was elected chairman.

The Senator from Montana spoke a minute ago about Mr. Draper not being an outstanding man. I should like to say that since the creation of these boards for the first time we have had regulation of railroads and utilities in Wyoming, and also we have had equalization of taxes.

As the senior Senator from Wyoming, my colleague, has stated, Mr. Draper has served under four governors—two Republican and two Democratic governors. He has made a very fine record. The reason, perhaps, why he has not done more is because the Legislature of Wyoming has not supplied the boards of which Mr. Draper was a member with sufficient funds to make investigations and to carry out the purposes for which they were created.

Mr. BROOKHART. Mr. President, one matter that I think the Senate should know about a little more accurately has been mentioned here by the Senator from Arizona. It was in reference to these major and minor permits.

My attention was called to the opinion of the Attorney General in reference to New River. It was Mr. Judson King, I believe, who called my attention to that situation. He told me there was a different opinion from the attorneys of the Power Commission. I then sent for and got those two opinions; and I found that the Attorney General had based his opinion upon the assumption sent to him by Mr. Bonner, the secretary of the commission, that New River was nonnavigable. No facts of any kind were laid before the Attorney General, just the plain statement that it was a nonnavigable stream. The Attorney General's opinion was rendered upon that assumption; and he therefore decided that the Power Commission might, in its discretion, grant what is called a minor permit, and in this minor permit all but one of the conditions of the water power act may be waived. It is still in the discretion of the commission to waive all of them but one, the 50-year limit. The capitalization, the amortization, the recapture by the Congress, all of those important things might be waived.

Then I found that Mr. Bonner was making arrangements to get such a minor permit issued for this New River proposition. It was reported to me that there was a possible 80,000-horsepower development there. Since then others have claimed that it was less, down even to 9,000; but even 9,000 is a large horsepower. The water power act defines 100 horsepower as a minor proposition in a navigable stream and then allows these minor permits for a bigger horsepower on nonnavigable streams.

When I found out this situation I called the Secretary of Agriculture on the telephone, and he had no information whatever about it, but said he would look into it; and in a day or so I saw his announcement that he did not agree with the opinion of the Attorney General. I called the Secretary of War, but was only able to get the assistant in his office, the Secretary being away at the time. Then I wrote letters to all three of the Secretaries—Interior, War, and Agriculture—and set out these facts, and told them that on the full facts of the case New River was a navigable stream; that Congress had eighteen times appropriated money to improve its navigability; that the Secretary of War five or six times had granted permission for bridges across it under acts of Congress because it was a navigable stream; that there would be a lake constructed with a dam 33 miles long, deep, navigable by almost any kind of a boat; and under that series of facts there would be no doubt as to its navigability. But I further made the claim that even if it were nonnavigable it was still in the discretion of the commission to issue this minor permit, and I thought where it was a power of such magnitude as this they ought not to waive the conditions, even on a nonnavigable stream, in the exercise of their discretion.

I received a reply from the Secretary of the Interior, and later I noticed that the matter had been deferred for the consideration of the new commission. Then I further learned that the Alabama Power Co. had made application to cancel its old permit and take out new permits under these minor provisions, waiving all of the substantial provisions of the water power act. Since that, I think they have brought a suit, and it is now pending, to reform their permit by decree of court, or something of that kind.

I found later that about three-fourths of all the permits issued up to date could be canceled if that rule were to be followed, and new permits, waiving all of these conditions of the water power act, granted in their stead. So to me it looks like an important proposition; and upon further consideration it seems to me that the Congress itself ought to take a hand and prohibit the issuing of those minor permits under any such conditions.

The VICE PRESIDENT. The question is on the confirmation of the nomination of Mr. Draper. [Putting the question.] The ayes have it. The nomination is confirmed, and the President will be notified.

The Senate resumed legislative session.

RELIEF OF DROUGHT-STRICKEN AREAS

Mr. McNARY. Mr. President, agreeable to the understanding had yesterday afternoon that the executive business would give way to legislative matters, provided the House messaged to the Senate the so-called farm drought relief bill, I ask that the Senate now return to legislative business.

The VICE PRESIDENT. Under the agreement, without objection, the Senate will resume legislative business, and the Chair lays before the Senate the following conference report.

The Chief Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. J. Res. 211) for the relief of farmers in the drought and/or storm stricken areas of the United States having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with the following amendments:

On page 1, line 9 of said amendment, strike out the word "of" and insert the words "incident to."

On page 2, line 11 of said amendment, strike out the numerals "$30,000,000" and insert in lieu thereof "$45,000,000."

And the House agree to the same.

CHAS. L. MCNARY,
GEO. W. NORRIS,
E. D. SMITH,
Managers on the part of the Senate.

G. W. HAUGEN,
FRED S. PURNELL,
J. B. ASWELL,
Managers on the part of the House.

Mr. McNARY. Mr. President, I ask unanimous consent for the present consideration of the conference report.

There being no objection, the Senate proceeded to consider the report.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. McNARY. Mr. President, the afternoon is crowded with important work, and I think I can in a very short time explain the conference report agreed to last evening.

When Senate Joint Resolution 211 was sent to the House after its passage by the Senate, it was referred to the House Committee on Agriculture. That committee struck out all after the enacting clause and inserted the precise language which was found in the Senate joint resolution, except that it reduced the amount of the authorization from $60,000,000 to $30,000,000; it struck out the word "livestock" and inserted the words "work stock"; and it struck out the commodity food. Otherwise, I repeat, it was the identical measure passed the Senate.

The joint resolution as amended passed the House of Representatives yesterday. On the floor there was included one

further amendment, which made the money available for summer-fallowing during the year 1931.

A conference was had last evening between the Senate and the House conferees, and the following agreement was reached:

The Senate conferees agreed to the House elimination of food. The Senate conferees agreed to the House change of "livestock" to "workstock." The House conferees agreed to the Senate proposal that the language should be amended so that it would leave possible for and give latitude to the Secretary of Agriculture to purchase food for destitute homes and families in time of great emergency.

Mr. CARAWAY. Mr. President, I do not like to interrupt the Senator, but I want to ask him about that very language. The language substituted reads in this way——

Mr. McNARY. I was just reaching that point in my discussion.

Mr. CARAWAY. Very well. Perhaps the Senator will answer the question I want to ask, because I wish information about the form of the language. But I will inquire later.

Mr. McNARY. The language in the House text and in the Senate text provided that the Secretary of Agriculture, in his discretion, could lend or advance money to those living in the drought-stricken regions for the purpose of purchasing food, feed, seed, fertilizer, and oil, and for such other purposes of crop production as may be prescribed by the Secretary of Agriculture.

After the elimination of the word "food," and following a considerable debate, it was the unanimous opinion of the conferees that by the elimination of the word "of" and the insertion of the words "incident to," relating to crop production, plenary authority was given to the Secretary of Agriculture to meet destitution in families wherever he found it, and where in his judgment an emergency existed.

Mr. CARAWAY. Mr. President, will the Senator yield there?

Mr. McNARY. I yield.

Mr. CARAWAY. Right there is where I want to ask the Senator a question. I will have to read the language. It says:

> The Secretary of Agriculture is hereby authorized, for the crop of 1931, to make advances or loans to farmers in the drought and/or storm stricken or hail stricken areas of the United States, where he shall find that an emergency for such assistance exists, for the purchase of seed or suitable crops—

I presume that ought to be "for suitable crops"—

> fertilizer, feed for work stock, and/or fuel and oil for tractors, used for crop production.

That is where his authorization starts. This is where the purchasing power comes in:

> And when necessary to procure such seed, fertilizer, feed, and fuel and oil, and for such other purposes incident to crop production as may be prescribed by the Secretary of Agriculture, and sell the same to such farmers.

I want to call the attention of the Senator to the fact that I am afraid that will be construed by the Secretary to mean that his power is only to do certain things—that is, to furnish money to buy feed, fertilizer, seed, and fuel and oil—and that he must stop there; that that is all that he can furnish it for. When it cames to his purchasing power, what he shall do to supply it, he may purchase it, and the Senator will observe that other provision, "such other purposes incident to crop production." Do I make myself clear?

Mr. McNARY. Very clear.

Mr. CARAWAY. I am afraid he will construe it to mean that the whole grant of power is to buy seed, fertilizer, and fuel and oil, and, incident to exercising that power, he may purchase it and resell it to farmers; but under that, then, there appears the other language, and I am afraid that does not give him the power to buy food.

Mr. McNARY. Mr. President, the able Senator from Arkansas has made himself very clear, but as a good lawyer he knows that all remedial legislation is liberal. I have no doubt that if the Secretary of Agriculture meets the spirit of this measure and attempts to administer it according to the purpose of Congress he will find ample authority for purchasing food whenever, in his opinion, real need therefor exists.

Mr. CARAWAY. I think all of us realize that the Secretary of Agriculture is not in sympathy with that provision of the measure.

Mr. McNARY. That may be true.

Mr. CARAWAY. I do not want the Senator to pass over that, because I want to be certain that he feels satisfied. In the grant of power there is mention of only certain specific things, and it has always been held in construing a law that the inclusion of certain items indicates the intention of the legislature to exclude items not mentioned.

Mr. McNARY. That is a correct statement of the rule of statutory construction; but the Senator must remember that in the specification of the purposes for which the appropriation is made there is a general statement, "for such other purposes incident to crop production as may be prescribed by the Secretary of Agriculture."

Mr. President, we often find ourselves differing as to language which might be employed. There was very great objection on the part of the House conferees to the use of the word "food." There was a feeling among the conferees, and particularly strong with the Senate conferees, that in cases of extreme necessity there should be some warrant of authority and power conveyed to the Secretary of Agriculture to use this money. That was the interpretation of the six members of the conference. It is my feeling now that if the Secretary of Agriculture desires to use this money for such a humane purpose there will be warrant of law for it. What he will do I do not know. I can say to my esteemed friend from Arkansas that if the Secretary of Agriculture is unfriendly to the administration of the law, if we had included the word "food," it would be always in his discretion to say whether he would use it for that purpose or not.

I assume that the Secretary will administer this law in the spirit in which it was intended by the Congress, and certainly the legislation is enacted solely to relieve distress in the unfortunate sections of the country.

The only other point in controversy was as to the amount of money which might be authorized. The Senate joint resolution authorized $60,000,000, the House joint resolution $30,000,000. There was the same conflict of judgment, the Senate conferees holding fast to the larger sum, $60,000,000, and the House conferees urging that they had gone $5,000,000 above the estimate of the Director of the Budget.

Finally it was suggested, and after considerable debate it was agreed, that the two figures might well be added together and divided by two, and the mathematical result was $45,000,000.

So far as the evidence before us is concerned, that may appear sufficient or insufficient, but it seemed, in view of the necessity of getting immediate action, since there is a rule in the House that the report must lie over a day, if we were to make this measure of relief applicable before the holidays to meet the pressing situation, there must be a composure of differences. Therefore, in order to make this money available, even though the amount was not as great as some hoped, and was too large in the opinion of others, we agreed on $45,000,000 as the amount of money which might be authorized. The Senate also included in the joint resolution and in the report the items placed in on the floor of the House, which included advances of money for summer-fallowing in the year 1931, which is so much desired in those States where reclamation is practiced.

Mr. President, with that statement I hope I have made clear the differences between the two Houses, and the reasons which brought them to compose their differences.

Mr. ROBINSON of Arkansas. Mr. President, the conference agreement represents a compromise of the two important issues between the two Houses. First, with respect to the amount of the appropriation authorized, the Senate joint resolution, as we all remember, carried $60,000,000. The House joint resolution reduced the amount to $30,000,000. The conference agreement seeks to effect a compromise by the very simple process of dividing the difference. The conference compromise amount is $45,000,000.

It has seemed to me, from the evidence presented to the Committee on Agriculture and Forestry, including the surveys which were made by the committees set up by the President of the United States to acquire the information, that $60,000,000 represented the necessary sum, but it is apparent to all of us that within the next two months the administration of this law will disclose whether there is necessity for an additional sum. If that necessity arises or appears, the opportunity will be afforded to Congress to increase the amount. I acquiesce in the arrangement entered into by the committee because it represents a compromise of the differences between the two Houses.

Now with respect to the second difference which is settled by the conference agreement, namely, the purposes for which advances or loans contemplated by the measure may be made, it will be remembered that the Senate joint resolution, in addition to authorizing advances for the purchase of seed, feed, fertilizer, and fuel oil, also specifically authorized advances or loans for food. I have no doubt now that that express provision is a logical provision and that the criticisms which have been made of it are not well established. In many parts of the drought area there exist persons who in good faith would desire to avail themselves of the provisions of this act who do not apply to the Red Cross for relief, who are willing to reimburse the Government for the advances it may make in the present emergency. I have challenged from time to time anyone here, and do so now, to state a reason founded in conscience or good argument why the Government should obligate itself to provide feed for the work stock, but should be so hesitant in making loans or advances to enable the farmer himself to secure food. There is simply no reason for the distinction except that some have the fear that it would open up the way for large relief appropriations.

To those who think that this may be regarded as an act of charity, let me point out the fact that there is nothing in the record or in the experience of the Government acquired in similar situations to justify such a conclusion. These are loans or advances made, it is true, upon security which might not be regarded as adequate by commercial loan companies, made under emergent conditions. But experience has shown that such loans or advances are for the most part repaid and in this case will be repaid unless there should occur some repetition of the conditions which have made the legislation necessary, in which event it would be impossible to repay a considerable part of the advances.

The conference committee have worked out a solution of this difference relating to the purposes for which the advances may be made which in my judgment devolves upon the Secretary of Agriculture the very great responsibility of exercising his discretion as to when the funds provided in the measure may be used for other purposes than the purchase of seed, feed, fertilizer, and fuel oil. My interpretation of the conference agreement is that there is in the measure no restraint or limitation whatever on the power of the Secretary of Agriculture. He is not only specifically empowered to make advances for seed, feed, fertilizer, and fuel oil, but he is given also power to make advances "for such other purposes incident to crop production as may be prescribed" by him. The language in my understanding of it is very, very broad.

That brings me to the concluding point which I wish to discuss in connection with the conference report. The manner of the application or administration of the law should determine its value. Indeed, that is true without regard to the particular controversies which the conference report seeks to resolve. The power vested in the Secretary of Agriculture in the original joint resolution, both the Senate joint resolution and the House joint resolution, was very comprehensive. It sought to invoke his discretion in determining when advances or loans may be made. I have not the slightest doubt that the power exists to make advances for any purpose incident to crop production which the Secretary of Agriculture may decide to recognise. If I am incorrect in that interpretation I should like now to have members of the conference committee on the part of the Senate make any suggestion they may care to make concerning the accuracy of the interpretation.

Mr. CARAWAY. Mr. President, may I ask the Senator a question?

The VICE PRESIDENT. Does the Senator from Arkansas yield to his colleague?

Mr. ROBINSON of Arkansas. I am glad to do so.

Mr. CARAWAY. I am going to presume that it is a typographical error; but in the third line from the bottom of the first page of the conference report I find this language:

> For the purchase of seed or suitable crops.

Mr. ROBINSON of Arkansas. The language of the copy I have is "of suitable crops."

Mr. CARAWAY. It is "or" in my copy. It ought to be "of" or "for."

Mr. ROBINSON of Arkansas. I think the fair interpretation of that language is that the Secretary of Agriculture can make advances or loans under the provisions of this bill for the purchase of "seed for suitable crops, fertilizer, feed for work stock, and/or fuel and oil for tractors used for crop production," and he may also make advances or loans "for such other purposes incident to crop production" as he may prescribe.

Mr. SMITH. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from South Carolina?

Mr. ROBINSON of Arkansas. I yield.

Mr. SMITH. Perhaps the greater portion of the time taken up by the conferees was on this very point as to whether or not we should allow those in the drought-stricken regions to receive food if, in the opinion of the Secretary of Agriculture, the distress was sufficient to warrant. Every member of the conference agreed that this language gives him that power and that upon being questioned in their respective bodies they would frankly admit that they intended by this language to give him that power if, in his discretion, he thought it was needed. I think it is important for us to have that clearly understood in the RECORD so that if any question should arise as to the interpretation of this language and whether or not he had that power, the intent of both Houses may be clearly understood.

Mr. GEORGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Georgia?

Mr. ROBINSON of Arkansas. I yield.

Mr. GEORGE. Let me invite the Senator's attention that the language in which he finds, as he thinks, the authority to buy foodstuffs is a mere direction to the Secretary of Agriculture and not mandatory upon him at all.

Mr. ROBINSON of Arkansas. None of it is mandatory.

Mr. GEORGE. Oh, it is where he finds an emergency to exist. The directory portion of the measure I think would not carry the authority.

Mr. ROBINSON of Arkansas. In every proper sense I think the whole measure is a directory authority. I do not think one could bring a mandamus proceeding or other proceeding in court to compel the Secretary of Agriculture to make a loan or advance under this statute because in my interpretation of the language it is at last a matter of discretion. That has direct relationship to the subject I was proceeding to discuss, namely, the manner or spirit of the administration.

Mr. BARKLEY. Mr. President——

Mr. ROBINSON of Arkansas. I yield to the Senator from Kentucky.

Mr. BARKLEY. Will the Senator point out to me what language in the conference report confers by implication power or authority in the Secretary of Agriculture to buy food?

Mr. ROBINSON of Arkansas. I have done that, but I will do it again.

Mr. BARKLEY. I am not certain I understood the Senator's statement.

Mr. ROBINSON of Arkansas. There is no language in the measure that expresly confers power to buy food. That was the subject matter in controversy and was worked out

in this way. The provision to authorize the purchase of seed, fertilizer, feed for work stock, and fuel oil was retained, and there was also embraced authority to make advances or loans "for such other purposes incident to crop production as may be prescribed by the Secretary of Agriculture." That unquestionably gives the Secretary of Agriculture the power to make advances or loans for any purpose that he believes incident to crop production, and that would include food and it would include clothing. It is broader than the term "food." I have not the slightest doubt that the language in the conference report, the language which will be enacted if the conference report is agreed to, is broader in that respect than the language in the original Senate joint resolution, because "such other purposes incident to crop production," while indefinite and not specifying any particular purpose, does vest discretion in the Secretary to make advances for any purpose that is proper.

Mr. BARKLEY. The language to which the Senator refers is a part of the clause which apparently gives the Secretary of Agriculture the power "when necessary to procure such seed, fertilizer, feed, and fuel and oil, and for such other purposes incident to crop production as may be prescribed by him and sell the same to such farmers." That language begins at the bottom of the page, after stating the general object, and says "and when necessary to procure such seed." That is, when necessary for him to do it he shall "procure such seed, fertilizer, feed, and fuel and oil, and for such other purposes incident to crop production as may be prescribed by the Secretary of Agriculture, and sell the same to such farmers." It seems to me that clause simply empowers the Secretary of Agriculture, wherever he finds it necessary, to procure this seed, and so forth, and sell it to the farmers. But later on it is provided that he shall, as a part of these regulations as to which he uses discretion, include "an agreement by each farmer to use the seed, fertilizer, feed for work stock, fuel, and oil thus obtained by him for crop production," for the purpose for which it was intended; so that under that language, if a farmer obtained a loan of any amount of money, in the agreement which the Secretary of Agriculture might describe he must agree to buy seed, fertilizer, fuel, and so forth, without supplying food, and I do not see how the farmer could use that money to buy a pound of food for his own consumption.

Mr. ROBINSON of Arkansas. I agree that the Secretary of Agriculture has unlimited discretion. I contend—it is perfectly clear to my own mind, although I may be unable to make it apparent to others—that the meaning of this provision is, first, that the Secretary of Agriculture may, in his discretion, make advances or loans for the purpose of purchasing seed, feed, fertilizer, and fuel and oil, and then for such other purposes incident to crop production as he may prescribe. My suggestion is that the power is almost unlimited, and upon its proper exercise depends the value of the act. I now yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. Mr. President, the Senator from Arkansas has already stated his position, and perhaps I should make a statement in my own time; but as I read this language, it seems to me that the Secretary is empowered to do two different things: First, he may either make advances or loans to farmers "for the purchase of seed of suitable crops, fertilizer, feed for work stock, and/or fuel and oil for tractors used for crop production." That is one thing he can do. He can make advances to farmers or loans to them for those purposes.

When he finds it necessary, the second thing he can do is "to procure such seed, fertilizer, feed, and fuel and oil, and for such other purposes incident to crop production as may be prescribed by the Secretary of Agriculture, and sell the same to such farmers."

Mr. ROBINSON of Arkansas. That is not my interpretation of it.

Mr. WALSH of Montana. Mr. President——

Mr. ROBINSON of Arkansas. I yield to the Senator from Montana.

Mr. WALSH of Montana. I wish some one would explain to us how the Secretary of Agriculture is going to sell "purposes" to the farmer. The language is, "and sell the same to such farmers." The word "same" refers to the things that he is going to get; and one of the things is "such other purposes" as the Secretary of Agriculture may prescribe.

Mr. LA FOLLETTE. Mr. President——

Mr. ROBINSON of Arkansas. If I may be permitted, in my own time, to state my own view, I will say that I think the phrase "and for such other purposes" relates back to advances and loans; but, if I am wrong about that, I want to be corrected now by some Senator who has given special study to the subject.

Mr. WALSH of Montana. I am quite sure that the Senator is correct that the phrase was intended so to relate back, but it is connected up with the things which the Secretary of Agriculture is to buy and sell.

Mr. LA FOLLETTE. That is the point I was trying to make.

Mr. WALSH of Montana. The language is entirely inappropriate in conjunction with purchase and sale with which it is connected. It is quite appropriate, however, to the making of advances and should be transposed so as to have reference to advances and loans.

Mr. ROBINSON of Arkansas. That is why I say that the correct interpretation is that it is an additional power granted to the Secretary of Agriculture.

Mr. McNARY. Mr. President, will the Senator from Arkansas yield at that point?

Mr. ROBINSON of Arkansas. Yes; I yield.

Mr. McNARY. When the House and Senate conferees had their meeting they found that this language about which some are complaining was in both the House and Senate measures. We had no power to change it. We attempted to liberalize it and to bring that about, as I said a moment ago, by conferring very large power on the Secretary of Agriculture to do anything incident to crop production. Technically——

Mr. BORAH rose.

Mr. McNARY. Just a moment, Mr. President. No technical lawyer is going to administer this bill when it becomes the law.

Mr. BARKLEY. How does the Senator know that?

Mr. McNARY. Its intent and purpose are shown. The conferees who brought about this agreement were limited by reason of the language which they could not change, but they attempted to show a clear intention to grant to the Secretary all authority needed even for the purchasing of food in cases of destitution.

Some may take a different view, but, in my opinion, that looking at it from the intent of the conferees is the proper construction of what Congress is trying to do, namely, to relieve suffering. Looking at it from that broad and charitable standpoint is one thing; picking it to pieces technically is another.

Mr. LA FOLLETTE. Mr. President, will the Senator from Arkansas yield to me?

Mr. ROBINSON of Arkansas. The Senator from Idaho [Mr. BORAH] first asked to interrupt me.

Mr. BORAH. I think I shall discuss the matter in my own time.

Mr. ROBINSON of Arkansas. Then I yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. I merely wish to ask the Senator from Oregon a question. He stated, as I understood him, that the phrase "for such other purposes incident to crop production" was in both the Senate and House measures?

Mr. McNARY. Yes.

Mr. LA FOLLETTE. Would the Senator point that language out in the Senate joint resolution? I have not been able to find it.

Mr. McNARY. It is found in Senate Joint Resolution 211, on lines 9 and 10, page 1.

Mr. ROBINSON of Arkansas. I will now conclude, if I may, what I have to say on the subject.

I do not find a basis for the difficulty that has been suggested by various Senators. I think this language is fairly apt to express the purpose that it was intended to express, and I think it is only necessary to read the language to reach that conclusion, although it is not perhaps expressed in the most accurate and indisputable manner.

Eliminating the portions irrelevant to the subject under discussion, what is the power given to the Secretary of Agriculture in this section? It is to make advances or loans to farmers in the drought or storm stricken areas.

When is he permitted to make such advances? When he shall find that an emergency for such advances exists.

What is he permitted to do when he finds that emergency to exist? He may make advances—

For the purchase of seed of suitable crops, fertilizer, feed for work stock and/or fuel and oil for tractors used for crop production.

Manifestly the clause that I omitted to read, namely, "and when necessary to procure such seed, fertilizer, feed, and fuel and oil," is in the nature of a parenthetical clause. I have not the slightest doubt, I repeat, that the phrase "and for such other purposes incident to crop production" relates back to the power to make advances, and I do not believe any court in the land would give a different interpretation to it, although I admit that more apt language could have been employed.

Mr. McKELLAR and Mr. WALSH of Montana addressed the Chair.

The VICE PRESIDENT. Does the Senator from Arkansas yield; and if so, to whom?

Mr. ROBINSON of Arkansas. I yield first to the Senator from Tennessee.

Mr. McKELLAR. I think the Senator would be absolutely right in his interpretation if there was not any language after the words "such farmers"; but, if the Senator will look at the provision, he will see that after the broad language to which he has referred, embraced in the words "and for such other purposes incident to crop production"—and unquestionably that would cover what he says it would cover—a sentence follows which reads:

Such advances, loans, or sales shall be made upon such terms and conditions and subject to such regulations as the Secretary of Agriculture shall prescribe, including an agreement by each farmer to use the seed, fertilizer, feed for work stock, fuel and oil thus obtained by him for crop production.

I am not so sure that that does not limit the broad authority in the sentence preceding. I should like to have the Senator's view about that.

Mr. ROBINSON of Arkansas. I do not think so. I think the object of the provision is just what it is stated to be, namely, to make certain that these particular things—seed, feed, fertilizer, and fuel—shall be used for crop production. The phrase "such other purposes incident to crop production" can not be controllable by a clause like that.

Mr. GLASS. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Virginia?

Mr. ROBINSON of Arkansas. I yield to the Senator from Virginia.

Mr. GLASS. If I may interrupt the Senator, my understanding is that those words were put in at the very earnest suggestion of the former Governor of Virginia, Mr. Byrd, who was chairman of the body of men brought here for consultation with the Department of Agriculture, in order particularly to take care of the fruit growers of the country, who would have no part whatsoever in this relief without those words being in the bill. I have a telegram on my desk in my office clearly indicating that to be the case.

Mr. ROBINSON of Arkansas. I do not know what conclusion the Senator from Virginia draws from that fact with respect to the general argument I am making.

Mr. GLASS. I do not think they were intended to apply to the food proposition at all; they were intended to apply to such necessary things as enter into the care of orchards and the production of fruit crops, storage and refrigeration, and things of that kind.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Montana?

Mr. ROBINSON of Arkansas. I yield.

Mr. WALSH of Montana. Will the Senator suffer a suggestion from me at that point?

Mr. ROBINSON of Arkansas. Certainly.

Mr. WALSH of Montana. The remarks of the Senator from Virginia indicate the very great importance of this particular clause. It seems perfectly obvious to me, as it must to anybody who reads it, that it has been misplaced. Instead of being where it is it should come in after the word "production," at the bottom of the page, so that it would read in this way:

The Secretary of Agriculture is hereby authorized for the crop of 1931 to make advances or loans to farmers in drought and/or storm stricken or hail-stricken areas of the United States, where he shall find that an emergency for such assistance exists, for the purchase of seed of suitable crops, fertilizer, feed for work stock, and/or fuel and oil for tractors used for crop production, and for such other purposes incident to crop production as may be prescribed by the Secretary of Agriculture, and when necessary to procure such seed, fertilizer, feed, and fuel and oil and sell the same to such farmers.

Then it would make sense.

Mr. ROBINSON of Arkansas. I myself think that the transposition of the language as suggested by the Senator from Montana would tend to make it clearer.

Mr. BORAH. Mr. President, I should like to ask a question.

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Idaho?

Mr. ROBINSON of Arkansas. I yield.

Mr. BORAH. I should like to get the view of some member of the conference committee. Did the conference committee regard food as an incident of crop production? Was that the understanding of the conferees?

Mr. SMITH. Yes, Mr. President. I just said a few moments ago that the words were put in in order to empower the Secretary of Agriculture, if he saw fit, to buy food.

Mr. BORAH. If that is true, why did not the conferees say, "If necessary, in order to provide crops, food," and so forth? Why leave it so indefinite if that was in mind?

Mr. SMITH. Simply because the conferees on the part of the other body said that they could not get by with the word "food," but that if we could substitute something by which they could get by they would do so. That is all there is to it. [Laughter.]

Mr. HEFLIN. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Alabama?

Mr. ROBINSON of Arkansas. I yield.

Mr. HEFLIN. Does not that indicate, then, that they did not intend to purchase food. If they could not "get by" with the word "food" in the measure, it seems that food is not going to be bought.

Mr. CARAWAY. Mr. President——

Mr. ROBINSON of Arkansas. I yield to my colleague.

Mr. CARAWAY. I think that the Senator from Montana [Mr. WALSH] has made the suggestion I was about to make. However, I want to impress the thought upon my colleague, if I may, because we are dealing with the lives of starving people, that if any man who is hungry pins his faith to the idea that he will get food under the provisions of the joint resolution at this time he is doomed to disappointment.

What I want to say to my colleague is that when the grant of power ends with the comma, and the means by which the Secretary may use it and how he may exercise it commences with "when" at the bottom of the first page, one is a grant and the other is merely a matter of exercising the power granted. "Other essential things, such as food," if it means anything at all—which I do not think it does as it stands—relates to the manner in which he may exercise the power, whether he shall buy the material or borrow it, whether he shall deliver it or have the people come and get it. It is the manner in which he shall exercise the power which is granted above that. There can not be any doubt about that.

Mr. GEORGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Georgia?

Mr. ROBINSON of Arkansas. Yes.

Mr. GEORGE. I thank the Senator for yielding. I merely wanted to make clear what I stated during the previous interruption.

I think—at least, it seems very clear to me—that the language to which the Senate has referred is directory to the Secretary of Agriculture. It is one of the means which he may employ; and let me call the Senator's attention to this fact:

The Senator from South Carolina and myself had very much to do with framing—in fact, he did frame and introduce in this body—the seed fertilizer act applicable to the Southeastern States in 1928, I believe it was, for the crop year 1929. We also, of course, along with other Senators, were interested in similar legislation for 1930 in the Southeastern States. This provision giving the Secretary of Agriculture the power to buy and to sell was originally inserted for this reason: It was feared that when these Government loans were being made the fertilizer people, the people who had seed to sell, might take advantage of the farmer; in other words, might run the prices up. It was therefore provided in the original resolution—and while this resolution does not follow it precisely, it does incorporate the same general theory—that the Secretary of Agriculture, or the agency selected by him to administer the act, should have the power to buy the seed, to buy fertilizer, and to make sales direct himself in order to forestall profiteering, and in order that he might, by buying in large lots, if necessary, procure an advantageous price for the farmer.

The Senator from South Carolina will recollect that; but I want to call the Senator's attention to this fact: While I know that the purpose of the act is to be confined to the fertilizer and seed and other articles necessary for making a crop, there is not any practical way to supervise the expenditure of the money by the farmer unless the Secretary of Agriculture does exercise the directory or optional power given to him here to go out in the open market and buy what he wants the farmer to have, and in turn furnish it to the farmer.

In other words, if a loan of money is made, there is no practical way by which it could be ascertained what the money would be used for. It is true that the farmer promises to use it for these particular purposes, but it is likewise true that there is no provision for the supervision of the farmer; and certainly the farmer would think, if the Congress did not have sense enough to know that he ought not to permit himself to starve while taking good care of his horse.

Mr. CARAWAY. Call it "feed."

Mr. GEORGE. I imagine that it is not a very practical question we are discussing in this respect:

When the Secretary of Agriculture, through the selected agency, estimates the loan to be made or the advance to be made to the individual farmer, he will take into consideration the need of the farmer for feed for his stock and his fertilizer, and so forth, but will not consider the need of food for his family under the language of the conference report. It is important in that respect; but unless the Secretary of Agriculture is going to supervise in ways not indicated in the act and not heretofore practiced by him in the administration of like acts, the one way in which he could absolutely see that the farmer who obtained a loan did not use some of it, if absolutely necessary, to support himself and family, is by going into the market and buying the articles and selling only feed, fertilizer, and seed to the farmer.

Mr. CARAWAY. Mr. President, will the Senator yield?

Mr. ROBINSON of Arkansas. Yes; I yield to my colleague.

Mr. CARAWAY. The only thing about that is that section 2 makes the farmer a criminal if he should borrow it for one purpose and use it for another; and he might be fined a thousand dollars and he might be put in jail for six months.

Mr. GEORGE. I said, of course, that he was obligated to use it for those purposes.

Mr. BARKLEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Kentucky?

Mr. ROBINSON of Arkansas. Yes; I yield to the Senator from Kentucky.

Mr. BARKLEY. The remark of the Senator from South Carolina a moment ago, in which he let the real cat out of the bag—and I think he told the truth about it, that as a matter of pure, stubborn pride, somebody demanded that in order to save his face the conferees strike out the word "food," so long as they put any kind of language in there that would give them the right to do what they would do under the language carried by the word "food"—illustrates in a striking way, in my judgment, who it is that is playing politics on human misery in this country. [Applause in the galleries.]

Mr. ROBINSON of Arkansas. Mr. President, I am going now to conclude what I have to say on this subject.

Mr. GLASS. Mr. President, will the Senator yield to me?

Mr. ROBINSON of Arkansas. Certainly; I yield to the Senator from Virginia.

Mr. GLASS. I want to indicate to the Senator just how the words upon which he has been commenting got into this bill, and what their real purpose is.

I have a wire here from former Governor Byrd, of Virginia, saying:

> Very important to include language in relief bill as follows: "For other purposes of crop production."
>
> This was specifically agreed to by Secretary Hyde, and is included in Aswell bill as well as bill passed by Senate. This most important to give relief to fruit and vegetable growers and for other items of crop production, and is thoroughly consistent with the provision enabling loans for seed, feed, fertilizer.

Mr. ROBINSON of Arkansas. Mr. President, I have not the slightest doubt that the language would have application to the circumstances referred to by the Senator from Virginia and that it has even a broader significance than he has in mind.

Applying the ordinary rules of interpretation and availing myself of the information that I have been able to obtain since I took the floor from the discussion of my colleagues, I am confirmed in the conclusion that the legal intent and meaning of the language used here is not open to great controversy and that it will be construed to give the Secretary of Agriculture power not only to make advances for the purchase of seed, feed, fertilizer, and fuel oil, but also for such other purposes as he may believe are incident to crop production, including food and clothing.

I think the language in this compromise agreement is broader in its effect and legal meaning than the language in the Senate joint resolution. I realize, as I have stated two or three times, that a transposition would in all probability remove any doubt as to the meaning; but I do not believe that there is a court in existence that would take the history of this controversy, take the debates that have occurred on this bill, take the language itself, and give it any other meaning than that the Secretary of Agriculture is given plenary authority within his discretion to make advances for such purposes as he believes incident to crop production.

I wish now to take just one moment to say that the value of this agreement depends upon the manner in which it is interpreted and the manner in which it is administered. We all recognize the fact that delay in setting up the machinery, and restrictions which will make difficult the securing of advances or loans by those who in good faith seek them, will disappoint the hopes and break down the morale of the many citizens in distress whom this legislation is intended to relieve.

AID FOR PEOPLE IN ALABAMA AND OTHER DROUGHT-STRICKEN SECTIONS OF THE COUNTRY

Mr. HEFLIN. Mr. President, the Bible tells us that God made man in His own image and that He gave him do-

minion over the earth, the beasts of the field, and all other created things.

We all accept, I believe, the doctrine that the welfare of the citizen was the whole end and aim of constitutional government in America; and yet the House of Representatives, in collusion with some of our distinguished Senators in conference on this drought relief bill, struck out the word "food" for human beings and left in it provision for feed for stock. They put the hog above the human and the mule above the man. [Laughter.]

That is the situation that confronts us in the Senate.

How can anybody understand that the Secretary of Agriculture now has it in his discretion to purchase food for these distressed citizens to use in making a crop since the provision authorizing that to be done has been stricken from the bill by the House?

Mr. President, is the Senate afraid to stand by its position that the Government owes it to the distressed citizen to do as much for him as it does for his hungry horse?

We have already gone on record favoring a loan to the farmer to buy feed for his stock; we have already gone on record in favor of loaning him money to buy fertilizer for the soil and to buy fuel for his farm vehicles; and now some of us are insisting that we give consideration to the millions of human beings, made in God's image, who are hungry and shivering in the cold, and who are hoping that we will at least do as much for them as we are doing for the beasts of the field. Do Senators wish to have their constituents believe that they are willing to supply feed for work stock and at the same time withhold food from human beings who are about to starve?

Mr. BARKLEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Kentucky?

Mr. HEFLIN. I yield to the Senator.

Mr. BARKLEY. If this cross-eyed language which has been put in here by the conferees is to be interpreted as they contend—that it was substituted for the word "food" in order to give the Secretary of Agriculture discretion to buy food—if that is the correct interpretation, is it not also broad enough to enable him to buy clothes for those who work in the field, or any other article that might be necessary either to clothe or to feed the human being who is to work the stock after they have been fed on this feed specifically provided for? In other words, in striking out the word "food," if their contention is correct in that they have enlarged the language so as to give the Secretary of Agriculture full discretion as to food, do they not leave the gates wide open for him to buy anything else?

Mr. HEFLIN. It would seem so.

Mr. BARKLEY. Certainly, in objecting to the word "food" it was not the intention of the conferees to broaden the language so as to enable them to buy anything.

Mr. HEFLIN. I think the Senator is correct about that. I think the Senator from Virginia has shown that that language refers to something else—fruit crop, refrigeration, and so forth. That is what they are talking about, and not for providing food for starving men and women.

The House has ruthlessly struck from this drought-relief measure $15,000,000.

Mr. President, I recall the time when the House of Representatives passed the ship subsidy bill, which provided that the Ship Trust could buy the whole American fleet for $200,000,000, a fleet which cost this Government $3,000,000,000, representing a loss to the Government of $2,800,000,000. I helped to kill that bill in the Senate. Not only that, but the House bill provided that the Ship Trust could borrow money out of the Treasury of the United States at 2 per cent.

They did not hesitate then to put that remarkable provision in for the American Ship Trust. But now they hold out and fight to defeat a proposition of adding $15,000,000, making the amount $60,000,000 in all for the relief of millions of unfortunate patriotic Americans in the drought-stricken regions of the United States.

I commend to the gentlemen at the other end of the Capitol, and to some at this end of it, the fifth chapter of Nehemiah, where it says:

> We our sons and daughters are many and we have mortgaged our fields and our vineyards and our homes to buy grain that we may eat and live.

Senators are talking about providing millions to provide feed for stock, but are not willing to give a dollar to buy food for human beings pinched by the pangs of hunger and threatened with starvation.

I for one am in favor of putting a provision in the bill that will instruct the Secretary of Agriculture what to do. We tell him about feed for stock, we tell him about seed to plant, we tell him about fertilizer to put in the ground. Why not tell him pointedly what we want done about food for starving people?

Mr. COPELAND. Mr. President, will the Senator yield to me?

Mr. HEFLIN. I yield to the Senator.

Mr. COPELAND. Does not the Senator hope, as certainly I do, that before very long the administration may come to realize that there are hungry people, not alone upon the farms but also in the great industrial centers? It may well be that other persons besides farmers may need food before this period of depression passes. I assume that very shortly the Congress will consider bills providing for furnishing some measure of relief to all classes, not only farmers but to industrial laborers and other sufferers, and I think that unless Congress does do that we will face a very serious time, a period which might threaten even our social order in the United States.

Mr. HEFLIN. I agree with the Senator that the situation is serious in many places, and I want to say to him that if the time comes when American men, women, and children are starving anywhere and it takes Government aid to save them, I will do the thing necessary to keep them from starving. What do I care about making a precedent if justice requires it and mercy demands it?

We should pride ourselves on setting the right kind of a precedent. One writer has said that many precedents are simply errors grown old. We frequently hear it said, "You have no precedent for this and that." It is our business to meet these issues as they come, and be just and fair in our dealings with them. If human beings in the United States, through no fault of their own, through the terrible economic conditions and distress which we can not prevent, are suffering; are we going to permit them to starve, when this the greatest and richest Government in all the world can save them? Not by my vote.

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. HEFLIN. I yield.

Mr. BARKLEY. I simply want to suggest to the Senator from New York [Mr. COPELAND] that the best way I know of to assure an appropriation to feed the hungry people in the United States is to move them into China or to Russia. If we could get them over there, so that they would not any longer be American citizens, and if they would appeal to us on the same conditions under which they appeal to us as American citizens we would make an appropriation to feed them.

Mr. BLEASE. Mr. President, I call the attention of the Senator from Kentucky to the fact that we are now feeding millions of foreigners in this country, a good many of whom are doing work which American citizens who are hungry should have.

Mr. HEFLIN. That is very true, Mr. President, and they ought to be deported and I am still trying to have that done.

Now, I hope I may be permitted to proceed to finish what I expect to say in a very short time.

Mr. President, I recall that we appropriated a hundred million dollars to feed starving Europeans. At another time we appropriated $20,000,000 to feed starving Russians. We appropriated in all on that occasion $120,000,000 for foreigners, and the House and the Senate voted for those measures.

Now, we come with a case of great distress in our own country, widespread want and threatened starvation unparalleled in our history, and we are asking for just half of the $120,000,000 that we gave to foreigners—$60,000,000—and the body at the other end of the Capitol has denied it to us by cutting out $15,000,000. They will not give to our own people in distress in the various States of the Union half of what they gave away to foreigners.

How are Senators going to face their constituents, some of whom are in dire distress? Mr. President, there is real distress in many places in our country. Take the farmers in States where no crop has been made this year. They mortgaged the 1930 crop when they planted it, and they mortgaged their livestock, and many of them mortgaged their household effects. The crop failed. They have nothing left to mortgage. Senators, they are in dire distress, and they are fine, upstanding, honest, loyal American citizens. Break the morale of that class of people in this country, and you will strike down patriots who constitute the real source of the Nation's strength and glory.

Will it not be a glorious Christmas present to let American patriots know that you are going to send them some hay for their horses or some corn for their hogs, but that you are not going to aid them in obtaining food for themselves and families?

How can any Member of the House or the Senate excuse himself for voting for a bill to lend a man money to buy corn for a horse or a hog, and deny him the right to borrow to buy food for himself and his starving family?

Surely we can get together and stand together on $60,000,000 for the millions of distressed men and women in the drought-stricken sections of our country.

Mr. President, there is a serious situation confronting this country. Think of what has been done for another class of our people. In the last 10 years or a little over in rebates and credits the Government has given to the mighty rich $2,000,000,000. In the refund of taxes it has handed over to the mighty rich $1,800,000,000.

In response to my resolution I have just received a report from the Secretary of the Treasury showing the amount of money in circulation for each year from 1919 up to and including the year 1930. The amount has gradually decreased until to-day we have the smallest volume of money in circulation that we have had for any year since 1923. There is where the American people are hurt and terribly handicapped. The body of business is suffering. There is not a sufficient amount of lifeblood—money—circulating in the body—business—to keep it robust and strong.

Business stagnation is seen everywhere and banks are failing on every hand. Eleven hundred banks have failed this year. The people in the drought-stricken regions are suffering, and many are in great distress, but we can not get enough money appropriated here to serve them in this hour of their greatest need.

Sixty million dollars is not a large amount for the great number of people that we must aid at this time. Mr. President, the House denies us the $60,000,000, and right now $150,000,000 is being loaned to the shipbuilders of the United States. The Government's money—more than twice $60,000,000—is being furnished to these private individuals to carry on their private business, but the Government is not allowed to go with adequate funds to the rescue of millions of men and women who are hungry and in great distress.

I recall the lines of Clark in The Lost Atlantis:

The few claimed all the increase
From ocean, soil, and air,
Precious stones and gems and metals,
Flocks and grain and fruitage rare.

And they built a golden image
In the grandest of their marts,
And the incense that ascended
Rose from ruined homes and hearts.

The only word the image uttered
Day and night was "give."
And the people feebly answered,
"Grant us work that we may live."

And the toilers starved and perished
On the highway and the moor,
And the wolves of want went prowling
'Round the cabins of the poor.

And I heard a voice proclaiming,
Down the solemn aisles of space,
"He who strikes a starving brother
Smites his Maker in the face."

Mr. BARKLEY. Mr. President, I have no disposition to be technical or to split hairs over the meaning of language inserted by the conference committee. Either the language suggested meant by some deceptive method to include food, or it did not.

If anybody in either House of Congress or in any executive department was willing by general provisions to authorize the Secretary of Agriculture to buy food, but did not have the honesty and courage to say so, then I say that that is a piece of deceptive and dishonest legislation. If we are willing for the Secretary of Agriculture to buy food with this money, then we ought to be honest enough to say so and not do it by indirection. So that, so far as I am concerned, either interpretation of this language is subject to condemnation. It either meant food or it did not mean food.

If the Senator from Virginia is correct in stating that this language was inserted in order to take care of fruit growing, because fruit growing is not specifically mentioned any more than any other agricultural product is specifically mention, then, of course, there is not a pound of food included in the language and the Secretary of Agriculture is not authorized to buy a pound of food under that language.

Mr. CARAWAY. Mr. President, the fruit grower is going to be as much disappointed as other farmers are, because there is no authorization for that.

Mr. BARKLEY. Of course. I think the language without that clause is broad enough to include any sort of agricultural products. We learned in the tariff debate here that the word "agriculture" is a flexible word, which includes all sorts of things which grow out of the ground.

So far as I am concerned, I think the Senate ought to have retained the language which it had in the bill originally, including food. It is the almost unanimous opinion of every Member of this body that that language was justified in the beginning. If the Secretary of Agriculture and the President of the United States and the Members of both Houses of Congress knew the real conditions in the rural sections of the drought-stricken region as they are known by those who live in those sections, they themselves would be converted, in my judgment, to the proposition that food is necessary to be included in the bill.

I have no information that is very accurate from any State except my own. As I said on a former occasion, the committee set up under the administration known as the drought-relief committee, after making a survey of the State of Kentucky, reported that a minimum of $10,000,000 was necessary to loan the farmers who have no credit and who can not obtain loans in any banking institution; who can not make any negotiable instrument that will be accepted in any financial institution. Of course, I do not insist—and neither does anybody else insist—that Kentucky alone is in that condition or that we would expect $10,000,000 out of any such appropriation as that which is proposed here; but if the drought-relief committee set up in my State, after an exhaustive investigation through local committees in all counties that knew the situation, is willing to state that $10,000,000 is required in that one State, and we appropriate only $45,000,000 for the entire drought-stricken area, we can all see how inadequate is that appropriation to meet the situation which exists.

Mr. BLACK. Mr. President——

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Alabama?

Mr. BARKLEY. I yield.

Mr. BLACK. I would like to state to the Senator that the same kind of a committee in Alabama has reported that the sum of more than $10,000,000 is necessary there for the same purpose.

Mr. BARKLEY. I realize that the same kind of committees in other States reported the amounts necessary and all did it under the jurisdiction of a movement set on foot by the President of the United States.

Mr. President, I claim that the Secretary of Agriculture has no adequate information about the situation in my State, and I doubt seriously if he has as to the condition in other States. He went to the city of Frankfort, Ky., on the train, got off between trains, conferred with the governor of the State for a little while, and went from Frankfort to the city of Louisville in an automobile after dark, and then gave out a statement, in view of the fact that a little shower had come which wet the road, that the situation was well in hand in Kentucky and there was no suffering, and said that, as a matter of fact, the drought had done very little damage anyway.

I have information which has been given to me from sources that I know to be absolutely accurate that in my State to-day there are from 300,000 to 500,000 people who are hungry. They are not living in the cities, either, where the Red Cross and the Salvation Army are undertaking to care for the people's wants. They live out in the rural sections, where neither the Salvation Army nor the Red Cross has facilities for looking after them. I am informed that in the larger cities of my State there are 4,000 school children being fed by these welfare organizations. In one county where the Salvation Army has an office and has some facilities, there are more than 300 families being fed to-day by that organization, and they are not people who live in the cities. They live in the country for the most part.

An investigation was made among the school children of a certain county. Out of 120 counties in Kentucky 116 were seriously affected by the drought, every county in the State except 4. A committee was sent to investigate the food that was being consumed by the school children in a certain rural county. They came back and reported that they looked into the dinner buckets of those school children and found in those dinner buckets in three school districts in that county green hickory nuts and green walnuts and rotten heads of cabbage as the only food those children had to subsist upon in order to enable them to go to school.

I do not think the condition in my State is different from that which exists in other States, although the failure of crops in certain portions of my State for a period dating back even to 1927 may intensify the condition there. Indeed, in the western end of Kentucky, where I happen to live, we have not had a normal crop for four years, not since 1927. The people down there raise tobacco. That is their money crop. They produce practically no foodstuffs at all, because as early as last April, when I was in Kentucky, they were complaining of the dry weather and that it had prevented them from planting a large crop of this product. That drought has continued from that time until to-day, and to-day hundreds of communities are hauling water for families and for their stock; thousands of barrels of water wherever it can be found are being hauled to the schoolhouses. As a result of this condition, although more than a million people in the several counties have been inoculated against typhoid fever, a record no other State has equaled up to this time, there will be an increase in all probability of 33⅓ per cent in that disease in that State alone, due to the conditions which I am attempting to describe.

As I said a while ago, the Red Cross and the Salvation Army are wonderful organizations and doing a wonderful work. The public in the State of Kentucky has responded in a more magnificent way than ever before in the history of the State to the call of these welfare organizations to relieve the situation. Every city council has gone the limit of its power under the law to appropriate money for charitable purposes. Every county has done the same thing. Yet, in spite of these welfare organizations, in spite of the fact that the counties and cities have gone the limit in appropriating money out of their treasuries to take care of the situation, we find the conditions which have been reported to me by the State board of health, which has made a careful, painstaking survey in every county of the State of Kentucky.

It may be that it is against the Constitution, that it is a violation of our conceptions of the functions of the Federal Government to appropriate any money out of the Treasury to feed these people in the United States of America; but I ask, Mr. President, by what right we can construe the Constitution to give us power to appropriate $100,000,000 to feed starving people in Europe and $25,000,000 to feed starving people in Russia, for both of which I voted and would vote for again; I ask, What right have we to construe our Constitution to provide that we may appropriate for people in other countries and deny it to the people of our own country who support our flag and Constitution in times of war by their lives and by their blood and in times of peace by their taxes? It is unworthy construction, in my judgment, of the powers of the Federal Government. It is an unworthy limitation upon the functions of our Government to hold, even after local committees, local organizations, and local governments have exhausted their power under the local laws to relieve the situation, that even then the Federal Government has no right to go to the rescue of the people except to feed their horses and mules, hogs and cattle, but at the same time deny the people themselves the right to eat.

So far as the $60,000,000 is concerned, it seems to me an unnecessary fight has been made to save somebody's face, because if we appropriated $100,000,000 or $1,000,000,000 out of the Treasury, every dollar of it is in the discretion of the Secretary of Agriculture, and although we might put at his disposal $150,000,000 or $200,000,000 to buy food, he is not required to spend $100 of it for food unless he finds it necessary to do it in the exercise of his discretion. Therefore I inquire of my fellow Senators, and I inquire of the Government of the United States, why it is necessary to make all this fuss and furor over $15,000,000 when the Secretary of Agriculture is not required to spend one dollar of it unless he finds it necessary to do so?

I think it most unfortunate, and I do not wish to exaggerate the situation, but I do wish to emphasize the fact that here in Washington the people do not fully comprehend the situation. It is a most distressing and, I think, unfortunate condition that we find the Congress of the United States and the President of the United States and the Secretary of Agriculture haggling and quibbling over the inclusion of the word "food" in a bill to grant relief to the people of the country who are its bulwark and its backbone.

Mr. WALSH of Massachusetts. Mr. President——

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Massachusetts?

Mr. BARKLEY. I do.

Mr. WALSH of Massachusetts. Do the cities and towns in the Senator's State appropriate money to be distributed to the poor for charitable purposes?

Mr. BARKLEY. I think every county and city in the State of Kentucky not only does it all the time, but they have gone to the limit in this particular emergency. They have been magnificent. They have denied every ordinary function of the government the money that might be necessary to carry them forward in order to enlarge the appropriations for these charitable purposes.

Mr. WALSH of Massachusetts. Do the officials distribute this relief or do the county officials turn the money over to some charitable organization?

Mr. BARKLEY. They do not act uniformly in all counties. Of course each county administration is held responsible for the expenditure of the money. Sometimes it is turned over to a charitable organization or a welfare committee, but an accounting is demanded from that committee or that organization when the money has been expended. Sometimes the county expends it under its own jurisdiction. In my earlier years I happened to be the judge in the county where I lived. The county judge has jurisdiction over the expenditure of charitable funds. Sometimes we allotted a portion of the funds to the Red Cross or some welfare committee organized in the community. Sometimes we disbursed it all together on county warrants. There is no uniform rule. It can be turned over to a welfare organization for distribution and frequently that is done, because

they have better facilities for investigating the merits of the claims; but there is no uniform practice.

Mr. WALSH of Massachusetts. The cities and towns of New England and I think generally throughout the North elect annually a board known as the board of overseers of the poor. Even the smallest community appropriates a certain sum of money which is needed, which is handed over to this board and distributed among the poor. The board pays the rent for poor families, buys shoes and clothing, and sends groceries and food from the shops and stores to the families, and the town or community pays the bill. I was wondering if that system prevails in the Senator's part of the country.

Mr. BARKLEY. I should say that every county in the State of Kentucky has a poor fund that is set apart especially for the purpose of caring for the poor. That is not a loan; it is a gift. The county never gets a dollar back nor does the city. It is a straight-out donation from the public treasury to take care of the indigent cases, which we always have with us. Manifestly in the drought-stricken area, such as we have had in our particular section of the country, in all of the States in the Mississippi Valley, it is impossible for a city or a county government to have enough money to accomplish all the purposes that are entirely worthy. They are limited in their tax rates. They can not raise the taxes beyond constitutional limits for this particular purpose.

Mr. WALSH of Massachusetts. In my section of the country the appropriations have necessarily had to be tremendously increased.

Mr. BARKLEY. That has been done in my State.

Mr. WALSH of Massachusetts. One of the incredible features of that action is that the increased burden rests upon the small landowners who have to have their taxes increased to help make up this emergency fund to take care of the poor and the unfortunate. It is nothing new. One would judge by some comments which we hear that there never has been any such policy in America as giving money for assistance to the poor. So long as I can remember and so long as I have been able to read the history of my section of the country we have always maintained a fund and officials whose business it is to find out who are poor, who need aid, and to spend the public funds to assist them, to protect them from starvation and from neglect through lack of proper shelter.

I am very much interested in having the Senator give us the description he has of the real conditions in his section of the country, and I will close by calling attention to the fact that only this morning I received a communication from the board of overseers of the poor of the community where I live—a small community of 14,000 people—in which they state that the number of persons now whom they are taking care of from public funds appropriated by the taxpayers is about 900. The normal number of persons they take care of each year has rarely exceeded 50. I think that helps to give us a picture of the conditions throughout the country.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from Kentucky yield to me?

Mr. BARKLEY. In just a moment I will yield to the Senator. I appreciate what the Senator from Massachusetts [Mr. WALSH] has said, because I know how he feels generally toward the problem of human suffering. To illustrate how this situation has affected the farmers in the county of Jefferson in Kentucky, in which the city of Louisville is located, the tax assessment of intangible property for this year has fallen off $107,000,000. That means that those who held stocks and bonds, who had to give them up as the result of the stock-market crash, have been able to be relieved of taxation on their stocks and bonds to the extent of $107,000,000, while at the same time the value for taxable purposes of farm land in that county has not been reduced by a single dollar. So that these farmers in these distressing circumstances are required to pay the same amount of taxes to save their property as they have been paying all the time, while those who have sold intangible property or gotten rid of it, either voluntarily or involuntarily, to that extent have had reduced the amount of their taxes. Now I yield to the Senator from Arkansas.

Mr. ROBINSON of Arkansas. The Senator has now passed some of the points where my interruption would have been pertinent, but with reference to some of the questions asked by the Senator from Massachusetts [Mr. WALSH] I desire to say that the system prevails in the section of the country with which I am familiar of raising funds by what are known as "community chests."

Mr. BARKLEY. Yes.

Mr. ROBINSON of Arkansas. Every city and almost every town organizes a campaign and carries it on very effectively to collect a fund to be used for charitable purposes. That fund is usually actually distributed through certain charitable organizations, generally including the Red Cross, and in some cities with which I am familiar including a number of other organizations. For instance, the city of Little Rock this year had an increased community chest; for the first time, I think, in its history the fund was oversubscribed, and that, too, under circumstances that made the collection of the fund quite difficult, because the large contributors, as a rule, were unable to donate the usual amount, but the smaller contributors made that up. We were, of course, highly pleased to see that the fund was oversubscribed.

Mr. WALSH of Massachusetts. Has the Senator no department of government in his city known as the poor department?

Mr. ROBINSON of Arkansas. No.

Mr. WALSH of Massachusetts. Have no cities in the Senator's State any such department?

Mr. ROBINSON of Arkansas. No.

Mr. WALSH of Massachusetts. In Massachusetts we have the community chest as well.

Mr. ROBINSON of Arkansas. We have in the counties provision for the poor, but that is not in the cities. It is not controlled by the cities; it is controlled by the counties.

Mr. BARKLEY. Mr. President, I appreciate what the Senator from Arkansas has said. We have the community chest in the large cities in the State of Kentucky, and after the funds have been raised they are distributed in an equitable way among the charitable organizations, but that is an activity that is largely confined to the cities. It may overlap the city limits a little bit so as to take care of the people on the edge outside, but it does not include farmers; it offers no hope of relief to farmers in the rural sections. The Red Cross—one of the greatest organizations in the world, and one which has done greater service in relieving human suffering than has almost any other organization conceivable—is in the same situation. It is not prepared to go out into the rural districts, and it has never made a practice of doing so.

Dr. John Barton Payne, the head of the Red Cross Association, for whom I have a profound admiration, in his report recently stated that they are now feeding 22,000 farmers. Of course, when one considers the number of cities, to which the Red Cross is practically limited in its distribution of charity, 22,000 families in this particular time is no great number of families compared to those who need relief. The only way by which the farmers, many of whom—I will say thousands of whom—for a period of four years, even, before this year's drought came had not made a normal crop, had not produced enough feedstuffs for their livestock or food for their families, will be able to get any relief in the way of food, unless this bill shall be either interpreted or changed so as to cover that item, will be through the Federal Government.

Mr. COPELAND. Mr. President——

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from New York?

Mr. BARKLEY. I wish to conclude my remarks; but I yield to the Senator from New York.

Mr. COPELAND. No matter what may be the status of this measure—and I assume that it is foreordained to pass in the form in which it is presented to us—the Senator does

not fear, does he, that there will be no further opportunity for those of us who feel as we do about this industrial situation to make any appeal to Congress?

Mr. BARKLEY. I certainly hope that there will be further opportunity, Mr. President, if the need requires it, but why in a great emergency like this should we nibble at a thing? Why should we do what we are going to do grudgingly? Why do not we recognize frankly the conditions and deal with them, because in two months Congress will be away from here, I hope; and I further hope it will not be back until next December. We ought to make ample provision for any emergency before we leave here in March.

Mr. COPELAND. If the Senator will yield further, I should not be content now merely to vote for this bill, as I expect to do, unless I had in my heart a feeling that when Senators come back from the holiday recess they will be so impressed by what they are going to see during the next two weeks that they will come here ready to be extremely generous in voting whatever sums may be necessary not only for the relief of hunger and suffering in the rural districts but also in the cities and villages. I agree fully with the Senator; I know what the situation is upon the farm, but it is not limited to farm; it is everywhere, and I view it with great anxiety. I do not think we can deal with it lightly. I think we must come here with a firm and steadfast determination to work out some sort of legislation which will make available through some channel the relief of people in distress not only on the farm but everywhere throughout the country, because—and I am sure the Senator agrees with me—we have a dreadful situation confronting us and unless it is dealt with wisely we do not know what the end may be.

I will say to the Senator that, so far as I am concerned, I am ready to join him at any time in a movement to seek to give whatever relief we may properly give. I assume, as this bill is here in the form in which we now find it, we certainly would not wish to adjourn for the Christmas holidays without starting this much of the work, but there must be impressed upon the administration before another month shall have passed the seriousness of a situation which will need the administration to be very much more considerate and very much more yielding and very much more ready to provide funds for the very things the Senator has in mind.

Mr. BARKLEY. I appreciate what the Senator has said, but I will state frankly that I fear if we are to depend upon the holiday visits of our membership to their homes for additional information as to the real condition among those who may not be in a position to celebrate Christmas, we shall not have very much more information when we get back than we have now. I do not want the Senator to understand from what I have said here that I am in opposition to the pending joint resolution as it is brought back here, if that is all we can get; but I am not willing to have this incident go by, in view of conditions as I know them to be, without registering my protest against the niggardly policy which is being adopted here by the passage of this grudging joint resolution and against the efforts to hedge it around in every way possible so that need can not be administered to.

Mr. COPELAND. I sympathize with the Senator, but I think the man will be blind and deaf who goes to his home anywhere in this wide land over the holidays and fails to come back with a determination in his heart to do something in a practical way to relieve the situation.

Mr. BARKLEY. What about those of us who can not get home?

Mr. COPELAND. Let them look about here; let them go to Baltimore and visit some of the communities near Washington. However, when the Senator from Massachusetts and I go home we will see great lines of unemployed seeking work in front of every employment bureau in the cities of the East. My city has been extremely generous; it has raised $8,000,000 to take care of the immediate emergency, but $8,000,000 is only a drop in the bucket compared to what is needed to relieve human suffering in the section of the country where I live, and I believe that is true of every portion of our great country.

Mr. BARKLEY. Mr. President, conditions in Washington are bad enough, but, of course, the Senator knows that Washington, being the capital of the Nation and the people here depending upon the pay roll of the Government, which has not been interfered with, and not being an industrial center, is feeling the prevailing depression more lightly than any other similar community in the United States, and we can not get an adequate view of this situation simply by staying here in Washington.

Mr. BLACK. Mr. President, will the Senator yield to me for a moment?

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Alabama?

Mr. BARKLEY. I want to conclude, but I yield to the Senator.

Mr. BLACK. I should like to call the Senator's attention to the fact, when he refers to the niggardly policy being pursued, that it is my understanding the Democratic leader of the House of Representatives asked the chairman of the Appropriations Committee whether or not it was contemplated to appropriate this entire $25,000,000, and, so far as anyone has been able to discover, the idea seems to be that even the $45,000,000 will not be appropriated; that, while it is authorized to be appropriated, the same policy will continue and the same fight will occur when the question of the appropriation comes up.

I may state further that from information I sought to obtain from some in authority I reached the conclusion that they are waiting to see how much of the total amount will be appropriated, and that probably the plan is not to appropriate $45,000,000 at all, but again to have the fight and seek to bring about another compromise in order that a great victory may be won for economy at the expense of the people.

Mr. BARKLEY. In other words, while we are nibbling at it and whittling it down bit by bit millions of our people are suffering. I do not wish to violate any of the proprieties, but I am satisfied that if the newspaper statements have been correct as to the attitude of the leaders of the dominant party in another branch of the Government and if their views are to be carried out in that branch there will be no amount even approximating $45,000,000 actually appropriated for the relief of people in the United States who are in distress.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. CARAWAY. Mr. President, I had hoped that, as inadequate as this authorization is, it would be at least a recognition of the right of hungry people, starving people, to look to their Government for relief in time of distress. I had hoped that I should find in this conference report a recognition on the part of the Government, as voiced by the Congress, that human suffering is entitled to consideration. It is not in the bill, Mr. President. I can not deceive myself about it. It is out of the bill. There is not any authorization in the bill—and no one need vote for it with that belief—for the purchasing of one pound of food to alleviate the sufferings of starving humanity.

The Senator from South Carolina [Mr. SMITH] revealed what was beneath this language—that the administration has said that human beings should not be relieved of their sufferings by governmental instrumentalities, and therefore language was to be so inserted that a hope might be held out, but relief denied.

I have looked at the authorities, Mr. President, construing the words "and other purposes." There is not a single case where the courts have construed that language to add another element. For instance, if you have an authorization to take water for fire protection and for home consumption, and other purposes, the phrase "other purposes" does not add another power other than what were enumerated as purposes for which water might be taken. "Other purposes," as the words stand in this bill, does not mean anything ex-

cept this: That the Secretary of Agriculture is empowered, if it becomes necessary in order to protect the public against the gouging of profiteers, to purchase and distribute or sell to the farmers feed and oil for fuel. The method in which he may acquire it or distribute it is stated, but not that he may add some other item to the enumerated purposes for which he might let farmers have money or might use the money and thus buy food to be distributed.

If it were open to question, Mr. President, I should accept it and cherish the hope, as hostile as I know the administration now is, and the Secretary of Agriculture in particular, to granting this relief, that the circumstances might finally convince even these that this is a worthy activity of the Government to relieve the distress of human beings. But there is not any food under this bill. There is not a bite of it. Nobody need vote for it with any belief that there is.

In the first place, we know that the administration is against food being purchased and distributed to suffering human beings. We know the Secretary of Agriculture is against it; and when Mr. Warburton, who possibly will make the rules and regulations under which this measure will be administered, was before the committee, he was so openly hostile to it that he became offensive.

I am not going to enlarge upon the condition that confronts the people in my own State. I have a State pride that makes me regret that human suffering is so widespread in that State that local instrumentalities can not relieve it. But, Mr. President, the truth is the truth.

In the last two months almost a third of the banks in that State have closed. They locked up the resources of many of the counties and the cities, as well as those of the individuals. Much of the public funds have been involved in these failures, and in some instances the surety companies that guaranteed the return of these funds have likewise gone into the hands of receivers. Individuals who had money can not get it. But few of them had it. We have a drought situation in that State said by the Department of Agriculture to be more severe than that in any other of the States. On the 15th day of November last there were already 85,640 families in that State without means of subsistence. If there be five people to a farm family—and they usually would average that—there is more than a fourth of the entire population that already are without means of livelihood. These have been added to, I suspect, nearly a third since the 15th day of November.

I could fill a whole volume of the CONGRESSIONAL RECORD with letters and telegrams from presidents of banks, from merchants, from lawyers, from judges of courts, from county officials, from farmers, and people in every walk of life telling me that not only are the people without means but they are actually starving, and there is no relief in sight.

I had a telegram this morning from the chairman of the Red Cross drought relief committee in one county in my State, in which he told me that 1,400 families in that county alone were depending upon charity for bread. I have this other telegram that I shall read merely to show what the situation is as to livestock. This comes from Earl, in one of the rich agricultural counties of the State, but one that has been almost destroyed by drought:

> Earl received no aid from Red Cross relief of human suffering. Some 3,000 mules in territory and more stock running at large in fields. Farmers unable to buy feed. If no relief soon, large per cent of mules will starve before money available for feed is paid. Is there anything you can do?

That dealt with stock. I have here a letter from a county judge, a man of large experience, in which he said that one-third of the people in his county had no means of subsistence; that the public morale was destroyed; that the finances of the county were locked up in closed banks; and that no one was extending relief.

I have here, Mr. President, letters—only a few of the many that came; some of them, as I said the other day, written by farmers whose hands are so cramped from toil that they are hardly legible—all bearing testimony to the same effect, that suffering is widespread, that actual starvation had commenced, and that no relief is being received from any source. I intend to put these in the RECORD, if I may, although they do not constitute one one-hundredth part of those that have come to me from perfectly reliable sources telling of the situation that exists in the States.

I called attention to it the other day. I want to read again one paragraph from a letter of a very well known lawyer, a man of high character, in one of the counties, where, after a statement of the opponents of this bill that food ought not to be furnished, he said:

> The Red Cross has done nothing, and proposes to keep on doing so. A lady who claims to be the head of the Red Cross relief for five counties had lunch in my home yesterday. She informed me that the Red Cross did not intend to help the share croppers on the large plantations; that it would be up to the plantation owner to look after his own tenants and croppers. To arbitrarily take such a stand leads me to believe that we must look in other directions for relief. Delayed relief will fail to accomplish its purpose, for thousands of our people will not be able to subsist for another 30 days.

Then he says that he made an actual survey of some of the people on the farm.

> In the first home I found 15 pounds of flour, 10 pounds of meal, 3 or 4 pounds of lard, and 2 pounds of meat; in the second home, 10 or 12 pounds of flour and 3 or 4 pounds of lard; in the third home, not more than 10 pounds of flour and 2 pounds of meat.

And he added:

> These are typical of the entire rural population in that community.

Remember, that is all there is. There is not anything back of that; and in the same letter he said that school children were actually undergoing slow starvation.

The newspapers this morning said that Mr. Hoover had won a great victory in the two relief bills. If it be a victory to doom innocent women and children to slow starvation, why, God bless his soul, let him have whatever glory is attendant upon that great victory, because in this measure he has won that victory. There is not a mouthful of food in this bill for a single starving woman or child in America. If it be a great victory to protect from increased taxation the men who piled up huge fortunes while the sons of these starving men stood in the mud and blood of the trenches in France—if it be a great victory to protect these fortunes against an increase of taxation, although the bone and sinew of this country starves—the administration has won it, Mr. Persident; and I am not deceiving myself. There is not any relief in this bill. There is not any disposition to relieve starvation in this bill.

There is no use for us to pretend that we hope that the Secretary will liberally construe it. He will not do it. There are people who think a great victory is won if the Government shall refrain from aiding suffering humanity. I have noticed their letters in the papers. I have read editorials along that line. Some poor fellow up at Lewiston, Me., the editor of the Lewiston Sun, wrote an editorial chiding all of us who thought that starvation ought to be relieved, even though taxes should be increased. He thought so much of that childish effort of his that he marked it and sent it to every Member of the Senate.

A Mr. Randall, in Baltimore, wrote me a letter which came this morning, inclosing a clipping from the New York Herald Tribune, written by a man by the name of Hubbard, congratulating the people upon the fact that Mr. Hoover was resisting a raid on the Treasury in the way of a dole.

Not only do they want to deny suffering humanity the right to live and the starving the right to be succored, but they want to insult them merely because they have dared ask their own Government for relief, because these imagine that the word "dole" carries with it some implication that it is a degrading thing.

Mr. President, Great Britain has paid a dole, although their tax rate is nearly a hundred times ours, and I believe Great Britain is more to be honored that she did tax her rich and keep the poor from starving than if she had adopted the policy of this administration, and said, "We will conserve the wealth of the rich, although the manhood and womanhood and childhood of the nation shall starve."

That is the situation which confronts us. I am not criticizing the conferees. I am satisfied with what the Sen-

ator from South Carolina said, that they were told that they must take this or get nothing, and they took it.

The spokesman for the administration was not represented among the Senate conferees. The administration's voice was heard from the conferees on the part of another body, and when they said, "This administration will not stand for food. You may put in some word that will enable you to console yourself that you come as near as you could to feeding the hungry," and you will know that they spoke the language of the administration and the interpretation the administration will put upon this bill.

Somewhere in the Bible there is said "people asked for bread and were given a stone." That is what this measure does.

Fortunately or unfortunately, I do not subscribe to the theory it is entirely proper to accept charity from charitable organizations, but highly improper to accept relief from one's own Government.

Every generation has created more wealth than it has consumed. If that were not true, we would not have the cities and the towns and the homes, the railroads and the other instrumentalities which serve civilization. Every bite every man and woman will eat to-night somebody's hands produced. Every yard of silk which will adorn some fine lady's person to-night represents the toil of somebody. Human labor created every dollar of wealth there is. As I undertook to say the other day, banks do not create wealth, lawyers do not create it, educators do not create it, governments do not create it, statesmen are not creators of wealth, newspaper editors do not create wealth.

For every dollar of created wealth somebody's back ached and somebody's brow sweated. Therefore the people who are now being denied relief are the ones who are feeding the rich to-night, they are the ones who are clothing the rich to-day, they are the ones who supply the vital necessities of life for all people. They will feed the President of the United States to-night, they will feed the Secretary of Agriculture to-night. Yet the administration would strike down their hands when they ask that they may share a little of the wealth they created and that they may eat some of the bread their toil produced.

I think that if there be any discredit, there is a discredit resting upon the Government which says to the people who created the wealth, "When misfortune overtakes you, you may not ask the Government which you created, the Government which you defended, the Government which you supported, for aid. You must go to a charity organization and get private charity." That is a reflection upon the very Government they created, and not upon the people who ask for relief.

Whatever we may think of the present dominating character who holds in the hollow of his hand the destiny of the Italian people, when an earthquake destroyed one of their cities and many of their towns last summer, and charitable people were cabling offers of relief, he said, "The Italian Government owes it to its people to succor them, and will do so." I think that if nothing else shall outlive his tenure of office, that acknowledgment that the Government should take care of the people who support it ought to give him immortality in history. It is a creditable thing to recognize that the people who made the Government, who supported it in time of war, and who maintained it in time of peace, who produced its wealth, are entitled to be protected when misfortune overtakes them of such a nature that they can not protect themselves.

Mr. President, there has been no disposition on the part of the farmers of the United States to raid the Treasury. Whoever originated the charge that the farmers of the United States did that is guilty of one of two things—monumental ignorance or absolute lack of veracity. They have not done it. Up to very recently, and I presume to this very time, the farmers have produced nearly three-fifths of the volume of our foreign trade. Ever since the Civil War, if it had not been for the agriculturists, the balance of trade would have been against the United States instead of in favor of the United States.

The farmers furnish more than two-fifths of the freight that is hauled on the railroads of this country. When America's honor was at stake upon the bloody battlefields, wherever it was, whether in the United States or in France, they furnished a larger number of men who laid down their lives to defend the flag than any other group in the United States. And now when misfortune overtakes them, when by thousands they are literally starving and their wives and children are starving with them, and they ask the Government which they created, the Government which they defended, the Government they maintained in time of war and in time of peace, to be permitted to share a little of its bounty, that they might have the same right that it extends to dumb brutes, they are denied.

I close as I commenced. The papers say that Mr. Hoover won a great victory. I think he won the kind of a victory referred to by Wellington when he rode over the battlefield of Waterloo and said, "Another victory like this will destroy us all."

The President won a great victory. He saved a few million dollars and he shut the hearts of millions of praying mothers and suffering children against any appeal he may make in the future. If he is proud of his victory, I am sure that he alone will rejoice.

Mr. SMOOT. Mr. President, I wanted the Senate to understand that one statement by the Senator from New York impressed me greatly, and I thought to myself, "I believe that I could suggest to the Senator a plan whereby all the poor in the State of New York—and I might just as well have said the United States—could be taken care of if it were put into operation."

The Senator asked me, "Well, what plan is it?" I said: "This is the plan: If every person in the State of New York would forego eating one meal a week and give the cost of that meal to a fund to take care of the poor of the United States, there would be no suffering for food in the United States." I think the same plan would work from one end of the country to the other. That is what I said to the Senator from New York when I went over to speak to him, and it was brought to my mind by a statement which he made, in answer, I think, to the Senator from Arkansas.

Mr. NORBECK. Mr. President, I desire to ask the distinguished Senator from Oregon, having this report in charge, whether the measure covers hailstorms?

Mr. McNARY. Mr. President, the language of the measure refers to drought-stricken and storm-stricken regions. A hailstorm is one of nature's agencies of destruction, probably the worst in certain sections of the country, particularly that part of the country from which comes the Senator from South Dakota. It is my opinion that a hailstorm would come directly within the provisions of the act.

Mr. BORAH. Mr. President, just a word. I think I understand the situation as it presented itself to the conference committee. It was necessary to make concessions in order to get a report at all, and I presume the conference committee, as well as all others here, felt the necessity of having some bill passed before the holidays. For myself, I am very anxious to see some measure of this nature, whether sufficient and efficient or not, passed before we go away for the holidays.

Mr. President, I wanted further to say that I am very clearly of the opinion that in bringing about this compromise the conferees had to waive any provision with reference to the purchase of food. I myself can not, under the circumstances, see any authority in the conference committee bill for the purchase of food.

The administration has contended, and the Secretary of Agriculture has contended, that the supply of food is not an incident to crop production. They have stated over and over again that they were willing to see money appropriated for the purpose of doing all things necessary to bring about the production of a crop for the next year. But they were unwilling to have any provision which would provide for the purchase of food. That is the construction which they have placed upon it.

When we go into conference and deliberately strike out the word "food" and all language with reference to food and put in a clause which provides "for other purposes incident to crop production" and when those who will construe it have already construed it that the purchase of food is not an incident of crop production, there can be only one construction expected in the future. However, as I said, I realize we have abandoned that proposition, but I am not going to oppose the final passage of the measure because in its present form it is infinitely better than that we do nothing prior to the holidays. Before two months shall have passed we may be compelled to reconsider this matter of food.

Mr. CONNALLY. Mr. President, when I read the newspaper this morning to the effect that the Senate conferees had extorted from the House an agreement to make this amount $45,000,000 and providing that the Secretary of Agriculture might extend food loans, I was very much gratified. I thought that for once the Senate conferees have come back with a little slice of bacon. But when we consult the report and when we hear the exposition of the Senator from South Carolina [Mr. SMITH] this delusion is absolutely and rudely dissipated. The bill, as it stands, simply means that we are going to authorize an appropriation of $45,000,000 and that the Senate is surrendering on the real emergency provision for relief that was in the bill which passed the Senate.

The Senate, as I recall it, voted unanimously for $60,000,000, and it voted unanimously to extend loans for the purpose of feeding hungry men and women, and, if you please, babies. By reason of the exigencies of the situation we shall probably have no other alternative except to vote for the conference report, but I am going to vote for it with no illusions. Everybody knows that the Secretary of Agriculture from the beginning has said that it is not a proper function of Government to feed human beings. I do not subscribe to that doctrine. I do not believe it is statesmanship to feed mules in preference to human beings, or that it is unsound and beyond the province of Government to provide loans to feed our hungry people when they are hungry through no fault of their own.

The Weather Bureau the other day said that the drought which visited this country in 1930 was the worst in the history of the United States, bringing more suffering and covering more territory than ever before. That is a condition for which the people are not responsible. Who is responsible for creating the belief throughout the country that the Federal Government is going to do something for the drought-stricken people? We did not originate it. There was a national conference called in Washington on drought relief. The Secretary of Agriculture was appointed chairman of a great national drought relief committee, and that committee was going to do something for the relief of the drought-stricken people.

In my State a committee was appointed. They had a state-wide meeting. I attended it. It appointed a committee to come to Washington at once and consult with various departments. I came with that committee at my own expense. We consulted the Department of Agriculture and all it had to tell us was a lot of mouth-filling phrases, to go back down home and coordinate and cooperate and do a lot of things of that kind with local agencies; "see the Red Cross; organize local committees; organize your own finances and feed yourselves." That was the program then.

Mr. President, I have no animus against the Secretary of Agriculture. I am not talking about him. I am talking about his ideas. What does he propose? He does not believe it is right to grant food loans. He does not want to be given the right to grant them. He told the committee that he does not want it, which is as much as to say that if he has the power to decide, he will decide against it. When we consult the records as to the legislation and see where the Senate receded from inclusion of the word "food," and where the House of Representatives struck out the word "food," we know that the courts, of course, would consider the proceedings and would say there was no power to loan for food because the Senate had deliberately surrendered. But this matter will never go to a court. There is no way of ever getting a decision of a court. We are authorizing this member of the Cabinet to make the decision and from his decision there will be no appeal. No one has such a legal right to this fund that he can go into court to compel a loan for food.

So, Mr. President, we shall have to vote under the circumstances for the conference report, but the Secretary of Agriculture and his drought-relief committee are perpetrating upon the drought-stricken sections of the country a great disappointment. They agitated it. They incited and built up the hopes of the people that they were going to get some relief. In my State there are 75 counties which suffered from the drought, 75 counties recognized by the Secretary of Agriculture, because he authorized reduced freight rates into and out of those counties for the shipment of feed. The inhabitants of those counties are not paupers. Many of them own their own homes. They come from thrifty sections. Some counties in this area have suffered from the drought for the past three years. They have no money with which to buy seed or feed, and they have no money with which to buy food.

The Government recognizes that fact. The Government has said, "We know you have no money to buy seed and feed, and therefore we will give you money with which to buy. We also know you have no money with which to buy food, but our philosophy of government will not permit us to accede to your request for money to buy food." According to the Secretary of Agriculture and his advisers, a cow and a calf are more valuable and more desired to be permitted to live than a mother and a suckling babe. The Secretary of Agriculture and his advisers are strong for fertilizer. If an old hillside has become impoverished in its soil, open up the Federal Treasury and give them some fertilizer to enrich that old hillside; but if a human being is impoverished, do not contribute a cent to enrich the blood stream and give that human being a little sustenance. That is their political philosophy. That is their idea of statesmanship.

Mr. President, I dissent from that doctrine, and when I vote for the conference report, as I suppose I shall have to do, I do not want anyone to labor under the delusion that I am agreeing to the premises upon which the body at the other end of the Capitol struck out the word "food," and I do not want them to believe I am acting under any intellectual fiction such as that upon which the conferees acted when they said they could strike out "food" with a sledge hammer and by finesse insert a few cryptic words and by some art of interpretation on the part of the Secretary of Agriculture bring "food" back into the bill. "Food" is not in the bill. Mark my prediction, unless we adopt some other measure when we return here after the holidays, under the administration of the Secretary of Agriculture no loan for food will be made from this fund.

It has been pointed out in the splendid address by the junior Senator from Arkansas [Mr. CARAWAY] that we have appropriated generously of our money to feed the hungry in other lands. I wonder what kind of an appetite a Russian has that makes it any more necessary to satisfy that appetite than the appetite of an American citizen who fights our battles in time of war and does the toil and labor of the country in time of peace? I wonder why it is that a name we can not spell or pronounce should have more attraction for the bounty of the Government of the United States than the good old Irish or Scotch or German stock that peoples these areas visited by the drought? The opposition to granting food is of a small microscopic type of statesmanship—feed a mule, and let the man who owns the mule starve!

I have a letter from a prominent citizen in one of the counties in my State appealing for help.

Last Saturday a farmer came before our local welfare committee and said he had 9 children and his son had 3, making 16 mouths to feed and nothing to feed them on. Our welfare league and our citizens are doing all they can, but the load is getting too big, and it does seem that immediate relief could be managed.

I am going to wire that man to quit raising children and begin raising mules. [Laughter.] And then the coffers of the Federal Treasury will respond to his appeal.

Mr. President, the people are to be told to go to the Red Cross; but these appropriations are not for charity; they are not for gifts. The history of seed and feed loans is that more than 80 per cent of all the money loaned under any form of relief of this character has been repaid into the Treasury. But our statesmen say, "Go to the Red Cross." Yes; go to the generous, go to those with big hearts, who go down in their pockets and out of their charity contribute to the Red Cross; but do not go to those old hard-hearted who will not pay money except when the Government extracts it from them by law; do not let them contribute anything.

The Senator from Utah [Mr. SMOOT] proposed a wonderful plan of relieving the distress. If the Senator from Utah will present such a bill to-morrow to the Finance Committee I will vote for it, as I am a member of that committee. His proposal is to make every human being in the United States go without one meal a week and turn over the equivalent of the cost of that meal to a relief fund. I will vote for it in the committee and I will support it on the floor of the Senate. But the Senator from Utah knows that such a proposal is a dream. He knows that is a figment of his elastic imagination. He knows no one will do it, and he knows there is no power on earth than can make anyone do it. The only way we can make anyone contribute the equivalent cost of a meal a week is by a tax law. The Senator from Utah shakes his head. The Senator from Utah and his committee have the power to bring in a measure taxing the people and turning that money over to the uses to which he says it ought to be put, but he will not do it; and yet that is the only way it can be done. Therefore, the Senator from Utah is not in favor of doing it. A man who wants a thing done should be willing to employ the only method by which it can be done. The idea of the people surrendering one meal a week is a dream.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Utah?

Mr. CONNALLY. I yield.

Mr. SMOOT. I did not say that it could be done; I merely suggested that if such a plan could be adopted by the people of the country it would probably be the easiest way and the best way possible that I could think of to relieve the entire situation.

The Senator knows that the Finance Committee can not act upon any tax measure until the House has first acted upon it. I had no thought of legislation along the line of my suggestion. I merely indicated that it would be a splendid thing if the people of the United States would follow such a course; that is all.

Mr. CONNALLY. I agree with the Senator; I realize the Senator's motives were good, but the process he suggested was absolutely impracticable.

Mr. BARKLEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Kentucky?

Mr. CONNALLY. I yield.

Mr. BARKLEY. The only fault with the suggestion of the Senator from Utah is that one meal a week would not accomplish the purpose.

Mr. SMOOT. I think it would.

Mr. CONNALLY. Let me say to the Senator from Kentucky that one meal a week of the kind the Senator from Utah probably eats would do it. [Laughter.] One meal a week, costing, let us say, a dollar—and I am perfectly willing to accept the proposition of the Senator from Utah if he will put it in effect—a dollar a week for 120,000,000 people would be $120,000,000 a week, and for four weeks it would be $480,000,000 which the Senator from Utah thinks the people ought to contribute for one month to feed somebody. Yet when he has an opportunity of voting to appropriate $60,000,000 to feed 120,000,000 people he holds up his hands and says, "Oh, we can not do that; it is not sound political policy; it is not sound economy; it is not sound philosophy."

Now, Mr. President, hungry people will find out that this bill is a tragic and a serious disappointment. Senators may smile, but I want to tell them that there is suffering in this country; there is suffering to-night; there is hunger to-night. In counties in my State ordinarily prosperous people have had to leave their homes and go out and hunt employment elsewhere. With no food in the larder, with no money in their pockets, and with their property all mortgaged at the banks, and the banks having loaned all they can loan, what are they going to do? I believe that a great Government like ours in an hour such as this should not say, "Nay." It has extended charity to other peoples over the earth. Mr. President, let it not be said that it is generous to every people save our own.

Mr. THOMAS of Oklahoma. Mr. President, I shall detain the Senate but for a moment. I am opposed to this conference committee report. I ask at this time to have read at the desk a telegram from the chairman of the Oklahoma's governor's committee for employment.

The PRESIDENT pro tempore. Without objection, the clerk will read.

The Chief Clerk read as follows:

OKLAHOMA CITY, OKLA., *December 16, 1930.*

HON. ELMER THOMAS,
Senate Office Building, Washington, D. C.:

Governor's committee for employment composed of representative men from every section of State, numbering 22, unanimously indorse resolution to the effect that amount proposed for farm relief by lower House of Congress wholly inadequate to meet situation. Conditions in southwestern Oklahoma are bad and are getting worse. Many farmers have absolutely nothing with which to go through winter. Representatives from southwestern section of State confident that, while local expedients may carry farmers through next two months, they must have relief not only in way of feed for stock and seed for planting, but that provision should be made for food for themselves and families. Committee recommends that this be in form of a loan to be secured by crops and land and to include liberal terms of repayment. Committee indorses sum provided by Senate resolution.

J. F. OWENS,
Chairman Governor's Committee for Employment.

Mr. THOMAS of Oklahoma. Mr. President, before I left my home for Washington, I was thoroughly familiar with the conditions there. I came across the country through Missouri, Illinois, my old home State of Indiana, Ohio, and Pennsylvania. When I reached Washington I was more thoroughly convinced than ever of the deplorable condition which exists throughout that section of the country. The President, in submitting his message to Congress, devoted half of it to a discussion of the distress prevailing throughout the Nation. Acting upon what I knew to be accurate information, acting upon the message of the President, I submitted a resolution proposing the creation of a select committee to make a survey of the entire country, and then to suggest some relief to take care of the situation. When I asked unanimous consent for the consideration of that resolution, objection was made. At a later date I made a motion for consideration of the resolution, but when a vote was taken a majority rejected it. I could not understand that action then, but I can understand it now. It was the purpose then to do nothing of any substantial consequence to relieve this situation.

Now, after three weeks of consideration, we have before us a conference committee report, and I want to call the attention of the Senate to the last section of that report. It is demonstrated, I think, by this report that nothing is provided in the joint resolution for food for human beings, and yet a farmer can borrow money to buy wheat, a farmer can borrow money to buy corn, and after he has secured a loan and purchased wheat and corn, if conditions should arise whereby he should feed some of the wheat or some of the corn to his starving wife and children there is a penalty provided in the last section of the joint resolution of a fine not exceeding $1,000 or imprisonment not exceeding six months in jail or both. That is the penalty provided by this joint resolution in the case of a farmer who borrows money from the Government to buy wheat or corn with which to feed his stock, and then uses some of the wheat or corn to feed himself and his family. He is subject to a fine not exceeding $1,000 or imprisonment not exceeding six months in jail, or both.

Mr. President, I can not subscribe to such legislation; and, for the reasons I have just stated, I shall vote against the conference committee report.

Mr. NORRIS. Mr. President, if any other Senator desires to speak, I will not seek the floor. I will not claim it until everbody else is through.

Mr. President, I want to refer to just a few things that apparently some Senators have charged against the conference committee of which the members of that committee are entirely innocent. The Senator from Oklahoma [Mr. THOMAS], in practically the last sentence he spoke, made an attack upon that part of the joint resolution providing a penalty. I have here a copy of the report of the conference committee, and I read the penalty provision from it, as follows:

SEC. 2. Any person who shall knowingly make any material false representation for the purpose of obtaining an advance, loan, or sale, or in assisting in obtaining such advance, loan, or sale, under this resolution, shall, upon conviction thereof, be punished by a fine of not exceeding $1,000 or by imprisonment not exceeding six months, or both.

That provision was in the joint resolution as passed by the House. Now, let me read from the joint resolution as passed by the Senate.

SEC. 2. Any person who shall knowingly make any material false representation for the purpose of obtaining an advance, loan, or sale, or in assisting in obtaining such loan, advance, or sale, under this resolution shall, upon conviction thereof, be punished by a fine of not exceeding $1,000 or by imprisonment not exceeding six months, or both.

Does any Senator find any difference between the two? Is there a difference? The capitalization, even the punctuation, everything is the same. What has the conference committee got to do with that? That was not referred to the conference committee. Is the penalty severe? Is it wrong? Should it be omitted? If so, the Senator's eloquent voice ought to have been raised when the joint resolution was before the Senate. The House had passed the joint resolution containing that provision and the Senate passed a resolution containing an exactly similar provision; the penalty is identical; there was no disagreement between the House and the Senate. What had the conference committee to do with it? They had not any more to do with it than the man in the moon. It never was submitted to them. The Senate is to blame for it if it is wrong. Why did the Senate pass it? Why did not the Senator oppose it then, if it is wrong? I am not arguing whether it is right or wrong; I am calling attention to the injustice of the charge being made here against the conference committee.

Mr. THOMAS of Oklahoma. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Oklahoma?

Mr. NORRIS. I yield.

Mr. THOMAS of Oklahoma. When the joint resolution was passed by the Senate it provided for the furnishing of food to human beings.

Mr. NORRIS. Suppose it did?

Mr. THOMAS of Oklahoma. That provision has been stricken from the measure.

Mr. NORRIS. Exactly; suppose it has been?

Mr. THOMAS of Oklahoma. My suggestion was that under the joint resolution as agreed to in conference a farmer can borrow money with which to buy seed or he can borrow money with which to buy seed corn or seed wheat; and if his family were hungry and he had nothing else to feed them and he should choose to use some of that wheat or corn for food for his starving family he would be subject to a penalty. My attack was not upon the penalty especially, but it was upon leaving out of this joint resolution the item of food.

Mr. NORRIS. Yes; but the Senator complains of the penalty. I do not want to take up the time of the Senate to argue it; it was once before the Senate, and that is the time when the attack should have been made if the provision is wrong. If the penalty is too small, it should have been increased; if the penalty is too great, it should have been decreased; but it was not a question that was submitted to the conference committee. Suppose the conferees had made the penalty $500 instead of $1,000, what could have happened? A point of order could have been made against the report, either in the House or in the Senate, and it could have been sent back to conference. A mere technicality would have thrown it out.

I want to call the attention of the Senate to what was before the conference committee. If it were not that it might prolong the agony of suffering of many people, if it were not because of the suffering which is immediate, if it were not because of the emergency which now exists, and which has been described so often here this afternoon, I would be glad to see the measure go back to conference.

There is suffering now, there is starvation now, to-day, at this hour; perhaps many have died from starvation while we have been talking about it. An emergency! What could the conference committee do when we had the proposition put up to us—take this or take nothing? That is what we were up against—take this or go empty handed. I confess, Mr. President, if I had felt we could not get even $45,000,000 in conference and would have had to take $30,000,000, I would have accepted it before I would have broken up that conference.

There is need now not only for food but for seed. If we are going to supply seed to the farmers, we have got to get to work immediately, right now. Arrangement must be made in the southern part of the United States for planting if planting is going to take place. That does not apply to all sections of the country; but everybody knows it is going to take some little time for the Secretary of Agriculture to put into operation the machinery to locate the suffering and the need. He can not commence to-morrow if we dispose of the measure to-night, and everybody knows that before he can make the arrangement, the farmer who is going to get seed must find it out before he plows the land where the seed is going to be sown or planted. It is going to take a little time to set up the machinery and put it in order. Every hour counts.

We knew—we thought we knew, we might have been wrong—that Congress was going to adjourn to-morrow, and if we refused to bring in a report and Congress adjourned it would be two weeks before we could have another opportunity to pass on it. Delay was staring us in the face; and I am not one of those who cares about adjourning, either. I will vote against adjourning and stay here all the time; and the other conferees are not anxious to adjourn. But we have been here some time, and we realize what happens when a holiday comes along. I have seen attempts made, and I have made them in connection with others, to prevent a holiday recess, and we did not get to first base. We tumbled over each other for a holiday recess, and we are going to have one this time, I think. The same thing will happen again; and I am not complaining of the man who wants a holiday recess. It is almost immaterial to me. I think that is true of most, if not all, of the conferees. They probably will not be able to go home, anyway; so that did not move us. It was not because we were anxious to get away or have a recess, but because we knew from experience that that had been the usual custom of Congress, so far as I know, without any exception; so we are confronted with it.

Mr. HEFLIN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Alabama?

Mr. NORRIS. In a moment I will yield.

We were confronted with the fact that even in the House, where under their rules a conference report must lie over one legislative day and can not be taken up except by unanimous consent, in order to meet that contingency the House conferees had succeeded in getting a unanimous-consent agreement in the House that permitted the House conferees to have until 12 o'clock last night to file this conference report, so as to obviate the difficulty that would arise, if it should not be filed until to-day, of compelling it to go over until to-morrow. They have taken even that precaution, and we knew that if we failed to agree on a

conference report so that it could be written up and signed before 12 o'clock another day would have been lost with the possibility that an adjournment might take place before the conference committee report could be acted on.

I now yield to the Senator from Alabama.

Mr. HEFLIN. Mr. President, the Senator will agree with me that there can be no adjournment unless this end of the Congress agrees to it.

Mr. NORRIS. Yes.

Mr. HEFLIN. What is the necessity for hastening adjournment on to-morrow instead of next Tuesday?

Mr. NORRIS. I do not care about adjourning to-morrow. I do not care about adjourning next Tuesday. I am willing to stay here on Christmas and Sundays.

Mr. HEFLIN. I understand that adjournment to-morrow until the 3d or 5th of January is being suggested.

Mr. NORRIS. Yes; I understand that tentatively an adjournment has been agreed upon, to commence to-morrow. That may not go through. I do not know.

Mr. HEFLIN. To what time in January?

Mr. NORRIS. I do not remember. I do not know that I heard, and I do not care.

Mr. HEFLIN. My position is that if this conference report should be rejected, and if the conferees should go back and ask for a further conference with the House, they could get the word "food" inserted.

Mr. NORRIS. That may be. The Senator may be right; and I am coming to that in a few minutes.

Mr. HEFLIN. We could work on it until next Monday, at least, and then adjourn on Tuesday.

Mr. NORRIS. That may be. If the House and the Senate had said to the Senator from Alabama, and perhaps to me with him, "You can fix this up just as you want to; we will adjourn when you say," that would be all right; but they will not do that. I have tried it before. Maybe the Senator can do it; but I tried it, and failed. I saw several of us try to prevent a holiday recess, and I saw the machine run over us and flatten us out in five minutes' time. We were out of breath; we were all gone; and I expect to see that happen again.

I am willing to go with the Senator from Alabama, get in front of the machine, and let it run over us again, if he wants to; but we can not foresee—and the conference committee of the Senate could not foresee—that there was going to be a different result next time than there always has been in the past. So we were confronted with a condition: An adjournment in front of us; suffering all over the United States; take a half loaf or get no bread. That is what was put up to us, and we decided to take a half loaf.

I am not ashamed of it. I would do it again. I think we were right, although the representations made to us may have been wrong all the way through. Perhaps if we had stood out, and not had any agreement, there would have been no conference report here to-day. I do not know what would have happened. There would not have been any report. Somebody would have had to take some action to get the conferees together again. I do not know how it would have come out. Maybe you know. Maybe these other Senators know more about how to run that than I do, and more than the other conferees do; but we thought we were up against a stone wall. We did know—I think we knew—that as far as the House conferees were concerned, we could not have gotten a penny more.

We do not like this conference report any more than anybody else does. We did not want to prevent the loaning of money for the purpose of buying food for starving men, women, and children. We were all in favor of the food provision of the Senate joint resolution, just as much as you are, and I think we have food in it yet, as I am going to try to explain a little later on in my remarks. It is not in the measure as I should like to see it there. It is not in the measure as the other conferees would like to have had it. There is no question about that; but we had to take it indirectly or not get it at all, and this is what we got.

I had not any doubt but that food was in there. I have some doubt now. The only reason I have doubt is because Senators much more learned than I take the opposite view. My education was very sadly neglected when I was young, and, of course, there are other Senators here with college educations, and who have several capital letters with periods after them following their names; and they may know how to construe this language better than I. I confess that I have some doubt now. I did not have any when the report was made. There was not anybody on the conference committee who had any doubt then; but we have heard Senators who, I will concede, know much more than I do, say that it is not in the measure; and they may be right. They may be right.

I confess I would have agreed to the conference report even if the qualifying words that we succeeded in getting in had been left out. I would rather have taken $30,000,000 than nothing. In other words, I would rather have taken the House joint resolution than to get nothing.

It may be, in the administration of this law, if the Secretary of Agriculture has his eyes opened by the fact that there are millions and millions of people suffering that he did not know about before, that that which is the most acute he can relieve with what there is in the joint resolution, and come back and get some more money to finish the job. That may be.

It is said that the administration of this measure must go to a Secretary of Agriculture who has no sympathy with that. Now, that is all true. Nobody understood that better than your conferees did; but they were not to blame for that. The Senate passed a joint resolution providing that the Secretary of Agriculture should be the instrumentality by which these loans should be made and this relief should be given. The House joint resolution was in identically the same language. We could not change that. We had no authority to change that. Do not blame us. Blame yourselves. You did it. You are to blame for it. If that is wrong, why did you not strike it out, and let somebody else administer the act?

Both the House and the Senate joint resolutions, with very few exceptions, are word for word, comma for comma, and period for period exactly the same; and everybody knows that as a parliamentary proposition your conferees could not change that. We were helpless. You are to blame because you passed it in that form. If that form is wrong, blame yourselves. Criticize yourselves a while for what you did. You knew that the Secretary of Agriculture did not want to distribute food when you passed the Senate joint resolution, did you not? It was no secret. He had not covered it up. You knew he was unfriendly to that kind of a distribution when you passed it. Why did you put it in his hands? Why did you not put it in somebody else's hands? Do not blame us for your own blunders, if they are blunders; for your own mistakes, if they are mistakes; for your own carelessness, if it was carelessness. That has passed the stage of dispute. That has passed beyond the point of argument. The Senate and the House have both agreed, word for word, that the Secretary of Agriculture shall be the person to administer this relief, and he is unfriendly as far as the use of food is concerned. He is opposed to a $60,000,000 appropriation. He thinks the smaller amount is right. You knew that when you passed it. We all knew it. Do not blame the conferees. They could not help it.

Mr. President, I think the Senate conferees were confronted with the fact that they had to take what they brought to you or bring you nothing. They had to do one or the other. The conference did not last very long. Everybody knew we had to get through by 12 o'clock if we were going to get anything. We only had until then to do it if we were to permit the House conferees to file their conference report before the end of the day and prevent it going over until to-morrow, which would have been the last day, probably; and we were informed that there was some doubt about there being a quorum here even on Saturday. I have seen those things happen before.

That might happen; somebody might make a point of order, and we might not be able to get action, and again the delay would come. So we said, "We must do this before 12 o'clock. We must agree to something." The conference committee broke up twice, conferees left, and then were soothed down again and brought back and went over the matter again, when they were reminded of the fact that unless we made some kind of a report there was going to be suffering all over the United States which was not going to be alleviated. They came back again, took up the matter again, started at the beginning again, went all over it again, and I want to say to the Senate that I am just as much convinced as that I am standing on the Senate floor now that there never would have been a report if the Senate conferees had not agreed that in the language of the report the word "food" should not appear. Perhaps that may seem foolish to Senators, perhaps it is foolish, I am not denying that, but that is what we were confronted with. We wanted to put in a provision for food without saying it, and we tried our best to do it, and I think we succeeded. I have to admit, however, that where there is some matter of doubtful construction, the Secretary of Agriculture, who is unfriendly to our stand, is to pass upon it, that is true. But I saw no escape from that, and I do not see any now.

Mr. SMITH. Mr. President, I would like to ask my colleague on the conference committee whether it was not true that we could have come nearer, perhaps, to getting a larger amount, than we could have to retaining the word "food."

Mr. NORRIS. I will say to my colleague, and I think he will bear me out, that no matter what we had done, no matter if we had said, "Let the authorization remain at $30,000,000," we could not have gotten the word "food" in.

Mr. SMITH. That is the point I am making.

Mr. NORRIS. We were simply told, "There will be nothing done unless the word 'food' is out."

The conferees on the part of the House were not unanimous. There was one of the conferees on the part of the House who was with us all the way through in everything we tried to do, but he was in the minority, of course; and I will say for the others that the reason they gave to us was that it was not so much what they thought about it, but what they were convinced the House thought about it. They did not think they could put through the House any such conference report as we suggested. I have no doubt but that they were perfectly honest in what they were telling us, and I took it that they knew what they were talking about. I became convinced that they did. I am not criticizing any member of the conference on the part of the House. I want that understood. I think they were acting in perfect good faith when they said, "We can not put that through the House." They convinced us that they could not do it; at least, I believe that. I admit they may have been wrong. Perhaps I was wrong. Perhaps if we had refused to agree, something would have happened that would have brought about a better solution of this matter than we have brought to the Senate. I have to admit that.

Mr. SMITH. The Senator will admit that if there had not been a recession on that word "food," the conference would have broken up, so far as last night was concerned?

Mr. NORRIS. There is no question about that, no question whatever about it. We were told that over and over again. We wanted to fix the authorization at $60,000,000. I agree with the argument that is made about the $60,000,000—we made it numberless times last light—that it is not an appropriation, it is only an authorization, and the Secretary of Agriculture would not be required to spend it if he did not want to. It would all be in his hands. It seems perfectly plain to me.

I suppose Senators feel that it is so plain that everybody ought to agree to it and say to the Secretary, "Here is $60,000,000; you do not need to use more than $5,000,000; you do not need to use a million unless you want to. It is a matter of discretion with you." We could not do anything, nevertheless. We have done the best we could. At least we believed, and we believe yet, that it was the best we could get, and that if we had not accepted it there might be, God only knows how much delay. For that reason we agreed.

I want to say just a word about the construction of this language. There are a few changes, but as far as the grammatical construction is concerned, there is no difference between the House resolution and the Senate resolution. If Senators will take one, I will read the other, and if they will follow through they will see that there is a difference of only a word or two which has nothing to do with real meaning.

I want Senators to look on page 3, line 4, after the word "States," and to strike out down to line 5 through the word "exists." That is a parenthetical phrase. Eliminate that. It helps to make the construction clear. That is the practice that was followed away back in the old log schoolhouse where I went. If there was some misunderstanding about what a clause meant, we would take part of it out that had no direct connection with what was attempted to be said, but was like a parenthetical phrase. Now, let me read this:

That the Secretary of Agriculture is hereby authorized, for the crop of 1931, to make advances or loans to farmers in the drought and/or storm stricken areas of the United States—

Then comes the parenthetical phrase—

where he shall find that an emergency for such assistance exists, for the purpose of seed of suitable crops, fertilizer, feed for work stock, and/or fuel and oil for tractors, used for crop production, and for such other purposes of crop production as may be prescribed by the Secretary of Agriculture.

There is a period there, and that is the end of that sentence. I have read only one sentence. Take out the parenthetical phrase and read it again:

That the Secretary of Agriculture is hereby authorized—

Take out the little parenthetical phrase there—

to make advances or loans to farmers in the drought-stricken areas of the United States for the purchase of seed of suitable crops, fertilizer, feed for work stock, fuel and oil for tractors—

Now, leave out the next parenthetical clause—

and for such other purposes of crop production as may be prescribed by the Secretary of Agriculture.

That is the sentence with the parenthetical clause left out. We changed that by striking out "of" and inserting "incidental to." Let me read it now with that change and with the parenthetical clauses out:

The Secretary of Agriculture is hereby authorized to make advances or loans to farmers for the purchase of seed of suitable crops, fertilizer, feed for work stock, fuel and oil for tractors, and for such other purposes incidental to crop protection as may be prescribed by the Secretary of Agriculture.

Senators, I think that under that language the Secretary could buy food. We all thought so. As I said, I had no doubt about it until to-day. Now men who are wiser than I disagree and say that that would not cover food. If that is true, then no food can be bought under that provision. Other Senators say, "As long as there is any doubt about it, the Secretary will not do it, because he is opposed to it." I have to concede that that argument is good. I admit it. There was no way on earth to get away from that that I know of. We could not take the Secretary of Agriculture out of the picture, because the Senate had put him in, and so had the House. We had no way of taking away the administration of this law from the Secretary, and I want frankly to concede that under this language as it is the Secretary of Agriculture is not compelled to buy food.

To go back to where we put in the word "food," the same thing could be said, the same argument could be made, that he is unfriendly to it, and therefore that he would not include food. He would not have to under the Senate resolution. Just read it and see. It would be discretionary with him. A mandamus could not be brought to compel him to do anything under it. It would all be discretionary. He could look a starving man in the face and say he did not need food, if he wanted to, and you could not help yourself. So, as far as that argument is concerned, it is just as good applied to the Senate resolution as applied to the modified House resolution which the conference committee has re-

ported, and in their calm, deliberate moments, if they will look at it, Senators will agree that that is true.

Mr. President, if this joint resolution is passed as the conference committee has reported it, in other words, if the conference committee report is agreed to, this will be a law to-morrow, assuming the President will sign it, and I assume he will. I think it will be found, from what I have heard about it, that if an honest study is made of it, it will be found that the amount we put in the measure will not be enough. There will be found the necessity for getting food for many starving people, and I think the officials ought to do so. I believe they will. But if they do not, even for the other purposes, the feed and the seed for crops, when they begin to administer the law in localities where the farmers must be getting the feed ready now, they will use all this money before they will reach the more northern part of the country where assistance is necessary. They will probably use all this money, and we will have an opportunity to supply more if they find that to be the condition. On the other hand, I think that if we had rejected the conference report, and there had been no report, and should be no law, there would be thousands of farmers who would be unable next year to put in a crop because they would be unable to get seed.

Therefore it seems to me that as an act of common mercy, as an act of common justice, confronted, as we are, with the fact that the House of Representatives has disagreed with us, that they will not agree with us, and that we must come to their proposition or get nothing, there is nothing to do but to adopt this conference report.

If there had not been an emergency, there would not have been a conference report here in this form. If it had not been that there was suffering which we wanted to relieve at once, the conferees on the part of the Senate would not have agreed to what we had to agree to. We felt that we had to agree on account of the exigencies of the case. There was something confronting us of human suffering, and we felt that the only possible way through which relief could be afforded, although it was not what we wanted, was for us to do something, and to do it quickly.

Mr. HEFLIN. Mr. President, may I ask the Senator just one question?

Mr. NORRIS. I yield.

Mr. HEFLIN. Is it the belief of the Senator that the Senate conferees have accomplished all that it is possible for them to accomplish on this particular measure?

Mr. NORRIS. I think so. If I had not thought so I would not have acted on the report as I did.

Mr. SMITH. Mr. President, I want to say a word, as I was one of the conferees. I am sure there is not a Senator here who knows me intimately who would accuse me of being indifferent to the suffering that is abroad, especially among the farmers.

I invite the attention of the Senate to the fact that the Budget recommended $25,000,000. That is an organization which has been set up by the Congress to guide us in the expenditure of money in emergencies and outside of emergencies and to keep us advised as to what is in the best interests of the public. The Budget is our standing committee. The House, with its Members fresh from the country, increased that amout $5,000,000, making a total of $30,000,000. The Budget, which is supposed to go into the relation of things and advise us, said $25,000,000. The House, a coordinate body with this body, said $30,000,000.

Then this body said $60,000,000. It was not conceivable, in view of this cumulative evidence on the other side, that we could, in justice to the emergency to which the Senator from Nebraska [Mr. NORRIS] has called attention, stand out and get the $60,000,000. If there had been no emergency, yet in view of the influence of the Budget, in view of the influence of the other body with this body, I doubt if we could have gotten the $60,000,000.

It was shown to the conferees on the part of the other body that this is an authorization, that it is not an appropriation, and that every business in the world which wants to meet adequately a condition always has a reserve to take care of some condition which might not have been foreseen. It was argued that every business man has a reserve force; that every business in the world which carries on has a little more capital than the actual business in the ordinary run of affairs requires.

We stood out for the $60,000,000 and tried to show them that it was only an authorization; that no man could estimate and calculate to a certainty the widespread and unprecedented disaster which had overtaken the country. They did not seem to appreciate, and most of our Members in this body do not seem to appreciate, that two disasters have occurred, the cumulative effect of which has paralyzed the commercial and financial interests of the country—one an unprecedented drought in the heart of the food and clothing regions of the country, the other a financial depression world wide. The people suffering from the visitations of providence, had we been in the midst of prosperity, might have received such immediate aid as to make the emergency legislation unwise or not so exigent; but we had entered a financial and economic condition which, outside of any drought, might have called for our support of those of meager means, and there was added to it this other condition.

I said to my colleagues in the conference that I considered our plan the best form in which to relieve the starving in the country. We do not give them a dole. We say to them: "We are going to lend you this money to feed you and your work stock and to buy seed and give you a chance with self-respect and manhood to come back under the loan of the credit of the United States." I recognize, and every Senator should recognize, that the minute a red-blooded American citizen is forced by adverse circumstances to hold out his hand as a mendicant to get a loaf of bread and a bowl of soup as a matter of charity, we have destroyed the Americanism and the manhood and the self-respect of that individual.

I pleaded with my colleagues to use this as a means of maintaining the self-respect of the American citizen who, caught in this maelstrom of disaster, has been divested of every means of feeding himself and those dear to him, and not to destroy his self-respect. It is a loan rather than a gift. The bread line that is stretching across the country is made up of men whose self-respect is dead. There is not a man on the floor of the Senate who, if adverse circumstances forced him to ask for a loaf of bread and a bowl of soup, would not fail to lose his self-respect and whose patriotism would not be discouraged. It was to prevent such a thing that I pleaded.

The House conferees said, "We will not consent to have that word 'food' in the bill. What right have you to grant an appropriation for bread for the farmer and deny it to the city man? Make an appropriation for all the hungry or make appropriations for none." I thought this was the more prudent way, because we are lending these people the wherewithal with which to produce their bread and they can feed themselves while they are producing bread for the others.

We could not agree on that and so, as the Senator from Nebraska said, we were up against a stone wall. I could not convince those men; at least I could not persuade them to see this problem from the angle from which I saw it. I did my best to convince them. I want to say in behalf of my colleagues from the Senate that nothing forced us to sign this conference report but the fact that it was an emergency which brooked no delay. Seed must be provided and must be planted. Feed must be supplied for livestock that is perishing, upon which the farmer is dependent.

We thought that, under the language which we have interpreted as giving the Secretary of Agriculture ample room in the interpretation of the law, if he thought it was necessary to feed the starving families, he would do so. It flashed over my mind that if we wrote this language in there the responsibility would be upon him and not upon us. If I could not get the explicit word "food," I, at least, could get language so plain and clear that the Secretary of Agriculture could interpret that language to authorize him to supply food. Certainly if the man at the head of that department of our Government under his Commander in

Chief, the President, in the administration of this measure does not respond to starvation, he is unworthy of his high office.

When we incorporated that language, "incident to the production of crops," though I may not know the tricks of the legal profession, I was convinced as just a common-sense proposition that we had opened the door without a direct command to give him the opportunity to respond to suffering humanity. When we reached that point I said, "I am ready to sign that part of the report."

The other part, to my mind, did not constitute so great a difficulty, being the difference between $45,000,000 and $60,000,000, because I took it that the $45,000,000, if it is found inadequate in its distribution, surely will be increased. If we are advised that it is inadequate, we will attempt to stem the tide of distress and starvation, we can go to the place whence the $45,000,000 was appropriated and get enough more to meet the situation.

To have my motives questioned and to have it charged that I yielded without justification is unthinkable. Who is standing here and saying that I am less responsive to the suffering of those in the same business I am in than he is? I did not intend ever to criticize any of my colleagues, but a lot of talk that we hear in this body is politics, said for political effect only. "See what I would do," some one says. Why does he not do it? "I see the need of humanity so clearly. See what I would do!" Why does he not do it? He will find that he has to consult other people who are just as honest in their opinions as he is. He would try to make the impression upon the masses of American people that he would be the Moses to lead them out of the wilderness of starvation. Why does he not lead them? If other people will not let him have his way, why not admit that perhaps some others see it in a different light and are just as honest as he is?

Mr. President, I did all that I could do. I do not ever want to put myself in a class with the fellow who was on the jury. When they came out and the judge asked why the jury did not reach a verdict, he said, "There were 11 of the infernalest fools on that jury that I ever saw. There were 11 against me, and therefore we could not reach a verdict." [Laughter.]

This conference report is a matter of compromise. What bill of any importance has ever been brought forward for consideration between the two Houses that did not result in a compromise? I would have voted and stand ready to vote now for a direct appropriation out of the Treasury to feed the hungry. If we can devise the means to so feed them so as to keep their self-respect, and not put them in the bread line and feed them like hungry beasts, if we can find a way by which we can encourage them to earn the food for which we appropriate, I shall be glad to vote for such a plan.

No, Mr. President; nobody played politics in the conference on this matter. I never was with conferees on the part of the Senate whom I believe are as far removed from any political influence as the two who served with me. I have been in the Senate a long time, and those two are ever responsive to the needs of the people and are as honest in their efforts to serve them as any two men who can be found in this body. It is unjust and unfair for anyone to stand here and criticize us in this hour of emergency for doing what was manifestly our duty. I am proud that we got as much out of it as we did.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. J. Res. 211) for the relief of farmers in the drought and/or storm stricken areas of the United States.

The message also announced that the House had agreed to the amendment of the Senate to the joint resolution (H. J. Res. 253) to provide for the expenses of a delegation of the United States to the sixth meeting of the Congress of Military Medicine and Pharmacy to be held at Budapest in 1931.

The message further announced that the House further insisted upon its disagreement to the amendments of the Senate Nos. 11, 12, and 14 to the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled joint resolution (H. J. Res. 444) making appropriation to supply a deficiency in the appropriation for the fiscal year 1931 for expenses of special and select committees of the House of Representatives, and it was signed by the President pro tempore.

CHICAGO WORLD'S FAIR CENTENNIAL CELEBRATION (H. DOC. NO. 698)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Congress of the United States:

I transmit herewith a report of the committee which I was authorized to appoint (Public Res. No. 92, 71st Cong., 2d sess.) for an investigation into the question of representation at and participation in the Chicago World's Fair Centennial Celebration, known as the Century of Progress Exposition, on the part of the Government of the United States and its various departments and activities.

The findings of this committee include recommendations that the Government be represented in the person of a commissioner under the direction of a commission composed of the Secretary of State, the Secretary of Agriculture, and the Secretary of Commerce; that in order to effect economies the organization of this commission and the authorization and appropriation of funds be expedited; and that a certain latitude be conferred upon the commission and the commissioner in the expenditure of public funds, as well as in the employment of personnel.

I commend to the favorable consideration of the Congress the inclosed report of the committee to the end that legislation may be enacted to authorize an appropriation of $1,725,000 for the expenses of representation at and participation in the Chicago World's Fair Centennial Celebration, known as the Century of Progress Exposition, on the part of the Government of the United States and its various departments and activities in accordance with the recommendations of the committee.

HERBERT HOOVER.

THE WHITE HOUSE,
Washington, December 19, 1930.

TREASURY AND POST OFFICE APPROPRIATIONS (S. DOC. NO. 234)

Mr. MOSES (Mr. FESS in the chair). I present the report of the committee of conference on House bill 14246, being the Treasury and Post Office appropriations bill, in order that it may be printed in the RECORD. I give notice that I shall seek at the earliest opportunity to-morrow to have it considered by the Senate.

The report was read and ordered to lie on the table, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14246) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 25, 26, 27, 31, 32, 33, 36, 37, 38, 39, 40, 41, 45, 46, 47, 48, 49, 50, 51, 53, 54, 55, 58, 59, 64, 65, 67, and 68.

That the House recede from its disagreement to the amendments of the Senate numbered 29, 42, 43, 60, 61, 62, 63, and 69, and agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For establishing and equipping a Coast Guard station at or near Port Orford on the coast of Oregon as authorized in the act entitled 'An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1892, and for other purposes,' approved March 3, 1891 (26 Stat. 958), to be immediately available, $83,500."

And the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32,606,422"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$397,984"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,102,090"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,576,360"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$540,240"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$80,640"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$207,140"; and the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 21, 24, and 66.

GEO. H. MOSES,
REED SMOOT,
WM. J. HARRIS,
CARTER GLASS,
Managers on the part of the Senate.

WILL R. WOOD,
GUY U. HARDY,
GEO. A. WELSH,
JOSEPH W. BYRNS,
WILLIAM W. ARNOLD,
Managers on the part of the House.

APPROPRIATIONS FOR EMERGENCY CONSTRUCTION—CONFERENCE REPORT

Mr. JONES. Mr. President, I desire to present a conference report.

Mr. GEORGE. Mr. President, I inquire if that is the conference report on the emergency construction bill?

Mr. JONES. It is.

Mr. GEORGE. Is it the Senator's purpose to move that it be taken up this afternoon?

Mr. JONES. That question can be determined when we reach it. Some thought it might be taken up and some thought otherwise. I want to suggest to the Senator that the conference committee simply reports a disagreement, and I should like to have that report agreed to, anyway, and then I propose to make a motion to recede from certain amendments. The question will then be whether we will take that subject up to-night or let it go over.

Mr. GEORGE. I should like to have some understanding about it. It is not in order, is it?

Mr. JONES. It is in order; it is a privileged matter.

Mr. GEORGE. But when was the report brought in?

Mr. JONES. I am presenting the report of the conference committee.

Mr. GEORGE. I hope the Senator will not make his motion until to-morrow morning. Of course, the report can be laid before the Senate.

Mr. JONES. I thought it was the program that I should make the motion, and let it lie over until to-morrow.

Mr. GEORGE. With that understanding, I will not raise an objection.

Mr. JONES. I am perfectly willing to let it take that course. I will inquire of the Senator from Indiana what is his desire in the matter?

Mr. WATSON. Mr. President, I have been of the impression that we might conclude the relief bill conference report presented by the Senator from Washington [Mr. JONES], but the Senator from Michigan [Mr. COUZENS] says he is not willing to proceed at this time. His amendment is the main bone of contention, and I have no desire to force him into a consideration of the matter to-night. My thought is that we should adjourn until 11 o'clock to-morrow morning.

Mr. HEFLIN. I was about to make that suggestion.

Mr. SMOOT. Mr. President, I should like to have the Interior Department appropriation bill considered to-night. Outside the amendments that affect salary increases, there are only about five amendments, and I know of no particular objection to any of them.

Mr. THOMAS of Oklahoma. Mr. President, I proposed to the committee certain amendments to the Interior Department appropriation bill. I do not know what consideration was given to them, but the bill as reported does not embrace the amendments, save one which is entirely immaterial. I have some amendments to suggest to the measure, and will take some little time, in all probability, to consider them unless the Senator will accept the amendments and let them all go to conference. Then I will not care to take any particular time on them.

Mr. MOSES (Mr. FESS in the chair). Suppose the amendments should be subject to a point of order?

Mr. THOMAS of Oklahoma. I have no objection to a point of order being raised against them.

Mr. SMOOT. I will say to the Senator that two of the amendments to which the Senator refers are subject to a point of order, and I should feel compelled to make a point of order against them.

Mr. WATSON. Is there any way to determine, may I ask the Senator from Utah, how much time the consideration of the Interior Department appropriation bill will require?

Mr. SMOOT. I understand the Senator from Arizona has one amendment to offer, which will take about 15 minutes, so he tells me.

Mr. WATSON. Mr. President, I should like to say that the matters before us of prime importance are the relief bill, the conference report on which the Senator from Washington [Mr. JONES] is ready to present; the Interior Department appropriation bill; the conference report just submitted by the Senator from New Hampshire [Mr. MOSES] on the Treasury and Post Office Departments appropriation bill; the bill providing a $150,000,000 appropriation for the Farm Board; and the confirmation of at least another member of the Power Commission, so that that body can organize. All those measures must be considered to-morrow or before we

adjourn. Of course, just the order in which they should be acted upon is for the Senate to decide. If I had my way about it, I would have the measure in charge of the Senator from Washington come up first, because it is of primary importance; and then permit the Senator from Utah to proceed with the appropriation bill.

Mr. COUZENS. Mr. President, will the Senator yield?

Mr. WATSON. Certainly.

Mr. COUZENS. We have a unanimous-consent agreement to consider the confirmation of members of the Power Commission after the conference report on the relief measure shall have been disposed of.

Mr. WATSON. That is quite true.

The PRESIDENT pro tempore. The Senator from Michigan is correct. There is a unanimous agreement, under which the Senate is acting, according to which nominations of members of the Power Commission must be considered to the exclusion of everything else except conference reports.

Mr. WATSON. But the Senator from Washington has presented a conference report.

Mr. McNARY obtained the floor.

Mr. HEFLIN. Mr. President, let me make a suggestion.

The PRESIDING OFFICER (Mr. FESS in the chair). The Senator from Oregon has the floor. Does he yield to the Senator from Alabama?

Mr. HEFLIN. Let me make a suggestion. I suggest to the Senator that the Senate meet at 10 o'clock to-morrow morning.

Mr. McNARY. Mr. President, the Chair is entirely correct in his analysis of the parliamentary situation. Only by unanimous consent can we do away with the arrangement which was made yesterday. I fear it will be impossible to get a quorum at this late hour in the afternoon, and I move that the Senate adjourn until 11 o'clock to-morrow morning.

Mr. JONES. Mr. President, will the Senator withhold the motion for a minute?

Mr. McNARY. I will if the Senator desires.

Mr. JONES. Mr. President, the adoption of the conference report which I have presented is merely a pro forma matter. If it be agreed to, then the amendments which are in disagreement will be before the Senate. So I should like to have the conference report agreed to and to enter a motion to recede. Then a motion to adjourn can be made, and the motion to recede can go over until to-morrow.

Mr. GEORGE. I have no objection to that.

The PRESIDENT pro tempore. At any rate, the conference report may be read for the information of the Senate.

The Chief Clerk read the report of the committee on conference on House bill 14804, as follows:

The committee of conference on the disagreeing votes of the two Houses on amendments Nos. 11, 12, and 14 of the Senate to the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment, having met, after full and free conference have been unable to agree.

W. L. JONES,
REED SMOOT,
FREDERICK HALE,
CARTER GLASS,
E. S. BROUSSARD,
Managers on the part of the Senate.

WILL R. WOOD,
LOUIS C. CRAMTON,
EDWARD H. WASON,
JOSEPH W. BYRNS,
J. P. BUCHANAN,
Managers on the part of the House.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

Mr. JONES. Now, Mr. President, I move that the Senate recede from amendments numbered 11 and 12, and after that motion is put the Senator from Oregon can make his motion.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Washington, to recede from amendments numbered 11 and 12, and on that question the Senator from Washington has the floor.

Mr. NORRIS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. NORRIS. The decision of the Chair a while ago was that no other business except the conference report should be considered.

The PRESIDENT pro tempore. Except by unanimous consent.

Mr. NORRIS. I take it that the motion of the Senator from Washington is not a conference report.

Mr. JONES. The conference report is being considered and the motion is now pending.

Mr. NORRIS. Exactly, but that is not a part of the conference report.

Mr. JONES. It is a part of the conference report.

Mr. NORRIS. I do not think so.

ADJOURNMENT

Mr. McNARY. I move that the Senate adjourn until 11 o'clock a. m. to-morrow.

The motion was agreed to; and (at 6 o'clock and 23 minutes p. m.) the Senate adjourned until to-morrow, Saturday, December 20, 1930, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate December 19, 1930

CIRCUIT JUDGE, TERRITORY OF HAWAII

Daniel H. Case, of Hawaii, to be circuit judge, second circuit, Territory of Hawaii. He is now serving in this office under an appointment which expired July 2, 1930.

UNITED STATES MARSHAL

Francis M. McCain, of Kentucky, to be United States marshal, western district of Kentucky. He is now serving in this position under an appointment which expired March 10, 1930.

SURVEYOR OF CUSTOMS

Arthur C. Lavergne, of Louisiana, to be surveyor of customs in customs collection district No. 20, with headquarters at New Orleans, La., to fill an existing vacancy.

COLLECTOR OF CUSTOMS

Warren Kearny, of Louisiana, to be collector of customs for customs collection district No. 20, with headquarters at New Orleans, La., to fill an existing vacancy.

POSTMASTERS

ARKANSAS

E. Ben Millard to be postmaster at Horatio, Ark., in place of Helen Porter, deceased.

Georgia L. Stuart to be postmaster at Manila, Ark., in place of Maie Pierce. Incumbent's commission expired June 12, 1930.

CALIFORNIA

Vernie E. Sherraden to be postmaster at Ludlow, Calif., in place of L. E. Reed, resigned.

Joseph P. Berry to be postmaster at Santa Rosa, Calif., in place of J. P. Berry. Incumbent's commission expired December 11, 1930.

Chester D. Mathews to be postmaster at Susanville, Calif., in place of C. D. Mathews. Incumbent's commission expired December 11, 1930.

CONNECTICUT

Edward Adams to be postmaster at Taftville, Conn., in place of Edward Adams. Incumbent's commission expired December 13, 1930.

FLORIDA

Milton F. Thrasher to be postmaster at Bradenton, Fla., in place of W. D. Griffin. Incumbent's commission expired May 26, 1930.

Add Joyce to be postmaster at Cedar Keys, Fla., in place of Add Joyce. Incumbent's commission expired December 13, 1930.

Irma H. Smith to be postmaster at Hastings, Fla., in place of I. H. Smith. Incumbent's commission expires December 21, 1930.

Gillian A. Sandifer to be postmaster at Lake Helen, Fla., in place of G. A. Sandifer. Incumbent's commission expired December 13, 1930.

William W. Rees to be postmaster at Tavares, Fla., in place of W. W. Rees. Incumbent's commission expired December 13, 1930.

HAWAII

R. T. Christoffersen to be postmaster at Kahuku, Hawaii, in place of T. G. S. Walker, resigned.

ILLINOIS

Arvil C. Allen to be postmaster at Elkhart, Ill., in place of A. C. Allen. Incumbent's commission expired December 11, 1930.

John F. Gilman to be postmaster at Farmersville, Ill., in place of J. F. Gilman. Incumbent's commission expired December 14, 1930.

INDIANA

Marvin E. Elkins to be postmaster at Morgantown, Ind., in place of Irwin Knight. Incumbent's commission expired January 6, 1930.

Taylor H. Johnson to be postmaster at Plainfield, Ind., in place of T. H. Johnson. Incumbent's commission expired December 13, 1930.

Clyde H. Fee to be postmaster at Waterloo, Ind., in place of C. H. Fee. Incumbent's commission expired June 7, 1930.

IOWA

Lyman H. Henry to be postmaster at Charles City, Iowa, in place of L. H. Henry. Incumbent's commission expired December 10, 1930.

William T. Stockton to be postmaster at Perry, Iowa, in place of G. C. Parsons, resigned.

Frank J. Shearer to be postmaster at Prairie City, Iowa, in place of F. J. Shearer. Incumbent's commission expired December 16, 1930.

Charles P. Ell to be postmaster at Rudd, Iowa, in place of C. P. Ell. Incumbent's commission expires December 21, 1930.

KANSAS

Jacob L. Ritter to be postmaster at Bronson, Kans., in place of J. L. Ritter. Incumbent's commission expired December 13, 1930.

Judson M. Cramer to be postmaster at Gardner, Kans., in place of J. M. Cramer. Incumbent's commission expired December 14, 1930.

Lot S. Hadley to be postmaster at Glen Elder, Kans., in place of L. S. Hadley. Incumbent's commission expired December 14, 1930.

Charles O. Bollinger to be postmaster at Iola, Kans., in place of C. O. Bollinger. Incumbent's commission expired December 13, 1930.

Gilbert E. Goodson to be postmaster at La Cygne, Kans., in place of G. E. Goodson. Incumbent's commission expired December 13, 1930.

Louella M. Holmes to be postmaster at Mound City, Kans., in place of L. M. Holmes. Incumbent's commission expired December 13, 1930.

Walter R. Dysart to be postmaster at Parker, Kans., in place of W. R. Dysart. Incumbent's commission expired December 13, 1930.

Belford A. Likes to be postmaster at Pomona, Kans., in place of B. A. Likes. Incumbent's commission expired December 13, 1930.

Elmer Alban to be postmaster at Westphalia, Kans., in place of Elmer Alban. Incumbent's commission expired December 13, 1930.

KENTUCKY

Elbert L. Pearson to be postmaster at Auburn, Ky., in place of F. B. Gordon. Incumbent's commission expired December 15, 1929.

Clarence Neighbors to be postmaster at Bowling Green, Ky., in place of Clarence Neighbors. Incumbent's commission expired May 6, 1930.

Hazel O'Neill to be postmaster at Drakesboro, Ky., in place of J. R. Kimmel. Incumbent's commission expired February 6, 1930.

Lillian G. Hall to be postmaster at Eddyville, Ky., in place of L. G. Hall. Incumbent's commission expired April 3, 1930.

Ed J. Salm to be postmaster at Hawesville, Ky., in place of E. J. Salm. Incumbent's commission expired May 12, 1928.

Melvin C. Bray to be postmaster at Hindman, Ky., in place of M. C. Bray. Incumbent's commission expires December 21, 1930.

Robert L. Jones to be postmaster at Morganfield, Ky., in place of R. L. Jones. Incumbent's commission expired June 1, 1930.

Edna O. Jones to be postmaster at Mortons Gap, Ky., in place of E. O. Jones. Incumbent's commission expired March 2, 1930.

Marvin L. Whitnell to be postmaster at Murray, Ky., in place of M. L. Whitnell. Incumbent's commission expired May 6, 1930.

Myrtle Latta to be postmaster at Water Valley, Ky., in place of Myrtle Latta. Incumbent's commission expired July 2, 1930.

LOUISIANA

William L. Galloway to be postmaster at Arcadia, La., in place of W. L. Galloway. Incumbent's commission expired December 14, 1930.

Joseph P. Lucas to be postmaster at Dodson, La., in place of J. P. Lucas. Incumbent's commission expired December 14, 1930.

MAINE

Ray C. Gary to be postmaster at Caribou, Me., in place of G. H. Howe, resigned.

Harold N. Libby to be postmaster at Richmond, Me., in place of H. N. Libby. Incumbent's commission expired December 14, 1930.

MASSACHUSETTS

Grace G. Kempton to be postmaster at Farnumsville, Mass., in place of G. G. Kempton. Incumbent's commission expires December 21, 1930.

William P. Orr to be postmaster at South Attleboro, Mass., in place of W. P. Orr. Incumbent's commission expires December 21, 1930.

MICHIGAN

Walter E. Banyon to be postmaster at Benton Harbor, Mich., in place of W. E. Banyon. Incumbent's commission expired December 11, 1930.

George H. Batchelor to be postmaster at Buchanan, Mich., in place of G. H. Batchelor. Incumbent's commission expired December 14, 1930.

George A. Mason to be postmaster at Cedar, Mich., in place of G. A. Mason. Incumbent's commission expired December 14, 1930.

Euretta B. Nelson to be postmaster at Climax, Mich., in place of E. B. Nelson. Incumbent's commission expired December 14, 1930.

Charles L. Bean to be postmaster at Conklin, Mich., in place of C. L. Bean. Incumbent's commission expired December 11, 1930.

Minnie McGuineas to be postmaster at Elberta, Mich., in place of Minnie McGuineas. Incumbent's commission expired December 11, 1930.

Christine Anderson to be postmaster at Holton, Mich., in place of Christine Anderson. Incumbent's commission expires December 21, 1930.

Neil W. Roe to be postmaster at Lake Odessa, Mich., in place of N. W. Roe. Incumbent's commission expires December 21, 1930.

Milan A. Smith to be postmaster at Morenci, Mich., in place of M. A. Smith. Incumbent's commission expired December 14, 1930.

Charles T. Fillmore to be postmaster at Quincy, Mich., in place of C. T. Fillmore. Incumbent's commission expired December 14, 1930.

Rush S. Knepp to be postmaster at Schoolcraft, Mich., in place of R. S. Knepp. Incumbent's commission expires December 21, 1930.

Fred E. Pomeraning to be postmaster at Trenton, Mich., in place of F. E. Pomeraning. Incumbent's commission expired December 14, 1930.

MISSOURI

Paul L. Horner to be postmaster at Caruthersville, Mo., in place of P. L. Horner. Incumbent's commission expired December 17, 1930.

William L. Moorhead to be postmaster at Hopkins, Mo., in place of W. L. Moorhead. Incumbent's commission expired December 17, 1930.

NEBRASKA

Minnie C. Burch to be postmaster at Bellwood, Nebr., in place of M. C. Burch. Incumbent's commission expired December 11, 1930.

Max R. Herrington to be postmaster at Millard, Nebr. Office became presidential July 1, 1930.

NEW HAMPSHIRE

Carlton E. Sparhawk to be postmaster at Walpole, N. H., in place of C. E. Sparhawk. Incumbent's commission expired December 13, 1930.

NEW JERSEY

Alfred O. Kossow to be postmaster at Cedargrove, N. J., in place of A. O. Kossow. Incumbent's commission expired December 16, 1930.

Clifford R. Bower to be postmaster at Columbus, N. J., in place of C. R. Bower. Incumbent's commission expired December 14, 1930.

Henry C. Allen to be postmaster at Paterson, N. J., in place of H. C. Allen. Incumbent's commission expires December 21, 1930.

NEW YORK

Seward Latham to be postmaster at Central Bridge, N. Y., in place of Seward Latham. Incumbent's commission expired December 11, 1930.

Joseph W. Mullins to be postmaster at Fallsburgh, N. Y., in place of J. W. Mullins. Incumbent's commission expired December 11, 1930.

Clarence H. Floyd to be postmaster at Port Jefferson, N. Y., in place of C. H. Floyd. Incumbent's commission expired December 11, 1930.

Charles A. Gaylord to be postmaster at North Tonawanda, N. Y., in place of C. A. Gaylord. Incumbent's commission expires January 22, 1931.

Fred Hahn to be postmaster at Tonawanda, N. Y., in place of Fred Hahn. Incumbent's commission expires January 6, 1931.

NORTH CAROLINA

John W. McLean to be postmaster at Rowland, N. C., in place of J. W. McLean. Incumbent's commission expired December 14, 1930.

John H. Williams to be postmaster at Rutherfordton, N. C., in place of J. H. Williams. Incumbent's commission expired December 14, 1930.

NORTH DAKOTA

Anfin Qualey to be postmaster at Aneta, N. Dak., in place of Anfin Qualey. Incumbent's commission expired December 16, 1930.

OHIO

Elsie M. Smith to be postmaster at Sharonville, Ohio, in place of E. M. Smith. Incumbent's commission expires December 21, 1930.

Thomas E. Kidd to be postmaster at Leipsic, Ohio, in place of P. D. Folk, resigned.

OKLAHOMA

John W. Rackley to be postmaster at Cherokee, Okla., in place of J. W. Rackley. Incumbent's commission expires December 22, 1930.

PENNSYLVANIA

Arthur J. Argall to be postmaster at Braddock, Pa., in place of A. J. Argall. Incumbent's commission expires December 22, 1930.

Samuel B. Daniels to be postmaster at Emlenton, Pa., in place of S. B. Daniels. Incumbent's commission expires December 21, 1930.

Isaac W. Edgar to be postmaster at Glenshaw, Pa., in place of I. W. Edgar. Incumbent's commission expired December 28, 1926.

Irvin Y. Baringer to be postmaster at Perkasie, Pa., in place of I. H. Woodard. Incumbent's commission expired December 16, 1930.

Harry H. Carey to be postmaster at Plymouth, Pa., in place of H. H. Carey. Incumbent's commission expired February 6, 1930.

Ralph P. Holloway to be postmaster at Pottstown, Pa., in place of R. P. Holloway. Incumbent's commission expired December 16, 1930.

Henry X. Daugherty to be postmaster at Red Hill, Pa., in place of H. X. Daugherty. Incumbent's commission expired December 16, 1930.

Ade F. Nichols to be postmaster at Shinglehouse, Pa., in place of I. H. Woodard. Incumbent's commission expired June 10, 1930.

Arthur E. Foster to be postmaster at Thompson, Pa., in place of A. E. Foster. Incumbent's commission expired December 16, 1930.

Joseph C. Scowden to be postmaster at Tionesta, Pa., in place of J. C. Scowden. Incumbent's commission expires December 22, 1930.

John F. Hawbaker to be postmaster at West Fairview, Pa., in place of J. F. Hawbaker. Incumbent's commission expires December 22, 1930.

RHODE ISLAND

Mabel J. W. Carton to be postmaster at Little Compton, R. I., in place of M. J. W. Carton. Incumbent's commission expires December 22, 1930.

SOUTH CAROLINA

James M. Graham to be postmaster at Alcolu, S. C., in place of J. M. Graham. Incumbent's commission expired December 14, 1930.

Edward H. Jennings to be postmaster at Charleston, S. C., in place of E. H. Jennings. Incumbent's commission expires December 21, 1930.

Esly O. Greene to be postmaster at Chesterfield, S. C., in place of R. L. Hurst, removed.

Eva H. Groce to be postmaster at Lyman, S. C., in place of E. H. Groce. Incumbent's commission expired December 14, 1930.

Robert L. Henderson to be postmaster at North Charleston, S. C., in place of R. L. Henderson. Incumbent's commission expired December 14, 1930.

Mattie H. Graham to be postmaster at Pomaria, S. C., in place of M. H. Graham. Incumbent's commission expired December 14, 1930.

Maebelle Orvin to be postmaster at St. Stephen, S. C., in place of Maebelle Orvin. Incumbent's commission expired December 14, 1930.

TEXAS

Robert M. Hatcher to be postmaster at Archer City, Tex., in place of M. W. Meyer, removed.

Hugh B. Edens to be postmaster at Big Lake, Tex., in place of H. B. Edens. Incumbent's commission expired December 11, 1930.

Katherine A. Lace to be postmaster at Burleson, Tex., in place of K. A. Lace. Incumbent's commission expired December 11, 1930.

Lou Gammill to be postmaster at Calvert, Tex., in place of Lou Gammill. Incumbent's commission expires December 20, 1930.

Robert L. Jones to be postmaster at Celeste, Tex., in place of R. L. Jones. Incumbent's commission expired December 13, 1930.

John W. Robbins to be postmaster at Clyde, Tex., in place of J. W. Robbins. Incumbent's commission expired December 11, 1930.

Hoyt E. Hager to be postmaster at Mercedes, Tex., in place of H. E. Hager. Incumbent's commission expired December 11, 1930.

Henry C. Arnold to be postmaster at Orange, Tex., in place of H. C. Arnold. Incumbent's commission expired December 11, 1930.

Earl Cassity to be postmaster at Pilot Point, Tex., in place of Earl Cassity. Incumbent's commission expired December 11, 1930.

Pearl M. Parsons to be postmaster at Port Neches, Tex., in place of P. M. Parsons. Incumbent's commission expired December 11, 1930.

Joe R. Taylor to be postmaster at Rhome, Tex., in place of J. R. Taylor. Incumbent's commission expired December 11, 1930.

VIRGINIA

Ferdinand C. Knight to be postmaster at Alexandria, Va., in place of F. C. Knight. Incumbent's commission expires December 22, 1930.

Louise J. Nottingham to be postmaster at Eastville, Va., in place of L. J. Nottingham. Incumbent's commission expires December 22, 1930.

Augustus R. Morris to be postmaster at Jetersville, Va., in place of A. R. Morris. Incumbent's commission expires December 22, 1930.

Georgie H. Osborne to be postmaster at Keysville, Va., in place of G. H. Osborne. Incumbent's commission expires December 22, 1930.

Clinton L. Wright to be postmaster at Norfolk, Va., in place of C. L. Wright. Incumbent's commission expires December 22, 1930.

Albert L. Taylor to be postmaster at Parksley, Va., in place of A. L. Taylor. Incumbent's commission expires December 22, 1930.

Charles V. Tucker to be postmaster at Phenix, Va., in place of C. V. Tucker. Incumbent's commission expires December 22, 1930.

Patrick J. Riley to be postmaster at Portsmouth, Va., in place of P. J. Riley. Incumbent's commission expires December 22, 1930.

WASHINGTON

Frank Morris to be postmaster at Bordeau, Wash., in place of Frank Morris. Incumbent's commission expired December 17, 1930.

WISCONSIN

Leonard A. Krueger to be postmaster at Dalton, Wis., in place of L. A. Krueger. Incumbent's commission expires December 22, 1930.

Clyde C. Ellis to be postmaster at Elkhart Lake, Wis., in place of C. C. Ellis. Incumbent's commission expires December 22, 1930.

Eugene B. Williams to be postmaster at Hurley, Wis., in place of E. B. Williams. Incumbent's commission expires December 22, 1930.

WYOMING

Arthur A. Pugh to be postmaster at Burns, Wyo., in place of Evelyn Colburn, removed.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 19, 1930

MEMBERS OF THE FEDERAL POWER COMMISSION

Ralph B. Williamson to be member of the Federal Power Commission.

Claude L. Draper to be member of the Federal Power Commission.

HOUSE OF REPRESENTATIVES

FRIDAY, DECEMBER 19, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou Lord of glory, nothing is hidden from the eyes of the Eternal; therefore we bow in Thy holy presence in the spirit of humility. O conquer our pride by Thy condescension, heal our differences by Thy sacrifice, and cast out our greed by Thy unsearchable poverty. Approaching the Advent season, may it be our devout purpose that we shall be made humble, perfectly unselfish, and entirely generous. Deep in our breasts, where the tides of emotion ebb and flow and sometimes brooding surges beat, do Thou bestow the blessing of the untroubled heart. We thank Thee for all the blessed intimations which we have of Thy dignity, power, and joy which come to our souls when fashioned by the divine will. Amen.

The Journal of the proceedings of yesterday was read and approved.

CONFERENCE REPORT—EMERGENCY CONSTRUCTION ON PUBLIC WORKS

Mr. WOOD. Mr. Speaker, I call up the conference report on the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment.

The SPEAKER. The gentleman from Indiana calls up a conference report, which the Clerk will report.

The Clerk read the conference report.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 6, 7, 8, 9, and 10.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SPECIAL ROAD ITEMS

"National forest highways: For the construction and improvement of highways within the boundaries of the national forests, fiscal year 1931, $3,000,000."

And the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Roads on unappropriated or unreserved public lands, nontaxable Indian lands, and so forth: For the survey, construction, reconstruction, and maintenance of main roads

through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, under the provisions of the act entitled 'An act to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes,' approved June 24, 1930 (46 Stat. p. 805), fiscal year 1931, $3,000,000."

And the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 11, 12, 13, and 14.

The Senate recedes from its amendment amending the title of the bill.

WILL R. WOOD,
LOUIS C. CRAMTON,
EDWARD H. WASON,
JOSEPH W. BYRNS,
J. P. BUCHANAN,
Managers on the part of the House.

W. L. JONES,
REED SMOOT,
FREDERICK HALE,
CARTER GLASS,
E. S. BROUSSARD,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments:

On Nos. 1 and 2, relating to the appropriating clause of the bill: Confines the appropriation period to the "remainder of the fiscal year 1931," as proposed by the House, instead of having the appropriations "available until expended," as proposed by the Senate, and leaves the title of the bill as it left the House instead of in the amended form as proposed by the Senate. The effect of the change by the Senate amendments would have been confusing in that the period of availability of the several appropriations is governed by the individual items instead of by the appropriating clause. Under the terms of the bill, as now specifically stated in each item, the appropriations for forest roads and trails, forest highways, national-park roads and trails, and roads through unappropriated or unreserved public lands, will be available for obligation and expenditure until July 1 next, and after that time will be available for expenditure for two more years for payments on any contracts which are made between now and the 1st of July. In other words, the period for the making of contracts and obligating the money on these items is confined to the time between now and the 1st of July, and the period of expenditure of the funds will continue after July 1 for the discharge of contracts entered into prior to July 1. In the case of the rivers and harbors and flood-control appropriations, they are "available until expended" under the general law and that authority is repeated in connection with the recommended appropriations. The advances to the States under the Federal highway act through the $80,000,000 of appropriation are specifically limited to "work performed before September 1," and while payments may be made after that date, they must necessarily be for work performed prior to that date.

On No. 3: Strikes out the proviso, inserted by the Senate, providing for the allocation of funds for construction of main roads on unappropriated or unreserved public lands and waiving State cooperation in connection with the expenditure of such funds. The act under which such appropriation is made specifically provides that such cooperation shall not be required.

On No. 4: Appropriates $3,000,000, as proposed by the Senate, for the construction and improvement of forest highways modified so as to confine the expenditure of such amount to the highways within the boundaries of the national forests.

On No. 5: Appropriates $3,000,000, instead of $5,000,000, as proposed by the Senate, for the construction, etc., of main roads on unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than forest reservations, modified to make such expenditures under the terms of the act of June 24, 1930.

On Nos. 6, 7, 8, and 9, relating to the appropriation of $80,000,000 for the Federal-aid highway system: Appropriates $80,000,000 in the terms of the House bill instead of in the modified form proposed by the Senate amendments. The effect of the Senate amendments would have been to make an appropriation of $80,000,000, which would have to be matched by the States with their funds under the terms of the Federal highway act, instead of providing, as proposed by the House bill, for advances of funds to the States which they might use in lieu of their own funds for matching regular allotments from Federal-aid apportionments made under the general law.

On No. 10: Strikes out the amendment, proposed by the Senate, permitting the use of any unclaimed part of the $80,000,000, above referred to, for highways over land owned by the United States, without State cooperation or approval and without reference to the Federal highway act.

The committee of conference have not agreed on the following amendments:

On Nos. 11 and 12: Providing that the unexpended balances of appropriations of $1,660,000 and $506,067.50, heretofore granted to the States of Alabama and Georgia, respectively, for relief for damages to and destruction of roads and bridges by floods may be paid to the authorities of such States notwithstanding the requirement of existing law which provides that expenditures under such appropriations shall be matched by the respective States.

On No. 13: Providing for the interchange of appropriations in the bill upon the order of the President.

On No. 14: Imposing residential qualifications and pay conditions for the employment of laborers and mechanics by contractors upon the public works covered by the bill, excepting the Federal aid highway appropriation.

The total of the bill as passed the House was $110,000,000. The total as passed the Senate was $118,000,000. The bill as partially agreed upon appropriates $116,000,000.

The Senate recedes from its amendment of the title of the bill.

WILL R. WOOD,
LOUIS C. CRAMTON,
EDWARD H. WASON,
JOSEPH W. BYRNS,
J. P. BUCHANAN,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 11: On page 3, line 24, after the word "act," insert a colon and the following: "*Provided further*, That the balance of the appropriation of $1,660,000, now unpaid to the State of Alabama, appropriated for the relief of the State of Alabama, as a reimbursement or contribution in aid induced by extraordinary floods, shall be paid to the authorities of that State, without the requirement that the State match said expenditure, except in the manner provided herein."

Mr. WOOD. Mr. Speaker, I move that the House further insist upon its disagreement to the Senate amendment.

Mr. BANKHEAD. Mr. Speaker, may I be recognized for just a moment?

The SPEAKER. Does the gentleman from Indiana yield to the gentleman from Alabama?

Mr. WOOD. Yes.

Mr. BANKHEAD. I just want to ask one or two questions. As I understand the matter involved, this appropriation was agreed to by the Senate in the first instance and then was stricken out. Was it in the first report? In other words, I want to get information as to whether the Senate has acted upon this matter in any wise since the matter was originally included in the bill?

Mr. WOOD. Yes; they have acted upon it and are still insisting upon our accepting the amendment.

Mr. BANKHEAD. We were very much in hope that the gentleman might agree to the amendment. It does not involve any additional expenditure upon the part of the Treasury; it is an amount of money that has already been appropriated and is available for the purpose of this reconstruction work on roads and bridges that were destroyed by this unprecedented flood in Alabama.

Mr. WOOD. I will say to the gentleman that as far as I individually am concerned I was opposed to this legislation in the first instance, but the legislation was passed. I am opposed to the establishment of the precedent which would be set if we adopted this amendment.

It was disclosed in the debate yesterday that the State of Kentucky is in a like situation with Alabama and Georgia, and the Senator representing the State of Kentucky inquired whether or not he could not have the claims of Kentucky included for the very reasons offered by Alabama and Georgia, and it is disclosed that Mississippi and South Carolina are likewise interested. If we establish this precedent, we would have nothing else to do but to follow the precedent we are establishing here. However, to my mind there is no need of Alabama asking for this thing, and if we should take this action as to Alabama it certainly would be unfair as to the other States in the Union. Now, we have done this: In the agricultural bill now under consideration we have extended the time for one year because of the financial situation of the States of Georgia and Alabama; with that extension and with the possibility of the legislature meeting and raising taxes so that this obligation can be met, there is no occasion for this amendment at all. On the other hand, I would say that the principle involved is so far-reaching that if we adopted it to-day we could never go back on it, and the troubles which would mount up by reason of this character of legislation and this character of request would be so onerous that the Government could not long endure it.

Mr. CRISP. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. CRISP. As I understand the provision in the agricultural bill, it extends the time for one year for the States to match that fund.

Mr. WOOD. It does.

The SPEAKER. The question is on the motion of the gentleman from Indiana.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 12: On page 4, line 6, after the word "herein," insert a colon and the following: "*Provided further*, That the balance of the appropriation of $506,067.50 now unpaid to the State of Georgia, appropriated for the relief of the State of Georgia as a reimbursement or contribution in aid induced by extraordinary floods, shall be paid to the authorities of that State without the requirement that the State match said expenditure, except in the manner provided herein."

Mr. WOOD. Mr. Speaker, I move that the House further insist upon its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 13——

Mr. WOOD. Mr. Speaker, the Senate, since this report, has receded as to amendment No. 13.

The SPEAKER. The Chair is informed that, as a matter of fact, the Senate has receded on that amendment. Is that correct?

Mr. WOOD. Yes; and it is out of the picture.

The SPEAKER. Then the Clerk will report amendment No. 14.

The Clerk read as follows:

Amendment No. 14: Page 5, line 24, after the word "appropriations," insert the following:

"*Provided*, That every contract made under the provisions of this bill to which the United States, any Territory, or the District of Columbia is a party, and every such contract made for or on behalf of the United States, or any Territory, or said District, which may require or involve the employment of laborers or mechanics shall contain a provision that the contractor or any subcontractor contracting for any part of said work contemplated shall employ as laborers or mechanics only persons who have been living for at least 90 days prior to the commencement of said work in the District, city, town, or village within which such work is being done, if being done within a district, city, town, or village, or of the State or Territory within which the work is being done if outside the limits of a district, city, town, or village, if such laborers or mechanics are available within such district, city, town, village, State, or Territory.

"Every such contract shall further provide that any such contractor or subcontractor shall pay to each laborer or mechanic doing any part of the work contemplated by the contract in the employ of the contractor or any subcontractor contracting for any part of said work contemplated not less than the highest rate of wages for the class of work to be done by said laborer or mechanic prevailing in the district, city, town, or village within which said work is being done, if within a district, city, town, or village, or in the State or Territory (outside of cities, towns, and villages therein) if the work is not being done within a district, city, town, or village. The word 'city' shall include any incorporated city and its suburbs.

"Nothing in this amendment shall apply to contracts made for the construction of Federal-aid highways.

"That the provisions of section 1 of the act of June 19, 1912 (37 Stat. 137), commonly known as the 8-hour law, as to penalties, reports of violations by inspectors, withholding of penalties, and appeals, shall apply in all cases of violations of the provisions of this bill.

"That the provisions of section 2 of the act of June 19, 1912 (37 Stat. 137), shall apply."

Mr. WOOD. Mr. Speaker, I move that the House further insist upon its disagreemnt to the Senate amendment.

Mr. GARNER. Mr. Speaker, I do not intend to object to that, because I am perfectly willing for it to go to conference, but the gentleman from Indiana [Mr. WOOD] will probably leave the Chamber on account of his labors before the next conference report comes up, and I want to query the gentleman, if I may, concerning the activities of the gentleman's committee in response to the action of Congress if that conference report is agreed to.

I notice in the RECORD there is a conference report on what is known as the drought-relief bill, and in that report there is carried an authorization of $45,000,000. I wonder if the gentleman could tell the House whether or not he expects to make an appropriation of that amount prior to the proposed holiday recess?

Mr. WOOD. I will say to the gentleman that I have inquired and am inquiring now of the department with respect to whether it will need any portion of this sum before the holidays, and they are to let us know some time during the day if they will need any portion of it, and if so how much. They have informed us it is going to take some considerable time to get up the contracts that are necessary to carry out the provisions of the bill. How long this will take, of course, I do not know, and I do not know that they know, but we are to have information during the day as to how soon they will need any of this money, and if they will need any of it now they are to inform us how much they will need.

Mr. GARNER. Mr. Speaker, according to reports in the press and the statements of Members of Congress the Secretary of Agriculture said in the hearings that $25,000,000 is all he needed and all that could be used for the purpose of carrying out the provisions of the bill. If the gentleman from Indiana and his colleagues on the Committee on Appropriations are going to take the position that the statements before that committee, including the statement of the Secretary of Agriculture, are such that he does not propose to appropriate more than $25,000,000, the efforts of

Congress in securing $45,000,000 will be nullified, and I merely call this to his attention now because the gentleman has intimated he is going to give them whatever the department says is necessary, and the Secretary has already said that $25,000,000 is the limit that he wants for the purpose of this law, and yet I doubt not that to-day the House of Representatives will adopt the conference report authorizing $45,000,000.

Mr. BYRNS. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. BYRNS. Mr. Speaker, I want to say this in response to what the gentleman from Texas has said. Of course, I am in the minority on the Committee on Appropriations, but I am a member of it, and I will say to the gentleman from Texas that if the conference report is adopted I shall regard such action by the Congress as a direction to the Committee on Appropriations to report the full amount provided in the conference report. I believe that this should be done even though it may not be used, because if we appropriate a smaller amount we will find a situation where some sections of the country may possibly be denied what they need by reason of the allocation that the Secretary of Agriculture will make of a smaller amount than that authorized by the Congress; and if we appropriate the full amount and it is not used, of course, it remains in the Treasury.

Mr. WOOD. I may say to the gentleman from Texas and the gentleman from Tennessee that my statement with reference to the amount that might be requested by the Secretary of Agriculture did not have that in mind. I was not even thinking about the controversy with reference to whether they should use $25,000,000 or $45,000,000. My purpose in making the suggestion and in making the inquiry of the department is to learn how much of this money they may use before the holidays, thinking they could not possibly use it all before the holidays and whatever sum they can use, if any, before that time we will provide.

Mr. GARNER. If the gentleman from Indiana took the same view that the gentleman from Tennessee [Mr. BYRNS] has just expressed, that the adoption of this conference report will be a direction to the committee, then why not pass the necessary resolution, which can be done in 10 minutes, send it to the Senate, and appropriate the $45,000,000, and have it all at the discretion of the Secretary of Agriculture at once, so he can begin this work?

Mr. WOOD. I wish to say to the gentleman that I have no disposition to retard this matter in the least, but inasmuch as this act is to be administered by the Secretary of Agriculture it occurs to me we ought to have at least some advice from him. Of course, this matter will be taken up and full hearings had. There is not an item in this emergency construction bill that we are now considering about which we have not had the fullest hearings, and that ought to be done with reference to this measure. There is nothing peculiar about this. We authorize the expenditure of large amounts of money, and we are often criticized because we appropriate under such authorizations more than is necessary at the time.

Mr. ADKINS. Will the gentleman yield for a question?

Mr. WOOD. I yield.

Mr. ADKINS. One of the arguments urged yesterday to adopt the $60,000,000 was the fact that the Committee on Appropriations did not have to appropriate it all, but only what they really needed. The argument was advanced that we should authorize the $60,000,000 and then the Committee on Appropriations could do whatever they thought ought to be done.

Mr. SNELL. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. SNELL. Is it not a fact that very often you do not appropriate the first time the full amount of the authorization?

Mr. WOOD. That is exactly what I just called to the gentleman's attention. Very frequently we do not appropriate the full amount.

Mr. SNELL. So there would be nothing unusual in following that procedure in this instance?

Mr. WOOD. Nothing in the world.

Mr. KETCHAM. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. KETCHAM. It may be of interest to the gentlemen to know that in the hearings before the committee it was developed by those who probably will have use for this money as early as anybody that if it were made available by the 1st of February that would be in abundant time for all purposes of crop production generally.

Mr. WOOD. I will say to the gentleman from Texas [Mr. GARNER] that we are trying to get this information for this reason. I do not know when this House is going to adjourn. I hope it will not adjourn until these matters are all determined, so the country may know what they can depend upon, but I do want to proceed with some degree of order, and whatever is found to be necessary will be done. If they wanted this money to-morrow, if some of it could be used to-morrow, I would come in with a resolution so that it could be available to-morrow.

Mr. GARNER. If the Secretary of Agriculture takes the same position before the gentleman's committee that he took before the Committee on Agriculture, and states that $25,000,000 is all he can possibly use, is that all you are going to appropriate?

Mr. WOOD. We will have to thresh that out when the time comes. I do not know what position the Secretary may take, or what position other gentlemen may take. There will be a full hearing and all those who have anything to say upon the subject will be heard.

But inasmuch as the Secretary of Agriculture has the administration of this fund, and not a dollar can go out without his approval, I do not know why we should appropriate more than he can use.

Mr. JONES of Texas. In reply to the suggestion made a while ago, it is important to people in these sections to know whether provision is going to be made for them, and plans must be made, and if there should not be adequate provision they must go where they can be taken care of.

Mr. CRAMTON. If the gentleman will yield, referring to the RECORD of yesterday, you will find in the remarks of the gentleman from Alabama [Mr. OLIVER], one of the most influential Members of the House and prominent in the minority, this statement:

> I think the House has sufficient confidence in the Appropriations Committee to rely upon adequate proof being submitted before any appropriation is recommended.

That was the representation made to the House by the minority side yesterday.

Mr. JONES of Texas. But then we were asking for $60,000,000.

Mr. CRAMTON. What difference does that make; he was arguing for a larger authorization.

Mr. TILSON. Let me ask the gentleman from Indiana if it is not a fact that the Committee on Appropriations will be in session almost daily during the remainder of this Congress, and that there will be probably two deficiency bills coming along, so that if there is need for more money an appropriation can be made at any time?

Mr. WOOD. I will say that there is no need to wait for a deficiency bill. Any time there is a request made for money under this authorization there will be prompt action by the committee.

Mr. JONES of Texas. The chairman understands that the money must be allocated among a great many different States. Now, in response to the suggestion of the gentleman from Michigan, suggestion was made by the Secretary of Agriculture if more than was needed was accounted for here it would throw the Budget out of balance.

Mr. CRAMTON. My regret is that the gentleman did not have a sufficiently clear understanding with the gentleman from Alabama.

Mr. JONES of Texas. The gentleman from Alabama is only one Member of the House.

Mr. BLANTON. Mr. Speaker, I rise to ask the gentleman from Indiana a question about the $80,000,000 to be used in road construction. If we disagree to the Senate amendment, the road contractor could employ Mexican labor at about one-third or one-half of what they pay American citizens, and they can import these Mexican laborers across the Rio Grande?

Mr. WOOD. Let me say that the amendment adopted by the Senate does not apply to road work at all.

Mr. BLANTON. The amendment could be made broad enough to apply to the entire provisions of the bill. If you do not do that, much of this relief money will go not to American citizens but to the Mexicans who come across the line.

Mr. WOOD. If we should make it broad enough to apply to the whole bill there will be no relief at all.

Mr. BYRNS. The conferees have no authority to broaden the provision. They can not go beyond what the Senate and the House have provided.

Mr. BLANTON. They do it sometimes as a matter of expediency.

Mr. WOOD. As a further answer to the gentleman from Texas, the contracts for the employment of labor are made by the State and not made by the Government at all.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. COCHRAN of Missouri. I received a letter the other day from a very well-informed gentleman who resides in St. Louis and is engaged in welfare work. He had been on a trip through the South and was returning to St. Louis by automobile through the State of Arkansas. He found the people of that State in desperate circumstances. The white farmers left their farms and accepted work as day laborers on Federal-aid road-building projects. The contractors were aware that the men were in desperate circumstances, and what did they do? They hired the farmers, paying them $1.50 per day at the start. This was later reduced to $1 a day, and in some instances in that State the noonday meal was thrown in. The negro laborers worked for as low as 50 cents a day and the noonday meal.

This gentleman made an investigation. I have every confidence in him and know he would not write me such a letter if he had not investigated the conditions.

If we are going to pass the bill for the benefit of contractors and not for the benefit of the unemployed, I think it would be well to let it alone.

Mr. WOOD. If there is anything in that statement, it exists in Oklahoma and Arkansas; and it is the duty of Arkansas and Oklahoma to correct it.

Mr. COCHRAN of Missouri. I did not refer to Oklahoma, just Arkansas.

My friend suggested that unless the bills we are passing to aid the unemployed stipulate in some manner what wages are to be paid there is great danger that the contractors will put a great deal of money in their pockets that we aim to put in the pockets of the workers.

A paper in Arkansas, commenting upon this situation, says:

> Just because it is possible to get panic-stricken men to work for 50 cents a day there is no indication that it is not worth more than that.
>
> We do not know whether the above-mentioned contractors are new at the game or not, but we do know if that is their idea of conducting a profitable business they have much to learn.

As I see this situation, and as my friend sees it, there would be danger in putting in a clause providing that the prevailing scale of wages be paid because here you have the prevailing scale of wages from 50 cents to a dollar and a half. He also feels there would be danger in naming a minimum wage although that would be better than the prevailing scale of wages. His thought is that such a wage in Arkansas would not be suitable for New York, Illinois, or Missouri.

It seems to me it would be well for some investigation to be made by Government agencies so that they could pass information along to Congress and we could act accordingly. The Bureau of Roads can secure reports from its inspectors and the Supervising Architect can get information from their representatives on public work as to the wages being paid and the conditions under which the men are working.

I feel that every Member of this House wants to do everything possible for the people in distress. We are going to have plenty to do along this line before adjournment and we will need all the information that can be secured so that what money we do appropriate will go to the unemployed as we desire.

The SPEAKER. The question is on the motion of the gentleman from Indiana that the House further insist upon its disagreement to amendment No. 14.

The motion was agreed to.

Mr. WOOD. Mr. Speaker, I move that the House agree to the further conference asked by the Senate, and that the Chair appoint conferees.

The SPEAKER. The gentleman from Indiana moves that the House agree to the conference asked by the Senate, and that the Chair appoint conferees.

The motion was agreed to.

The Chair appointed the following conferees: Mr. WOOD, Mr. CRAMTON, Mr. WASON, Mr. BYRNS, and Mr. BUCHANAN.

CONGRESS OF MILITARY MEDICINE AND PHARMACY

Mr. TEMPLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House Joint Resolution 253, to provide for the expenses of a delegation of the United States to the sixth meeting of the Congress of Military Medicine and Pharmacy, to be held at Budapest in 1931, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table House Joint Resolution 253, with a Senate amendment thereto, and concur in the Senate amendment. The Clerk will report the resolution and the Senate amendment.

The Clerk reported the title of the resolution, and read the Senate amendment, as follows:

> Page 1, line 9, after "Budapest," insert "or such other place as may be determined upon."

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on concurring in the Senate amendment.

The Senate amendment was concurred in.

SHOW BOAT

Mr. McCLINTIC of Oklahoma. Mr. Speaker, I ask unanimous consent to speak for three minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. McCLINTIC of Oklahoma. Mr. Speaker, a few evenings ago a congressional party numbering approximately 75 attended a special entertainment given aboard the show boat at Alexandria, Va. Some of the scenes in the play were laid in my State and several members of the cast were from Oklahoma. We witnessed a fine rendition of an old-fashioned melodrama aboard the same boat used by Miss Edna Ferber when she wrote the great play entitled "The Show Boat." Among those present were Mayor Carroll Pierce, of Alexandria; Hon. S. W. Getzen, speaker of the House of Representatives of Florida; Dr. M. G. Gibbs, president of the People's Drug Stores; Maj. W. S. Shelby, of the Washington police; Members of the House of Representatives; and a number of prominent Washington citizens. A motor-cycle escort, with a siren horn, gave the party right of way down Pennsylvania Avenue, and a similar escort from Alexandria met the party at the end of Long Bridge entering Virginia. Congressman VESTAL led the singing, featuring such songs as We Will Kill the Old Red Rooster and Coming Around the Mountain. Congressman CONNERY, of Massachusetts, joined the troupe and sang from the stage. Apparently everyone had a good time. Anyhow Dr. M. G. Gibbs and myself were very much pleased to have this party as our guests.

Major Shelby, of the Washington police, has expressed his views in the following letter:

GOVERNMENT OF THE DISTRICT OF COLUMBIA,
METROPOLITAN POLICE DEPARTMENT,
December 17, 1930.

Hon. JAMES V. MCCLINTIC,
Member of Congress, House Office Building,
Washington, D. C.

MY DEAR CONGRESSMAN MCCLINTIC: It is like you to express thanks and appreciation for the cooperation rendered by this department on the occasion of the recent "Show Boat party," but as a matter of real fact the members of the department, including myself, who were so fortunate as to accompany the party owe you and Dr. M. G. Gibbs an expression of thanks for permitting us to sit in for a most enjoyable evening's entertainment.

During the singing of the chorus I thought of several people in Washington that should have been present so that they could have an opportunity to appreciate the fact that Members of Congress are, after all, the most human of human beings. That happy crowd reminded me of a bunch of school boys on vacation after a day of hard examinations.

I hope that you and your associates will feel free at all times to call upon this department whenever you think we may be of service.

Major Pratt joins me in expressing to you the wish for a most enjoyable Christmas and a happy and prosperous New Year.

Sincerely yours,

W. S. SHELBY,
Acting Major and Superintendent.

I regret that all of the Members of this body could not be present at the performance, and I desire to thank the House for the courtesy in allowing me to make this presentation. [Applause.]

DEVELOPMENT OF THE COLUMBIA RIVER

Mr. KORELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the development of the Columbia River.

The SPEAKER. Is there objection?

There was no objection.

Mr. KORELL. Mr. Speaker, under leave to extend my remarks, I desire to insert in the RECORD an address that I delivered this summer over Station KXL on the development of the Columbia River.

The address is as follows:

I want to talk to you for a few minutes about the proposed improvements on the Columbia River, a work which is of vital importance to every citizen of the Northwest. It is hardly necessary for me to tell you that this matchless river is our greatest and most important natural asset. From the standpoint of navigation it opens up a great inland empire and assures low transportation rates.

As you all know, it flows through the only gap in the western mountain range south of the Canadian boundary and north of San Francisco. It is capable of bringing thousands of acres of land under cultivation through irrigation. It is likewise capable of producing almost an unlimited amount of water power. A drop of approximately 308.5 feet occurs between the mouth of the Snake River and tidewater. The fall above this point is even greater.

The task of developing this great river so as to use it to the fullest possible extent for navigation, irrigation, and water power and at the same time wisely and with a view to future development requires the greatest care and study.

How much cargo is available now for barges? How much in the future? How many acres of land should it irrigate now and how many additional acres will it be called on to irrigate in the days to come? How much power should it generate now and how much power will it be called on to generate in the future? What is the extent of the present demand for navigation and how rapidly will this demand increase? What flow will remain after application of water to arable lands which in the future might be irrigated? These are just a few of the many questions which must be investigated and answered before plans for the development of the river can be intelligently carried out. To a large extent they have been studied and answered as nearly as it is possible for them to be answered. The survey, so far as it has progressed, has been a complete and painstaking one, requiring time and thought.

The Oregon delegation succeeded in getting Congress to authorize an exhaustive survey of the Columbia River and its tributaries. To date the water department has expended more than $600,000 in carrying on the survey. The United States Army Engineers are now engaged in the task of investigating the location and capacities of reservoir sites, the location and practicability of dam sites, the capacity of power sites, the present and prospective power markets available, the best plan of improvement for all purposes, preliminary estimates of the costs of improvements, and the feasibility of the best plan of improvement. But back of all these necessary studies, it is vitally important that the people of Portland should keep in mind that that portion of the Columbia River which lies below the mouth of the Willamette has become one of the world's most important trade routes, traversed by ocean-going vessels in steadily increasing number, and that of all uses that may be made of the waters of the Columbia River system, "whether viewed from the standpoint of prior use, invested capital, or potential benefit to the general public, navigation between Portland and Vancouver and the sea is of supreme importance." Therefore, sufficient flow to insure ease of seagoing navigation must be provided, and they must see to it that works planned for the upper reaches of the river will be subservient to such need of navigation.

Although the survey is not yet completed, the Federal Government has already announced tentative plans for the development of the Columbia River. These contemplate the construction of a canal 8 feet deep to a point 10 miles above Richland, Wash., and Five Mill Rapid on the Snake River. The canal is to be completed with the construction of seven dams and locks at various points, which, as an incident to their construction, will develop 1,500,000 kilowatts of power 90 per cent of the time and 2,500,000 kilowatts 50 per cent of the time.

And as a part of the plan for the development of the Columbia River the last session of Congress authorized the deepening and widening of the Columbia and Willamette Ship Channel from Portland to the sea. This improvement will cost $1,350,000 to complete. The project contemplates a channel 500 feet wide and 35 feet deep. When it is completed the merchants and manufacturers in the cities along the Columbia River will save over $600,000 a year in freight charges, a considerable item to those who have invested between $300,000,000 to $500,000,000 in improvements and businesses that are dependent upon water transportation, and a saving that will eventually be passed on to the consumer in lessened costs of the finished product. The improvement will also bring about the just and favorable recognition of our importance and prestige as a port, something for which we have been striving for years. It may interest you to know that the total net expenditures by the Federal Government for improvements to navigation on the Columbia River below the mouth of the Snake River was on June 30, 1928, $15,700,913.06.

But the Oregon delegation has not stopped with these efforts and is now seeking to have the law authorizing the operation of the Mississippi Barge Line extended to include barge service on the Columbia River, with a further reduction in costs to the producer and the consumer.

The irrigation possibilities are not being neglected, and your delegation in Congress has succeeded in obtaining these substantial appropriations for the following: Vale project, $585,000; Klamath project, $104,000; Owyhee project, $2,000,000.

Another development, the importance of which can hardly be overestimated, is that for the carrying out of the Umatilla Rapids project, and the Oregon delegation has been bending its best efforts to secure the passage of Congressman BUTLER'S and Senator MCNARY'S bill covering this proposed improvement. The purpose of this project is to utilize the flow of the Columbia River, to improve navigation, provide for the delivery of water for the reclamation of public and private lands and other beneficial uses, and to generate electrical energy. The generation of electricity is the means which is designed to make the project self-supporting and financially solvent. This public work is to be brought about, through the Secretary of the Interior, in the construction of the great dam which is to be capable of raising water to an elevation of 310.5 feet, and includes a complete plan for the fullest economic development of electric energy from the normal flow of the river. Suitable locks are to be constructed for the improving of navigation. A special fund, to be known as the Umatilla Rapids fund, is to be available for the carrying out of the provisions of the act.

All revenues from the improvement are to be taken in and expended by the Secretary of the Interior, and the Secretary of the Treasury is authorized to advance funds in such amount as may be necessary up to the sum of $45,000,000.

Money for the project may be raised by the issuance of bonds and certificates of indebtedness by the Secretary of the Treasury, and before any money is appropriated the Secretary of the Interior is required to make provisions for revenue by contracts for the delivery of water for irrigation and domestic uses and for the delivery of electricity to municipal corporations, political subdivisions, and private corporations. After the money advanced is repaid from the earnings of the project, charges shall be on such basis and the revenue derived shall be disposed of by an act of Congress.

The title to the dam, reservoir, plant, and all incidental works are to remain forever in the name of the United States. The bill provides further that all Government land found by the Secretary of the Interior to be practicable for irrigation and reclamation shall be withdrawn from public entry and thereafter the Secretary of the Interior may dispose of such land in varying tracts not to exceed 160 acres in accordance with the provisions of the reclamation law. All persons who have served in the United States Army, Navy, or Marine Corps during the wars with Germany, Spain, or in the Philippines have exclusive preference rights for a period of three months to enter such lands.

A provision in the bill that is of extreme importance to the taxpayers of the States of Oregon and Washington is the proposal that 37½ per cent of any money collected above the amounts due the Government will come to the States in lieu of taxes—thus creating a new source of revenue by the Government's taking the natural resources of Oregon and Washington for public purposes.

You will note from the principal provisions of the proposed act which I have hastily sketched that every effort has been made to protect the rights and interests of the people in the proposed improvement.

Now, the advantages of the improvements I have outlined to you are so great as to be almost unbelievable. In addition to the increase of navigation on the Columbia and the great boost which will be given to the business of our port and the prestige of our

city, it need only be said that in the vicinity of the proposed Umatilla Dam alone there is a potential development of something like 420,000 horsepower, and on every hand, to quote from the report on the project, "are very fertile lands only awaiting the magic touch of water to blossom like a rose."

With the completion of the vast improvements, the irrigation of arid land in both Washington and Oregon will be possible. And the location of the areas is such that the land can be brought under cultivation as needed, thus minimizing the possibilities of overproduction or lack of settlers.

The power developed by the dam at the foot of the Umatilla Rapids could be used for irrigation purposes and would, in addition, provide 300,000 horsepower for sale to the public. The possibilities for development here are enormous. The power could be generated at a cost of 1.2 mills per kilowatt-hour.

It is to be remembered that the use of power in our rapidly developing Northwest is increasing rapidly. The manufacture of nitrates for fertilizer is another possibility. The project would be self-supporting and would provide cheaper power for home use and for industry. Electric energy could be sold in many towns and rural communities for much less than the present rate.

No one disputes the value of inland water transportation. Under the proposed improvement the Columbia would be canalized from its mouth to the mouth of the Snake River, a distance of 330 miles. The two rivers drain an area of about 350,000 square miles, and it is to be remembered that it is an agricultural region. Ultimately the transportation to be provided by water will be used to carry these agricultural commodities to the sea, with a consequent saving to the farmer in lowered freight rates. For the barge line is bound to follow in the wake of this great improvement.

I have endeavored in as few words as possible to sketch the importance to our people of this sweeping project, the authorization and completion of which is the aim of the Oregon delegation in Congress. So far as it has been in my power I have endeavored to hasten the accomplishment of this important improvement. I shall continue to work for it so long as I am in Congress, because I believe that it is vitally necessary to the further development of our great city and our wonderful State and to the continued progress and prosperity of our people.

THE UNIT BANK

Mr. CAMPBELL of Pennsylvania. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a speech delivered by the former Governor of New Jersey, Mr. Stokes, before the Pennsylvania Bankers' Association at Atlantic City.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD by publiching an address delivered by the former Governor of New Jersey. Is there objection?

There was no objection.

Mr. CAMPBELL of Pennsylvania. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the following:

Mr. President, ladies, and gentlemen, I feel at home among the Pennsylvania bankers. I was born in that Commonwealth. Then after a sojourn there of six weeks I followed the example of Washington and crossed the Delaware to serve my native State in the State of my adoption.

The Pennsylvanians owe us Jerseymen an untold debt of gratitude. For centuries our little State has served as a bulkwark against Father Neptune, to keep the Atlantic Ocean from washing away the old State of Pennsylvania.

We enjoy having you come to our seaside resorts. We established these resorts in order that virtuous Pennsylvanians of puritanic lives, after six days of virtuous existence, could come here to spend the week-end and to do those things which they would not do at home, without any danger of confidence being violated.

But pleased as we are to have you as our guests, we do not want you to establish branches in our household, as we think that every American community of reasonable size is more competent to manage its own banking and financial affairs, than an alien landlord.

A definition of terms sometimes conduces to a better understanding. When I speak of branch banks I distinctly eliminate what I regard as bank offices. A bank in a city finds its location perhaps somewhat removed from its depositors due to the shift of business just as in Philadelphia business has moved up around Broad Street from Second. Such a situation demands that a bank in order to accommodate its patrons must establish offices in different parts of the city. That decidedly is not branch banking. It is simply the extension of the parent bank for the accommodation of its own customers, and is unit banking with service extended necessary to take care of the bank's business. The law that grants the privileges to banks to expand their business area and have an office outside of the four walls of the parent institution for the convenience of their customers is not a law for branch banks at all. It is simply permission granted to our unit banking system to meet the requirements of the changes of the location of business activities in our various municipalities. A branch bank is an adjunct operation outside of the home city of the parent bank.

The experience of years is usually a wise guide in business affairs. After over 65 years of experience dating from the inauguration of the national banking system, no American Bankers' Association, at any of its sessions, has declared for branch banking and its only recorded action is in opposition to that system.

The laws of our States on this subject are equally conclusive. In six States the law is silent. Twenty States do not permit branches or even branch offices. Twelve States permit branch offices only in the home city and county of the parent banks. This makes 32 States of legal inhibition of branches and only 10 States permit the system.

Before we depart from a banking policy that has been voiced in legal statutes as the deliberate conclusion of our people after years of trial, we should pause for a moment at least before a Stop, Look, and Listen signal.

The United States Constitution has been the one charter under which free government has permanently survived. It sufficed for the needs of three millions of people on a seaboard line. It sufficed for the growth of a great nation over a continent's expanse. It suffices to-day for over one hundred millions of people with arms stretching out over two seas. It has survived the vicissitudes and changes, needs, and wants of over 130 years of progress of the greatest nation on earth, with only four fundamental changes up to the adoption of the eighteenth amendment. This Constitution that has served so well under which has been written the greatest story of progress—educational, industrial, religious, and agricultural—is entitled to the greatest reverence and should not be lightly thrown aside for a new form of government.

Parallel this illustration with the banking system of America, a system of unit banks under which this country has reached a prosperity greater than any nation on earth, until our pay roll exceeds the pay roll of the rest of the world combined, a system under which we have taken more individuals without means and without capital and by our local banking credit, developed more successful men of every kind of avocation not only than any other nation on earth but of the whole world combined. With this splendid picture of happiness and improvement before me, I hesitate before I take a leap in the dark and adopt the European system of either chain banking or branch banks.

Certainly, judged by results, our unit banking system has been more of its brothers' keeper than that of any other nation and makes the student ask "What is the compiaint against the unit bank that has done so well and why change?" Restlessness is not always progress and copying the system of the bankrupt nations of Europe is not necessarily a forward step. We have won our place as the creditor Nation of the world. Let Europe copy our system.

I once heard a speech on individualism as the source of progress, Government ownership the beginning of decay. I delivered it, so, of course, I heard it. It is the individual who does things, not the masses. You may have looked upon some beautiful painting, like that of the Sistine Madonna. An individual painted that picture, the masses never painted a picture. You may have seen a magnificent statue, harmonious in all its proportions. An individual carved that statue; the Government never carved a statue. The masses never made an oration, penned a poem, shaped a cathedral, invented a machine, nor discovered a law of gravitation. It is individuals who take these steps of progress alone, and in so far as we curb individual effort and individual initiative, we retard progress. The reason why America has given us the sewing machine and the electric light, the harvester and reaper, telephone and telegraph, flying machine and radio, and the electrical marvels of the world, is because our individuals have been the captains of their own souls and have not become mere routine automatons of gigantic enterprises.

The man who is head of a small institution develops better than the man who is a mere departmental tool of a gigantic corporation. Not that these great enterprises are not necessary. They are profoundly necessary in America to-day as the leading Nation of the world and the hope of civilization. I, for one, most strongly advocate them. But I call attention to the fact that the big corporations, especially the large banks of our great cities, are drawing on the country institutions of the Middle States and the South and the West and New England for their presidents and their vice presidents, men who have developed not in branches but in smaller independent institutions. Numerous instances could be cited, but they might make odious comparisons.

The distinguishing feature of America's financial system has been its numerous independent individual banks. This fact has stood out in a marked contrast to the European system. America has over 24,000 practically independent banks, each locally owned and managed by a local board of directors and officers, who use the funds of the bank legitimately for the development of the community. Contrast this with Great Britain, that has 23 main banks and 9,476 branches, and with France, with 19 banks and 1,351 branches.

This local banking system of ours has been one of our greatest resources and has contributed to America's development and prosperity. The credit of these institutions has been extended to the needs of worthy and enterprising individuals, whom the officers and directors of the various localities personally knew and in whom they had confidence. Many a poor boy through credit extended by his local bank has become a successful merchant, manufacturer, or professional man. On the contrary, in the countries across the sea, where the bank is a more cold-blooded proposition, individuals do not find it so easy to receive accommodations as they do here, where personal character, ability, and ambition are regarded as assets. There is scarcely a community in the country where an illustration can not be

found of some worthy individual with ability and without capital who has been able through the help extended him by his local country bank to make a success in life and add to the development of his country. It has been this personal, humane feature of America's banking system that has made it a motive power for progress such as the world never before saw. The reason for this is fundamental. It is founded upon the law of wealth, as certain as the law of gravitation.

It is a somewhat antiquated political economy that imputes value to anything per se. Aside from a few of the fundamental metals and minerals, like gold and silver, diamonds and coal, there is no value in any material thing. There is no value in the hotels, lands, homes, public buildings, docks and wharves, and street-car lines of Atlantic City. They are not worth a farthing. Their value and their wealth lie solely in the brains of Atlantic City's citizens, and if all the people in Atlantic City should leave that city and none ever return to take their place, Atlantic City as a deserted village would not be worth the attention of the tax gatherer. Its wealth would depart with the brains of its departing citizens. It is the brains of the individual, therefore, that are the asset of any nation, and just as you develop the individual you add to wealth and prosperity.

The independent banking system of our country has fitted in admirably and practically with this philosophy. It has worked with the individual and helped him to grow industrially, educationally, inventively, and commercially. It has worked with him because he was a neighbor and an acquaintance and the bankers knew and trusted him and he in turn cooperated therewith. He rose to success through the help of his local independent bank, and rarely would have had that opportunity had he depended upon a bank in some large center, because he would not have known the bank and the bank would not have known him, and credit extension would have been well-nigh impossible. In the little town of Roebling, N. J., on the Delaware, Carl Roebling, then the head of the great John A. Roebling's Sons Co., organized a little bank that has deposits to-day of a million dollars. It admirably serves that community. It helps to build its homes, and to finance its merchants and its public improvements. The bank takes a pride in this work, a work of service because it is a part of the life of the community, and it touches elbows with its needs and its wants, with its aspirations and its prosperity.

If that bank was owned by a Chicago corporation and was one of a great chain system, this personal touch with the little village of Roebling would be lost and its entire relation to the community would be changed. The Roebling bank would no longer be the Roebling bank, but the bank of a foreign landlord and its interest in individual local enterprises would diminish and the plants of purely local and community pride and development would deal with foreign instead of local credit. The chain store—I do not criticize them nor claim they do not serve a useful purpose—have almost entirely eliminated the local merchant who dealt in the same commodities they do, but they are like exotics among the native flowers of the garden. The branch banks would eliminate the local banks as surely as the chains have eliminated the local merchants.

The system of chain or branch banking is contrary to the spirit of American independence which prompted us to throw off the vassalage of a foreign government and our local communities would resent becoming vassals and tributary to a metropolitan banking institution, however fine. We country bankers, and we are largely in the majority, do not object to selecting you metropolitan banks as our correspondents. We seek your advice, we trust you with our deposits, and if the Federal reserve system would pass away so that we could give you all of our deposits we would, but we do not propose to become tributary to your imperial will or become a branch of your great institution so that our community can be drained of the idle balances of our people to feed some other section of the country. Do not misunderstand. The resources of the local banks are always available for all in time of need, but not as a branch under some one else's command. but as an independent sovereign, contributing of its own free will. On the board of the bank with which I am associated are the leading citizens of that community. They take a pride in that institution. They give it their advice and deposits and term it "their" bank. They serve it faithfully and well, but not for one moment would those men serve as underlings in a branch bank or in a chain bank. Under the branch-banking system the country would lose the service of such men as I speak of in its financial affairs, a most valuable asset, and the loss of the services of thousands of local directors throughout this country would be a nation-wide catastrophe.

Davison, of the Central Hanover Bank and Trust Co., well said: "In banking nothing can take the place of the man on the ground who knows local conditions and the man with whom he is dealing and has the power to make his own decisions under a responsibility only to resident ownership control."

The branch-banking system is European, not American. The unit system is American, not alien or foreign. In England, everything is tributary to London, in France to Paris, in Germany partially to Berlin but with a wholly different picture, where the bank becomes a partner in an industrial enterprise.

None of these systems could serve our needs so well as our present unit system. In none of those countries are their farmers like our farmers or their small merchants like our merchants or their small manufacturers like ours. It has been well said that the feudalistic overlord system has no place in American banking where the people want to deal with the bankers of their own community in an institution whose stock is owned by their own neighbors and friends. May God long postpone the day when this splendid asset of Americanism ceases to dwell in the American heart. The American is not willing to forget his banking independence any more than his forefathers were willing to forget their political independence.

Two recommendations have recently been advanced for branch banking, one is that it would improve the mechanics of banking, creating a highly specialized body of experts who could give the branches the benefit of advice from the parent institution.

The answer to that is most manifest. It fails to consider the human side of the banking function. A bank is a personal institution. It does not sell goods or manufacture material products, it deals exclusively with persons and their possessions and thus it can only be wisely administered by people on the ground, familiar with local conditions. Moreover, the correspondent bank willingly and gladly gives advice on the mechanics and operations of successful banking; but, more than that, the A. B. A. furnishes to every institution a wonderful set of pamphlets upon all phases of banking formula and operations that can not be surpassed by the experts in the parent institution, wide-awake perhaps, but a long distance away.

The second argument, which grows out of the too many failures of banks, is advanced in a most constructive and judicial way by a distinguished public official. This phase of the situation is presented with the suggestion that if these institutions which have failed had been tied to a stronger parent that unfortunate banking story might not have been written. The banks in question, however, upon analysis of their failure are found to be all small institutions in localities where perhaps no parent bank would want a branch and the failures largely were due to a deflation of values in agricultural centers for which bank management was not responsible and over which it had no control. The best banking in the world could not fail to be affected in a period of industrial or agricultural depression or in a stock market crash that drags down and makes bankrupts out of those formerly prosperous. In any country, under any system and under any management, banks would suffer under this condition of affairs. The remedy for hard times and general economic depression is not to be found in branch banking any more than the purity of a stream is improved by the storage of its waters by dams and reservoirs.

When the Federal reserve system was inaugurated and some of you still believe in it, its advocates said, and sincerely said, that it was panic proof, that cheap credit hereafter would always be available, that it would stabilize conditions and that money rates would always be reasonable, but under that system we recently had average higher interest rates than in a long period in our history, credit was scarce and dear, we had a stock-market panic utterly unnecessary and to-day we have industrial business depression and nonemployment. This boasted banking system did not fulfill the prophecy of its sincere proponents and no banking system can escape the consequences of the laws of trade and commerce.

Allied to the branch-banking policy there has developed a system of holding companies for the ownership of bank stock and the control of banking institutions. I trust I am not unfair when I say that this system of chain banking through holding companies is conceived in a spirit of illegality. It clearly violates the laws, both National and State, as they now exist against branch banking. A holding company of Chicago, as an illustration, might own banks in New Jersey, in Pennsylvania, and in other States where the law forbids branch banking. These corporation-owned banks would be linked together and would really become the branches of a parent company, and the antibranch banking laws will thus be nullified and the holding companies would not be under the jurisdiction of the Comptroller of the Currency or banking and insurance commissioners.

Tremendous publicity and propaganda have been utilized to favor this new system. It changes the whole character of our banking policy, creates a foreign owner in the form of a corporation that is impersonal and resident in some metropolitan center controlling the functions of some far distant community bank, destroying their credit, humanity, and ability to serve their community. The bank ceases to be owned by the people among whom it is located and is no longer their possession. One of these holding companies, through its ownership of bank stock, controls one of the largest banks in the world. This bank had at one time 289 branches in one State alone. A local bank, owned by such a corporation, becomes a stranger in the community and that psychological asset called confidence, which binds the bank and the community together, is destroyed. The Financial Chronicle of October, 1927, well said:

"Credit is a commodity more important to the people than ordinary commercial products. Tying strings to 30,000 banks and putting them in the control of a half dozen companies certainly would not be in the public interest. The independent bank is of immense value to the country and should be preserved at all hazards. Every local merchant and manufacturer is entitled to credit according to his deposits. The creating and maintenance of locally owned and operated banks should be held sacred. The organization of local credit being free business outside the bank will contract or expand in accordance with the average profits that business can earn. Thus the community and local banks go up or down together. To sacrifice this freedom, to initiate new business not only by so-called controlled credit but by means of retaining at home the earnings of its own organized credit, must prove a detriment to a natural progress and prosperity. * * * Ownership by a holding corporation * * * pumps the profits

from the local reservoir and adds nothing in return. Depositors in these local banks now about to be corralled by holding companies are not asking for this change and are loath to see the stock of their local banks go into foreign and unknown and impersonal hands. Local bank stock should be kept at home."

In New Jersey we held up our hands and said to these holding corporations, "Thou shalt not enter" and we passed an act, still upon the statute books, that no corporation should own the stock of a bank or trust company of more than 10 per cent, and we have teeth in that law that makes it effective.

When the Federal reserve system was created, in order that it should not become centralized, it was divided into 12 districts. The act went further and provided that directors should be voted for by classes so that a Federal reserve bank is always beyond the control of a majority or combination of the banks of the district but the holding company policy threatens this safe-guard against centralized monopoly. It could own enough of the member banks in a Federal reserve district to absolutely control the directorships thereof and control rediscount rates subject of course to the Reserve Board at Washington, and use the powers of the Federal reserve bank for its own corporate advantage. The possibilities of such a gigantic corporation are terrifying.

But aside from the uneconomic, un-American, feudalistic spirit of branch or chain banking, it is amateurish in its daring. Under it would arise the greatest of all trusts, a money trust, utterly abhorrent to the American people who are our masters. This is a case where angels fear to tread.

The chain system boasts of its progress. The other day I received a pamphlet declaring that this movement could not be stopped any more than old King Canute could stop the rising tides of the sea. I wonder if this pamphleteer ever read American history? He seems to forget that whether wisely or unwisely America will not permit concentrated power in any enterprise or in any vocation, and when the American people take the bit in their teeth and attack a monopoly or trust they always go to extremes and endanger the welfare of the country and do injustice to the objects of their wrath. We have seen our railroads attacked, I think unjustly, until in the hysteria of the hour 40 per cent of them were driven into receiverships or bankruptcies. We have seen our industrial combinations, manufacturing, public utilities, attacked with a vehemence that sent some of their officials to jail and injured their progress. I am sure in many cases it was unfair and unjust; indeed, in most cases. To-day Congress is investigating and threatening holding corporations of railroad stocks and the Interstate Commerce Commission is raising a red flag to frighten the people about a danger that to me does not really exist. To-day Congress is investigating the mergers of public utilities and the holding companies of their stocks and spreading a propaganda of socialistic opposition that will end either in Government ownership or in drastic laws that will injure the prosperity of these great and useful enterprises. The man who fails to learn the lesson taught by the resentment and anger of the American voter against concentration of wealth or power is indeed an amateur, and whether he is right or whether he is wrong in advocating branch or chain banking he invites a deluge which will overwhelm him to his sorrow if not to his ruin.

These men are like the blind traveler who walks over the precipice. Branch banking may become our policy. Chain banking may become our policy. I do not think it will, but when it does the American people will rise up in their wrath as surely as the rising of the sun, and, in their unreasoning and unjust indignation, will visit a vengeance upon our banking system that will hamper constructive progress and seriously injure our banking institutions and precipitate a financial panic such as will make the advocates of this policy rue their folly and their blind obliviousness to American resentment of centralized power.

At this point allow me to say that I am not arguing as to the wisdom of this policy, but, like Elijah, to whom nobody would listen, I am pointing out to you from the history of this country what we should all foresee and what we should hesitate to invite—the disastrous consequences that will follow a concentration of money power in defiance of the independent spirit of the American voter.

Do not try to make your banks too big by reaching out into territories where you do not belong. Do not try to stretch your holding-company chain, even if you have the power. The sword of Damocles hangs over your head and it will surely fall. I would rather be a small bank with the love of my community than a too large institution with the resentment of my fellowmen.

I have spoken strongly on this subject, perhaps too strongly, because I feel strongly. Ours is a Nation of depositors. The bank, like the church, is a community enterprise, its stock a community investment, its success a community pride. It is a community temple where the saver and the borrower meet in a home they call their own, whose vestal fires must be kept alive by the trusted financial priests of their own hearthstones. [Applause.]

TAX REFUNDS

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent to speak for 20 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. HAWLEY. Mr. Speaker, on Tuesday of this week the gentleman from Texas [Mr. GARNER] indulged in one of his periodic outbursts concerning refunds of taxes. I would much prefer to commend a colleague on the floor for his remarks rather than to take the floor to show up his inconsistencies, but the situation is such that I must assume the latter attitude. In the course of his remarks he cited certain instances where taxes had been refunded to contributors to Republican campaign funds. If he had intended to present the whole matter he would likewise have presented a statement of the Democratic contributors to Democratic campaign funds who had likwise received refunds. Why did he not present a full statement? In order to untwist that twist in his speech, I offer the following:

Herbert Lehman, who contributed $25,000 to the Democratic National Committee, is a director of the Studebaker Corporation, which received a tax refund of $106,948.

Irenee du Pont, who contributed $5,000 to the Democratic National Committee, is a director of the Equitable Life Insurance Co., which received a refund of $564,829.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. GARNER. Is the gentleman referring now to the campaign fund of 1928 or of 1930?

Mr. HAWLEY. I do not have the figures in that form. They give the contributions to Democratic campaign funds made by persons who have received refunds.

Mr. GARNER. But I drew the gentleman's attention to the fact that the contributions were made in 1930. Mine were all recent cases. The gentleman is going back to the 1928 campaign funds?

Mr. HAWLEY. Yes.

Mr. GARNER. If the gentleman can find any in 1930, I would like to see them, because if they have, I have been misinformed. There was only one man who had contributed anything in 1930 who had ever received a refund of taxes.

Mr. HAWLEY. As I remember the remarks of the gentleman from Texas, he did not state the time when the contributions were made.

Mr. GARNER. Oh, yes; I did.

Mr. BACHARACH. Will the gentleman yield?

Mr. HAWLEY. I yield.

Mr. BACHARACH. What difference does it make in what year it was made, whether 1928 or 1930. The fact is that the money went to the Democratic campaign fund.

Mr. HAWLEY. I can not see that it makes any difference. I am citing instances of refunds made to contributors to Democratic campaign funds.

Morgan J. O'Brien, who contributed $6,000 to the Democratic National Committee, is a director of the Metropolitan Life Insurance Co., which received a refund of $771,848.

Arthur Lehman, who contributed $14,000 to the Democratic National Committee, is a director of the Continental Can Co., which received a refund of $104,049.

P. S. du Pont, chairman of the board of E. I. du Pont de Nemours & Co., which company received refunds and credits of $13,127,664. I do not have the amount of the contribution he made to the Democratic campaign fund.

Mr. Joseph P. Tumulty, receiver for the Middle States Oil Corporation, which company received refunds and credits of $525,472.

Mr. BACHARACH. Will the gentleman yield?

Mr. HAWLEY. I yield.

Mr. BACHARACH. I just want to call attention to the fact that Mr. Tumulty was Secretary to a former Democratic United States President.

Mr. McKEOWN. Will the gentleman yield?

Mr. HAWLEY. I yield briefly.

Mr. McKEOWN. Mr. Tumulty would not be in a position to pay it out of the receiver's funds to any party, would he? He was the receiver of this oil company.

Mr. HAWLEY. Yes; but he is a Democratic contributor interested in a business which did receive a refund.

Mr. McKEOWN. But he does not get the money. It went to the company for which he was the receiver.

Mr. HAWLEY. Victor Emanuel, who contributed $5,000 to the Democratic National Committee, is a director of the Philadelphia company, which, with its subsidiaries, received a refund of $2,291,617.

John W. Davis, who contributed $5,000 to the Democratic National Committee, is a director of the Mutual Life Insurance Co., which received two refunds, one of $550,515 and another of $674,286.

The Untermyer family, which contributed $25,000 to the Democratic National Committee, is represented on the board of the Bethlehem Steel Co., which received a refund of $434,858.

Bernard M. Baruch, who contributed $50,000 to the Democratic campaign fund, received a personal refund of $6,205.

John J. Raskob, who contributed $150,000, received a personal refund of $3,968.

In the short time I have had available I have been able to assemble only a few instances.

Mr. BLANTON. Will the gentleman yield?

Mr. HAWLEY. I will yield briefly.

Mr. BLANTON. With the exception of the two small items aggregating $9,000 last mentioned, all of the other big items were for corporations the stockholders of which were probably all Republicans or mostly all.

Mr. HAWLEY. The gentleman is not correct.

Mr. BACHARACH. Will the gentleman yield?

Mr. HAWLEY. I yield.

Mr. BACHARACH. I presume Republican stockholders would elect a Democrat, then, as a member of the board of directors?

Mr. BLANTON. Oh, if they had good judgment they would.

Mr. HAWLEY. I make this statement for the purpose of making this observation, that refunds have been made to millions of taxpayers without respect to party affiliation, but made under the requirements of the law and in compliance with decisions of the courts.

The situation is that a taxpayer reports his annual income, the tax which he thinks he should pay, in his tax return. Those returns are examined in the field by three separate groups, and when they come to Washington they are further examined by five separate groups.

Whenever, in the judgment of the persons charged with this matter of investigation of any return, it appears to them that the taxpayer has underpaid his taxes, they levy additional taxes to cover any possible failure on the part of the taxpayer to return the proper amount. If for any reason they think there might be any danger of the Government not being able to collect the taxes they levy a jeopardy assessment. When these returns have all been diligently examined, when the examination has been made in the field and in the bureau, and all the available information it is possible to obtain has been collected, the cases are thoroughly reviewed, taking into consideration the provisions of the law and court and board decisions, in view of all the precedents that have been established, and determine how much of the additional taxes the taxpayer ought to pay. Under the law they retain that amount in the Treasury, but also under the law the taxpayer can sue for his return. They return all the balance that is not justly due the Government. There is no evidence or indication that political affiliation or other influence is given any weight or consideration.

Now, that is only honesty in Government. They never inquire of the taxpayer, and I doubt if they could tell one time in 10,000 the political affiliation of the taxpayer, as the returns come in and are considered. They never inquire of them whether taxpayers belong to one party or the other.

The implication that the gentleman from Texas apparently desired to leave was that the Treasury, as now organized, was engaged in returning to contributors to Republican campaign funds some money in the form of refunds, and the gentleman further left the implication that this was done as a matter of reimbursement, to encourage other contributors so to contribute. If that were the policy, why should they resort to this round-about method? The easiest, the simplest, and most direct way that could be discovered would be to levy no additional assessments at all.

The fact that the Treasury has levied more than $5,000,000,000 in additional assessments on taxpayers of all parties impressively refutes the suggestion of favoritism.

Mr. GARNER. Will the gentleman yield?

Mr. HAWLEY. In just a moment. Such a proceeding would not bring the matter to attention or discussion, cases would not come to Congress or any committee thereof, and could be settled in such way as never to cause any remarks.

Mr. GARNER. Will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. GARNER. Does the gentleman think it was absolutely necessary for his party's interest and welfare in the last election to take the Commissioner of Internal Revenue out of that office and put him into the job of collecting campaign funds for your party?

Mr. HAWLEY. Every citizen in the United States is entitled to select the occupation that suits him best and pleases him most.

Mr. GARNER. But you took your Commissioner of Internal Revenue out of that office and put him in the office of collecting campaign funds.

Mr. HAWLEY. If he desired to enter into that occupation he had a perfect right to do so.

Mr. GARNER. He had the right to do so, but he was the one man who had more information concerning these tax refunds than any other man in the whole country.

Mr. HAWLEY. And does the gentleman suppose the former Commissioner of Internal Revenue influenced the Democrats to give contributions to the Democratic campaign fund because such contributors received refunds? The thing is absurd in itself. [Applause.]

Now, suppose a conspiracy existed in the department such as has been indicated by the gentleman from Texas. The greater part of the personnel in the department and in the field which handles these tax refunds is under the civil service, and at least half of them are members of the Democratic Party. They are about equally divided, according to the information I have, because the civil service knows no party relations. There are but few of these persons who handle tax matters who are personally appointed. If a conspiracy existed it would need to involve all the civil-service personnel employed in the collection of taxes; it would need to include men and women of all parties, and it would need to have continued for more than 10 years, with no person ever suggesting, except the gentleman from Texas—who has had nothing to do with the matter—that there was such a conspiracy. As I said before, instead of going through this great amount of work or reauditing returns, levying additional taxes, and planning to refund the money to certain classes of persons as a reward for campaign contributions, the easiest thing to have been done was not to have assessed them any additional tax whatever.

More than that, if you will go through the general returns and general amounts collected it will be found that those who are Republicans by affiliation have been as hard hit in the additional assessments as others. What I am meaning to say is that there is no such thing existing, except in the mind of the gentleman from Texas, that is, that political favors are being distributed by the Treasury Department. Every taxpayer's return is audited upon its merits and upon all the facts that are ascertainable. He is taxed that additional amount which he ought to pay and is returned that amount which is not justly due. The Government ought to be honest with its taxpayers and this Government is trying to be so.

The gentleman from Texas raised another question relating to the percentage of refunds from year to year. If you will take the aggregation for the years from 1917 to 1921, the aggregation of additional assessments, you will find that during the last four years of Mr. Wilson's administration they made additional assessments of about $636,747,037, but in the first four years of the present administration of the Treasury Department they made additional assessments of taxes amounting to over $2,157,904,700. When our Democratic friends retired from their last administration they left on the desks of the Treasury vast accumulations of returns that had not been handled because of an insufficient force and because the force had not been trained in the handling of such large amounts. When Mr. Mellon took over the Treasury—a man of great ability and wide

experience in the management of great affairs—he immediately effected a better organization, which began the auditing of these returns and I want to read you the results. When they began the settlements on a large scale and began to diminish the accumulated returns, necessarily they dealt in larger sums and in larger amounts. The returns undisposed of at the end of the years 1920, 1921, and 1922 are not available, but for 1923 there were 3,032,544 returns undisposed of at the end of the year. That number decreased about 600,000 the next year, the next year 400,000, and it gradually declined, until at the end of the year 1930 there were 221,893 estimated to be yet undisposed of.

For instance, in 1925 ninety-six per cent of the additional assessments were for the war years 1917 to 1921, when the department was under Democratic control. It is fair to assume that prior to that time nearly 100 per cent of the additional assessments were for those same years. In 1926 90 per cent of the additional assessments were for the years 1917 to 1921. It was not until 1927, when the percentage fell to 59 per cent, that the present Secretary of the Treasury began to clear up the mess left by the Democratic organization, which would have let millions in taxes escape from failure to assess proper additional taxes. Finally, in 1930, the percentage of additional assessments applying to 1917 to 1921 fell to 25 per cent, showing that the department has now nearly finished with the heritage of work left by the former administration. In the same year, as might be expected, both additional assessments and refunds decreased from the mere fact that the department was practically current with its work and not for the various other causes assumed by the gentleman from Texas.

To show how the department has been put on a business basis, I will give the following figures showing total number of returns disposed by the Income Tax Unit for each of the recent fiscal years, and also the number of returns on hand undisposed of at the close of each of these years. I am giving all the data on these items which are immediately available. The figures are as follows:

Returns handled by Income Tax Unit

Fiscal year	Returns disposed of during year	Returns on hand and undisposed of at end of year
1920	697,853	(1)
1921	1,570,997	(1)
1922	954,731	(1)
1923	1,292,612	3,032,544
1924	2,329,191	2,430,055
1925	1,751,613	2,011,084
1926	2,155,993	742,740
1927	2,482,021	474,535
1928	3,247,703	328,186
1929	2,196,695	270,447
1930	2,297,351	221,893

[1] Not available.

These facts show indisputably the very satisfactory present condition of the Income Tax Unit.

None of the statistics given by Mr. GARNER, or in the reports of the Secretary, for that matter, can be properly understood without a proper appreciation of the magnitude of auditing millions of returns annually and without recognizing the fact that when the Income Tax Unit was established it was woefully undermanned to cope with the task of collecting the high war taxes suddenly applied.

Personnel of Internal Revenue Bureau

Close of fiscal year—	Bureau in Washington	Field force	Total
1917	585	4,529	5,114
1918	1,597	7,257	8,854
1919	4,088	9,967	14,055
1920	5,912	12,528	18,440
1921	7,052	12,541	19,593
1922	7,275	14,133	21,388
1923	7,239	13,756	20,995
1924	6,447	12,756	19,203
1925	6,176	13,157	19,333

Personnel of Internal Revenue Bureau—Continued

Close of fiscal year—	Bureau in Washington	Field force	Total
1926	4,843	13,060	17,903
1927	3,801	9,410	13,211
1928	3,661	9,253	12,914
1929	3,584	8,689	12,273
1930	3,448	8,531	11,979

I completely answered Mr. GARNER's arguments on this case on this floor last spring, and I do not intend to repeat the statement now. It is all in the RECORD for those who doubt the propriety of this refund. (See CONGRESSIONAL RECORD for Thursday, March 20, 1930, pp. 5743–5766. Also the remarks of Mr. TREADWAY and Mr. BACHARACH.)

In conclusion, Mr. GARNER reverts to his desire for investigating all these matters. He has that power now. I have repeatedly urged him to go down in the Treasury with our staff and look through these voluminous files and see what he can find. Now, the papers in the United States Steel case alone fill two good-sized rooms, and will furnish the gentleman from Texas a good example of what a task is faced by the Secretary of the Treasury. It is easy to criticize, but hard to do better. Perhaps the gentleman would come back convinced that if we litigate all these cases, a final closing of tax liability will be a thing to be handed down from generation to generation.

The SPEAKER pro tempore. The time of the gentleman from Oregon has expired.

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent to proceed for five additional minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. HAWLEY. The Treasury Department gradually attacked these undisposed of returns, refunded the amounts of money that ought to be repaid, and kept the amounts of money that should be paid into the Treasury, with the result that beyond all question of any deduction that anyone might say ought to be made, and I am not conceding the correctness of the suggested deductions, the administration has added in excess of $1,838,000,000 to the income of the United States above that which the taxpayers had returned. [Applause.]

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. MOORE of Virginia. Before the gentleman concludes, will he tell us exactly what kind of investigation the joint committee makes of these refunds exceeding $75,000, who the experts are, how they are selected, who attends the meetings, and so on?

Mr. HAWLEY. The joint committee, as the gentleman from Virginia knows, was the creation of Congress. Its duties are defined. The Treasury shall send to it from time to time all proposed refunds in excess of $75,000, and for a period of 30 days, under the law, they are pending before the joint committee. The joint committee has no authority to make a refund or increase or decrease a refund or to deny the payment of a refund by the Treasury. It must report to Congress a statement of the proposed refunds submitted to it.

When the joint committee was organized several years ago under Judge Green as chairman, a meeting was held and a course of procedure determined. Judge Green selected the present staff. Mr. L. H. Parker, who was the chief of staff of the Couzen's investigating committee, is the chief of staff.

When these proposed refunds are transmitted, Mr. Parker sends a notation of that fact to all the members of the committee. Twenty-eight per cent of the refunds that come to us are based upon court decisions; 57 per cent are simply booking and clerical errors; 15 per cent involved questions that require some consideration or interpretation of law.

Of the 28 per cent that come as the result of court decisions the staff investigates to see whether the decisions

have been properly applied by the Treasury. Of the 57 per cent that are clerical or bookkeeping errors, they verify the accounting.

All of these, I should have said, are considered in conference with the Treasury, and the objections of the staff are considered and given due weight and modifications are made in conformity with an agreement upon the proper amounts.

Of the 15 per cent, if there are any questions that are not satisfactorily answered to the staff, if they believe the law has not been properly applied or the decisions of the courts properly interpreted, they are brought to the attention of the joint committee; otherwise the staff acts as an auditing body.

When a member of the joint committee receives a notation of a proposed return, he can ask for a meeting of the joint committee. He can take the staff and go to the Treasury Department and investigate them de novo. He can have access to all the books of the Treasury and all the information of the Treasury upon them. If no question is raised, they are not further considered by the joint committee.

No Member has been denied a hearing on any proposition submitted to the joint committee.

The gentleman from Texas proposes a special committee be appointed. Let me call your attention to that. In 1928 we had before us the settlement for 1917 with the United States Steel Corporation, and at that time the Treasury gave notice to the joint committee that the 1918, 1919, and 1920 settlements would be on in the near future. We considered the proposed settlement for these years on December 11 and 12, 1930, 448 days after notice had been given.

The documents, papers, and so forth, in this case occupied two rooms in the Treasury Building, all the shelving and the tables. The gentleman from Texas [Mr. GARNER] was especially urged to examine those matters and he said here on the floor of the House, after 448 days, that he had not been in those rooms. Now, if a man will not avail himself of the opportunities he has, what complaint has he?

Most of his attack against the Treasury Department upon its conduct of the Bureau of Internal Revenue consisted of a restatement of old charges and accusations which have on various occasions been effectively and conclusively answered. The only new feature was a discussion of the relation of refunds, abatements, and credits to income, excess profits, and estate taxes assessed and collected.

In order to have any accurate understanding of the point involved it is necessary to have clearly in mind the method used by the Government in assessing and collecting taxes during the years 1917 to 1924. Prior to the 1924 act and the creation of the Board of Tax Appeals the practice was to assess taxes sufficient in amount to cover all doubtful issues and to determine the true amount of taxes later. Taxpayers were given the right of filing claims in abatement covering all or part of the tax liabilities where the taxpayer believed that the tax assessed was not due and he proposed to submit additional data to prove his case. This necessarily left many issues to be adjusted after the returns were filed and after the Government had completed its preliminary investigations and made its preliminary assessments. In a vast number of instances the assessment of taxes under this method was purely a preliminary procedure and inevitably large amounts of these assessments were later abated or wiped out of existence. The assessment of the tax, therefore, brought nothing into the Treasury and its abatement took nothing out.

An abatement can therefore in no sense be considered as comparable to a refund. It does not involve the payment of moneys out of the Treasury of the United States. It amounts to no more than the concession by the department of a taxpayer's protest against a proposed deficiency. It is nothing more than a wiping out of a bookkeeping charge that had been tentatively made against the taxpayer pending future decision, and Mr. GARNER has no justification for including amounts abated in his statement of refunds made out of the Treasury.

The total amount of abatements and credits over the 14-year period referred to by Mr. GARNER is $2,252,042,676. While the separate statistics are not available, it is known that abatements constituted by far the larger amount of this sum. Furthermore, for reasons illustrated hereafter, the published figures necessarily include duplication of items, and in other cases, while the amount allowed the taxpayer takes the form of an abatement, it was never as a matter of fact due. For example, it is well known that under our estate tax law the taxpayer is entitled to a credit against Federal estate tax of amounts paid in inheritance or estate taxes to the various States up to 80 per cent of the amount of the Federal tax. Upon the filing of the Federal return the Government, in accordance with established practice, assesses the full tax liability. Later when the estate has ascertained and paid its tax liability to the various States it is entitled to a credit of these amounts up to 80 per cent of the Federal tax, and this credit takes the form of an abatement. It is therefore seen that the assessment of substantially 80 per cent of the tax liability as indicated upon the return is purely a temporary matter that adds nothing to the Government's collections, and the abatement thereof upon final adjustment of accounts between the taxpayer and the Government results in nothing which is properly comparable to a refund. The gentleman from Texas recently, in a statement given through his office to the press, incorrectly stated these facts in relation to the Federal estate tax. Under date of December 5, 1930, the New York Times published a statement made public through the office of Representative GARNER indicating that a refund of $16,966,258 had been made to the Payne Whitney estate.

Of this amount, $16,329,217.26 represented estate or inheritance taxes paid to New York and other States which under the provisions of the Federal estate tax law were to be credited upon the amount due the Federal Government and did not in any sense of the word constitute a refund. Yet the gentleman from Texas, as part of his political campaign against the Treasury Department, was willing to have the public believe that the Treasury Department had allowed this refund running into millions to this particular estate.

To illustrate further, in one large consolidated case an additional tax of $3,000,000 was proposed because the department was advised of impending dissolution proceedings. Section 280 of the revenue act of 1926 authorizes the department under certain circumstances to proceed against the individuals or corporations to whom the assets are distributed. There were three such companies in this case. The law authorizes the collection of the full amount from any one of the distributees who received assets in the amount of the liability. Proceedings must be started within a limited period to protect the Government's opportunity to collect. There is not time to determine within that period what the distribution of the assets might have been, and so the tax is proposed in the full amount against all of the individuals or corporations. In this case taxes aggregating $15,000,000 were assessed against various taxpayers, or five times the amount of the tax proposed, so that at least $12,000,000 will be eliminated. Certainly, Mr. GARNER will not charge that the department should not abate in such a case as this, nor can such abatement be termed in any sense a refund.

Another instance: A tax case involves a bootlegger who is known to have operated under numerous aliases. The tax is assessed in the full amount under a number of different names. The full tax, penalty, and interest proposed was $611,682.57. The amount was assessed seventeen times, and, of course, in any event must ultimately be eliminated sixteen times. Since the Government's chances of reaching assets of members of this fraternity are not of the best, it may be abated perhaps seventeen times. Surely Representative GARNER may not complain in such a case as this that the department is abating taxes without proper warrant.

The operation of credits can be very concisely stated, as follows: If upon final adjustment of tax liability it is found that a certain taxpayer has overpaid his tax by $1,000 for,

say, 1918, and that he owes the Government $2,000 for 1920, the simple procedure prescribed by law is for the Government to credit the $1,000 to the $2,000 and then collect the difference of $1,000 in cash from the taxpayer, and this is exactly what it does. It is nothing more than the offsetting of accounts between the taxpayer and the Government, just as any two individuals would do. It may thus be seen that a credit bears some resemblance to an abatement and some resemblance to a refund. It is similar in character to a refund, but it differs from a refund in that a credit does not involve the return of taxes actually collected. Moreover, from an accounting and budgetary standpoint, credits should not be included in refund figures since they do not involve payments from the general fund for which annual appropriations have been made by the Congress. Refund figures conform to the sums actually expended as the result of an appropriation.

It is these abatements and credits which Mr. GARNER proposes to add to the refunds in order to afford a basis of comparison, i. e., a comparison showing the relationship between total refunds, credits, and abatements to total collections. It is noted that certain of Mr. GARNER's other comparisons are also illogical. For example, he proposes to take the receipts for the 14-year period—1917 to 1930, inclusive—of income, excess profits, and estate taxes and compare them with the total refunds, credits, and abatements of all internal-revenue taxes, notwithstanding that substantial refunds were made during these years of many miscellaneous taxes. In this respect he falls into the error of comparing unlike things.

Mr. GARNER points to the fact that through the years 1917 to 1921 the percentage of refunds to income, profits, and estate-tax collections varied from one-tenth to eight-tenths of 1 per cent, while in 1922 the percentage increased to 2.2 per cent, and in 1926 to 8.3 per cent, while in 1927 the percentage dropped to 4.5 per cent, and since that time has varied from 4.5 to 7.9 per cent. From this he evidently infers that had it not been for the new administration which came into office in March, 1921, the percentage of refunds to collections would have continued to be less than 1 per cent, and had it not been for the creation of the Joint Committee on Internal Revenue Taxation in 1926 the percentage of refunds would have continued to run in excess of 8 per cent.

Anyone familiar with the administration of income tax laws knows that during the period from 1917 to 1921 the activities of the bureau were principally in the nature of gathering additional data through field examinations and otherwise preliminary to the making of final adjustments of tax liability, which adjustments were made in the later years. The period of adjustments fell principally in the years 1922 to 1926, although it has continued up to the present time. The Joint Committee on Internal Revenue Taxation was not created until the larger part of these adjustments had been made. From that time forward the amount of refunds was less than in prior years—not due to the creation of the joint committee but simply because the Treasury Department had closed up a large number of the more important cases in the prior period. It should also be noted that the percentage of refunds to collections from 1922 to 1926, inclusive, amounted to 6.36 per cent, while the percentage of refunds to collections from 1927 to 1930, inclusive, amounted to 5.95 per cent, or only fifty-nine one-hundredths of 1 per cent less than those for the period 1922 to 1926, inclusive. The unevenness of the percentages of refunds to collections over the period 1926 to 1930, inclusive, was not due to the creation of the joint committee but to other considerations, such as the fact that the bureau's appropriations for refunds at times became exhausted, necessitating the holding up of refunds until new appropriations were made available. Furthermore, the creation of the joint committee and its staff with the requirement that refunds in excess of certain amounts be submitted to the joint committee before payment prolonged the consideration of cases to a certain extent in 1927. When the machinery to take care of the new requirements came into full operation in 1928 and 1929, the percentage of refunds to collections showed an increase.

The Treasury Department submits annually to the Joint Committee on Internal Revenue Taxation a complete analysis of its overassessments for the preceding year showing the causes therefor. In a Treasury letter dated April 25, 1930, addressed to Hon. WILLIS C. HAWLEY, chairman Joint Committee on Internal Revenue Taxation, and accompanying such analysis for the period from February, 1929, to January, 1930, inclusive, the following statement was made:

In this connection it is particularly interesting to note that 84.409 per cent of the overassessments of income taxes and 91.23 per cent of the overassessments of estate taxes are attributable to clerical or bookkeeping adjustments or to causes beyond the control of either the Treasury or the taxpayer; that is, to adjustments after the payment of the tax based upon causes which could not fairly be considered prior to the payment, such causes being:

	Per cent
Income taxes:	
Court and board decisions	37.250
Duplicate and arbitrary assessments	11.172
Depreciation and depletion adjustments	10.083
Inventory changes	3.891
Shifts of income	7.567
Special assessment	3.691
Amortization and loss adjustments	3.962
Invested capital and affiliation changes	4.318
Specific legislation	2.475
Total	84.409
Estate taxes:	
Court and board decisions	34.890
Credit for State inheritance taxes	47.950
Executors' fees, expenses, etc., paid subsequent to filing return	3.960
Duplicate assessments	4.430
Total	91.230

The letter of April 25, 1930, as well as the analysis of overassessments submitted by the Treasury Department may be found in House Document No. 478, Seventy-first Congress, second session, entitled "Refunds and Credits of Internal Revenue Taxes, 1929."

Coming now to Mr. GARNER's favorite contention that the income tax law should be administered by the courts and not by the Treasury Department, and more particularly to his criticism of the settlement with the United States Steel Corporation, he once more protests that the case should have been tried in the courts. In this connection it is desirable to point out that during the past five years the Board of Tax Appeals has considered cases which are reported in some 21 volumes, and that the tax cases decided by the courts would likewise fill a substantial number of volumes. And the board still has upon its docket some 16,000 cases awaiting trial. These represent cases in which the bureau has been unable to reach a satisfactory agreement with the taxpayers. If the bureau had submitted every question concerning which there was some doubt to the board or to the courts, it is probable that it would have been necessary to change the entire judicial system of the country. In the case of the Steel Corporation, Mr. GARNER ignores the fact that this complicated and voluminous case occupied the attention of a corps of lawyers, engineers, and other experts over a period of years; that the files alone would fill a large-size room; that its trial would have taken a period of months in any court, which could not possibly have been as well equipped to determine the difficult points at issue as the bureau officials who have devoted years to its study. This company represented the Government's largest taxpayer during the profits-tax years. For the years 1917 to 1920, inclusive, the tax assessed on the company's original returns amounted to $503,059,003.22. From time to time the Government collected additional taxes which totaled $57,069,196.32. The eventual adjustment of accounts between the taxpayer and the Government showed overpayments of $75,060,543.30, which resulted in a net refund of original taxes of $17,991,346.98, or 3.58 per cent. The admitted policy of the Steel Corporation during the war was to pay all additional assessments without question, regardless of their inaccuracy, leaving a proper adjustment to a

later date. It does not seem extraordinary that in interpreting and applying the complex and intricate provisions of the profits tax laws the corporation should have made an error amounting to 3.58 per cent.

Mr. GARNER again calls attention to the fact that after the Government had settled this case the Court of Claims handed down a decision in the case of the Packard Motor Car Co. against United States, under which the Government might have been benefited to the extent of some $6,000,000 of tax and $4,000,000 of interest. Whether this is true is open to very serious dispute. The issue to which Mr. GARNER refers relates to the handling of intercompany profits in the opening 1918 inventory for normal tax purposes and was not directly involved in the litigation before the Court of Claims in the Packard case which dealt with these intercompany profits for profits-tax purposes. The Department of Justice, in arguing against the petition for certiorari to the Supreme Court filed by the Packard Motor Car Co., took exactly this position, and claimed that the decision except by dictum, which is not entitled to weight as a legal precedent, was not contrary to the bureau rulings which the Government followed in adjusting the United States Steel case. Furthermore, the normal-tax issue, which was not directly before the Court of Claims, is now pending before the Board of Tax Appeals and other district courts and may eventually be decided contrary to the Court of Claims dictum in the Packard Motor case. However, assuming for the purpose of argument that Mr. GARNER is correct in his statement that the Packard Motor Car Co. decision indicates that the Government refunded an excess of some $6,000,000 of tax and $4,000,000 of interest in the Steel case, this by no means proves that the Government did not use good judgment in settling the Steel Corporation case. If the taxpayer had succeeded in the Packard Motor Car Co. case, the decision would have shown that the Government in the Steel Corporation case should have refunded an additional amount of approximately $36,000,000, carrying interest of approximately $24,000,000. In other words, the Government conceded a possible $10,000,000 against a possible $60,000,000, which in a matter of doubtful litigation would ordinarily be regarded as a good settlement.

Aside from using dictum found in the Packard Motor Car Co. decision on which to base his contention that the Government refunded an excessive amount of $6,000,000 in tax and $4,000,000 in interest in the United States Steel case, Mr. GARNER suggests a possible application of this decision to years prior to 1918 which involved considerations entirely different from those existing as to 1918, and notwithstanding the Court of Claims expressly excluded such prior years from consideration in rendering its decision as to tax liability for 1918 under the revenue act of 1918.

In this connection Mr. GARNER intimates that the Government may have refunded an excess of $17,000,000, plus interest, to the United States Steel Corporation for the year 1917. In making this intimation he has disregarded the case of L. S. Donaldson & Co. (12 B. T. A. 271), wherein the Board of Tax Appeals, in a carefully considered decision, has held that the principle thereafter applied by the Court of Claims under the revenue act of 1918 for the year 1918 has no application to the years controlled by prior revenue acts.

If the bureau should defer the closing of all cases until the issues involved therein have been finally determined by some court decision, administration would come to a standstill. Meantime interest would continue to run and would reach staggering figures. The various doubtful issues must, wherever possible, be balanced one against the other in an effort to reach an equitable and prompt disposition of cases, fair to both the Government and the taxpayer.

The present situation with the Steel Corporation furnishes an excellent illustration. Mr. GARNER has on various occasions protested vehemently that the Steel Corporation settlement was disadvantageous to the Government because, according to his statement, the subsequent decision in the Packard Motor Car Co. case would have benefited the Government to the possible extent of $10,000,000. He is apparently unaware of the fact that the Court of Claims has very recently handed down a decision in the cases of Hyatt Roller Bearing Co. and other companies against United States which decided another issue which was of major importance in the United States Steel Corporation case involving the determination of consolidated invested capital. When the decision of the Court of Claims in the Hyatt case is applied to the facts in the United States Steel Corporation case it is found that the United States Steel Corporation would be entitled, had not that case been finally closed, to an additional refund of about $36,000,000 in taxes plus about $22,000,000 in interest or a total of $58,000,000. On the basis of decisions rendered to date it is thus seen that the Government's action in settling this very complicated and difficult case administratively instead of through the courts has resulted in the saving of many millions of dollars to the Government.

The Treasury Department offers no apologies for the refunds that have been made during the period covered by Mr. GARNER's study. Elaborate precautions have been taken to see that the interests of the Government have been fully and adequately protected. A system has been set up which provides adequate checks and review in all cases. The suggestion that under this system refunds are made for political or other improper purposes is preposterous. The record of the Treasury proves that it has stoutly contested with taxpayers its right to retain moneys paid in taxes, but when a proper case is made and an erroneous payment is established the taxpayer's money should be refunded promptly and without quibble. [Applause.]

The SPEAKER. The time of the gentleman from Oregon has expired.

AGRICULTURAL CONDITIONS IN NEBRASKA

Mr. HOWARD. Mr. Speaker, ever since this session of the Congress convened we have been under the shadow of distress. Everybody has talked distress and destitution due to the great drought of the past year.

The SPEAKER. Does the gentleman from Nebraska desire unanimous consent to make some remarks?

Mr. HOWARD. If you please, Mr. Speaker.

The SPEAKER. What period of time?

Mr. HOWARD. Oh, I think about five minutes.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. HOWARD. Mr. Speaker, for three painful weeks the membership of this House has been trending through the Valley of Distress. Member has vied with Member in carrying to our ears the sad story of destitution in those districts where the abnormal drought of the past summer destroyed every living thing in the vegetable world. Our eyes have been dimmed by the pitiful word pictures loosed from the lips of our colleagues in earnest appeal for quick action by this Congress in effort to lift the people in the stricken sections out of the slough of despond and to give hope to hearts from which hope had fled.

In these ought-to-be-glad pre-Christmas days I had hoped that the stories and pictures of distress might give way to conversations and pictures fraught with more of happiness and hope, and with less of sorrow.

Vain hope. Within the hour we have seen and heard America's master picture of grief, in the personality of the ponderous and distinguished gentleman from Oregon [Mr. HAWLEY]. No melancholy Dane was able to display so much of misery of countenance as was displayed by the facial outlines of our HAWLEY while he was making effort to explain a miracle—the miracle of making Treasury figures and estimates of yesterday jibe with figures and facts of to-day. The only redeeming thing in connection with this saddest of pictures was one effulgent gem in the tiara of misery resting upon the marble brow of our HAWLEY while in the act of defending the indefensible—the gem of remembrance of the beauty of him at all times when he is not engaged in effort to perform impossible miracles. [Laughter and applause.]

And now, Mr. Speaker, let me direct the attention of my fellows in this House, and particularly my colleagues who represent those districts most cruelly touched by the great drought of the summer, to one zone in which the horn of plenty was turned upside down, agriculturally speaking, during the past year—a zone in which none save a few Indians, neglected by their unfatherly governmental guardian, know anything about the pangs of hunger. Of course, I make reference to Nebraska, where during the year our farmers produced wonderful crops of corn, wheat, alfalfa, potatoes, and, indeed, every manner of food and feed stuffs incident to our temperate zone.

The hand of God has rested blessingly upon Nebraska during the year, although God's mercy and abundant crop yields go hand in hand with the damnable attitude of the parent Government in permitting its favored tariff barons to levy unjust tribute upon and from our people. The heart of Nebraska is a sympathetic heart. It beats sympathetically with human beings as well as jackasses in every zone where the cruel hand of the drought fiend worked his wicked will this year and bids all sufferers in the drought zones to turn their eyes with hope and confidence to the grandeurs and the glories of Nebraska, with a promise and a pledge that our farmers will sell at less than the actual cost of production all the seed which may be needed to enable their brother farmers in the suffering sections to plan and plant for another crop in a better year. [Applause.]

WILLIAM TYLER PAGE

Mr. TILSON. Mr. Speaker, I wish to take this opportunity to call attention of the Members of this House to the fact that on this day our very efficient Clerk, William Tyler Page, completes his 49 years of service as an employee and official of this House. [Applause.]

AGRICULTURAL APPROPRIATION BILL

Mr. DICKINSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15256) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1932, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. TREADWAY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

Agricultural chemical investigations: For conducting the investigations contemplated by the act of May 15, 1862 (U. S. C., title 5, secs. 511, 512), relating to the application of chemistry to agriculture; for the biological investigation of food and drug products and substances used in the manufacture thereof, including investigations of the physiological effects of such products on the human organism; to cooperate with associations and scientific societies in the development of methods of analysis, $465,150.

Mr. JONES of Texas. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman or some member of the committee about this item appropriating $465,150. I find upon looking at the report that a part of this appropriation is to be used in connection with research investigation of the products of the farm at Ames, Iowa, the State Agricultural College. I assume from the report that $75,000 of that is going to the institution.

Mr. DICKINSON. The gentleman is mistaken, it is not going to the institution, it is to carry out research work in cooperation with that institution and at that institution.

Mr. JONES of Texas. That is in accordance with the suggestion made in the measure which the gentleman had referred to the Agricultural Committee. I have no objection to the work, and I want to say that they do very fine work in investigating as to the utilization of the waste products of the farm, products which heretofore have not been utilized.

But there is also pending before that committee a companion bill which I presented and which provides for work to be done at some southern station in connection with the waste products of that section of the country. Is any provision made in the bill for that kind of work?

Mr. DICKINSON. There are three increases this year for that class of work. One in Florida, one for the citrus interests in the Rio Grande Valley, and another for the pecan industry in the State of Mississippi.

Mr. JONES of Texas. Those are specific appropriations for one commodity. This carries a program for the major crops—cotton and wheat.

Mr. DICKINSON. There is no difference in the type of work they do.

Mr. JONES of Texas. Those are appropriations for individual crops in local sections. I understood from the committee that this institution was planning to use the funds for the benefit of a large section of the country; that is, on the major crops. I think it wise to have that work done. The report indicates efforts to utilize cornstalks, cereal straws, corncobs, oat hulls, cotton stalks, cottonseed hulls, cotton motes, flax straw, peanut hulls, sugarcane, and other agricultural waste products. In other words, the institution is to conduct an investigation that would be for the utilization of farm waste that might have accumulated and heretofore was not utilized. Now, covering cottonseed hulls and other products grown largely in another section, it occurred to me that provision should be made, not particularly in the West where no cotton is grown, but that there should be a similar provision for investigation at some point in the South.

Mr. DICKINSON. Let me suggest to the gentleman that research on fiber will apply to every type of fiber. Cotton stalk is fiber, cornstalk is fiber. Naturally the research work is a chemical industry and will be carried on in one institution, and that institution we hope to have located at Ames, Iowa, the largest research plant in Iowa or in any State of the Union doing that type of work.

That being the case, there is no reason why that plant can not do the work for fiber waste of all kinds. If it comes to the point when it is found that the work done there can not meet the requirements of the South with reference to that, I shall be one of those who will gladly aid in an extension of the work, because I am a believer in it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. JONES of Texas. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. JONES of Texas. Mr. Chairman, I would not for a moment undertake to discount the work done at Ames, Iowa. In fact, I was much impressed by the testimony in reference to the work they have done there. They have done some fine work, and have submitted to the House Committee on Agriculture some wonderful examples of work done in the way of turning out products from these waste materials. There were a number of articles that will be useful and others that are in the process of experimentation. I agree with the gentleman that fibrous material is in large measure the same, and yet every plant is somewhat different. Their very demonstration shows that they have done a great deal more work in connection with the waste products of materials grown in their own great section of the country than in another section. They had on display a book printed on paper made from cornstalks. They exhibited a great many other articles made from cornstalks, wheat straw, and oat straw; but those are the principal things that they were investigating. That is quite natural. The men up there are familiar with those things; they are very handy to them, while the cotton stalks and the products of the South are not near by and available. Naturally their work will center largely on the waste from the products from the farms in their own section, and I offer that not in a spirit of criticism. I would like to have the committee make provision for a laboratory plant in another great section of the country, and I want to see work done in the way of finding new uses

for products not heretofore used. A similar plant should be in the heart of another of America's great commodities. The plant at Ames, Iowa, is in the heart of the corn and wheat section. We have another great section of the country that produces a commodity that accounts for more than one-half of our balance of trade, and that, perhaps, is the most valuable product of all the products made in America. It seems to me it would be wise to have a similar plant established at some point in the center of this great section of the country, where experiments could be carried on to find uses for a number of products that are grown there and that now go to waste, and which would enable that section of the country to have the advantage of these investigations. It is a matter of common knowledge, and has been for years, that the by-products of the packing institutions and other industries are what they make their money out of. Therefore, this work which would utilize these products that have heretofore been thrown away is tremendously important, and I think the work should be carried on at some point in the southern as well as other portions of the country.

I withdraw the pro forma amendment.

Mr. DICKINSON. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. DICKINSON: Page 51, line 24, after the figures "$465,150" and before the period insert a colon and the words "*Provided*, That the Bureau of Chemistry and Soils cooperate with the Bureau of Standards without duplication."

Mr. BLANTON. Mr. Chairman, I reserve the point of order on the amendment.

Mr. DICKINSON. Will the gentleman state his point of order?

Mr. BLANTON. I reserve the point of order in order to ask the gentleman a question. Would his amendment in any way interfere with the activities now being carried on by the Bureau of Standards?

Mr. DICKINSON. That is just what I am going to explain. I propose to make a statement on the whole thing.

Mr. BLANTON. They have been carrying on some activities and experiments at the Bureau of Standards exclusive of those carried on by the Department of Agriculture. If this amendment is going to require them to collaborate with the Department of Agriculture and to carry on only such activities as may be agreed upon between them, then their activities would be circumscribed and the country might suffer a loss. I am sure the gentleman is just as much impressed with the importance and value to the country of the activities carried on by the Bureau of Standards along this line as he is concerning those carried on by the Department of Agriculture, and what I have in mind is not to agree to any amendment here that would restrict or circumscribe or destroy the value of the present activities of the Bureau of Standards. This proposed amendment is a change in law and that is the reason I have reserved the point of order. If the gentleman can explain that that will not be the effect of it, I shall be glad to withdraw the point of order. I would like to have his idea on that point.

Mr. DICKINSON. I was just trying to tell the gentleman that I have here a statement from Doctor Burgess, of the Bureau of Standards, and Doctor Woods, from the Agriculture Department, but the gentleman would not let me tell him. He talked all around Robin Hood's barn. This amendment has been agreed upon between the two departments, and it is merely a continuation of the friendly relations heretofore existing between them.

Mr. BLANTON. The gentleman is sure it will not restrict the activities of the Bureau of Standards?

Mr. DICKINSON. I thought I tried to tell the gentleman that.

Mr. BLANTON. The gentleman could say so definitely without beating around Robin Hood's barn.

Mr. DICKINSON. The gentleman has asked the same question several times, but each time in a different way. I say that we are not going to have any trouble between the Bureau of Standards and the Department of Agriculture. We have an agreement with them.

Mr. BLANTON. Now, that is a definite answer, and I withdraw the reservation of the point of order.

Mr. DICKINSON. Their statement is that they know exactly what they are going to do.

Mr. BLANTON. I finally did get a definite answer.

Mr. DICKINSON. No; the gentleman did not. The gentleman asked me seven questions in the same language, trying to reach the same conclusion.

Mr. Chairman, I now want to make a statement with reference to this amendment.

In the appropriation bill of 1927 those interested in farm-waste research placed an appropriation of $50,000. As a matter of fact, that has been carried on since that time down to date. The Bureau of Standards is doing a splendid work on certain phases of farm waste. The Department of Agriculture is doing an entirely separate and distinct type of work, and I wish to include as a part of my remarks a statement from the Bureau of Standards signed by Doctor Burgess with reference to the field of work in which they are occupied, and a statement from Doctor Woods, who is the head of research in the Department of Agriculture, with reference to the field of work that they expect to occupy. I think that this will clarify the situation in the minds of everyone that there is going to be absolutely no duplication in their work and they will carry on the work in exactly the same friendly way that they have been doing for all these past years.

The letters are as follows:

DEPARTMENT OF COMMERCE,
BUREAU OF STANDARDS,
Washington December 17, 1930.

Subject: Industrial utilization of agricultural products.

Hon. WILL R. WOOD,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: In response to the questions raised at the informal hearing on the 17th about the industrial utilization of agricultural wastes:

To make the cooperation between the two bureaus mandatory the wording as given in the attached is suggested.

The development of a manufacturing process is fundamentally the application of science to industry. This is the kind of work which this bureau is staffed and equipped to do, and is continuously doing. The nature of the raw material affects the details of a specific process, but does not change the basic principle. It is, therefore, believed that this bureau is peculiarly able to help the American farmer find markets for the waste parts of his crops by using them as raw materials for manufacturing processes.

Since this fund was established on July 1, 1927, we have completed three projects: The manufacture of insulating board from cornstalks, of maizolith from cornstalks, and of xylose from cottonseed hulls. We are now working on the manufacture of paper from wheat straw, of pressed board from cornstalks, and of paper pulp from southern pine. We are studying the type of starch needed by the textile industry, and are developing the necessary analytical methods to a higher degree of precision. We are planning to continue our work along similar lines, bearing in mind always that our special field is in the application of science to industry.

Respectfully, GEORGE K. BURGESS, *Director.*

FARM-WASTE STATEMENT

It is estimated that in gross tonnage farm by-products constitute more than 60 per cent of the material removed from American farms. A careful accounting in the United States shows that there is an annual production about as follows:

	Tons
Cornstalks	100,000,000
General straws	115,000,000
Corncobs	20,000,000
Oat hulls	3,000,000
Cotton stalks	18,000,000
Cottonseed hulls	1,800,000
Flax straw	2,200,000
Peanut hulls	70,000
Sugarcane bagasse	500,000
Total	260,570,000

These materials have in them part of the farmer's assets—that is, the fertility of his land, his favorable climate, and his labor. The return they bring is now insignificant. As so much of the costs of agriculture is represented in farm by-products, it is obvious that their profitable utilization will result in a greater return, and economically is of greater importance than increased production either per acre or per man unit, since these products are on hand and ready for use, whereas increased crop production necessitates further expenditure of soil fertility and the farmer's time, energy, and money.

CROP BY-PRODUCTS

The chief constituents of cellular materials comprising crop by-products are approximately—

	Per cent
Cellulose	40
Lignin	30
Hemicelluloses (carbohydrates)	30

Cornstalks, for example, consist of approximately—

Cellulose	36
Lignin	30
Hemicelluloses (carbohydrates)	27

CELLULOSE

Cellulose, the fibrous part of plants, representing approximately 40 per cent of the dry matter of vegetation, is produced on the farms of the United States to the extent of about 100,000,000 tons. Its utilization in the form of paper, building board, insulating material is being investigated by the Bureau of Standards.

The Bureau of Chemistry and Soils is investigating specially—

LIGNIN

It is estimated that lignin is produced on the farms of the United States to the extent of about 75,000,000 tons per year. This product has been little studied, but is a possible source of organic chemicals, dyestuffs, tanning materials, and plastics.

HEMICELLULOSES (CARBOHYDRATES)

Hemicelluloses are the third major constituent of farm by-products and produced annually on American farms to the extent of about 75,000,000 tons. Their utilization affords an interesting field of research. The pentosans, one of the carbohydrate materials, has been utilized by methods developed in the Department of Agriculture for the production of furfural, now produced in large commercial quantities as a solvent.

NEEDED RESEARCH

The following are some of the most inviting fields of research:

Destructive distillation: The destructive distillation of by-products as a whole, or the destructive distillation of the several components, the lignin, the cellulose, and the carbohydrates, offers an inviting field for investigation, with the possibility of many industrial applications of the material obtained, such as organic chemicals, oils, tars, and decolorizing carbons. A recent development in a new type of retort makes it possible to carry on catalytic activities within the retort whereby it may be possible to change the character of the end product so as to make it more marketable.

Plastics: Some of the products obtained by destructive distillation are obtained from the lignin portion and give promise of utilization in the production of artificial resins and plastics, products which are coming into great industrial demand for insulating and for other purposes, even to the extent of utilization in the construction of furniture and other household ware.

Fermentation products: The fermentation products of cellulose and carbohydrates give promise of valuable utilization of a large part of farm waste. Such products may have an important place in the industrial field and include the various kinds of alcohol, acetates, and other organic chemicals.

Absorbents: It would seem possible to develop satisfactory absorbents out of products like cornstalks, bagasse, and other such material. In 1929 about eighteen and one-half million pounds of absorbent wood flour was imported into this country.

Fuel: The utilization of these farm by-products as a compressed fuel is another problem that needs thorough examination at this time, especially for use in those districts on the edge of the corn and wheat belts, where the ordinary fuels, wood and coal, are very expensive. The use of these by-products for fuel, if it is found feasible, will utilize a very considerable part of these products.

Rayon and lacquers: Rayon, frequently called artificial silk, and cellulose lacquers are among the modern products made from cellulose to-day, derived practically wholly from low-grade cottons and wood pulp. The possibility of making available the cellulose of farm by-products for these purposes is also worthy of careful investigation.

A. F. WOODS.

Mr. DICKINSON. With reference to the statement of the gentleman from Texas [Mr. JONES], permit me to say that we must start somewhere in this research work if the Government is going to undertake it. The suggestion contained in the bill before the Committee on Agriculture is for legislative authorization for the Government to acquire a laboratory to go into this work in a more intensive way. The fund in this bill is only for the purpose of paying the salary of the men and maintaining cooperation with the agricultural college at Ames in working out this farm-waste problem. It is purely research. I want authorization by the gentleman's committee, the Committee on Agriculture, for the establishment of a farm-waste plant at Ames, Iowa, similar to the one located at Madison, Wis., where the Government is now building a $900,000 building for forest-products research.

This committee is appropriating $637,000 a year in support of that research work. In my judgment it is tremendously important. We want to get started.

Mr. JONES of Texas. That is the reason why I made no effort to interfere in any way.

Mr. DICKINSON. The reason I think we should start in our locality is that, according to the testimony conducted before our committee, 237,000 tons of the 260,000 tons of farm waste occurs in our locality. Therefore if we are going to start on this thing we must start somewhere, and we hope that the House will agree that this is the place to start.

I would like to see that farm waste bill come out of the Committee on Agriculture. It is one of the most important bills now pending before that committee.

Mr. JONES of Texas. They have not reported it because they are investigating the one phase of it which I mentioned, that of establishing one in one great section of the country and another in another.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was agreed to.

Mr. BLANTON. Mr. Chairman, I offer the following amendment: Page 51, lines 21 and 22, strike out the words "the physiological effects of such products on the human organisms."

The CHAIRMAN. The gentleman from Texas [Mr. BLANTON] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 51, line 21, after the word "of," strike out the words "the physiological effects of such products on the human organisms."

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to incorporate in my remarks a clipping from the Star of yesterday with a quotation from Mr. Thomas A. Edison, the eminent scientist.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

Mr. BLANTON. At this juncture in my remarks I want this clipping to appear.

The printed matter is as follows:

[The Evening Star, Washington, D. C., Thursday, December 18, 1930]

EDISON SAYS AMENDMENT HAS BEEN HELP TO NATION—INDUSTRIAL AND ECONOMIC LIFE BENEFITED TO GREATER EXTENT THAN REALIZED, WIZARD DECLARES IN QUESTIONNAIRE

NEWARK, N. J., December 18.—Thomas A. Edison expressed the opinion yesterday that prohibition has helped the industrial and economic life of America and that its enforcement is improving daily.

His belief was set forth in answer to a questionnaire submitted to him by Rev. James K. Shields, superintendent of the New Jersey Antisaloon League.

The six questions and answers:

Q. Do you approve of the eighteenth amendment to the Constitution of the United States? If so, why? A. Yes. It is a necessary aid to permit practical enforcement of prohibition all over the country.

Q. Has it helped the industrial and economic life of America at home and strengthened the industrial standing of our Nation abroad? A. Yes; and to a greater extent than realized.

Q. In your judgment are children better fed and clothed and educated since the coming of national prohibition than they were before? A. In my judgment I would say decidedly, yes. Let me cite my experience as a manufacturer, similar to that of other manufacturers. On pay days before prohibition hundreds of pale-faced women, shabbily dressed, some with faded shawls around their heads, appeared at our factory at West Orange. They were waiting to get some of their husband's money before he got to a saloon. Within a year after the amendment not a single woman appeared. Surely we Americans do not want a return of this state of affairs. Undoubtedly the condition of the mother indicates the condition of the children, although they are perhaps a little better off than she, because she will do anything, even to giving up her life, to protect them.

Q. What attitude should the womanhood of America hold toward prohibition, and why? A. Woman is the custodian of the home and the children. She certainly, if a normal woman, does not desire the introduction of narcotics into her home, which in many cases changes a humane man into a brute.

Q. Are the boys and girls of America more likely to develop a higher degree of physical and mental fitness and become in every way better and more useful citizens under national prohibition of the liquor traffic, or under the old licensed system or any form of State or Government control? A. Yes; they certainly can not develop on alcohol and other narcotics.

Q. Should the eighteenth amendment be retained as a blessing to our American homes to-day and to those of future generations? A. Yes; enforcement is getting more practical day by day. We now attack the large manufacturer right in our midst instead of men with flasks and home brews.

Mr. BLANTON. It will not be denied by any American that Thomas A. Edison is one of the greatest scientists that this country has ever produced and one of the most successful business men.

Especially at this time I would like every Member of Congress, if they have not read this article in the press, to read carefully what Mr. Edison says about the beneficial effect of the eighteenth amendment upon the business industry of the country. He shows its importance and its value to business. I think it is worth while that these frank views of Mr. Thomas A. Edison should go into the RECORD at this time when the wet press of the country is backing up this effort, continued studied effort, to destroy the eighteenth amendment.

It is very evident to the mind of every thinking person in the United States that this stale, unjudicial opinion of this hitherto unknown Judge Clark is nothing more or less than a studied, deliberate effort on the part of this judge to get a new expression from the Supreme Court of the United States, upon which bench at this time only four members of those who have passed on this question heretofore now remain. Realizing that there are five new members upon the bench, it is a deliberate, studied attempt to get a new expression from that court.

I am not disturbed about this ridiculous Clark decision.

I withdraw the pro forma amendment.

Mr. COLE. Mr. Chairman, I move to strike out the last word.

I rise to speak, not on the Clark decision which has been discussed here, but on the subject of agricultural wastes.

That is a subject with which I am on familiar terms, for I regard myself as the author of the appropriation, first made in 1927, to enable the Bureau of Standards to cooperate with the college at Ames, Iowa, for the development of processes for the utilization of what are called the wastes of the farms, consisting largely of the fibers in straw, stalks, and so on. That was for the modest sum of $50,000, which was suggested by Dr. O. R. Sweeney, the head of the chemical engineering school at Ames. I may add that the man who is now President and who was then Secretary of Commerce, was the most important factor in that beginning.

The appropriations have been continued, and there is $50,000 for such purposes in the present Interior Department bill. The results, I believe, have been worth many times the amounts of the appropriations. The financial conditions and the fall in prices of certain commodities have somewhat interfered with the work, and even the necessity for it. But it is none the less going forward, and that with brighter prospects ahead.

Two synthetic board plants, which came into existence as a result of these appropriations and the research work made possible, are now in operation; and that successfully. Thousands of tons of Iowa cornstalks have been assembled for them, which it is hoped is the beginning of larger activities. The beginnings of two other plants have been delayed for the reasons I have already stated—finances and commodity prices.

The largest, perhaps, of the problems to be worked out has to do with the assembling of the materials, such as cornstalks. Work has progressed on the development of machinery for this purpose, and I take note of the fact that this is involved in the appropriation for a correlated activity under the Bureau of Chemistry of the Department of Agriculture, which is now under discussion.

The chairman of the committee, Mr. DICKINSON, has already made it clear that there will be no duplication between the two bureaus, one under the Department of the Interior and the other under the Department of Agriculture. He has also informed us that he is inserting in the RECORD as part of his remarks statements from directors of these bureaus. Instead of duplication there will be cooperation, and the field is vast enough and the results anticipated important enough to both agriculture and industry to call for such cooperation. We shall look for corresponding results.

The Bureau of Standards under its appropriations, beginning in 1927, has been working on three lines, especially the manufacture of insulating boards from cornstalks, the manufacture of maizolith from the same stalks, and the development of xylose from cottonseed hulls. The bureau has also under way process for the manufacture of paper from wheat straw and pressed boards from cornstalks. The processes of the bureau are all toward the application of science to industry.

May I add that I hope that in due time we will have more than these modest appropriations? We ought to have a thoroughly equipped plant on a scale commensurate with the importance of the utilization of these wastes. We have such a plant for utilization of forest wastes at Madison, Wis., for which, I understand, we are appropriating nearly a million dollars annually. This ought to be duplicated for the wastes of the farms. The chairman [Mr. DICKINSON] has introduced a bill for this purpose, which is now pending before the Committee on Agriculture. I hope that we may see this enacted in the near future, the sooner the better.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Color investigations: For investigation and experiment in the utilization, for coloring, medicinal, and technical purposes, of raw materials grown or produced in the United States, in cooperation with such persons, associations, or corporations as may be found necessary, including repairs, alterations, improvements, or additions to a building on the Arlington Experimental Farm, $93,460.

Mr. KETCHAM. Mr. Chairman, I move to strike out the last word. Mr. Chairman and members of the committee, I make this pro forma motion for the purpose of directing a question to the distinguished gentleman from Texas [Mr. BLANTON], who is recognized as a very able and distinguished lawyer and who, as a judge upon the bench, has earned for himself a fine reputation not only in his own State but the country over. In view of that record and the statement he just made with reference to a recent decision, I would like to ask him, not being a lawyer myself, what his judgment of that decision is, as a matter of law.

Mr. BLANTON. Mr. Chairman, if the gentleman would ask the lawyers on the Judiciary Committee, both wets and drys, their opinion of it they would probably tell him immediately that the decision is bunk, pure and simple; and that is my opinion of it. If that decision should nullify the eighteenth amendment it would at the same time nullify practically every other amendment to the Constitution. Slavery would still be in force and effect in the United States. In my judgment, it is a most ridiculous attempt on the part of that judge to cast aside his judicial ermine, the bench, and his duties and embark into the political arena and seek to help wet organizations in political agitation. It is the most ridiculous action from a Federal bench I have ever witnessed in my life.

Mr. KETCHAM. The gentleman agrees, of course, that it is a scholarly dissertation and presentation of that viewpoint.

Mr. BLANTON. There are among the wets in the United States some who are the most scholarly men in the United States. They are wets from different standpoints and angles. Some of them are wet fundamentally, because they do not believe in any sumptuary laws and they do not believe in having any of their so-called personal rights and prerogatives taken away from them. Some of them are wet because they want a drink and some because it is money in their pockets.

Mr. KETCHAM. But so far as the legal aspects of the decision are concerned, the gentleman still emphasizes the point that the decision is absurd?

Mr. BLANTON. In my judgment, it is absolutely absurd. The gentleman can search the United States judicial reports and he will not find, in my judgment, another such instance in the United States where a Federal judge has gone from the bench and attempted to engage in a discussion of political questions.

Mr. COLE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COLE. Are not these gentlemen from Michigan and Texas trying to influence the Supreme Court?

Mr. BLANTON. No; we are not. We are merely exercising our rights as representatives of the people and in a forum where we have the right to express our opinions. In my judgment, this judge did not have a right to go outside of his judicial duties to render this nonjudicial, untimely decision.

Mr. KETCHAM. I have read that decision with a good deal of interest and I was struck with the lack of very many references to statutes but the considerable number of references to literature generally. What has the gentleman to say with reference to that?

Mr. BLANTON. Does the gentleman from Michigan believe that this judge has ever read and thoroughly digested all of the references he cites? If he has, he is the most scholarly man in the whole United States to-day and he is one of the best-read men. However, I do not believe that anyone so young would have had an opportunity to digest all of the authorities to which he has referred.

Mr. KETCHAM. The gentleman's viewpoint corresponds exactly with my own and I thank him very much for his opinion, which coincides with mine.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Soil survey: For the investigation of soils, in cooperation with other branches of the Department of Agriculture, other departments of the Government, State agricultural experiment stations, and other State institutions, and for indicating upon maps and plats, by coloring or otherwise, the results of such investigations, $328,705.

Mr. BRIGGS. Mr. Chairman, I move to strike out the last word. I would like to ask the committee what provision is made for reprints of reports of soil surveys that were made quite a number of years ago and which the department now advises are largely out of print. Does this appropriation permit anything of that kind to be looked after?

Mr. BUCHANAN. I will state to my colleague that they got considerably behind by reason of the lack of funds, but we have been gradually increasing the appropriation in an effort to enable them to catch up. This bill carries an increased appropriation of $8,000 or $10,000, making over $100,000 for that purpose.

Mr. BRIGGS. Can any of this appropriation be utilized for reprints of soil surveys that were carried on 15 or 25 years ago?

Mr. BUCHANAN. I think not.

Mr. BRIGGS. There would have to be an additional appropriation, and probably the surveys would need to be brought down to date.

Mr. BUCHANAN. All of this appropriation is taken up in the printing of those recently made. There is no money carried for the reprinting of surveys which have now gotten out of print.

Mr. BRIGGS. And it would probably be necessary to make a resurvey in order to bring the surveys down to date?

Mr. BUCHANAN. Probably, because of soil changes.

Mr. BANKHEAD. Mr. Chairman, I move to strike out the last two words, and I ask unanimous consent to speak out of order for five minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to speak out of order for five minutes. Is there objection?

There was no objection.

Mr. BANKHEAD. Mr. Chairman and gentlemen of the committee, one of the very unfortunate happenings that has been caused by our industrial and agricultural depression has been the fact that a great number of borrowers from the Federal land banks, on account of the low prices received for their products and other unfavorable conditions, are absolutely unable to meet the current installment payments of principal and interest upon those loans. I do not know what the situation is in some of the other States of the Union, but I know that in my immediate section I have had numerous communications with reference to the absolute inability of a great number of our landowners in that section of the country either to secure the money from the sale of their crops or to borrow a sufficient amount of money from the local banks to meet these payments.

Unless Congress in its wisdom shall undertake to provide some reasonable system of moratorium for the benefit of these farmers the result will be that thousands and tens of thousands of them will probably have to sacrifice their life earnings and accumulations in the shape of farms under mortgage foreclosure proceedings.

I am taking the liberty of calling your attention to the fact that Senator HARRISON, of Mississippi, has introduced a bill in the Senate, and by his permission I have introduced a similar bill in the House of Representatives, which bills are now pending in both Houses before the Committees on Banking and Currency, seeking to provide temporary relief for men who are in these unfortunate circumstances by reason of having borrowed money from the Federal land banks.

At this time I shall not undertake to go into the provisions of this bill, although they are very simple. I am sure it is a matter that has engaged the attention of a great number of Representatives, and I especially desire to announce that the Committee on Banking and Currency of the Senate at 10 o'clock to-morrow morning will have a hearing upon Senator HARRISON's bill. If any of you are interested in this problem I would be very pleased to have you join me in appearing before that committee to hear the facts and a discussion of the necessity for the legislation, and if you can consistently do so, lend your cooperation toward securing the adoption of this reasonable measure.

Mr. LANKFORD of Georgia. Will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. LANKFORD of Georgia. Would that take care of cases where foreclosures have already taken place?

Mr. BANKHEAD. It provides there shall be a period of 18 months in which a man may redeem his property where it has not already been foreclosed. It does not provide, in its present form, for an absolute right of redemption where title to the land has been conveyed to a purchaser under foreclosure proceedings.

Mr. LANKFORD of Georgia. That could probably not be done except upon repurchase by the Government and a resale.

Mr. BANKHEAD. No.

Mr. KETCHAM rose.

Mr. BANKHEAD. I yield to the gentleman.

Mr. KETCHAM. The gentleman has already anticipated the question I had in mind to give us the terms of the bill in just a sentence.

Mr. BANKHEAD. Mr. Chairman, this is a very short bill and it is a very important subject. The bill only covers two pages and although I do not usually make a request of this sort, in view of the general interest in the proposition which, I am sure, extends to all Members of the House, I ask unanimous consent to incorporate as a part of my remarks the bill (H. R. 14821).

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection?

There was no objection.

The matter referred to follows:

H. R. 14821

A bill to provide for extending during the present emergency the time of payment of loans made by Federal land banks, and for other purposes

Be it enacted, etc., That during the present emergency but for a period of not to exceed 18 months from the date of approval of this act, any Federal land bank is authorized in its discretion, subject to approval of the Federal Farm Loan Board, (1) to withhold foreclosure of any mortgage securing a loan made by such bank if the borrower is in default under the terms of the mortgage, and (2) to extend the time for the payment of any installment due or to become due under the terms of any such mortgage, for a period of not to exceed two years.

SEC. 2. The Secretary of the Treasury is authorized and directed, upon the request of any Federal land bank, subject to the approval of the Federal Farm Loan Board, to advance to any such bank, out of any money in the Treasury not otherwise appropriated, a sum sufficient to cover the amount of interest pay-

able by such bank during a period of not to exceed 18 months from the date of approval of this act on any Federal farm-loan bonds issued by it. The sums so advanced shall be used exclusively for the purpose of making such interest payments and the Federal land bank receiving any such advance shall repay the same to the United States without interest in such manner and under such terms and conditions as the Secretary of the Treasury and the Federal Farm Loan Board, acting jointly, shall prescribe.

SEC. 3. Any Federal land bank which has acquired, during a period of 12 months preceding the date of approval of this act, the land of any borrower from such bank upon foreclosure of a mortgage securing a loan made by the bank to such borrower is authorized, in its discretion, subject to the approval of the Federal Farm Loan Board, if the bank still holds title to such land, to permit such borrower to redeem his interest in the land so acquired and held by the bank. Such redemption shall be permitted upon the payment, within a period of not to exceed 18 months from the date of approval of this act, of all installments due under the terms of such mortgage at the time of foreclosure thereof, together with all installments which would have become due under the terms of such mortgage to the time of such redemption, and all expenses incurred by the bank in connection with the foreclosure proceedings. In the event of any such redemption the mortgage shall be revived and continued as security for all subsequent installments payable under the terms of the mortgage.

Mr. JONES of Texas. Will the gentleman yield?

Mr. BANKHEAD. I yield.

Mr. JONES of Texas. I wish to say that I have not read the particular bill to which the gentleman refers, although I have heard some discussion of the principle. I think it is a matter that should have investigation and early consideration by the Committee on Banking and Currency.

Mr. BANKHEAD. Unless it has very early and speedy action, of course, it will be of no avail; and I will state to the gentleman from Texas that the chairman of the House committee has promised to give us a hearing upon the bill immediately after the holiday recess.

Mr. JONES of Texas. I am very pleased to know that.

Mr. COCHRAN of Missouri. Mr. Chairman, I rise in opposition to the pro forma amendment and ask unanimous consent to speak out of order for five minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed out of order for five minutes. Is there objection?

There was no objection.

Mr. COCHRAN of Missouri. Mr. Chairman and members of the committee, we had a very interesting discussion a moment ago between the gentleman from Texas [Mr. BLANTON] and the gentleman from Michigan [Mr. KETCHAM], two stanch prohibitionists, concerning the now famous decision of Judge Clark.

I want to read, for the information of the committee, and especially for the benefit of the gentleman from Texas and the gentleman from Michigan, from the hearings held by the lobby investigation committee published by the Senate in 1930. I read a part of the report of the legal department of the Anti-Saloon League of America for the quarter ending June 4, 1925, written by the late Wayne B. Wheeler. This report was furnished to a Senate committee by Mr. Wheeler. Speaking of New Jersey, he says:

A new United States district judge has just been appointed. Senator Edge submitted a list of seven names and stated that the appointment should be made from this list. There happened to be one outstanding, good man on the list, and when the Senator found that we were willing to indorse him, he, the Senator, withdrew his indorsement and tried to prevent the appointment. The President made the appointment but, to our chagrin, the candidate refused to qualify. Our friends were back of Hon. William Clark, an outstanding prohibition-enforcement candidate. The President finally turned down Senator Edge's choice and appointed Clark. It will mean better enforcement there. The Washington Post, in commenting on the appointment of Judge Clark in its first column, said: "Senator Edge will be much interested to learn that Judge Clark, of New Jersey, wins a place on the Federal bench by and with the advice and consent of Wayne B. Wheeler."

Mr. BLANTON. Will the gentleman yield?

Mr. COCHRAN of Missouri. With pleasure.

Mr. BLANTON. Was Wayne B. Wheeler not up against the proposition that it was impossible to get a real prohibition enforcer out of New Jersey?

Mr. COCHRAN of Missouri. I do not know what he was up against. His recommendation speaks for itself and his report speaks for itself, and the report shows that the judge who rendered the decision was appointed as a result of the recommendation of the Anti-Saloon League. The gentlewoman from New Jersey [Mrs. NORTON], who is present, nods her head in assent.

Mr. BLANTON. Even Wayne B. Wheeler could be mistaken in his choice. Some officials, too, change their positions.

Mr. LANKFORD of Georgia. Mr. Chairman, I move to strike out the last three words.

The CHAIRMAN. The gentleman from Georgia is recognized.

Mr. LANKFORD of Georgia. Mr. Chairman, ladies and gentlemen of the committee, I am very much interested in an item in this bill, which was read by the Clerk a minute or two ago, and which is as follows:

Naval stores investigation: For the investigation and demonstration of improved methods or processes of preparing naval stores, the weighing, handling, transportation, and the uses of same, in cooperation with individuals and companies, including the employment of necessary persons and means in the city of Washington and elsewhere, $32,530.

First, let me explain that the term "naval stores" is not generally understood and may be misleading to many Members of the House. This term is applied to turpentine products which are obtained from the southern pine tree. In early days these products were used by the Navy in calking and waterproofing its sailing vessels. Stores of these products were accumulated for these purposes, hence the name "naval stores."

It will be observed that this item provides an appropriation for experimentation in the chemical processes incident to the distillation of the product after it is extracted from the pine tree and the general handling of the product as well as the search for new uses of the various manufactured products. The growth of the pine tree or reforestation is under the Forestry Division and not under the Chemical Division of the Department of Agriculture.

At the committee hearings on this item attention was called to two developments recently made as the result of naval stores investigations by the Department of Agriculture. Doctor Knight, Chief of the Bureau of Chemistry and Soils, exhibited some specimens of rosins and explained that they were produced by a specially designed steam still and a resetting of the fire, together with the use of filtered gum under a process originated by the department. He also said these developments meant a saving of additional spirits of turpentine. This demonstration developed that better rosin and more spirits could be produced with the same gum by the new methods.

Coming more directly to the discussion of the need and value of a field naval stores laboratory, let me call special attention to the excellent statement before the committee by Dr. W. W. Skinner, associate chief chemical technological research, in which statement the doctor explained many of the new important purposes for which it is now being learned turpentine can be advantageously and very profitably used.

He explained that every year 50,000 barrels of turpentine are shipped from the United States to Europe and there manufactured into many commercial articles which are needed in this country and many of which are shipped back to this Nation. Some of these are produced by secret processes now unknown to us but which can become known by the very kind of research which would be conducted in this proposed naval-stores laboratory.

One of the secret methods for the processing of turpentine is that by which synthetic camphor is produced by a process originated in England.

Doctor Skinner also called attention to another extremely valuable use to which turpentine is now being put, to wit, the manufacture of transparent celluloid films which are rapidly coming into use as a part and parcel of shatterproof glass.

Let me read from the hearings what the doctor said on this subject:

NEED OF DEVELOPING FUNDAMENTAL RESEARCH IN TURPENTINE

Doctor SKINNER. Let me show you what might come out of a thing like this. The development already here, the result of

research work, is quite amazing. We ship from this country every year 50,000 barrels of turpentine. That goes to Europe to be manufactured into synthetic camphor by a secret process developed in England. We in this country are interested in synthetic camphor, as it is the raw material of celluloid. What is celluloid? The development of cheap celluloid has made possible the development of shatter-proof glass which is now coming into tremendous industrial demand.

Mr. BUCHANAN. What do you call that?

Doctor SKINNER. Shatter-proof glass, now being used in automobiles.

Mr. BUCHANAN. For the windshields?

Doctor SKINNER. Yes.

Mr. DICKINSON. The kind you ought to have in your car when you hit other people.

Doctor SKINNER. It is coming to be used very extensively. I am told there is a tremendous energy in the glass industry to be equipped to produce this kind of glass. It is only a question of time when public buildings and public conveyances will be equipped with shatter-proof glass. What does that depend on? It goes back to the turpentine produced in naval-stores industry of our Southern States. There are certain fundamental facts about turpentine that we do not know, but which have a direct bearing on the commercial production of shatter-proof glass. It is quite a long bridge from the research work on the raw-product turpentine to the shatter-proof glass used in your automobile. But here is a certain development of research. Take these two turpentines. For instance, here is the kind of thing we must do before we can build a foundation on which the industry may develop. I am told that one kind of turpentine will produce satisfactorily the synthetic camphor, while the other kind does not. It also happens that one of these kinds of turpentine comes from slash pine, while the other kind comes from the long-leaf pine.

We do know that one kind of turpentine has certain different physical characters. One turns the ray of polarized light to the left and one to the right. I do not know why or how the trees produce it that way, but it is a physical fact that they do. Now, there are certain physical properties of certain types of turpentine that determine the use to which it is to be put. We need the development of fundamental research which will give us a knowledge of those properties. That is one of the functions of this proposed laboratory. That is one of the things we will do in this laboratory—to carry on studies involved in the composition of resin and turpentine, studies involving the production of resin and turpentine at a lower cost, all of which has a direct bearing on profitable utilization of the pine trees of the South; and it is the key—we believe (chemists believe) that it is the real key of reforestation in the South with yellow pine. If we get the basic facts as a result of research, I can see no reason why a synthetic-camphor industry should not develop in the South.

Again I read from the testimony of Doctor Skinner as follows:

USE OF TURPENTINE IN SHATTER-PROOF GLASS PRODUCTION

Mr. BUCHANAN. I want to get clearly again the connection between turpentine and the shatter-proof glass. It looks like a real step.

Doctor SKINNER. It is.

Mr. BUCHANAN. You say that turpentine is shipped abroad?

Doctor SKINNER. Fifty thousand barrels per year.

Mr. BUCHANAN. And it is manufactured there into camphor?

Doctor SKINNER. Synthetic camphor.

Mr. BUCHANAN. And shipped back?

Doctor SKINNER. Shipped back.

Mr. BUCHANAN. How is it used in glass?

Doctor SKINNER. It is then manufactured into a film celluloid, which is placed between two panes of glass as shown in this sample.

Mr. BUCHANAN. That celluloid film prevents the shattering of the glass.

Doctor SKINNER. That is, it prevents it going to pieces when struck.

Mr. BUCHANAN. Is the production of that plate glass expensive or can it be produced at a reasonable cost for utilization in various industries?

Doctor SKINNER. That is a question of course of mass production and my understanding is that the glass people are feverishly preparing themselves to produce just this kind of material. It looks like one of the big industrial developments of the next five or ten years.

Mr. SUMMERS. It is used mostly by automobile manufacturers now in their windshields?

Doctor SKINNER. Yes. But undoubtedly it will be used for many purposes, when the price permits.

Mr. Chairman, the reading of this testimony shows how vitally important is our naval-stores industry and the wonderful possibilities that may be expected from this industry in the near future. Naval-stores production first became an important industry in North Carolina and then came the development in South Carolina, Georgia, and Florida, gradually moving westward along the Gulf States to Texas. During the last few years the center of production has swung back eastward and to-day over half the production is in Georgia and most of the Georgia production is in my district. I predict it will always remain in the south Georgia coastal plain, where the conditions are most ideal for the production of the pine tree and its products.

It will be necessary for a bill to be passed authorizing the Secretary of Agriculture to acquire a site and construct and equip a laboratory where the work can be carried on with this appropriation. I have introduced a bill for this purpose and hope the Secretary will find it to the interest of all concerned to locate this laboratory in the middle of the naval stores belt in south Georgia.

Mr. Chairman, speaking on a more or less collateral subject, let me say that all help rendered the naval-stores industry constitutes a part and parcel of real farm relief. I am vitally interested in all legislation for the naval-stores producers, because they are my people and because their problems are the problems of the farmer and of all our people.

There is one outstanding and controlling reason why the much-heralded Farm Board act is about to prove itself to have authorized only a useless, valueless, and probably dangerous, though very expensive, experiment, and that is because there is not provided an effective control of production. For my part, I would like to see the board function or operate as to a commodity where an effective control of production is set up and maintained. The experiment would be worth while and we could see just what could be accomplished by proper organization and with effective production control.

The turpentine producers, not being so great in number, can effectively organize and can control their production within reasonable limits. If the producer of cotton, tobacco, wheat, or other similar commodity, curtails his acreage in a certain product, he must plant in something else or let his land grow up in weeds and suffer the incident loss. Not so with the producers of turpentine; if he does not "box" or bring into production a given area, the timber continues to grow and becomes more valuable. It is true that after the "boxes" are cut or the cups hanged and the "chipping" begins it is necessary or best to continue working this timber, but even the "chipping" may be less frequent.

The necessary curtailment of production can be provided by bringing less acres into production each year and by not working the smaller timber until it has attained more ample growth. I feel that this kind of a program will not only conserve the timber but will also make the naval-stores business much more profitable.

If the Farm Board make a success with turpentine, as I believe it could, it would be established that a like success could be made by organization and proper control of production as to other commodities. I would like to see a complete experiment made as to some commodity. I feel that this can be probably done more effectively as to turpentine than as to any other commodity. I have believed all the while that turpentine and other naval-stores products should receive whatever benefit is offered by the Farm Board act.

In fact, in my bill to create the farmers' finance corporation, I sought to give relief to products of the farm, orchard, grove, dairy, and forest. This bill, introduced first in 1929, clearly includes not only turpentine, but tar and pitch of wood made by the destructive distillation process, and, also, probably crossties, lumber, and other timber products.

I do not wish to confuse the present question by now contending that the law should go as far as proposed in my bill, except I will say there are many valid reasons why all pine and cypress timber products should be included.

I am now urging the Farm Board to give relief to the gum or turpentine products of the green or growing pine tree. These turpentine and naval-stores products are extracted from the living or green tree as distinguished from tar, pitch of wood, and pine oil made by the destructive distillation process.

To my mind the production of turpentine and many other timber products is not only properly classed as one of the activities which should receive the aid of the Farm Board act, but is so closely interwoven and intermingled with farm

operations in the turpentine area as to become a part and parcel of the general farm operations of many who produce other farm commodities. Many people make a little money from their cotton, tobacco, corn, watermelons, turpentine, crossties, and other products produced on the land properly called their farm, with each product thus helping in the production of the other.

The timber products have been a wonderful help to the farmers and all others in my section during the last few years. Many find it more profitable to farm the pine trees on an acre of land than to destroy the timber and plant the land in other products. Many fields were corn, cotton, cane, and potatoes grew when I first came to Congress are now in pine timber, producing turpentine.

The Farm Board is urging the curtailment of the production of cotton, tobacco, and so forth. The way to secure this is to make the production of other commodities as profitable as possible. More and more the farmers are learning to cultivate, protect, and farm their pine timber. Many of them gather their own turpentine and carry it to a still and sell their spirits of turpentine, rosin, and so forth, just as any other farmer carries his cotton to a gin or grain to a mill or machine to be cleaned or threshed. Many lease their timber for a short period of years, but after all the lease soon expires and the timber, together with a new growth, is again the property of the farmer, to be farmed by him or leased again.

Let me repeat for the purpose of emphasis what I said in effect a little while ago. One solution of the present farm problem that has been suggested is that the farmers diversify and produce less of the basic commodities, the prices of which are now injured by alleged overproduction, and turn some of the land that is now being cultivated into the growth of valuable timber. This is being done in the turpentine section of the country by allowing land heretofore cultivated to grow up in pine timber, from which a good revenue can be secured after a few years. It is therefore very essential for all these reasons that the tar and pitch of wood industry not only be maintained but that the turpentine and rosin or naval-stores industry be fostered and protected.

Since we are studying the value of turpentine production, and so forth, from the farmers' standpoint, let me also tell you something of the production of tar and pitch of wood as distinguished from turpentine extracted from the growing pine trees.

Tar and pitch of wood is produced by what is known as the destructive distillation process. Under this process wood, stumps, and deadwood generally are purchased from the farmers or other owners, placed in kilns in a pulverized condition, and reduced to charcoal. The tar which is recovered is sold in commerce for use in rubber trades, the cordage trades, and otherwise.

It has been found that this pine tar can be used in the manufacture of tires and the reclaiming of rubber generally. For this reason this product has a commercial value not known a few years ago.

It will be seen that unless this industry is fostered much of the material from which this tar and pitch is produced will be destroyed by fire and be a total loss. When once destroyed, the pine stumps and dead "heart" pine wood can not be reproduced, as they constitute the otherwise commercially useless waste timber or wood. In other words, after a tract of land has been sawmilled that which has heretofore been left for destruction by forest fires is, under this distillation process, reclaimed and placed in the channels of commerce.

Stumps are shattered and blown out of the ground by dynamite, and in this way arable land is cleared of the stumps and can be more easily put into cultivation. The woodland is likewise cleared and a reforestation naturally takes place where the old stumps have been replaced by newly harrowed ground. For these reasons the farmer is benefited in several ways by the operation of these pine-wood distillation plants. This land is more easily put into cultivation, and the woodland is more easily reforested. The farmer gets pay for his otherwise waste wood, and the community generally is benefited by the employment given to labor in the operation by which the wood is gathered and finally manufactured into a finished product.

Of course, even a greater and more permanent benefit comes to the farmers and the community generally by the farming of growing pine timber. Not only are the farmers and their sons often profitably employed, but ofttimes others receive employment "boxing" the trees or hanging cups to catch the gum, "chipping" or working the trees, and dipping or gathering the gum. Others are employed protecting the trees from forest fires, hauling the crude gum, distilling it, and in numerous other ways.

The production or extraction of turpentine and other naval-stores products from the living, growing green pine is even more closely interwoven into the very fabric of our farm life than the destructive distillation process of producing tar, pitch of wood, and so forth. There is practically no end to the production of turpentine from the growing tree. With proper protection against forest fires and an almost inexpensive cultivation or attention the turpentine-producing pine will yield turpentine in paying quantities when from 10 to 15 years old. The tree can be worked for three or four years and then after a few years' rest it can again be worked for an additional three or four years, and so on without limit. During all this time the timber is growing and becoming more valuable for crossties, lumber, paper pulp, and all other wood purposes.

The early settlers along the South Atlantic and Gulf coast found the wonderful forest of primeval pine interspersed with the oak, cypress, hickory, and poplar.

The pine tree at once became his most valuable timber for every purpose. With pine logs he builded his substantial home and farmhouse, with hewn-pine flooring and pine boards he ceiled and covered his buildings, and with pine rails and split lumber he fenced his fields and pastures and builded his gates and almost every other necessary wooden farm article.

Pine boards were used in curbing his well, pine sticks in building his stick-and-clay chimneys, hewn logs furnished his benches, and hewn-pine beams became his well fork and sweep.

The pine forest was the abode of an abundance of wild game, from which he in a large part furnished his table. The pine tree made the shade for the settlers' cattle, swine, and beasts of burden, furnished the straw for the beds of his livestock, and became an important part of a wonderful compost for the farmers' lands.

The pine tree was found to furnish a wonderful food in the form of pine mast or seed for swine; its turpentine or sap had wonderful medicinal and other valuable properties, and the wood made the brightest, most cheerful, warmest fires ever built to drive winter's cold away or to cook the food of man. From the time man first found the pine tree in America until now the pine tree and its products have been inseparably linked and interwoven into the very warp and woof of the farm life in the pine-belt section of our country.

The pine has produced the homes and the farms of a large part of the Southland, and even to-day it is not only as serviceable as ever but almost every month its value is becoming more and more fully recognized and established. Surely where the home and the farm are products of the pine, we can now well afford to determine by statute and as a matter of fact that the product of the pine is a farm product and entitled to receive recognition as such in an act to help the producers of agricultural products.

Where in all the world is there a tree so valuable during its growth, so inexpensive in its cultivation, and so essential for commercial uses and even national-defense purposes as the pine tree of the Southland? Surely all possible protection of the law should go to this wonderful tree which springs up on every abandoned tract of land, in every swamp or low land section, and on every area not used by the farmer for other purposes, and says in a hundred ways to the faithful farmer and his folks, "I do not require the labor you give to others, and yet you may drink of my very

lifeblood in order that you may live and in order that you may produce in greater abundance the food and clothing which the world needs, and in return all I ask is only the right to live."

Farming the pine tree is more and more becoming an integral part of the farm life of a large part of the South. The money made from the timber products enables the farmer to live and cultivate the rest of his farm. In thousands of cases the same boys who plow the farm and gather the harvest of corn, tobacco, and cotton are the ones who farm the pine tree and gather in the magic fluid so much needed in commerce. The pine tree and its products and the field or orchard and their products are more and more becoming inseparable.

The turpentine still is no more a manufacturing plant than is a cotton gin, a threshing machine, or a milk separator. Each separates the raw material into component parts preparatory for marketing. The milk and cream are further manufactured into cheese, casein, and so forth; the grain into flour; the cotton and cottonseed into cloth and various oils, soaps, and so forth; and spirits of turpentine and rosin into dozens of necessary and valuable commercial articles. Turpentine can be classed as a farm product as easily as can any other article produced on a farm, either as a fruit or sap of a tree grown in orchard, grove, or otherwise.

Any fair legislation that will help the naval-stores producers will help every farmer and every man, woman, and child in the turpentine-timber belt and in the whole Nation.

Mr. BLACK. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman and gentlemen of the committee, we are engaged here on a section providing for various forms of investigation for soil stimulation, making provision for a greater variety of productions. But we are overlooking the other angle of the situation—what are you going to do with all the products when you get them?

Now, it is a strange thing to me that this committee in this emergency, and all agriculturists, are unwilling to try to restore to the market price two of the best customers the farmer ever had—the brewer and the distiller.

Here you have surplus grain, low prices, and bankrupt farmers, and you are making a strenuous effort to aggravate that situation and doing nothing at all on the receiving end of the market.

I have stated to the House before, and it is in the RECORD in detail, the enormous loss to the country by prohibition, that it has lost millions and millions of dollars in the prohibition of the brewery, the distillery, the buyers of hops, barley, corn, and rice.

If we restore brewing, we go a great distance in helping the farmer in a sensible, natural way, not adding to his irritation by these artificial means of relief. Not only would it restore men to work in the construction trades, but in the bottling industry, in brewing, and in transportation. It is estimated by those in close touch with the labor situation that the restoration of beer would mean 500,000 men, at least, returning to work.

What are you doing about it? Nothing. Congress is abdicating, the administration is absolutely abdicating all right and reason on this question to a commission which has vanished into thin air. I think the least we can do at present is to appropriate about 30 cents for the Weather Bureau to post the following notice on top of the Washington Monument:

"Lost, strayed, or stolen. One puzzled or muzzled commission. Answers to the name of 'Wickersham.' When last seen was talking to itself. No reward, no questions asked, none answered." [Laughter and applause.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

Soil-fertility investigations: For soil-fertility investigations into organic causes of infertility and remedial measures, maintenance of productivity, properties and composition of soil humus, and the transformation and formation of soil humus by soil organisms, $227,080.

Mr. MENGES. Mr. Chairman, this paragraph is for soil-fertility investigation into organic causes of infertility and remedial measures, and so forth. The trouble at this time in agriculture seems to be overproduction. Then why improve the soil to increase production? So far as I am personally concerned I have never been afraid of overproduction and I am not now.

I have not traveled very far throughout the United States recently, only from here to Milwaukee, but I want to say to you that I have not seen as poor a prospect for the coming crop as there is at this time. Half of the wheat which has been sown is not up, has not started, and it will not start. If it does not come up before the growing season ends and winter comes it will not come up later. Therefore, I am not very much scared as to overproduction the coming season. So far as this matter of soil fertility is concerned, it is one of the most important subjects that this House can take into consideration. The soil is the basis on which everybody subsists, and its destruction has been one of the main occupations of the people of this country. There are two classes of farmers, constructive and destructive. The constructive farmer improves the land. He makes it better the longer he farms it. The destructive farmer makes the land poorer the longer he farms it. The majority of the farmers, I am sorry to think, and this applies to well nigh all sections of the country, belong to the destructive class.

What is the soil composed of? It is composed of two principal substances, organic matter and disintegrated rock. The rock comes out of the earth, and the organic matter comes out of the atmosphere. The two substances are brought together through the agency of the leaves of our plants. The leaf of the plant has the capacity to take out of the atmosphere carbonic acid gas, the carbon dioxide, change the carbon and the oxygen and the hydrogen into wood and construct our trees. The wood out of which this reading desk was made was one day a gaseous substance floating in the air.

Mr. O'CONNOR of Oklahoma. Is that the reason that so much gaseous substance still floats around here?

Mr. MENGES. I do not know but what that applies mostly to the Irish.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MENGES. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MENGES. Mr. Chairman, the work the farmer is engaged in is in food production. He puts his seed into the soil, this soil which I have already defined as being composed of disintegrated rock and organic matter, the seed germinates and comes up, and the plant grows, and he is the agent who, through the agencies of the leaves of the plants and the soil which the Almighty has created, extracts the organic substances out of the atmosphere and the mineral substances out of the soil and converts them into food for man and animal. There is no greater business than that. In fact, I do not know of any business that I would sooner be engaged in than being the agent of the Almighty to feed mankind. [Applause.] That is the business of the farmer. We have been legislating for him, and I am somewhat responsible probably for some of that legislation. The thing I would like to bring to your attention is that we ought to put this farmer in a position in which he can handle his industry in such a way that he will be able to feed humanity, all of them—not only some of them, but all of them—to their entire satisfaction. I do not believe in bread lines when there is enough food in the country to feed the people. I think some means should be devised to supply that food to everyone. I refer to the marketing operations which exist in this Nation. In some way some means should be devised to get the food that God Almighty, through the agency of the farmer and the soil, produces to every living being.

A little while ago I said that there are two classes of farmers—constructive and destructive. The one man makes his land better the longer he farms it and the other one makes it poorer the longer he farms it. There are not so many people in the world who are absolutely constructive.

I may divide the plants which we produce on our farms into two classes for my purpose. There are two kinds of plants, soil exhausting and soil improving.

The cereal crops belong largely to the soil-exhausting crops. In some sections of this country farming is entirely devoted to the production of cereals, and the consequence is that the soil will by and by become exhausted to such an extent that bringing it back into its pristine fertility will be well-nigh impossible. The clovers are the soil-improving crop. They have the capacity, through the agency of an organism which these scientific fellows we are legislating for have isolated and with which they can inoculate the clover plants with the bacteria so that they will take out of the atmosphere nitrogen, the most essential element of fertility I am talking about; this agency of fertility, of which the soil is well-nigh exhausted in a large number of places, the clovers supply. The reason we use fertilizer is to supply this and other elements of fertility to get out of the soil a little more of these products.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. DICKINSON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TREADWAY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 15256, the agricultural appropriation bill, had come to no resolution thereon.

DROUGHT AND STORM RELIEF

Mr. HAUGEN. Mr. Speaker, I call up the conference report upon Senate Joint Resolution 211, for the relief of farmers in the drought and/or storm stricken areas of the United States, and move its adoption.

The SPEAKER. The gentleman from Iowa calls up a conference report, which the Clerk will report.

The Clerk read the conference report.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. J. Res. 211) for the relief of farmers in the drought and/or storm stricken areas of the United States having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recedes from its disagreement to the amendment of the House and agrees to the same with the following amendments:

On page 1, line 9, of said amendment strike out the word "of" and insert the words "incident to."

On page 2, line 11, of said amendment strike out the numerals "$30,000,000" and insert in lieu thereof $45,000,000."

And the House agree to the same.

So it will read as follows:

That the Secretary of Agriculture is hereby authorized, for the crop of 1931, to make advances or loans to farmers in the drought and/or storm-stricken or hail-stricken areas of the United States, where he shall find that an emergency for such assistance exists, for the purchase of seed of suitable crops, fertilizer, feed for work stock and/or fuel and oil for tractors, used for crop production, and when necessary to procure such seed, fertilizer, feed, and fuel and oil, and for such other purposes incident to crop production as may be prescribed by the Secretary of Agriculture, and sell the same to such farmers. Such advances, loans, or sales shall be made upon such terms and conditions and subject to such regulations as the Secretary of Agriculture shall prescribe, including an agreement by each farmer to use the seed, fertilizer, feed for work stock, fuel, and oil thus obtained by him for crop production. A first lien on all crops growing or to be planted and grown during the year 1931 shall, in the discretion of the Secretary of Agriculture, be deemed sufficient security for such loan, advance, or sale. All such loans, advances, and sales shall be made through such agencies as the Secretary of Agriculture may designate, and in such amounts as such agencies, with the approval of the Secretary of Agriculture, may determine. For carrying out the purposes of this resolution, including all expenses and charges incurred in so doing, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $45,000,000: *Provided*, That loans shall be available for summer-fallowing in 1931.

SEC. 2. Any person who shall knowingly make any material false representation for the purpose of obtaining an advance, loan, or sale, or in assisting in obtaining such advance, loan, or sale, under this resolution shall, upon conviction thereof, be punished by a fine of not exceeding $1,000 or by imprisonment not exceeding six months, or both.

G. N. HAUGEN,
FRED S. PURNELL,
J. B. ASWELL,
Managers on the part of the House.
CHAS. L. MCNARY,
GEO. W. NORRIS,
E. D. SMITH,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the joint resolution (S. J. Res. 211) for the relief of farmers in the drought and/or storm stricken areas of the United States submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment struck out all of the Senate resolution after the enacting clause. The substitute agreed to by the committee of conference retains all of the provisions of the House amendment, with the following exceptions:

First. Page 1, line 9, strike out the word "of" and insert in lieu thereof "incident to."

Second. Page 2, line 11, strike out "$30,000,000" and insert "$45,000,000," so that the amendment as agreed upon by the committee of conference will read as follows:

That the Secretary of Agriculture is hereby authorized, for the crop of 1931, to make advances or loans to farmers in the drought and/or storm stricken or hail stricken areas of the United States, where he shall find that an emergency for such assistance exists, for the purchase of seed of suitable crops, fertilizer, feed for work stock, and/or fuel and oil for tractors, used for crop production, and when necessary to procure such seed, fertilizer, feed, and fuel and oil, and for such other purposes incident to crop production as may be prescribed by the Secretary of Agriculture, and sell the same to such farmers. Such advances, loans, or sales shall be made upon such terms and conditions and subject to such regulations as the Secretary of Agriculture shall prescribe, including an agreement by each farmer to use the seed, fertilizer, feed for work stock, fuel and oil thus obtained by him for crop production. A first lien on all crops growing or to be planted and grown during the year 1931 shall, in the discretion of the Secretary of Agriculture, be deemed sufficient security for such loan, advance, or sale. All such loans, advances, and sales shall be made through such agencies as the Secretary of Agriculture may designate, and in such amounts as such agencies, with the approval of the Secretary of Agriculture, may determine. For carrying out the purposes of this resolution, including all expenses and charges incurred in so doing, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $45,000,000: *Provided*, That loans shall be available for summer-fallowing in 1931.

SEC. 2. Any person who shall knowingly make any material false representation for the purpose of obtaining an advance, loan, or sale, or in assisting in obtaining such ad-

vance, loan, or sale, under this resolution, shall, upon conviction thereof, be punished by a fine of not exceeding $1,000 or by imprisonment not exceeding six months, or both.

G. N. HAUGEN,
FRED S. PURNELL,
J. B. ASWELL,
Managers on the part of the House.

Mr. HAUGEN. Mr. Speaker, I move the adoption of the conference report.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. GARNER. Was it the purpose of the conference committee in consideration of the agreement just entered into to give the Secretary of Agriculture the use of $45,000,000 for the purposes set out in the bill for the year 1931?

Mr. HAUGEN. For crop production in 1931; yes.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. BANKHEAD. I rise to make a suggestion. If this bill is approved by the President, and I assume that it will be, every Member of Congress from the drought-stricken States will be besieged with innumerable requests as to the details of the administration of the act. I realize it may take the Secretary of Agriculture a good while, maybe several days or weeks, to formulate the details with reference to these loans; but if some method could be devised by the chairman of the committee or the majority leader by which, when these details are definitely arranged, Members of Congress could be made acquainted with them by a circular issued by the department, or some other means, it would save us a great deal of trouble and would expedite our correspondence in reference to these appropriations.

I have just made that suggestion, and I hope it will receive the attention of those in authority.

Mr. HAUGEN. I have no doubt it will receive their attention.

Mr. TILSON. I have no doubt that the suggestion of the gentleman from Alabama will be sufficient to cause something of the kind to be done.

The conference report was agreed to.

EMERGENCY CONSTRUCTION OF PUBLIC ROADS

Mr. WOOD. Mr. Speaker, I present a conference report on the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment, and ask unanimous consent for its immediate consideration.

The Clerk read the conference report.

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on amendments numbered 11, 12, and 14 of the Senate to the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment having met, after full and free conference have been unable to agree.

WILL R. WOOD,
LOUIS C. CRAMTON,
EDWARD H. WASON,
JOSEPH W. BYRNS,
J. P. BUCHANAN,
Managers on the part of the House.

W. L. JONES,
REED SMOOT,
FREDERICK HALE,
CARTER GLASS,
E. S. BROUSSARD,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on amendments of the Senate Nos. 11, 12, and 14 to the bill (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment, submit the following statement to accompany the report of disagreement on such amendments:

The committee of conference have been unable to agree on the three amendments in question, the subject matter of which is as follows:

On Nos. 11 and 12: Providing that the unexpended balances of appropriations of $1,660,000 and $506,067.50, heretofore granted to the States of Alabama and Georgia, respectively, for relief for damage to and destruction of roads and bridges by floods, may be paid to the authorities of such States notwithstanding the requirement of existing law which provides that expenditures under such appropriations shall be matched by the respective States.

On No. 14: Imposing residential qualifications and pay conditions for the employment of laborers and mechanics by contractors upon the public works covered by the bill, excepting the Federal-aid highway appropriation.

WILL R. WOOD,
LOUIS C. CRAMTON,
EDWARD H. WASON,
JOSEPH W. BYRNS,
J. P. BUCHANAN,
Managers on the part of the House.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WOOD. Mr. Speaker, I move that the House further insist upon its disagreement to the three amendments mentioned in the report.

The SPEAKER. The gentleman from Indiana moves that the House further insist upon its disagreement to amendments Nos. 11, 12, and 14.

Mr. LINTHICUM. What are those three amendments?

Mr. WOOD. One of them is with reference to an amendment introduced relieving the State of Alabama of certain advances made for the building of roads; the other one is the same thing, except that it applies to the State of Georgia; and the third is what is known as the Couzens amendment, providing for certain limitations upon the expenditure of this money upon public works.

The question was taken; and on a division (demanded by Mr. PATTERSON) there were 135 ayes and 5 noes.

So the motion was agreed to.

AGRICULTURAL APPROPRIATION BILL

Mr. DICKINSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15256) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1932, and for other purposes

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15256) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1932, and for other purposes, with Mr. TREADWAY in the chair.

The Clerk read the title of the bill.

The Clerk read as follows:

For necessary expenses connected with the investigations, experiments, and demonstrations in reference to the items hereinafter enumerated for the promotion of economic entomology, for investigating the history and habits of insects injurious and beneficial to agriculture, horticulture, arboriculture, for studying insects affecting man and animals, and for ascertaining the best means of destroying insects found to be injurious, independently or in cooperation with other branches of the Federal Government,

States, counties, and municipalities, organizations, and individuals concerned, or with foreign governments, including the employment of necessary persons and means in the city of Washington and elsewhere, rent outside of the District of Columbia, and not to exceed $5,000 for the erection of necessary buildings: *Provided*, That the cost of any such building shall not exceed $1,500, as follows:

Mr. DICKINSON. Mr. Chairman, I move to strike out the last word for the purpose of making a statement.

Last evening before adjournment I proposed an amendment to increase the appropriation under "Horticultural plants and diseases" by $10,000, for the purpose of investigating what is known as the tomato blight in the State of Utah. I wish to make a brief statement showing the reason why the amendment was offered at this time, and suggest that it is on account of a blight that appears in the irrigation area in Utah, where there is large tomato production.

When the matter was presented to the committee and, without any fault on the part of the witness who presented it to the committee, the conclusion was reached by the committee, through a misunderstanding, that this was a blight that only appeared occasionally, and that it had only appeared once or twice in the last 15 or 20 years; but when we reconsidered the evidence as presented, and made a personal investigation into the matter, it was found that it was a persistent blight that appeared annually and has been continuous, and in this last year destroyed 60 per cent of the tomato crop of that locality.

That being the case, I was very glad to present the amendment on the floor of the House and was pleased that it was accepted, in order to give the Bureau of Plant Industry an opportunity to go there and make an investigation to see whether or not a remedy can be found for that situation.

Mr. McSWAIN. Mr. Chairman, I rise in opposition to the pro forma amendment and I ask permission to proceed for 10 minutes out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina [Mr. McSWAIN]?

There was no objection.

Mr. McSWAIN. Mr. Chairman, there are extremists on both sides of this question of alcohol. While my lifelong position as an abstainer and as an opponent to the legalized, as well as the illegal, sale of liquor is well known, yet I have tried to maintain a judicial temper of mind, and during all these years of animated discussion in Congress, I have never before felt it necessary to address the House on the subject.

I would not now break this silence except for the manifest absence of anything like legal reasoning and the manifest presence of extreme prejudice and unreasoning hostility are cloaked under the guise of judicial decision coming down from Judge Clark in the State of New Jersey. It seems that this young man has invented a theory of constitutional law all of his own. Perhaps the trouble is that he acquired judicial honors and power too early in life without having won his spurs at the bar. Probably there are thousands, even tens of thousands, of old and experienced and seasoned lawyers belonging to the Republican Party in the State of New Jersey that were capable of exercising judicial power without the dethronement of their reason, and who through a lifetime of diligent study and honorable practice of the law were morally entitled to appointment to the Federal bench to fill the vacancy which this young man Clark received. I do not know what influences brought about his appointment and do not care. I feel sure that 99 per cent of those lawyers in America who are opposed to the policy of Federal prohibition and who would even vote any day to repeal the eighteenth amendment, will readily confess that such a declaration as that coming from Judge Clark in the guise of judicial decision is not only a reflection upon the judicial office but is a positive harm to their cause of seeking the constitutional repeal of a constitutionally adopted amendment to the Constitution.

If I have studied anything in my life with diligence and patience, it is not only constitutional law, strictly so-called, but also our constitutional history. I have sought the sources of our constitutional system, not only in American history but in English history, and, in fact, in universal history. If Judge Clark were not holding a very high judicial office and holding that office for the rest of his natural life, unless he were to resign or be dismissed upon conviction of impeachment, I would not take any notice whatever of his puerile decision. But since his office is one of great power and influence, I feel that it is my duty, out of veneration for the Constitution and for every part of it, because it is the solemn will of the American people, and out of a spirit of respect for the judiciary itself as a whole, which must hang its head in shame because of the absurdity of this one of its members, I feel justified in recording my view of Judge Clark's action.

I have not seen any certified copy of Judge Clark's decision, but I have seen newspaper reports of it which I assume to be fairly correct. It seems that he draws a distinction between constitutional amendments which add to Federal jurisdiction and other constitutional amendments which merely limit State power, or seek to control the manner of exercising existing Federal power. While these distinctions are logically thinkable, there are no such distinctions existing in the Constitution itself. The Constitution does not classify amendments but deals with them collectively and generally, and if any amendment can be adopted by a particular procedure, such as ratification by State legislatures, then all amendments on any subject can be ratified in the same way. When constitutional procedure is complied with, that amendment so adopted is just as much a part of the Constitution as the instrument itself, which came from the hands of the Constitutional Convention in Philadelphia in 1787 and was subsequently ratified by conventions in a sufficient number of States. For this youthful judge to say that a constitutional provision is not binding upon the people of New Jersey and of New York, or of any part of said States, because the people of those States themselves did not have the privilege of voting directly upon the issue of ratification, seems too absurd for debate.

New York and New Jersey are parts of the Federal Union under the Constitution and if three-fourths of the States ratify an amendment, either adding to Federal power, or taking from Federal power, that amendment is binding on New York and New Jersey and certainly is binding upon every occupant of every judicial office who took a specific oath to uphold and defend every part of the Constitution of the United States. Surely this young judge realizes that minorities must submit to constitutional majorities. If minorities are not bound by laws to which they do not consent, then individuals would have the same privilege of repudiating the authority of any particular law. When that condition comes we no longer have law but chaos. It seems to me that Judge Clark has opened wide a breach to chaos. Instead of being a defender of an orderly and authoritative system of constitutional law, he seems to have defiantly and deliberately opened a breach in the wall of constitutional safety. Such action on his part can not be attributed to ignorance. Surely the President would never have appointed and the Senate would never have confirmed a man to be a Federal judge so ignorant of constitutional law. Therefore, his action must have been based upon a conscious, intentional, and flagrant defiance of constitutional authority. That being so, he appears as the chief lawbreaker in the Nation. Murderers, assassins, bootleggers, and the whole tribe of lawbreakers do not set out with the same purpose that Judge Clark had in mind. Criminals usually have some special and personal reason for violating the law. Doubtless they regret that they must violate the law to accomplish their selfish ends. They adopt every device to hide the fact that they have violated the law. They are ashamed of being lawbreakers. But Judge Clark summons the world to listen and in stentorian tones declares that his oath was a meaningless form. In order that he may become the cheap hero for a passing hour of a law-defying element in this Nation, he knowingly tramples his oath under foot, and thus weakens and leads the way to the destruction of the very constitutional system that he has sworn to uphold;

the constitutional system that has been the bulwark of this Nation for nearly 150 years; the constitutional system under which every man's life and property are secure; the constitutional system under which all the precious relations of life are defended and guarded. Such is the picture of a reckless youth, too early in life elevated to a position of great judicial power over the heads of thousands of worthy, learned, and conscientious lawyers.

What was Judge Clark's motive? The sketch of his life in Who's Who indicates that he had the very best educational opportunities. He must have known that such decision would render him forever ludicrous in the eyes of real lawyers. Judge Clark must be preparing to resign his office, which evidently irks his youthful energies and ambition, and to seek political office in the overwhelmingly wet State of New Jersey.

Furthermore, Mr. Speaker, this decision of Judge Clark has lowered the popular estimate of judicial integrity. The reaction of that decision is well illustrated by a news item appearing in the Washington Herald of December 19 and purporting it to be a compilation by Mr. M. L. Ramsay. In that news item we find the following statement:

> The antidrys see two factors that may help them in the high court:
>
> Five members, a majority, have taken their seats on the bench since the first and last major assaults were made on prohibition in 1920 and 1921.
>
> Possibility of the court ultimately giving more weight to scientific and social considerations, as Clark did, than has been customary.

Such comments and speculations amount to a virtual libel upon the Supreme Court. It leads the public to believe that the members of that court might form their legal judgments upon the constitutionality of a question by the standards of their appetites. In other words, it is virtually charged that a member of the Supreme Court of the United States, if personally and privately opposed to the principle of national prohibition, would let their individual judgments of policy control their judicial judgment of the Constitution itself.

In the next place, Mr. Speaker, it is charged that the Supreme Court of the United States may for the foregoing reasons finally give more weight and consideration to what the newspaper writer described as scientific and social consideration. Of course, he is distinguishing these matters of so-called scientific and social consideration from purely and strictly legal and constitutional questions.

I do not blame the newspaper reporter. But I do blame Judge Clark. Judge Clark led the newspaper reporter and has led the country to believe that judges in her State and Federal courts will decide legal questions upon their individual opinions as to the wisdom of a particular social or scientific policy. The reporter naturally reasons that since Judge Clark is a judge, he is, therefore, a sample of what all judges are, and since Judge Clark manifestly and obviously was influenced in his decision and judgment by his hostility to prohibition in general and to national prohibition in particular. Therefore, other judges of the United States courts, including the Supreme Court of the United States, will by the same token and for the same reason, be influenced by the same motives and pass upon legal questions as prompted by personal prejudices and individual bias. Thus Judge Clark has attacked and harmed the judiciary. He has sullied the fair name of a judge. He has led the rabble to believe that judges can and should decide legal and constitutional questions according to their arbitrary and irresponsible personal bias. He has thus changed a judgeship from an interpreter of the law, from an impartial voice declaring what the law is, into an autocrat and self-willed ruler who makes the law to suit his personal preference. Thus again Judge Clark has invited disrespect for the bench that he should have honored and has brought on a popular contempt for the judiciary which he should have defended. He has opened up the floodgates of anarchy; he has invited every minority group and sect to become a law unto itself.

He has said to the reds and revolutionists, to the bolshevists and the bolters, to the socialists and the soviets, to the communists and the crooks and gangsters that they need not respect any part of the Constitution of the United States if they do not wish to, nor any law upon the statute books unless it suits their proclivities, and least of all need they respect the judges upon the bench, because Judge Clark has taught them that judges upon the bench are not fair and true standards for the measurement of law and of legal principles but that the judges may have one law for the rich and another law for the poor, may have one law for the wets and another law for the drys; one law for the saints and another law for the sinners.

So, Mr. Speaker, it must be manifest that I am not participating in this endless wrangle and jangle between the wets and drys as such. That question is not now before us. It is not necessary for me to take any time to declare nor to demonstrate where I stand both personally and politically. But I am speaking in defense of the Constitution, which is the bulwark of our civilization. I am seeking to voice what is to-day in the hearts of more than 100,000,000 liberty-loving and law-observing American people, to wit, that there is no liberty except under the law and that there is no freedom for individuals, nor groups, nor sects, nor sections to pick and choose which law they will observe and which law they will flout. I am protesting in behalf of the hundreds of Federal judges and the thousands of State judges of low and high degree against the false impression that Judge Clark has created concerning judicial integrity. I want the people of the Nation to know that Judge Clark is not a true and fair representative of the judges, both State and Federal, of this Nation, whose Government is not one of men but of laws. I want to warn the people of the Nation against believing that Judge Clark is a fair type of our American judges. I declare unto all our people that our judges are too high and too pure and too self-respecting to admit that they would decide any legal question, in any case, from a magistrate's court up, according to individual notions of policy and personal bias and prejudices.

I want the people of the Nation to feel that they can rely upon our judges. When the people lose confidence in our judges, then they lose confidence in our Government. When they lose confidence in our Government, then the end of America has begun. Law is a mere abstraction and is not self-executory and has no sword to defend itself, nor to avenge its violation. The judge is the mouthpiece of the law. The judge gives flesh and blood to the law. The decree of the judge, when placed in the hands of the sheriff or of the United States marshal, is the avenging sword of the law. All that the masses of the people ever know about law is the way it is applied in individual cases tried before judges. Therefore, to the popular mind and for all practical purposes, the judge is the law itself. The lawyers are a very small percentage of our entire population. The lawyer can discriminate between the law as it is and as declared and applied by the judges. But all the other groups of our citizens except lawyers must assume that what the judge declares the law to be is in fact the law. Therefore, the judge is the law incarnate. If, therefore, the judge virtually declares that his personal opinion about what the law ought to be as matter of policy shall determine his judgment as to what it is as matter of law, then the judge declares to the people that the law is not a rule of action but a changeable, varying will-o'-the-wisp, that means a different thing in the mouths of different judges and means different things in the mouth of the same judge on different days and when trying different cases and when applying the law to different groups. No more subtle nor covert assault upon our republican institutions could have been conceived of. A democracy can survive only through the confidence that the people have in the safety and the fairness and justice of the government.

When the people are convinced that there is no such thing as justice, that there may be one decision when applied to a rich man and another applied to a poor man, that there may be one part of the Constitution flouted and kicked out

to suit the appetite and the prejudice of a judge, that laws solemnly made and declared to be constitutional and under which millions of dollars of fines have been paid and thousands of people are now in Federal penitentiaries are but the arrogant and idle assumptions of several successive Congresses of the United States and that all the other judges, including numerous lawyers in Congress and even the Supreme Court itself, have no knowledge nor wisdom, nor legal acumen, nor constitutional conviction, then woe to life, liberty, and property. The people are apt to judge of all courts by this Judge Clark. If they do, they will conclude just as Reporter Ramsay did in the Washington Herald; to wit, that Supreme Court judges and all other judges will decide constitutional questions by their personal and private opinions as to the policy of prohibition. I repeat that such consequence must have been consciously before the mind of Judge Clark when he rendered this decision. A single second thought would have convinced him that he was sticking dynamite under the foundations of our social fabric and economic structure. No violent red nor insane communist has done orderly government one-thousandth part of the damage that Judge Clark has done. [Applause.]

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. McSWAIN. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. MICHENER. Will the gentleman yield?

Mr. McSWAIN. I yield.

Mr. MICHENER. Has the gentleman given any consideration to the advisability of Members of Congress attacking a judicial decision on the floor of the House when the decision has been appealed to a higher court and is to be disposed of by that court in a constitutional and orderly way?

Mr. McSWAIN. In this case I do not see any impropriety in it. I propose to take it up here and everywhere else, so that if any other judge has a political bee in his bonnet and proposes to seek to rise to popularity upon this wave he will be exposed. The judges are servants of this Nation and are under the law and have no right to defy the supreme law.

Mr. MICHENER. But this body is not the body which determines the constitutionality of a law. The laws enacted by Congress provide how constitutional questions may be raised. If those questions are raised according to law, and a trial judge does not happen to render a decision in keeping with the opinion of any Member of this Congress, and before final disposition of the matter, does the gentleman think it wise for Members of Congress to attack judicial decisions? I want to say to the gentleman, in order to place myself right, that I agree with him on the merits of a large part of what he has said, but I am absolutely opposed to Members coming into this forum and in this manner attacking decisions while the case is pending in the higher court.

Mr. McSWAIN. I appreciate the gentleman's point of view. My idea is not to ask this House to express itself, of course. I asked permission to proceed out of order in order that I might express my views as a citizen of this Republic in this forum, and will speak in any other forum in which I may have an opportunity to speak.

Mr. LINTHICUM. Will the gentleman yield?

Mr. McSWAIN. Certainly.

Mr. LINTHICUM. I want to ask the gentleman how he arrives at the fact that this judge has a political bee in his bonnet?

Mr. McSWAIN. I arrive at it just like I arrive at the fact that when I see a track in the sand I know that a rabbit made it rather than a dog, and when I see a track in the sand I know a rabbit went along there.

Mr. LINTHICUM. The gentleman thinks that when a judge decides a case against his views that indicates he is politically inclined.

Mr. McSWAIN. No. The gentleman has never heard me open my mouth about prohibition, and I am not talking about prohibition in this connection. I am not talking for prohibition or against prohibition. I am talking about the absurdity of this judicial decision in the minds of lawyers. I want to ask my friend, who is a good lawyer, if he will avail himself of the opportunity of defending this as a legal proposition? If he will, he will not find me objecting to his having an opportunity to express himself in an effort to defend it from a constitutional point of view.

Mr. LINTHICUM. I am not a constitutional lawyer of sufficient ability to do that.

Mr. McSWAIN. The gentleman is an older lawyer than I am. He lives in the great city of Baltimore; he has tried big cases and he knows the Constitution. So far as I am concerned, the gentleman will not be deprived of the opportunity of defending the constitutionality of that decision.

Mr. LINTHICUM. No matter what city I live in or what kind of a lawyer I am, I have never been known to criticize a decision of the United States Supreme Court because it did not meet with my views.

Mr. McSWAIN. I have not yet criticized a decision of the United States Supreme Court, and I do not think I am going to have occasion to criticize it when it passes upon this question when it comes before it. [Applause.]

The CHAIRMAN. The time of the gentleman from South Carolina has again expired.

The Clerk read as follows:

Deciduous-fruit insects: For insects affecting deciduous fruits, grapes, and nuts, and including research on the Japanese and Asiatic beetles, $474,950, of which $20,000 shall be immediately available.

Mr. WATSON. Mr. Chairman, I move to strike out the last word.

I consider the appropriation made for destroying insects the most important one in the whole bill. The committee makes appropriations to destroy the insects that are now existing, but every year there are new species. I have not read the hearings, but I want to know from the chairman what encouragement the committee has had in making these appropriations. If the insects in the future continue to increase as they have in the past, the committee must make a larger appropriation than $2,000,000, and I would like to know what encouragement the committee has had from past appropriations?

Mr. DICKINSON. With reference to what insect?

Mr. WATSON. I am alluding to all the insects that you have included in this bill.

Mr. DICKINSON. As to many insects, we have had splendid results. The Mediterranean fruit fly has passed out of the picture, and there are many insects that are no longer considered pests. We have what is known as the Mormon cricket and the old grasshopper insect that are passing out of the picture, and if the gentleman has reference to the Japanese beetle——

Mr. WATSON. No; I am not referring to the beetle. I know in my own community there are new species of insects appearing every year. For instance, they are destroying the sugar maple, they are attacking shade trees, and new ones eating the vegetables. As we partly eradicate one insect—for instance, the potato bug—another one appears.

Mr. DICKINSON. The department has very broad authority, and they can take an appropriation that is named for one particular insect and adjust their operations to attack any other insect along the same line.

Mr. ADKINS. If the gentleman will yield, is not this a fight between the insect and man as to which is going to survive?

Mr. DICKINSON. Absolutely.

Mr. WATSON. Then, it seems to me you will have to make larger appropriations every year for the purpose of destroying the insects.

Mr. DICKINSON. We have been increasing the appropriations every year, and this year there is a very material increase all along the line with respect to insects and pests.

Mr. WATSON. Does the committee feel encouraged or otherwise?

Mr. DICKINSON. I think it is still a fight between the insect and man.

Mr. LARSEN. Mr. Chairman, I move to strike out the last word and ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LARSEN. Mr. Chairman, there is one provision of the bill under consideration which in the few minutes permitted me I would like to bring to the attention of the committee, for it is a matter which I think means a great deal to both the industrial and agricultural interests of this country. It is not very often that a provision of the kind finds its way into national legislation. I have reference particularly to the section providing for the Bureau of Chemistry and Soils and especially the appropriation which provides for naval stores research work and for an experimental laboratory in the field where naval-stores commodities are produced.

The total amount needed for this purpose, as stated by Doctor Skinner when before the committee, is $85,000. This would provide for the erection of the necessary plant and for its operation one year. The committee has provided in the bill for the appropriation of $30,000. We are very glad to get that amount and we are making no complaint with regard to the action of the committee for, of course, it is expected that other funds necessary for installation and operation of plant will be provided when and as needed.

I have been told by chemists who are in position to know that probably there is no more fertile field for investigation than the particular field which will be investigated under the funds made available for this purpose—the naval-stores industry.

It is a well-known fact that we ship from this country abroad each and every year something like 50,000 barrels of crude turpentine. It is shipped without distillation into foreign countries where a considerable amount is used in the manufacture of synthetic camphor from which celluloid is produced and used in the manufacture of shatter-proof glass such as appears in the windshields of our automobiles.

This, in itself, is a very important industry. It is one about which very little is known in this country. It is one in which other industries of the country are deeply interested and a very fertile field, and one which the chemists themselves say should be investigated in order that this Nation may get the full benefit that is due it from this wonderful product of turpentine produced in the Southern States of our Union.

There are about 1,400 operating turpentine plants in the United States. There are employed in each of these plants something like 100 to 300 men. Figuring at about five to the family, we see that there are anywhere from half a million to 700,000 people directly interested in this very important industry.

The industry produces something like $60,000,000 a year. From 80 to 100 years ago it was in its infancy; we had just entered upon this enterprise, so to speak. However, during these years we have worked over the turpentine timber region and to a very great extent depleted such timber. Production has so shifted from North Carolina to Texas, and back and forth, that even to-day there are only about two States that are producing in any considerable quantity. The State of Georgia produces more than 50 per cent of the total output and the State of Florida produces about 31 or 32 per cent.

As before stated, the turpentine-producing timber of the Nation has been practically depleted. We are now engaged in growing turpentine timber. The sad part of it is that the timber does not grow in all of the States. It grows only in the Southern States, and only in two or three of these States does it grow rapidly. The States of Georgia, Florida, and Alabama lead in the production of this type of timber.

It is very important, not only to agriculture but to industry also, that recently it has been determined turpentine farming is a part of agriculture.

When the agricultural marketing act was under consideration eminent authorities thought that its provisions were sufficiently broad to include gum turpentine products.

After the bill had been completed the question whether or not it was so included was raised. I then offered an amendment to the agricultural marketing act providing for its inclusion. This I did during the second session of the Seventy-first Congress.

The Federal Farm Board at that time considered the matter and was inclined to hold that turpentine farming was not included in the provisions of the act so as to be eligible for benefits thereunder.

The board invited me to come down and make presentation of the case, which I did. I then urged the board to send special representatives into the field to investigate and to study turpentine operations, and since that time it has done so, and as I am informed, it is practically conceded by the board that gum turpentine is a farm product. If it has not been made public, I think such opinion will soon be announced. It was undoubtedly the intention of Congress to include the industry in provisions of the act.

In the Federal farm marketing act there is a provision which requires the board to make a survey of marginal agricultural lands. This is one of the prime purposes of and benefits to be derived from the act. The growth of turpentine timber, under the suggested ruling of the board, and with aid from the act, will take from cultivation in the Southern States a large area which has heretofore been used for growing tobacco, wheat, cotton, and other products. My own State, Georgia, has at this time a million and a quarter acres of these marginal lands, most of which are admirably adapted to the growth of turpentine timber, both the yellow pine and the slash pine, for producing naval stores—both types of timber producing different kinds of gum.

The total area involved in the Southern States where production of this kind of timber is grown is from 10,000,000 to 14,000,000 acres. If these lands, by reason of the laboratory research, should be withdrawn from the production of food commodities, it would result in great relief to the agricultural situation of the country, not only in the South but the entire Nation.

I want to thank the committee for including in this bill the $30,000, and hope that next year it will include the other funds necessary for completion of the plant and its operation the following year.

Mr. CROWTHER. Mr. Chairman, I ask unanimous consent that I may proceed for 10 minutes. I may not use the whole of it.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. BUCHANAN. Reserving the right to object, is the gentleman's remarks upon any phase of this bill?

Mr. CROWTHER. I think it is germane; it is a subject we have been discussing for the last day or so.

Mr. Chairman, to avoid any question, I will ask unanimous consent to proceed out of order for 10 minutes.

Mr. BUCHANAN. Reserving the right to object, I have no objection to any Member speaking on anything covered by this bill or that is for the interest of agriculture. I am not going to object to the request of the gentleman from New York, but I will serve notice that hereafter until the bill is concluded I am going to object to the discussion of any other subject than that covered by this bill.

The CHAIRMAN. The gentleman from New York requests unanimous consent that he may proceed out of order for 10 minutes. Is there objection?

There was no objection.

Mr. CROWTHER. Mr. Chairman, ladies and gentlemen of the committee, we have had considerable discussion during the last two or three days on the question of whether or not food should enter into the language of the Senate joint resolution which has just been passed through our having agreed to the conference report. I think this short veto message submitted by a very distinguished Democrat should be placed in the RECORD in connection with the speeches that were

made on both sides of the House regarding the matter of food in emergencies of this character. Its reasoning differs very markedly from that contained in the speeches made on the Democratic side of the House:

EXECUTIVE MANSION, *February 16, 1887.*

To the House of Representatives:

I return without my approval House bill No. 10203, entitled "An act to enable the Commissioner of Agriculture to make a special distribution of seeds in the drought-stricken counties of Texas, and making an appropriation therefor."

It is represented that a long-continued and extensive drought has existed in certain portions of the State of Texas, resulting in a failure of crops and consequent distress and destitution.

Though there has been some difference in statements concerning the extent of the people's needs in the localities thus affected, there seems to be no doubt that there has existed a condition calling for relief; and I am willing to believe that, notwithstanding the aid already furnished, a donation of seed grain to the farmers located in this region to enable them to put in new crops would serve to avert a continuance or return of an unfortunate blight.

And yet I feel obliged to withhold my approval of the plan, as proposed by this bill, to indulge a benevolent and charitable sentiment through the appropriations of public funds for that purpose.

I can find no warrant for such an appropriation in the Constitution, and I do not believe that the power and duty of the General Government ought to be extended to the relief of individual suffering which is in no manner properly related to the public service or benefit. A prevalent tendency to disregard the limited mission of this power and duty should, I think, be steadfastly resisted, to the end that the lesson should be constantly enforced that though the people support the Government the Government should not support the people.

The friendliness and charity of our countrymen can always be relied upon to relieve their fellow citizens in misfortune. This has been repeatedly and quite lately demonstrated. Federal aid in such cases encourages the expectation of paternal care on the part of the Government and weakens the sturdiness of our national character, while it prevents the indulgence among our people of that kindly sentiment and conduct which strengthens the bonds of a common brotherhood.

It is within my personal knowledge that individual aid has to some extent already been extended to the sufferers mentioned in this bill. The failure of the proposed appropriation of $10,000 additional to meet their remaining wants will not necessarily result in continued distress if the emergency is fully made known to the people of the country.

It is here suggested that the Commissioner of Agriculture is annually directed to expend a large sum of money for the purchase, propagation, and distribution of seed and other things of this description, two-thirds of which are, upon the request of Senators, Representatives, and Delegates in Congress, supplied to them for distribution among their constituents.

The appropriation of the current year for this purpose is $100,000, and it will probably be no less in the appropriation for the ensuing year. I understand that a large quantity of grain is furnished for such distribution, and it is supposed that this free apportionment among their neighbors is a privilege which may be waived by our Senators and Representatives.

If sufficient of them should request the Commissioner of Agriculture to send their shares of the grain thus allowed them to the suffering farmers of Texas, they might be enabled to sow their crops, the constituents for whom in theory this grain is intended could well bear the temporary deprivation, and the donors would experience the satisfaction attending deeds of charity.

GROVER CLEVELAND.

I commend this veto message to the gentlemen of the Democratic side who made speeches on the subject expressing their desire to include food in the language of the Senate joint resolution, and especially the gentlemen who even advocated raising the income taxes for that purpose.

The Clerk read as follows:

Truck-crop insects: For insects affecting truck crops, including insects affecting tobacco and sugar beets, $419,185.

Mr. DOMINICK. Mr. Chairman, I move to strike out the last word, to speak for a moment respecting the paragraph for subtropical-plant insects. I notice by the report of the committee the following language:

An increase of $6,380 in the working funds for improving methods for the control of the Argentine ant has also been allowed.

I must confess that, as well as a good many other things, the Argentine ant is an insect or pest that I had not heard of until the past few days. Prof. R. M. Smith, who is now associate professor of entomology of the Mississippi Agricultural and Mechanical College, who is a native of my district and a graduate of Clemson College, the agricultural and mechanical college of the State of South Carolina, has written me a very interesting letter in connection with this pest. I understand that the subcommittee of the Committee on Appropriations has had hearings on this item, but could allow only the amount that has been allowed—$6,380—at this time. I shall not attempt to offer an amendment to increase this appropriation, but for the information of the House and for the committee hereafter, I ask unanimous consent that this letter, which is short, from Professor Smith, may be printed in the RECORD along with my remarks.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The letter referred to is as follows:

STATE PLANT BOARD OF MISSISSIPPI,
A. and M. College, Miss., December 16, 1930.

Hon. FRED H. DOMINICK,
House of Representatives, Washington, D. C.

DEAR MR. DOMINICK: Please accept my thanks for your letter of December 6, relative to an appropriation for research and eradication work on the Argentine ant. In my previous letter to you I did not go into very much detail concerning this matter, hence I am taking the liberty of doing so now.

The first infestation of the Argentine ant in the United States was found in New Orleans about 1890. Since that time the ants have been distributed by commerce throughout nearly all the Southern States. Some of these States, especially those along the Gulf coast, are heavily infested with the insect; for instance, in Mississippi we know at the present more than 200 infestations. Some of these cover several square miles and take in entire municipalities such as Jackson and Meridian, Miss. That the Argentine ant is not as prevalent in South Carolina as it is in Mississippi and several other States is due to the fact that the ants have not had time to thoroughly infest that State. The ants are spreading very rapidly; only recently I learned of new infestations at both Spartanburg and Gaffney, S. C. As you no doubt know, the boll weevil primarily affects the cotton grower, the Mediterranean fruit fly affects the citrus grower, the European corn borer mainly the corn producer, but the Argentine ant is a pest to everyone. Besides infesting houses, cafés, hotels, etc., the ants are known to foster and distribute injurious insects such as scale insects, mealybugs, and plant lice. These latter insects often destroy or devitalize plant life. Whether the Argentine ant transmits human diseases has not been proven, but because of their filthy habits one has every reason to believe that the ants may spread dysentery, tuberculosis, typhoid fever, and other easily communicable diseases.

That the Argentine ant can be exterminated has been definitely proven by the work which has been conducted in this State. The ants have been eradicated from at least 25 places, and within the next year or two they will perhaps be eradicated from as many more. It is estimated that if the Federal Government should attempt to carry on the work like it should be done it would take at least $25,000 for research work, and from one hundred to several hundred thousand dollars per year for survey and eradication work. The item allowed in the present Federal Budget is only $6,400, an amount which is entirely inadequate. In Mississippi alone at least $100,000 has been spent yearly to fight the Argentine ant. Even some counties have appropriated $8,000 to $11,000 each year for this work. As you are especially interested in the Argentine-ant work I hope you will discuss this matter with the members of the subcommittee of agriculture of the House Appropriations Committee. The men are as follows:

Hon. L. J. DICKINSON, of Iowa; Hon. ROBERT G. SIMMONS, of Nebraska; Hon. JOHN W. SUMMERS, of Washington; Hon. JAMES P. BUCHANAN, of Texas; Hon. JOHN N. SANDLIN, of Louisiana.

Thanking you very kindly for your interest in the matter, I am

Very sincerely yours,

M. R. SMITH,
Associate Professor of Entomology,
Mississippi Agricultural and Mechanical College.

The Clerk read as follows:

Cereal and forage insects: For insects affecting cereal and forage crops, including sugarcane and rice, and including research on the European corn borer, $577,220, of which amount not to exceed $1,000 may be used for the rent of land in the Southwest for the investigation of the alfalfa seed chalcid, if the Secretary of Agriculture is able to lease said land for a period of not to exceed 10 years, at a rate not to exceed $1,000 per annum.

Mr. SLOAN. I move to strike out the last word, Mr. Chairman. I do this for the purpose of making inquiry of the chairman as to the appropriation for the European corn borer. I would like to ask whether the appropriation is the same as it was last year and the year before?

Mr. DICKINSON. The real item on the corn borer comes up a little later. There are three items which cover the corn borer. The Budget estimate was $950,000 for plant quarantine. There is $272,000 for investigations for a resistant corn. That comes under plant industry. There is $30,000 here for chemistry and soils, which is an effort to

determine what the soil has to do with the development of the corn borer. The only reduction is that we have had two lines of quarantine, one line of quarantine along New York State, leading down to the north edge of New Jersey, on what is known as the 2-generation corn borer. About $210,000 was spent there. The western quarantine is out through the States of Ohio and Indiana, and that is where the balance of the money has been spent.

There has been a great deal of discussion whether or not these quarantines should not be entirely abandoned, and that discussion will come up under the food and plant quarantine act a little later, where there will be a modification in the language.

Mr. SLOAN. That is in this bill?

Mr. DICKINSON. In this bill.

Mr. SLOAN. Can the gentleman state with any definiteness how much of that $577,220 is applicable to the European corn borer investigation or extermination or whatever the activities may be?

Mr. DICKINSON. The $272,000 is absolutely all given over to research, to finding the habits of the bug and how to eradicate them. That is all spent on work.

Mr. SLOAN. There is no large amount devoted to policing?

Mr. DICKINSON. Oh, yes; that is the other item of $950,000.

Mr. SLOAN. But it does not run into millions, as it did a few years ago?

Mr. DICKINSON. Oh, no; that has been eliminated.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Total, Bureau of Entomology, $2,840,120, of which amount not to exceed $488,750 may be expended for personal services in the District of Columbia.

Mr. BOX. Mr. Chairman, I move to strike out the last word.

I ask unanimous consent to speak out of order, Mr. Chairman, but related to agriculture.

The CHAIRMAN. The gentleman evidently qualifies under the proviso of his colleague.

Mr. BUCHANAN. If the gentleman will speak on agriculture I will have no objection. Otherwise I do object.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. Box]?

There was no objection.

Mr. BOX. I obtained this time for the purpose of calling attention to bills introduced by the gentleman from Texas [Mr. SANDERS] and the gentleman from Alabama [Mr. BANKHEAD] authorizing the extension of time on loans made by the Federal land bank to farmers who make default in the payment of interest on their loans. I have considered the introduction of such a bill myself.

I think by all means this general subject ought to be given careful consideration. The foreclosure of liens against great numbers of productive farmers, occupying their farm homes, would be a very unfortunate thing at this time. If the lien is foreclosed and the farmer is ejected from possession of his home the land will probably become vacant and nonproductive. After such foreclosure, under present conditions it will not be an asset of the Federal land bank, at least not a productive one, and it will be a very serious injury to the farmer himself.

I have not adopted all the details of these bills thus far offered so as to be able to commit myself to all of them, but nevertheless I believe that this type of farm relief will be more substantial and more productive of permanent good than some of the other measures which we are adopting, though I am favoring the present relief measures.

Mr. SLOAN. Will the gentleman yield?

Mr. BOX. I yield.

Mr. SLOAN. Can the gentleman state briefly for my information, and possibly the information of others, what degree of discretion the Farm Loan Board has in the matter of foreclosure or nonforeclosure in the case of default of interest or of the principal, if any portion of the principal may be due?

Mr. BOX. I understand that they have very little discretion and that they feel compelled to make foreclosures. Moreover I am informed that great numbers of farmers face such foreclosures. That would, in great measure, defeat the purpose which prompted the establishment of the Federal land banks. It would not benefit those banks because these farms will not bring money now. It would ruin many farmers who should stay in their homes. Farmers should not now be driven from their homes to the ranks of unemployed, seeking work in industries. Where there have been defaults in many instances the land banks have refused to grant extensions when the failure to do it has been ruinous to a good, productive farmer who simply had some of the misfortunes against which we are trying to grant relief in this Congress.

Mr. SLOAN. Is the purpose of these bills to extend that discretion?

Mr. BOX. That is my understanding. I know that is my purpose in supporting the proposition. I yield to the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. The gentleman has put his finger directly on the power that we want to invoke. If the Federal land bank, with the approval of the Federal Farm Board, shall during this period of emergency have discretion to extend these loans and withhold foreclosure, the situation will be remedied.

Mr. SLOAN. I should be quite in harmony with the spirit of that bill, if that accurately states it.

Mr. BANKHEAD. That is one of the major purposes of the bill.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Control of predatory animals and injurious rodents: For demonstrations and cooperation in destroying animals injurious to agriculture, horticulture, forestry, animal husbandry, and wild game; and in protecting stock and other domestic animals through the suppression of rabies and other diseases in predatory wild animals, $590,480.

Mr. LEAVITT. Mr. Chairman, I move to strike out the last word.

I notice that an expenditure that has been in previous appropriation bills in the form of one item has now been separated into two. The item for the control of predatory animals and injurious rodents has been separated from the single item previously carried under the head of "Food habits of birds and animals."

I consider that a forward step, because it is beginning to give proper consideration to the problem of the control of predatory animals and the extermination of rodents.

I also notice with a great deal of satisfaction that there is an increase here for the control of predatory animals and the extermination of injurious rodents of about $12,000. I understand that that is to take care of increased work in States east of the Mississippi River, where the infestation of orchards and fields generally by rodents of various kinds, mice and rats, is to be undertaken in a more extensive way than has been the case in the past.

It will be interesting to the Congress to notice in the hearings a statement by a member of the Biological Survey that an estimate of damage by one rat is about $2 a year, and that it would not be out of line to estimate the total damage to crops and orchards of the country by injurious rodents, to be probably $200,000,000. Thus the allotting of an additional $12,000 to carry forward that particular line of work is in the way of real economy.

I wish also to call attention to the fact that during the first session of this Congress hearings were held before the Committee on Agriculture with regard to a bill which I had introduced on the 6th of February of this year, H. R. 9599.

It is a bill to authorize the Secretary of Agriculture to carry out his 10-year cooperative program for the eradication, suppression, or bringing under control of predatory and other wild animals injurious to agriculture, horticulture, forestry, animal husbandry, wild game, and other interests, and for the suppression of rabies and tularemia in predatory or other wild animals, and for other purposes. The

hearings were attended by representatives of many of the States and it was conclusively shown, I am sure, that the 10-year program proposed by the Secretary of Agriculture should be provided for by adequate appropriations and put into effect. That 10-year program was the answer of the Secretary of Agriculture to a question asked, I think, by members of this subcommittee which has reported the present appropriation bill to the House, as to what needed to be done to bring the predatory animals and rodents under control and lead toward a final solution of the problem they present as injurious to the livestock and agricultural interests. The answer was a program that would extend over a period of 10 years.

I wish to call it to the attention of the committee that the proposal is not the extermination of wild animals but the control of wild animals in so far as they are injurious to the livestock and agricultural interests. The evidence showed quite conclusively that the appropriations being made have just about held even with the natural increase of these animals and rodents, so that there will be an indefinite extension of the problem under the present method. The idea advanced in these hearings and under the program of the Secretary of Agriculture is that for the 10-year period this program should be speeded up; that the situation should be brought under control, and that then it would take a lesser amount of appropriations each year to maintain that control.

I hope that the Members of the House who are interested—and many of you are, because many have spoken to me about this matter and have heard from their States—will present to the Committee on Agriculture, which has my bill before it, the importance, necessity, and wisdom of reporting it out at this session of Congress. In the next Congress steps can then be taken to increase the amounts of appropriation, in order to lessen or avoid these losses to our agricultural and livestock interests.

The CHAIRMAN. The time of the gentleman from Montana has expired.

Mr. LEAVITT. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. SLOAN. Will the gentleman yield?

Mr. LEAVITT. Yes.

Mr. SLOAN. I notice that the policy is to control predatory animals and injurious rodents. I presume there is a reason for it, but why have a policy of control rather than a policy of extermination of injurious rodents? Why should not a policy be adopted which would exterminate injurious rodents instead of keeping them alive in order to secure appropriations?

Mr. LEAVITT. The gentleman will recall, perhaps, that in my opening remarks I separated those two things, stating that I understood this added $12,000 was for the extermination of these injurious rodents. Of course, those who are interested in the control of predatory animals from the standpoint of protecting the products of mankind run counter to the theoretical ideas of many who seem to feel that the rights of wild animals are greater than the rights of domestic animals.

Mr. SLOAN. I can understand that as to predatory animals, but not as to predatory rodents.

Mr. LEAVITT. The purpose here is control and not extermination, so far as predatory animals are concerned. Of course, my own judgment is that many kinds of injurious rodents, at least in many localities, ought to be as nearly exterminated as possible, but their complete extermination is almost an impossibility. That matter takes care of itself.

Mr. SLOAN. The word "control" is used interchangeably between rodents and animals.

Mr. LEAVITT. The degree of control would vary with the necessities of the case.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For the acquisition of areas of land or land and water pursuant to the act entitled "An act to establish the Upper Mississippi River wild life and fish refuge," approved June 7, 1924 (U. S. C., title 16, secs. 721–731), as amended, and for all necessary expenses incident thereto, including the employment of persons and means in the city of Washington and elsewhere, $150,000, which shall be available until expended, being part of the sum of $1,500,000 authorized to be appropriated for such purpose by section 10 of said act; and for all necessary expenses of the Secretary of Agriculture authorized by section 9 of said act, $47,780; in all, $197,780: *Provided*, That the Secretary of Agriculture may incur obligations and enter into contracts for the acquisition of additional areas to an amount which, inclusive of the amounts heretofore and herein appropriated, shall not exceed a total of $1,500,000, and such contracts shall be deemed contractual obligations of the Federal Government.

Mr. DOWELL. Mr. Chairman, I move to strike out the last word in order to get some information from the committee. On the Upper Mississippi River, may I inquire of the committee how much of the land contemplated to be purchased by the department is yet to be included in the amount provided in this bill?

Mr. DICKINSON. It is my impression, speaking from memory, that the larger part of it has already been purchased or contracted for.

Mr. DOWELL. I note the provision here is that the $1,500,000 is to be exhausted in the purchase of land.

Mr. DICKINSON. That is true.

Mr. DOWELL. That includes, as I understand it, all that has been authorized for this purpose?

Mr. DICKINSON. That is correct.

Mr. DOWELL. May I inquire of the chairman if this amount is sufficient to purchase all which the department believes should be included?

Mr. DICKINSON. It is my understanding it will not be necessary to use all of this money; that they will have more than enough money.

Mr. DOWELL. Is the gentleman able to give to the House information as to the number of acres that have been purchased under this provision?

Mr. DICKINSON. I can not give it to the gentleman offhand.

Mr. DOWELL. Can the gentleman approximate the amount?

Mr. DICKINSON. I would have to get that acreage and put it in the RECORD.

The pro forma amendment was withdrawn.

The Clerk read as follows:

To enable the Secretary of Agriculture to carry into effect the act entitled "An act to fix standards for Climax baskets for grapes and other fruits and vegetables, and to fix standards for baskets and other containers for small fruits, berries, and vegetables, and for other purposes," approved August 31, 1916 (U. S. C., title 15, secs. 251–256), the act entitled "An act to fix standards for hampers, round stave baskets, and splint baskets for fruits and vegetables, and for other purposes," approved May 21, 1928 (U. S. C., Supp. II, title 15, secs. 257–257i), and the act entitled "An act to prevent the destruction or dumping, without good and sufficient cause therefor, of farm produce received in interstate commerce by commission merchants and others and to require them truly and correctly to account for all farm produce received by them," approved March 3, 1927 (U. S. C., Supp. III, title 7, secs. 491–497), including the purchase of such perishable farm products as may be necessary for detection of violations of the latter act: *Provided*, That all receipts from the sale of such products shall be credited to this appropriation, and shall be reexpendable therefrom, and including the employment of such persons and means as the Secretary of Agriculture may deem necessary in the city of Washington and elsewhere, $43,000.

Mr. DICKINSON. Mr. Chairman, I offer an amendment correcting the total.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. DICKINSON: Page 74, line 2, strike out "$43,000" and insert in lieu thereof "$45,000."

The amendment was agreed to.

Mr. DOWELL. Mr. Chairman, evidently there is not a quorum present, and I make the point there is no quorum present.

Mr. SLOAN. Mr. Chairman, I ask unanimous consent that the point of no quorum be withdrawn. I think that is proper.

Mr. DOWELL. I withdraw the point of order, Mr. Chairman.

The Clerk read as follows:

Total, Bureau of Home Economics, $246,700, of which amount not to exceed $254,990 may be expended for personal services in the District of Columbia.

Mr. DOWELL. Mr. Chairman, I move to strike out the last word. I note on page 75, line 22, a total of $246,700, and out of that is to be taken $254,990, and I am inquiring into the correctness of the committee in making this computation. I would like to have an explanation from the committee, if I may.

Mr. SLOAN. Does not the gentleman think that can be done better here in the District of Columbia than any place on earth? [Laughter.]

Mr. DICKINSON. Mr. Chairman, we are very appreciative of the suggestion of the gentleman from Iowa [Mr. DOWELL]. The figure in line 23 should be $224,990, instead of $254,990, and I ask unanimous consent that the figure "5" be changed to the figure "2."

Mr. DOWELL. Not having watched the computations in other paragraphs of this long bill, may I inquire of the chairman if the rest of them are as correct as this one? [Laughter.]

Mr. DICKINSON. Mr. Chairman, I ask unanimous consent that the figure 5 in line 23, page 75, in the amount of $254,990, be changed to the figure 2.

Mr. DOWELL. The gentleman must offer an amendment to that effect and have it adopted.

The CHAIRMAN. The gentleman from Iowa [Mr. DICKINSON] asks unanimous consent that in line 23, page 75, the figure 5 be changed to the figure 2, so that the amount will be $224,990. Is there objection?

Mr. DOWELL. Mr. Chairman, I make the point of order that that can not be changed except by an amendment. If the gentleman desires to offer such an amendment that is perfectly proper, but it is not proper to change the text of the bill without submitting an amendment and having it approved by the committee.

The CHAIRMAN. The Chair will consider that the gentleman from Iowa [Mr. DICKINSON] offers an amendment to that effect.

Mr. DOWELL. Then I would like to have the amendment reported in the usual way.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. DICKINSON: Page 75, line 23, strike out "$254,990" and insert in lieu thereof "$224,990."

The amendment was agreed to.

The Clerk read as follows:

Agriculture on account of such cleaning and disinfection shall be covered into the Treasury as miscellaneous receipts.

Mr. FORT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in the report of the committee on this item occurs the following language:

There is a further reduction—

Referring to the Bureau of the Budget figures—

of $210,000 made by the committee, in view of the committee's conviction that the quarantine and road patrol measures on the eastern boundary of the regulated area can safely be dispensed with.

There are two types of European corn borer—the 1-generation type, which infests the West, and the 2-generation type, which is found in the wet districts around the city of Boston. All the wet territory is subject to infestation of this type of corn borer, and the quarantine at present held by the Federal Government is for the protection of the State of New Jersey, which State I have especial reason to know to be predominantly wet, and operates chiefly along the western border of the State of Connecticut.

The committee, I believe, will confirm the statement that after further investigation of this subject they feel that the language which I have read from the report of the committee should not be taken as binding by the Department of Agriculture in carrying out the allocation of the appropriations named in the bill, but that it should be available for the maintenance of quarantine in the eastern area as well as in those sections infested by the so-called 1-generation type of European corn borer.

As a matter of fact, it is probably scientifically true that the 2-generation borer, which infests the Boston area, is a far more dangerous pest to a large number of farm products, including all tubers and many other crops, than is the 1-generation variety of European corn borer known in the West.

I believe the chairman of the subcommittee will confirm my statement that the Department of Agriculture is exempted from following that particular language in the report which prohibits the maintenance of the eastern quarantine and may hereafter use its judgment as to the allocation of funds.

Mr. SLOAN. Will the gentleman yield?

Mr. FORT. I yield.

Mr. SLOAN. The gentleman is a member of the Agricultural Committee and comes from a section of the country where the corn borer is more active than it is in the section of the country in which I live. I would like to ask the gentleman if he believes that the sum appropriated here is ample to prevent the further spread of the corn borer and protect the wet districts where it is possible?

Mr. FORT. From such investigations as I have made and from the hearings there is substantial ground to doubt seriously the commercial damage from the 1-generation corn borer. I think the committee can give a better estimate of that than I can.

Mr. DICKINSON. Mr. Chairman, I would like to proceed for five minutes. There is contained in this bill three items covering the corn-borer situation—$30,000 for research in the Bureau of Chemistry, $272,000 in the Bureau of Entomology, and $710,000 for quarantine.

The committee has been hearing the proponents and the opponents of the corn-borer control works for some time. There has been developing in the minds of the committee the thought that the quarantine work possibly could be reduced. The reason for that is that there is very little showing of commercial damage due to the corn borer. In fact, the western area has never shown any commercial damage whatsoever. The experts of the department tell us that. The only place we find there is in any grave danger of commercial damage is in what you would call the low marshy land. That first happened around the city of Boston, and it also happened to some extent around Lake Erie on the Canadian side. For that reason the committee has been gradually reaching the conclusion that there ought to be some curtailment of this quarantine control. There was included in the report the following statement:

There is a further reduction of $210,000 made by the committee, in view of the committee's conviction that the quarantine and road-patrol measures on the eastern boundary of the regulated areas can safely be dispensed with.

I think the language—

On the eastern boundary of the regulated area can safely be dispensed with—

should be stricken from the report. This would leave the department free to select the place where they want to make the curtailment in the quarantine operations, and if they thought that the area in the East was in graver danger than the area in the West they would be in a position then to use the funds in whichever area they saw fit. I think the department should understand that there is no limitation on their use of the $740,000 in the quarantine work; that they may use it wherever the danger is gravest and eliminate the work in the section where the danger is less.

Mr. FORT. Then, Mr. Chairman, with that understanding, I am not offering the amendment which I had proposed to offer to increase the appropriation by $210,000, and I withdraw the pro forma amendment.

The CHAIRMAN. Without objection the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For the control and prevention of spread of the white-pine blister rust, $10,200.

Mr. LEAVITT. Mr. Chairman, the item just read carrying an appropriation for the control and prevention of spread of the white-pine blister rust, $10,200, is one that has to do with forestry. I do not intend to discuss that particular item in detail at this time, except to express my satisfaction that such an item is in the bill. I call the attention of the House to the fact that there have been included in the forestry items of this bill some particularly valuable additions of moneys that make possible the doing of work of great importance. I have in mind in particular an item to be found on page 48:

Forest survey: A comprehensive forest survey under section 9, $200,000.

Work of that character has been carried on in some places in the forested areas of the country, but it is particularly important to those of us from the northern Rocky Mountain section that this bill includes under the heading of "Forest survey" the sum of $20,000 for a survey in the inland empire by the Northern Rocky Mountain Forest Experiment Station. That provides for the initiation of the work of forest survey in the inland empire, and I am sure it will be interesting to the House to know what is contemplated. The hearings disclose that fully in very brief form:

Twenty thousand dollars for a survey in the inland empire by the Northern Rocky Mountain Forest Experiment Station.

The economic welfare of the inland empire, including Idaho, western Montana, and eastern Oregon and Washington, is largely based upon forest industries. This region includes the western white-pine forests, which periodically are subjected to disastrous conflagrations and which are now threatened by the blister rust. Overcutting is taking place on private lands. The situation involves complex public and private owner relationships. It presents one of the most puzzling forest problems of the country. The survey is needed at once to obtain basic data essential for effectively working out public and industrial forest and land policies which will enable perpetuation of the forest resource and the industries based thereon.

The plan of the department will be to obtain authoritative data on the quantity, quality, and distribution of the remaining stands of timber, the rapidity with which it is being cut and destroyed by lumbering, fires, insects, diseases, or other causes, the current rate of replacement by new growth and potential future growth, present and probable future requirements for timber, the acreage and condition of forest land, and such other data as may be necessary as a basis for State, regional, and national forest policies.

Cooperation: It is probable that cooperation can be expected from timberland owners and other agencies.

The experience in carrying on forest-fire protective work in that section would lead us to the conclusion that this sort of cooperation will be reasonably possible in connection with this forest survey. Mr. Chairman, that item ties in closely with the one just read, for the carrying on of the work against the white-pine blister rust. This survey is in a region in Idaho, Montana, Oregon, and Washington which contains one of the most valuable stands of white pine. It is now being attacked to some extent by this white-pine blister rust, and the survey, in addition to the further appropriations that it will ultimately point to, will prove conclusively the value of those that are now being made and will result in meeting that devastation of blister rust which is, in the long run, as serious as the forest fires. This is one of the most important forestry items in this bill and one to which I wish to call the attention of the House as showing the forward-looking program of this committee in meeting the forestry problem of the country.

The Clerk read as follows:

ENFORCEMENT OF THE GRAIN FUTURES ACT

To enable the Secretary of Agriculture to carry into effect the provisions of the grain futures act, approved September 21, 1922 (U. S. C., title 7, secs. 1–17), $198,980, of which amount not to exceed $48,800 may be expended for personal services in the District of Columbia.

Mr. HOWARD. Mr. Chairman, I move to strike out the last word for the purpose of making an inquiry of the chairman of the committee. Will the chairman be kind enough to explain to me in words which one of my limited ability can understand just what is meant by "duties of the Secretary of Agriculture with reference to the grain futures act."

Mr. DICKINSON. Under the grain futures act the Secretary of Agriculture is given the power to prescribe rules and regulations for the control of the grain exchanges that are public grain exchanges. I think that only includes a limited number of the grain exchanges in the United States. These rules and regulations can prescribe the amount of commission that a concern may charge; prescribe the methods by which the grades may be determined; and regulations for carrying out the grading of the grain, and so forth.

Mr. HOWARD. It is understood that the Secretary of Agriculture would have the power to deny to any person the privilege of making a grain exchange purchase of grain which he never intends to receive and from somebody who never had any grain?

Mr. DICKINSON. I do not think the Secretary of Agriculture would have any such authority under the present law. The only instance I can cite where the Secretary of Agriculture acted in such a matter is the recent development on the Chicago Board of Trade, when it was presumed that the Russian Government in the course of three or four days sold seven or eight million bushels of futures and the Secretary of Agriculture did not feel he had authority to eliminate a sale by a foreign government on the board of trade. The only influence he had was to get the fair trade committee of the board of trade to adopt regulations whereby a foreign government was not to be permitted to sell grain on the Chicago Board of Trade. Those regulations were adopted and that eliminated the sale of the Russian wheat, a manipulation that was affecting the market as far as the price of wheat was concerned.

Mr. HOWARD. It was unfortunate that that order was not issued at the time when the representatives of England, France, and Belgium came here shortly following the war and are said to have sold short vast millions of bushels of our chief grains, drove them down to a price at which they felt it would be about proper for them to buy, and then purchase quantities needed by those governments, all at the loss of the American producer.

Mr. DICKINSON. That is one of the instances that was an inspiration for the passage of the grain futures act, as I recall it. I have forgotten in just what year that took place, but it was one of the instances that was used at the time as an illustration of how a foreign government could manipulate our prices under the present marketing system.

Mr. HOWARD. I understand the gentleman to say that under existing law the Secretary of Agriculture has no power to forbid short sales on any grain exchange.

Mr. DICKINSON. That is true.

Mr. HOWARD. Does the gentleman not think that his committee, having charge more directly of the interests of agriculture than others of us who are not members of that committee, and believing that to be a gigantic evil, should present something to forbid that evil?

Mr. DICKINSON. I will suggest that there is now pending before the Committee on Agriculture a bill introduced by myself to cure the very situation which the gentleman has described.

Mr. HOWARD. But in the absence of quick functioning by that committee there is not much hope in the hearts of those who believe that that legislation should be enacted.

Mr. DICKINSON. That is probably true.

Mr. JONES of Texas. Will the gentleman yield?

Mr. HOWARD. I yield.

Mr. JONES of Texas. I would like to suggest to the gentleman that the grain futures act provides that the Secretary of Agriculture——

The CHAIRMAN. The time of the gentleman from Nebraska [Mr. HOWARD] has expired.

Mr. JONES of Texas. Mr. Chairman, I move to strike out the last word.

The grain futures act, as at present worded, provides that the Secretary of Agriculture may lay down rules and regulations under which an exchange may operate, and if they

fail to comply with those rules and regulations he may take away their licenses. When that is done they can not operate longer until they get the Secretary of Agriculture to restore their privileges or until they go into the courts and set aside the action of the Secretary as an abuse of discretion.

I think under those rules the Secretary might have authority to act in a case of that kind. The measure clothes the Secretary of Agriculture with discretion in the way of making rules and regulations to prevent manipulation and control of prices. There are a number of bills pending before the House committee, one of which I introduced myself, the effect of which would be to stop all short selling. I have never been able to see where actual short selling of a commodity that a man does not possess, or purporting to sell a commodity which he does not possess and does not expect to possess, could add anything to the value of that commodity or serve any useful purpose. Actual trading in a commodity would, of course, be valuable. If the trading were limited to that, I think it would be well to have that done. A number of hearings have been conducted, but it is hard to get the committee to agree on just what form the legislation should take. I have no doubt there will be some further consideration of that legislation.

Mr. DICKINSON. Will the gentleman yield?

Mr. JONES of Texas. I yield.

Mr. DICKINSON. Was the gentleman not a member of the committee when the grain futures act was passed by the House of Representatives?

Mr. JONES of Texas. Yes, I was; I was one of the committee of 21 members.

Mr. DICKINSON. The gentleman was present at the long hearings, where the matter of trading in futures, particularly the speculative phase of it, was discussed?

Mr. JONES of Texas. Yes.

Mr. DICKINSON. And at that time the gentleman heard both the pros and the cons with reference to the benefits and the evil effects of futures trading?

Mr. JONES of Texas. Yes.

Mr. DICKINSON. But futures trading still was permitted at that time?

Mr. JONES of Texas. Yes. Futures trading still was permitted as the bill was finally passed. It was not passed in the form I wished, but it was the best that could be gotten at that time. There were a number of different suggestions made. In fact, there was a limitation on the amount of short selling that might be done by any one individual or any one concern placed in the bill, but the bill finally passed and became a law and that limitation was stricken out of the bill. I always felt that would have helped somewhat. Of course, legislation, as the gentleman knows, must be a matter of compromise. I have never been able to convince a majority of the committee that the limitations should go as far as I feel it should go.

Mr. DICKINSON. At the present time there is nothing in the law that would give to the Secretary of Agriculture any authority to come in and reach the trading of a foreign government on a board of trade except his right to issue or cancel licenses and issue rules and regulations.

Mr. JONES of Texas. That power is in the bill.

As the gentleman has well said, the recourse he would have would be the issuance of a regulation or rule or requirement, the violation of which would give him the privilege of taking away their license to do business. Of course, if he found the market was being manipulated he could have canceled the license.

Mr. GARBER of Oklahoma. Will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. GARBER of Oklahoma. In that connection I desire to call the gentleman's attention to section 5 of the grain futures act of 1922, paragraph 1:

> The Secretary of Agriculture is hereby authorized and directed to designate any board of trade as a "contract market" when, and only when, such board of trade complies with and carries out the following conditions and requirements.

I now call the gentleman's attention to paragraph (d) of that section.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. JONES of Texas. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. GARBER of Oklahoma. Paragraph (d) provides when the secretary may revoke the license:

> When the governing board thereof provides for the prevention of manipulation of prices or the cornering of any grain by the dealers or operators upon such board.

Mr. JONES of Texas. That general authority is granted to the board, and, of course, I think the grain administration, if they saw fit to do so, would have authority to act under that general provision.

Mr. GARBER of Oklahoma. The question was asked whether or not there was any prohibition in the law which might be enforced to prohibit the short selling of grain by foreign governments. Under the provision I have just read the Secretary is empowered to revoke the license of any board of trade whenever he finds the market is being manipulated to influence either way the price which would otherwise be maintained.

Mr. JONES of Texas. I think the provision which the gentleman read undoubtedly gives that authority.

Mr. GARBER of Oklahoma. In the hearings before the Agricultural Appropriation Committee, Mr. Duvel, representing the department, said:

> While the Russian sales extended over a period of four days, most of the selling took place on September 10 and 11. The total Russian sales on those two days amounted to 7,195,000 bushels, or 11.4 per cent of the total sales on the Chicago Board of Trade on those days.

Mr. JONES of Texas. May I suggest to the gentleman in that connection that the total short selling by people in this country was so much greater than these sales that they were a mere drop in the bucket, because there were nearly 20,000,000,000 bushels of futures sold in one year, and for several years there have been from twelve to twenty billions of bushels sold on futures contracts.

Mr. GARBER of Oklahoma. I know that, but I am only referring to the transactions which occurred on four days.

> On September 10 the Russian sales amounted to slightly more than 14 per cent of the day's business, and on the 11th slightly more than 9.4 per cent. Practically 50 per cent of the total volume of trading on the Chicago Board of Trade represents scalping; i. e., the trading of persons who buy and sell in equal amounts during the day and are even at the end of the day. Therefore, if the purely scalping trade be eliminated, the Russian sales on September 10 and 11 would represent approximately 23 per cent of the total trading on those two days. The open commitments during the 4-day period increased from 147,982,000 bushels to 158,317,000 bushels, or an increase of 10,335,000 bushels. Of this increase in open commitments the Russian sales were responsible for 7,765,000 bushels, or a little more than 75 per cent. During the same period the price of December wheat declined from a high of 92⅛ cents on September 8 to a low of 86½ cents on September 11, a loss of 6⅛ cents. The May future declined from a high of 99⅛ cents on September 8 to a low of 93¾ cents on September 11, a loss of 5⅜ cents.

Mr. JONES of Texas. The gentleman understands that I do not think short selling should be permitted by the Russians or anybody else on our exchanges.

Mr. GARBER of Oklahoma. I understand that, but I am offering this statement of fact as evidence of the manipulation of the market and the pounding down of prices, resulting in the loss of millions of dollars.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. GARBER of Oklahoma. Mr. Chairman, I ask unanimous consent that the gentleman from Texas may proceed for two additional minutes.

The CHAIRMAN. Without objection it is so ordered.

There was no objection.

Mr. GARBER of Oklahoma. I want to ask the gentleman from Texas if, in his judgment, the evidence was not sufficient to at least warrant an aggressive and searching investigation on the part of the Department of Agriculture?

Mr. JONES of Texas. I certainly think so.

Mr. GARBER of Oklahoma. I ask the gentleman whether or not the facts were not sufficient for the Secretary of Agriculture to exercise the power invested in him by section 2 of the act and revoke the license?

Mr. JONES of Texas. I certainly think that the conditions which the gentleman has recited would justify such action, but I do not know what steps the department may have taken with reference to that. I certainly think the conditions which the gentleman has recited would have warranted that course of procedure.

Mr. GARBER of Oklahoma. The request for these appropriations for this very purpose undoubtedly challenged the consideration and attention of the distinguished gentleman who was acting as chairman of the Appropriations Committee.

Mr. JONES of Texas. I agree to that, and I would rather that the chairman to whom the gentleman refers should make such explanation as he may care to make in that regard.

Mr. GARBER of Oklahoma. No information was developed, and the department offered no information before this committee relative to their enforcement of this most important protective feature of the act, in which the Federal Farm Board and all of the farm producers of the country were very much interested, and to which their attention had been called by this sale on the market at that time of seven and a half million bushels of wheat by the Russian Government.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. GARBER of Oklahoma. Mr. Chairman, I ask unanimous consent that I may proceed for 10 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. GARBER of Oklahoma. Expressive of the sentiment of the producers is one paragraph which I quote from resolutions passed by the Farmers' Union of Oklahoma, and personally appproved by the newly elected president, John A. Simpson. It reads:

> To place the rules, conduct, and practices of all grain exchanges enjoying a futures-market privilege under the direction of the National Department of Agriculture.

Then paragraph (b) reads:

> That no sales or purchases in grain futures be permitted except those which contemplate ownership and delivery of grain.

I believe that this paragraph of the resolution expresses the demand of the farm organizations and of the producers generally throughout the country.

Mr. JONES of Texas. I agree with the gentleman on that proposition.

Mr. GARBER of Oklahoma. I do not see why the Department of Agriculture, when asking appropriations for the enforcement of this act, could not have come forward and shown what it has done, and if the law is insufficient in any place, to urge that it be amended so as to cure any defects that may have been brought to their attention.

Mr. DICKINSON. I want to say to the gentleman from Oklahoma that there is already in course of preparation legislation which, I presume, will be introduced following the holidays, curative of the very situation the gentleman has in mind.

Mr. GARBER of Oklahoma. The gentleman recognizes the widespread demand and the necessity for such legislation?

Mr. DICKINSON. Yes; I do, indeed.

Mr. JONES of Texas. I want to state to the gentleman that that Doctor Duvel, of whom the gentleman spoke, advises me that he will make some suggestions in connection with amending the act.

Mr. GARBER of Oklahoma. Mr. Chairman, members of the committee, I exceedingly regret that the short time allotted me will not permit of my yielding for interruptions.

From the gambling in grain and the manipulation of prices of farm products on the boards of trade, let us turn to the manipulation of prices in the oil markets. The people of Oklahoma are as deeply interested in the latter as they are in the former.

Under normal conditions, even during this period of depression, very few States would have been more fortunately situated than Oklahoma. Her three great industries—agriculture, manufacturing, and mineral—have in equal amounts generally contributed to the vast volume of additional wealth each year. For the year 1929 farm products contributed $492,460,000; manufactured products, $465,000,000; and mineral and forest products, $506,000,000, making the enormous total production of new wealth for the year 1929 $1,463,460,000. No other State in the Union can show such an evenly balanced production of diversified industries. Oklahoma's constitutional limitation for State taxes is fixed at 3½ mills upon the assessed value of property. During three out of the five years preceding 1929 it was unnecessary to levy any State taxes whatever; this because of the enormous revenues derived from the gross production tax on oil. During recent periods of depression oil has come to the rescue. It has given steady employment to labor at good wages, and distributed with a lavish hand royalties and rentals to the farmers, as well as providing a steady revenue in gross production taxes for the State.

The conservation of our State and national resources should be the primary concern of the State and Federal Government, each acting within its own sphere of jurisdiction.

Conservation, however, does not mean the withholding from present use of the State and Nation's natural resources. It does mean that those resources should be drawn upon without waste and economically used by the consumers. Conservation does not mean that this generation must deny itself the economical use and sacrifice by storage and hoarding for the next generation. It is under no such obligation. Each generation, by the right of discovery, has the inherent right to economically use such resources. In fact, its inherent tendencies to progress to its destiny compel it to do so.

It is estimated that our potential oil supplies are in excess of the economic use of this generation; that our oil supply will produce 2,500,000,000,000 barrels of gasoline; that our mountains of shale will yield 92,000,000,000,000 barrels of gasoline—carrying us along for another 100 years or more.

Then, again, it is estimated that where we formerly got only 25 per cent gasoline, by the cracking process, we now get 60 per cent, and by the latest hydrogenation we get 100 per cent.

While there may be no substantial evidence of the exhaustion of fuel supply before the present supply is displaced by more economic substitutes, yet that does not relieve us of the obligation of the economic use of our resources. In this period of overproduction, it is the plain duty of the State in the execution of the wise policy of conservation to withdraw its lands from future development for oil production, having due regard, of course, for the vested rights of lessees.

In the prohibition of all physical waste, the corporation commission, in the proper exercise of the police powers of the State, has been rendering excellent service in the enforcement of our conservation policy. The controversy arises in the use of the police power to curtail production and thereby deny the benefits of lower prices to the consuming public and maintain abnormal prices to the producers.

If it were not for the consuming public the oil would be valueless. The public has a material interest. Its rights must be considered. The police powers of the State can not be used through the camouflage of proration by the producers to crush out competition and fix prices against every producer of a gallon of oil or gasoline. If the fixation of prices is a proper exercise of police power to prevent waste in economic production, then the farmers could invoke the exercise of such power and the Federal power under the commerce clause of the Constitution to fix the price of their products—for by the process of erosion and continuous crop production the fertility of the soil is rapidly depleted and its replacement can not be secured at a lesser cost than the substitute of other sources for oil.

It will be immediately recognized that such devices for price fixing would be uneconomic and work great injustice to the consumers.

Our second objection to curtailment by proration is that its present administration is dependent for its information upon the agents of those directly interested in production. If conservation means the invasion of the economic field and authorizing the fixing of prices, it must be conceded that the administration of such an uneconomic device, to say the very least, should be by those who are not interested in the abnormal maintenance of the price levels.

Oil proration in the name of conservation, as extended to the economic field, has resulted in the loss of untold millions to the State and in the payment of millions in higher prices by the consumers. It has stricken the oil industry as severely as the drought and low prices have stricken her twin sisters, industry and agriculture. By the arbitrary curtailment of production 25,000 workers are now out of employment and many independent refineries shut down or languishing along in a shut-down condition, laying off additional men. It has materially affected the producing companies from whom the independent refineries purchase their crude. By thus stifling the industry substantial royalties have been reduced to merely nominal amounts, and thousands of leases on farms paying $160,000 annual rental have been canceled.

So severe has been the curtailment of production that the State gross production tax was decreased $2,000,000 in 1929, making a State levy for 1931 unnecessary. Such have been the blasting and blighting effects on the industry under the administration of proration in the economic field. So ruinous and drastic have been the results that members of chambers of commerce and civic clubs have recorded their protests in resolution. The following is typical of many received:

Resolution

Whereas the honorable the Governor of the State of Oklahoma has requested the chambers of commerce of the State of Oklahoma to suggest remedies for the serious unemployment now existing in this State;

Whereas the local refining industry of this city is a source of much employment and business to Enid and northwestern Oklahoma;

Whereas the local refining industry of this section is threatened with shutdown of its activities on account of the proration orders now in effect in this State;

Whereas by the terms of the proration laws of the State of Oklahoma the governor is authorized to prevent the enforcement thereof by refusing to consent to the appointment of the proration agents: Now, therefore, be it

Resolved by the Enid Chamber of Commerce, That the honorable the Governor of the State of Oklahoma be, and is hereby, respectfully petitioned to use his executive authority to prevent the shutting in of the oil fields of this State, and in support of this petition the undersigned respectfully show—

That it is estimated that 25,000 oil-field workers of Oklahoma are now out of employment;

That much of this unemployment is caused by the proration orders now in effect;

That this serious condition of unemployment could be greatly alleviated if the wells in the fields of this State were allowed to open under a system of fair competition;

That in periods of depression, we believe it to be the duty of the public officials of the State to encourage the industries of the State to operate at their fullest possible capacity, and that any policy which prevents the oil fields and refineries of Oklahoma from so operating at their fullest possible capacity is detrimental to the interests of the people of Oklahoma;

That if the present proration orders are persisted in, a shutdown of the refineries in northwest Oklahoma is threatened;

That these refineries are all home-owned companies and are now loyally employing practically their full force with no reduction in salaries, although they are losing thousands of dollars each day on account of the proration orders; but that such situation can not continue unless relief is obtained from the artificial conditions now in effect.

Wherefore your petitioners respectfully request the honorable the Governor of the State of Oklahoma that, in the interests of employment and business throughout the State, he use his executive authority to prevent the further imposition of the said proration orders.

Adopted this 5th day of December, 1930, by the Chamber of Commerce of Enid, Okla., representing a membership of 600 business men.

CHAMBER OF COMMERCE OF ENID, OKLA.,
By MILTON J. NEWMAN, *Vice President*.

Attest:

J. PAUL GLEASON, *Secretary*.

Nine-tenths of the petroleum production of the country is produced from land privately owned within the several States. Over this production the Federal Government has no jurisdiction, unless it be shown that such production is shut in to control the supply entering and moving in interstate commerce, or the price of it in interstate commerce. Shut-in production for such a purpose is in violation of the antitrust act and subjects the perpetrator to criminal prosecution and punishment. Having been prosecuted and convicted by the Federal Government for such violations in several instances, the big companies have abandoned shut-in production for control by direct agreement and have become the enthusiastic proponents of shut-in production for control by proration in the name of conservation. In this way they avoid the penalties of the antitrust act.

Visualize the Standard, the Dutch Shell, the Gulf, and their subsidiaries all in mourning, shedding copious tears because of the threatened economic waste of oil in Oklahoma. The shock of such a spectacle would shatter the granite hills of Maine! They are not for proration for conservation in Venezuela. There they are for production to flood the market here with their cheaply produced supply. In Venezuela they have no competition, no independent producers and refiners with whom to compete and crush.

The Federal Government can neither prorate, curtail, nor prohibit waste in production on lands privately owned, except in the event of war. Its jurisdiction in peace time is over the public and Indian lands, and even in these instances it can not disturb vested rights. The policy of the Government, as imposed in the act of 1920, has been to encourage development. The Government leases expressly require it. And yet, without the authority of any congressional act, and being advised that the Federal Government was wholly without jurisdiction over the production of privately owned lands, the Federal Oil Conservation Board, in cooperation with the executives of the big companies, has continually insisted upon the injecting of its proration of unit production into the several States and stirring them to activity far beyond and in excess of their authority or jurisdiction.

Having failed of its purpose in the Colorado convention to secure the negotiation of treaties between the States, it next resorted to the appointment of the petroleum economic committee, assuming that the State's jurisdiction to prevent physical waste included economic waste as well; that is to say, that the State, in the exercise of its jurisdiction to prevent waste, could curtail production so as to minimize or prevent the surplus and thus artificially maintain the abnormal price for crude. Stripped naked of its camouflage, the assumption and exercise of such power is simply a price-fixing device instigated by the big producers. It means that they, behind the curtains, are arrogantly assuming, through their mannequins on the stage, the power to fix the price of crude, and thereby indirectly the price of its by-products, to the consuming public. The very effrontery of such an assumption is offensive to the intelligence of the people. For such committee through the commission to say when the market demand ends and a surplus begins, and when the price of oil is so low as to constitute waste, and that the people should not be permitted to advantage by reason of the low price—for such committee to say, "We represent the producers; we shall protect them as against low prices to the consumer which a surplus might impose"—for that is what it all amounts to—is far in excess of any jurisdiction ever authorized by the Constitution. Next to Will Rogers's comic weekly are the pretended findings of fact embodied in the generalities of the order for proration—just as though you could manufacture jurisdiction in the composition of a journal entry!

In the New York Times of November 23, 1930, F. Godber, a director of the Royal Dutch Shell Co., said:

Curtailment and low prices of crude oil are almost contradictory. The sacrifice of curtailment is only worth while if it can be compensated for by stable conditions and stable prices of crude oil, by which the producer is able to continue to live. If curtailment is not followed by rational prices of crude oil, it merely means that the producer has made a sacrifice in vain; and we shall be no nearer a solution of the problem than if we followed the simple law of supply and demand.

This frank statement is substantial proof that curtailment by proration or any other means is a useless sacrifice unless

it results in the stabilization of the prices of crude; and such purpose accounts for the enthusiastic support of curtailment by proration by the big companies. Such is the result of proration in Oklahoma, holding up the price of crude first to crush out independent refiners who must purchase the raw material, and second to afford such prices to themselves for their cheap production in foreign markets. They are not interested in saving oil or our national resources, but are interested in the exorbitant profits which unrestrained production would deny them.

If they could stop overproduction, they would increase the price of gasoline. It is the ever-present, menacing competition of the independent producers and refiners that keeps the price of gasoline within reasonable limits to the consumer. Becoming chary of the teeth in the antitrust act, the big companies use proration for monopoly and control. The Standard and other large companies are now under indictment in Rhode Island for attempting to destroy the business of a small competitor. Prosecutions against them are pending for holding up the price of gasoline in the State of Delaware. The Standard Oil Co., the Texas Co., and others were convicted in the United States District Court for the Northern District of Illinois in January, 1930, of having formed a conspiracy to hold up the price of gasoline in violation of the Federal antitrust law. The Supreme Court of the United States was not deceived by its philanthropic professions. Of it, the court said: "Availing itself of its monopoly of the means of transportation, the Standard Oil Co. refused, through its subordinates, to carry any oil unless the same was sold to it on terms more or less dictated by itself." In this way it made itself master of the fields without the necessity of owning them.

The encouragement and cooperation of the Federal Conservation Board and the petroleum economy committee, cooperating with the executives of the big companies, are largely responsible for the proration policy in Oklahoma today. In its report last spring the petroleum economic committee, appointed by the Secretary of the Interior, reported to the producers of Oklahoma "that the demands for crude oil during the last three-fourths of the year would be 2,495,000 barrels daily." The report also allocated the production to the various States, giving Oklahoma 650,000 barrels daily, California 610,000, Texas 750,000, and other States 489,000 barrels daily. Upon this report the corporation commission's first order was based allowing Oklahoma 650,000 barrels daily. Within 10 days after the order was issued, the purchasing companies decided that they would not purchase that much, so the order was reduced to 550,000 barrels. This is verified by Mr. Reeser, president of the Barnsdale Oil Co. and of the American Petroleum Institute. He testified that as president of the latter he contacted with the producers in all the fields. The question naturally arises: Upon what authority did the petroleum economic committee fix the amount of production for Oklahoma? Neither the State nor the Federal Governments authorized them or anyone else to make such allocation. By what authority did they fix the demand for crude at 2,495,000 barrels daily for the period stated? It is simply the high-handed projection of an unauthorized policy at the instigation of the big companies to control production and maintain their prices for crude, knowing that working under cover of cooperation for conservation, even though it is for monopoly and control, they will be less subject to successful prosecution under the antitrust act. Among the alleged grounds for proration is the lack of transportation, the pipe-line companies refusing to take the oil on the ground that their full capacity is necessary for their own production. It was disclosed in evidence taken that in a meeting with the state-wide purchasers at Tulsa, and after a consultation with their superiors in New York, they concluded to purchase only 1,301,000 barrels out of the Oklahoma City oil field; so that the oil industry of Oklahoma is now at the mercy of the purchasing companies—the big three—and their subsidiaries—the pipe-line companies—for transportation.

In furtherance of its efforts to project its policy of curtailment by proration, the Federal Oil Conservation Board in its report for February, 1929, said:

The acceptance of the principle of conservation as a practical policy by the foremost executives of the larger oil companies is a hopeful sign of the times! The closer contacts, both within the industry and between it and State and Federal officials, also promise gradual betterment of economic conditions. In short, more progress has been made than was expected.

The Oklahoma policy of proration is progressing more rapidly than was expected. The next move of the Federal Conservation Board is to exempt the oil companies from the Federal antitrust statutes. It adopted the report of its committee recommending, first, Federal legislation which shall (a) unequivocally declare that agreements for the cooperative development of operation of single wells are not in violation of the Federal antitrust act, and (b) permit, under suitable safeguards, the making, in times of overproduction, of agreements between oil producers for the curtailment of production. There you have a frank statement of the legislative policy of the conservation board, working in conjunction with the executives of the oil companies. The above declaration of policy is a confession that under existing law the cooperation now extended for crude control and price fixing is in violation of the antitrust act. And second, it is a "winking of the other eye" by a department of Government toward the violators of the law, cooperating in the execution of its policy.

In effect, the administration of proration begins in secret conference of the leading members of the industry. They style themselves the "proration committee," and determine the maximum amount of crude oil which they will allow to be produced from the State of Oklahoma. They then draw up a proposed order to be submitted to the corporation commission, which order is ratified by those members of the Mid-Continent Oil and Gas Association, who are always conveniently at hand for such purpose. A member of the association is then selected to present the proposed order to the corporation commission; and with but one or two exceptions the orders have been signed by the commission after only the pretense of a hearing. From time to time the orders are changed by the same procedure, but the orders are always based upon the theory that the production of crude oil must be curtailed to a certain agreed maximum. In plain English, this is price fixing.

The proration orders are then enforced by "operators' committees" consisting of paid members of the major companies and by two umpires, Ray M. Collins and Otto Bradford, who are paid by contributions from these companies. The salary of Collins is $24,000 per year, and the expenses of Otto Bradford's office is $36,000 per year. Regular State officials have no part in the enforcement of the orders. Thus, the major companies, fixing the amount of crude and having their own employees enforce the proration, are simply prorating themselves in whatever degree they think necessary to promote their interests and destroy competition. Through the corporation commission they are thus enabled to make and enforce the law of proration of production. Beginning with a slight proration in the Seminole field, the commission has gradually expanded its orders and increased the degree of curtailment until now the Oklahoma City field is prorated to less than 3 per cent of its potential capacity, and all other fields in the State with some minor exceptions have been prorated at least 50 per cent, with an additional prohibition against drilling wildcat wells unless they be shut in to 50 barrels per day.

That proration as administered is for the purpose of maintaining a higher price for crude than the normal price fixed by supply and demand is clearly shown in the testimony of Mr. Ray M. Collins, the State umpire: "In making up our orders," he said, "we did not take into consideration the welfare of the refiners. My policy has been to take care of the producers entirely. We are hired by them. That is what we are there for—to take care of the producer. We leave the consumer out. We do not take him into consideration. That part does not enter into it at all." Here is the servant carrying out his master's orders. They are for the producer only, without any regard for the consumer. They do not take the consumer into consideration.

With such knowledge of purpose and effect of administration, how can the corporation commission of the State of

Oklahoma permit itself to be made the agency for those who are thus unblushingly and flagrantly violating the Federal antitrust statutes in fixing a monopoly, exacting abnormal profits from the consuming public? It is clearly a case for the Department of Justice to investigate. Convictions on far less direct testimony are numerous.

Mr. Reeser, president of the Barnsdale Oil Co. and president of the American Petroleum Institute, with headquarters at New York City, when asked the question, "How do you make up your mind that there are only 550,000 barrels which can be demanded of Oklahoma?" answered: "The purchasing companies make up my mind. I do not make it up." Speaking of the various meetings of the various committees, he said:

We seem to have a practice which we observe very religiously of not discussing price structures in any way, shape, or form at any of these meetings. At the meetings we simply discuss the blanket proposition of overproduction, but as an executive I know that overproduction means distressed conditions and the distressed conditions mean ruinous prices.

And Collins, the State umpire, chips in:

An oversupply will reduce the price; that is the natural sequence.

H. H. Champlin, president of the Champlin Refining Co., of Enid, Okla., one of the leading independent producers and refiners of the State, gave full information to the Department of the Interior in the following letter:

OCTOBER 16, 1930.

THE HON. RAY LYMAN WILBUR,
Secretary of the Interior, Washington, D. C.

DEAR SIR: The letter addressed to you by H. R. McMillan, president of the California Oil and Gas Association, and quoted in the National Petroleum News of September 17, 1930, is of great interest to the independent refiners of the Mid-Continent field. The condition in California, as outlined in that letter, is clearly similar, both as to cause and effect, to the situation in the Mid-Continent field. Here, as there, the independent refiner is faced with an impossible condition.

On the one hand, the price of crude oil is being held to an artificially high level by the proration program, and, on the other hand, the retail price of gasoline, as set by the Standard Oil Co. of Indiana, is so low in relation thereto that it is impossible for the independent refiner to show a profit. In fact, it may safely be stated that practically every independent refiner in this State has run his plant at a loss for the past 12 months, even during the summer, which is the very season when he must expect to make sufficient profit to carry him through the slack months of the winter.

Although I can speak only for my own company, I am sure that our experience is typical. Our refinery is now suffering a huge loss each day on account of the high price which we must pay for crude oil. To meet this situation, we purchased and developed two excellent leases in the Oklahoma City field and built a pipe line from these leases to our refinery. Our total investment in this project is practically a million dollars. These leases will supply the crude-oil requirements of our refinery, and as we can produce oil therefrom at a cost much lower than the present market price of crude oil we would be able to operate our refinery at a profit if we were allowed to produce these wells. We are now ordered, however, to shut in these wells to 5½ per cent of their potential production, even though it is admitted that we can and will refine every barrel of crude oil from these wells; that we will store none of it; and that there will be no waste of any oil which we produce.

So long as we are denied the privilege of refining our own oil from these leases we will be forced either to operate at a loss or shut down our plants. The former alternative means self-destruction, and the latter would only add to and aggravate the business depression which this vicinity is suffering, together with the entire Nation. As a means of self-preservation, therefore, we have been forced to bring suit in the Federal court of this district to test the constitutionality of the artificial regulations which have been so warped as to undermine the business of the independent refiner. In so doing I wish earnestly to assure you that we do not have the slightest desire to attempt to thwart the purpose of the Federal Oil Conservation Board in insuring to the Government an adequate supply of petroleum for a future emergency.

The proration program, however, as practiced in Oklahoma, was not conceived, nor is it enforced, for the purpose of conserving petroleum for the future need of the Government. On the contrary, it is a trade regulation adopted by the dominant members of the oil industry for the purpose of upholding the price of crude oil, and so enforced as to favor the major companies at the expense of the local independents.

The entire proration program in Oklahoma is based upon the premise that the production from the State must be limited to the market demand. The fact which appears to have been overlooked in this connection is that the market demand at a high price will be different from the market demand at a lower price. When the production is limited to the market demand, therefore, it is necessarily limited to the market demand at the present price.

Crude oil and gasoline can not claim any exception from the natural laws of supply and demand, and it must be conceded that where the supply is fixed by law at a figure which always approximates the present demand, the price is thereby "pegged" at the present price.

During the past quarter of a century the price trend of gasoline has been uniformly downward, principally on account of the ever-increasing demand therefor, caused by the ever-growing use of the automobile and airplane. Conversely the growth of the automotive industry, with its consequent effect on prosperity, must be attributed in large part to the presence of cheap fuel. Demand has increased by reason of the decreasing price, and price has, interdependently, decreased on account of the increasing demand. Is it wise, and has the Government the constitutional power, to say that this natural process must now cease?

It is not necessary to cite proof that the amount of production is the chief factor in setting the price of any commodity. The wheat markets of the world respond instantly to any change, or prospect of change, in the amount of production. Let the report appear that a large portion of the American crop has been destroyed by hail or storm, and the price immediately goes upward; let the report appear that Argentina is producing a bumper crop, and the price immediately goes down; and let the Government, by law, curtail the production of wheat to the present market demand, and the price will soar to new levels. The Government admits, however, that it can not reduce the production of wheat to present market demands. How, then, can it reduce the production of petroleum for the sole purpose of limiting it to present market demands?

If it be said that wheat is inexhaustible, whereas petroleum is exhaustible, and needs to be conserved, then I say that limiting supply to market demands has nothing to do with conservation. I thoroughly believe that the State can reduce the production of petroleum to 50 per cent, 10 per cent, or any fraction of its potential production, if the purpose thereof is for conservation, and if the reduction is made constant and applies equally to all persons at all times. But when a law is made for the purpose of limiting the supply to the market demand, then it is self-evident that such law is not conservation but price fixing.

To show more clearly that proration is price fixing in purpose and effect I desire to quote from the semimonthly bulletin prepared by Oil Statistic Co., of Babson Park, Mass., a disinterested service of expert opinion. The issue of August 10, 1929, before the proration program was well under way, contained this statement:

"Continued gains in production in the Mid-Continent territory are making it inevitable that the producers either come together on a proration agreement voluntarily or by order of the State, or take a price cut."

The issue of September 16, 1929, after the proration program had been commenced, contained the following statement:

"Based on the assumption that conservation and proration plans will be successful, thus preventing a cut in crude prices, we believe that from the viewpoint of the next 12 months prices are at or near a low point."

The recent issue of October 1, 1930, referring to the present situation in Oklahoma, states:

"The forthcoming decision of the Oklahoma Supreme Court on the constitutionality of the Oklahoma conservation law continues of paramount importance. If it is favorable to the State, crude oil prices should remain at present levels or decline but slightly. Continued curtailment of gasoline production is causing rapid improvement in the gasoline supply and demand situation, and, if present trends continue, higher refinery prices are inevitable. If crude prices remain firm, the cutting of tank-wagon prices, except in a few territories, to meet existing reduction, is over, and the next move will be upward."

When our case was filed in the Federal court the Daily Oklahoman of September 18, 1930, reported it as—

"Oklahoma's fight to bolster up a sagging crude market."

And when our preliminary injunction was denied, the same paper in its issue of October 5, 1930, in large headlines declared:

"Rumors of oil price cut dismissed as proration situation cleared by court action."

These reports merely go to show that the man on the street as well as the technical expert is not fooled as to the real nature of the proration law; he knows that its principal, if not its sole, purpose is to fix the price of crude petroleum.

The futility of government price fixing has been learned by bitter experience by every nation from antiquity to the recent experiences of Great Britain in attempting to curtail the production of rubber, and Brasil in attempting to limit the production of coffee. Even the Standard Oil Co., in its official organ, The Lamp, admits:

"But by virtue of its activities as a merchant this company is keenly aware of the unescapable fact that the prevailing price of a barrel of crude can not be for any considerable period more than the total realization from the sale of the products obtained therefrom."

The wisdom of our constitutional fathers in making it unlawful for the Government to regulate private industry by limiting production and fixing prices is attested by the experience of all nations. Why, then, should the Government countenance this thinly disguised attempt to regulate the price of petroleum?

It is sometimes said that if production in excess of present demand is allowed, the producers who can not market their output

will put it in earthen storage or even run it into the creeks. The answer to this far-fetched contention is that the State is fully empowered to prevent any producer from putting any oil into earthen storage or from allowing it to flow onto the ground. A blanket rule against such practices could easily be enacted in the interest of true conservation and should be rigidly enforced against those who violate it. Indeed, the State could prohibit the storage of crude oil in steel tankage beyond limited amounts. But when a producer does not intend to store any oil and will not in any conceivable manner waste any portion, it is unjust and unconstitutional to punish him because the other operators could not produce without waste.

If it be said that such a company would obtain more than its share the answer is, that if any person displays the enterprise and takes the financial risk of building a pipe line to his wells, he is entitled to any advantage that his enterprise and investment may bring him, and the public is entitled to the cheaper products which will result if such producer is allowed to reap the rewards of individual enterprise. The courts have always held that petroleum is not property until it is reduced to possession, and have always upheld the right of any producer to shoot or pump his wells, and thereby increase their production, even though it may mean that a less ingenious competitor will be drained of his oil in whole or in part. Another factor which must be borne in mind with regard to Oklahoma, is that the laws of the State require every pipe line and every purchaser to transport and purchase from all producers ratably with the oil transported from their own leases. These laws give ample protection from drainage to every producer in every field.

It is sometimes contended that the proration program is needed to prevent "economic" waste, even though, as in our case, there is no physical waste. This term "economic" waste is extremely ambiguous, but it has been defined by the proponents of the proration scheme as the drilling of more wells than is necessary to produce the maximum amount of oil. It concededly has nothing to do with conserving oil for future generations. It merely means that the maximum quantity of oil is not being produced as "economically" as might be. In other words, it describes not a waste of oil, but a waste of money. This is entirely outside of the province of government to regulate. It has no more authority to fasten rules on the petroleum industry to enforce economical management than it would have to limit the number of grocery stores or dry goods merchants in a community, on the grounds that the distribution of merchandise was involving "economic waste."

Unfortunately, the major companies have seized upon the opportunity presented to them to further their economic domination of the industry. The very orders which put the proration program into effect were drafted in the offices of the major companies and were signed by the corporation commission of this State after only a pretense of a judicial hearing. The agents of the commission, who are given the authority to enforce the orders of the commission, and, indeed, to modify those orders at pleasure upon "approval" by the commission, are not governmental officers but are paid employees of the major companies. We are, therefore, placed in the position of having our business regulated to our detriment by a committee of our competitors whose interests are adverse to ours.

That the financial interests of the major companies are adverse to those of the independents on the question of proration is unquestioned. The larger companies, or their subsidiaries, produce from their own wells sufficient crude oil to supply the requirements of their refineries and have a surplus to sell to the smaller companies. This crude oil is produced at a cost of about half the present market price. The larger companies can, therefore, operate their refineries on crude oil which costs them only a fraction of the cost which they charge the independents for the same raw product. It is naturally to the interest of the major companies to maintain an artificially high price for crude oil, although such price, coupled with the low retail price for gasoline, as set by the Standard Oil Co. of Indiana, is rapidly demoralizing the business of the independents.

To further show the inequalities of proration, the major companies or their subsidiaries import large quantities of cheap foreign petroleum and its refined products and market them in this country, reaping huge profits therefrom; and at the very time that they are enforcing the proration orders against the small producer to diminish or to extinguish his domestic production they are continuing at an unslackened rate to flood the country with foreign oils.

As a regulation to uphold prices the proration orders are indefensible. The theory that the Government has the authority to regulate the prices has been long ago rejected, and the wisdom thereof is well confirmed by the prosperity which private initiative has brought to the country. We can only say that the proration program in Oklahoma is un-American in its conception and unfair in its enforcement.

Far from being a real conservation measure, these proration orders induce a waste of petroleum. The constant pinching in and reopening of the wells are ruinous to full production, and I am confident that any competent engineer will state that the Oklahoma City field will not produce as much petroleum under present regulations as it would were a normal development allowed.

If real conservation is desired, it may be easily obtained. We have in Oklahoma, for instance, a law which provides that no gas well may be produced at a greater rate than 25 per cent of its open flow. The purpose of this law is, honestly and frankly, to conserve the supply of gas to the State. It is enforced by State officials and not by the employees of the oil companies. It is enforced equally against all fields and all producers. It is constant and not subject to change at a moment's notice by committees of the operators for price-fixing purposes. The same kind of law can be applied to oil if real conservation is needed.

Let me again assure you that any such regulation which is fairly formulated and fairly administered in the interest of conservation will receive our hearty cooperation. May I also invite you to make a thorough investigation of the conditions as they actually exist in the mid-continent field in order that you may determine for yourself whether the proration program in Oklahoma is being carried out in the interest of conservation or price fixing. May I further ask, whereas your office has caused relief to be given to the California operators, that you may, if possible, also interpose in behalf of the independent operators of the mid-continent field?

Very truly yours,

H. H. CHAMPLIN.

In reply to this the Secretary of the Interior gave assurance of careful consideration in the following letter:

OCTOBER 21, 1930.

MY DEAR MR. CHAMPLIN: Thank you for your letter of October 18. It will be given careful consideration.

Sincerely yours,

RAY LYMAN WILBUR.

The Department of Justice was fully informed, as shown by the following letter:

OCTOBER 31, 1930.

The Hon. WILLIAM DEWITT MITCHELL,
Attorney General, Washington, D. C.

DEAR SIR: We desire to call the attention of your office to the oil proration program in Oklahoma, and we earnestly request that you investigate this program. We are of the sincere belief that the proration plan is violative of the Federal antitrust laws, and we are certain that its effect is to further the interests of the dominant companies of the oil industry at the expense of the consuming public and at the well-nigh ruin of the smaller refiners.

The program has been put into effect in somewhat the following manner: The leading members of the industry meet in conference—styling themselves "the proration committee"—and determine upon the maximum amount of crude oil which they will allow to be produced from the State of Oklahoma. They then draw up a proposed order to be submitted to the corporation commission, which order is ratified by those members of the Mid-Continent Oil and Gas Association who desire to attend the meeting held for that purpose. A member of the association is then picked to present the proposed order to the corporation commission, and the order is rubber-stamped by the commission after only a pretense of a hearing. From time to time the orders are modified by the same procedure, but always are the orders based upon the theory that production of crude oil must be curtailed to a certain agreed maximum.

A great deal of opposition has developed among the smaller producers and an extensive hearing was held by the commission upon the latest proposed order, their decision not yet having been announced. Up to this order, however, the hearings have been perfunctory, to say the least, and the corporation commission is now bound by its actions in the past to maintain the proration program, regardless of the character of the evidence introduced at this latest hearing.

The proration orders are enforced by "operators' committees," consisting of paid employees of the major companies, and by two umpires who are paid by contributions from said companies. Regular State officials have no part in the enforcement of the orders.

The effect of the orders has been to maintain an artificially high price for crude oil. During the past 18 months the price for the best crude oil has been approximately $1.57 a barrel, whereas the actual value thereof—the cost of production, including all investment costs—has been about 75 cents a barrel. The price of the refined product—gasoline—as set by the Standard Oil Co. of Indiana during this period has been lower than the sum of the artificially fixed price plus the cost of refining.

The importance of these figures can easily be understood when it is remembered that the larger companies are what may be termed "producing refiners"; that is, they produce all of the crude oil which they can refine and maybe a surplus to sell. The smaller refiners are what may be termed "buying refiners"; that is, they produce only a portion, if any, of their crude-oil requirements and are forced to buy largely from the major companies.

Owing to this condition the artificial-price schedules, which have been maintained as above described, mean that the dominant members of the industry have been able to refine their own crude oil which costs them only 75 cents a barrel; whereas the smaller refiners have been forced to pay $1.57 for their crude supply. The Standard Oil Co. has then set the price of gasoline at such a figure that the smaller refiners have lost money on every barrel of gasoline sold by them for more than a year.

Recent cuts in the price of crude oil have given some relief to the smaller companies, but the price does not yet approximate the actual value thereof. These cuts also go to show that artificial price levels—even though they be supported by governmental au-

thority—can not withstand the natural processes of the law of supply and demand. Perhaps the oil industry has yet to learn the lesson which Brazil and the British Empire learned when they attempted to fix the price of coffee and rubber, only to have the prices drop to even lower levels than they would have had there been no artificial attempt at maintaining prices.

To show this by disinterested opinion we quote from the semimonthly bulletin for October 16, 1930, of the Oil Statistics Co., of Babson Park, Mass.:

"As to the question of supply and demand, assuming this competition between neighbors is a pool removed, we have not been and are not now sure that the price of crude oil is down where it belongs. This thought has been expressed in our bulletins a number of times. There is so much oil in sight in parts of the mid-continent, especially in Texas, to-day, crude oil is available and being purchased at prices 20 to 30 cents a barrel under the schedule posted by the major companies. Buyers of this crude are in a position to retail gasoline at lower prices than those companies paying the higher schedules. It is this factor that is partially responsible for the recent weakness in gasoline prices. There has been for some time too much of an incentive to wildcat and exploit territories promising flush production at low cost."

The evil of overproduction is aggravated rather than helped by this artificial price level, for it has encouraged the drilling of hundreds of wells which would not have been drilled had the price been left to decline normally so as to equal the real value of the crude oil.

The effect of the proration orders is to fix prices in favor of the dominant members of the industry, and such was its deliberate purpose. We quote from the December 21, 1927, issue of the Oil and Gas Journal:

"On November 15, 1926, the total production of oil in the United States was 2,348,676 barrels, valued at $4,278,095. (About $1.80 per barrel.)

"Six months later, April 15, 1927, the total production was 2,349,226 barrels, worth only $2,926,060. (About $1.20 per barrel.)

"This was a loss to the industry on the larger production of approximately $1,350,000 a day. Between December 1 and April 15 the loss of revenue on refined petroleum products was more than $2,000,000.

"That was the situation which led the Oil and Gas Journal on April 28, in urging cooperation within the industry to correct it, to declare that 'the canker at the heart of the oil industry is excessive competition, due largely to overproduction.'"

To use plainer language, the declining price of crude oil gave rise to the proration program, and not any desire to conserve the oil resources of the State.

We are inclosing herewith a letter to the Secretary of the Interior which shows more fully the price-fixing effect of the proration orders.

It is our belief that the program of these proration "racketeers" comprises one of the most gigantic conspiracies to violate the antitrust laws which has been committed in years, and that it means the virtual annihilation of individual initiative of the oil industry.

Those who believe that this opportunity for despotism which is so freely being handed to the dominant members of the industry will be used unselfishly for the benefit of the general public are indeed blind to the lessons of the past.

Very truly yours,

H. H. CHAMPLIN.

Reflecting the opposition to the proration policy of curtailment of production for price stabilization is the following editorial published by the Enid Morning News, one of the leading daily papers of the State:

PRORATION, UNEMPLOYMENT, AND FARM INCOME

Even though there were no other argument against the proration policy now in effect in Oklahoma and more or less in other producing centers, the fact that it means either present or eventual unemployment for thousands, and the loss of hundreds of thousands, if not tens of millions, of dollars to farmers and other royalty owners, should be enough to condemn it as an outrageous injustice.

When a so-called conservation policy means the prohibition of wildcatting, of the drilling of new wells, it naturally throws thousands of oil-field workers of all types out of employment. It means delaying the potential income from oil-producing acres, and keeping this income from the farmer, the leaseholder, and the royalty owner. It means a reduction of business in all lines in every producing or refining area where the independent or small operator or refiner has heretofore been active.

Moreover, by reducing the output of crude oil, proration reduces the possible income of the farmer, whom heaven only knows to-day needs every cent that he can possibly procure.

Proration is a very definite effort at price fixing. There is no other possible, reasonable, or honest explanation of it. It is a definite attempt to set economic laws at naught; and to enable the most powerful interests to gain a stranglehold on production, refining, and eventually retail sales. That means control of retail prices in a near monopoly by a supergroup which would then have the public at its mercy.

The independent refiners who are fighting proration are fighting for a principle, of course. More, they are fighting for their business lives. And their continued existence is the only assurance the consumer has of continuing fair prices for gasoline and other oil products. Once they are crushed there will be nothing in the way of adequate competition to guarantee either fair prices, high-quality products, or fair treatment from the group of monster oil companies, operating on an international basis, and who could, and doubtless would, put cheaply produced and cheaply refined foreign oils into the American market at the expense of the jobs of American oil workers, American landowners, American royalty holders, and possibly then at a price out of reason as compared to the competitive prices which may be expected to be maintained with the many smaller independent refiners now operating, but all of whom are sorely pressed, and likely to be forced to shut down operations even if they are not crushed to the wall financially.

Proration is not a conservation policy, in any practical sense. It is not a policy that will stand the light of sound economic reasoning. And at the present time, with the imperative need for maintaining employment, and royalty returns at their maximum, it is not defensible on any grounds. Especially is it indefensible when applied to those producers who have refining facilities great enough to care for the oil produced in their own wells, and who have a market for their refined products.

In a recent issue of the Tulsa World, one of the leading papers of the State, published at Tulsa, the oil capital of the world, appears the following editorial in opposition to the invocation of the police power of the State to solve a great economic problem now confronting the oil industry:

STATE CONTROL OF BUSINESS

Developments in several cases between the State and oil companies bring out in a striking way the evil possibilities of State control of business. There are many chances, under such policies, for specific and general wrongs.

The Oklahoma Corporation Commission, under the general theory of conservation, is asserting large police powers and these powers are applied to persons, firms, corporations, or sections. It is easy to see that the mixture of arbitrary police power and economic pressure, over which the State has little control, can quickly bring disaster. Under such circumstances the real or assumed police power of the State becomes a matter of life or death to some, while the general situation may not be affected.

In other words, does not extreme police power or the position of umpire as between business, put a State board or official in control of the business of certain people? The abuse of police power can become very serious. The limitations upon such power, once recognized, are hard to define and limit. This is not a situation affecting the oil business alone.

If the corporation commission or other State agency can summarily take charge of the business of an oil company or a cotton-gin company or an ice industry and base radical actions upon police power, what business or pursuit is exempt from the operations of police power? What assurance has a victim that the application is general? The alleged police power may be based in conservation or public policy, but there are apparently too slight limitations and prohibitions.

It is not possible that the summary police power of a State in business can solve a great economic problem like the oil crisis or the cotton slump. The idea back of police power is protection of the public in emergencies and dangers. Projection into business is something that has been read into our law and practiced.

The incursions of government into the realm of business have been strident, and it is time for Oklahoma to inquire at least into the applications of State control in business. It should be necessary to show that State control is necessary to public welfare and not an exercise of power simply as power. The police power of the State does not naturally apply to orderly, lawful business.

Upon request for his opinion relative to the results of the proration policy administered in Oklahoma in the name of conservation, Mr. Champlin summarizes his objections and his opposition to the policy in a letter of December 10, 1930, as follows:

Hon. M. C. GARBER,

House of Representatives, Washington, D. C.

DEAR JUDGE GARBER: Replying to your inquiry, will say I have always been strongly against compulsory proration as an unwarranted attempt at dictation on the part of the big companies, which will ultimately react disastrously on the entire industry.

My opposition to compulsory proration may be summed up as follows:

As a citizen of the State of Oklahoma, I am opposed to proration, for the reason that it is throwing thousands of laborers out of employment and causing the shutdown of hundreds of wells and many refineries. A period of depression is no time for the curtailment of the industries and natural resources of the State. At such time it is the duty of public officials to encourage our factories, our mines, and our wells to run at as great capacity as possible, but in Oklahoma we are witnessing the astounding spectacle of our own corporation commission—at the request of the eastern and foreign controlled oil companies—shutting in the oil resources of this State to provide a market for 300,000 barrels daily of imported oil, which is produced and refined in foreign countries by foreign labor.

As an independent producer and refiner, I am opposed to the proration program for the reason that it fastens the yoke of monopoly on the oil fields and refineries of Oklahoma. The major companies are now using this monopoly to stunt the independent

industry of the State by refusing to allow the independent to produce his own wells and forcing him to buy his crude oil from them at prices which they have so fixed to be ruinous to his business.

If Oklahoma is to grow and prosper, it must refine more and more of its own oil. At present the State refines only one barrel out of every three produced here. The proration program does nothing more or less than throw the oil industry of the State into the hands of those who have no interest in the progress of the State of Oklahoma and who will see to it that the fruits of our oil resources go to States and foreign countries beyond our boundaries.

As a member of the oil industry I am opposed to compulsory proration for the reason that it is bad economics. For a commodity of common world-wide use it is just as impossible to hold prices to an artificially high level as it would be to stop the flow of the Mississippi River. If the oil resources of the Nation are becoming more plentiful, the oil industry must adjust itself to these natural resources, as it is certain that nature can not be adjusted to the industry. Billions of barrels of valuable crude oil can not be held back by the artificial barriers of law only, and it is safe to say that so long as such plentiful resources exist the people of the United States will demand and will have as free and as full use of petroleum products, at as cheap a price as the natural supply warrants. Price-fixing by the curtailment of production of a world-wide commodity has always resulted in failure.

England attempted to restrict the production of rubber, only to find that even the British Empire was not big enough to defeat the natural laws of supply and demand, and the prices of rubber descended to even lower levels than it would have had not restrictive measures been attempted.

Brazil attempted to curtail the production of coffee in an effort to maintain a high price, but the prices dropped to lower levels than ever before, and the Government which attempted to fix the prices found itself deposed by a revolution caused by dissatisfaction with its unbalanced economic policy. Proration will also be a failure in Oklahoma. It has already thrown thousands of workmen out of employment and sacrificed the local refining industry, and it will ultimately react in extremely low prices to the detriment of the other companies which have assumed control of the Oklahoma oil fields.

Very truly yours,

H. H. CHAMPLIN.

In order to fully appreciate the ever-increasing intensity of the grip and control of the major oil companies in this apparently innocent scheme of proration, it should ever be remembered that the proration committee is composed of the representatives of the major companies. They determine the market demand and the market price, which is a determination of what shall be paid for crude—the price to be paid by their competitor refineries which must purchase production. This indirectly is a determination in a large measure of what the public shall pay for gas, oil, and by-products of oil. Having determined this economic question in favor of themselves and against their competitors, they next determine the degree of curtailment necessary to exact the purchase price which they have previously determined from the consumers.

Their control, however, does not stop with these determinations. It extends through their administration. Under the proration order of the commission No. 5369, issued on the 10th day of October, 1930, the umpire and operators' committee "are instructed to compute from time to time the rate of curtailment necessary in order to conform the permitted production to the reasonable market demand, and report the same to the commission with the facts in support thereof, as a basis for ancillary orders."

Fix these facts in your mind: The umpire of the Oklahoma City field is Otto B. Bradford, whose office expense is $36,000, paid by the oil companies, and Ray M. Collins, whose salary, likewise paid by the companies, is $24,000. And who are the members of the operators' committee, which determines from time to time what the market demand is? In the Oklahoma City field, they are as follows: J. S. Sidwell, an employee and agent of the Prairie Oil & Gas Co., a subsidiary of the Standard; M. J. Kirwan, an employee and agent of the Indian Territory Oil Co., one of the largest in the Oklahoma City field; Glen Harroun, an employee and agent of the Sinclair Oil & Gas Co.; R. B. Roark, an employee and agent of the Shell Petroleum Corporation; J. J. Conry, an employee and agent of the Carter Oil Co. Who compose the operators' committee determining the market demand in the next largest pool in Oklahoma—the Seminole? R. F. McArthur, an employee and agent of the Barnsdale Refineries (Inc.); Kenneth Winship, an employee and agent of the Gypsy Oil Co.; and L. C. Hawkins, an employee and agent of the Magnolia Petroleum Co.

Thus we see the proration committee, composed of the representatives of all the major oil companies, determining the market demand and fixing the price in the first instance as well as the quantity from each pool and in the State. Then the operators' committee, composed of one representative from each of these companies, administers the determination made in the first instance and checks and rechecks from time to time to see that there is no unnecessary production which might disturb and unsettle the price. The companies named, with their affiliations, control the oil business of the United States and of the world. The Dutch Shell and the Standard Oil Co. of Indiana and New Jersey being the principal importers of cheap crude and refined oils into the United States in competition with oil produced in the United States, and being the companies chiefly interested in maintaining the high price level for the oil in the Oklahoma fields, compose the sinister group behind the curtains who are pulling the strings to produce this comedy of "proration by conservation," when in fact they are maintaining the high price level for their crude in stock, amounting to 685,000,000 barrels, and their flood of cheap oil from foreign countries as against the public interest.

Such is the ever-tightening control of the octopus of oil. It is the same with "proration for conservation" in California. The big companies are prorating themselves to maintain their price levels there. In the New York Times for December 17, we read:

The general operators' committee of California voted yesterday to reduce the allowable crude-oil production in the State from 540,000 barrels daily to 500,000 barrels, effective January 1, while the actual production of the State is 600,000 barrels daily.

There the proration committee and the operators' committee, as in Oklahoma, is composed of the representatives of the companies determining the market demand, the market price, and the quantity of production. George L. Jones, president of the Shell Oil Co. and director and member of the executive committee of the Shell Union Oil Corporation, is credited with having made the following statement during an interview on December 17, just before he sailed for Europe aboard the *Mauretania:*

Conservation and curtailment of petroleum production, although it can not be dictated by law, is a necessity dictated by sound economic reasoning. Producers, large and small, are beginning to realize that it is the only means that can possibly establish the industry on a sound economic basis, and more and more are accepting the principle. Prices are about as low as they can go, and any change would be for the better.

And as he retired to his stateroom and closed the door, the reporter might have added, the president of the Shell Oil Co. laughed long and loud in his sleeve.

And the same unyielding grip of control by the same companies extends to the State of Texas. These three—Oklahoma, California, and Texas—are the big oil-producing States of the Union, producing from 75 to 80 per cent of the country's total output.

Is it not a cunningly contrived and effective monopoly of control—so brazen, so bold, so complete as never before? And the tragedy of it all is that it is being carried on in the name of conservation, in the execution of a policy determined without authority and warrant of congressional act, by a department of the Federal Government. Furthermore, the recommendation of a subcommittee of the Federal Conservation Board that cooperative agreements to curtail production for conservation be exempt from prosecution under the Sherman Antitrust Act is evidence that the perpetrators are aware, at least to some degree, of the illegality of their present acts and desire to safeguard and protect themselves from future prosecution.

The following summation was made by the Hon. B. M. Parmenter, a former Assistant Attorney General of the United States under the Coolidge administration and a leading member of the Oklahoma bar, representing the independent producers and refiners. This statement, based absolutely upon undisputed evidence, should be sufficient to electrify the Nation into a realization of the enormous

scope and grip of the conspiracy to determine and fix prices in flagrant violation of the Sherman Antitrust Act. Mr. Parmenter said:

We have here a scheme, world-wide, with a committee with a high-sounding name appointed by the Secretary of the Interior; that committee finding that 650,000 barrels was the amount to be allocated to the State of Oklahoma. Then we have the proration committee, dominated by fabulously rich oil producers, attempting to split up and divide the oil produced in Oklahoma so as to bring it within the 5,550,000-barrel limitation, and then the corporation commission appoints these various umpires, that producing interested companies pay them munificent salaries, and then working together and bringing their influence to bear upon the corporation commission; they work exclusively for the oil producer, leaving out of all consideration the welfare of the royalty owner, the refiner, the laborer in the field, the consuming public, and the distributor of the refined product.

This is probably the only instance in the history of this Nation where a tremendous combination, nation-wide in its scope and interference, has attempted to throttle and strangle a great industry that contributes so much to the comfort, convenience, and cheap method of travel of 122,000,000 of people. Those who survive the strangulation period will be those who have sufficient money to carry them through the war and thereafter buy up the property of the ruined and less wealthy operator. People with millions of dollars invested are denied the right to operate their own property. Oil producers and refiners are thus being ruined in Oklahoma. The so-called purchasing and pipe-line companies are importing vast quantities of crude and refined oil from foreign countries, keeping idle our own labor and capital. A recent report in the newspapers reports the State auditor of Oklahoma as showing a slump of $875,000 in gross production tax collection for the month of November of this year, as compared with November of last year. This, if it continues, will place a heavier ad valorem tax upon other property owners. Proration is trying to do what has been so improvidently undertaken many times before—to nullify the law of supply and demand. While wheat, cotton, livestock, and labor are painfully suffering from overproduction and falling price, the millionaire oil operator is the only one that is receiving governmental aid in an effort to reduce overproduction. For them, and them only, is there governmental effort being made to protect them from falling prices—a condition that is world-wide.

The ever-increasing importations of cheap oil from foreign countries, unchecked and unrestrained by duty or agreement, but emphasizes the injustice and discriminations against our home industries; and those discriminations, in their effective ramifications, have discharged thousands of employees and canceled thousands of leases paying an annual aggregate rental of $160 per farm to the farmers. As rapidly as we empty our tanks and shut in our production, the supply displacement is filled up with the cheap oils produced in foreign countries.

During the year 1930 curtailment will have reduced production in the States of California and Oklahoma alone 104,000,000 barrels—36,410,000 barrels in the State of Oklahoma, at a total estimated value at $42,000,000, resulting in a loss to the State of that enormous amount during this period of depression. Our imports from Venezuela, Colombia, and Mexico of crude and refined oils and the refined products from the refineries in those countries and on the islands of Curacao and Aruba will exceed 100,000,000 barrels, filling up the tanks we emptied by curtailment—this to afford a market for the cheap oils produced by the big companies in those foreign countries at the expense of our own producers, and giving employment to labor there while unemployment is constantly growing among our own oil workers. Could anything be more inconsistent?

The following from the Daily Oklahoman, issue of November 14, 1930, supplies the figures showing the effect of curtailment and no tariff upon the industry in the States of Oklahoma and Kansas:

[From the Daily Oklahoman, November 14, 1930]

OKLAHOMA AND KANSAS LOSE MARKETS TO FOREIGN CRUDE—THESE TWO STATES ALSO BEARING BRUNT OF CURTAILMENT OF PRODUCTION

"The mid-continent—and especially Oklahoma and Kansas—is slowly losing its market to duty-free crude oil and gasoline, largely from Venezuela, Colombia, and Mexico," writes Charles G. Bowles in the Independent Petroleum Association Bulletin for November.

"A most serious economic problem, therefore, faces the mid-continent, production in the three largest States industry's total of $12,000,000,000 worth of assets are found," he continues.

"In the first seven months of 1930 imports of crude oil totaled 42,066,000 barrels and refined products 20,957,000 barrels. This is an average of 173,000 barrels of crude oil and 123,000 barrels a day of refined products, a total of 296,000 barrels a day."

OKLAHOMA BEARS BRUNT

Touching on the curtailment of production, Bowles points out that Oklahoma with a potential of 3,000,000 barrels a day is bearing the brunt of such a shutdown. The following table is given to show the total production and changes for the first eight months of 1930 as compared to the same period of 1929 of the five States comprising the mid-continent:

State	1929	1930
Oklahoma	173,277,000	151,720,000
Texas	194,781,000	200,537,000
Kansas	28,258,000	28,284,000
Arkansas	17,394,000	13,392,000
Louisiana	13,338,000	14,901,000

"While the fields of west Texas have an estimated potential of several million barrels a day, the fact remains that Oklahoma operators reduced their production of crude oil over 21,000,000 barrels" the article says. "Kansas production was almost exactly the same as last year. Of the two Gulf States, Texas showed an increase of 5,756,000 barrels, and Louisiana 1,563,000 barrels.

"The relationship between crude production, refinery runs, and gasoline production in the three largest States in the mid-continent is shown by the following figures for the first eight months of 1930:

"Production: Oklahoma, 151,720,000; Texas, 200,537,000; Kansas, 28,284,000.

"Refinery runs: Oklahoma, 52,740,000; Texas, 147,131,000; Kansas, 23,930,000.

"Gasoline made: Oklahoma, 29,414,000; Texas, 68,172,000; Kansas, 13,215,000.

"Gasoline consumed: Oklahoma, 5,250,000; Texas, 12,900,000; Kansas, 6,600,000.

STATE GREATEST PRODUCER

"The State of Oklahoma is the greatest producer of high-gravity crude oil in the world—and yet it is in about the least strategic position from a competitive standpoint. For instance, in the first eight months of this year, out of every 3 barrels of crude oil produced in Oklahoma 1 barrel was run to stills and 2 barrels either stored or pipe-lined out of the State. And out of every 6 barrels of gasoline made 1 barrel was consumed in the State and 5 were shipped out.

"Compare these figures with Texas and you will find that of every 10 barrels of crude oil produced 7 were run to Texas refineries and 3 shipped out. And out of every 5 gallons of gasoline made 1 was used in Texas and 4 shipped out.

"In Kansas we find the following situation: Out of every 6 barrels of crude oil produced 5 barrels went through Kansas refineries and 1 was shipped out. And out of every 2 barrels of gasoline made 1 was consumed in Kansas and 1 was shipped out.

CRUDE-GASOLINE SITUATION

"It seems to be pretty generally understood that both heavy 'accumulated' stocks and large 'current' surpluses are dangerous things in that they hold down the general price structure. From this angle, then, let us see what happened to both the crude-oil situation and the gasoline situation in these three States during the first eight months of 1930.

"The surplus above State consumption in these three States was as follows, in barrels:

State	Crude	Gasoline
Oklahoma	98,980,000	24,164,000
Texas	53,406,000	55,272,000
Kansas	4,354,000	6,615,000

"In the last analysis the big problem facing the oil industry in every State is, How much crude oil is left over after the refineries have used all they want; how much gasoline is left over after the people have bought all they want; and how can these surpluses be shipped to 'outside' markets and sold at a profit?

"The great bulk of Texas's surplus of both crude oil and gasoline normally goes south to tidewater and by tanker to the Atlantic seaboard and to the markets of the world.

"The great bulk of Oklahoma's and Kansas's surplus of both crude oil and gasoline normally goes to the North and Northeast.

"The 'absorbing power' of the market facing the Gulf coast is much greater than the absorbing power of the market facing the north boundary of the mid-continent.

"But while little foreign crude oil or gasoline is unloaded on the Gulf coast, large quantities of both are unloaded along the Atlantic seaboard. Admittedly, this foreign crude oil laid down on the Atlantic seaboard costs the refiners less per barrel than oil from Oklahoma and Kansas. And, obviously, gasoline made in Atlantic seaboard refineries from this imported crude oil costs less per gallon than the gasoline made from crude oil from the mid-continent—and especially from Oklahoma and Kansas. And, obviously, gasoline made from Venezuelan crude in the giant refineries on the islands of Curacao and Aruba and tankered to points along the Atlantic seaboard costs less than gasoline made from crude oil from the mid-continent, and especially from Oklahoma and Kansas."

Cost of delivering Venezuela oil to Atlantic seaports

Cost of production at wellhead	$0.18
Transportation to terminal point	.22
Transportation from terminal point to Atlantic seaports	.35
Total cost, delivery of Venezuela oil to Atlantic seaports	.75

Authority, United States Bureau of Mines Bulletin 224, page 136, from a study of 4,497 wells on 57 properties in 10 most representative States of the industry.

Authority, United States Bureau of Mines Bulletin 224, page 137.

Authority, American Petroleum Institute Facts and Figures, 1929, page 93.

Authority, Office of Commercial Attaché, United States Department of Commerce, Caracas, Venezuela.

Crude oil in 1929

Country	Imports from—	Exports to—
Venezuela	24,431,000	
Dutch West Indies	16,223,000	
Mexico	12,663,000	211,000
Colombia	12,620,000	
Peru	1,454,000	
Ecuador	1,279,000	
Trinidad	213,000	
Canada		22,412,000
Japan		2,476,000
Cuba		701,000
Spain		148,000
Argentina		101,000
United Kingdom		92,000
All other	49,000	253,000
Total	78,932,000	26,394,000

From the foregoing you will note that Venezuela, the Dutch West Indies (really Venezuela, as the two small islands are merely transfer points for Venezuelan oil), Mexico, and Colombia furnished over 96 per cent of the crude oil imported into the United States.

The following table, while incomplete, for the year 1929 shows that while the exports of the several items total $1,725,000,000 and the imports of the same items total only $172,000,000 there is an adequate tariff on every item in the list, showing that because we export 26,394,000 barrels of crude, mainly to Canada and Japan, yet such does not constitute any valid reason why a tariff should not be placed upon oil and its by-products.

Incomplete list of miscellaneous products of which we exported more than we imported in the calendar year 1929 and which were dutiable under the tariff law. Data compiled from reports of United States Bureau of Foreign and Domestic Commerce:

Product	Imports	Exports
Iron and steel, semimanufactured	$11,003,000	$104,143,000
Steel-mill products (99 per cent)[1]	18,173,000	96,048,000
Iron, steel, advanced manufacture	8,988,000	87,003,000
Electrical machinery: Apparatus	2,664,000	121,365,000
Industrial machinery, office appliances and printing machinery	24,838,000	350,569,000
Automobiles and other vehicles	5,151,000	888,023,000
Animal oils and fats, edible	170,000	117,714,000
Cotton, manufactured	63,454,000	111,216,000
Wood, manufactures (98 per cent)	10,838,000	40,934,000
Pigments, paints, and varnishes	2,821,000	29,119,000
Soaps, toilet preparations (85 per cent)	6,941,000	16,059,000
Photographic goods	7,959,000	31,566,000
Scientific and professional instruments	4,074,000	12,415,000
Musical instruments	4,503,000	18,932,000
Total	172,577,000	1,725,111,000
Duty free—petroleum, crude	79,943,000	37,800,000
Duty free—petroleum, refined	61,023,000	493,373,000
Total	140,966,000	531,173,000

[1] A few items in this classification were exempt; and 99 per cent of the total value of all steel-mill products, 98 per cent of wood, and 85 per cent of soaps paid a duty.

From this hurried presentation of fact, it clearly appears that the Department of Justice, in the interests of the consuming public and the independent producers and refiners, should immediately investigate the administration of the curtailment of production by proration in the three big producing States of Texas, California, and Oklahoma; that Congress should protect our home producers and refiners from the importations of cheap products from abroad by an adequate tariff of at least $1 per barrel and a 50 per cent ad valorem on the refined products which would yield at least $110,000,000 annually, much-needed revenues to our Treasury. And until this protection can be afforded, the authorities in the several States should discontinue the policy of curtailment and give our home producers at least an even break in our home markets. [Applause.]

Mr. ADKINS. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, this question of short selling has been discussed, I think, at every session of our legislature for many years in Illinois. We have the largest grain-marketing institution in the world in the State of Illinois. There has been case after case passed on by the Supreme Court of the State of Illinois with respect to this very subject.

There is a case that has just been adjudicated, which had been pending for some time, of a farmer who, I think, lived in La Salle County, who had been trading in futures with a certain firm. I do not recall the name now, but I know them very well. He had been trading on the Chicago Board of Trade and kept giving his notes.

He got on the wrong side of the market and finally had to give a mortgage on his farm, and when they started foreclosure proceedings he did what we call over in our country welshing on the trade and came forward and refused to pay the note on the theory that no grain was to be delivered. They have gone to the Supreme Court with the case and it has been held that it was a gambling transaction and that he did not have to pay the note.

Time after time this question has been thrashed out in the courts of the State, and it has been held that where it is mutually understood by the buyer and the seller that no grain is to be delivered it is a gambling transaction and one can not recover. There has not been a case where they have established the fact in the courts that it was mutually understood between the buyer and seller that no grain was to be delivered and that it was purely a bet on the up and down of the market where the broker has ever been able to recover.

Mr. GARBER of Oklahoma. Will the gentleman yield?

Mr. ADKINS. Yes.

Mr. GARBER of Oklahoma. And yet the gentleman knows that such transactions, amounting in volume to billions of dollars of farm products, are taking place daily on the boards of trade.

Mr. ADKINS. Yes; and we have laws and courts to cure that very thing. The fly in the ointment is that you have to get before the court the fact that it was mutually understood between the buyer and the seller that no grain was contemplated to be delivered. In all such cases the courts have held against them every time. This whole question has been discussed in our Legislature of Illinois a good many time.

So far as our markets are concerned, if you will get a statement from our division of statistical and historical research, you will find that our corn and wheat are very much higher in our markets to-day than they are in Argentina, Winnipeg, or any other place in the world. Our marketing system is the best anywhere in the world. Of course, when we bought 70,000,000 bushels of wheat to stop the market, that did not stop the market from going down, on account of the economic situation, until it reached the bottom.

However, the point I am making is that you can talk all you like, but if I contract to sell you my crop and you buy it to be delivered at a future time, it is pretty hard matter to draw the line between short selling and selling the real stuff. You may want to sell your contract to some other man and he may want to sell it to some other party and there might be 50 men who will have the contract while I have the original wheat, or I may buy it back myself, and when you go to draft a law to distinctly draw that line, so you can stop a man from selling or buying a contract that there is no grain behind, you have got a pretty difficult question to handle without interfering with my selling to you the real stuff which I have produced to be delivered at a certain time. But so far as selling it when you have not

got it to deliver and have no intention of delivering it, the courts have repeatedly held against such procedure.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. HOWARD. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, on the subject of short selling, I think the whole membership of this House and the membership of preceding Houses deserve more or less censure because of their inability to grapple with a big subject, and it is big. This gambling house of ours—and it is ours—this Chicago Board of Trade, is ours. It belongs to the country. It is the mightiest gambling house the world has known, beside which Monte Carlo pales into nothing; and it is more damnable in its effects upon the American people. It has carried more men down, and women too, to suicide graves than any other one governmental institution.

Now, we have been unable to grapple with it. Do we have less ability to grapple with a big subject than the legislatures of the various States? I can recall, Mr. Chairman, when every business men's organization took the position that an open gambling house, a licensed gambling house like this of ours—it is ours, we have the profits out of it—they took the position that a licensed gambling house was a good thing, was absolutely necessary to promote trade, but at length the legislatures of the States enacted legislation to destroy all licensed gambling houses.

I recall how it was in my own community. We had men engaged in long and short selling in local bucket shops. One of them particularly, a Hebrew brother by the name of Israel Gluck, made a confession to me about his experience on the board of trade. He had been buying grain, and had made a vast amount of money, but some one told him to get over on the selling side. He immediately accepted that advice, nor did he confine his selling operations exclusively to grain, but began dabbling in other commodities. Then he began to lose money rapidly.

He told me how it was—that every morning his wife would come to him and say, "Mr. Gluck, something is the matter. Last night you talked in your sleep about grain and wheat and oats." He said the third morning she came to him—and by that time he had been selling short on that unholy stuff known as lard and pork. He was desperately worried. His wife came to him the third morning and, in her orthodox desperation, took him by the lapel of the coat, looked him in the eye, and said: "Oh, so many nights you have been talking in your sleep about corn and wheat, and last night, Mr. Gluck, in your sleep you talked about pork. Now, what have you got to do with pork?" [Laughter.]

The Clerk completed the reading of the bill.

Mr. DICKINSON. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TREADWAY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 15256, the agricultural appropriation bill, had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. DICKINSON. Mr. Speaker, I move the previous question on the bill and all amendments thereto.

The motion was agreed to.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

At the request of Mr. DICKINSON, and by unanimous consent, the Clerk was authorized to correct the totals in the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. DICKINSON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolution of the House of the following titles:

On December 15, 1930:

H. R. 1759. An act for the relief of Laura A. DePodesta.

On December 16, 1930:

H. R. 10341. An act to amend section 335 of the Criminal Code; and

H. R. 10198. An act to repeal obsolete statutes, and to improve the United States Code.

On December 17, 1930:

H. J. Res. 440. Joint resolution authorizing the payment of salaries of the officers and employees of Congress for December, 1930, on the 20th day of that month; and

H. R. 1825. An act for the relief of David McD. Shearer.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 444. Joint resolution making an appropriation to supply a deficiency in the appropriation for the fiscal year 1931 for expenses of special and select committees of the House of Representatives.

STATUTES AFFECTING AMERICAN INDIANS

Mr. LEAVITT. Mr. Speaker, I ask unanimous consent to address the House for a few moments.

The SPEAKER. Is there objection?

There was no objection.

Mr. LEAVITT. Mr. Speaker, I have just now introduced a bill entitled "A bill authorizing the President, through the Secretary of the Interior, to study, report, and recommend on a revision and codification of the statutes affecting the American Indians." I desire to inform the House regarding the purpose of this proposal.

There is a real opportunity at the present time for constructive legislation by Congress, based on a new appraisal of the problem of the Indian. Experience has shown that the question of handling the affairs of the Indian must in some way or other bring about his training and development so that he can absorb within a reasonable period of years the full responsibilities of a contributing citizenship. One of the most intricate and difficult problems facing the department and Congress in this connection is the relationship of legislation to the welfare of the American Indian. To try to care for any individual problem or inequity at the present time, it is necessary often to find the way through a maze of statutes. Legislation has taken the form of special laws for specific Indian groups, or has turned to the solution of individual Indian questions rather than to general statutes and general appropriations for efficient administration under proper legal safeguards. The result is a patchwork of laws passed at different times and under different conditions with large gaps, and a number of Indian treaties further complicate the situation. This has led to a policy that has been vacillating at times and has resulted in uncertainties in administration, misunderstandings and inequities as between tribes of Indians, and, in all, to a degree of dissatisfaction which is likely to increase rather than decrease if the present methods are continued.

All of this has made the administration of Indian affairs one of the most confusing jobs in the Federal Government. The responsibility does not rest on any particular Congress or upon any administrative period in the handling of Indian affairs. It is a responsibility that must be spread over a long period of years and in which practically all of those who have dealt with the affairs of the Indian are involved. It is evident that the Federal Government has, in fact, drifted into a piecemeal solution of the Indian problem, and it is

important that a practical study be made of many phases of the relationship of the Federal Government to the Indian. Having accepted plenary power over the Indian, Congress has necessarily been the most active agent in trying to work out adequate methods for the protection of his property and his development as a citizen.

Very large holdings of land, large sums of money, as well as the welfare of a quarter of a million people are concerned. In themselves the property rights of the Indian, tribal and individual, constitute a broad and complex feature of our Indian problem from both an administrative and legal point of view. Experience has demonstrated the deficiency in or inadequacy of our present allotment laws to fulfill the best needs of the Indian in many cases. This, coupled with the varied and multiple statutes relating to different tribes, emphasizes the wisdom of a uniform and consistent body of laws with respect to such matters. Undistributed tribal assets, frequently incapable of division on an equitable basis, as lands unsuitable for allotment purposes, those containing heavy stands of valuable timber, underlying mineral deposits, and so forth, need careful analysis and determination of the best plan to be followed to do full justice to the membership of the tribe whose rights are involved.

Should a tribal corporation be established to take title to the property of deceased allottees and issue to the heirs stock of the corporation itself to provide a future land tenure for the Indians of the next generation? Tribal claims, equitable or otherwise, by the Indians against the Government, based usually on transactions long since matters of history, need special attention. The question of taxation, a comparatively recent development, has become important and complicated under our present educational and allotment systems and the widespread leasing of Indian lands to the whites. Jurisdictional questions between Federal and State Governments of the enforcement of law and order on Indian reservations are badly confused. The Federal Code in 1910 gave Federal courts jurisdiction over eight major crimes committed on Indian reservations. Other crimes are in an uncertain border class where many States decline jurisdiction and the Federal courts have none.

I have no idea of criticism of the Indian Service or of Congress, but those having responsibility are becoming increasingly conscious of the need of having some of the best experts available brought together to make a study and to open new ways toward getting out of the present tangle. It will require full-time service from a number of individuals—experts in law, business, education, engineering, reclamation, health, and social service. A wide knowledge of the tax laws of the different States in which Indians are located will also be needed. Such a group, with adequate financial support, could, in the course of one or two years, map out a broad, constructive revision of Indian laws. Either the group should be composed of distinguished individuals or volunteer or part-time service, with the power to employ experts, or a group of experts should be selected from the beginning. A representative Indian citizen should be included. About $250,000 and a year or two years' time would be required to prepare a report which would be of real value to Congress and to the Office of Indian Affairs.

A bill authorizing the President, through the Secretary of the Interior, to study, report, and recommend on a revision and codification of the statutes affecting the American Indians

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $250,000, or so much thereof as may be necessary, to be immediately available, to cover any expenses which may be incurred by the President, through the Secretary of the Interior, in making a study and report on the policy of the Federal Government in relation to the American Indians as found in the applicable statutes of the United States, their treaty, property, and citizenship rights, their health, education, and social welfare, the relations of the States to the so-called Indian problem, and any other phase of the national policy affecting the aim and end of Federal guardianship over the affairs of the Indian as embodied in existing laws and treaties, and to make recommendations on all such matters. Such expenditures may include compensation and expenses of persons named for the purposes, at least one of whom shall be an Indian citizen of the United States; the employment of experts, stenographic, and other services by contract if deemed necessary, transportation, travel, and subsistence, or per diem in lieu of subsistence, rent of office in the District of Columbia and elsewhere, purchase of necessary books and documents, printing and binding, official cards; and/or such other expenses as the President and the Secretary of the Interior may deem necessary, without regard to the provisions of any other act.

CHICAGO WORLD'S FAIR CENTENNIAL CELEBRATION (H. DOC. 698)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on the Library and ordered printed:

To the Congress of the United States:

I transmit herewith a report of the committee which I was authorized to appoint (Pub. Res. No. 92, 71st Cong., 2d sess.) for an investigation into the question of representation at and participation in the Chicago World's Fair Centennial Celebration, known as the Century of Progress Exposition, on the part of the Government of the United States and its various departments and activities.

The findings of this committee include recommendations that the Government be represented in the person of a commissioner under the direction of a commission composed of the Secretary of State, the Secretary of Agriculture, and the Secretary of Commerce; that in order to effect economies the organization of this commission and the authorization and appropriation of funds be expedited; and that a certain latitude be conferred upon the commission and the commissioner in the expenditure of public funds, as well as in the employment of personnel.

I commend to the favorable consideration of the Congress the inclosed report of the committee to the end that legislation may be enacted to authorize an appropriation of $1,725,000 for the expenses of representation at and participation in the Chicago World's Fair Centennial Celebration, known as the Century of Progress Exposition, on the part of the Government of the United States and its various departments and activities in accordance with the recommendations of the committee.

HERBERT HOOVER.

THE WHITE HOUSE,
Washington, December 19, 1930.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. WILLIAMS, of Texas, for an indefinite period, on account of important and urgent business.

To Mr. HALL of Mississippi, for an indefinite period, on account of important and urgent business.

ENROLLED JOINT RESOLUTION SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H. J. Res. 444. Joint resolution making appropriation to supply a deficiency in the appropriation for the fiscal year 1931 for expenses of special and select committees of the House of Representatives.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 45 minutes p. m.) the House adjourned until to-morrow, Saturday, December 20, 1930, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

737. A communication from the President of the United States, transmitting amendments to the estimates of appropriation for the United States Shipping Board Merchant Fleet Corporation, contained in the Budget for the fiscal year 1932 (H. Doc. No. 697); to the Committee on Appropriations and ordered to be printed.

738. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on

preliminary examination of Escanaba Harbor, Mich.; to the Committee on Rivers and Harbors.

739. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on preliminary examination of Limestone Creek, N. C.; to the Committee on Rivers and Harbors.

740. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on preliminary examination of Beaufort Harbor and Beaufort Inlet; to the Committee on Rivers and Harbors.

741. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on preliminary examination of Mill Creek at Pollokeville, N. C.; to the Committee on Rivers and Harbors.

742. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on preliminary examination of channel in Pamlico Sound, N. C., to Stumpy Point; to the Committee on Rivers and Harbors.

743. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on preliminary examination of Boothbay Harbor, Me.; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WASON: Joint Committee on the Disposition of Useless Executive Papers. A report on the proceeds from the sale of useless papers in the Government departments. (Rept. No. 2124.) Ordered to be printed.

Mr. PERKINS: Committee on Coinage, Weights, and Measures. R. H. 14271. A bill to authorize the Secretary of the Treasury to prepare and manufacture a medal in commemoration of the one hundred and fiftieth anniversary of the surrender of Lord Cornwallis at Yorktown, Va., and of the establishment of the independence of the United States; with amendment (Rept. No. 2126). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 14331) for the relief of E. Grant Stuart; Committee on Pensions discharged, and referred to the Committee on Claims.

A bill (H. R. 14723) for the relief of George W. Campbell; Committee on Pensions discharged, and referred to the Committee on Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BACHMANN: A bill (H. R. 15488) to extend the time in which applications may be made for the benefits of the disabled emergency officers' retirement act of May 24, 1928; to the Committee on World War Veterans' Legislation.

By Mr. MANLOVE: A bill (H. R. 15489) to amend an act entitled "An act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes," approved March 3, 1927; to the Committee on Pensions.

By Mr. CROSSER: A bill (H. R. 15490) to provide a place to deposit money or valuables of passengers on railroads or other corporations engaged as common carriers in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORE of Virginia: A bill (H. R. 15491) to provide for an examination and survey of the Potomac River from Washington to its mouth; to the Committee on Rivers and Harbors.

By Mr. PALMER: A bill (H. R. 15492) to authorize appropriation in aid of the expansion and operation of George R. Smith College, Sedalia, Mo., for the higher education of negroes; to the Committee on Education.

By Mr. RAGON: A bill (H. R. 15493) to authorize the Secretary of War to lease to the city of Little Rock portions of the Little Rock Air Depot, Arkansas; to the Committee on Military Affairs.

By Mr. ZIHLMAN: A bill (H. R. 15494) to authorize the Commissioners of the District of Columbia to settle small claims, and for other purposes; to the Committee on the District of Columbia.

By Mr. CABLE: A bill (H. R. 15495) to make at once available an additional loan value of adjusted-service certificates; to the Committee on Ways and Means.

By Mr. CRAMTON: A bill (H. R. 15496) to authorize the Commissioners of the District of Columbia to transfer to the trustees of Howard University title to certain property in the District of Columbia; to the Committee on the District of Columbia.

By Mr. JENKINS: A bill (H. R. 15497) to designate United States Highway No. 50 as the George Washington Highway, and for other purposes; to the Committee on Roads.

By Mr. LEAVITT: A bill (H. R. 15498) authorizing the President, through the Secretary of the Interior, to study, report, and recommend on a revision and codification of the statutes affecting the American Indians; to the Committee on Indian Affairs.

By Mr. LUDLOW: A bill (H. R. 15499) to authorize appropriations for construction of quarters for commissioned officers at Fort Benjamin Harrison; to the Committee on Military Affairs.

Also, a bill (H. R. 15500) to authorize appropriations for construction of quarters for noncommissioned officers at Fort Benjamin Harrison; to the Committee on Military Affairs.

By Mr. GARBER of Virginia: A bill (H. R. 15501) in support of extension agents for the relief of counties in the drought-stricken areas; to the Committee on Agriculture.

By Mr. CROSS: A bill (H. R. 15502) for the prevention and removal of obstructions and burdens upon interstate commerce in agricultural commodities by regulating transactions on commodity exchanges, putting a stop to short selling thereon, and for other purposes; to the Committee on Agriculture.

By Mr. DALLINGER: A bill (H. R. 15503) to regulate the wages of cleaners in first-class post offices; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDRESEN: A bill (H. R. 15504) granting an increase of pension to Maria Langhans; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15505) granting an increase of pension to Thomas G. Nesseth; to the Committee on Pensions.

By Mr. ANDREW: A bill (H. R. 15506) granting a pension to Alvie E. Keaton; to the Committee on Pensions.

By Mr. ARNOLD: A bill (H. R. 15507) granting an increase of pension to Lizzie A. Montgomery; to the Committee on Invalid Pensions.

By Mr. AUF DER HEIDE: A bill (H. R. 15508) granting an increase of pension to Sylvia A. Johnson; to the Committee on Invalid Pensions.

By Mr. AYRES: A bill (H. R. 15509) granting a pension to Emma Robinson; to the Committee on Invalid Pensions.

By Mr. BAIRD: A bill (H. R. 15510) granting an increase of pension to Jennie Field; to the Committee on Invalid Pensions.

By Mr. BRAND OF OHIO: A bill (H. R. 15511) granting an increase of pension to Emma D. Cord; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15512) granting an increase of pension to Sarah Eliza Cole; to the Committee on Invalid Pensions.

By Mr. BUTLER: A bill (H. R. 15513) for the relief of Joseph Rines; to the Committee on Military Affairs.

By Mr. CANFIELD: A bill (H. R. 15514) granting an increase of pension to Zenobia Blanche Sniffen; to the Committee on Pensions.

By Mr. CARTER of California: A bill (H. R. 15515) granting an increase of pension to Amy E. Edwards; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 15516) granting a pension to John Parent; to the Committee on Pensions.

Also, a bill (H. R. 15517) granting a pension to Ellen J. Butler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15518) granting an increase of pension to Marion Lee; to the Committee on Invalid Pensions.

By Mr. DEROUEN: A bill (H. R. 15519) for the relief of the heirs of Leontine Brisco; to the Committee on Claims.

By Mr. FITZGERALD: A bill (H. R. 15520) granting an increase of pension to Catharine H. Oxley; to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 15521) granting an increase of pension to Clara G. Branch; to the Committee on Invalid Pensions.

By Mr. HOGG of Indiana: A bill (H. R. 15522) granting a pension to Neva Hutchins; to the Committee on Invalid Pensions.

By Mr. HOGG of West Virginia: A bill (H. R. 15523) granting an increase of pension to W. J. Murphy; to the Committee on Pensions.

Also, a bill (H. R. 15524) granting back pay to William J. Bell on account of pension allowance heretofore made; to the Committee on Invalid Pensions.

By Mr. HOPE: A bill (H. R. 15525) for the relief of Victor B. Tate; to the Committee on Claims.

Also, a bill (H. R. 15526) granting an increase of pension to Caroline Gorgas; to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 15527) granting an increase of pension to Maria Berghoff; to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 15528) granting a pension to Mary Meier; to the Committee on Invalid Pensions.

By Mr. HUDDLESTON: A bill (H. R. 15529) for the relief of Jack Page; to the Committee on Military Affairs.

By Mr. JENKINS: A bill (H. R. 15530) granting an increase of pension to Mary M. Hawkins; to the Committee on Invalid Pensions.

By Mr. KNUTSON: A bill (H. R. 15531) for the relief of Henry Fischer; to the Committee on War Claims.

By Mr. LONGWORTH: A bill (H. R. 15532) granting an increase of pension to Paul S. Megrue; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15533) granting a pension to Kate Harnass; to the Committee on Invalid Pensions.

By Mr. McMILLAN: A bill (H. R. 15534) for the relief of George Brackett Cargill, deceased; to the Committee on Naval Affairs.

By Mr. McREYNOLDS: A bill (H. R. 15535) for the relief of the estate of White B. Miller; to the Committee on Claims.

By Mr. MURPHY: A bill (H. R. 15536) granting an increase of pension to Sarah J. Weaver; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15537) granting an increase of pension to Mary E. Bigley; to the Committee on Invalid Pensions.

By Mrs. NORTON. A bill (H. R. 15538) granting an increase of pension to Annie E. Patten; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15539) granting an increase of pension to Emma L. Parker; to the Committee on Invalid Pensions.

By Mr. PALMER: A bill (H. R. 15540) granting a pension to Elizabeth Blackwell; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 15541) granting an increase of pension to Florence C. Jennings; to the Committee on Invalid Pensions.

By Mr. RICH: A bill (H. R. 15542) granting an increase of pension to Euphenia S. Coon; to the Committee on Invalid Pensions.

By Mr. SEARS: A bill (H. R. 15543) for the relief of William Thomas; to the Committee on Claims.

By Mr. SLOAN: A bill (H. R. 15544) granting a pension to Lucinda C. Abbott; to the Committee on Pensions.

By Mr. SNELL: A bill (H. R. 15545) granting an increase of pension to Sabina Tacey; to the Committee on Invalid Pensions.

By Mr. THURSTON: A bill (H. R. 15546) granting an increase of pension to Jennie Marshall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15547) to allow the distinguished-service cross for service in the World War to be awarded to Lieut. Col. Claude M. Stanley; to the Committee on Military Affairs.

By Mr. THOMPSON: A bill (H. R. 15548) granting an increase of pension to Celestia Finks; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8319. By Mr. BARBOUR: Resolution of Orosi-Cutler Woman's Christian Temperance Union, Cutler, Calif., and resolution of Ladies' Aid Circle of the Methodist Church, of Tulare, Calif., urging enactment of a law for Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

8320. Also, resolution adopted by Fresno (Calif.) Parlor, No. 25, Native Sons of the Golden West, urging restriction of immigration and the inclusion of Filipinos in such restriction; to the Committee on Immigration and Naturalization.

8321. By Mr. DARROW: Resolution of the Philadelphia Chamber of Commerce opposing any increase in rates of postage; to the Committee on the Post Office and Post Roads.

8322. By Mr. GLOVER: Petition of Malvern Post, No. 11, of the American Legion of Arkansas, urging the passage and enactment into law at this session of Congress of some bill or measure providing for the payment to ex-service men of their adjusted compensation; to the Committee on Ways and Means.

8323. By Mr. STRONG of Pennsylvania: Petition of citizens of Armstrong County, Pa., favoring the immediate cash payment of adjusted-service certificates; to the Committee on Ways and Means.

8324. By Mr. YATES: Petition of Romulus Meehan Post, No. 426, La Salle, Ill., urging the immediate passage of the bill to pay in cash adjusted-service certificates; to the Committee on Ways and Means.

8325. Also, petition of Stroot Hardware Co., Quincy, Ill., urging the passage of the Capper-Kelly bill; to the Committee on Interstate and Foreign Commerce.

8326. Also, petition of Super Maid Cook-Worl Corporation, 2742 West Thirty-sixth Place, Chicago, Ill., protesting against the proposed increase of postal rates from 2 to 2½ cents per ounce; to the Committee on the Post Office and Post Roads.

8327. Also, petition of Morris Wisner Lee, 220 South Michigan Avenue, Chicago, Ill., protesting the passage of any legislation that will increase first-class postage rate to 2½ cents per ounce; to the Committee on the Post Office and Post Roads.